

## Cato Institute Policy Analysis No. 151: The Poison of Professional Politics

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### Executive Summary

Fearing disintegration of the Confederation, Alexander Hamilton called upon delegates meeting at Annapolis, Maryland, in September 1786 to reconvene the following May to "devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the Union."<sup>(1)</sup> Out of despair and frustration arose the Constitutional Convention of 1787 and with it America's second birth as a democratic republic.

The American republic is once again at risk. This time the threat lies not in internal disorder or foreign predators but in the contemporary exigencies of professionalism and careerism that dominate American politics. Those exigencies poison the prospects for political representation in America and threaten the promise of democratic government.

The main argument of this essay is that the professionalization of politics is incompatible with the essence of representation. Although it may be useful for a society to encourage the development of "professional" lawyers, nurses, social scientists, or physicians, the qualities and characteristics associated with being a "professional" politician run counter to the supposed goals of a representative democracy. In a great many political arenas, and especially in the U.S. Congress, evidence of the professionalization of American politics is mounting.

In response, a national movement to limit the terms of congressmen and state legislators is gaining momentum. The contemporary call for term limitation as a possible remedy for legislative careerism has important historical foundations in America's experience with the principle and practice of rotation in office. That experience and its connection to traditional republican thought are discussed at length for the purpose of moving contemporary debate about term limitation away from accusation and acrimony toward the principles and aspirations of representative democracy. Rotation in office is one of the principles Americans followed during the 18th and 19th centuries to guard against permanency and excess in government as well as to nurture other important democratic values. The revolutionary, anti-Federalist, and Jacksonian defenses of rotation in office have much to teach anyone interested in the professionalization of American politics and its consequences and possible remedies.

### Professional Politics in America

Americans have long been suspicious of professional politicians. Tocqueville approvingly noted the absence of "public careers" in America;<sup>(2)</sup> and an 1836 issue of the *Democratic Review* proclaimed that in America "we have no great faith in professional politicians."<sup>(3)</sup> Reacting to the emergence of statism in American at the end of the 19th century, scholars began warning of the dangers inherent in the rise of professional politicians. In *The American Commonwealth*, James Bryce lamented that the new class of political professionals "has tended to keep amateurs out

of" politics.(4) One result of that "new class," according to Westley W. Willoughby, was a legislature "favorable to the class in power."(5) Scholars as politically diverse as Charles E. Beard and Edward S. Corwin could agree that professional politicians were on the rise in America, jeopardizing the health of the democratic process.(6)

In the last decade of the 20th century, mounting evidence of the professionalization of American politics is just beginning to pique the attention of pundits and citizens alike. But what is a "professional politician"? Conventionally, we use the phrase "professional politician" to refer to someone who makes his or her living from politics. That clearly implies that not all politicians or participants in the political system are professionals. The classic distinction made by Max Weber between the person who lives "for" politics and the person who lives "off" politics is important.(7) Both individuals pursue politics as a vocation, as opposed, presumably, to most citizens in a liberal democracy who treat politics as an avocation. However, while the person who lives "for" politics may organize his life around political activity, he has not made politics a career. In this essay I reserve the phrase "professional politician" for individuals who make politics and political activity a career.

Professional politicians proliferate both in and out of government. The total size and policymaking discretion of the federal bureaucracy continues to expand despite the anti-bureaucratic rhetoric of the past two decades. Although some devolution and privatization occurred during the Reagan years, federal expenditures as a percentage of gross national product remain high, and the deficit continues to set new records every year.(8) In addition, the sheer size of the federal government continued to grow during the Reagan years. In 1981 there were about 2.8 million federal civilian employees; by 1990 the number had risen to about 3.1 million.(9)

The expansion of legislative staffs has accompanied the expansion of the executive bureaucracy. Legislative staffs now dominate much of the decisionmaking politicking that takes place in Washington.(10) Nelson W. Polsby calls the change in the number of congressional staff members during the past four decades "staggering." A fourfold increase in the number of staff members assigned to the House and Senate occurred between 1960 and 1980 alone, and approximately 25,000 staff members were employed by Congress in 1985.(11) Ironically, the growth in staff support during the past four decades has resulted in neither greater legislative efficiency nor increased productivity.(12)

Out of government there have been two notable developments in the professionalization of politics in the last decade and a half. First, there has been a spectacular increase in the number and potential influence of organized interest groups and political action committees. There were twice as many registered lobbyists in Washington in 1985 as there had been in 1975. That army of lobbyists has been joined by an explosion of lawyers, corporations, trade and professional associations, and public interest organizations.(13) In 1976 there were 1,146 registered PACs that contributed a total of \$22.6 million to candidates for the House and Senate. A decade later there were 4,211 registered PACs that contributed a total of \$139.4 million to candidates for the House and Senate, thus escalating the costs of American political campaigns.(14)

What do all those interest groups and lobbyists want? According to the Cato Institute's David Boaz, first of all they want money, closely followed by the many other valuable services available from the modern state. Boaz explains, "As the size and power of government increase, we can expect more of society's resources to be directed toward influencing the government."(15) Indeed, we might deduce that the professionalization of American politics may not only encourage the growth of the state but also beget more professionalization. That vicious cycle is most evident in the U.S. Congress.

Second, professional political consultants have all but taken over the running of American elections for national office and are well on their way to controlling the process of public policymaking as well. The number of consulting firms doubled during the 1980s. In elections at all levels of government, it has become the rule rather than the exception to hire a consulting firm to run a candidate's campaign. Those firms are willingly assuming an increasing role in shaping the substance and direction of the electoral process.(16)

Bureaucrats, staff, lobbyists, PACs, and consultants are not alone in making a career of politics; America's elected representatives do so as well. Legislators serve seemingly never-ending terms in the national and state legislatures. Incumbents are all but guaranteed reelection if they seek it.(17) The professionalization of politics in America has created a "permanent government" made up of career politicians. In turn, the existence of a permanent government, or

the "Washington establishment" as some call it, justifies the need for professionals with the skill and expertise to navigate the shoals of the new political hierarchy. Such permanence and symbiosis are clearly evident in the U.S. Congress.

