

SOURCES OF SUPPORT FOR LEGISLATIVE TERM LIMITATIONS IN THE STATES

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In the elections of 1990 and 1992 the voters in 15 states approved initiatives imposing term limits on the state legislatures, by margins ranging from 77 to 52 percent. The purpose of this paper is to explain why the term limit initiatives passed and what factors may have caused variations among the states in the level of support. Among the factors considered are the characteristics of the legislatures and the strictness of the proposed limitations, as well as several aspects of the campaigns: the sources of support from within or outside the state, sources of opposition, the role of media, and differences in opinion and voting patterns of various groups in the state. The most important factor appears to have been how extensive an effort was made by opponents of term limitations.

In the elections of 1990 and 1992 the voters in 15 states approved initiatives imposing term limitations on the state legislatures. (In most of these states term limitations on members of Congress were also adopted.) The successful votes occurred in California, Colorado, and Oklahoma in 1990, and in 12 more states two years later. Term limitations were rejected by the voters only in Washington, in 1991; and a year later they approved a revised version. State legislative term limitations have now been adopted in 15 of the 21 states where there are provisions for direct constitutional or statutory initiatives. They have not been adopted in any state where legislative action is required before a popular vote.

In most of the states, these initiatives were adopted by a wide margin. Table 1 shows that support was as high as 74 to 77 percent in four states, 64 to 71 percent in seven states, and 52 to 60 percent in four others.

The purpose of this paper is to explain why these initiatives passed, usually by large margins, and if possible, explain the variations in margins from state to state. The paper is organized around six sets of questions:

1. Were term limitation initiatives more likely to pass in the more professional states, and those where there was least turnover of membership, or were less drastic term limitations more likely to be adopted than more drastic ones?

2. What was the primary source, or the catalyst, for the term limitation movement in each state? What groups and political organizations provided support in the campaigns, and how much did this vary from state to state? To what extent were office holders or candidates supporting term limitations in order to advance their political goals?
3. How much assistance and support (financial and otherwise) did the groups supporting term limitations receive from national term-limitation organizations, and what is known about these groups? To what extent are they responsible for the speed with which this movement has spread?
4. How much organized opposition was there to the term limitation movement, and what groups and individuals were active in it? If groups that did not like the proposal failed to oppose it, what were the reasons?
5. Was support for term limitations significantly affected by the news coverage or the editorial stand taken by the media?
6. What can be learned from public opinion surveys or from aggregate voting studies about voter attitudes and reasons for support or opposition to term limitations? Is there evidence to show how the campaign changed public attitudes – did voters become more or less likely to vote for term limitations?

It is easier to ask these questions than to answer them, a problem that often arises in comparative state research. In three states – California, Colorado, and Oklahoma – the analysis is based in part on interviews conducted with a few legislators and participants in term-limits campaigns. For several states, case studies are available in published or unpublished form. In most of the states I have relied in part on newspaper clippings and written comments provided by political scientists responding to my questions.

THE CHARACTER OF THE LEGISLATURE AND OF TERM-LIMITS PROPOSALS

Logically, we might expect that there would be stronger support for term limits in those states where the largest proportion of legislators had long-term tenure, and perhaps more generally in the most professional legislatures. In states with a “citizen legislature” that is made up of amateurs and not professionals there ought to be less public perception that limits on terms were necessary.

Table 1 fails to provide support for that thesis. In fact several of the states ranked as most professional (using an index created by Squire 1992), including

TABLE 1

Comparison of Vote in Favor of Term Limits
with Legislative Professionalism and Turnover

State	Year	Strictness of Term Limits	Percent in Favor	Profess- ionalism Rank Order	House Members 10 Year Turnover
Florida	1992	1	77	13	83
Arizona	1992	1	74	15	75
Colorado	1990	1	71	9	89
Nebraska	1992	1	68	25	78
Ohio	1992	1	66	6	65
S. Dakota	1992	1	64	46	81
Wyoming	1992	2	77	49	79
Montana	1992	2	67	42	87
Washington	1992	2	52	18	90
Missouri	1992	3	74	10	73
Oregon	1992	3	70	27	83
Oklahoma	1990	3	67	15	85
Arkansas	1992	3	60	43	49
Michigan	1992	3	59	2	65
California	1990	3	52	3	70
Washington	1991	4	46	18	90
Mean			65.25	21.5	76.8

Correlations:

% in favor and professionalism +.16 p > .05 (NS)
 % in favor and turnover -.29 p > .05 (NS)

Strictness of term limits:	Mean Percent in Favor	(n)
1. Only a limit on consecutive terms, over 6 to 8 years	70%	(6)
2. Limit to serving roughly half of number of years, ranging from 12 to 24	65%	(3)
3. Lifetime limit of 12 or 14 years	64%	(6)
4. Term limits retroactive	46%	(1)
r = .64 F = 2.71 DF = 3/12 p < .09 (NS)		

SOURCES: The legislative professionalism index was created by Squire (1992). The measure of ten year turnover is found in Benjamin and Malbin (1992), p. 297.

Michigan, California, and Ohio, had a smaller vote for term limitations than many of those with a less professional body (notably Wyoming). Overall, the relationship is weak and insignificant, although in the expected direction.

There is not a large variation in the ten-year rate of member turnover. It ranges from 49 to 90 percent, but the median is 79 and in ten of the fifteen states the proportion is between 75 and 90; in other words, in two-thirds of the states between one-tenth and one-fourth of the members remained for at least ten years.

