



AP Images

THE FOLLY OF TERM LIMITS

Almost everyone recognizes that lame-duck congressmen are less responsive to their constituents. So why would anyone want to create more lame ducks via term limits?

by Gary Benoit

Adding an amendment to the U.S. Constitution to balance the federal budget (the subject of the previous article) is arguably the single biggest reason why conservatives want to call a Constitutional Convention. But there are other reasons too, among them term limits, the subject of this short piece.

The argument for term-limiting congressmen out of office is that their removal will enable others to be elected who will be more in tune with the wishes of the people. But does this argument hold up under scrutiny?

It is ironic that many conservatives who genuinely believe that term limits would result in better congressional representation also believe (and rightly so) that lame-duck sessions of Congress are largely disconnected from voters. It is ironic because con-

gressmen who are prohibited from running for re-election because of term limits are lame-duck congressmen, as are congressmen who were voted out of office yet continue to serve in Congress in a lame-duck session. In both cases, these congressmen do not have to worry about facing another election for the office in which they serve.

It is obvious that a lame-duck session, which meets after a new Congress is elected but before the newly elected Congress convenes, is not going to be nearly as responsive to the voters than the regular session prior to the election. After all, what influence do voters have over lame-duck congressmen who will not be returning to Congress when the new Congress convenes? Of course, in a lame-duck session even congressmen who were re-elected may feel more emboldened than otherwise to incur the wrath of their constituents by voting against their wishes, since the next election will not occur for another two years in the case of the House, or another six years in the case of the Senate.

Uninformed voters have consequences: If Nancy Pelosi and Chuck Schumer were term-limited out of office, who would replace them? Without first changing the understanding of the voters who elected them, it is ludicrous to think they would be replaced by constitutionalists.

Elections provide the people with powerful means for influencing their congressmen. And congressmen know that if they deviate too much from what their constituents want, they could well be voted out of office in the next election. On the other hand, lame-duck congressmen know that they have nothing to lose in how they vote. This is the case regardless of whether a lame-duck congressman is voting in a lame-duck session of Congress, or if he or she is being term-limited out of office. In fact, every congressman who is being term-limited out of office would be a “lame duck” during the entire period of his final two-year congressional term, not just during a short post-election, lame-duck session.

There are other reasons why term limits are a bad idea:

- Term limits would limit not only the number of terms a congressman serves, but would also limit the choice of voters. Voters who like their congressman and want to vote to keep him or her in office are no longer allowed to do so. Put another way, their franchise is limited.
- Term limits would force not just “progressive” socialists, but also solid constitutionalists, out of office.
- The candidates who are elected to take their place would not necessarily be an improvement. Far from it, in fact. Incumbents became incumbents by first being voted into office. Unless there is a change in the thinking and understanding of the people who elected them, why should we expect the people to do anything other than replace the term-limited socialists with like-minded socialists?
- Finally, in a very real sense we already have term limits: They’re called elections!

Amending the Constitution to term-limit congressmen is not the answer. If the goal is to elect better congressmen, then what’s needed is better-informed voters. Otherwise, the voters will be beguiled again and again by the politicians they elect no matter how many times they replace one politician with another. ■

Gary Benoit is editor-in-chief of *The New American*.