No longer "citizen-legislators," congressmen have turned the privilege of political representation into life-long careers. During the second half of the 20th century, elected officials in America have spent more time in public office than during any other period in American history. Throughout the 19th century congressmen served an average of one or two terms before voluntarily returning to their communities to resume careers or pursue other endeavors. During the last 40 years, the average length of service in the House has ranged from four to five terms. An average of 15 percent of House members have served for 20 or more years! It is notable that for much of the 19th century members of Congress did not want to make a career of service in either the House or the Senate. "What the early House lacked was not safe seats," explains H. Douglas Price, "but a desire and incentive to retain one's seat." (18) James Sterling Young captures the disdain of the representatives who served in Washington between 1800 and 1828: "No one acknowledged either taste or talent for politics. The members professed themselves to be misfits in a vocation reprobated as 'a species of mania,' 'an unprofitable way of life.'" (19) As more congressmen have spent more time in office than ever before, congressional turnover has declined precipitously. Throughout the 19th century the average congressional turnover was slightly higher than 50 percent at each election. Today turnover due to death, retirement, or electoral defeat hovers around 10 percent. (20)

A general aversion to making a career of legislative service also characterized state and local politicians during the 19th century. Albert Bushnell Hart offers this turn-of-the-century assessment:

Another novelty in American government was the principle of rotation in office . . . democracy could not admit that government was a profession, and after 1830 it was rare for governors to serve more than two or three terms, and legislatures changed rapidly. As more and more offices were taken out of the hands of legislatures and city councils and subjected to popular vote, the opportunities for rotation became more numerous; until by 1860 the fact that a man was in office was rather a presumption that he ought not be reelected. (21)

However, the reluctance to pursue legislative careers has dissolved during the past two decades, at least at the state level. New York's state legislature, for example, has "become a career-oriented institution that [offers] its senior members high salaries and enough electoral security, staff, and personal influence to make service in Albany increasingly competitive with service in Washington." (22) The same might also be said of the California legislature, (23) as well as the legislatures of most other industrialized states.

During the last 40 years the institution of Congress has been redesigned to facilitate and accommodate the career aspirations of its members at the expense of its representational and legislative responsibilities. Congressmen achieve reelection by creating new federal programs. Those programs grant wide decisionmaking discretion to the federal bureaucracy, potentially causing a variety of political and policy-specific problems. As a result, constituents with grievances or demands on the Washington establishment approach their congressmen for relief or assistance. Morris P. Fiorina, a leading scholar of congressional politics, says, "The system is connected when congressmen decry bureaucratic excesses and red tape while riding a grateful electorate to ever more impressive electoral showings." (24) Instead of acting as dutiful representatives dedicated to solving local and national problems, congressmen achieve career security by serving constituents as ombudsmen vis-a-vis Washington's burgeoning bureaucratic establishment.

The professionalization of legislators means that we have representatives who know about the rules, routines, and procedures that are essential to survival (and maybe even effectiveness) in Congress. In addition, as numerous studies have shown, professional legislators may also know a great deal about how to use the federal bureaucracy to serve their constituents. However, as professionals they may understandably find it difficult to remain in touch with the interests, values, and experiences of their constituents. Professionalization and the "accelerated pace and wider scope of legislative business strain further still the weak link that is left between Washington and home." (25) Representation is at risk in a political system dominated by professional politicians. Indeed, we might hypothesize that as the professionalism of a legislative body increases, its capacity for authentic political representation declines.

### **"Professional Representation": A Dangerous Contradiction**

Put simply, the professionalization of politics is incompatible with the essence of representative government. At its most basic, the exercise of a profession entails a set of role relationships between "experts" and "clients" in which the "professional" is an expert who offers knowledge and judgment to clients. In pursuit of a career, the professional moves "up and away," as Berkeley sociologist Robert N. Bellah puts it, from the face-to-face community that once oriented those persons pursuing a "calling." The culture of professionalism disconnects and distances the professional--whether journalist, doctor, attorney, social scientist, or politician--from those whom he or she intends to serve.(26) A form of trusteeship is one of the most salient characteristics of professionalism.(27) Professionals are detached from their clients by expertise, education, and culture. Although there are many different approaches to the analysis of professions and professionalism, the themes of authority, autonomy, and hierarchy are recurrent in the dominant sociological literature.(28) Each of those reveals the "space" that exists, by definition, between professionals and their clients.

Conversely, representative government is characterized by the close connection that must necessarily exist between representatives and represented. Representative government aspires to minimize the distance or space between the two sets of citizens. The space between representative and represented must necessarily be abbreviated. As was noted above, that is not the case for professionals. Therein lies the fundamental tension between representation as a normative political ideal and professionalization as a sociological process.

There are differing theories of representation. However, the classic distinction between the representative as a trustee and the representative as a delegate (or agent) remains a useful key to the conceptual boundaries of representation.(29) Trustees depend on their own conscience, on what they think is right, or on their considered judgment of the facts relevant to a particular decision. Edmund Burke offered the classic case for the trustee model of representation:

It ought to be in the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. . . . But his unbiased opinion, his mature judgements, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. . . . They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgement; and he betrays, instead of serving you, if he sacrifice it to your opinion.(30)

Burke was against the practice of instruction, which gives constituents the right to force their representatives to vote in a particular way.(31) Instruction, a widespread practice in colonial and revolutionary America, is part of the delegate model requires representation. In that model a representative is merely an agent, a servant or subordinate substitute, for those who sent him or her.(32) The representative as delegate "must express the will, and speak the opinions, of the constituents that depute him."(33) John Stuart Mill offers one widely cited synopsis of the delegate model:

The meaning of representative government is that the whole people, or some numerous portion of them, exercise through deputies periodically elected by themselves the ultimate controlling power, which, in every constitution, must reside somewhere. This ultimate power they must possess in all its completeness. They must be masters, whenever they please, of all the operations of government.(34)

In practice, representation usually lies somewhere in between the delegate and the trustee models. On the one hand, the representative cannot be an "unthinking mouthpiece for parochial interests or for each shifting breeze of opinion."(35) As the business of government has grown in complexity and become less locally centered, it is probable that the representative has become less of a delegate and more of a trustee.(36) On the other hand, a representative cannot easily ignore constituent interests or the popular will (when there is one). "The man is not a representative if his actions bear no relationship to anything about his constituents, and he is no representative if he does not act at all." That leads to the "paradoxical requirement" of representation--"that a thing be simultaneously present and not present."(37) The delegate model holds that the absent voice of the constituents be made present by the actions of the representative. The trustee model holds that unless the representative acts independently, constituents are not represented but merely present in the action.

Representational theory is one thing; representation in practice is something else. America's Founders were sensitive to the complexity of the concept, but they also had a common-sense understanding of its essence--that representation requires the representative to strike a balance between re-presenting the interests of constituents and occasionally

acting on their behalf. That common-sense approach was put simply by Abraham Lincoln during his reelection campaign to the General Assembly of Illinois: "I shall be governed by their will on all such subjects upon which I have the means of knowing what their will is, and upon all others I shall do what my own judgment teaches me will best advance their interests."(38)

One way to achieve the necessary balance of responsibilities was to elect representatives who were "of" the people they would represent. That is not to suggest that they needed to be mirror images of their constituents, but rather that the space that exists between the experiences, values, and interests of the representative and the represented would be as limited as possible. Or, to put it a slightly different way, there would be authentic experiential, value, and interest connections between the representative and the represented. With strong connections of that sort, constituents could trust their representative both to make their voice present and to act in their best interests.

It is significant that, despite so many other profound disagreements, the Federalists and the anti-Federalists had rather similar operational definitions of representation. Consider the following examples.