There is clearly no pattern of greater support for term limits in states with the lowest turnover. The three states with the lowest turnover, Arkansas, Michigan, and Ohio, ranked in the lower half of voting margins for limits. It is true, however, that Washington, the state with the highest margin of turnover (90 percent) was where term limits were first defeated and then narrowly passed. But Colorado ranked second in turnover (89 percent), but was one of the first states to pass term limits and did so by a high margin (71 percent). Overall, the relationship is weak and insignificant, although in the expected direction.

We might expect that it would be most difficult to adopt term limitation initiatives in those states where the proposed limits on terms were most drastic. These might also be the states where legislators were most alarmed and worked hardest to defeat the initiatives.

There is modest support for this hypothesis. The term limit initiative failed only in Washington in 1991, the only state where the limit was retroactive. Other than the retroactive limit in Washington, the most drastic limitations are those (coded 3) that impose a lifetime ban on terms. In these six states the average vote for term limits was 64 percent. Ranking next in strictness are states (coded 2) where members are limited to number of years of service over an extended period (such as 6 years in a 12 year period or 8 years out of 16). Here the average voting support was 65 percent. The least restrictive are limitations on consecutive terms, where a member must sit out only a term or two or may even be able to alternate between the senate and house without a break. In these six states average voting support was 70 percent. The correlation between strictness of term limits and the vote in favor is moderate and in the right directions, but is not significant.

There is only weak evidence that support for term limits is influenced by the characteristics of the legislature, but it may be marginally affected by the strictness of the limitations on terms.

SOURCES OF SUPPORT IN THE STATES

There is clearly a populist theme to arguments made in behalf of term limitations for legislators, at either the state or national level. Return government to the people. Create citizen legislatures instead of professional legislatures. Force legislators to be accountable to the voters. Because so many legislators have become entrenched in office, fortified by large campaign chests provided by PACs, it is almost impossible to defeat them at the polls. In order to give the voters a meaningful choice, limits must be placed on the number of terms, or of consecutive terms, that legislators can serve.

This is an argument that obviously has a broad appeal to voters, both liberal and conservative, Democratic and Republican, who believe that the democratic process is not working well and the politicians are not responsive to their constituencies. Deadlocks and bickering between the legislative parties and between the legislature and the governor, pay increases for members, occasional scandals and indictments of members, and stories in the media about the ties between lobbyists and legislators all nourish public disillusionment with their elected officials.

But the originators and the organized supporters of the term limitation movement in most of the states are not motivated by disillusionment with the *legislative process*. They are concerned with the *legislative product*: the substantive character of laws passed by state legislatures. From their viewpoint, state legislatures spend too much money on unnecessary programs and raise too much tax revenue to support these programs. They argue that individual legislators have become dependent on financial and voting support from interest groups that demand excessive spending on the programs they endorse. They claim, in effect, that individual legislators have endorsed the principle of "spend and spend, and tax and tax, and elect and elect."

The supporters of the term limitation movement argue, and presumably believe, that legislators who could not serve more than a few terms would be less indebted and committed to these interest groups and thus would be better able to resist the demands for higher spending and higher taxes. These legislators might be more accountable to voters who would demand lower rather than higher taxes. If the incumbent legislators failed to heed this message, the voters would have the choice of voting for challengers who had a more realistic chance of being elected.

A substantial majority of state legislatures have been under Democratic control in recent years, and it seems plausible that the promoters of the term limitation movement have been concerned not just about the commitment of

individual legislators to interest groups, but about the commitment of a legislative majority to a growing number of better financed social, educational, health, housing, and environmental programs advocated by organized constituencies. They calculate that over a period of years the imposition of term limitations should make it possible to replace this legislative majority with a different one that is more likely to support conservative principles.

An examination of the groups that organized and supported the campaigns for term limitation shows that in a number of states they have been led by conservatives, often with connections to the Republican party or to business. More particularly, a number of these individuals have been heavily involved in initiatives designed to place caps, or rollbacks, on taxing or spending at the state or local level.

A good example of the role of anti-tax conservative groups in the term limitation movement comes from California. One of the leading figures in the campaign to pass Proposition 130 was Lewis Uhler, whose work on behalf of taxing and spending limitations dates back to an unsuccessful initiative proposal submitted to the California voters in 1973. He is the head of the National Tax Limitation Committee that has campaigned for an amendment to the U.S. Constitution to limit taxes and balance the budget. He is the author of a book on *Setting Limits: Constitutional Control of Government*. Uhler is also involved in the national campaign to limit congressional terms. Uhler believes there is a direct, logical link between the effort to limit taxes and the need for term limitations, at both the national and state levels. Both are part of what he calls a "citizen revolt" against the concentration of power in government.

Uhler and his organization worked with Pete Schabarum, a Republican and a former state legislator who was concluding five terms on the Los Angeles Board of Supervisors. In that capacity he had carried on a bitter battle with various minority groups over the redistricting of the Board to create better opportunities for minority representation. Using left-over campaign funds, Schabarum financed half of the \$1.3 million spent by supporters of term limitation to put Proposition 130 on the ballot and run advertisements for it. But this was only a small fraction of the funds raised by opponents of term limitations.

Oklahoma is another example of a state where the term limitation movement was led by anti-tax business interests. In this case the initiative was launched, and heavily funded, by Lloyd Noble II, an oilman from Tulsa, who also helped to lead a campaign to approve an initiative making it difficult to pass tax increases in Oklahoma without a public vote. The term limitation movement also had very strong editorial support from the *Daily Oklahoman* newspaper, a very conservative publication that has wide readership in the state (Rausch 1992).

In Oregon, the active support for the term limitation initiative came from conservative Republicans, many of whom had been active in a long-term effort to win voter approval of a property tax limit, an effort that finally succeeded in 1990. Having accomplished this objective, and with an experienced political organization available for further use, some of the activists in this group decided to focus their efforts on term limitations.

