As the United States entered a new century, it found itself a new country. Reborn from the ashes of the Civil War, the nation was establishing itself as a world economic power. The promise of freedom and opportunity had brought millions of European immigrants to the United States, and more were coming. These sweeping changes led many progressive reformers to advocate change at the state and national level. The Congress of the United States, too, was swept up in the spirit of reform. Constitutional amendments passed during this era fundamentally altered how the Congress functions. In addition, Congress changed its rules to reduce the influence of party leadership and decentralize power, distributing it to individual members and committees. As the century progressed, the legislature continued to shift and adapt to better respond to its ever-expanding reach.

Changes in the House of Representatives

During the latter part of the 1800s, the power of the Speaker of the House grew dramatically. It peaked under the speakership of Joseph Cannon (1903-1911), a representative from Illinois. His power rested on his chairmanship of the rules committee and his authority to name the chairmen of the various committees in Congress responsible for vetting legislation. In 1910, members tired of his control revolted and overthrew Cannon as Speaker of the House. The breaking of Joseph Cannon’s stranglehold on the legislature was a transformative moment in Congress. Representatives quickly moved to pick up the reins of power. Because committees still dominated proceedings in the House and Senate, the committee chairs dictated the congressional agenda. With the Speaker’s power as the sole elector of committee leadership broken, a new system arose. Instead of the Speaker naming the chairman, the position was given to the most senior member of Congress on the committee. The result was the increase in power of seniority in Congress.

Now, instead of party leaders controlling the Congress, the most senior members chairing the most powerful committees took control. Those members who made a career in Congress suddenly gained immense power. The most senior members were those in the South, where one party was dominant and most incumbents coasted to victory for decades. Power was decentralized down to committees, but centralized in the hands of the various committee chairs. The era of the “czars” was followed by an era of the committee “barons.”

Reform in the Senate

While the landscape of Congress was shifting, movements to reform the Senate were also under way. Many of the new progressive reformers demanded a change to the process of electing senators.
The Founders intended the Senate to be the more deliberative congressional body who would act in the interests of the states themselves. To accomplish this, they granted its members six-year terms and had senators selected indirectly by the state legislatures rather than directly by the people. This part of the “Great Compromise” was designed to craft a Senate that would, in the words of James Madison during the Constitutional Convention on June 26, 1787, “select a portion of enlightened citizens, whose limited number, and firmness might seasonably interpose against impetuous councils.” In this way, the Senate was meant to be a more stable branch of the federal government that could take the time to deliberate legislation. It would be, “a firm, wise and impartial body, it might not only give stability to the General Government in its operations on individuals, but hold an even balance among different States.”

Political reformers, however, stated that this system was failing. They claimed that the system of indirectly electing senators had been co-opted by privileged classes, and that these senators were unresponsive to the true will of the people. This coincided with a drive to expand the electorate at a state and national level. States worked to democratize their own electoral systems and believed the federal government should follow suit. The result was the passage of the Seventeenth Amendment, providing for direct popular election of U.S. senators. This change led to a fundamental shift in the operations of the federal government and in the principle of federalism.

Furthermore, the Senate changed its rules, limiting the minority’s ability to filibuster legislation. A filibuster is a procedural tool that allows a single Senator to speak for as long and on any topic the senator wishes, thus delaying a vote and obstructing the passage of legislation. A filibuster is generally used by a minority party or coalition in the hopes of preventing passage of a piece of legislation that they oppose.

In 1917, President Woodrow Wilson saw his administration’s Armed Neutrality Bill halted in a Senate filibuster. He stated, “The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action. A little group of willful men, representing no opinion but their own, have rendered the great government of the United States helpless and contemptible.” The Senate responded by passing Rule XXII, allowing for a two-thirds majority to vote for cloture, or the ending of debate on the topic, and so end a filibuster. Revised several times over the succeeding decades, the rule today requires three-fifths of the Senate (60 votes) for a vote of cloture. Then debate on a bill can proceed for only thirty more hours before it is brought up for a vote.

The New Deal and an Expanding Executive Branch

By the 1930s, Democrats established a firm grasp on both the House and Senate and passed the New Deal legislation in response to the Great Depression. During the New Deal, the reach of the federal government greatly expanded. The New Deal programs gave the government vast new administrative responsibilities, and Congress authorized dozens of new executive agencies. These agencies represented a massive growth in the power of the executive. By 1946, however, many believed the rules governing the day-to-day operations of Congress had become antiquated.
That year, in an effort to maintain their check on the executive branch, Congress required that each agency have congressional oversight. The power and vast number of standing congressional committees limited Congress’s ability to effectively pass timely legislation. In an effort to increase efficiency, Congress passed the Legislative Reorganization Act of 1946. The act decreased the number of committees in the House from 48 to 19 and in the Senate from 33 to 15. It also detailed specific committee jurisdictions to avoid overlapping duplication of efforts. In addition, it provided for professional committee staff to be hired to help develop complex legislation, and it established a pay raise for members of Congress and new disclosure requirements for lobbyists.

