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Author
Petracca, Mark P.

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Mark P. Petracca
Assistant Professor of Political Science
University of California, Irvine

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WHY DO POLITICAL SCIENTISTS OPPOSE TERM LIMITS?

Mark P. Petracca*
Department of Politics and Society
University of California, Irvine
Irvine, CA 92717
Tel. (714) 854-1293
FAX: (714) 856-8441

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*Mark P. Petracca is Assistant Professor of Political Science at the University of California, Irvine. The co-author, editor, and author of a number of books on American politics, he has also written extensively on the term limitation movement and the principle of rotation in office, including, "The Poison of Professional Politics" published by the Cato Institute and "Rotation in Office: The American Experience," The Long Term View 1 (January, 1992): Forthcoming.
WHY DO POLITICAL SCIENTISTS OPPOSE TERM LIMITS?

The movement to limit the terms of local, state, and national legislators continues to gain momentum across the nation. Yet, not everyone is on the term limitation express. Political scientists and leaders of the Democratic Party remain the loudest voices heard in opposition to this popular reform movement. It's easy to understand why leaders of the Democratic Party feel threatened by term limits. Many Republicans and other conservatives are convinced that term limits are the most effective way to rid legislatures of Democratic majorities. But, the strenuous opposition to term limitations by political scientists is much more puzzling. In this essay I intend to explain why political scientists might be predisposed to oppose term limitations.

THE TERM LIMITATION EXPRESS

Voters in states as diverse as Oklahoma, Colorado, and California approved term limitation initiatives in 1990. The constitutionality of California's term limitation initiative, Proposition 140, was upheld in October of 1991 by the State Supreme Court. In 1991, 45 states considered legislation that would impose limits on legislative terms. Term limit legislation passed both houses of the state legislature only in Oregon, but the bills died in conference committee at the end of the session. Nevertheless, term limitation initiatives will be a prominent feature on a great many state ballots in November of 1992. Nine states have already qualified term limit initiatives for 1992, including, Oregon, Arizona, Florida, Michigan, and Ohio. In more than a dozen other states, citizens are actively collecting signatures to qualify term limit initiatives for the ballot in 1992 or 1993.
From coast to coast, citizens have started to recognize that term limits are as necessary for elected officials at city hall as they are for state and national legislatures. The local institutions of a representative government, said English philosopher John Stuart Mill, "are the fundamental institutions of a free government." They cultivate "the public education of the citizens," facilitating the "nourishment of public spirit and the development of intelligence." Through local representative institutions, the individual has the opportunity not only to elect public officials, but "the chance of being elected." Involvement in the full range of participatory possibilities in a local polity is essential, says Mill, for individuals to think, speak, and act on behalf of "public interests."  

The case for term limitation may have its greatest applicability to the local representative institutions envisioned by Mill. Increased turnover in officeholders, the major promise of term limitation, expands the opportunity for individuals to serve in public office, prevents the creation of a "ruling class" of local officials, and brings policy innovation back to city halls. By enhancing electoral competitiveness, term limitation also promotes political accountability, stimulates community debate, and encourages participation in local politics. As a consequence, a growing number of municipalities passed term limitation initiatives or legislation in the last two years, including New Orleans (LA), Houston (TX), Cincinnati (OH), San Jose (CA), Kansas City (KS), Wichita (KS), San Antonio (TX), and Jacksonville (FL). When it comes to term limits for members of the United States Congress, polling data show that nearly three-quarters of all Americans across the socio-economic and political spectrum support a constitutional
amendment to limit the terms of U.S. Representatives and Senators. Many of the term limitation initiatives which will appear on the ballot in 1992 are designed to limit both the terms of state legislators and the terms of U.S. Representatives and Senators from that state. Colorado voters already approved such a comprehensive initiative back in 1990. In Washington State, voters rejected Initiative 553 in November of 1991 largely because it would have forced six of Washington’s eight members of Congress to step down from office after only more more term, including House Speaker Tom Foley.2

Undaunted by the outcome of the Washington election, former Los Angeles County Supervisor Pete Schabarum, co-proponent of California’s Prop 140, has launched a new initiative drive in the Golden State to limit the terms of California’s congressional delegation. Schabarum’s initiative would impose a limit of four two-year terms on California’s 52 member delegation to the House of Representatives and a two six-year limit on California’s two U.S. Senators. Unlike Proposition 140, this new initiative would permit Representatives to run for the same office again after a break of 3 years and Senators to run again after a period of 5 years. Schabarum’s initiative provides for an authentic system of rotation in office. It not only conserves the experience of former legislators by permitting them to for the same office again after a break from service. It is also in keeping with America’s historical commitment to rotation in office as an essential principle of republican rule. If Schabarum’s initiative is successful, other states may follow California’s lead and propose separate initiatives to limit the terms of state legislators and the terms of a state’s congressional delegation.

