

The Strange Senatorial Tradition Known as “Filibuster”

Since 1789, the Senate of the US Congress has had a proud tradition of allowing Senators a completely free method of giving speeches without being interrupted. This was originally a bit of a reaction to England’s Parliament, where speakers are often shouted down by the opposition party. This US tradition gradually became a firmly regulated practice known as the power of the *Filibuster*. It only exists in the US Senate. The idea is that each Senator has the absolute right to hold the “floor” for as long as they want and they express their beliefs fully and without objections.

What has happened, is that Senators figured out that the policy could also be used as a powerful tool to delay legislation, especially if a minority of Senators know that they are going to lose a key vote and want to force the majority to slow down and possibly compromise one last time on the bill being discussed.

If any Senator wants to Filibuster a bill, they must announce their intention to the leaders of the chamber. When the Senator is given their turn to speak, the filibuster begins. The Senator must stand upright, not lean on anything, and speak continuously. The Senator cannot stop to go to the restroom or sit down. The Senator will now try to bore the rest of the Senators into:

- giving up on the bill because they don’t have time to waste and want to move on to other business
- compromising on the bill
- leaving the chamber until a quorum is no longer present, thus ending the session and allowing the filibuster to continue at the next meeting.

In the past, Senators have resorted to tactics of reading the phone book and other forms of nonsense to try and gain their goals.

The rest of the Senators will try to wait out the filibuster, hoping to maintain a quorum until the filibustering Senator falls down due to exhaustion.

A really effective filibuster will occur if several Senators agree to help each other with the delaying tactics, each taking a turn when the other one becomes tired. They have to trust each other to not screw up and allow a vote to occur.

In modern times, Senators no longer actually filibuster. They simply threaten one and the leaders of the majority will pull the offending bill from the floor or start to compromise. The Senators don’t have time to sit around and watch each other talk nonsense. The minority party usually announces the prospect of a filibuster and the process of compromise starts.

The Formal History of the Senate Filibuster

- 1805: Aaron Burr suggested the formal adoption of rules for open debates in the US Senate.
- 1841: The first filibuster began in the Senate when Democrats blocked a banking bill sponsored by the Whig Party members.
- 1842: All possible filibuster rules were removed from the US House, which had allowed a few filibusters prior to 1842.

What can stop a filibuster?

- The speaker wears out.
- Cloture: If enough Senators object to the filibuster, they can hold a vote to force the end of the affair. This is known as the “Cloture” procedure. If enough Senators vote for cloture, the filibuster must be ended. This “supermajority” is difficult to attain though, and if a cloture vote fails, the filibuster continues.
- After several revisions, the Cloture Vote is now set at 60 Senators. This was last revised in 1975. If one party has more than 60 Senators serving at the same time, that party is often referred to as “filibuster proof” or “cloture proof”. This has become rare in modern times.