The new organization was called LIMITS, which stands for "Let Incumbents Mosey Into the Sunset." It was led by a small businessman and a recent convert to the Libertarian party. Their term limit proposal originally was designed to be retroactive, but after the defeat of the similar retroactive proposal in neighboring Washington in 1991, the proposal was refashioned to make the clock start running in 1993.

The original impetus for Washington's first term limit initiative in 1991 came from a group of left-wing Democrats who were disillusioned by their unsuccessful campaign effort to defeat an entrenched conservative Democratic congressman and were convinced that the only way to oust entrenched incumbents was through term limits. LIMIT, the organization that they established to promote the term limitation initiative, attracted liberal and populist volunteers, but initially very little financial support (Olson 1992).

Representatives from several national organizations (particularly Citizens for Congressional Reform) supporting term limitations came to their assistance, contributing substantial funding, commissioning a poll on term limits, and giving professional assistance to get the initiative on the ballot. Thus the 1991 campaign for term limitation was led by an uneasy coalition of liberal volunteers and conservative professionals funded by business interests (Olson 1992).

The leadership, organization, and funding of the Washington term-limits initiative campaign in 1992 was essentially the same as in 1991. The local leadership was populist, the national leadership was conservative, and much of the funding came from out-of-state groups and individuals who were known, or perceived, to have a conservative orientation.

In many of these states where the conservative activists and business people have taken the lead in the term limitation movement, they have been endorsed and sometimes assisted by Republican office holders.

In California, Republican Senator Pete Wilson, running for governor, endorsed term limits. Leaders of the limitation movement claim that Wilson was converted after they showed him polling data showing that such a stand would enhance his chances of winning the election. Relatively few Republican legislators endorsed the proposal, however, even though in the past the Republicans had supported other initiatives affecting the legislature, particularly efforts in the 1980s to overturn the legislative districting created by Democrats.

In Oklahoma, legislative term limits had the active support of outgoing Republican Governor Bellmon. But it also had the support of most candidates of both parties running for governor in 1990, including Democrat David Walters, the eventual winner, who campaigned against "professional politicians" (Rausch 1992).

In some states legislative term limitations have been promoted more directly by Republican office holders, candidates, or campaign advisers. They may have shared the belief of conservative groups that the enactment of limitations would eventually reduce or eliminate Democratic majorities in their legislatures. Or they may simply have believed that this strategy would appeal to the voters, and thus build voter support for the Republican party.

In Florida, Republicans in the legislature at first sought without success to pass a term limitation proposal. The leader of the 1992 initiative was a campaign adviser to former Republican Governor Bob Martinez. The campaign also generated big business support.

In Washington, though the political parties avoided taking any stand on the 1992 term limits proposal, it was endorsed by a modest number of Republican legislators and some legislative candidates of both parties.

In several states the term limit initiative was developed and promoted by a single Republican politician, and it was widely viewed as either a strategic move in a current political campaign or a method of laying the groundwork and getting favorable publicity for a campaign that was being planned for the future. Ironically, while most of these term limit initiatives passed, most of the politicians who promoted them were defeated.

In Michigan, the campaign for term limits was led by Richard Headlee, who is well known as the sponsor of the 1978 constitutional amendment on limiting state and local taxes and who has actively supported other tax limitations proposals since. In 1982, Headlee had won an upset victory in the Republican gubernatorial primary, capitalizing on his tax-cutter reputation, but was defeated in the general election.

The leader of the term limitation initiative in Colorado was state Senator Terry Considine, a conservative Republican. Considine set up an organization called Coloradans Back in Charge, which promoted not only term limitation but spending limitations and other conservative proposals. Considine played a major role in financing the term limitation campaign. Political observers described it as a "one man show," and generally believed that Considine was developing these issues as part of a plan to run for governor or U.S. senator. In 1992, Considine did run for the U.S. Senate but was defeated by Congressman Ben Nighthorse Campbell, a moderate Democrat who, ironically, was a supporter of term limitations.

In South Dakota, a leading sponsor of the term limit initiative was John Timmer, a candidate for the U.S. House who built his campaign almost entirely around that issue. But Timmer was unsuccessful in his effort to defeat the entrenched Democratic representative, Tim Johnson. There was substantial correlation in aggregate voting returns between support for Timmer and support for term limits, but Timmer ran well behind the initiative. There was no other public, systematic campaign for term limitation in South Dakota.

There were actually two term limitation proposals on the California ballot in 1990. Proposition 140, which passed, also mandated severe cuts in the legislative budget. Pete Wilson's decision to endorse that proposal in mid-October during a televised debate with Dianne Feinstein was widely believed to have helped his gubernatorial general election campaign.

Proposition 131, which lost by a 62-38 percent margin, was launched by Attorney General John Van de Kamp, a Democratic candidate for governor. It imposed less drastic limits on legislative terms than Proposition 140, tightened up ethical standards for the legislature, established new restrictions on campaign funds, and provided limited tax-supported funding of political campaigns. A major reason for its defeat, as the polls demonstrated, was the inclusion of public fundraising in the proposal.

Van de Kamp believed that by sponsoring three initiatives, including Proposition 131, he could gain favorable attention from the media and the public. In the initial stages of his campaign this strategy succeeded and he surged ahead in the Republican primary polls. But in the long run, he was hurt by the initiatives. He had to raise large amounts of funds to get the three initiatives on the ballot, funds that might have been used for his campaign. Moreover, his sponsorship of the term limits amendment alienated many Democratic legislators, who threw their support and their fund-raising efforts behind his opponent, Dianne Feinstein (Lubenow 1991).

