

## *Quotes on Supreme Court term limits from justices, elected officials, academics and pundits*

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### JUSTICES

#### **Chief Justice John Roberts** ([link](#))

Setting a term of, say, 15 years would ensure that federal judges would not lose all touch with reality through decades of ivory tower existence. It would also provide a more regular and greater degree of turnover among the judges. (1983)

#### **Justice Sandra Day O'Connor** ([link](#))

Because it is an unfortunate fact of life that physical and mental capacity sometimes diminish with age, the people may wish to replace some older judges in order to satisfy the legitimate, indeed compelling, public interest in maintaining a judiciary fully capable of performing judges' demanding tasks. (1991)

#### **Justice Antonin Scalia** ([link](#))

You always wonder whether you're losing your grip and whether your current opinions are not as good as your old ones. (2013)

#### **Justice Clarence Thomas** ([link](#))

It's one of the hard parts of being on the court, watching what happens to your colleagues as time goes by. I've always said that the hard part was watching your colleagues get older and pass away. (2016)

#### **Justice Ruth Bader Ginsburg** ([link](#))

As long as I can do the job full steam [I'll stay]. I think I'll recognize when the time comes that I can't any longer. (2014)

#### **Justice Stephen Breyer** ([link](#))

If there were a long term – 18, 20 years, something like that – I'd say that was fine. In fact, it'd make my life a lot simpler, to tell you the truth. (2016)

### ELECTED OFFICIALS

#### **President-elect Donald Trump** ([link](#))

What is needed is a long-term fix and that means forever getting rid of the entrenched political class who act like rulers, not public servants. (2016)

#### **House Speaker Paul Ryan** ([link](#))

I've always supported term limits. I've long been a fan of term limits, actually. That's something I've always been in favor of. I've been in favor of term limits ever since I came here. (2016)

#### **Sen. Chuck Grassley** ([link](#))

Lifetime judicial appointments aren't perfect. (2015)

#### **Sen. Ted Cruz** ([link](#))

Sadly, the court's hubris and thirst for power have reached unprecedented levels. That calls for meaningful action. (2015)

**Sen. Marco Rubio** ([link](#))

I am supporter of term limits on [...] the Supreme Court. (2015)

**Sen. Rand Paul** ([link](#))

The time for term limits has come, and in fact, is long overdue. (2013)

**HUD Sec.-Designate Ben Carson** ([link](#))

Remember, when [life tenure] was put in place, the average age of death was 47. So it really didn't matter that much. Now it matters a lot. (2015)

**Former Gov. Rick Perry** ([link](#))

We should take steps to restrict the unlimited power of [...] nine oligarchs in robes [...] to rule over us with no accountability. (2011)

**Former Gov. Mike Huckabee** ([link](#))

We need term limits for the judicial branch because nobody ought to wear a black robe for the rest of his or her life and believe that he or she is unaccountable for the decisions that are being made. (2015)

**Rep. Gerry Connolly** ([link](#))

For most of our history, the court has been a reactionary and unaccountable force in American life. [...] It is time to assert balance and accountability to these nine justices. Term limits and cameras in the court, at least. (2014)

ACADEMICS

**Steven Calabresi, Northwestern University, Federalist Society co-founder** ([link](#))

Congress and the states should pass a constitutional amendment imposing an eighteen-year, staggered term limit on the tenure of Supreme Court justices. (2006)

**James Lindgren, Northwestern University** ([link](#))

Except for the state of Rhode Island, no other western jurisdiction has life tenure for high court justices. Term limits would help usher out judges with mental decrepitude and loss of stamina, eliminate strategic retirement for political reasons, reduce animosity in confirmation and return to traditional levels of judicial independence. (2014)

**Norm Ornstein, American Enterprise Institute** ([link](#))

Single, 18-year terms would to some degree lower the temperature on [Supreme Court] confirmation battles by making the stakes a bit lower. And it would mean a court that more accurately reflects the changes and judgments of the society. (2014)

