

TERM LIMITS AT THE CONSTITUTIONAL CONVENTION

LEVEL:

High School

TIMEFRAME:

One class period

OBJECTIVES:

Students will evaluate the practice of term limits for the American presidency.

Students will use context clues to determine the meaning of academic vocabulary in a primary source

Students will analyze Constitutional provisions to understand abilities and limitations of the American presidency.

Students will compare and contrast Constitutional provisions for the presidency with debates during the Constitutional Convention and real-life applications to the presidency

STANDARDS:

Reading and Writing Literacy in
History/Social Studies

Integrate and Evaluate Content in Diverse
Formats.

Writing Standards

Speaking and Listening

Principles of Democracy

Power, Authority, and Governance

Time, Continuity, and Change

TERM LIMITS AT THE CONSTITUTIONAL CONVENTION, QUOTATION ACTIVITY

1. First, students will need some background on the context of the Constitutional Convention debates and documentation in order to successfully interpret the primary sources they will be using in this activity.
 - a. Explain to students that the Founders did not use the phrase “term limits.” Instead, they talked about a person being “eligible” for the presidency. Thus, if a person were allowed to be reelected for another term in office, he would be “re-eligible.” The Founders also talk about “the doctrine of rotation” at the Constitutional Convention. They are talking about rotating people into and out of the presidency.

- b. Students need to be aware that there was discussion about having the president appointed by the national legislature instead of elected by the people. At some points in the Convention excerpts the students will be reading, the speakers were under the assumption that the president would come to office by such appointment.
 - c. Finally, students need to know that historians' knowledge about the Constitutional Convention is filtered through James Madison's notes. Therefore, in the primary source quotations they will be working with, the arguments are attributed to various representatives at the Convention but are all in third person, as expressed by Madison.
2. Students will also benefit from some vocabulary pre-teaching. Have students record the following vocabulary words and their contextual definitions:
 - a. to execute: to carry out, to put into action
 - b. eligible: able and allowed to do something, in this case serve in office
 - c. incitement: motivation
 - d. to merit: to deserve or earn
 - e. esteem: respect
 - f. Civil: non-military
3. Divide students into 13 mixed-ability groups of two or three students each. Give each group one of the "Constitutional Convention Quotes" (see handout).
4. Student groups should read their quote, then re-write it in their own words. They should also determine if the quotation is for or against term limits.
5. Each group should then take turns reading their original quotation aloud to the class and sharing their re-write of it.
6. Written response: After they have heard all the quotations, students will respond in writing to the following question:
 - a. What is the strongest reason for or against term limits? Why?
 - b. Students may select a reason cited at the Constitutional Convention or one from the pro-con chart the class developed earlier in the lesson. Give students 3-5 minutes to compose a written response to the question. Have several students share their answers with the class.

ACCOMODATIONS:

- For Exceptional Education Students, focus on the following three quotations:
 - King's July 19, 1787 quote
 - The first of Morris's July 19, 1787 quotes

- Mason's July 26, 1787 quote
- As a class, read these quotations. Break them into chunks and help students translate them into more comprehensible language.
- Then, as a group, identify which of those three arguments are in favor of term limits and which are against them. Have students select the quotation they feel makes the strongest argument.

CONSTITUTIONAL CONVENTION QUOTES

Mr. Sherman was ... agst the doctrine of rotation as throwing out of office the men best qualified to execute its duties.

Mr. Sherman, June 1, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 49.

The ineligibility proposed by the clause as it stood tended to destroy the great motive to good behavior, the hope of being rewarded by a re-appointment. It was saying to him, make hay while the sun shines.

Mr. Govr. Morris, July 17, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 310.

As the Executive Magistrate is now re-eligible, he will be on good behavior as far as will be necessary. If he behaves well he will be continued; if otherwise, displaced, on a succeeding election.

Mr. Sherman, July 17, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 311.

He finds too that the Executive is not to be re-eligible. What effect will this have?

... it will destroy the great incitement to merit public esteem by taking away the hope of being rewarded with a reappointment. It may give a dangerous turn to one of the strongest passions in the human breast. The love of fame is the great spring to noble & illustrious actions. Shut the Civil road to Glory & he may be compelled to seek it by the sword.

Mr. Gouverneur Morris, July 19, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 323.

He finds too that the Executive is not to be re-eligible. What effect will this have?

...It will tempt him to make the most of the short space of time allotted him, to accumulate wealth and provide for his friends.

Mr. Gouverneur Morris, July 19, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 323.

He finds too that the Executive is not to be re-eligible. What effect will this have?

...It will produce violations of the very constitution it is meant to secure. In moments of pressing danger the tried abilities and established character of a favorite Magistrate will prevail over respect for the forms of the Constitution.

Mr. Gouverneur Morris, July 19, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 323.

Besides, is there not great reason to apprehend that in case he should be re-eligible, a false complaisance in the Legislature might lead them to continue an unfit man in office in preference to a fit one. It has been said that a constitutional bar to reappointment will inspire unconstitutional endeavors to perpetuate himself. It may be answered that his endeavors can have no effect unless the people be corrupt to such a degree as to render all precautions hopeless: to which may be added that this argument supposed him to be more powerful & dangerous, than other arguments which have been used, admit, and consequently calls for stronger fetters on his authority.

Mr. Randolph, July 19, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 325-326.

Mr. King. did not like the ineligibility. He thought there was great force in the remark of Mr. Sherman, that he who has proved himself to be most fit for an Office, ought not to be excluded by the constitution from holding it. He would therefore prefer any other reasonable plan that could be substituted. He was much disposed to think that in such cases the people at large would chuse wisely.

Mr. King, July 19, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 326.

The Executive he thought should be reelected if his conduct proved him worthy of it. And he will be more likely to render himself, worthy of it if he be rewardable with it. The most eminent characters also will be more willing to accept the trust under this condition, than if they foresee a necessary degradation at a fixt period.

Mr. Elsworth, July 24, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 358.

This was as much to say we shd. give him the benefit of experience, and then deprive ourselves of the use of it.

Mr. Govr. Morris, July 24, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 361.

He conceived at the same time that a second election ought to be absolutely prohibited. Having for his primary object, for the pole-star of his political conduct, the preservation of the rights of the people, he held it as an essential point, as the very palladium of Civil liberty, that the great officers of State, and particularly the Executive should at fixed periods return to that mass from which they were at first taken, in order that they may feel & respect those rights & interests, which are again to be personally valuable to them.

Col. Mason, July 26, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 371.

It seems to have been imagined by some that the returning to the mass of the people was degrading the magistrate. This he thought was contrary to republican principles. In free Governments the rulers are the servants, and the people their superiors & sovereigns. For the former therefore to return among the latter was not to degrade but to promote them. And it would be imposing an unreasonable burden on them, to keep them always in a State of servitude, and not allow them to become again one of the Masters.

Docr. Franklin, July 26, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 371.

In answer to Col. Mason's position that a periodical return of the great officers of the State into the mass of the people, was the palladium of Civil liberty he wd. observe that on the same principle the Judiciary ought to be periodically degraded; certain it was that the Legislature ought on every principle, yet no one had proposed, or conceived that the members of it should not be re-eligible. In answer to Docr. Franklin, that a return into the mass of the people would be a promotion, instead of a degradation, he had no doubt that our Executive like most others would have too much patriotism to shrink from the burden of his office, and too much modesty not to be willing to decline the promotion.

Mr. Govr. Morris, July 26, 1787

Source: James Madison, *Notes of Debates in the Federal Convention of 1787* (New York: W. W. Norton & Company, 1987), 371-372.