In all of the states where term limitations were proposed, most of the organized support came from conservative and anti-tax groups and from individual Republican political leaders, some of whom used this as a major theme in their electoral campaigns. Most state campaigns for term limits also received assistance, financial and advisory, from national term limitations organizations.

INFLUENCE OF NATIONAL ORGANIZATIONS

The organizations promoting legislative term limitations in each of the states were not acting in isolation. Those that led the state campaigns in 1992 were familiar with the strategy and the arguments used by term limit advocates in

California, Colorado, and Oklahoma in 1990, and they also understood some of the reasons for failure of the effort in Washington in 1991 – particularly the effort to make the restrictions retroactive.

The state organizations also had varying degrees and kinds of assistance from several national organizations that were promoting term limitations at both the congressional and state legislative level. Several of these groups were initially and primarily concerned with limiting congressional terms. Stuart Rothenberg (1992) has identified three national organizations that have played a significant role in promoting term limitations, and his findings can be briefly summarized here.

Americans to Limit Congressional Terms (ALCT), was the first such group to be organized (in 1989). It has served primarily as a Washington spokesman for the movement and a conduit for information. But it has not worked directly at the state level, and recently has been overshadowed by other national groups.

Citizens for Congressional Reform (CCR), established early in 1991, has provided much more direct help to state groups working for both congressional and legislative term limits. This has included legal advice on drafting initiatives, practical assistance in getting initiatives qualified for the ballot, and advice on running initiative campaigns. It has had access to greater financial resources than the other national organizations, and has made substantial contributions to the initiative efforts in several states. CCR receives substantial financial support from two oilmen who are brothers, one of whom ran for vice president on the Libertarian ticket in 1980.

Americans Back in Charge (ABIC) evolved from Coloradans Back in Charge, the organization that led the successful term limitation movement in that state in 1990. It has provided legal advice to state organizations facing judicial challenges to term limits initiatives. It has been particularly important in providing campaign advice and assistance on media relations to groups in various states.

A fourth national organization, U.S. Term Limits, was apparently established slightly later than the other two. Reports indicate that it played a major role in funding the term limitations movement in several states.

David Olson (1992) has described in considerable detail the role played by Citizens for Congressional Reform (CCR) in the unsuccessful 1991 campaign for term limitations in Washington state. By the end of March, the volunteer efforts of LIMIT, the local term-limits organization, had failed to raise more than a few thousand dollars and was lagging far behind in its efforts to collect enough signatures to put the initiative on the ballot.

Then CCR came to Washington and took charge of the campaign. It took a poll that showed term limitations already had broad support. In four months it

contributed \$177,000 and hired enough professionals to collect the necessary signatures. By the end of the campaign, CCR had contributed over \$490,000 to the term limitation effort, while \$50,000 came from Americans Back in Charge, almost \$35,000 from the National Committee to Limit Terms, and \$9,000 from Americans To Limit Congressional Terms. These four groups provided 82 percent of total funding for the campaign.

It seems unlikely that the term limitation effort in Washington would have come close to passage if there had been no outside help for the campaign, considering the strength of the opposition in that state (which will be described below). But it is also true that the campaign was hindered by friction between CCR and the local leaders of LIMIT and the big spending by CCR (and particularly its hiring of professional signature-collectors). This spending led to frequent criticism by the media and by critics of the movement.

National organizations played a similar role in the successful 1992 effort to pass a term limitation initiative in Washington state. The campaign once again was an unusual alliance between the populist volunteers running LIMIT and national organizations providing advice, campaign assistance, and funding. One national organization providing a significant amount of funding was U. S. Term Limits.

In Wyoming, 98 percent of the funding for the term limitations movement came from two out-of-state organizations. Citizens for Congressional Reform paid more than \$40,000 to an organization that conducted the petition drive to put the initiative on the ballot; U. S. Term Limits provided almost \$13,000 in direct and in-kind contributions for the general election campaign for term limits (King, 1992).

In Nebraska, the U. S. Term Limits organization played a crucial role in getting the state initiative plan under way and developing a fund-raising plan to support it and to make possible the hiring of persons to circulate petitions. The organization provided about one-third of the \$225,000 raised for the term limits initiative campaign.

The group sponsoring term limitation in Arkansas, Arkansans for Governmental Reform, received three-quarters of its funding from the national organization, U. S. Term Limits. The Florida term limits organization, Eight is Enough, raised over \$200,000 from out-of-state groups and individuals, including \$50,000 from Americans Back in Charge. In Michigan, the national group Citizens for Congressional Reform, donated more than \$200,000 to Michigan Citizens for Term Limits. Opponents of term limits in Michigan focused some of their criticisms on this group and emphasized its right-wing character.

While the supporters of term limits initiatives could count on various types of support, including funding, from several national organizations, the oppo-

nents were almost entirely on their own. The national Democratic party provided some advice or assistance in a few states. An organization called Let the People Decide was established in the spring of 1991 to monitor developments in the states, provide information and arguments against term limitations, and provide legal advice to those challenging term limitation propositions in the courts. But the group lacked the capability and resources to work directly in the states. Obviously hampered by a shortage of funds, the organization scaled back its efforts before the end of the year and soon faded from sight (Rothenberg 1992).

ORGANIZED OPPOSITION TO THE TERM LIMITATIONS MOVEMENT

What role was played by legislators, particularly Democratic legislators? Were they actively opposed because they would be directly affected, or did they remain quiet because they perceived term limits to be popular with the voters? Also, did liberal interest groups perceive (as conservative groups did) that their interests were at stake and, if so, which ones actively opposed term limitations?

