

## **SENDIN' 'EM HOME EARLY: OKLAHOMA AND LEGISLATIVE TERM LIMITATIONS**

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The drive to enact legislative term limitations has emerged as an enduring political movement in the early 1990s. However, the phenomenon has changed much since Oklahoma voters approved State Question 632 on September 18, 1990. Term limit supporters suffered one setback with a defeat in Washington state in 1991, but were overwhelmingly successful in 1992 with approval of term limit initiatives in 14 states. Now the focus of term limit supporters is on working to enact a constitutional amendment which would limit the tenure of members of Congress from all fifty states. In being the first state to enact term limits, the Oklahoma experience tells us much about how the term limit phenomenon began and provides a benchmark to judge how much the movement has been transformed.

**Wielding their power of direct democracy**, voters in 1990 amended their state constitutions to limit legislative tenure in three states, Oklahoma, Colorado, and California. Although a term limit proposal failed in the state of Washington in 1991, voters in 14 states in 1992 approved term limit initiatives. In the process of campaigning for term limits in those 14 states, term limit campaign organizers have become centralized with headquarters in Denver, Colorado, and Washington, D.C. Currently, term limit supporters have begun lobbying Congress to propose an amendment to the U. S. Constitution stipulating limits on congressional tenure while working to protect their 1992 successes from court challenges.

The term limit phenomenon has changed dramatically since September 18, 1990, when Oklahoma voters approved a 12-year limit on the tenure of their representatives in the state legislature. This paper examines the Oklahoma experience in an effort to identify a benchmark for assessing later term limit campaigns. To provide our perspective, we first investigate in detail the process and politics of the Oklahoma experience with term limits. This detailed examination experience is followed by an analysis of the impact of term limits on Oklahoma politics and on the nearly-mature term limit movement.

## PROCESS AND POLITICS IN THE OKLAHOMA TERM LIMIT EXPERIENCE

The year 1990 was an important one in the history of legislative term limitations as voters in three states, Oklahoma, Colorado, and California, decided that their state legislators (and in the case of Colorado, their congressional delegation) needed to have their tenure in office (state) constitutionally limited. In 1991, a term limit initiative was defeated in Washington state. By the end of 1992, term limits on state legislatures and on Congress had been enacted by 16 states. The following section examines the process through which the first, Oklahoma's, term limitation initiative was enacted.

To many casual observers, term limitation was a new idea when Oklahoma voters approved State Question (SQ) 632 in 1990. However, term limitation is an idea older than the nation (Petracca 1992; also Beyle 1992; Richardson 1991; Benjamin 1985). As Richardson (1991) documents, there have been many proposals to limit the terms of legislators (particularly members of Congress), but none have ever reached fruition. The novelty of legislative term limitations in Oklahoma stems from the fact that term limits were enacted, not as a result of the legislative process, but through direct democracy. By approving SQ 632, Oklahoma voters were indicating that they believed the legislature had become too powerful, a judgment usually reserved for the executive branch.

Tulsa businessman Lloyd Noble II had "often thought . . . that we [Oklahomans] could limit our state legislators via the initiative-petition process" (Noble 1992, 24). In 1989, when a blue-ribbon commission appointed by the governor to recommend changes in the state constitution failed to consider term limits, Noble decided to take a deeper look into the concept. He commissioned Cole, Hargrave, Snodgrass & Associates, a political consulting firm in Oklahoma City, to conduct a poll of Oklahomans. The goal of the survey was to determine the level of popular support for term limits. Since there was overwhelming support, Noble decided to begin an initiative effort (Noble 1992, 24).

The formal initiative process in Oklahoma is prescribed in Article V of the state constitution, interestingly juxtaposed with the description of the structure and function of the legislative department. An initiative requires that 8 percent of the voters petition to have any legislative matter or constitutional amendment placed on the ballot (Morgan et al. 1991, 74).

The process that resulted in the first state legislative term limits began in the fall of 1989 when Noble (on September 14) filed a petition with the Oklahoma Secretary of State to limit the length of service of Oklahoma legislators to twelve years. The petition also stipulated that these twelve years could be served in either chamber or both. For example, a member of the state house could serve

four years in that body and seek election to the state senate where he or she would be able to serve only eight more years (McGuigan 1991; Copeland and Rausch 1991).

