



With the Ballot, Who Needs Term Limits?

Anyone who has frequented Tea Party gatherings has undoubtedly seen multiple signs sprinkled throughout the crowd calling on fellow citizens to “Throw the Bums Out!” Ditto for signs advocating terms limits. Oftentimes, exhortations for both are issued from the speakers’ platform.

Yet these two strategies for ejecting incumbents from their congressional seats are not necessarily in harmony with each other. If throwing the “bums” out of office means voting them out, then how can the voters do that if the “bums” are term-limited out of office instead?



“So what?” a term-limit advocate might ask. “What difference does it make, so long as the entrenched incumbents are removed from office?” It would, of course, make a very big difference to any voter who is happy with the performance of a particular U.S. Representative or Senator and who would like to keep him in Washington rather than see him automatically ejected if term limits were imposed. It would also make a difference to any voter who would like to have the option of being able to decide if he wants to vote for an incumbent as opposed to another candidate. If the incumbent is term-limited out of office, then the voter’s franchise is limited and term limits, not the voter, would have decided the incumbent’s fate.

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In this year’s congressional elections, the franchise was not impeded by term limits in any way. Yet there will be over 100 new Representatives and Senators in the new Congress that convenes next year. Many of the newcomers defeated supposedly entrenched incumbents, proving that voters can and do “throw the bums out.”

Of course, much of the voters’ wrath was directed at Democrats associated with President Obama’s radical policies such as ObamaCare. But voters were not exactly enthralled with Republicans either, at least not with Republicans associated with the old guard — that is, the establishment wing of the GOP. Consider that Republican “Tea Party” senatorial candidates Rand Paul in Kentucky and Marco Rubio in Florida defeated the establishment-favored candidates in their primaries before becoming Senators-elect in November. Admittedly, other “Tea Party” Republican congressional candidates were defeated, but they would not have been on the November ballot if they did not first win the primary, often coming out of nowhere to become the GOP standard-bearer and surprising the political pundits.

There is a changing mode in this country away from the politics of the past, and that changing mode was manifested at the polls November 2. Yes, incumbents can also be removed via term limits, but consider the drawbacks:

- Term limits would force not just “bums” but solid constitutionalist incumbents out of office.
- Elections provide the people with a powerful means for influencing their Representatives, since the



Written by [Gary Benoit](#) on November 8, 2010

representatives know that if they deviate too much from what the people want they could well be voted out of office in the next election. If a Congressman is barred from running for reelection because of his length of service, then this important check on the kind of “representation” he provides is eliminated. We all know that lame-duck sessions of Congress are less responsive to the people than regular sessions since Congressmen who are not facing another election have nothing to lose in how they vote. Term limits would make all Congressmen barred from running for reelection “lame-ducks” during the entire congressional term, not just after an election defeat.

- Forcing Congressmen to retire via term limits does not necessarily mean that the candidates elected to take their place will do a better job — or a worse job for that matter. 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 “bums” with others who will behave similarly?

We shouldn't — just as we should not expect that the people necessarily improve their representation when they throw entrenched incumbents out of office at the ballot box. After all, unless they have become wiser or more knowledgeable, they could simply be exchanging one crop of “bums” for another. But the changing mood throughout the country is still very encouraging, and the sheer number of incumbents who were defeated on November 2 sends a very strong message to the political establishments of both major parties that they had better start paying more attention to their constituents. Otherwise many more Congressmen — perhaps including many newly elected Republicans — will be defeated in November of 2012.

The 2010 elections show that term limits are not needed to remove incumbents from office. Indeed, term limits were never needed for that purpose. What is needed is understanding and involvement on the part of voters; otherwise, they will be fooled again and again by the people they elect no matter how many times they replace one politician with another.



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