

Should the filibuster be abolished?

DELIBERATING DEMOCRATIC PRINCIPLES

In May 2013, Twitter announced that more than a million tweets about Senator Rand Paul had been sent during a 13-hour period. Paul was filibustering President Obama's nominee to head the CIA. By preventing a vote on the nomination, Paul hoped President Obama would guarantee that unmanned drones would not be used in the United States against U.S. citizens. Paul's effort was one of the longer filibusters in U.S. history, and it fed the debate on whether the filibuster is a useful strategy or a tactic that prevents the Senate from doing its job.

YES

TEAM A The Filibuster Should Be Abolished

The filibuster violates the principle of majority rule; in short, it is undemocratic. By the time a bill gets to the floor, it has already been through many steps that give opponents a chance to make changes or to reach compromises. The filibuster allows one or a few senators to prevent the majority of senators from taking a vote. It gives someone with a minority viewpoint control over the process that majority supports. The filibuster can block or delay important legislation from being passed. In the event of national emergency, this could be disastrous.

The filibuster originated as a means of ensuring that all issues would receive thorough debate in the Senate. Now, it serves as nothing but a block to debate an action. The way the filibuster is used, virtually no bill can pass without a 60-vote majority. This was not the intent of the Founders. The Constitution gives the Senate power to make its own rules. It does not grant the specific power of the filibuster, so the Senate can vote to end its use anytime. Reforms, such as lowering the number of votes needed to end the filibuster, would help. But it would be more effective to simply eliminate this undemocratic practice.

NO

TEAM B The Filibuster Should Not Be Abolished

The filibuster is a useful tool to protect the rights and interests of people with minority viewpoints. While democracy operates on the principle of majority rule, it also guarantees that the minority will be protected. The filibuster prevents the majority from forcing through legislation that may not be beneficial to the United States. The filibuster can also bring important questions or concerns to the attention of the public. The public can then become involved in the debate, and the Senate will be more aware of what citizens want.

The filibuster serves as an internal check on the power of the Senate. A filibuster against a president's nominations can be seen as a check on the power of the executive. Thus, it is well-aligned with the Founders' desire for a limited government. Because the Constitution allows the Senate to set its own rules, the filibuster is certainly constitutional. The filibuster procedures have been changed several times in the past. If necessary, they can again be changed. But the filibuster should not be abolished because of its important role in protecting Americans from the tyranny of the majority.

EXPLORING THE ESSENTIAL QUESTION

Deliberating With a partner, review the main arguments for either side of the question. Decide which points are most compelling. Then paraphrase those arguments to a pair of students who were assigned to the other viewpoint. Listen to their strongest arguments. Switch sides and repeat the best arguments and add another compelling argument the other pair may not have thought about or presented. Then drop your roles and have a free discussion about which policy you support and why. Can you find any areas of common ground between the two views? How might a sensible policy address that common ground? What do you think is the best answer? Why?