The question was carefully drafted by “a former legislator, a current legislator – both attorneys – and a personal friend who was also the personal attorney for the late Senator Bartlett” (Noble 1992, 24). Tom Cole, the president of Cole, Hargrave, Snodgrass & Associates, a former state senator, and a recent Executive Director of the Republican National Congressional Committee, relates that in drafting the question, the lawyers took several factors into account. First, the question had to conform to the “single-subject rule.” The results of the survey were taken into account; although there was support for term limits of eight or even six years almost everyone favored at least 12 years. The question “could not include federal offices because it might anger popular politicians” like U. S. Senator David Boren, who was serving his third term, and U. S. Senator Don Nickles, who was going to announce that he was running for a third term. So, even if the drafters of the question had been able to include federal offices in such a way as not to violate the single-subject rule, they remained very concerned about having Senators Boren and Nickles oppose the measure (Cole 1993).

With the question drafted, Noble’s organization was able to collect signatures. Paid collectors were able to gather the second highest number of signatures on an initiative petition in the prescribed ninety-day period. The signatures were certified by the Secretary of State and the certification was validated by the state Supreme Court (Noble 1992, 24-25).

After the signatures on the petitions were validated, Noble persuaded Republican Governor Henry Bellmon, a supporter of the proposal, to place the question on the primary run-off ballot in September 1990. Both men wanted to avoid the general election clutter and distractions, but of more importance was the desire to have Oklahoma be the first state to enact term limits. Noble recalls telling Governor Bellmon, “Governor, [term limits in] Colorado and California are going to be on the ballot in November [1990]. We want to beat them” (Noble 1992, 26; Martindale 1990). While this may seem to be pure boosterism (or “Soonerism”) on the part of the two men, there is a “tendency . . . for contentious policy questions to get settled at the ballot box on primary or runoff ballots” (McGuigan 1991, 3). Placing term limits on the general election ballot might have required some candidates to take public positions on the issue. With the question to be decided on the run-off ballot, candidates felt less need to take a position.

On September 18, 1990, Oklahoma became the first state to enact term limits. Voters approved the measure by a margin of almost two-to-one (Greiner 1990c). Most of the credit for the initiative’s success can be credited to Noble

and, perhaps, a disgruntled electorate upset over the heavyhanded way their legislature flaunted constitutional directives. Copeland (1992) and Rausch (1992) argue that support for term limits in 1990 was linked to support for an initiative approved in 1990 mandating the beginning and ending dates of each legislative session.

Noble, whose family is known throughout the state for their philanthropic efforts, is a Republican who once ran unsuccessfully for a seat in the state house. The pro term limit effort was spearheaded by an informal organization, Oklahomans for Legislative Reform, that was bankrolled primarily by Noble and other members of his family. The total budget for the campaign including advertising was \$220,000, most of which was collected from individuals (Noble 1992, 32). Financial records on file at the Oklahoma Ethics Commission show that most of the money was raised in state. Cleta Deatherage Mitchell, a former Oklahoma legislator and current director of the Term Limits Legal Institute, relates that Noble went into debt financing the measure, debt which he had not expected given the overwhelming popular support for the measure (Mitchell 1993). It was this debt, as well as concerns about the constitutionality of congressional term limits enacted by statewide initiative, which caused him to remove himself from a leading role in a forthcoming effort to place congressional term limits on the ballot (Associated Press 1993).

Noble's organization had a bi-partisan cast as most of the Republican minority in the state legislature and a number of key Democrats, including former Governor Raymond Gary, enthusiastically supported the idea (Copeland 1992; McGuigan 1991, 10-11). Simultaneously, Democratic gubernatorial candidate David Walters, while not specifically endorsing Noble's proposal, implied support and ran his own successful campaign against "professional politicians" (Lackmeyer 1990). During his campaign, Walters ran a commercial attacking professional politicians. Had it not been for the free advertising term limits received from Walters, Mitchell (1993) believes the campaign would have had to spend more.

Cole (1993) relates a more interesting account of Walters' support for the initiative. Early in the gubernatorial campaign, Walters contacted Noble with a proposal for a *quid pro quo*: would Noble publicly endorse the Walters campaign in exchange for Walters' endorsement of term limits? Noble, not wishing the term limit initiative to be associated with any party or particular candidate, rejected the proposal. According to Cole (1993), term limits was an effort "by the people of the state of Oklahoma to reclaim their legislature" and Noble was not going to have partisan politics endanger the effort.