James Madison, chief architect of the Constitution, stated:

It is a sound and important principle that the representative ought to be acquainted with the interests and circumstances of his constituents. But this principle can extend no further than to those circumstances and interests to which the authority and case of the representative relate. . . . That [representatives] can make no law which will not have its full operation on themselves and their friends, as well as on the great mass of the society . . . creates between [the rulers and the people] that communion of interests and sympathy of sentiments of which few governments have furnished examples; but without which every government degenerates into tyranny.(39)

George Mason, Virginia delegate to the Constitutional Convention who opposed ratification, maintained that

the requisites in actual representation are that the Representatives should sympathize with their constituents; should think as they think, and feel as they feel; and that for these purposes should even be residents among them.(40)

Melancton Smith, a prominent anti-Federalist, wrote:

The idea that naturally suggests itself to our minds, when we speak of representatives is, that they resemble those they represent; they should be a true picture of the people; possess the knowledge of their circumstances and their wants; sympathize in all their distresses, and be disposed to seek their true interests. The knowledge necessary for the representatives of a free people . . . should also comprehend that kind of acquaintance with the common concerns and occupations of the people, which men of the middling class of life are in general much better competent to than those of a superior class.(41)

The Federalists tilted toward the trustee side of the representational continuum, while the anti-Federalists tilted toward the delegate side. Both realized that effective representation required a shared space--a proximity of sympathy and interests--between representative and represented. While the representative may not be obliged to merely "re-present" constituent instructions, the expectation is that the proximity of sympathy and interests will come close to accomplishing that anyway, even when the representative acts as a trustee. The delicate balance of the two views is eloquently captured by Walter Lippmann: "[The representative] is in duty bound to keep close to the interests and sentiments of his constituents, and, within reasonable limits, to do what he can to support them."(42)

The professionalization of representatives makes it impossible to maintain that delicate balance. Whereas representative government aspires to maintain a proximity of sympathy and interests between representative and represented, professionalism creates authority, autonomy, and hierarchy, distancing the expert from the client. Professionalization encourages an independence of ambition, judgment, and behavior that is at odds with the inherently dependent nature of representative government. For representation to resolve that paradox, representatives cannot become experts and constituents cannot be treated as clients. But those are precisely the new roles in which they are cast by the professionalization of politics in America. As a result, the term "professional representation" as applied to politics is an oxymoron. The oft-touted expertise of professional politicians as representatives is in contradiction with the essential function of political representation in a democratic republic, namely, to connect the people to the government

through representatives who share their values and stay in touch with the reality of their day-to-day lives.(43) Legislative careerism is thus antithetical to the normative aspirations and the operational demands of a representative democracy.

Suspicion of professional representatives is well advised. They not only pose a threat to the quality of representation in government, but through the power of incumbency they restrict the entry of amateurs--citizen-legislators-- into the governing process. As the celebrated historian Daniel Boorstin explains: "The representative of the people . . . must be wary of becoming a professional politician. The more complex and gigantic our government, the more essential that the layman's point of view have eloquent voices." Today, the layman's voice in the halls of Congress has been silenced by a chorus of career legislators and other professional politicians. Since "democracy is government by amateurs," Boorstin warns that "the survival of our society depends on the vitality of the amateur spirit in the United States today and tomorrow." Lamentably, there is scarcely any room left for amateurs in the modern American legislature. "We must find ways to help our representatives preserve their amateur spirit," proposes Boorstin.(44) Appreciating America's experience with the republican principle of rotation in office and its contemporary counterpart, term limitation, may be one way to restore the amateur spirit to legislatures and to begin the thankless process of recovering American politics from the professionals.

### **Traditional Republicanism and Rotation in Office**

The professionalization of American politics threatens representative democracy and corrupts America's revolutionary commitment to traditional republican rule. As Americans have grown increasingly weary and distrustful of the permanent government in Washington and in state capitals around the nation, a return to republican principles, such as rotation in office, may be an appropriate first response to the professionalization of American politics.

### **Revolutionary Thought**

America's revolutionary thinkers generally agreed that in a republic "government should be kept as near to the people as possible, chiefly through frequent elections and rotation-in-office."(45) John Adams eloquently captured the importance of those two principles on the eve of the American revolution.

Elections, especially of representatives and counsellors, should be annual, there not being in the whole circle of the sciences a maxim more infallible than this, "where annual elections end, there slavery begins." These great men . . . should be [chosen] once a year--Like bubbles on the sea of matter borne, They rise, they break, and to that sea return. This will teach them the great political virtues of humility, patience, and moderation, without which every man in power becomes a ravenous beast of prey.(46)

Indeed, well before Adams penned that reflection, the Frame of Government of Pennsylvania (1682) had already established annual elections for its provincial council and affirmed the importance of rotation in office for the governor, councilors, and members of the general assembly.(47)

The republican principle of rotation did not originate with America's revolutionaries. They had encountered it in the influential 17th-century writings of James Harrington and the widely read reformist text of James Burgh published in the latter part of the 18th century. In *The Commonwealth of Oceana* (1656), Harrington sought in his republic the reconciliation of public and private interests. To further that end, "Harrington declared two institutions to be indispensable, an 'equal Agrarian' and [an] 'equal Rotation.'" By the former he means an immutable law preventing the concentration of landed property in the hands of one or few; by the latter, such a law of elections for the magistracies that all qualified persons shall have an equal opportunity to serve their fellow-citizens."(48) Pointing to a slightly different justification for rotation, Burgh argued in *Political Disquisitions* (1774) that if a republic is to guard against the "continual danger to liberty," representatives must be chosen for short terms and rotated frequently.(49)

The importance of rotation in office for representative democracy has roots in traditional republican thought that go much deeper than Harrington and Burgh. The principle of rotation in office dates back to the practice of democracy in the ancient city-state of Athens. During the fifth and fourth centuries B.C., the Athenians selected their council of 500 annually by lot, with the further provision that no one could serve on it more than two years in his life. Those provisions, which are unthinkable in a "modern" democracy, were intended to ensure that the views of the council

would coincide with those of the people.(50) The principle of rotation also reflects Aristotle's understanding of the proper relationship among equal citizens in the polis: there is a reciprocity of "ruling and being ruled in turn."(51) For Aristotle, democratic citizenship is produced by experience in two different political roles: that of ruled and that of ruler.