STRONG OPPOSITION

In California, the opposition was led by Speaker of the House Willie Brown and Senate President Pro Tem David Roberti, and they played a major role in raising money for the campaign against term limits. The opponents of term limits outspent the supporters by about 5-1, raising some \$6 million. The campaign appeared to have considerable effect, because the term limitation initiative (Proposition 140), which had generated at least 2-1 support in polls conducted during the campaign, passed by only a 52-48 margin. But some observers believe that the initiative could have been defeated if the legislative leadership, which was preoccupied with the session, had moved more quickly to get funds raised and the campaign under way.

The leaders decided to oppose both Propositions 140 and 131 because both provided for term limitations, and because it would have confused the voters to support Proposition 131 with its less restrictive term limits.

The legislative leadership hired the Bernam-D'Agostino firm to prepare advertising for the media attacking both Propositions 140 and 131. The firm is a controversial one whose commercials are often hard-hitting. The advertising tactics were developed by the firm, rather than by the legislative leadership, and some legislators criticized the media campaign for its negative tone. The adver-

tisements were run for only the last three weeks of the campaign, and some observers thought that this delay was costly.

Although most legislators in both California parties were opposed to the term limitations initiatives, only a few were outspoken about the issue during the campaign.

Legislators of both parties made clear their opposition but failed to vigorously campaign. They were preoccupied with their own campaigns, and some of them may have believed that a strong stand on the issues would have alienated some voters.

A major effort was made to enlist allies of the Democratic party in the fight against term limits, including liberal, labor union, and minority groups. An intensive effort was made by leaders of minority groups to turn out a heavy vote against the term-limit initiatives in minority areas, an effort that was quite effective. Minority leaders were concerned that the implementation of term limits would drive out of office minority legislators who have held major leadership positions in the legislature.

The first term limitation initiative in Washington in 1991 was opposed by a large and diverse collection of groups, including environmental, business, labor, good-government, and partisan groups, which had some difficulty agreeing on strategy. The group, called No On 553, was able to raise half as much money, about \$350,000, as the supporters of the initiative. Labor unions and Democratic party committees and office holders were the largest contributors. But the opponents spent slightly more than the supporters on radio advertising during the closing weeks of the campaign. (Supporters had to spend one-third of their funds on the campaign to get enough signatures to put the initiative on the ballot.) (Olson 1992).

The Washington state Democratic party was united in strong opposition to the term limitation initiative, and a Democratic campaign expert ran the opposition campaign. The initiative would have forced many incumbents from office in 1994 or sooner. The Democratic Congressional Campaign Committee provided funding and staff assistance. Members of the Washington congressional delegation worked actively against the initiative. U. S. House Speaker Tim Foley, whose tenure would have ended in 1994, was initially reluctant to become actively involved in the campaign, but in the last few days before the election he campaigned vigorously and passionately against term limitations, and his efforts probably tipped the balance against the initiative (Olson 1992).

In Washington in 1992 a similar collection of interest groups opposed the new plan for term limitations as in the previous year. But the Washington congressional delegation was much less active in opposing term limitations in 1992. The new proposal, unlike that in 1991, was not retroactive, and the restrictions

on term limits were more flexible. Its effect on the Washington congressional delegation would be postponed and be less severe, and thus there was less intensive opposition to it.

MODERATE OPPOSITION

According to one legislative leader, in Oklahoma most legislators were unwilling to take the risk of opposing what they perceived to be an initiative that was very popular with voters. The only organized opposition came from a group organized by the former chair and the former executive director of the Democratic party. The group raised \$56,000, mostly from labor unions, most of them out of state; this was less than one-fourth of what the proponents spent on their campaign. The most visible opponent of term limitations was former U. S. House Speaker Carl Albert, but this effort was not effective (Copeland 1992).

In Arkansas, there was clear and strong opposition from Senator Dale Bumpers and Governor Bill Clinton, but Clinton obviously had more pressing demands on his time. The Arkansas Democratic party provided tangible assistance, \$40,000, to Arkansans for Representative Government, the anti-term limits group. There were also substantial contributions from the Farm Bureau and a number of major corporations, perhaps because the Clinton administration was opposing the initiative. Arkansans for Representative Government raised nearly as much (84 percent) as that raised by the proponents of limitations.

In Michigan several interest groups, including Common Cause, the League of Women Voters, the Michigan Education Association, and the Michigan Citizens Lobby worked against term limitations. But some of these groups, like the Michigan Education Association, devoted a larger effort to fighting a ballot proposal to cut property taxes, which was presumably viewed as presenting a more direct threat to their interests. There was little attention on television or in the press to this issue because most of the advertising, pro and con, was focused on the property tax and a proposal to reform the state's insurance system.

In Ohio, the Democratic political leadership was convinced that the legislative term limitation initiative would pass if it got on the ballot, and they could do nothing much to stop it. Supporters collected almost 600,000 signatures to qualify the initiative for the ballot. During the campaign most legislators simply kept a low profile on the issue. Democratic leaders were successful in attaining one goal, to include all state executive officials (and not just the governor and lieutenant governor) in a two-term limitation. The main opposition in Ohio came from Common Cause, the League of Women Voters, and a coalition of labor unions, but these groups did not provide much funding for the opposition causes.

Similarly, in Nebraska the opposition to the term limits initiative was broad based, including the AFL-CIO, teachers, Common Cause, the League of Women Voters, and the state Democratic party. But the opponents spent only about \$60,000 and were outspent four-to-one.

WEAK OPPOSITION

In Oregon, there was no effective opposition to the term limitation movement. Early in the summer a group of legislators met, examined the polls that showed a pro-limitation margin of at least three-to-one, and decided that there was no realistic chance to defeat the measure. They decided not to attempt a large-scale fund-raising campaign because they thought the money would be wasted. The state Democratic party took a stand against it but raised no money and conducted no campaign, while the state Republican party remained neutral. A few good government groups, such as the League of Women Voters and the Portland City Club, took a stand against term limits. One observer, noting some political similarities between Washington and Oregon, believes that a vigorous campaign against term limitations in Oregon might have reduced the majority from 70 percent to about 55 percent, but would not have led to its defeat.