Noble encountered less enthusiasm for his proposal from an interesting segment of the Oklahoma population. Many corporate leaders gave lip-service

to his initiative but failed to provide any substantial resources. He indicated that while many chief executive officers liked the idea, their government affairs staffs cautioned against active support or financial contributions (Noble 1991). According to Noble, the government affairs “people” did not want “to offend the legislature” (Martindale 1990).

Noble did find an enthusiastic supporter in one businessman, media tycoon Edward L. Gaylord. Among other holdings, Gaylord owns the Oklahoma Publishing Company (OPUBCO), the parent company of the state’s largest newspaper, the *Daily Oklahoman*. Gaylord, a billionaire, has been labeled “the richest and arguably the most powerful person in the state.” He also is recognized for his often controversial “ultraconservative views and his eagerness to skewer his political foes with blistering front-page editorials (in the *Daily Oklahoman*)” (Morgan et al. 1991, 4-6). The government affairs staff at OPUBCO did not have to worry about angering the legislature because the body is frequently the subject of the “blistering editorials.” OPUBCO and Gaylord gave large financial contributions to Noble’s efforts and the *Daily Oklahoman* displayed its support editorially (Rausch 1992, 6).

Public opinion data presents a measure of mass support for term limitations. McGuigan (1991, 7) notes that “the concept [of term limits] was never weaker in public opinion polls than the two-to-one margin it garnered [on election day].” Survey data support that contention. Noble’s original survey showed a better than four-to-one advantage<sup>1</sup> and a survey of Oklahoma residents taken in advance of the election found similarly strong support coupled with limited variation across demographic categories. The data from the latter survey are presented in Table 1 showing overall support for term limits to be about 75 percent.

Some minor differences in responses are found when the data are broken down in various ways, but in all cases support remains overwhelming. We do find that those least likely to vote are least supportive and that men are more likely than women to support this initiative (by 8 %). The Oklahoma poll also confirms the expectation that support for term limitations is greatest among those with low socioeconomic status (SES) – those most likely to feel unattached to politics – and is much more modest among those with high SES. Among the more political indicators we find that Republicans are slightly more supportive than are Democrats and that conservatives are more supportive than moderates or liberals. What is most clear is that Oklahomans, regardless of their political ilk, supported term limits.

The Oklahoma data are complemented by data from a candidate poll conducted in the fall of 1990. The individual was a challenger to a one-term (four-year term) state senator. The challenger, though, had served in the state house

TABLE 1

## Oklahoma's Response to Term Limits

		Support Term Limits %
All respondents		74.8
Likelihood to vote:	Very likely	74.6
	Somewhat likely	77.5
	Not at all likely	64.7
Sex:	Male	77.9
	Female	71.9
Age:	18-24	81.5
	25-34	69.2
	35-49	74.2
	50-64	73.1
	65+	80.4
Socioeconomic status:	High	63.9
	Middle	77.9
	Low	77.4
Party:	Democrat	72.8
	Republican	78.4
Ideological Identification:	Liberal	70.7
	Moderate	70.3
	Conservative	78.6

Source: This survey was conducted by Frank N. Magid Associates on behalf of KOCO-TV, Channel Five in Oklahoma City. It included a random sample of 412 individuals in the state of Oklahoma.

since 1979, i.e., had served exactly the twelve years that would be allowed under Oklahoma's new amendment. No question was directly asked regarding term limitations, but a question was asked whether the long-standing house member had been in office too long. Twenty-eight percent agreed; 37 percent disagreed, and about one-third had no opinion. Clearly the pattern is quite different when there is a name attached to the length of service for an individual. The overall pattern of responses and correlations with other variables suggests that even

those who agreed that the candidate had been in office too long did so out of political opposition. The correlation between that viewpoint and support for the incumbent, for example, is .37.

Almost no opposition emerged to challenge the initiative, a fact owing much to Oklahoma's history of populism and government "by the people." A group calling itself "The Committee to Protect the Rights of Oklahoma Voters in Elections" (PROVE) emerged less than a week before the election. Its leadership included Jim Frasier, a Tulsa attorney and the former state chair of the Democratic Party, and Glo Henley, former executive director of the state Democratic Party. The organization could muster little effective opposition (Greiner 1990b). Some minimal opposition to the initiative came from current members of the state legislature (Greiner 1990a). Former Speaker of the U. S. House of Representatives Carl Albert was the most visible politician who opposed the initiative, but Copeland (1992, 142) claims that Albert's efforts may have been "too little, too late."

