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Fearing disintegration of the Confederation, Alexander Hamilton called upon delegates meeting at Annapolis, Maryland in September of 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."¹ 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; not from threats of internal disorder or foreign predators, but from the contemporary exigencies of professionalism and careerism that now dominate American politics. These 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. While it may be useful for a society to encourage the development of "professional" lawyers, nurses, social scientists, or physicians, the qualities and characteristics attendant to being a "professional" politician run counter to the imputed goals of a representative democracy. In a great many political arenas the evidence of professionalization in American politics is mounting, especially in the United States Congress. In response, a national movement to limit the terms of congressmen along with state legislators is gaining momentum. The contemporary call for term limitation as a possible remedy to legislative careerism has important historical foundations in America’s experience with the principle and practice of rotation in office. This experience and its connection to
traditional republican thought is discussed at length for the purpose of moving contemporary debate about term limitation away from accusation and acrimony to the principles and aspirations of representative democracy. Rotation in office is one of the principles Americans utilized during the 18th and 19th centuries to guard against government permanency and excess as well as to nurture other important democratic values. The revolutionary, antifederalist, and Jacksonian defenses of rotation in office have much to teach anyone interested in the professionalization of American politics, its consequences and possible remedies.

PROFESSIONAL POLITICS IN AMERICA

Americans have long been suspicious of professional politicians. Tocqueville noted approvingly the absence of a "public career" in America;\(^2\) while a 1836 issue of The Democratic Review proclaimed that in America "We have no great faith in professional politicians."\(^3\) Reacting to the emergence of the American state at the end of the century, scholars began warning of the dangers pursuant to the rise of professional politicians. In The American Commonwealth, James Bryce observed that a class of political professionals "has tended to keep amateurs out of" politics.\(^4\) One result of this "new class," according to Westley W. Willoughby, was to produce 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, placing the health of the democratic process in jeopardy.\(^6\)

In the last decade of the 20th century, the mounting evidence of professionalization in American politics is just beginning to pique the attention of pundits and citizens alike.\(^7\) But, what is a "professional
politician”? Conventionally, we use the phrase "professional politician" to refer to someone who makes their living from politics. This 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 an important one. 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 their life around political activity, they have not made politics a career. In this essay we reserve the phrase "professional politician" for individuals who make politics and political activity a career.

Professional politicians proliferate both in and outside of the government. The total size and policy-making discretion of the federal bureaucracy continues to expand despite the anti-bureaucratic rhetoric of the past two decades. While 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 break new records annually. In addition, the sheer size of the federal government continued to grow during the Reagan years. When Reagan took office in 1981 there were rough 2.8 million federal civilian employees, by 1990 the number had risen to over 3.4 million.

The expansion of legislative staffs has accompanied the expansion of the executive bureaucracy. Legislative staffs now dominate much of the decision-making and politiking that takes place in Washington. Nelson W. Polsby refers to the changes which have taken place in the number of congressional staff during the past four decades as "staggering." A four
fold increase in the number of staff assigned to the House and Senate occurred between 1960 and 1980, with approximately 25,000 staff members employed by Congress in 1985.\textsuperscript{13} Ironically, as staff support has increased during the past four decades, legislative productivity has declined or remained relatively stable as measured by the ratio of bills introduced to the number passed.\textsuperscript{14}

Outside of government, there are two notable changes 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 by 1985 as there had been in 1975. This army of lobbyists has been joined by an explosion of lawyers, business corporations, trade and professional associations, and public interest organizations who have set up shop in Washington during this period.\textsuperscript{15} Accompanying the rise of interest groups has been a dramatic surge in the number of political action committees which fuel the escalating costs of American political campaigns. In 1976 there were 1,146 registered PACs which contributed a total of $22.6 million to all candidates for the House and Senate. A decade later there were 4,211 registered PACs, contributing $139.4 million to all candidates for the House and Senate.\textsuperscript{16}