In Wyoming, there was a minimum level of opposition from a few groups, such as the League of Women Voters and a few paid newspaper ads. In Colorado there was little organized opposition to the term-limits initiative. Legislators failed to make any effective effort to defeat it, apparently because they believed that both the legislative and congressional restrictions were popular. Similarly, in South Dakota there was no significant organized opposition to the term limitations amendment; those legislators most adversely affected by it were reluctant to take a strong stand against a proposal that appeared to have great popularity. There was also no organized opposition to the initiative evident in Arizona. Information on the strength of opposition is not available from Florida, Missouri, and Montana.

Although there was strong, well-organized and often well-financed support for term limits in most states where the initiative was adopted, there was wide variation in the extent and effectiveness of organized opposition. At one extreme are California and Washington, states where the initiatives passed by only a small margin or, in the first effort in Washington, where the opposition was successful. On the other hand are states where there was no significant organized opposition, in some cases because the groups that were most opposed to term limits believed that public support was too strong and there was no realistic chance to defeat the initiative campaign.

Table 2 shows that in states where the opposition was well organized and well financed, the margin of victory was smaller; in states where the organized opposition was weak or almost nonexistent, term limitations were adopted by a comfortable margin. This relationship was strong and significant.

ROLE OF MEDIA ENDORSEMENTS

There is scattered evidence about the role that the media played, primarily through editorials, in the campaign. The most detailed analysis, by John Rausch (1992), concerns the *Daily Oklahoman*. The paper is very conservative in its orientation and is generally viewed as having a large impact on state politics. Its editorials are often run on the front page. The *Daily Oklahoman* gave strong support to the term limitations initiative.

Table 2

Comparison of Vote in Favor of Term Limitations with Level of Organized Opposition

<i>Organized Opposition</i>	<i>State</i>	<i>Year</i>	<i>Percent in Favor</i>
Strong	California	1990	52
	Washington	1991	46
Mean:			49
Moderate	Washington	1992	52
	Oklahoma	1990	67
	Arkansas	1992	60
	Michigan	1992	59
	Nebraska	1992	68
	Ohio	1992	66
Mean:			62
Weak	Oregon	1992	70
	Wyoming	1992	77
	Colorado	1990	71
	South Dakota	1992	64
	Arizona	1992	74
Mean:			71
$r = .84$	$F = 12.06$	$DF = 2/10$	$p < .01$

In county-level analysis of aggregate voting data, Rausch (1992) has found that there is a correlation of .563 between the vote for term limitations and the circulation of the *Daily Oklahoman*. In a multiple regression, the circulation of the newspaper has a greater impact than a measure of Republicanism on the vote for the term limits initiative.

In Oregon, most of the state's newspapers took an editorial stand against the term-limitation initiative, including the *Portland Oregonian*, regarded as the "statewide" newspaper. The fact that 70 percent of the voters voted for the initiative suggests what little effect these editorials had. Similarly, in Arizona the two newspapers with the largest circulation, in Phoenix and Tucson, opposed the initiative, but it got almost three-quarters of the vote.

Supporters of term limitations originally proposed an initiative that would have been retroactive. A number of newspaper stories reported on the drastic impact this would have on the state legislature and the state's congressional delegation. In part because of this (and partly because the retroactive Washington measure failed in 1991) the sponsors withdrew the proposal and offered one that was not retroactive. Ironically, by emphasizing the damage that a retroactive measure would cause, the media helped persuade the supporters of term limits to offer a less drastic measure that would be less vulnerable to attack – and it passed.

The press helped to defeat the first term limits proposal in 1991 in Washington. Editorials were very critical of the use of paid signature-collectors to put the initiative on the ballot. One influential newspaper, the *Tacoma Morning News*, ran an investigative story on the right-wing sources of support for CCR, the national organization that dominated the pro-term limits campaign in Washington. On their editorial pages, most of the state's newspapers (18 out of 20 surveyed) opposed the term limits initiative; they particularly emphasized how the initiative would weaken the influence of the state's congressional delegation and how it would drive Speaker Foley from office (Olson 1992).

One reason why the term-limitation initiative (without the retroactive feature) passed in 1992 in Washington was that several major newspapers that had opposed the initiative in 1991 endorsed it in 1992. There was also less analysis of term limits and its implications in the news pages of most newspapers the second time around.

PUBLIC ATTITUDES AND VOTING PATTERNS

Comparable polling data from each of the states is not available, nor is polling data available for several time points during the campaign on term limi-

tations. In only a few states are analyses of aggregate voting data, usually by county, available. But there are a few clues from several of the states that may help to explain the level of support for term limitations, variations of support within the state, and changes in public attitudes that occurred during – and presumably resulted from – the campaign.

In August, 1990, before the California campaign on term limitations was fully underway, supporters of term limitations commissioned a poll that showed term limitations being favored by a margin of 71-13 percent; in fact 46 percent said they strongly favored it. Registered Republicans favored it by 78-9 percent and Democrats by 66-17 percent. It was somewhat more popular among whites than among blacks and hispanics. At that point in the campaign there were no large regional variations in the level of support. When respondents were asked about specific substantive provisions of Proposition 140, 73 percent favored the term limitations, 77 percent favored ending legislative pensions, and 72 percent favored cutting the legislative budget. Surprisingly, support for Proposition 140 was at almost the same level for respondents who approved of the legislature's job performance and those who disapproved.