With the initiative successfully approved by Oklahoma voters, Lloyd Noble had made his mark. Less than a year later, he directed a group called "Oklahomans for State Question 640" which raised money and campaigned for the passage of a proposal commonly called the "no taxation without a vote of the people" initiative. He was also successful with this initiative (see Rausch 1992).

Several factors worth noting become apparent with a close examination of the history of term limits in Oklahoma. First, almost every part of the process involved Oklahomans. Noble is an Oklahoman who previously had campaigned unsuccessfully for the state house. To conduct the survey which resulted in his decision to campaign for term limits, he chose an Oklahoma City political consultancy. He relied on two Oklahoma lawyers, State Senator Gary Gardenhire of Norman and attorney Wilson Wallace of Ardmore, to write the initiative (see McGuigan 1991, 11). Almost all of the money spent in the campaign was raised from Oklahoma sources with almost no assistance from outside and no help from national term limit groups. The second factor is that Noble wanted the initiative to succeed and attract attention from across the country. Conversely, a failure could have doomed the nascent movement nationwide. His initial survey showed that limits of eight or even six years could pass, but twelve-year limits were shown to be more easily approved. Noble relates that he "very much wanted it [the limit] to be retroactive," but was talked out of that strategy with good reason (Noble 1992, 24). The initiative was simple and clear with no loopholes other than the "grandfather" clause, and it met the legal requirement of dealing only with one subject. Noble wanted Oklahoma to be first and it was.

These factors coupled with the growth of the term limit movement after successes in Colorado and California in 1990 are evidence that Oklahoma's

experience provides a useful study in term limit politics and strategy. The following section examines the impact that term limits in Oklahoma have had on politics in the state and on the growing term limit movement in the rest of the nation.

## THE IMPACT OF TERM LIMITS IN OKLAHOMA

The impact of term limits in Oklahoma, of course, will not be felt until we approach the end of the twelve-year period in 2002, but several scholars have speculated on the potential consequences to Oklahoma politics specifically (e.g. Copeland and Rausch 1991; Copeland 1992) and to state legislatures in general (e.g. Thompson and Moncrief 1993; Bositis 1992; Moncrief et al. 1992; Moncrief and Thompson 1991). This section examines the potential impact of term limits on Oklahoma politics and the real impact of Lloyd Noble's enterprise on the maturation of the term limit movement.

### TERM LIMITS AND OKLAHOMA POLITICS

At one level, the implications of legislative term limits on Oklahoma politics are obvious. But to understand them fully it is important to recall that all legislation has unintended as well as intended consequences. The opportunity to explore the question of these consequences is a rare and fun opportunity for political scientists embedded in the empirical tradition because no data exist nor will it for some period of time. We can freely speculate then and, if wrong, so much time will have passed before being proven wrong that no one will remember; if right, we can remind our colleagues a decade from now. So what follows is simply our best estimate of what will ensue as a result of the current term limitation movement. We first look at how term limitation is likely to have an effect on the relationship between representatives and their constituents and examine questions related to representation. We then turn to how it might influence internal legislative affairs. Finally, we examine how it will affect the relationship between the legislature and other actors in our polity.

#### Representation

The goals of supporters for term limitations primarily involve increasing the quality of representation that constituents receive. The fundamental premise



behind term limitations as a method to improve the quality of representation is that current elections are unfair and invidiously biased in favor of incumbents. Re-election figures – certainly for the U. S. Congress, and to a lesser extent for the state legislature – indicate that incumbents are seriously advantaged or, alternatively, that we actually have the best representation conceivable. As we all know, election data also provide evidence that open seats are more competitive. Therefore, the goal of more competitive elections should be achieved – at least every twelve years in Oklahoma. But, we may instead see a pattern develop whereby many candidates get a free ride after a term or two as potential challengers simply wait for the assured open seat, thereby limiting competition in the interim. This is of particular concern in Oklahoma with the relatively generous twelve-year limitation placed on its legislators.

The goal of fairness in elections is more difficult to assess. The distinction between competitive and fair is subtle, but important. Competition simply means close. Fair implies that regardless of the status of the seat (open or not), candidates have a reasonable opportunity to pursue election to it. If no other changes are made in conjunction with or in addition to term limitations, then the inherent fairness of the election has not been affected. All the advantages of incumbency (and perhaps more) will remain except in the year that the seat is open.