Second, professional political consultants have all but taken over the running of American elections for national office and are well on their way to colonizing the process of public policy making as well. The number of consulting firms doubled during the 1980's. In elections at all levels of government it has become the rule rather than the exception to utilize a consulting firm to run a candidate's campaign. Not only are there more
consultants in the political universe, but they are willingly taking on an
increasing role in shaping the substance and direction of the electoral
process. ¹⁷

Not only do these professionals--bureaucrats, staff, lobbyists, PACs,
and consultants--make a career out of politics, but so do America's
elected representatives. Legislators serve seemingly never-ending terms
in the national and state legislatures. Incumbents are all but guaranteed
reelection if they want it.¹⁸ The professionalization of politics in
America has created a "permanent government" comprised of career
politicians. In turn, the existence of a permanent government or
"Washington establishment" as some call it, justifies the need for
professionals with the skill and expertise to navigate the shoals of this
new political hierarchy. This permanence and symbiosis is well observed
in the U.S. Congress.

No longer "citizen-legislators," congressmen have turned the privilege
of political representation into lifelong careers. During the second half
of the twentieth century, elected officials in America have spent more
time in public office than at any other point in American history.
Throughout the 19th century congressmen served an average of one to two
terms before voluntarily returning to their community to resume careers or
pursue other endeavors. During the last forty years, the average length
of service in the House has ranged from four to five terms, with an
average of 15 percent of House members serving for twenty or more
years!¹⁹ It is notable that for much of the 19th century members of
Congress didn't want to make a career out of service in either the House
or Senate. "What the early House lacked was not safe seats," explains H.
Douglas Price, "but a desire and incentive to retain one's seat."²⁰
James Sterling Young captures the disdain of those representatives serving 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.' A more congressmen 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 through death, retirement or electoral defeat hovers around 10 percent.

This general aversion to making a career out 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 changes 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 to be reelected.

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 offered its senior members high salaries and enough electoral security, staff, and personal influence to make service in Albany increasingly competitive with service in Washington." The same might also well be said of the California legislature, as well as the legislatures in most other industrialized states.

Throughout the last forty 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. How does this work? Congressmen achieve reelection by creating new federal programs. These programs grant wide decision-making 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 congressman for relief or assistance. As Morris P. Fiorina, a leading scholar of congressional politics, puts it: "The system is connected when congressmen decry bureaucratic excesses and red tape while riding a grateful electorate to ever more impressive electoral showings." Instead of dutiful representatives dedicated to the task of solving local and national problems, congressmen achieve career security by serving constituents as ombudsmen in relation to Washington's burgeoning bureaucratic establishment.

The professionalization of legislators means that we have representatives who know more about the rules, routines, and procedures essential to survival (and maybe even effectiveness) in Congress. Additionally, as numerous studies have shown, professional legislators may also know a great deal more about how to service their constituents vis-à-vis the federal bureaucracy. 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 strains further still the weak link that is left between Washington and home." Representation is at risk in a political system dominated by professional politicians. Indeed, we might conclude that as the degree of professionalism increases in a legislative body, the capacity for authentic political representation declines. We next consider why this is the case.
"PROFESSIONAL REPRESENTATION": A DANGEROUS CONTRADICTION

Put simply, the professionalization of politics is incompatible with the essence of representative government. At its most basic, a profession entails a set of role relationships between "experts" and "clients" in which the "professional" is an expert who offers knowledge and judgement 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 which once oriented those persons pursuing a "calling." The culture of professionalism disconnects and distances the professional—whether a journalist, doctor, attorney, social scientist or politician—from those whom they intend to serve.30 As a form of trusteeship, this characterization is one of the most salient aspects of what it means to be a professional.31 Professionals are detached from their clients by expertise, education, and culture. While 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.32 Each of these 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 both sets of citizens. The "distance" or "space" between representative and represented must necessarily be abbreviated. As we've noted above, this is not the case for professionals; herein lies the fundamental tension between representation as a normative political ideal and professionalization as a sociological process.
There is not a unified theory of representation. The concept remains in a state of flux, adjusting to new political forms and responding to the merger of theory with empirical research. However, the classic distinction between the representative as a trustee and the representative as a delegate (or agent) remains a useful way to approach the conceptual boundaries of representation. Trustees depend upon their own conscience, on what they think is right, or on their considered judgment of the facts at stake in a particular decision. Edmund Burke explains the case for the trustee model of representation:

"[I]t 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 anyman, 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 judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion."

Burke was against the practice of instruction in which constituents had the right to force their representative to vote in a particular way. Instruction, a widespread practice in colonial and revolutionary America, is part of the delegate model of representation. In this model a representative is a mere agent, a servant or subordinate substitute for those who sent him or her. The representative as delegate "must express the will, and speak the opinions, of the constituents that depute him." 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.
Representation probably lies somewhere in between the delegate and trustee models. On the one hand, the representative cannot be an "unthinking mouthpiece for parochial interests or for each shifting breeze of opinion." As the business of government has grown in complexity and become less locally centered, it is likely that the representative has become less of a delegate and more of a trustee. On the other hand, a representative cannot easily ignore constituent interests nor 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." This leads to the "paradoxical requirement" of representation--"that a thing be simultaneously present and not present." The delegate model requires that the absent voice of the constituents be made present by the actions of the representative. The trustee model requires that unless the representative acts independently constituents are not represented but merely present in the action.

Representational theory is one thing, but representation in practice is something else. America's Founders were sensitive to the complexity of this 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. One of the ways to accomplish this necessary mixture of responsibilities was to elect representatives that were "of" the people they would represent. This is not to suggest that they needed to be a mirror image of their constituents, but rather that the "space" which exists between the experiences, values, and interests of the representative and represented would be as limited as
possible. Or, to put this a slightly different way, there would be authentic experiential, value, and interest connections between the representative and the represented. With strong connections of this 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 antifederalists had rather similar operational definitions of representation. Consider the following examples:

James Madison. 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. . . . [T]hat [a representative] 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.

George Mason. 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.

Melancton Smith. 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.

The federalists tilted toward the trustee side of the representational continuum; while the antifederalists 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 this anyway even when the representative acts as a trustee. The delicate balance of these 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."

The professionalization of representatives makes it impossible to maintain this delicate balance. Whereas professionalism creates authority, autonomy, and hierarchy, distancing the expert from the client; representative government aspires to maintain a proximity of sympathy and interests between representative and represented. Professionalization encourages an independence of ambition, judgment and behavior which is at odds with the inherently dependent quality of representative government. In order for representation to solve its paradox, representatives cannot become experts and constituents cannot be treated as clients. Yet, these are precisely the new roles cut out for them 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 qua representatives negates the essential assignment 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 their realities. Legislative careerism is thus antithetical to the normative aspirations and the operational demands a representative democracy.
Suspicion of professional representatives is well-advised. They not only pose a threat to the quality of representation in the governing process, but through the power of incumbency they restrict the entry of amateurs—citizen-legislators—into the governing process. As the celebrated historian Daniel Boorstein 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 comprised of career legislators and other professional politicians. Since "democracy is government by amateurs," Boorstein 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 Boorstein.50

The rediscovery of America's experience with the republican principle of rotation in office and its contemporary compatriot the 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. Ironically, 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." John Adams eloquently captured the importance of these 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 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."

Indeed, well before this 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, councillors, and members of the general assembly. Notwithstanding the considerable influence of Adams, the republican principle of rotation was not new to America's revolutionaries. They had already been exposed to this idea through 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 this end, "Harrington declared two institutions to be indispensable, an 'equal Agrarian' and '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. Pointing to a slightly different justification for rotation, Burgh argued in Political Disquisitions (1774) that if a republic was to guard against the "continual danger to liberty" representatives must be chosen for short terms and with frequent rotation.

