NYC 9/11 Public Portal Document

Why *Can't* We Keep Rudy?

The Limits Of Term Limits

AS New Yorkers unenthusiastically vote in today's mayoral primary, the race is dominated by a potential candidate not on the ballot — the incumbent, Mayor Giuliani.

In his eight years in office, Giuliani is credited with bringing the crime rate down 60 percent, halving the welfare rolls, reversing the flight of jobs out of the city and generally bringing order and optimism to a town that had seemed ungovernable.

His behavior since the attack — his concern, competence and composure — have made him a genuine hero.

It has also made him a symbol of the downside of term limits. By law, he cannot serve more than two consecutive terms. As of Jan. 1, he is out. He could run again, but not for another four years.

Term limits were a phenomenon, now mercifully over with, of the mid-'90s. New Yorkers twice approved term limits, in 1993 and 1996, and are now stuck with the results.

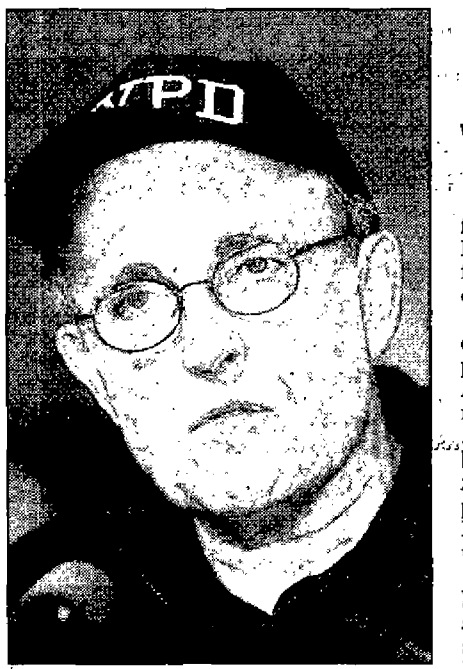
The fatal drawback of term limits is that they arbitrarily deprive voters of their choice of candidates. New Yorkers want their mayor back.

So popular is Giuliani that his would-be successors, who only a few weeks ago were snickering at the mayor's well-publicized marital problems, rush to be identified with him. One candidate says he'll give Giuliani any position he wants in his administration; others say they would put Giuliani in charge of rebuilding at the World Trade Center site. Giuliani himself has hinted broadly that he might be amenable to some gimmick that would keep him in office.



DALE McFEATTERS

As much as New York and, for that matter, the rest of the country, would like Giuliani to stay on, the means of doing so would only hurt the democratic process.



Rudy: Should he stay or should he go?

Helayne Seidman

The state Legislature and City Council could pass emergency legislation overturning the term limits, but the people voted twice for them. The state and city could agree to extend Giuliani's term one year by putting the election off to November 2002.

Although there might be some merit to this — it would harmonize the mayoral election with the state's other races — the postponement would undemocratically and at the last minute change the rules of the game for the other candidates. They have a right to run, no matter how popular and able the incumbent.

New Yorkers are stuck with the consequences of term limits. If they don't like the limits, they can repeal them. Maybe former Mayor Giuliani could head up that drive.

It's the People's Law



MICHAEL MEYERS

YOU don't change the rules in the middle of the game. But less than two months before the general election, Rudy Giuliani's friends are urging him to find a way to get on the ballot in defiance of the city's term-limits law.

Rudy's pals don't want to leave. They don't want to lose their power, entrée and perks of office. Plainly, Rudy's been their AmEx card, and they've gotten used to not leaving home without him.

This is sheer chutzpah and self-interest, but the pals of Rudy also have a genuine fondness for him. And if you believe the polls the people are also pleased with Rudy's performance in the aftermath of the attacks on the World Trade Center.

He acted without partisan favor or political interest in managing a terrible situation. But all of that fondness does not amount to a hill of beans if it means that Rudy Giuliani thwarts the people's term-limits law.

He risks permanently alienating the electorate if he seeks to extend his own term in office. To succeed would fly in the face of everything accountable and transitional about government itself.

Sensing this, Rudy has announced that he is "not ready" to make a statement on whether he will seek to nullify the law that forces him out on Dec. 31. He hasn't had time to think.

But his pals have been thinking for him. Gov. Pataki, for one, has urged a write-in vote for Rudy on the November ballot, notwithstanding that such votes would not be counted because Rudy is ineligible for re-election.

Another Rudy pal opined that the people should be "allowed to elect whom they want." And Deputy Mayor Joe Lhota, a mayoral spokesman, weighed in with his own volley against term limits: "It's hard to imagine [the Legislature] will not listen to the will of the people."

But the will of the people is not the whim of Rudy's pals. Every poll reveals Rudy's popularity but also that the voters still support the term-limits law. They adopted it through referendum, twice.

The law requires that Rudy — and the comptroller, public advocate and most of the City Council — leave office on Dec. 31. That's why Freddy Ferrer, Mark Green, Alan Hevesi and Peter Vallone are on the ballot today, running for mayor. That's why Rudy's GOP buddies Herman Badillo and Michael Bloomberg are seeking to succeed him, and why Bloomie has spent $20 million.

Still, the pals of Rudy won't yield. They don't care about the $20 million cost of Bloomie's campaign or the millions spent by the others. They want us to believe that the attack has changed our city's political landscape, not just its skyline.

They imagine a groundswell of public opinion for an immediate change in term limits for the benefit of their man — who, if they had their druthers, would be mayor for life.

Has Rudy let all of that deserved praise go to his head? He hasn't nixed all such talk of changing the rules in the middle of an election. He didn't challenge his deputy mayor's musings about how the Legislature should let Rudy run.

The people have spoken repeatedly on this matter of extending public officials' terms, as recently as a few months ago. That's when City Council members — who also thought themselves indispensable to our government — tried unsuccessfully to repeal the law.

Still, Rudy wants time to think about this. You have four years to do so, Rudy. Then you will be eligible to run again.

The attacks on the World Trade Center haven't decimated our democracy. As you yourself said yesterday, this city is safe: "There's no particular thing to be afraid of." So, we can vote today for the candidates who are lawfully on the ballot.

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