Decentralized Operations

The Legislative Reorganization Act illustrated the new, decentralized Congress. In the era of party control, most decisions and policies were made first by party leaders, and then by the majority party voting on the floor of Congress. By the middle of the twentieth century, power shifted to smaller units within Congress. Having delegated its power to agencies, Congress strengthened the committees that had jurisdiction over the agencies’ policy areas so that they could shift from legislation to oversight. Now instead of passing legislation in response to the majority, the emphasis in Congress shifted to supervising the agencies’ policies that implemented existing programs. These committees reflected not the will of Congress and the majority as a whole, but the organized interests that were most concerned with that area of policy. Further reforms were made to the committee system in 1970. The Legislative Reform Act of 1970 lessened the power of committee chairs by ensuring greater transparency in committee meetings and more inclusion of minority views. This gave all members of the committee more power to direct legislative initiatives. In the middle of the 1970s power was decentralized even further, down to subcommittees that could hire their own staff and consider legislation without the permission of the chair of the committee under which they served.

In 1994, a minor reversal of this decentralization occurred. The internal organization of Congress shifted once again as Newt Gingrich assumed the role of Speaker of the House. Winning the first Republican majority in five decades, Gingrich was determined to achieve what he saw as crucial pieces of legislation. Under his stewardship, the Speaker once again gained power by naming committee appointments, selecting chairs, and controlling the congressional rules committees.

The Influence of Technology

As a result of historical changes, Congress has dramatically changed how it functions. Although outwardly the same, much of what drives Congress has changed. Instead of deliberating collectively on the floor, and engaging in great debates on the policy issues of the day, Congress has shifted its work into committees, where independent members can appeal to the constituencies that elect them. Technology has made this even easier. The Cable-Satellite Public Affairs Network, or C-SPAN, now allows anyone in the world to watch the day-to-day proceedings of Congress. Therefore, every floor speech is potentially a chance to campaign directly to constituents. Technology has also given members the ability to know the opinions of their constituents and communicate directly to them. At the same time, 24-hour news channels
have increased the visibility of all members of Congress. All of these changes have made individual members independent of each other and less likely to compromise. Rather than working together, members of Congress are re-elected by building personal power bases and appealing to their own constituencies back in their districts. We are seeing the effects of these changes in the reduced ability of Congress to compromise for the sake of the good of the whole country.

Democratically elected republican government is slow, messy, and often frustrating. Throughout the history of the United States, the operations of Congress have been adapted. Majorities have shifted and fallen, coalitions have risen and faded. Long and often brutal legislative battles have played out. But, through it all, men and women elected by us, to speak for us, continue to create and pass legislation, shaping the nation for generations to come. Our government, of, by, and for the people continues to depend on their watchful participation more than ever.
**Critical Reading Graphic Organizer**

Review [Handout A: Background Essay: Congress in the Twentieth and Twenty-First Centuries](#) and complete the graphic organizer below. You should fill out whether the reform was “procedural” meaning done within the rules of Congress, or “constitutional,” meaning a change within the Constitution that altered the governing structure of the United States.

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<th>Reforms</th>
<th>Procedural or Constitutional</th>
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<td>Speaker Reforms (1910)</td>
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<td>Seventeenth Amendment (1912)</td>
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The question over whether the Senate of the United States should be elected indirectly by State legislatures or directly by the people has been contentious throughout American history. Read the three quotes below concerning this question, and answer the critical thinking questions.

“...the principal of which reasons are that the extension of the spheres of election will present a greater option, or latitude of choice, to the people; that through the medium of the state legislatures — which are select bodies of men, and which are to appoint the members of the national Senate — there is reason to expect that this branch will generally be composed with peculiar care and judgment; that these circumstances promise greater knowledge and more extensive information in the national councils, and that they will be less apt to be tainted by the spirit of faction and more out of the reach of those occasional ill-humors, or temporary prejudices and propensities.”