The importance of rotation-in-office for representative democracy had roots in traditional republican thought much deeper than Harrington and Burgh, since the principle of rotation dates back to the practice of democracy in ancient city-state of Athens. During the fourth and fifth centuries B.C. the Athenians selected their council of 500 annually and by lot, with the further provision that no one could serve on it more than two years in his life. These provisions for representation, which are unthinkable in a "modern" democracy, were intended to ensure that the views of the council would coincide with those of the people. The principle of rotation also reflects Aristotle's understanding of the relationship between equal citizens in the polis whereby there is a reciprocity of "ruling and being ruled in turn." For Aristotle, democratic citizenship is produced by experience in two different political roles: as ruled and ruler.

Three distinct advantages are evident from this intellectual heritage which 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" (1682), for example, stipulated that "after the first seven years, every one of the said third parts, that goeth yearly off, shall be uncappable 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 more people be able to serve in government through the principle of rotation, 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."^58

Second, following Burgh, rotation acts as a check on tyranny and the unbridled usurpation of political power. Fearing the abuse of executive power, by 1777 seven of the ten new state constitutions—Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia—had limited the number of years that an executive officer could serve in office. Typical of these 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."^59

One state went much further in adopting the principle of rotation. The new Pennsylvania Constitution of 1776, considered to be the most radical constitution of the revolutionary era, required rotation in office for all elected officials—executive and legislative—in order to prohibit, as the Constitution stated, "the danger of establishing an inconvenient aristocracy," or as a radical pamphlet in Philadelphia put it, "to make room for others of equal, or perhaps, superior merit."^60 An anonymous publicist in Pennsylvania called rotation "one of the life guards of liberty,"^61 and according to Cato 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."^62
Third, inspired perhaps by Aristotelian principle, 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, . . .

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. This view was captured far more eloquently by Thomas Paine in Common Sense (1776), one of the most influential tracts of the revolution:

[T]hat 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 propriety 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 reflection 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.

This constellation of republican sentiments influenced the drafting of the Articles of Confederation (1781) which called for the annual appointment of delegates, a provision 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 that, "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; ... "66

The revolutionary zeal for rotation in office started to diminish
during the mid-1780s due in large measure to the disintegration of the
Confederation67 and the forced retirement of six popular and effective
executives in states with mandatory rotation for executive
officeholders.68 The criticisms made against the principle of rotation
during this period clearly resemble contemporary arguments heard in
opposition to term limitations.69 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.70 Additionally, 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."71

Despite these criticisms 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."72 However, after rather brief debate on
different occasions throughout the summer, neither mandatory rotation or
ineligibility for office were included in subsequent drafts of the
constitution for either the House or the Senate.73
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 this 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 fulfill Hamilton's concern for "due stability and wisdom" in the legislative bodies. 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. Foretelling 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." Taking into account 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 could not have expected permanency in government and would be most distressed by its contemporary emergence.

Antifederalist Thought

While the federalists had shied away from the republican principle of rotation in office in the new constitution, its absence was widely denounced by the antifederalists who viewed rotation as a "truly republican institution." The antifederalists focused most of their
concern and scorn on the absence of rotation for senators and presidents; making the Senate "a fixed and unchangeable body of men" and the president "a king for life, like the king of Poland." During the ratification debates, the antifederalist defended the principle of rotation in office on the same tripartite grounds as had their revolutionary predecessors.