Notwithstanding the defeat of Washington’s term limit initiative, evidence from all levels of government around the country continues to support John Fund’s observation in the fall of 1990 that term limitation is “an idea whose time has come.”3
POLITICAL SCIENTISTS IN OPPOSITION

As mentioned, two prominent national groups remain stridently opposed to term limits: the leadership of the Democratic Party and many, if not most, academic political scientists. Democrats are worried about the affect of term limitations on the partisan composition of state legislatures and the U.S. Congress. Like many Republicans, Democrats believe that term limits will throw Democratic incumbents out of office and replace them with Republicans. Some Democratic leaders call term limitations "a plot" to undermine legislatures controlled by Democrats; some Republicans openly refer to term limitations as "a strategy" to gain control of state legislatures and the U.S. Congress. As I argue below, these expectations show Democrats to be a bit too paranoid and the Republicans a bit too hopeful.

Political scientists are openly hostile to term limitations, lambasting the reform and its proponents in language uncharacteristically shrill and harsh. They give little, if any, credence to the idea of term limitation and give no quarter to its advocates. Nelson W. Polsby, a leading student of the U.S. Congress, refers to term limits as "constitutional mischief." For "students of government like me," Polsby writes, the popularity of term limits is "hard to understand." Not only does Polsby distinguish "students of government" (i.e., those with expertise about the American political system) from advocates of term limitation, but classifies the term limit movement as yet another example of extremism in American politics. The proponents of term limitation are easily dismissed by Polsby because they cling to a "Grandma Moses depiction of modern American political life." If proponents are so out of touch with the reality of modern American politics known to Polsby
and other "students of government," then their defense of term limits carries little weight.

Thomas E. Cronin, a widely recognized authority on the American presidency and direct democracy, views term limits as "an illusory quick-fix for a symptom rather than a cure for . . . major problems." Ross K. Baker, a political scientist with extensive experience working in the nation's capitol, calls term limitations "quack therapy for democracy," and the ever-quotable Norman Ornstein of the American Enterprise Institute surmises that under term limits, "only bums will run, only bums will rule."^5

While these are all recent indictments, the opposition of political scientists to term limitations is more than a decade old. Thomas E. Mann, currently Director of Governmental Studies at the Brookings Institution and formerly Executive Director of the American Political Science Association, argued in 1978 that term limitations constitute "an infringement on individual liberties, both the liberties of the voters and office holders." "Moreover," said Mann, "a limit on congressional tenure, "is basically antidemocratic. It just does not trust the electorate to decide for itself whether an individual should be returned to office or not."^6

Mann's allegation that term limitation is undemocratic appears as a frequent charge made by political pundits and newspaper editorial writers. The editors of The New York Times have taken a particularly harsh view of term limits, alleging that they "are a frightening popular delusion," "put deadlines on democracy," and "rob voters of their rights."^7 To the contrary, term limits, or rotation-in-office as the practice used to be called, is an essential component of the classical republican design for democratic government and was accepted practice in
America throughout most of the 17th, 18th, and even 19th centuries. Consequently, it is perplexing to hear political scientists and other well-educated commentators assert that term limitations are somehow undemocratic or even un-American. Term limitation is neither, at least this is not a conclusion sustained by a thorough reading of American history.

"Students of government" should know their political theory and American political history better than this. However, opposition to term limitation cannot be explained by a simple misreading of American history or political theory. Much more needs to be said in order to craft an explanation which illuminates rather than merely dismisses the opposition of political scientists.