Three distinct advantages that are evident in Western intellectual heritage often appear in the thinking of America's revolutionaries and in their new constitutional designs. First, as represented by Harrington, rotation provides an opportunity for a greater number of individuals to serve in government. Article IV of the Frame of Government of Pennsylvania, for example, stipulated that "after the first seven years, every one of the said third parts, that goeth yearly off, shall be incapable of being chosen again for one whole year following: that so all may be fitted for government, and have experience of the case and burden of it." Not only would the principle of rotation make it possible for more people to serve in government, but as historian Gordon Wood notes, it would also compel "mobility in a deferential society where men too often felt obliged to reelect their rulers for fear of dishonoring them."(52)

Second, according to Burgh, rotation acts as a check on tyranny and the unbridled usurpation of political power. Because our forefathers feared the abuse of executive power, by 1777 seven of the ten new state constitutions--those of Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia--had limited the number of years that an executive officer could serve. Typical of those constitutions is the statement made in Article XXXI of the Maryland constitution of 1776: "That a long continuance, in the first executive departments of power or trust, is dangerous to liberty; a rotation, therefore, in those departments, is one of the best securities of permanent freedom."(53)

One state went much further in adopting the principle of rotation. The new Pennsylvania constitution of 1776, considered the most radical constitution of the revolutionary era, required rotation in office for all elected officials--executive and legislative--to prohibit, as the constitution stated, "the danger of establishing an inconvenient aristocracy," or, as a radical pamphlet printed in Philadelphia put it, "to make room for others of equal, or perhaps superior, merit."(54) An anonymous publicist in Pennsylvania called rotation "one of the life guards of liberty,"(55) and according to "Cato" (the British writers John Trenchard and Thomas Gordon), rotation was "essentially necessary to a free Government: It is indeed the Thing itself; and constitutes, animates, and informs it, as much as the Soul constitutes the Man."(56)

Third, inspired perhaps by the Aristotelian principle, the American revolutionaries believed that rotation facilitates and affirms the experiential connection that must necessarily exist between representatives and the represented. The bill of rights contained in the new constitution of Virginia (1776) expressed the expectation that the threat of oppression would be diminished and the qualities of representation enhanced if public officials were frequently "reduced to a private station." Section 5 stated:

That the legislative and executive powers of the State should be separate and distinct from the judiciary; and that the members of the two first may be restrained from oppression, by feeling and participating the burdens of the people, they should at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections.(57)

Presumably, the connection between the representative and the constituent is strengthened and the exuberance of government is tamed when representatives know that they must soon return to live in the community they have helped shape through their actions in government. That view was captured most eloquently by Thomas Paine in *Common Sense* (1776), one of the most influential tracts of the revolution.

That the interest of every part of the colony may be attended to, . . . the elected might never form to themselves an interest separate from the electors, prudence will point out the prosperity of having elections often, because as the elected might by that means return and mix again with the general body of the electors in a few months, their fidelity to the public will be secured by the prudent reflections of not making a rod for themselves. And as this frequent interchange will establish a common interest with every part of the community, they will mutually and naturally support each other, and on this . . . depends the strength of government and the happiness of the governed.(58)

That constellation of republican sentiments influenced the drafting of the Articles of Confederation (1781), which

called for the annual appointment of delegates, provided for their recall at any time, and set limits on the length of time a delegate could hold office. Section V of the Articles stated, "No state shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years."(59)

The revolutionary zeal for rotation in office started to diminish during the mid-1780s, in large measure as a result of the disintegration of the Confederation(60) and the forced retirement of six popular and effective executives in states with mandatory rotation for executive officeholders.(61) At a meeting of the Pennsylvania Council of Censors in 1784 the Republican Society criticized the principle of rotation, saying that it deprived men of an incentive to serve and the state of able servants.(62) In addition, the Republican Society charged that rotation was anti-democratic since "the privilege of the people in elections, is so far infringed as they are thereby deprived of the right of choosing those persons whom they would prefer."(63)

Despite such criticism from the state with the most stringent rotation requirements, the principle of rotation was still considered important enough to merit inclusion in the Virginia Plan presented to the Constitutional Convention in the summer of 1787 by Edmund Randolph. Section 4 of the Virginia Plan stated that "members of the first branch of the National Legislature" would be "incapable of re-election" for a period of time to be determined by the convention "after the expiration of their term of service."(64) However, after rather brief debate on different occasions throughout the summer, neither mandatory rotation nor ineligibility for office was included for either the House or the Senate in subsequent drafts of the Constitution.(65)

What might we deduce from the absence of mandatory rotation in the Constitution? Given the prevalent practice of voluntary rotation in many states, most convention delegates may have assumed that it would be the norm in the national government with or without a constitutional requirement. James Wilson, for example, expressed interest in lengthening the term of senators to nine years with rotation as a way to allay Hamilton's concern for "due stability and wisdom" in the legislative bodies.(66) Despite the absence of a provision for mandatory rotation in the Constitution, true to traditional republicanism, delegates continued to equate permanence in government with a significant danger to individual liberty. Foreshadowing contemporary distress with the Washington establishment, Roger Sherman of Connecticut argued that "government is instituted for those who live under it. It ought therefore to be so constituted as not to be dangerous to their liberties. The more permanency it has the worse if it be a bad government."(67) Given Madison's defense of popular representation in the Federalist Papers, the precedent created by Washington and Jefferson in serving only two terms as president, and the high rates of voluntary legislative rotation in the 19th century, it is reasonable to surmise that convention delegates did not expect permanency in government and would have been most distressed by its contemporary emergence.(68)

### **Anti-Federalist Thought**

While the Federalists shied away from the republican principle of rotation in office in the new constitution, its absence was widely denounced by the anti-Federalists, who viewed rotation as a "truly republican institution."(69) The anti-Federalists focused most of their concern and scorn on the absence of rotation for senators and presidents, which would make the Senate "a fixed and unchangeable body of men" and the president "a king for life, like the king of Poland."(70) During the ratification debates, the anti-Federalists defended the principle of rotation in office on the same tripartite grounds as had their revolutionary predecessors.

New York's Brutus, among others, argued for rotation in the Senate on the grounds that it would give more people the opportunity to serve in government: "It would give opportunity to bring forward a greater number of men to serve their country, and would return those, who had served, to their state, and afford them the advantage of becoming better acquainted with the condition and politics of their constituents."(71)

During New York's ratification debate in June 1788, Melancton Smith reaffirmed the potential of rotation to check tyranny and the abuse of power. Rising to call for a constitutional amendment to remedy the "evil" of the proposed Senate, Smith proposed

rotation . . . as the best possible mode of affecting a remedy. The amendment will not only have a tendency to defeat

any plots, which may be formed against the liberty and authority of the state governments, but will be the best means to extinguish the factions which often prevail, and which are sometimes so fatal in legislative bodies. . . . We have generally found, that perpetual bodies have either combined in some scheme of usurpation, or have been torn and distracted with cabals--Both have been the source of misfortune to the state. Our Congress would have been a fine field for party spirit to act in--That body would undoubtedly have suffered all the evils of faction, had it not been secured by the rotation established by the articles of the confederation.(72)

Smith, as well as Brutus, understood that it would be very difficult to get rid of individuals once they had been elected to office. "Every body acquainted with public affairs knows how difficult it is to remove from office a person who [has] long been in it. It is seldom done except in cases of gross misconduct. It is rare that want of competent ability procures it."(73) Echoing Sherman's warning about the dangers of permanent government, Brutus recommended that "it would be wise to determine that a senator should not be eligible after he had served for the period assigned by the Constitution for a certain number of years; perhaps three would be sufficient."(74)