New York's Brutus among others, advanced the argument 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."79

During New York's ratification debate in June of 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:

[R]otation . . . 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.80

Smith along with Brutus understood that it would be very difficult to get rid of individuals once elected to office. "Every body acquainted with public affairs knows how difficult it is to remove from office a person who is [has?] long been in it. It is seldom except in cases of gross misconduct. It is rare that want of competent ability procures it."
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." The argument that rotation in office helps to secure fidelity between the representative and 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." An extended defense of this position also took place in New York by John Lansing who argued in favor of an amendment that would enforce rotation in office for senators so as 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." 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." Cecelia Kenyon described the antifederalists as "men of little faith" whose theory of representation reflected a profound distrust of elected officials. However, while it is true that the antifederalists preferred "actual" to "virtual" representation and instruction to trusteeship, as we've seen above, 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.
Rotation in the Early Republic

Despite constitutional silence on this matter, rotation in office remained a popular principle of republican rule throughout the 19th century; a principle with considerable practical effect, albeit much of it voluntary. 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, an idea he put into practice upon becoming 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 contrivances in office than by the system of rotation." Rather than squandering talent, Taylor held that "ability was stimulated by the prospect of future employment and smothered by the monopoly of experiences." 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." These were individuals, says Young, "who even as they indulged the urge to power, could not easily turn aside their democratic conscience that instructed them of power's evil." 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 Senate.
Jacksonian Democracy

The most extensive and principled defense of rotation in office during the 19th century took place during the presidency of Andrew Jackson. Dedicating a large portion of his 1829 Inaugural Address to discussing the merits of rotation in office, Jackson gave a new democratic twist to many of the same arguments used to defend rotation by the revolutionaries and antifederalists. For example, instead of merely defending rotation on the grounds that it opened up opportunities for citizen involvement in the process of governing, Jackson argued that all "men" are equally fit to hold office and that any person can be safely entrusted with official power. Not only should citizens have the opportunity to govern, but the quality of governance would be better off for it. Jackson also 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." While integrity might suffice to protect the officeholder from corruption, the longer the officeholder remained in office the more likely he would 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." In short, "the more secure an officeholder, the more his interests would diverge from those of his constituents." Rotation reduced the chances of corruption borne of familiarity with government and reinstated 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. Thus, not only would tyranny and abuse
of power be checked, but the public interest would be better served as
well.

Jackson used this multifaceted defense of rotation, which Arthur M.,
Schlesinger, Jr. judged "a sincere measure of reform," 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 that "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. In moving beyond the defenses of revolutionary and
antifederalist theorists, Jackson established rotation in office "as an
essential step in the gradual formulation of a program for democratic
America." As part of Jacksonian democracy rotation went from a guard
against governmental excess to 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. "We have no great faith in professional politicians,"
declared The Democratic Review in 1836, "when too long entrusted with too
securely established power." This sentiment is reminiscent of 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. In the end, this 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 commentators such as James Bryce could observe that "Rotation in office was and indeed by most men still is, held to be comforable to the genius of a democracy." Expressing a sentiment rekindled in recent years, A. Lawrence Lowell of Harvard explained the popularity of this 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." American disdain for "permanent government" has deep roots indeed. An assessment of congressional tenure in 1903 by that noted historian James Albert Woodburn reveals the profound differences in representational expectations attendant to the late 20th century:

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 wire-pullers 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. [Emphasis added.]
Such an observation is unthinkable in the 1990's.

In summation, America's lengthy experience with rotation in office was based upon opportunities for citizen-legislators, checks on tyranny and abuse of government power, and prerequisites for authentic political representation. Jackson added a strong democratic flavor to the revolutionary and antifederalist 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. Indeed, America's experience--constitutional and political--with this important form of term limitations 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 relegated to claims based on political faith. Rediscovering this tradition as a laboratory for contemporary analysis will enliven debate and further current interest in term limits by 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 in a representative democracy necessary 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. These qualities are most certainly not worthy of emulation by those new nations searching for the institutional path to democratization.\textsuperscript{106}

What antidote is available to cure America of professional politics? Are we even in a position as a nation 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, but never more so when the object of reform is celebrated throughout the nation in the ordinary practices of daily life.\textsuperscript{107} Such is the case with professional politics.