This strenuous opposition is far more perplexing than the opposition of Democratic leaders for at least two reasons. Political scientists have a predilection to welcome, if not endorse, discussions of political reform. The impetus "to do good," says Samuel Huntington, encourages political scientists to promote political reform for the purposes of enhancing liberty, justice, equality, democracy, and responsibility in politics. Yet, for some reason, many members of the discipline have rushed to dismiss term limitations despite its growing popularity as a political reform. Why?

Political scientists are also typically cautious in arriving at judgements about political phenomena or proposed changes in the political system which can be analyzed empirically. Political science journals are filled with circumspect and narrowly drawn conclusions illustrating that "students of government" are hesitant to draw inferences not supported by empirical data. Nevertheless, without much data or systematic analysis,
political scientists have hastily rejected term limits as meritless, inefficacious, or dangerous. Again, how do we explain this rush to judgement?

Neither their passion for political reform nor commitment to the canons of scientific inquiry have prevented political scientists from condemning term limitations early, often, and vociferously. At the very least we might expect political scientists to rejoice at the opportunity to apply their research and analytical skills to an issue currently of great concern to the American people. We might expect those political scientists with a strong affinity for empirical research to counsel patience and considered study before arriving at ironclad judgements about the politics, efficacy, and impact of term limitations. But for the most part, this has not occurred.

SOLVING THE PUZZLE: IN SEARCH OF AN EXPLANATION

The reaction of political scientists to term limitations is very puzzling. Why should "students of government" react so negatively and so quickly to term limitations?

For good or bad, the opinions of political scientists will play a role in the term limitation movement as it unfolds in one state after another over the next few years. Understanding why political scientists might be predisposed to oppose term limitations is an important part of the intellectual debate surrounding the politics of term limitation reform, especially in light of the strategic role the opinions and research of political scientists will play in forthcoming political debates.

I identify six reasons which may help explain why political scientists are predisposed to oppose term limitations. This is not to suggest that the public arguments made against term limits by political scientists are
inauthentic or disingenuous. Indeed, many of them have a great deal of merit. My point is that other factors, only indirectly related to the relative merits of term limitation, explain the predisposition of contemporary political scientists to oppose term limitations.

First, for more than three decades political scientists have been instrumental in promoting the professionalization of state legislatures. Today, this aim and the legions of professional legislators it produced are under attack by the advocates of term limitations. Political scientists are in the uncomfortable position of watching a popular political reform movement dismantle three-decades-worth of successful reform founded upon the scholarly analysis of state legislatures by political scientists. This must be terribly unnerving.

Back in 1938 Charles S. Hyneman called for the professionalization of state legislatures as a way to enhance effective deliberation, foster good law making, and diminish the frequency of political corruption. But some time elapsed before the discipline reacted to Hyneman's concern and suggestions. Nearly two decades after Hyneman's call for reform, the majority of America's state legislators remained amateurs. This changes drastically during the following two decades.

Throughout the 1960's and 1970's political scientists focused significant scholarly attention on the policymaking and representational effects of high turnover rates among state legislators. "Frequent turnover of state legislators," as one study concluded, is "a serious factor in undermining legislative effectiveness in policymaking and accountability to the electorate." The death of career legislators was called a "crisis" by one analyst. In 1974, Alan Rosenthal, a leading student of state legislators for nearly three decades, found "widespread agreement among political scientists that turnover in state legislatures is excessive and that rapid turnover detracts from the
performance of both the law making and watchdog functions and weakens the institution.\textsuperscript{14} The ensuing reform movements to professionalize state legislatures of the 1960's and 1970's were inspired and bolstered by the research and advocacy of political scientists.

Political scientists were highly successful advocates for the professionalization of state legislatures. "Nowadays," said Rosenthal in 1988, "the dominant ethos in a growing number of state legislatures is that of full-time, or virtually full-time, professionals."\textsuperscript{15} Legislatures in the states of California, Illinois, New York, Massachusetts, Michigan, Pennsylvania, and even Wisconsin are classified as professional, with another twenty or more states classified as semi- or nearly-professional.\textsuperscript{16}

Ironically, the professionalization of legislatures has come under criticism from the advocates of term limitations. The professionalization of legislators is incompatible with the essence and requirements of representative government.\textsuperscript{17} The qualities of professionalism and careerism which political scientists successful instilled in legislatures throughout the nation is now the subject of unrelenting scrutiny by activists who would like to return the responsibilities of democratic governance back to citizen-legislators. Three decades of reform supported by political science scholarship is being turned upside down by the critics of "permanent government." It's little wonder that so many in the discipline are predisposed to oppose term limitation.

