



If you think the present Congress is bad,
wait 'til they start playing musical chairs!



Revolving Socialists

By Don Fotheringham

The campaign to restrict congressional tenure seems to offer hope to a nation tired of an arrogant lifetime Congress. However, America's problems are rooted in voters who are not well informed, not in Congress. Bad government is nothing but a reflection of the electorate.

Dishonest politicians, charlatans, homosexuals and "entrenched" big spenders are re-elected year after year either by like-minded voters or by voters who fail repeatedly to cast an informed ballot. It must be one or the other. Regardless of how loudly people scream about Congress, their true sentiments come out when they vote, not when they talk to the press. People complain to the pollsters and the media about "lifetime" politicians and then vote overwhelmingly to re-elect them.

We don't pretend to understand that paradox, but one thing is certain: Bad politicians do not re-elect themselves. If long-term incumbents have an advantage in Washington, it is a result of long-term ignorance at home. No matter how well they know their way around the Capitol, no matter how cleverly politicians operate, no matter how broadly they smile on television, or how much they abuse their franking privilege, their final secret weapon is people dumb enough to re-elect them. Their franking privilege (free mail to their constituents) should *hurt* members of Congress, not *help* them. Most of their newsletters list the unconstitutional welfare-state measures that they have sponsored or supported. Such mail amounts to nothing more than a "true-confession" list of the violations of their oath of office. The franking privilege is no advantage at all when the mail goes to citizens who can distinguish a statesman from a charlatan.

Americans will make more intelligent decisions at the ballot box when they pay attention to TRIM Bulletins and the Conservative Index which report the voting records. Elected

officials getting high marks on TRIM and the C.I. should be re-elected term after term. They should be heralded as America's lifetime statesmen, guardians of freedom and defenders of the Constitution.

Those having low scores should be retired by the voters after one term. Most Americans would vote that way if they only realized that a criterion exists, that it is based on the Constitution, that there is such a thing as a proper role for government, and that certain fixed principles are valid and applicable. Americans must learn those principles and test every incumbent on the basis of his record, and challenge every candidate on his knowledge of limited government.

Passing laws to limit terms cannot serve as a substitute for ill-informed voters. Such an arrangement will exacerbate, not solve, the problem. Limiting terms will keep the voters less responsible and less free. It will make the problem worse because it does not address the problem; it treats the symptom. The disease of ignorance will go unchecked while revolving-door socialists fill the vacancies and accelerate the corruption.

FORSAKING OUR FREEDOM TO VOTE

The campaign to limit terms will restrict House members to six two-year terms and Senate members to two six-year terms. A long-established yardstick by which every proposal must be measured is simply this: Will its adoption lead to more government, or less? If it leads to more, you lose. Politicians can promise heavenly bliss, but they have no new resources. They cannot apportion more than 100 percent of anything, including freedom. If government is free to limit terms, it is free to limit your votes.

Your freedom to vote for Jesse Helms or Steve Symms, for example, will be limited to two votes. Even if you were willing to offset these losses by retiring Ted Kennedy and Alan Cranston, would the newly elected senators and representatives be any better than the ones they replaced? Quite simply, America would be stuck with a terminal left-wing, lame-duck Congress. One-third of the Senate would be lame ducks at all times, having no reason to pretend to be accountable. While it may be hard to imagine anything worse than our present "lifetime" Congress, we should carefully consider the consequences before surrendering any part of our voting powers.

NEW FACE, OLD STAFF

We no longer send statesmen to Congress. We send bureaucrats. More and more, these friendly politicians run interference for their constituents to assure their slice of the federal pie. Is your social security check late? Call your senator. He will hand deliver it. What about Aunt Fanny's Medicare? Call your elected official. He listens, and he cares. Paradoxically, the very politicians who established the big impersonal federal agencies have become heroes fighting red tape for their constituents. The formerly faceless bureaucrat now has a face. He is unbeaten at the ballot box because to some he cares, and to all he smiles.

A term-limit amendment might retire a congressman every twelve years, but his replacement would be driven by the same old incentives. The new kid in Congress, who has no "in" with the agencies, would be forced to hire the old experienced staff. New names on the ballot would insure old bureaucrats in the back room. The perk problem would persist, and our new twelve-year politicians would be just as disgusting as the old ones.

One state legislator who has fervently campaigned for limitation of terms came to the remarkable conclusion that more laws would be needed to make term limits work. If the newly rotated socialists try to hire old Washington staffers, we will just outlaw that too! Absolutely. We will force the freshman in Congress to hire the ignorant and the inept. And if personnel from another congressman's office apply, what then? If the newly elected person just graduated from a 12-year stint in a state office, will he be allowed to bring his old staff to Washington? And how about the old staffers in the agencies, will they only be allowed to serve old senators but not new ones? And the old bureaucrats, are they all to be fired?