Term limitation is increasingly proposed, with considerable 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."\textsuperscript{108} For opponents, term limitation is "a solution in search of a problem" and "an illusory fix for a symptom rather than a cure."\textsuperscript{109} In one form or another Presidents Truman, Eisenhower, and Kennedy have supported term limits for Congress\textsuperscript{110} President Bush announced his support for term limitation in December of 1990. Within the past year three states--Oklahoma, Colorado, and California--have passed initiatives to limit the terms of state office holders.\textsuperscript{111} Similar movements are underway in at least a dozen other states, and public
opinion polls show overwhelming popular support for state and congressional term limits across the entire spectrum of the American public.\textsuperscript{112}

Is term limitation the antidote for professional politics in America, as many are suggesting? Of course it's not.\textsuperscript{113} Term limitation is only the first response to the problem of professionalization, which, as previously discussed, increasingly permeates the entire American political system. Periodically throwing the "rascals" out of office will do little to remedy the other contemporary arenas of professional politics.\textsuperscript{114} 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 in political consultants; and the supremacy of legislative staff; in addition to grappling with the rise of legislative careerism.\textsuperscript{115} 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 likely, if even possible. Thus, as usual, we must settle for first starts. With a greater appreciation of the reasons behind the American tradition of rotation in office, term limitation can be such a first start on the arduous road to the restoration of political institutions capable of nurturing representative democracy, democratic citizenship, and the ennobling art of self-government.


9It is not an interest in politics per se which makes one a "professional." As Weber explains: "One may engage in politics, and hence seek to influence the distribution of power within and between political structures, as an 'occasional' politician. We are all 'occasional' politicians when we cast our ballot or consummate a similar expression of intention, such as applauding or protesting in a 'political' meeting, or delivering a 'political' speech, etc. The whole relation of many people to politics is restricted to this. Politics as an avocation is today practised by all those party agents and heads of voluntary political associations who, as a rule, are politically active only in case of need and for whom politics is, neither materially nor ideally, 'their life' in the first place." Weber, "Politics as a Vocation," op. cit., p. 83.
The influential discussion of professional politicians by Robert A. Dahl misses this important distinction. In Who Governs?, Dahl distinguishes between avocational and vocational involvement in politics, reserving the title of "professional" to anyone who "organizes his life around his political activities." However, he takes no account of the difference between a person who lives "for" politics and a person living "off" politics. Dahl's "professional politician" may be of either variety. Perhaps at the time that Dahl was writing such a distinction was not evident in New Haven politics; perhaps it is a distinction less relevant to the study of local politics generally. However, political conditions have changed in America at both the local and national level suggesting the renewed relevance of Weber's original distinction. See Robert A. Dahl, Who Governs? (New Haven, CT: Yale University Press, 1961), pp. 305-306.


Frank J. Sorauf, Money in American Elections (Glenview, IL: Scott, Foresman/Little, Brown, 1988), pp. 78-79. See also, David B. Magleby and Candice J. Nelson, The Money Chase (Washington: Brookings, 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, 2nd edition (New Haven, CT: Yale University Press, 1989), p. 126.

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 (N.Y.: Basic Books, 1981); and Frank I. Luntz, Candidates, Consultants, and Campaigns (N.Y.: 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 policy-making.

See Stanley and Niemi, Vital Statistics, op. cit., p. 168. The reelection rates for House incumbents during the last decade has been over 94 percent.


As Richard F. Fenno, Jr. has shown in Home Style (Boston, MA:
Little, Brown, 1978), this difficulty is not from want of time spent back home. Rather, it may be associated with the inherent tendency of career legislators to separate themselves from their constituents.

29 Fowler and McClure, Political Ambition, op. cit., p. 141.


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." See Talcott Parsons, Essays in Sociological Theory (N.Y.: The Free Press, 1954), p. 372.


