



Abolish. Or Set in Stone

November 13, 2024

The filibuster is racist.

That's what Progressive House Caucus Chairwoman Pramila Jayapal (D-Wash.) claimed ... as long as Democrats were to control the U.S. Senate.

"The choice is clear," she once [tweeted](#). "Abolish the Jim Crow filibuster."

The filibuster demands a 60-vote supermajority in the 100-seat Senate in order to shut off debate and vote on most legislation. Yet, in recent times, both parties, when in the majority, have carved out exceptions.

To be clear, the majority party could at any time kill the filibuster. It is simply a Senate rule—not a law, not a constitutional provision.

Why get rid of it?

If "we had the trifecta" (meaning control of both chambers of Congress and the White House), Jayapal urgently [supports](#) ending it: "because we have to show that government can deliver."

Why keep the rule?

She wants to use the 60-vote threshold against Republicans; she certainly wants to block *them* from *delivering*.

Mock Jayapal's hypocrisy, as we may, but it is ubiquitous in the capital. Besides, there are more consequential issues to address.

Either the United States Senate should have a filibuster rule or not. Let's debate and decide. But one thing is clear: the Senate should not have a 60-vote majority requirement that either majority party can jettison whenever it so desires.

Put the filibuster into the Constitution.

Or—because an amendment is such a long, arduous process—pass a statute establishing the filibuster in law. This would at least provide a presidential check on Congress monkeying around with it.

And on this one matter, abolish the hypocrisy.

This is Common Sense. I'm Paul Jacob.