Efforts to use government power to correct only the symptom of a problem always lead to a complicated mess. That zealous state legislator can never correct voter ignorance while he himself is groping at straws to cover a fundamental flaw. No amount of cosmetic surgery can correct or compensate for a bad law.

JEFFERSON WAS NOT THERE

Promoters of limited terms drag Jefferson out of the archives to prove that he favored limited terms and wanted such limits written into the Constitution. But Jefferson was not there. He was in France during the Convention of 1787. He did not participate in the debates that focused on term limitations, but Madison, Hamilton, Franklin, Adams, Washington, and 50 other delegates did. They had had term limitations for 11 years under the Articles of Confederation and recognized it as one of the bad features of the Continental Congress. Short-term politicians thought and performed short-term leg-



MEMBERS OF THE CONTINENTAL CONGRESS
SERVED WITH LIMITED TERMS

islation, knowing they had no extensive accountability for their actions. Our Founders also observed that short terms fostered the temptation to speed up corruption, a sort of "make hay while the sun shines" attitude. People who cite Jefferson on this matter fail to credit the Convention delegates of 1787 for their prior experience with limited terms.

REVOLVING SOCIALIST PRESIDENTS

Presidential terms were limited in 1951, when the Twenty-second Amendment was adopted in the wake of FDR's four terms. Since 1951, have we been blessed with better presidents? Have they been more accountable, responsible and respectful of the Constitution?

Presidents who have been elected under limited terms have accumulated more national debt than all presidents who served from 1788 to 1951, including FDR. In matters of domestic policy socialism has run amok, agencies have swelled, and more liberties have been lost than our Founding Fathers died for. Since the inauguration of term-limited presidents we have yet to declare war. Our presidents have defied the Constitutional role of Congress to declare war and have sent our troops either to victory or to defeat, depending upon the global politics of the war. Many times, we have betrayed our troops in battle and scuttled our allies. Virtually all of our term-limited presidents have embraced communists and have looked to the United Nations for permission to fight and when to fire!

Of course, term limits alone did not force our presidents into all of this high-speed national suicide, but the cause of the problem is rarely addressed, which is centered in voters who are simply unaware of the limited role of the nation's Chief Executive. Limitation of terms has never worked, not in the Continental Congress, not in the U.S. presidency. It will not work in the U.S. Congress because it treats a symptom, not the disease.

WANTED: LIFETIME LUMINARIES

Who would worry if true statesmen spent their lifetime in public service? The framers of our Constitution expected the people to be responsible for good government and to reward experience by re-electing proven leaders. Alexander Hamilton deplored the notion that experienced officials be forced to quit. "Can it be wise to put this desirable and essential quality under the ban of the Constitution, and to declare that the moment it [experience] is acquired, its possessor shall be compelled to abandon the station in which it was acquired and to which it is adapted?" (Federalist Papers No. 72)

The Convention of 1787 held hearings on 41 recommendations of the "Virginia Plan." Three of the proposals were directed to the limitation of terms for the House, the Senate, and the President. All three were rejected, and in their place our Founders gave us a government whose powers were "few and defined." They allowed our leaders only limited powers, not limited terms.

STATE VS. WASHINGTON

Some advocates of term limits encourage state legislators simply to amend their state's constitution to control the number of terms their elected officials may serve in Washington. This, they assert, is a state prerogative since it is not expressly prohibited by the U.S. Constitution. They cite the Ninth and Tenth Amendments to show that any power not reserved to the federal government, nor prohibited to the states, belongs to the states.

The Constitution provides for a Congress chosen by the people. If their choice is impaired, if they are denied the freedom to elect, and if incumbents are denied the freedom to run, will not those laws infringe upon a fundamental constitutional right of both the leaders and the people? It will be easy to prove that the original intent of our Founders was to assure such freedoms because they flatly rejected the very limits that are propounded today as a cure for bad government.

COURT SUPPORT UNLIKELY

We may fully expect a court challenge to state efforts aimed at regulating the time a candidate may spend in federal office. What gives any majority in a state or in any legislature the right to say that others may not vote when, and for whomever, they wish? A republic, by its constitutional rule of law, protects the rights of all citizens. It is not a nation of majority rule when unalienable rights are at stake.

Looking at the Court's propensity to favor more central powers, and the strong case for our Founders' original intent,



**ALEXANDER HAMILTON ARGUED
AGAINST CONSTITUTIONAL LIMITS ON THE
LENGTH OF TIME THE PRESIDENT SHOULD SERVE**

the odds are against any state laws that attempt to limit federal terms.