**David Garrow, University of Pittsburgh** ([link](#)) / ([link](#))

The history of the court is replete with repeated instances of justices casting decisive votes or otherwise participating actively in the court's work when their colleagues and/or families had serious doubts about their mental capacities. Mental decrepitude has been an even more frequent problem on the 20<sup>th</sup> century court than it was during the 19<sup>th</sup>. (2000)

The fact that we have a court that is this elderly at the moment and there aren't any signs of decrepitude is like the Florida Gulf Coast dodging a hurricane. (2016)

**Paul Carrington, Duke University** ([link](#)) / ([link](#))

No one crafting the Constitution in the 18<sup>th</sup> century was imagining a court exercising political powers, as is done by the 21<sup>st</sup> century justices. Nor were the Founders imagining that justices would sit for many decades. (2015)

It's nuts to let octogenarians run the country. It's ridiculous to have a person sitting in a position of that much power for 30 or 40 years. (2011)

**Erwin Chemerinsky, University of California, Irvine** ([link](#))

A system of government that allows a handful of men and women to hold great power for such an extended period of time is, by nature, more feudal than democratic. (2015)

**Orin Kerr, George Washington University** ([link](#))

As you endure the showdown over the Scalia vacancy [...], remember that it was avoidable. The problem is life tenure, and the answer is term limits for Supreme Court justices. (2016)

**Jamal Greene, Columbia University** ([link](#))

All of the world's major democratic countries except ours, and each of the 50 states save Rhode Island, have fixed terms, a mandatory retirement age or both for their high court judges. This is not an exceptionalism we should be proud of. There is a name for a political system in which unelected elites hold indefinite power, and it is not democracy. (2016)

**Eric Segall, Georgia State University** ([link](#))

In light of the crucial role the court plays across the spectrum of social, legal and political issues, the question of how long our justices serve should be reexamined. [...] There simply is no persuasive reason to allow government officials who have virtually unreviewable power to hold offices for life. (2013)

**Harold Pollack, University of Chicago** ([link](#))

Fixed terms provide no specific advantage to either party, [and] both parties have some stake in fixing problems [with life tenure]. Fixed terms would go a long way toward accommodating the basic realities of human life. [...] There's less of a risk that a justice will become infirm on the job. (2016)

**Linda Greenhouse, Yale University** ([link](#))

The American constitutional system has been a beacon for the rest of the world. Democracies the world over have found much merit in our idea of a written constitution and of judicial review by judges whose independence is protected. So it is interesting to note that no other country has adopted life tenure for judges of its constitutional court. [...] All these other jurisdictions, both internationally and among the various states, impose either term limits or age limits on their high-court judges. (2009)

PUNDITS

**Nate Silver, FiveThirtyEight founder** ([link](#))

It would be easier not to politicize someone's death if they didn't hold a position with a lifetime appointment. (2016)

**Mark Levin, syndicated radio host** ([link](#))

I am going to reintroduce this argument: term limits for justices. If justices want to be political, then they shouldn't serve for life. (2012)

**Jeff Toobin, New Yorker and CNN contributor ([link](#))**

The Constitution was written at a time when life tenure meant living into your 50s because that's what life expectancy was. Thirty-year tenures are not what the framers had in mind. (2013)

**Ilann Maazel, civil rights attorney ([link](#))**

The politicized hysteria surrounding Scalia's replacement was all but inevitable given the court's immense power, the many decades the justices now sit on the court, the phenomenon of strategic retirement and the increasing polarization of the parties, the court and the country. [...] There is another way: [...] a single, staggered 18-year term. (2016)

**Bob Bauer, politics and elections lawyer ([link](#))**

The court is in desperate need of reform; it has become increasingly isolated, imperious and opaque. This is no accident. It follows largely from the assumption, nurtured by the media and embraced by the justices, that they hold "lifetime" appointments. But it is time to rethink this assumption. (2005)