35 In addition to trustee and delegate, the representative has also been conceptualized as partisan or politico. For views on each of these models, see Neal Riemer, ed., The Representative (Boston, MA: D.C. Heath and Co., 1967) and Hanna Fenichel Pitkin, ed., Representation (N.Y.: Atherton Press, 1969).


37 Additionally, during the First Congress an amendment was (unsuccessfully) proposed to Congress as part of the Bill of Rights to establish the right to instruct representatives. For the discussion of instruction, see Alfred De Grazia, Public and Republic (N.Y.: Alfred E. Knopf, 1951); and Thomas E. Cronin, Direct Democracy (Cambridge, MA: Harvard University Press, 1989), pp. 24-26.
38 Pitkin, *The Concept of Representation*, op. cit., p. 146.


41 Cronin, *Direct Democracy*, op. cit., p. 36.


44 This common sense approach was simply put by Abraham Lincoln during 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." Quoted in T.V. Smith, "Congress Must Follow the Popular Will," in *The Representative*, ed., Neal Riemer, op. cit., p. 44.


51 Clinton Rossiter, *Seedtime of the Republic* (N.Y.: Harcourt, Brace and Company, 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.


60 Quoted in Wood, The Creation of the American Republic 1776-1787, op. cit., p. 87. The text of this and many other revolutionary constitutions can be located in Perry, ed., Sources of Our Liberties, op. cit.


63 Perry, ed., Sources of Our Liberties, op. cit., pp. 311-312.

64 This proposition is analogous to the influential Rawlsian position that in the "original position" individual making decisions about the distribution of social goods would maximize the minimum distribution of such goods to guard against the possibility that they would end up with the minimum. See John Rawls, A Theory of Justice (Cambridge, MA: Harvard University Press, 1971).


74 Ibid., pp. 426 and p. 424.

75 Ibid., p. 423.

76 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, IL: University of Chicago Press, 1984), pp. 58-60.


89 Ibid.


95 Arthur M. Schlesinger, Jr., The Age of Jackson (N.Y.: Book Find Club, 1945), op. cit., p. 46.

97 Schlesinger, *The Age of Jackson*, op. cit., p. 47. Schlesinger also notes that in private correspondence with President Jackson, the English philosopher Jeremy Bentham confided that he had held the doctrine of rotation himself since 1821.

98 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* (N.Y.: Harper & Brothers, Publishers, 1893), p. 52. [Originally published in 1840.]

99 Quoted in Kohl, *The Politics of Individualism*, op. cit., p. 124. Perhaps the Jacksonian opposition to professional politicians was fundamentally motivated by democratic values. But, contrary to the assessments of Schlesinger and Kohl, Richard Hofstadter argues that it was also one of the first powerful manifestations of American anti-intellectualism: "[The Jacksonian movement's] distrust of expertise, its dislike for centralization, its desire to uproot the entrenched classes, and its doctrine that important functions were simple enough to be performed by anyone, amounted to a repudiation not only of the system of government by gentlemen which the nation had inherited from the eighteenth century, but also of the special value of the educated classes in civil life." See Richard Hofstadter, *Anti-Intellectualism in American Life* (N.Y.: Vintage, 1962), pp. 155-156.

100 Max Farrand, *The Development of the United States* (Boston, MA: 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."


102 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." James Bryce, The American Commonwealth, op. cit., p. 138.


111 The Colorado initiative also limits terms for Colorado members of the House of Representatives.

In fact, it is likely that the popularity of term limitations 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 disenchantment by Republicans with a Congress and many state legislative bodies controlled by Democrats. Support based on these grounds is retributive and is not in keeping with the values and principles of republicanism discussed previously.

Indeed, some commentators have argued that term limitation will actually further the influence of these professionals to the detriment of the public interest. See Polsby, "Limiting Terms Won't Curb Special Interests, Improve the Legislature, or Enhance Democracy," op. cit., and Polsby, "Congress-Bashing for Beginners," op. cit.
