The Case for the Clean Slate

One idea for reforming Congress that might actually make those lawmakers work together

BY JONATHAN ROWE

Congress has now limped out of Washington. Democrats are seething and scared; Republicans are gleeful at the hash they’ve made and are licking their chops for more. “Glorious Gridlock,” The Wall Street Journal proclaimed. But for most people, a bickering, partisan capital is wearing pretty thin.

Which brings us to the subject of term limits, which are supposedly going to whack Congress back into shape. But think about it: Term limits won’t make Congress work one whit better. They’d simply grease the door going in and out.

That’s the question missing in the term limits debate. Is there a way to change the vicious partisan undertow, as opposed to simply tossing new recruits into it? Instead, the issue has gotten stuck in the usual partisan sludge, a symptom of what’s wrong rather than an answer to it. Democrats like Tom Foley don’t want to change anything. Republicans like Newt Gingrich want to change things so Republicans get elected and he gets to be Speaker. That’s why the Republicans have quietly, and conveniently, grandfathered themselves into their term limits proposal. Their prior incumbency is exempt, which means Republican leaders like Gingrich and Bob Dole would get a deferment from the medicine they want everyone else to take.

The fact is, term limits would keep the worst of what’s wrong with Congress, and, in many ways, would make the situation still worse. They wouldn’t cut the role of money in politics, and they wouldn’t cut partisan rancor, either. Instead of dispersing political power in America, they’d merely shift it around within the Beltway. Instead of increasing the accountability of Congress, they’d automatically turn more members into lame ducks who aren’t accountable to anyone.

That doesn’t mean we don’t have to rattle the cage in Washington. We do. But there’s a much better way than term limits—a way that would truly make the whole Congress shiver. What the nation needs is a referendum on the whole Congress—a Clean Slate Amendment. Instead of less choice, voters should have more. They should have the choice of giving the whole Congress the boot. If we want to end the petty wrangling and partisan games, then let’s make them sink or swim together.

After all, for a Congress that’s not producing, even six House terms (the most popular proposal) are too many.

Our friends the Washington commentators have been perplexed by a stubborn fact. Americans think

*Jonathan Rowe is a contributing editor of The Washington Monthly.*
Congress is the pits. But they tend to think their own member of Congress isn’t so bad. Even in this virulently anti-incumbent year, the voters probably will send most of them back.

Actually, this shouldn’t be so surprising; Congress in its entirety is much worse than the sum of its parts. Its problems have less to do with individual members than with the rotten dynamics of the whole. That new members of Congress generally end up doing the same old things doesn’t come from character defects. It comes from the corrupt political culture in which Congress is enmeshed. Term limits won’t change that culture. In many ways they’d amplify it.

For one thing, term limits would enlarge the role of the unelected government of lobbyists, interest groups, pundits, and staff. While the power of Congress would diminish, that of the Beltway establishment would grow.

Similarly, term limits would greatly increase the power of PACs. Candidates are often most vulnerable to PACs the first time they run. Desperate for money, hat in hand, they go knocking on doors on K Street with nothing to offer in return but promises. Real campaign reform would help remedy this, of course, but Republicans are even less enthusiastic about that than Democrats are. Besides, how does it make Congress more accountable to declare a large percentage of them lame ducks who will never run again? Rep. Craig Washington of Texas lost his primary election last March. Since then he’s missed 32 consecutive votes. “It doesn’t really matter,” he told a reporter recently. That’s an attitude we want more of on the Hill?

Perhaps worst of all, term limits would force every member of Congress to think about their next job from the minute they hit town. A new rep who knew the clock was ticking would start to look at interest groups as potential employers. Votes would become a form of resume building. This tendency is bad enough already; term limits would make it endemic.

The fact is, voters have no lack of checks on individual members of Congress right now. We have the ultimate check—the ability to fire them this very month.

What voters don’t have is a check on the institution itself. For lack of this, individual members often can do better when the institution does worse. Republicans like Gingrich and Senator Phil Gramm chortle when Congress looks bad. They want it to look bad. The Democrats are likely to return this rancor in kind the next time they are the minority. This downward spiral will continue until the voters have a way to check it.

One way is a “Clean Slate Amendment,” which would change the dynamic of Congress in a radical and healthful way. Each member would become accountable in some degree for the performance of the institution as a whole. If Congress looked bad, the Gingrich types would look bad, too.

The mechanics would be simple. If a given number of voters in each state signed the Clean Slate petition, then an extra line would appear on the next ballot—the “Clean Slate.” If a majority of the voters in the nation chose the Clean Slate, then every member of Congress would automatically be retired. Then we’d start from scratch, and hold a special election very quickly—two months max. This would diminish the role of campaign consultants and PACs, because there wouldn’t be time to put a big campaign together. There also wouldn’t be time for the negative research that makes campaigns so ugly.

There are possible variations on this basic plan. One would permit incumbents to run in the special election, but their opponents would get a handicap—equal perhaps to the average incumbent victory margin in the previous election. As in golf, this would level the playing field, and eliminate any advantage the incumbent might have. It’s hard to think of a better way to scare the bejesus out of them.

To those who still insist on term limits, I’d make a suggestion: no grandfather rights for incumbents. Incumbents are the very people we are supposed to be unseating. Why should Newt Gingrich get 28 years in the House when the rep sitting next to him gets only 12—when Gingrich is the one calling for term limits in the first place? Make him take his own medicine. If he loses his chance to be Speaker—too bad.

Finally, let’s not forget the voters. Or rather, the non-voters. It’s fun to point the finger at Washington. Republicans in particular love to pander to voters by telling them nothing is their own fault. But let’s face it. When barely half of the people bother to vote, maybe that’s a part of the problem. If Republicans are going to harp on personal responsibility, shouldn’t they put the blame for chronic incumbency where it really belongs? Campaign reform of any kind can’t do much good if people just don’t care.

The Clean Slate, by contrast, would make the voters do something to bring about the result they want. Isn’t that how democracy is supposed to work?