The argument that rotation in office helps to secure fidelity between the representative and the represented, to paraphrase Paine, was made rather simply by James Monroe of Virginia, who argued that for the sake of legislative responsibility "the rotative principle is preserved, which will I hope never be given up."(75) An extended defense of that position was also offered in New York by John Lansing, who argued in favor of an amendment that would enforce rotation in office for senators to "oblige them to return, at certain periods, to their fellow-citizens, that, by mingling with the people, they may recover that knowledge of their interests, and revive that sympathy with their feelings, which power and an exalted station are too apt to efface from the minds of rulers."(76)

In general, the anti-Federalists feared that the elimination of annual elections, rotation in office, and recall, together with the extensive powers given to Congress, would make the "federal rulers . . . masters, and not servants."(77) Cecelia Kenyon described the anti-Federalists as "men of little faith" whose theory of representation reflected a profound distrust of elected officials.(78) Although it is true that the anti-Federalists preferred "actual" to "virtual" representation and instruction to trusteeship,(79) they shared with the Federalists a belief in the necessity of representation and a commitment to the close connection that must exist between representatives and their constituents.(80)

## **Rotation in the Early Republic**

Despite constitutional silence on the matter, throughout the 19th century rotation in office, much of it voluntary, remained a popular principle of republican rule--a principle with considerable practical effect. Washington's voluntary retirement after two terms as president was followed a few years later by Jefferson's statement that rotation in office would prevent the formation of a permanent bureaucracy.(81) Jefferson, too, served only two terms as president. Responding to the commonly made arguments that rotation in office meant lost experience and talent, John Taylor asserted in 1814 that "more talent is lost by long continuance in office than by the system of rotation." Taylor held that rotation did not squander talent and that "ability was stimulated by the prospect of future employment and smothered by the monopoly of experiences."(82) In practice, as James Sterling Young discovered, most representatives in Washington during the nation's first four decades viewed their tenure as "splendid misery. . . . The thanklessness, the indignity, and the meanness of the political vocation are such recurrent themes of comment in the community record, and the drumfire of self-censure was so constant an accompaniment to the work of governing, as to convey the impression of a community at war with itself." According to Young, many representatives, "even as they indulged the urge to power, could not easily turn aside their democratic conscience that instructed them of power's evil."(83) The result then and throughout much of the 19th century was a high rate of resignation from office and high rates of turnover in both the House and the Senate.

## **Jacksonian Democracy**

The most extensive and principled 19th-century defense of rotation in office took place during the presidency of Andrew Jackson. Dedicating a healthy portion of his 1829 inaugural address to a discussion of the merits of rotation in office, Jackson gave a new democratic twist to many of the arguments that had been used to defend rotation by the revolutionaries and anti-Federalists. Instead of merely defending rotation on the grounds that it opened up opportunities

for citizen involvement in the process of governing, Jackson argued for the capability of all men to hold public office: "The duties of all public officers are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance."(84)

Not only should citizens have the opportunity to govern, but the quality of governance would be better for it. Jackson observed that "there are, perhaps, few men who can for any great length of time enjoy office and power without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties." Although integrity might suffice to protect officeholders from corruption, the longer they remained in office, the more likely they would be to yield to temptation. "Corruption in some and in others a perversion of correct feelings and principles," said Jackson, "divert government from its legitimate ends and make it an engine for the support of the few at the expense of the many."(85)

In short, "the more secure an officeholder, the more his interests would diverge from those of his constituents."(86) Rotation would reduce the chances of corruption born of familiarity with government and reinstate service on behalf of the public interest as the norm for public officials. No one should "treat public office as a species of property," nor view government "as a means of promoting individual interests," proclaimed Jackson. Government is "an instrument created solely for the service of the people"; rotation in office would keep it that way.(87) Thus, not only would tyranny and abuse of power be checked, but the public interest would be better served as well.

Jackson used that multifaceted defense of rotation, which Arthur M. Schlesinger, Jr., judged "a sincere measure of reform,"(88) to justify creation of the "spoils system." In direct response to those who lamented the loss of experience in government that the spoils system produced, Jackson argued, "I can not but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience." To be sure, the spoils system helped Jackson build his power base in the Democratic party, but it also helped to "restore faith in government," which had been declining as a reaction to bureaucratic corruption.(89) In moving beyond the defenses of revolutionary and anti-Federalist theorists, Jackson established rotation in office "as an essential step in the gradual formulation of a program for democratic America."(90) In Jacksonian democracy rotation went from being solely a guard against governmental excess to being a vehicle for democratic empowerment.

As "a leading principle in the republican creed," rotation in office was also a part of the popular Jacksonian movement against the professionalization of politics and the general expansion of government.(91) "We have no great faith in professional politicians," declared the Democratic Review in 1836, "when too long entrusted with too securely established power."(92) That sentiment is echoed in charges made against the Washington establishment by contemporary pundits. Admittedly, there may be some irony in Jackson's defense of rotation as a justification for the spoils system. As Max Farrand points out, the spoils system "marks the rise of a class of professional politicians," who, in the terminology of Max Weber, make politics a vocation by living "off" politics.(93) In the end, that may say less about the spoils system than it does about the incompatibility of bureaucratic governance (rotation notwithstanding) with the aspirations of traditional republicanism and the demands of representative democracy.

### **Turn-of-the-Century Commentary**

Throughout most of the 19th century, voluntary rotation in office was the prevailing norm of behavior for national legislators. By century's end many commentators echoed James Bryce's observation that "rotation in office was, and indeed by most men still is, held to be conformable to the genius of a democracy."(94) Expressing a sentiment rekindled in recent years, A. Lawrence Lowell of Harvard explained the popularity of that republican principle: "The American citizen is far less attracted by the idea of experienced public servants who retain their positions so long as they are faithful and efficient than he is repelled by the dread of bureaucracy."(95)

American disdain for permanent government has deep roots indeed. An assessment of congressional tenure in 1903 by historian James Albert Woodburn reveals the profound differences in representational expectations then and now.

A congressman is elected for two years. Occasionally a man of distinction is continued in service for several consecutive terms, and the most distinguished congressional leaders are those who have sat for long terms by successive re-elections. But the local influences in the States, the ambitions and schemes of the political wirepullers and workers, and the practice of rotation in office that has been considerably cultivated have tended to limit the

average length of service to four to six years.(96)

Such an observation is unthinkable in the 1990s.

In summation, America's lengthy experience with rotation in office grew out of a belief in creating opportunities for citizen-legislators, a desire for checks on tyranny and abuse of government power, and prerequisites for authentic political representation. Jackson added a strong democratic flavor to the revolutionary and anti-Federalist advantages of rotation. A belief in the utility and efficacy of rotation in office also reflects a political culture hostile to the concentration of political power, permanence in government, professional politicians, and bureaucratic power. America's lengthy experience with rotation in office, its values and advantages, has been largely ignored or forgotten during the lengthy debates about constitutional and political reform of the past decade.(97)

Indeed, America's experience--constitutional and political--with rotation in office as an important form of term limitation has even been overlooked by contemporary advocates (and opponents) of the term limitation movement. Much can be learned about important political values, principles, and behavior by studying America's experience with rotation in office. It also provides a way to "test" many of the empirical assertions of the term limit debate that are now backed only by claims based on political faith. Rediscovering tradition as a laboratory for contemporary analysis will enliven debate and further current interest in term limits on the part of advocates and opponents alike.