-Alexander Hamilton, Federalist No. 27

“The whole world knew well that the tendency of democratic government was toward frequent change; that the weakness of democratic government was its liability to change with the impulse and enthusiasm of the moment. And since the time when our fathers framed the Constitution half a score of nations, seeking to follow the lines of our experiment, have, in varying degree, and some of them to the last degree of failure, justified such an apprehension. But with us there has been one great anchor, our Constitution. The American democracy bound itself to the rules of right, which are essential to the protection of liberty, and justice, and property, and order, and made it practically impossible that the impulse, the prejudice, the excitement, the frenzy of the moment shall carry it into those excesses which have wrecked our historical prototypes.”

-Elihu Root, “Tampering with the Constitution” 1911
“Although the Senate has made itself eminent and respected, and has maintained an intellectual supremacy over the other coordinate branch of the legislative department; although it has fulfilled the ardent hopes and verified the profound wisdom of its creators by its ability to check what has been termed the “democratic recklessness” of the House on the one hand, and the tendency to executive usurpation on the other; has performed all its functions with marked ability, patriotism and efficiency; and has drawn into its ranks the most distinguished men who have entered public life, yet in recent years a powerful movement has been growing to destroy the very feature which, in the judgment of all former students and critics, has been the chief cause of its excellence — the indirect election of its members.

“Have the lurid headlines of yellow journalism as to the treason of the Senate — the irresponsible utterances of those whose sorry role is to pander to the morbid appetite for the sensational — so affected the public mind that the American people are ready to welcome any change, however radical?”

-Emmet O’Neal, “Election of United States Senators by the People”, 1908

QUESTIONS TO CONSIDER

1. How do these quotes portray the role of the Senate?
2. Do you think their concerns are justified?
3. Using these quotes as a guide, write a sentence that outlines why the Senate should be indirectly elected.
The question over whether or not the Senate of the United States should be elected indirectly by State legislatures or directly by the people has been contentious throughout American history. Read the three quotes below concerning this question, and answer the critical thinking questions.

“If we are to establish a national government, that government ought to flow from the people at large. If one branch of it should be chosen by the legislature and the other by the people, the two branches will rest on different foundations, and dissensions will naturally arise between them...If the legislatures, as was now complained, sacrificed the commercial to the landed interest, what reason was there to expect such a choice from them as would defeat their own views? [Wilson] was for an election by the people, in large districts, which would be most likely to obtain men of intelligence and uprightness; subdividing the districts only for the accommodation of voters.”

-James Wilson, *Debates in the Federal Convention of 1787*

“Take it altogether, the choice which the people have as a rule in the election of United States senators under our present system is involved in so many uncertainties, and surrounded by so many restrictions, that virtually they have no choice at all in relation to it. The present system is un-republican, undemocratic, and vicious in all respects. Not the least offensive of these restrictions imposed by our present system is that which deprives the individual voter of the right to cast his vote directly, and without circumlocution through vicarious instrumentalities, for a United States senator.”

“Rhode Island is the smallest of our states in area and thirty-fourth in population—twelve hundred and fifty square miles, less than half a million people, barely seventy thousand voters with the rolls padded by the Aldrich machine. But size and numbers are nothing; it contains as many sturdy Americans proportionately as any other state. Its bad distinction of supplying the enemy with a bold leader is due to its ancient and aristocratic constitution, changed once, away back before the middle of the last century, but still an archaic document for class rule. The apportionment of legislators is such that one-eleventh of the population, and they the most ignorant and most venal, elect a majority of the legislature—which means that they elect the two United States senators. Each city and township counts as a political unit; thus, the five cities that together have two-thirds of the population are in an overwhelming minority before twenty almost vacant rural townships—their total population is not thirty-seven thousand—where the ignorance is even illiterate, where the superstition is mediaeval, where tradition and custom have made the vote an article of legitimate merchandising.”

-David Graham Phillips, “The Treason of the Senate”, 1906

QUESTIONS TO CONSIDER

1. How do these quotes portray the role of the Senate?
2. Do you think their concerns are justified?
3. Using these quotes as a guide, write a sentence that outlines why the Senate should be directly elected.
The Seventeenth Amendment Class Discussion

Directions

Many of the Framers of the Constitution believed that the Senate needed to be indirectly elected in order to balance passion and impulse with stability and reason. As Madison stated in *Federalist* No. 10, the goal was to strike a balance between allowing the people to govern themselves while still protecting individual rights and the powers of states. By the end of the nineteenth century, many were questioning if this idea had been misguided. Many claimed the Senate had become a guard of moneyed interests against the common man. A discussion about a fundamental constitutional principle followed. The quotes you have read represent both sides of this question. You and your classmates will discuss what you believe to be the correct interpretation. The question at hand is as follows:

*Does the Senate need to stand apart from the passions of the people in order to make reasoned decisions, or, do they need to be elected and directly controlled by the people to ensure their will is carried out?*

Socratic Discussion: The goal for this Socratic discussion is to work together to better understand the arguments on both sides of the Seventeenth Amendment, not necessarily to discover which side personally you agree with most. Be sure to focus on the ideas and worth of each position. Keep an open mind and try to get everyone involved in the discussion.