But if the courts decide to sit this one out, the major loss will be in the state that limits its national delegation. Just at the time when their senators and representatives have sufficient tenure for important committee assignments, they will be forced to retire. States that have not limited terms, of course, will win the leadership and will enjoy the dominant role in Congress.

COURTING A CONVENTION

If the Court says no to state initiatives against tenure in Congress, we may fully expect a backlash. The term limit campaign has been highly charged and sold to the people as their last hope for responsible government. State legislators exult in their victory over the federal monster by way of their newly adopted term limit laws, but what will happen when the Court says no?

On finding their state effort thwarted, the backlash will probably take the form of a full-fledged call for a constitutional convention. Citizens and state legislators, tired of being pushed around by the federal government, will likely demand a convention as a last resort to recover state powers and to limit federal powers.

Waiting in the wings, watching and savoring rejection by the Court, are the con-con men. These are those individuals who care not for constitutional government but have a special interest in leading the nation into a constitutional convention, often called a con-con.

CONNING CONSERVATIVES

Our nation's first con-con was held over 200 years ago. In the Convention of 1787, our Founders exercised powers

delegated by virtue of the sovereignty of the people, a trust they could honor. But just as we suffer under the bad politicians of today, so will we suffer in a modern con-con run by delegates of today. Such a convention would likely make dangerous alterations in the Constitution. Citizens who do not understand our extraordinary heritage will serve as delegates and will exercise powers they should not have. Next year's Congress can reverse the mistakes of this year's Congress, but not so with the amendments or corruptions of a convention. A single con-con, or a series of "limited" conventions, could damage permanently the constitutional protections we have inherited.*

There is an element of ingenuity in the new campaigns that target conservatives. They reverse the usual "logic" that we are accustomed to: "False premise, false conclusion," such as the left have perpetrated for years. The new ruse employs the more subtle "true premise, false conclusion" tactic.

The federal budget, for example, is truly a disaster; our "lifetime" Congress is truly a disaster. They use the shady salesman tactic of telling the long sad story, going on and on, verifying over and over the truth of the deplorable state of the Union. We are by then so caught up in the tragedy that we fail to see how utterly preposterous the conclusion really is. Their conclusion and their solution always lead to a step that no one would normally consider.

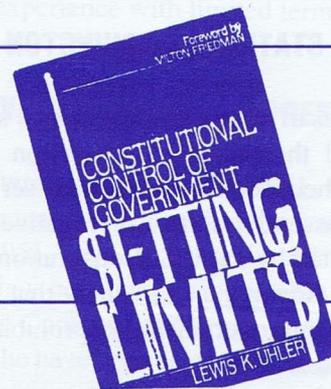
In this battle, those steps lead to tampering with our national structure. In all our history, through political, economic and civil war crises, never has the mechanism of a constitutional convention been employed. Our nation must not impair its foundation merely to alter matters of policy or to try to compensate for America's loss of a wise and vigilant electorate.

We must no longer allow either permanent or revolving socialists in Congress. We can rotate them out of office by casting informed ballots. There is no other permanent assurance of good government, and no other way to frustrate the designs of those individuals who seek to alter our form of government. Only by accelerating this information, by moving quickly to alert our fellow citizens, can we correct the problem that is mistakenly attributed to tenure.

TRIM Tax Reform Immediately



This mass mailing by James Davidson runs on for 14 pages about sex, lies, drugs, and the deplorable state of affairs in Washington. The conclusion (besides asking for money) calls for "an assembly of representatives of the people to propose an amendment to the Constitution so as to limit the number of terms a member of Congress may serve." Not only is the solution false, it is cleverly worded to skirt around the term "constitutional convention," which is what they really want.



This book by Lewis K. Uhler epitomized the "true premise, false conclusion" tactic. It delivers 181 pages of correct premise and concludes with 10 pages of false solution.

*For a brief update on the effort to institute a constitutional convention and the case against it, order *Silent Crisis* and additional copies of this article. See address below.

The author, Don Fotheringham, is a former college teacher and is manager of the national effort to Save the Constitution, a priority project of The John Birch Society. For additional copies of this article call 414-749-3783 or write — P.O. Box 8040, Appleton WI 54913 — 10 copies for \$2.00, 100 copies for \$15.00, 1000 copies for \$120.

The *Conservative Index* rates each member of Congress on his or her regard for the Constitution and on moral issues. It appears periodically in our truly American news magazine, THE NEW AMERICAN, P.O. Box 8040, Appleton WI 54913.

The TRIM *Bulletin* rates each House member (where money bills originate) on his or her behavior in regard to taxing and spending. For the address of the TRIM committee nearest you reporting on your own representative in your district, write P.O. Box 8040, Appleton WI 54913.