Term limits, then, are designed to treat the symptoms of a more egregious problem – unfair elections. If that is the case, then one of the most problematic unintended consequences of limits is that their passage may forestall serious election reform. Many states and Congress appear to be on the verge of serious consideration of election reform, but now some of the pressure may be lifted.

A potential positive consequence of term limitations is that parties may be strengthened by them. Mitchell (1990) effectively argues that term limits will force Democrats constantly to renew, to reinvigorate its leadership, and to remain closer to the party's constituencies. To us, her arguments are persuasive, but the point can be carried even further. Neither party will be able to count on Representative X to hold a seat indefinitely and will have to develop the infrastructure to make a seat a Republican or Democratic seat rather than so-and-so's seat. Party organization will become more central to obtaining and to holding a district over any extended period of time.

Mitchell's position is interesting because many people feel that term limits will benefit minorities – by "minorities," we mean any group that is underrepresented, including Republicans in the state legislature, racial and ethnic groups such as African-Americans, Hispanics, and women (although research shows that minorities do not vote for term limits, Martin 1992). The logic behind this view is straightforward. Incumbents can rarely be defeated and incumbents, currently, are white males and Democrats in the state legislature. If

more seats are open, the chances increase for underrepresented groups to vie for election.

The data for Oklahoma in part support that line of argument, but the picture is not quite as neat as might be expected. At the start of the 44th Legislature there were three African-Americans in the House and two in the Senate. One, Representative Kevin Cox, would not have been on the ballot in 1992 if term limits had been fully in effect. Moreover, political realism suggests that there are very few additional districts in this state where African-Americans could effectively compete. Likely, term limits would not alter the success level for African-Americans. Women, though, might marginally benefit from term limits, but that is not at all certain either. There are eight women in the House, none of whom would be affected by term limits. But the success rate for women is not great. While three women gained initial election in 1990, only one garnered that first victory in 1992 – and she succeeded another woman and ran against a woman. The overall success rate for women is similar to that for men (a little less than .5 in the House and about .3 in the Senate), but the success rate for women challengers in 1992 was virtually zero. Further, of the six women in the Senate, two could not have taken the oath of office at the start of the session had term limits been in place. Clearly, in Oklahoma the evidence on this point is mixed primarily because of the incapacity of underrepresented groups to compete even under the best of circumstances.

The possibility also exists for the parties to stagnate under term limitations, a greater possibility in a one-party state like Oklahoma. A political party which has held a seat for a number of years because it was held by a long-time representative or senator would predictably be unwilling to open the seat to an “unusual” candidate who might lose to the other party’s candidate. The party in that district would be more likely to have groomed a candidate over the years to replace the “old-timer” and would work very hard to see that the anointed candidate has an easy primary. Thus, competition in party primaries would be replaced by a “farm system” in which the politically ambitious must serve an “apprenticeship” until the current occupant is forced to leave office because of term limits. In states like Oklahoma where the parties are stronger, term limits could serve to increase the party’s ability to choose candidates leaving any competition for the general election.

There are other drawbacks related to representation that are likely to develop under a system that includes term limitations. First, voters are even less likely to recognize the person who serves as their representative. The representative may not serve long enough to make himself or herself known to constituents. The converse also could occur with the representative feeling pressured to make himself or herself known to constituents through various forms of public rela-

tions to the detriment of any legislative agenda. Needless to say, the voters may have too little information about incumbents or too much information and no legislative record against which to judge a representative's performance.

The electoral connection also may frequently be decoupled because we will see a large number of lame ducks at any given time. We do not need to recant the literature on the topic, but without the impending check by the electorate, the compulsion to represent one's constituents will likely decrease. The same logic holds for the various service functions performed by legislators. For better or worse, our legislators have evolved into an American ombudsman source. If the motivation to perform that role decreases, then either citizens will suffer or some other device will have to be developed. While the decoupling of the electoral connection may be viewed as a negative, other commentators (e.g. Will 1992) see this as a reason to support term limits. Without the need to satisfy all constituents for the sake of reelection, Will argues that legislators will deliberate more and tackle the difficult questions facing government today.