The California Poll indicated that by early October half of the voters had heard of Proposition 140, and these favored it by more than a 3-1 margin. By late October the margin was down to 2-1 among the two-thirds who had heard of it; when a summary was read to respondents they favored it by a 61-26 percent margin (Price 1992). This would suggest that the relatively late but intensive advertising campaign by opponents was largely responsible for the drop to 52 percent support recorded at the polls in November.

Voters in a majority of the California counties supported Proposition 140, including Sacramento, San Diego, and also Orange county – where the margin of victory was large enough to account for the outcome statewide. The initiative lost in Los Angeles and San Francisco, where the Democratic party is strong. Proposition 140 also did poorly in minority areas – black, hispanic, and Asian – where local political leaders worked hard for its defeat.

Those whom we interviewed suggested a number of reasons why voters were disillusioned with the California legislature. A prolonged budget deadlock in 1990 attracted a lot of attention in the media. The high levels of campaign spending by incumbents, and the huge disparity in spending between incumbents and challengers, are frequently criticized. The indictment of two legislators damaged the legislature's reputation. Willie Brown, the controversial and often flamboyant speaker of the House, was often a target by critics of the legislature who were supporting term limitations.

In March, 1991, before the debate over term limitations was underway, a poll in Washington state showed that 68 percent of the voters favored some form

of term limitation, but less than half of the respondents favored the initiative when they understood that it would force Speaker Foley out. By mid-October a poll showed that support had fallen to 57 percent, and a tracking poll just before the election showed that the initiative would lose. At the polls the initiative received only 46 percent. It appears that support dropped gradually during the campaign as voters understood more about the effects of term limitations, including the forced retirement of the speaker (Olson 1992).

In a survey taken just after the Washington election, supporters were most likely to mention the need for "new faces and new ideas," pay raises for members, the logjams in the legislative process, and the influence of special interest groups. Opponents emphasized that passage of the initiative would reduce the clout of the state's congressional delegation and the loss of the speaker; they doubted that Washington should be the only state to have such term limitations; and they thought that voters should be able to vote for whomever they pleased. It seems clear that opponents were primarily concerned with the impact of *congressional* rather than *state legislative* term limits. Thus it appears that a limit just on state legislative terms would have passed (Olson 1992).

The pattern of voting in 1992 in Washington followed approximately the pattern in 1991 except that there was obviously less opposition to the measure. This was presumably because the new initiative imposed less stringent limitations, particularly on congressional terms, and was not retroactive.

A survey of public opinion in Wyoming "suggests that a general dissatisfaction with government, rather than opposition to specific incumbents or a conservative ideology" produced the lopsided vote for term limitations (King 1992, 8). Support for term limits was only slightly higher among those who expressed distrust of the state government; there was a gap of only two percentage points between conservatives and liberals; and there was a gap of only one percent between those who said state legislators were doing an excellent or good job and those who labeled it as fair or poor. However, Republicans were more likely to favor term limits than Democrats, by eight percentage points (King 1992).

A poll taken in Florida in July showed that 76 percent supported term limitations. The initiative passed by 77 percent in November, suggesting that the campaign has little net effect on voter opinion. In July, Republicans were more likely to support the initiative than Democrats, by a margin of 12 points. There was almost as much support for the initiative from minority voters as from white voters.

A poll taken in Michigan in early October, 1992, showed the term limitation initiative leading by a 67-24 percent margin. It actually passed in November by 59-41 percent. This suggests that public support for the initiative declined

during the campaign, even though the opposition failed to undertake an aggressive effort against it.

In Ohio, a series of polls from February to late October showed that a rather consistent majority of 70 to 75 percent supported term limitations; the final margin at the polls was 66 percent in favor. This was a state where neither the supporters nor the opponents campaigned very intensively, which may explain the lack of major shifts in public opinion during the campaign.

A poll taken by the *St. Louis Post-Dispatch* in June, 1992, before the initiative had qualified for the ballot, showed that 79 percent of Missouri respondents favored term limitations for state legislators. The initiative, which won 74 percent of the vote, carried by comfortable margins in every county in the state. The majority was 74 percent in St. Louis County and 65 percent in St. Louis City.

In Arkansas, the term-limits initiative passed with a vote of 60 percent. A comparison of the aggregate county-by-county vote on the initiative with the vote for Dale Bumpers, who also won 60 percent in running for reelection to the Senate, suggests that support for term limitations was associated with Republican voting. Most of the counties where Bumpers ran considerably ahead of the initiative are strongly Democratic; most of those where the initiative ran well ahead of Bumpers are Republican. The vote for term limits averaged 68 percent in the small number of counties that Bumpers did not carry; and Bumpers averaged 77 percent in the small number of counties where the initiative failed.

In Wyoming, where the term limits initiative gained 77 percent of the vote, the county-by-county variation was small, ranging from 70 to 86 percent support. A correlation analysis shows that term limits were particularly popular in counties where Perot did well and where Clinton did poorly. It did better in counties with smaller population and those with lower education levels.

In Nebraska, where polls showed a consistent majority of 70 to 75 percent support for the initiative, an aggregate analysis of county voting showed the strongest support in rural, sparsely populated counties, and the weakest support in and around the county containing the capital city.

In Oregon, where the initiative got 70 percent of the vote and carried all 30 counties, it garnered from 60 to 65 percent in several of the more Democratic and urban counties and about three-fourths in several of the most Republican counties.