Second, the prevalent theory of democracy accepted by mainstream political science clashes with many of the classical republican ideals shared by term limit advocates. The revisionist approach to democratic theory, fashioned in the aftermath of the Second World War, continues to influence how most contemporary political scientists view democracy,\textsuperscript{18}
notwithstanding noted critiques and recent disavowals.

The revisionist perspective, inspired by Joseph Schumpeter and popularized through the scholarship of Robert Dahl, Giovanni Sartori, Seymour Martin Lipset and others was an attempt to reconcile the qualities of classical democratic theory with the empirical findings from the emerging field of voting behavior. According to Schumpeter’s new theory, "The democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote." In short, the function of the electorate for Schumpeter was to produce and eject a government, not to govern themselves.

Democratic revisionism "substituted stability and efficiency" for broad participation and the transformation of self-interest "as the prime goals of democracy." In contrast, politics in a post-term limitation democracy would be characterized by high turnover in elected officials, representation by citizen-legislators, enhanced opportunities for political participation, and a greater role for citizens in the initiation and formulation of public policy. This vision of democratic politics is simply not acceptable to political scientists schooled in the theories of democratic revisionism.

Stability and efficiency are not fundamental goals of the term limitation movement. Rather, the movement aims to promote competitive elections, enhance political representation, encourage responsiveness to policy problems, curtail the unbridled growth of government, and open up the political system to a multitude of new participants. While revisionists have no problem promoting competitive elections, the sine qua non of modern democracy, their intersection or common ground with term
Given the values of stability and efficiency embedded in democratic revisionism, political scientists have a theoretical stake in preserving the status quo, even if that means defending an incumbency-protection plan in the process.

Third, political scientists are also reluctant to endorse any political reform overwhelmingly supported by the American public. There is an element of elitism in the discipline to be sure, as evidenced by Polsby's differentiation between "students of government like me" and pundits, polls, and the general populace. But elitism isn't a very satisfying explanation in this case.

Political scientists, especially those who spend careers studying the American electorate, are fairly cynical when it comes to assessing the attentiveness, general knowledge, and judgmental capacity of the average voter. Such cynicism might even be justified. After all, in the revisionist theories of democracy, the role of the average citizen was reduced to selecting a leader in a competitive election. Voters couldn't handle much more than indicating "within a general political orientation, the person or the party that we are 'coinciding in opinion with'." In this view of democratic governance, the importance of political participation was minimized; it was permissible, indeed understandable, for voters to be uninformed; the role of the citizen as the primary mover and shaker of politics was displaced by the political elite; and the opportunity for citizens to initiate and determine the course of public policy was severely diminished.

Given what political scientists have discovered from studying the American electorate, they probably can't help but be wary of any reform highly regarded by the public at large. It's not that political scientists know better; rather, they have a developed suspicion of what
the American public can possibly know about the effects of term limitations which makes it easy for political scientists to oppose this reform.

Political scientists tend to explain popular support for term limitations as uninformed, misled, or both. Polsby's comments are once again illustrative: "[T]he proposal to limit the terms of members of Congress . . . relies heavily for its appeal upon ignorance in the population at large about what members of Congress actually do." Faith in the electorate's ability to choose competent leaders in a competitive election doesn't extend to the voters' ability to support or oppose institutional reforms. Trust in the electorate is in short supply for a great many political scientists.

Fourth, political scientists are committed to the conservation of leadership. This leads them to oppose term limits on the grounds that such limits would needlessly squander this valuable political resource. Even though political scientists spend a great deal of time researching and ruminating about institutions, procedures, political behavior, parties, and interest groups, many contend that leadership is the key to effective democratic governance. "The leadership question," as one scholar put it, dominates American politics as probably no other.