To conclude this section, let us offer a positive consequence of term limitations. Competition for a variety of offices may increase on a regular basis as a result of term limitations. The state senator who is being arbitrarily booted out of office may decide to run for Congress, or Attorney General, or Lieutenant Governor, or some other office. One of the great indirect consequences of this reform may be greater competition for a wide range of offices. Although most of the term limit proponents nationwide and in Oklahoma indicate that their goal is a "citizen legislature," upon further questioning, many find appeal in a system that encourages the exercise of progressive ambition (Schlesinger 1966). After a period of service, elected officials should pursue election to higher office and either move up or out depending on the outcome of that election (Inglis 1993; Schabarum 1993).

### Institutional Consequences

The consequences of term limitations for legislative institutions are staggering to imagine and, of course, are not predictable. Our view is that term limitations are likely to move our increasingly professional legislatures back to a more amateur status. A variety of authors note the coincidental pattern of relationships among longer terms, the institutionalization of the seniority norm, and the development of a professionalized Congress (e.g., Polsby, Gallaher, and Rundquist 1969). With term limitations, then, the length of service should decrease, seniority should become increasingly irrelevant, and professionalized legislatures should fall by the wayside.

With term limits, the leaders of the body will have very diminished experience. Speakers are likely to be elected early in their tenure and serve relatively short periods of time. Committee chairs in the Senate, for example, may well be selected in their initial term of service and almost certainly in their second term. Legislative bodies will be run by individuals who may lack the proficiency to lead effectively their bodies. Legislatures subject to term limitations will find themselves with inexperienced leaders, lacking specialized, substantive expertise, and – probably – without command of its own rules.

While arguing that experience will decline, it is important to consider the context. Oklahoma has only a relatively small number of legislators who have served for an extended period of time and Oklahoma's limit of twelve years is relatively generous. In the House, only nine current members would be excluded from service if the terms had not been grandfathered-in. The proportion, though, is much higher in the Senate where one-third of the members would have served at least their maximum allotment. Additionally, seniority while valuable, does not dictate who will fill leadership positions. If the limit on service was currently in place, the entire House leadership would remain eligible for service (but, it would be Speaker Glen Johnson's last term). The entire Senate Democratic leadership team, though, would be obliterated. Four chairmen in the House would be excluded from services, as would seven of the eighteen in the Senate. Conversely, only three chairmen in the House are in their second term and nearly half are in at least their fifth term. Still, overall it is clear from a careful examination of where key decisions are made (e.g., Democratic party leadership, appropriations committees, and the General Conference Committee on Appropriations) that senior members carry much of the decision-making responsibility for the legislature.

Under term limits the way new legislators approach their responsibilities may also be affected. Many will want to "hit the ground running" and introduce long lists of legislation, but will the quantity of legislation improve the quality of legislation which may be developed over years of coalition-building and bipartisanship? Copeland (1992, 151) speculates that legislators will be less likely to concentrate on complicated issues. This contention is supported by one of the author's participant-observations in the U. S. House of Representatives. New members, many of whom have voluntarily limited their tenure, seem to be introducing a large number of bills – generally simple ones and often without serious examination of the long-term ramifications of the legislation. In some cases, the introduction of legislation almost has become a game with members keeping score of "pieces of legislation introduced per month" and giving imaginary honors for "legislative leaders."

### Inter-Institutional Consequences

The powers held by our state governments and by our national government are not likely to diminish in the foreseeable future. By limiting the professionalism of our legislators, then, we are not limiting power, but shifting it. If our legislators lack the experience to perform their duties, the question arises as to where the power will shift. The executive, legislative staff, and lobbyists are all likely to be beneficiaries of term limitations.

In terms of the executive, the expertise provided by permanent executive employees will become more important. If legislators lack the expertise either to develop or to understand complex proposals, those proposals are more likely to evolve from the executive branch. Legislative judgment of those proposals is likely to be political and uninformed. It hardly needs to be mentioned that such a flow of power from the body closest to the people to the executive stands in contradiction to the longstanding bias held by our polity.

Another group that will rush in to fill the power vacuum is legislative staff. Under term limitations, staff are likely to have longer tenure than legislators. Our elected officials will have to rely upon the "permanent" people to provide expertise in both substantive and procedural matters. Legislative staffs, then, will likely become even more professional. The downside to that trend is that they may also become the actual leaders of the body and key decision-makers (Malbin 1979). One other possibility is that we may see greater movement between staff personnel and elected positions in the legislature.

Term limit supporters scoff at the notion that staff will become more powerful. They present the point that if staff will take power under term limits, why do staff members mobilize against term limits? While there is no clear answer to this question, it is important to note that although turnover among staff is quite high in the state legislature and in Congress, high-level staff often have longer tenure than their legislative bosses.

