

US Senate limits filibuster power

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22 November 2013

The United States Senate voted on Thursday to limit the use of the filibuster, ending, for most presidential nominees to courts and executive agencies, a longstanding requirement that the upper legislative chamber obtain a 60-vote supermajority to end debate. Nominees to the Supreme Court will be excluded from the rule change.

The immediate circumstances behind the 52-48 vote—which was pushed by Senate Democrats and supported by President Obama—was a Republican effort to block several judicial appointments by the administration to the highly influential US Court of Appeals for the District of Columbia. Republicans have also blocked presidential appointments to the Labor Department, the Environmental Protection Agency, the National Labor Relations Board and other agencies.

The change in rules has been promoted by several Democratic Party senators for some time, and has been backed by the AFL-CIO and other pro-Democratic Party organizations. It was immediately hailed by these organizations as, in the words of *Nation* columnist George Zornick, “a progressive victory on the filibuster.” In fact, its principal aim is to facilitate a bipartisan attack on the working class.

In a statement delivered by Obama in response to the action, the president indicated some of the political issues involved. “All too often we’ve seen a single senator or handful of senators choose to abuse arcane procedural tactics to unilaterally block bipartisan compromises or to prevent well-qualified, patriotic Americans from filling critical positions of public service,” he said.

A steady increase in the use of the filibuster over the past several decades has been significantly escalated during the past five years. Republicans in the Senate have invoked the procedure more than 100 times in each of the Obama administration’s years in office.

Among those filibustered by Republicans were

Obama’s choice for Defense Secretary, Chuck Hagel, a former Republican Senator, and John Brennan, Obama’s choice to head the Central Intelligence Agency. In the latter case, the filibuster was mounted by Republican Senator Rand Paul, who postured as a defender of democratic rights against the police-state spying apparatus that has been vastly expanded under Obama.

In addition to judicial and executive appointments, Obama criticized “a relentless pattern of obstruction” on the part of some Republicans for blocking various legislative initiatives. As examples of the bipartisan measures the Senate *has* passed, Obama cited immigration reform—a thoroughly retrograde law that has not yet passed the House—and a farm bill that includes billions of dollars in cuts to the food stamp nutrition assistance program.

There are, Obama said, “folks there, Republican and Democrat, who want to get things done.” He added that they had “privately expressed to me their recognition that the system in the Senate had broken down and what used to be a sporadic exercise of the filibuster had gotten completely out of hand.”

As a result of the change, the spirit of bipartisanship will “have a little more space now,” the president added.

Obama also complained that Republican actions had “harmed our economy,” a reference to the government shutdown and the threats to provoke a US debt default over opposition to Obama’s principal domestic initiative, the health care overhaul known as Obamacare. The government shutdown was preceded by Republican Senator Ted Cruz’s pseudo-filibuster (his 21-hour speech was not aimed at blocking any legislation).

Dominant sections of the corporate and financial elite moved against the threatened debt default, concerned that it would do significant damage to the stock

markets. While there are tactical divisions over how to attack health care, Obamacare itself is broadly supported in the ruling class, as its central purpose is to slash health care spending for businesses and the government, while shifting a greater burden of the costs onto the backs of the population.

The disaster of the Obamacare roll-out is tied to its right-wing character. In addition to the failure of the health care website, millions of people are finding that they are losing their current health care plans or will have to pay significantly more for cut-rate insurance on the new private markets. There is some truth to the claim by Republican Minority Leader Mitch McConnell that the filibuster move is aimed at “changing the subject” from Obamacare.

Essentially, the divisions within the state expressed in the filibuster debate are between the Democrats and some Republicans, on the one hand, who are seeking to work on some compromise on a common pro-corporate and anti-working class agenda, and, on the other hand, sections of the Republican Party that are willing to take extreme actions to push the entire framework further to the right.

One of the most important issues coming up on the legislative agenda is a proposed bipartisan agreement on slashing trillions of dollars from Social Security, Medicare and other social programs, as part of a broader deal. A compromise between the two parties has been hindered on several occasions by opposition from sections of the Republican Party to even the fig leaf of “revenue increases.”

The current debate over filibusters in some ways reprises a similar conflict in 2005 under the Bush administration, with a reversal of roles for the two parties. At that time, Republicans threatened to end the filibuster (dubbed the “nuclear option”) in response to moves by Democrats to block a handful of Bush’s judicial nominees. In the end, an agreement was reached—and similar agreements have been reached in subsequent years—to avert a move against the filibuster.

In 2005, the current Senate Majority Leader Harry Reid denounced the Republican threats to end the filibuster as illegal.

It is notable that while Democrats at that time allowed almost all of Bush’s nominees to sail through the confirmation process, Republicans have taken a much more aggressive line. The block on all DC

appellate court nominees in particular is aimed at maintaining a Republican majority on that body, which is the principal court of review for actions of the federal government—frequently countermanding Obama administration actions—and also acts as a feeder court for Supreme Court nominees.

In the background to the internecine disputes in Washington, there is the broader popular alienation with the entire political establishment. Support for Obama has fallen to record lows, while the approval rating for Congress is below 10 percent. The president alluded to such sentiments when he began his remarks by noting, “It’s no secret that the American people have probably never been more frustrated with Washington.”

Obama’s explanation for this popular anger, however—that Republican obstruction has “prevented too much of the American people’s business from getting done”—is a fraud. It is not the “partisan gridlock” that has led to widespread alienation, but the fact that the measures implemented by the government—including Obamacare itself—are deeply unpopular.

Five years after the economic crisis of 2008, the wealth of the ruling class is greater than ever and the stock markets are soaring, in the midst of a historic decline in the social position of the working class. The desperate attempts by the supporters of the Democratic Party to present the move against the filibuster as a major reform only underscore the bankruptcy of the entire political apparatus.



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