

Q22 – How long is a term for a U.S. senator?

DOUGLAS GINSBURG, Federal Judge, U.S. Court of Appeals, D.C. Circuit:

Senators are elected for six years – which is three times the term of a member of the House of Representatives – and for good reason.

The story goes that in 1798, President Washington explained the role of the Senate to Thomas Jefferson, who was just back from France after serving as our ambassador. Washington pointed to the saucer under Jefferson's beverage – probably hot coffee or tea – and said, "We pour our legislation into the senatorial saucer to cool it."

The point is that, with six years between elections, senators have more time, before they are up for reelection, to let the passions of the day cool. To deliberate, to take the long view.

Six years for the Senate and two for the House is not the only difference between the two chambers.

The minimum age for a Representative is 25. In the Senate, it's 30 – an age set in an era when life expectancy was less than 40 years. The Framers hoped senators would be, not only older, but wiser than their colleagues in the House.

All these details serve a larger purpose: protecting liberty from the whims of public opinion. Too often a majority would impose some burden on a minority. And the senators with their six-year term are better able to safeguard the rights of a minority.