The final beneficiary may be lobbyists. One lobbyist told us that they work hard to develop long-term and positive working relationships with elected officials and that term limits would hurt them. The idea, supposedly, is that access and education takes time. Lloyd Noble feels that in Oklahoma, lobbyists (at least, corporate) generally opposed his efforts.

Our perspective of the influence of lobbyists, however, is parallel to our views regarding legislative staff. If competence and experience among our elected officials is lacking, then lobbyists just might find it prudent to fill the lacuna. There also is the fact that term limits increase the number of former legislators who could become lobbyists. While many of their contacts may have left the

legislature, they still understand the processes and could work well with the remaining high-level staff to see the legislation they favor enacted.

#### THE OKLAHOMA EXPERIENCE AND THE GROWTH OF THE TERM LIMIT MOVEMENT

The primary impact of Lloyd Noble's success in the nascent term limit movement was in showing that term limits really were popular with voters. Since the 1950's, public opinion data exhibited high levels of public support for term limits on legislators, but term limits were never approved by the Congress, for obvious reasons. The passage of term limits in Oklahoma, followed two months later by Colorado and California, showed the press and potential term limit activists that Americans were certainly upset at their legislators and willing to limit their tenure in office. Jim Coyne, former president of Americans to Limit Congressional Terms and a former U. S. Representative from Pennsylvania, commented that Noble "probably did the right thing. We [term limit activists] needed a start and he [Noble] gave us one" (Coyne 1992).

However, Noble's success in jump starting the term limit movement did not come without a price. In being cautious, he set the standard limits at 12 years. This has been a hindrance to those who desire shorter limits, especially among term limit supporters in Congress. Before Congress can send a term limit constitutional amendment to the states, term limit supporters must agree on how long members of Congress may serve. Currently, the term limit old guard is stuck at 12-year limits (with or without some variation of a break between periods of service) while a group of younger members seems to desire shorter terms, a desire shared by almost all of the national groups involved in the movement.

While he has assisted activists in other states to develop term limit initiatives, Noble has not led the way in the national movement. He seems to prefer working on legislative reform issues in Oklahoma. This makes him different than his colleague in Colorado, Terry Considine, who built a national term limit group, Americans Back in Charge, from a core of his state group, Coloradans Back in Charge. Noble has been content to appear at a few gatherings of term limit activists to tell his story and lend his moral support while working for other initiatives in Oklahoma.

The Oklahoman who has been involved in the term limit movement from the beginning and who remains a key actor is Cleta Deatherage Mitchell. Mitchell campaigned extensively for the failed Washington initiative in 1991 and in nearly every state that had term limits on the ballot in 1992. She is currently heading the Term Limit Legal Institute where she has helped to both draft initiative peti-

tions and defend them in court. She and former U. S. Attorney General Griffin Bell are currently defending the constitutionality of Florida's term limitation for members of the U. S. Congress. It would be difficult to overstate the central role that she has played in the development of the term limitation movement.

### **CONCLUSION: WHY OKLAHOMA?**

Many of the scholarly examinations of recent term limit activity ignore the role played by Oklahoma in sparking the movement. This close analysis of the history of term limits in the Sooner State was written to document the politics and strategy which were required to ensure that Oklahoma was indeed first to pass the proposal. Term limits will affect the future of politics in the Sooner State and future analysts must have some awareness of how our state legislators came to have their tenure limited. Oklahoma's experience also has impacted the course of term limits in other states, either encouraging activists or hindering fast passage of term limits in Congress. While Oklahoma's political scientists, or even Oklahomans in general, may have mixed feelings about term limitations, there are some points on which all can agree. There is a degree of glory that comes from being first in the term limit movement. Second, even opponents can take solace in the fact that a new multifaceted research agenda has been drawn for them. For this, at least, all of Oklahoma's political scientists can thank Lloyd Noble II and the voters of the state.

## NOTES

<sup>1</sup>The authors would like to thank Mr. Noble for sharing the results of his survey that was conducted by Cole, Hargrave, Snodgrass and Associates in June 1989.

<sup>2</sup>The survey was conducted on behalf of the candidate with the help of the authors of this paper. We aided the development of the survey instrument and provided analysis of the data. The data was collected from 283 individuals in the state senatorial district. The actual data collection was done by campaign volunteers based on a random sample of registered voters.

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