The absence of quality leadership in American politics is repeatedly bemoaned, and the institutional constraints which make the emergence of leadership so difficult are subject to frequent criticism. To solve the problems of policy stalemate, divided government, or political gridlock, America needs better leaders and more of them. When leadership does work, political scientists are eager to admire and praise it. Looking back on President Reagan as a political strategist, Aaron Wildavsky refers to Reagan as "a meteoric leader in an antileadership system." Admirable as an effective leader, for Wildavsky, Reagan's achievements are
all the more noteworthy because of the institutional context within which they occurred—a context hostile to effective leadership.

Term limits would squander quality leadership, political science worry, by forcing elected officials out of office regardless of whether they were effective leaders or not. The systematic turnover of experienced legislators, precipitated by term limitations, could potentially have other dire consequences, such as the expansion of executive power and greater influence for legislative staff and organized interests. However, it's the indiscriminate loss of quality leaders who want to serve in public office which is most disturbing to political scientists. Without quality leadership the institutional restraints of the American political system cannot be overcome; the governability of the American polity remains in question.

Having little to no faith in the ability of average citizens to serve in public office, political scientists worry that term limits will quickly use up the scarce supply of quality leadership in America. As a result, Norman Ornstein forecasts that "only bums will run," for elected office and "only bums will rule." Term limit advocates are neither convinced that quality leadership is in such short supply, nor are they persuaded that career legislators are quality leaders. In addition, in the tradition of the Anti-Federalists, many term limit advocates are not motivated to overcome the limits on governmental activity inherent in the separation of powers doctrine. Divided government isn't an urgent problem for term limit advocates. To the contrary, many welcome the constraints put on the ability of government to act by the phenomena of divided government.

Hence, there is a fundamental clash between political scientists and term limit advocates over the empirical availability of quality leadership
in America and over the dependence of the American political regime on leadership for effective governance.

Fifth, the term limit attack on the value of professional politicians may be perceived by political scientists as a threat to their self-identified status as professionals. The political science discipline has worked very hard during the post-war era to bolster its professional stature in academic, policy-making, and political circles. Indeed, the professionalization of political science has been a long-standing goal of the American Political Science Association. As a result, a great many political scientists have been socialized to admire and respect the qualities attributed to all professionals. As self-defined professionals, political scientists are not unique in this regard. Lawyers, doctors, accountants, and maybe even politicians view professionalization positively because it confirms their own self-image and status.

Political scientists have an appreciation for the knowledge and expertise that differentiates professionals from amateurs, in their own profession as well in politics. They also have an empathic understanding of how difficult it is to become a professional. For the most part, political scientists gain the expertise essential for career success through long years of study, training, and "doing" political science. Consequently, they are in a position to value the expertise a legislator gains from the experience of legislating.

Professional politicians and career legislators are the direct targets of the term limitation movement. Term limit advocates share Daniel Boorstin's aversion to government by professionals: "The representatives 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. "We must find ways to help our representatives preserve their amateur spirit," advises Boorstin, the Librarian of Congress Emeritus. Many believe term limits are one way to accomplish this goal. In so doing term limitation challenges the indisputable value of professionalism and therefore the status and prestige of professional political scientists.

Finally, politics, or more appropriately, partisanship, may also encourage political scientists to oppose term limits. By most accounts, political scientists are predominately liberal in their political leanings. Like the leadership of the Democratic Party, they are worried that term limitations will drastically alter the liberal Democratic composition of state legislatures and the U.S. Congress. "It is Republicans, naturally enough," says Ross K. Baker, "who seem to be the most enthusiastic puffers of term limitation, since they have the most to gain, at least in the short term, from an indiscriminate clean-out of the nation's deliberative bodies." This concern is misplaced, though none the less salient.

Term limits will force both Democratic and Republican incumbents to retire earlier than expected. Turnover will be higher than it's been for the past few decades. Some districts, be they state legislative or congressional, will replace Democratic incumbents with Republicans; but, others will replace Republican incumbents with Democrats. The legislative pot will certainly be stirred by the implementation of term limitations. But, barring a national realignment of party identification to the advantage of Republicans or a sudden change in the boundaries or composition of current legislative districts, there is no reason to believe the turnover induced by term limitations will significantly alter the partisan composition of state legislatures or the U.S. House of
Representatives. With few exceptions, incumbents of one party of the other will most likely be replaced by new legislators from the same party. There will no doubt be some marginal changes in the composition of legislatures induced by term limits and the relative pacing of retirements, but even liberal Democrats should welcome early retirement for some of their entrenched brethren.