### **Looking Beyond Term Limitation**

Government by professionals, be they bureaucrats, staff, lobbyists, or consultants, along with government by representatives-turned-professionals, discourages political involvement, undermines the development of citizenship, and destroys the linkages that are necessary in a representative democracy to bind rulers to the ruled in a compact of trust, mutuality, understanding, and service. With the professionalization of American politics, instead of public engagement, we end up with public estrangement; instead of civic commitment, we foster civic abandonment; and instead of political empowerment, we are left with political confinement. Those qualities are most certainly not worthy of emulation by new nations searching for an institutional path to democracy.

What antidote is available to cure America of professional politics? Are we as a nation even in a position to administer the remedy or remedies if revealed to us, or is the patient beyond recovery? Political reform has always been a daunting task in the United States.(98) However, it is especially difficult when the intended object of reform, such as professionalism or careerism, is widely accepted by average Americans in the ordinary practices of daily life. In other words, the respect, admiration, and acceptance that characterize the professionalization of occupations in America will make it all the more difficult to mobilize opposition to the professionalization of American politics.

Term limitation is increasingly proposed, and is gaining popularity, as a response to permanent government and legislative careerism. For advocates, term limitation is "an idea whose time has come" and "the intervention that will put Congress on the road to recovery."(99) For opponents, term limitation is "a solution in search of a problem" and "an illusory fix for a symptom rather than a cure."(100) In one form or another, Presidents Truman, Eisenhower, and Kennedy supported term limits for Congress.(101) President Bush announced his support for term limitation in December 1990. Within the past year three states--Oklahoma, Colorado, and California--have passed initiatives limiting the terms of state officeholders.(102) Similar movements are under way in at least a dozen other states, and public opinion polls show overwhelming popular support for state and congressional term limits among all sectors of the American public.(103)

Is term limitation the antidote for professional politics in America, as many are suggesting? Of course it is not.(104) Term limitation is only the first response to the problem of professionalization that increasingly permeates the entire American political system. Periodically throwing the "rascals" out of office will do little to remedy the other pressing problems of professional politics.(105) Term limitation alone is not enough, but it is a start, especially if accompanied by serious state and national debate about the causes and consequences of professionalized politics. America needs to "get serious" about the burgeoning, immortal bureaucracy; the explosive costs of political campaigns; the irrelevance of political parties; the skewed proliferation of organized interest groups; the dependence of candidates and officeholders on political consultants; and the supremacy of legislative staff in addition to grappling with the rise of

legislative careerism. A comprehensive approach to the poison of professional politics would be ideal, but nothing in American history would lead any sensible observer to conclude that such a course is probable, or even possible.

Thus, as usual, we must settle for incremental improvement. Greater appreciation of the reasons for the American tradition of rotation in office can smooth the way for term limitation as the first step on the arduous road to the restoration of political institutions capable of nurturing representative democracy, democratic citizenship, and the ennobling art of self-government.

## Notes

- (1) Quoted in John Fiske, *The Critical Period of American History, 1783-1789* (Boston: Houghton, Mifflin, 1888), p. 233.
- (2) Alexis de Tocqueville, *Democracy in America*, ed. J. P. Mayer (Garden City, N.Y.: Doubleday, 1969), p. 204. Capturing the democratic character of American politicians, Tocqueville observed that "American public officials blend with the mass of citizens; they have neither palaces nor guards nor ceremonial clothes" (p. 204).
- (3) Quoted in Lawrence Frederick Kohl, *The Politics of Individualism* (New York: Oxford University Press, 1989), p. 124.
- (4) James Bryce, *The American Commonwealth* (1894; New York: Macmillan, 1910), vol. 2, p. 61.
- (5) Westley W. Willoughby, *An Examination of the Nature of the State* (New York: Macmillan, 1896), p. 432.
- (6) See Charles E. Beard, *The Economic Basis of Politics* (1922; New York: Alfred A. Knopf, 1947), p. 99; and Edward S. Corwin, *The Democratic Dogma and the Future of Political Science* (Shanghai, China: Kelly and Walsh, 1930), p. 12.
- (7) Max Weber, "Politics As a Vocation," in *From Max Weber*, eds. H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1958), p. 84.
- (8) The growth of the federal deficit and its acceleration during the Bush presidency is analyzed in Stephen Moore, "The Profligate President: A Midterm Review of Bush's Fiscal Policy," *Cato Institute Policy Analysis* no. 147, February 4, 1991.
- (9) See *Economic Report of the President*, February 1991, p. 335. For an analysis of the bureaucracy during the Reagan era, see Peter M. Benda and Charles H. Levine, "Reagan and the Bureaucracy," in *The Reagan Legacy*, ed. Charles O. Jones (Chatham, N.J.: Chatham House, 1988), pp. 102-42.
- (10) See Michael Malbin, *Unelected Representatives: Congressional Staff and the Future of Representative Government* (New York: Basic Books, 1980).
- (11) Nelson W. Polsby, "Political Change and the Character of the Contemporary Congress," in *The New American Political System*, 2d ed., ed. Anthony King (Washington: American Enterprise Institute, 1990), p. 40.
- (12) As the number of staff has increased, legislative productivity has declined or remained relatively stable as measured by the ratio of bills introduced to the number passed. See Stanley and Niemi, p. 175.
- (13) See Robert H. Salisbury, "The Paradox of Interest Groups in Washington--More Groups, Less Clout," in *The New American Political System*, pp. 204-5; and Mark P. Petracca, ed., *The Politics of Interests* (Boulder, Colo.: Westview, 1991).
- (14) Frank J. Sorauf, *Money in American Elections* (Glenview, Ill.: Scott, Foresman/Little, Brown, 1988), pp. 78-79. See also David B. Magleby and Candice J. Nelson, *The Money Chase* (Washington: Brookings Institution, 1990). Not only has the aggregate amount of PAC contributions increased to House and Senate candidates, but so has the

percentage of PAC money as a source of congressional campaign funds. For example, in 1974 House candidates received only 17 percent of their campaign funds from PACs. By 1986 the percentage had risen to 60 percent. See Morris P. Fiorina, *Congress: Keystone to the Washington Establishment*, 2d ed. (New Haven, Conn: Yale University Press, 1989), p. 126.

(15) David Boaz, "The Who and Why of Big-Bucks Politics," *Wall Street Journal*, November 15, 1983, p. 16.

(16) See Mark P. Petracca, "Political Consultants and Democratic Governance," *PS: Political Science and Politics* 22 (March 1989): 11-14; Larry Sabato, *The Rise of Political Consultants* (New York: Basic Books, 1981); and Frank I. Luntz, *Candidates, Consultants, and Campaigns* (New York: Basil Blackwell, 1988). It is only recently that political scientists have started to explore the potential impact of professional consultancy on the quality of democratic governance and national policymaking.