In Oklahoma, Lloyd Noble II launched his campaign for term limitations after a poll that he commissioned demonstrated strong, widespread support for that proposal. Term limits were approved by a margin of 70-18 percent (the initiative finally passed by 67 percent) with no significant partisan or demographic differences. The poll also showed that 78 percent of the respondents

evaluated the legislature's job performance as only fair or poor (McGuigan, 1991). Late in the campaign a survey showed Republicans and conservatives more likely to favor term limits than Democrats and liberals, but by margins of only 6 to 8 points (Copeland and Rausch 1991).

A regression analysis of aggregate voting by county shows that both a measure of Republican party registration and voting and the circulation of the *Daily Oklahoman* (which campaigned strongly for term limitations) are important and significant in explaining the pro-initiative vote. The simple correlation between the county vote for the initiative and the measure of Republicanism is .453 (Rausch 1992).

In South Dakota, where term limits got 64 percent of the vote, there was a correlation of .65 (gamma) between the county vote for term limits and the vote for the Republican congressional candidate who had been a leading sponsor of term limitations but who was defeated.

Table 3 summarizes opinion survey data from those states voting on initiatives in 1992 on Republican and Democratic respondents' attitudes toward the term limitation initiatives. (The states are listed in order of the percentage who voted for term limitations.) The data come from exit polls taken at the November election, and therefore reflects public opinion at the end of the campaign in each state. In most states the two-party averages in the polls approximate the actual vote. (The California survey concerns the 1992 initiative on congressional term limits, which passed by a much larger margin than the 1990 initiative limiting state legislative terms.) Oklahoma 1990 data are also included.

Except in Wyoming, where the partisan difference was trivial, there was substantially stronger support among Republicans than among Democrats for term limitations. There were also larger state-to-state differences among Democrats than among Republicans. Except in Washington in 1991 (where the initiative lost), Republican support percentages ranged from the low 80s to the high 60s, about 14 points. Among Democrats, support ranged from 70 to 41 percent, a difference of 29 points.

The largest differences between Democrats and Republicans were in Arkansas, Michigan, Montana, Ohio, and South Dakota – most of the states where voter support in November for term limits was two-thirds or less. In two of these states we have reported evidence from county-level aggregate data of greater Republican support. In only one of these five states – Arkansas – was there active opposition from Democratic leaders to term limitations.

The strongest, most active Democratic opposition to term limits appears to have been in California, Washington, Oklahoma, and Arkansas. Aggregate voting analysis in California, Oklahoma, and Arkansas suggests Democratic voters were more likely to oppose the term limit amendments.

Table 3

**Partisan Differences in Support for Term Limitations,
Based on State Surveys on Limitation Proposals**

State	Proportion in Favor		Difference
	Republicans	Democrats	
Wyoming	69	70	-1
Florida	81	69	12
Missouri	79	67	12
Arizona	81	68	13
Oregon	67	60	7
Nebraska	70	59	11
Oklahoma	78	73	5
Montana	69	41	28
Ohio	75	56	19
S. Dakota	73	54	19
Arkansas	75	44	31
Michigan	73	44	29
California	78	66	12
Washington-92	57	46	11

SOURCE: "Public Opinion and Demographic Report." *The Public Perspective* January/February, 4 (1993): pp. 97; and Copeland and Rausch, 1991.

CONCLUSIONS

The organized support for term limitations came primarily from conservative groups and Republican political leaders. Both of them were trying to weaken liberal and Democratic influence, and frequently control, in state legislatures. Conservatives believed that the link between well entrenched legislators and interest groups led to policies of more spending and higher taxes.

While some voters who voted for term limitation initiatives shared these viewpoints and goals, many of them were concerned less with the output of legislatures than with the legislative process. They believed that legislators were

more interested in their political careers than in their constituents, too often obligated to special interests and sometimes corrupt; and they were frustrated with partisan feuding and political deadlock.

At a time when the polls show that public frustration and disillusionment with both Congress and state legislatures are unusually high, it is not surprising that the voters have approved term limitations in almost every state where they were on the ballot. Nevertheless, there has been some variation among the states in the proportion of votes cast for term limits, from a high of about three-fourths to a low of slightly more or less than one-half. The evidence suggests that these variations can be explained in part by the strength of the organized groups and leaders working for and against term limitations, and *particularly the strength of the opposition.*

The job of collecting enough signatures to place an initiative on the ballot requires organization and resources. Therefore, in any state where the term limitation initiative qualified for the ballot, there was an organization that had shown the ability to raise money, mobilize supporters, and provide enough publicity about the issue to encourage voters to sign petitions. Once this organization had been established, it could be used to run a campaign to win voter support for the initiative.

Those organizations and political leaders (such as legislators) who might be expected to organize a campaign against the initiative faced a difficult problem; the polls showed that there was very strong public support for the principle of term limitations. In many of the states this is confirmed by polls taken before the campaign for voter support was in full swing. In several of the states it appears that potential opponents looked at these polls and concluded that there was little or no prospect of defeating term limitations, and therefore decided not to undertake a large-scale, expensive campaign.

Only in California and Washington could the organization opposition to term limitations be described as strong, and it was in these two states that voter support for term limitations was held to 52 percent or less. But the strength of public support is indicated by the fact that in California Proposition 140 won 52 percent of the vote even though its proponents were outspent 5-1 by the opponents.

In the other states, once the organized supporters of term limitations had succeeded in placing the issue on the ballot, they were capable of carrying out a vigorous campaign for voter support of term limits. If this campaign was sometimes low keyed, it was because there was no effective organized opposition, and a more aggressive campaign was unnecessary – particularly if the polls showed

that public support remained strong. In South Dakota, for example, where there was little organized opposition or support (except for the Republican congressional candidate who led the fight for it), the initiative passed comfortably. Only in California and Washington were the political forces opposing term limits as strong or stronger than those supporting it – and only in these two states was the decision really close.

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