Turnover in legislative personnel does not necessarily translate into turnover in the partisan control of any legislative body, unless district boundaries are changed at the same time. As a result, Democrats have less to fear and Republicans less to anticipate from the implementation of term limitations. Likewise, liberal political scientists should not let partisan worries color their evaluation of term limitations.

THE CHALLENGE TO POLITICAL SCIENCE

Political scientists could oppose term limitations because empirical studies show them to be inefficacious or harmful. Certainly, there are many assertions made along these lines. If true, this would be the best foundation upon which to build the case against term limitations; it would also be the most legitimate one for political scientists to pursue given the canons of scholarly inquiry endorsed by the discipline. However, most reasonable students of government willingly concede that the data is not available yet from which to arrive at confident judgements about term limitations. As one analyst recently admitted: "Discussions of the pros and cons of term limits have largely been conjectural to date." Right now debate is based primarily on scholarly speculation and instinctive evaluation. There's nothing wrong or inappropriate about
either, just as long as we don’t confuse such commentary with the analysis of empirical evidence (where empirical evidence can be used to test claims about the impact term limitations). Most of the research on the impact of term limitations has yet to be undertaken, although some progress is being made in terms of research design and data collection.

The current opposition to term limitations by political scientists is neither self-indulgent, nor entirely without foundation. Political scientists have raised some very important empirical questions about the affects of term limits on political recruitment, political parties, the dynamics of legislative decision-making, legislative leadership, the representation of minorities and women, the influence of special interest groups and legislative staff, the further aggrandizement of executive power, and the conditions necessary for effective political governance, among others. These and other questions need to be raised, investigated, and analyzed. Political scientists should be encouraged to undertake this challenge, bringing their interest in political reform and specialized research talents to this effort.

In the final analysis, the fate of the term limitation movement probably does not hinge upon the support or opposition of political scientists. This is a mass-based political movement, not likely to be derailed by the formal models, regression analyses, or ideal types of professional political scientists. Nevertheless, what political scientists have to say about term limits will certainly be used on one side of the debate or the other as term limits are considered in various states over the next few years. If history is any guide, however, the weight given to political science research and commentary is not likely to determine whether the United States ends up with an amendment to the U.S.
Constitution mandating term limits. It would be very surprising were it otherwise.

This caveat should not stop political scientists from entering the political fray on this issue. Instead, political scientists should welcome this opportunity to lend their expertise, skills, and maybe even some passion to public debate about the wisdom of term limitations. They should do so with the same commitment to data collection vigorous analysis, and well-crafted arguments characteristic of the discipline's scholarly approach to political inquiry.
ENDNOTES


2 Initiative 553 would have permitted Foley, et al., to run for the House of Representatives again after a break or vacation of six years. This system of rotation also applied to members of the U.S. Senate and all state legislators.


For a recent example, see Samuel P. Huntington, American Politics: The Promise of Disharmony (Cambridge, MA: Harvard University Press, 1981).


Ibid., p. 272.


See Mark P. Petracca, Agenda-Building in American Democracy (Forthcoming with The John Hopkins University Press), Chapter One.

Nelson W. Polsby, "Congress-bashing for beginners," The Public Interest 100 (Summer, 1990), p. 19.


See James MacGregor Burns, Cobblestone Leadership (Norman, OK: University of Oklahoma Press, 1990) as well as the extensive literature on the subject of divided government.


32 Political scientists may also have a research incentive to defend professional politicians. The presence of professional politicians helps facilitate many important lines of research in the discipline, such as political recruitment and socialization. Political scientists may also find it easier to work with professional politicians in studies of legislative decision-making, interest group influence, bureaucratic oversight, or elections.
36 Of course if there were significant partisan changes this would only confirm what many Republicans have been saying for decades, namely, that Democratic control of the House is an artifact of incumbency and has not truly represented the will of the American public. Validation of this hypothesis would be a difficult pill to swallow for any Democrat.
37 There is reasonably good data about some of the problems identified by the advocates of term limitations, such as the frequency of turnover, the extent of electoral competition, and the advantages of incumbency; but much less is known about the impacts of term limits.