Discussion Directions: Divide the class in half and arrange the desks in your classroom so that there are two concentric circles (inner/outer) all facing the center. Have one half of the class sit in the inner circle, and the other half in the outer. The inner circle is the discussion panel. The outer circle may only ask questions to help move the discussion productively, but they are not able to actively participate or answer questions. Halfway through the period, the groups will switch places. It may be helpful to have outer circle students sit on the writing surface of their desks in order to more effectively observe the inner circle discussion panel and jot down notes. No question or comment should be disparaged. All responses must be courteous and thoughtful.

Possible discussion questions include the following:

- What good could come out of separating senators from the electorate?
- What negative could come out of separating senators from the electorate?
- Do the responsibilities of the Senate mean that they are more in need of reasoned deliberation?
- Why do you think having senators indirectly elected makes them more inclined to be controlled by the very wealthy?
- If the people cannot be trusted to elect state legislators that represent their interests and subsequently elect a senator who also does, why do you believe they could directly elect a senator?

- Should representatives always vote for what they believe their constituents want? Why might this be dangerous or beneficial?

- To what extent does not allowing state legislatures to elect their senators endanger states by limiting the representation of their interest in Congress?
Below are two articles dealing with the “nuclear option,” meaning completely eliminating the filibuster by altering the Senate rules to remove the power of the filibuster. Long seen as a protective tool for small minorities in Congress, the filibuster has been alternately hated and loved by all political parties since it emerged as a parliamentary tool. Read both articles and answer the questions below.

Washington Post-ABC News Poll

Filibuster Rule Change Opposed By Richard Morin and Dan Balz
Washington Post Staff Writers
Tuesday, April 26, 2005

As the Senate moves toward a major confrontation over judicial appointments, a strong majority of Americans oppose changing the rules to make it easier for Republican leaders to win confirmation of President Bush’s court nominees, according to the latest Washington Post-ABC News poll.

GOP leaders are threatening a rule change to prohibit the use of filibusters to block judicial nominees and have stepped up their criticism of the Democrats for using the tactic on some of Bush’s nominees to the federal appellate courts. They say they are prepared to invoke what has become known as the “nuclear option” to ensure that Bush’s nominees receive an up-or-down vote on the Senate floor.

But by a 2 to 1 ratio, the public rejected easing Senate rules in a way that would make it harder for Democratic senators to prevent final action on Bush’s nominees. Even many Republicans were reluctant to abandon current Senate confirmation procedures: Nearly half opposed any rule changes, joining eight in 10 Democrats and seven in 10 political independents, the poll found.

The wide-ranging survey also recorded a precipitous decline in support for the centerpiece of Bush’s Social Security plan — private or personal accounts — despite the fact that the president and other administration officials have been stumping the country in a 60-day blitz to mobilize support. The Post-ABC poll found that a bare majority — 51 percent — opposed such accounts, while 45 percent supported them.

The poll also registered drops in key Bush performance ratings, growing pessimism about the economy and continuing concern about U.S. involvement in Iraq.

On the issue that has consumed the capital’s political community this spring, four in 10 said that House Majority Leader Tom DeLay of Texas, under fire for alleged ethics violations, should resign his leadership post, while a third
of the public said he should remain in his job. Among the 36 percent who said they have been following the allegations against DeLay, nearly two in three said DeLay should step down.

Taken together, the findings suggest that Bush is off to a difficult start in his second term, with Democrats far less willing to accommodate him and his agenda than his reelection victory last November may have foreshadowed. Beyond that, the survey highlights the divisions within the Republican Party, whether that involves Bush’s signature Social Security proposal or the intersection of religion and politics that has become a defining characteristic of today’s GOP.

A total of 1,007 randomly selected adults were interviewed by telephone April 21-24 for this Post-ABC News poll. The margin of sampling error for the overall results is plus or minus three percentage points.

The survey found that Bush’s overall job approval rating stood at 47 percent, matching his all-time low in Post-ABC News polls. Half disapproved of the job he is doing as president.

On several other key measures of performance, Bush’s standing with the public was at or near new lows, with less than half the public supporting the way the president is handling the economy, energy policy and Iraq. Four in 10 approved of Bush’s handling of the economy, down six points since the start of the year. Slightly more than a third of the public approved of Bush’s energy policies, and Americans were more inclined to blame the president rather than oil companies or other countries for soaring gasoline prices.

