

# SHOULD THE U.S. SENATE ELIMINATE THE FILIBUSTER?

*THIS ACTIVITY SHOULD TAKE ABOUT 90 MINUTES. IF LEARNERS ARE ABLE TO REVIEW MEDIA PRIOR TO THE LESSON, ACTIVITY TIME SHOULD BE 45 TO 60 MINUTES.*

## INVESTIGATE

Read, watch, and listen to the three media resources on the Thinkalong module. Learners can use the Investigate graphic organizer to summarize each piece of media and record new information. Below are summaries of the three pieces of media curated in the Thinkalong module.

### THE DEATH OF THE FILIBUSTER | RON'S OFFICE HOURS

NPR | May 31, 2017 | Video

3:26 minutes

NPR's Ron Elving explains what the filibuster is, how it's been a part of American politics, and how it's changed in the last few years.

- The filibuster is meant to hold up the process of any action in Congress, but it's usually seen as one or two people talking for a long time to keep anything from happening.
- In 2013, Democrats in the majority changed the rules so nominations to government appointed jobs that require congressional confirmation could be approved without being interrupted by a filibuster, but allowed Supreme Court nominations to still be held up by a filibuster.
- When Neil Gorsuch was nominated to the Supreme Court by President Trump, Republicans in the majority knew they would not get 60 votes to approve his nomination, so they changed the rules so Supreme Court nominations would be approvable with a simple majority – eliminating the filibuster for these approvals as well.
- But while the filibuster was almost eliminated, Senate Majority Leader Mitch McConnell preserved the filibuster for legislation, meaning that a lawmaker could still hold up new bills in Congress.

### SENATE REACHES AGREEMENT ON THE FILIBUSTER RULE

PBS NewsHour | January 26, 2021 | Video

4:51 minutes

Lisa Desjardins talks about how members of both the Democratic and Republican parties have taken action to preserve the filibuster.

- Desjardins defines filibuster as 'anything that obstructs or blocks legislation,' but says most people know it as senators using their right to talk for as long as they want to hold up a vote or debate and can't be stopped unless 60 other senators vote to end it.
- The filibuster has been important in American government because it requires a "supermajority" in the Senate. Supporters say the filibuster adds stability and means that Congress won't go too far to the right or left if there are sudden changes. Opponents point out that this means that the Senate can't react to a need for sudden changes and isn't governed by a majority rule.
- Desjardins says that the use of the filibuster has been used more recently than it has in the history of the Senate and has become a regular part of the Senate, especially when parties are in the minority.
- She says that one effect of the filibuster is that fewer large bills have been able to pass through Congress.

*Using public media — video, audio and digital reports — about newsworthy topics, these classroom-based exercises help learners to think critically about media messages, develop informed opinions, and practice how to take a stand.*

## WHY POSSIBLY CHANGING THE FILIBUSTER BRINGS THREATS OF POLITICAL ‘NUCLEAR’ WAR

NPR | March 29, 2021 | [Audio](#)

5:07 minutes

NPR’s Mara Liasson explores what filibuster reform could mean for the Senate and what’s at stake for both parties.

- From the end of the Reconstruction Era to 1964, the filibuster was used primarily to block civil rights legislation, but other senators started to use it to hold up votes and bring attention to their own pet issues.
- A filibuster used to mean talking on the floor of the Senate, but now starting a filibuster is as easy as calling the Senate cloakroom to hold up a vote.
- Parties tend to like the filibuster when they are in the majority and dislike it when they are in the majority.
- Minority Leader Mitch McConnell says that a “scorched-earth Senate” without the filibuster would mean that senators would need to be present for votes and that changes to legislation would swing far right or left based on which party was in the majority. Advocates for getting rid of the filibuster say reversing popular legislation isn’t easy and that the filibuster’s “minority rule” makes it hard to pass any legislation at all.
- President Biden is in favor of restoring the “talking filibuster” which would require senators to hold the floor in order to hold up a vote.

### KEY WORDS

Look out for these important keywords in the news stories. Discuss the definitions with your learners and see how they affect the understanding of the story.

- Filibuster
- Legislation
- Reconstruction Era
- Supermajority

### CONTEMPLATE

Learners will use media literacy questions to critically engage with news by thinking about its purpose, searching for bias and discussing missing perspectives. They will answer the 5 Key Questions of Media Literacy created by the Center for Media Literacy, which are:

1. Who created this message?
2. What creative techniques are used to attract my attention?
3. How might different people understand this message differently than me?
4. What values, lifestyles and points of view are represented in, or omitted from, this message?
5. Why is this message being sent?

A graphic organizer is included in this guide and the Thinkalong website to help learners answer these five questions about each piece of media.

### DEBATE

Use the debate tool on the module webpage to help form evidence-based responses to the debate question.

Thinkalong is designed to help learners engage with real issues that are relevant to their lives. [Structured discussions](#) allow learners

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to practice their critical thinking skills through evidence-based debate with their peers. Discussions are designed to take about 30 minutes. Educators are encouraged to modify aspects that work best for their learners.

To encourage civil discourse, please review the [Code of Conduct](#) with your learners.

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