(17) See Stanley and Niemi, p. 168. The reelection rate of House incumbents during the last decade has been over 94 percent.

(18) H. Douglas Price, "Congress and the Evolution of Legislative 'Professionalism,'" in *Congress in Change*, ed. Norman J. Ornstein (New York: Praeger, 1975), p. 9. The classic statement is Nelson W. Polsby, "The Institutionalization of the U.S. House of Representatives," *American Political Science Review* 62 (March 1968): 144-68.

(19) James Sterling Young, *The Washington Community, 1800- 1828* (New York: Harcourt, Brace & World, 1966), p. 51.

(20) See Norman J. Ornstein, Thomas E. Mann, Michael J. Malbin, Allen Schick, and John F. Bibby, *Vital Statistics on Congress, 1984-85* (Washington: American Enterprise Institute, 1984), pp. 49-52.

(21) Albert Bushnell Hart, "Growth of American Theories of Popular Government," *American Political Science Review* 1 (August 1907): 551.

(22) Linda L. Fowler and Robert D. McClure, *Political Ambition: Who Decides to Run for Congress* (New Haven, Conn.: Yale University Press, 1989), p. 76.

(23) See Charles G. Bell and Charles M. Pierce, *California Government Today* (Chicago: Dorsey Press, 1988), pp. 178-82.

(24) Fiorina, p. 67.

(25) Fowler and McClure, p. 141.

(26) Robert N. Bellah et al., *Habits of the Heart* (New York: Harper and Row, 1985), pp. 119-20.

(27) Talcott Parsons offers a similar definition of a professional: "Among occupational role-types, the professional is distinguished largely by the independent trusteeship exercised by the incumbents of a class of such roles of an important part of the major cultural tradition of the society." Talcott Parsons, *Essays in Sociological Theory* (New York: Free Press, 1954), p. 372.

(28) See, for example, Burton J. Bledstein, *The Culture of Professionalism* (New York: W. W. Norton, 1978); Magali Sarfatti Larson, *The Rise of Professionalism: A Sociological Approach* (Berkeley: University of California Press, 1977); and George Ritzer and David Walczak, *Working: Conflict and Change*, 3rd ed. (Englewood Cliffs, N.J.: Prentice-Hall, 1986).

(29) The leading work on representation remains Hanna Fenichel Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1972).

- (30) Edmund Burke, "Our Conscience Is a Trust from Providence," in *The Representative*, ed. Neal Riemer (Boston: D.C. Heath, 1967), p. 10.
- (31) For a discussion of instruction, see Alfred De Grazia, *Public and Republic* (New York: Alfred E. Knopf, 1951).
- (32) Pitkin, *The Concept of Representation*, p. 146.
- (33) From the "Acts of the Commonwealth of Virginia" (1812), quoted in Neal Riemer, "Introduction," in *The Representative*, p. 3.
- (34) John Stuart Mill, "On Representative Government," in *Representation*, ed. Hanna Pitkin (New York: Lieber-Atherton, 1969) p. 181.
- (35) Thomas E. Cronin, *Direct Democracy* (Cambridge, Mass.: Harvard University Press 1989), p. 36.
- (36) John C. Wahlke, Heinz Eulau, et al., "The Trustee Orientation Is Most Realistic," in *The Representative*, p. 34.
- (37) Pitkin, "The Concept of Representation," in *Representation*, p. 19.
- (38) Quoted in T. V. Smith, "Congress Must Follow the Popular Will," in *The Representative*, p. 44.
- (39) Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers*, ed. Clinton Rossiter (New York: New American Library, 1961), pp. 346, 352.
- (40) Ralph Ketcham, ed., *The Anti-Federalist Papers and the Constitutional Debates* (New York: New American Library, 1986), p. 50.
- (41) *Ibid.*, p. 342.
- (42) Walter Lippmann, *The Public Philosophy* (New York: New American Library, 1955), p. 48.
- (43) See Aneurin Bevan, *In Place of Fear* (London: Quartet Books, 1978), p. 35.
- (44) Daniel J. Boorstin, *Hidden History* (New York: Vintage Books, 1989), pp. 225, 221.
- (45) Clinton Rossiter, *Seedtime of the Republic* (New York: Harcourt, Brace, 1953), p. 418. For a discussion of contemporary arguments in defense of frequent elections, see Mark P. Petracca and Pamela A. Smith, "How Frequent Is Frequent Enough? An Appraisal of the Four-Year Term for House Members," *Congress and the Presidency* 17 (Spring 1990): 45-66.
- (46) John Adams, *The Political Writings of John Adams*, ed. George A. Peek, Jr. (New York: Macmillan, 1985), p. 89. This particular selection is from "Thoughts on Government, in a Letter from a Gentleman to his Friend," written in 1776.
- (47) See Richard L. Perry, ed., *Sources of Our Liberties* (Chicago: American Bar Foundation, 1978), pp. 209-21.
- (48) William Archibald Dunning, *A History of Political Theories: From Luther to Montesquieu* (New York: Macmillan, 1905), p. 252.
- (49) See various references to Burgh's work in Gordon S. Wood, *The Creation of the American Republic 1776-1787* (Chapel Hill: University of North Carolina Press, 1969).
- (50) See A. H. M. Jones, *Athenian Democracy* (1957; Baltimore: Johns Hopkins University Press, 1986), p. 105.

- (51) Quoted in Andrew Lockyer, "Aristotle: The Politics," in *A Guide to the Political Classics*, eds. Murray Forsyth and Maurice Keens-Soper (Oxford: Oxford University Press, 1988), p. 46.
- (52) Wood, p. 140.
- (53) Perry, p. 349.
- (54) Quoted in Wood, p. 87. The text of this and many other revolutionary constitutions can be found in Perry.
- (55) Quoted in Rossiter, p. 418.
- (56) Quoted in Jackson Turner Main, *The Anti-Federalists* (Chapel Hill: University of North Carolina Press, 1961), p. 12.
- (57) Perry, pp. 311-12.
- (58) Thomas Paine, *Political Writings*, ed. Bruce Kuklick (Cambridge: Cambridge University Press, 1989), p. 5.
- (59) In Ralph Ketcham, ed., *The Anti-Federalist Papers and the Constitutional Convention Debates* (New York: New American Library, 1986), p. 358.
- (60) See Andrew C. McLaughlin, *The Confederation and the Constitution* (1905; New York: Collier Books, 1962).
- (61) See Jackson Turner Main, *The Sovereign States, 1775- 1783* (New York: Franklin Watts, 1973), p. 194.
- (62) *Ibid.*, p. 219.
- (63) Quoted in Wood, p. 439. The criticisms of the principle of rotation that were voiced during this period bear an uncanny resemblance to contemporary arguments in opposition to term limitation.
- (64) Ketcham, p. 37.
- (65) See Max Farrand, ed., *The Records of the Federal Convention of 1787* (1911; New Haven: Yale University Press, 1966), vol. 1, pp. 217, 421-27.
- (66) *Ibid.*, pp. 424, 426.
- (67) *Ibid.*, p. 423.
- (68) Nevertheless, they might not find our contemporary plight surprising. Given their experiences, the Founders were reasonably cynical about the tendency of public power to corrupt "fallible men." See John P. Diggins, *The Lost Soul of American Politics* (Chicago: University of Chicago Press, 1984), pp. 58-60.
- (69) See the speech by Melancton Smith in Ketcham, p. 350.
- (70) Quoted in Wood, p. 521.
- (71) See Herbert J. Storing, ed., *The Anti-Federalist* (Chicago: University of Chicago Press, 1985), p. 190.
- (72) Ketcham, p. 350.
- (73) Storing, p. 190.
- (74) *Ibid.*
- (75) In W. B. Allen and Gordon Lloyd, eds., *The Essential Antifederalist* (Lanham, Md.: University Press of America,

1985), p. 149.

