

Our Rules or Theirs?

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Last Thursday, President Biden signaled “that he would be willing to consider supporting the elimination of the filibuster,” *CBS News* reported following his first news conference, “*if* Senate Republicans use it to block Democratic legislative priorities from receiving a full vote on the Senate floor.”

“If”? Stopping the majority party from taking its legislation to a floor vote without a 60-vote supermajority to end debate is what the filibuster *does*.

The filibuster should be made official in law or Constitution *precisely* so politicians cannot change it on whim or passion.

The president, a Democrat, is saying the filibuster is OK . . . as long as Republicans don't use it.

You will of course not be shocked to learn that Biden has been a longtime, adamant supporter of the filibuster. In 2005, he gave an impassioned defense, arguing, “At its core, the filibuster is not about stopping a nominee or a



bill — it's about compromise and moderation.”

Biden called the GOP attack then a “fundamental power grab” and said his oration “may be one of the most important speeches for historical purposes that I will have given in the 32 years since I have been in the Senate.”

Yet, the filibuster is not in the Constitution.

It is simply a Senate rule. And the majority party in the Senate can thereby fiddle with it.

I'm not so much wed to the filibuster as I am wed to the idea that the rules with which Washington insiders wield power serve us and not just themselves.

The filibuster should be made official in law or Constitution *precisely* so politicians cannot change it on whim or passion.

Or it should be ended. But not before one party (or both) actually *campaigns* to end it, so that the American people can weigh in. Because these must be *our* rules if it is to be *our* government.

This is Common Sense. I'm Paul Jacob.