Twenty-Sixth Amendment

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which the presidency could become a lifetime position. Franklin D. Roosevelt broke this tradition when he decided to run not only for a third term in 1940, but for a fourth term in 1944.

The amendment was a direct result of Roosevelt's four terms in office. The Republican-led Congress proposed a constitutional amendment limiting the president to two terms in office. The rationale for the amendment was based on the belief that without term limits the presidency could turn into a dictatorship. Democrats, however, felt that it was an attempt to reach beyond the grave to admonish Roosevelt. The extreme partisan nature of this issue was barely hidden behind the veil of constitutional debate, which never focused on the fact that the delegates at the Constitutional Convention did not include any eligibility limitations on the presidency in the U.S. Constitution.

Nevertheless, the House passed the presidential term limit amendment by a vote of 285 to 121 on February 6, 1947. The Senate passed the amendment on March 12, 1947 by a vote of 59 to 23. In both the House and the Senate, Republicans passed the amendment unanimously, while the yea votes from the Democrats consisted mainly of southerners.

The amendment was then sent for ratification by three-fourths of the states. It took 41 states approximately four years to ratify this amendment. By the end of 1947, the 18 states that had ratified the amendment were mostly Republican strongholds. From this time until February 27, 1951, the remaining 18 states needed to reach the three-fourths requirement were obtained, mostly from conservative Democratic southern states.

The issue of presidential term limits was visited again during Ronald Reagan and William J. Clinton's terms in office. During Reagan's presidency, many Republicans considered repealing the amendment to allow him to serve a third term. However, this idea was quickly dropped when it became clear that Reagan would not be a viable presidential candidate in another election. At the end of Clinton's second term in office, there was also discussion about the possibility of repealing the amendment. However, Clinton supported modifying the amendment in order to allow individuals to serve more than two terms in office as long as they were non-consecutive. However, this has also not been seriously considered by the U.S. Congress.

SEE ALSO: Elections Laws, Federal Elections; Presidential Election of 1940.


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Twenty-Sixth Amendment

THE ADOPTION OF the Twenty-Sixth Amendment to the Constitution on March 10, 1971 marked a reduction of the minimum voting age from 21 to 18 years of age. Its passage also signaled a conclusion to a debate dating back to the Civil War, regarding a controversy over the military draft and the minimum voting age. It seemed ironic and unfair to some Americans that the government could draft soldiers between the ages of 18 and 21 to fight in a war and risk their lives on the battlefield, but not allow those soldiers to vote. Consequently, a voice of dissent arose (which reached its height during the Vietnam War) contending that all soldiers should be able to vote for or against those government officials who have the authority of deciding whether or not to send them to war. Soon after the United States' entry into World War II, a resurgence of the debate led members of Congress to act on the issue. Beginning in 1942, Senator Arthur Vandenberg (R) and Representative Jennings Randolph (D) introduced legislative initiatives to lower the voting age, and many others followed. Others, such as Representative Emanuel Celler (D), pushed for a permanent freeze of the voting age at 21. By 1971, Congress had introduced over 150 proposals in support and dissent on the subject.

Members of Congress were not alone in their determination to address the issue. Presidents Dwight D. Eisenhower, Lyndon B. Johnson, and Richard M. Nixon also joined the debate. President Eisenhower called for
a reduction of the voting age in his 1954 State of the Union Address. In the summer of 1968, President Johnson began calling on Congress to propose and adopt an amendment to the Constitution. As a presidential candidate that year, Richard Nixon also voiced his support for allowing 18-year-olds to vote, but was skeptical regarding the constitutionality of having the reform passed as a legislative statute. Between 1968 and 1970, Congress also held a number of key hearings on the matter. In addition to the issue of military service, proponents for reducing the voting age pointed to the ability of the age group to hold jobs, pay taxes, attend college, be tried in court as adults, drive an automobile, and, at the time, drink alcohol. In the end, public pressure during the Vietnam War and a key decision by the Supreme Court paved the way for the Twenty-Sixth Amendment.

When the Voting Rights Act of 1965 expired in 1970, Congress renewed it with a provision for lowering the voting age. President Nixon signed the legislation into law, but openly reiterated his reservations regarding its constitutionality as a legislative statute. Shortly thereafter, the Supreme Court addressed the constitutionality of the provision in Oregon v. Mitchell (1970). In its ruling, the Supreme Court held that, although Congress had the power to lower the voting age at the federal level, such power did not extend to state or local elections. In light of this decision, some states would need to create a dual voting system or amend their respective constitutions in order for 18 to 21-year-olds to be able to vote.

With the elections of November 1972 looming ahead, a number of state legislatures realized that they would be unable to overcome such legal requirements before Election Day. Subsequently, Senator Jennings Randolph (D) of West Virginia reintroduced the provision in 1971 as a proposed amendment to the Constitution. This time, the amendment passed by lopsided votes of 401–19 in the House of Representatives and 94–7 in the Senate.

Ratified in just 107 days by 42 states, it was the fastest ratification of an amendment in U.S. history and enfranchised an estimated 11 new million voters. With the general decline in U.S. voter participation, however, voting and other forms of political participation among those 18 to 21 years of age have decreased considerably since the 1972 elections.

SEE ALSO: Military Vote; Suffrage; Voter Disenfranchisement; Voting Rights Act of 1965.


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Twenty-Third Amendment

PROPOSED ON JUNE 16, 1960 and ratified on March 29, 1961, the Twenty-Third Amendment gave the District of Columbia the right to appoint electors of the president and vice president to the Electoral College. The number of electors was limited to the same number of electors as the least populous state.

This provided the District of Columbia with three electoral votes, the same as the state of Wyoming. Until 1961, the residents of the District of Columbia had no say in who became president and vice president of the United States. Although the seat of the federal government, with a population greater than 13 of the 50 states at that time, the residents of the District of Columbia had neither the right to go to the polls to vote in presidential elections, nor the ability to designate electors to the Electoral College. Nevertheless, they were required to fulfill all expectations of citizens of the United States, such as payment of taxes.

The amendment provided that the District of Columbia would be allowed to choose the same number of electors as a state with its population would be allowed to elect. The number of electors a state is allotted equals the number of Senators, plus the number of House Representatives who represent a state in Congress. However, the amendment also limited the number of electors the District of Columbia was allowed to obtain to an amount equaling the number of electors in the least populous state. This state, Wyoming, has three electors; therefore, the District of Columbia was given three presidential electoral votes. Three electoral votes is the least number of electors any state, regardless of its population, may be allotted because every state has at