(76) Quoted in Cecil L. Eubanks, "New York: Federalism and the Political Economy of Union," in *Ratifying the Constitution*, eds. Michael Allen Gillespie and Michael Lienesch (Lawrence: University Press of Kansas, 1989), p. 321.

(77) Quoted in Wood, p. 522.

(78) Cecelia Kenyon, "Men of Little Faith: The Anti-Federalists on the Nature of Representative Government," *William and Mary Quarterly* 12 (January 1955): 3-43.

(79) See Russell L. Hanson, *The Democratic Imagination in America* (Princeton, N.J.: Princeton University Press, 1985).

(80) See Cass R. Sunstein, "Interest Groups in American Public Law," *Stanford Law Review* 38 (November 1985): 29-87.

(81) See Raymond Gettell, *History of American Political Thought* (New York: D. Appleton-Century, 1928), p. 254.

(82) *Ibid.*

(83) James Sterling Young, *The Washington Community, 1800- 1828* (New York: Harcourt, Brace and World, 1966), pp. 51, 61.

(84) See Jackson's inaugural address in Walter E. Volkomer, ed., *The Liberal Tradition in American Thought* (New York: Capricorn Books, 1969), p. 151.

(85) Volkomer, p. 151.

(86) Kohl, p. 124.

(87) Volkomer, p. 151.

(88) Arthur M. Schlesinger, Jr., *The Age of Jackson* (New York: Book Find Club, 1945) p. 46

(89) *Ibid.*, p. 46.

(90) Schlesinger, p. 47. Schlesinger also notes that in private correspondence with President Jackson, the English philosopher Jeremy Bentham confided that he had espoused the doctrine of rotation since 1821.

(91) A few years after the Jackson presidency, Joseph Story, Dana Professor of Law at Harvard University, strongly opposed short terms for legislators on grounds familiar to the Pennsylvania Republican Society. "A very short term of service would bring together a great many new members, with little or no experience in the national business; the very frequency of the elections would render the office of less important to able men; and some of the duties to be performed would require more time, and more mature inquiries, than could be gathered, in the brief space of a single session, from the distant parts of so extensive a territory." Joseph Story, *A Familiar Exposition of the Constitution of the United States* (1840; New York: Harper & Brothers, 1893), p. 52.

(92) Quoted in Kohl, p. 124.

(93) Max Farrand, *The Development of the United States* (Boston: Houghton Mifflin, 1918), p. 157. Weberian language seems appropriate since Farrand says of individuals appointed under the spoils system: "These men were not like the old ruling class whose members were in politics largely from a sense of duty and public service, or for the honor of it, or even for the sake of power; but they were in politics as a business, not for the irregular profits to be

derived therefrom, but to make a living" (p. 157).

(94) Bryce explained the virtue of rotation: "It is supposed to stimulate men to execution, to foster a laudable ambition to serve the country or the neighborhood, to prevent the growth of an official caste, with its habits of routine, its stiffness, its arrogance." Bryce, p. 138.

(95) A. Lawrence Lowell, *Public Opinion and Popular Government* (New York: Longmans, Green, 1913), p. 106.

(96) James Albert Woodburn, *The American Republic and Its Government* (New York: Putnam's Sons, 1903), p. 254 (emphasis added).

(97) No major report on constitutional reform during the past decade has included a discussion of rotation in office or term limits. For examples, see Committee on the Constitutional System, *A Bicentennial Analysis of the American Political Structure* (Washington: Committee on the Constitutional System, 1987); American Assembly, "Final Report of the Seventy-Third American Assembly," in *A Workable Government?* ed. Burke Marshall (New York: W. W. Norton, 1987), pp. 235-47; National Academy of Public Administration, "A Presidency for the 1980's," in *The Illusion of Presidential Government*, eds. Hugh Heclo and Lester M. Salamon (Boulder, Colo.: Westview, 1981), pp. 397-345; President's Commission for a National Agenda for the Eighties, *A National Agenda for the Eighties* (Washington: Government Printing Office, 1980); and Donald L. Robinson, *Government for the Third American Century* (Boulder, Colo.: Westview, 1989). One has to go back to discussions about the Twenty-Second Amendment to find serious reference to America's experience with rotation in office.

(98) For examples of the American experience with reform, see Robert H. Walker, *Reform in America* (Lexington: University of Kentucky Press, 1985); and Robert H. Walker, ed., *The Reform Spirit in America* (Malabar, Fla.: Robert E. Krieger, 1976).

(99) See John H. Fund, "Term Limitation: An Idea Whose Time Has Come," *Cato Institute Policy Analysis* no. 141, October 30, 1990; and Mark B. Liedl, "The Case for Limiting Congressional Terms," *Heritage Lecture* no. 291, Washington, Heritage Foundation, 1990.

(100) See Thomas E. Cronin, "Term Limits--A Symptom, Not a Cure," *New York Times*, December 23, 1990, p. E11.

(101) See Hendrik Hertzberg, "Twelve Is Enough," *New Republic*, May 14, 1990, pp. 22-26.

(102) The Colorado initiative also limits terms for Colorado members of the House of Representatives.

(103) See Everett Carl Ladd, "Public Opinion and the Congress Problem," *Public Interest* 100 (Summer 1990): 57-67.

(104) In fact, it is probable that the popularity of term limitation has nothing to do with a revival of support for traditional republicanism. Rather, support for term limitation may be the result of frustration with a wide range of unsolved policy problems (including, but not limited to, the national debt), anger over the largess of legislators, and the disenchantment of Republicans with a Congress and many state legislative bodies controlled by Democrats. Support based on those grounds is retributive and not in keeping with the values and principles of republicanism discussed previously.

(105) Indeed, some commentators have argued that term limitation will actually further the influence of the professionals to the detriment of the public interest. The case against term limits is made forcefully by Nelson W. Polsby, "Congress-Bashing for Beginners," *Public Interest* 100 (Summer 1990): 15-23; and Nelson W. Polsby, "Limiting Terms Won't Curb Special Interests, Improve the Legislature, or Enhance Democracy," *Public Affairs Report* 31 (November 1990), p. 9.