



Coming to Terms with Term Limits

by Lawrence W. Reed

Eight years have passed since Michigan voters approved term limits. Some observers say it's time to pass another constitutional amendment to lengthen or scrap them. Let's take a closer look.

Summary

Some observers are arguing that Michigan voters made a mistake in 1992 when they approved a constitutional amendment limiting the terms of legislators and other state officials. But it is far too soon to draw any sweeping conclusions about Michigan's brief experience with term limits.

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"Proposal B" on the November 1992 Michigan ballot was a constitutional amendment that called for limiting the terms of the governor, lieutenant governor, attorney general, and secretary of state to two terms of four years each; state representatives to three terms of two years each; and state senators to two terms of four years each.

Voters approved the amendment by a lop-sided margin. With the freshman class that took office in January 1999, term limits took full effect in the House and are scheduled to retire the governor, secretary of state, and most members of the Senate in 2002.

It was Benjamin Franklin who summed up the best case for term limits more than two centuries ago: "In free governments, the rulers are the servants, and the people their superiors For the former to return among the latter does not degrade, but promote them." At least in theory, when politicians know they must return to civil society and live under the laws passed while they were in office, they will think more carefully about the long-term effects of the programs they support.

Term Limits Are Popular with Voters Majorities Have Approved Them in 19 States

State	Approved By	State	Approved By
Arizona	74%	Montana	67%
Arkansas	60%	Nebraska	56%
California	52%	Nevada	70%
Colorado	71%	Ohio	66%
Florida	77%	Oklahoma	67%
Idaho	59%	Oregon	70%
Louisiana	**	South Dakota	64%
Maine	68%	Utah	**
Michigan	59%	Wyoming	77%
Missouri	75%		

** Passed by the state's legislature, not by popular vote.

Source: U.S. Term Limits

Opponents charged that limits were inherently anti-democratic, that people should be free to elect whomever they want to office and that voters already had the power to limit terms by simply voting incumbents out of office. It's clear, however, that most Michiganians felt that the system was a stacked deck that needed a corrective. They sensed something unfair about a system that allows incumbents to amass so much power and attention that challengers can rarely win. Moreover, we already fix all sorts of restrictions on who can hold office, no matter how popular they may be—from age and residency requirements to two four-year terms for the president.

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Without long-term legislators, according to another anti-term limit argument, no one will be able to control the bureaucracy. But legislators control the purse and the power to govern the bureaucrats any time they want to, and we must not overlook the unholy alliances built up between bureaucracies and long-term legislators. It is a fact that long-term lawmakers from both parties vote for more bureaucracy than do lawmakers who have been in office for shorter times.

In 1992, large numbers of concerned citizens saw term limits as a positive structural reform, a necessary step to change the incentives of legislators so they would think more about the good of the state and less about the next campaign. Voters wanted to ensure a regular supply of fresh blood and new ideas in government. They wanted to open the system to more people from a variety of professions. They wanted to make public officials less responsive to organized, well-heeled lobbies and more interested in serving the general welfare of society.

Term limits were never intended as a magic bullet for any real or perceived flaw in government. Sooner or later, people in a free and democratic society get the government they vote for. Term limits cannot ensure good government if voters with bad ideas replace bad legislators with other bad people.

Nonetheless, it's premature to draw any sweeping conclusions about Michigan's brief experience with term limits. We have a new House, but we still have the same governor and a Senate not yet directly affected by the 1992 amendment. We have lost some institutional knowledge and expertise that long-time legislators possessed, but the newcomers have brought fresh perspectives, a diversity of professional backgrounds, and a little more youthful vigor to the Legislature.

The first class of new House members since term limits took effect has not done a bad job. They created a reform board to take over Detroit's failing school system. They cut the state income tax and began a phased elimination of the Single Business Tax. Those who want to scrap limits or lengthen terms have yet to offer an attractive trade-off, such as the restoration of a part-time Legislature—something with which 40 states manage to govern themselves rather well.

Perhaps developments yet to unfold will make a case for changing the constitution again. But for now, the reasons voters approved term limits in 1992 still have enough merit to warrant giving the experiment more time.

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(Lawrence W. Reed is president of the Mackinac Center for Public Policy, a research and educational organization headquartered in Midland. More information on Michigan government is available at www.mackinac.org. Permission to reprint in whole or in part is hereby granted, provided the author and his affiliation are cited.)

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