Just over four in 10 — 42 percent — endorsed the way the president is dealing with the situation in Iraq, a slight increase from the all-time low in March of 39 percent. Almost six in 10 (58 percent) said the United States has gotten bogged down there, and 39 percent said they are confident Iraq will have a stable, democratic government in a year.

Bush continues to get strong marks on his handling of the campaign against terrorism, with 56 percent supporting his actions, down five points since January. But the survey also found that the sluggish economy has eclipsed terrorism on the public’s list of top priorities, fueling Bush’s drop in the polls.

A third of those interviewed (32 percent) said the economy should be the highest priority for the administration and Congress, up five points in the past month, followed by Iraq (22 percent) and health care (15 percent). Only 12 percent cited terrorism as the top issue, down five points since March.

The biggest changes in opinion came on Social Security, which Bush has made the principal domestic priority of his second term. Three in 10 (31 percent) approved of the job Bush is doing on Social Security, while 64 percent disapproved, an eight-point increase in disapproval in a month. Only a third said they trust Bush more than the Democrats to handle the Social Security issue, a new low for the president.

In little more than a month, there has been a double-digit shift in sentiment. In mid-March, 56 percent favored private accounts, compared with 45 percent in the latest poll, which marked the first time in Post-ABC News polling that less than half of the public supported allowing workers to invest some of their Social Security contributions in the stock market.

The decline in support was widespread. The poll found that support among Republicans fell
by nine percentage points, among Democrats by 10 percentage points and among political independents by 12 percentage points.

Neither party is held completely blameless in the increasingly acrimonious Senate battle over judgeships, with only four in 10 saying they approved of the way Democrats or Republicans were handling the confirmation process. But other findings suggested that Senate GOP leaders risk alienating the public over their efforts to circumvent opposition to nominees who Democrats say are far too conservative.

So far, the Senate has confirmed 35 federal appeals court judges nominated by Bush, while Senate Democrats have blocked 10 others by threatening to filibuster. According to the poll, nearly half of the public said Democrats are right to block the 10 contested Bush appointees, while slightly more than a third said they are wrong.

Religious and ideological splits are now at the center of the debate over judicial appointments, and the survey found that the deep partisan divide is matched by large differences over the proper role of religion in politics. For example, more than six in 10 Republicans said they think political leaders should rely on their religious beliefs in making policy decisions, while an equally large proportion of Democrats disagreed.

Four in 10 Americans said they think religious conservatives play too large a role in the Republican Party, a view shared by about half of all Democrats and independents but only one in five Republicans. Conversely, nearly as many Americans (35 percent) said liberals have too much influence over the Democratic Party, a view held by nearly six in 10 Republicans.

Assistant polling director Claudia Deane contributed to this report.

Reid, Democrats trigger ‘nuclear’ option; eliminate most filibusters on nominees

By Paul Kane November 21, 2013
The Washington Post

Senate Democrats took the dramatic step Thursday of eliminating filibusters for most nominations by presidents, a power play they said was necessary to fix a broken system but one that Republicans said will only rupture it further.

Democrats used a rare parliamentary move to change the rules so that federal judicial nominees and executive-office appointments can advance to confirmation votes by a simple majority of senators, rather than the 60-vote supermajority that has been the standard for nearly four decades.

The immediate rationale for the move was to allow the confirmation of three picks by President Obama to the U.S. Court of Appeals for the District of Columbia Circuit — the most recent examples of what Democrats have long considered unreasonably partisan obstruction by Republicans.

In the long term, the rule change represents a substantial power shift in a chamber that for more than two centuries has prided itself on affording more rights to the minority party than any other legislative body in the world. Now, a president whose party holds the majority in the Senate is virtually assured of having his nominees approved, with far less opportunity for political obstruction.
The main combatants Thursday were the chamber’s two chiefs, Majority Leader Harry M. Reid (D-Nev.) and Minority Leader Mitch McConnell (R-Ky.), who have clashed for several years over Republican filibusters of Obama’s agenda and nominees.

Reid said the chamber “must evolve” beyond parliamentary roadblocks. “The American people believe the Senate is broken, and I believe the American people are right,” he said, adding: “It’s time to get the Senate working again.”

McConnell linked the rule change to the methods used to approve Obama’s health-care law solely with Democratic votes. The normally reserved GOP leader paced at his desk during his speech, often turning his back to Democrats to address only his fellow Republicans.

“It’s a sad day in the history of the Senate,” McConnell told reporters, calling the move a Democratic “power grab.”

The clash ended with a vote nearly as partisan as the times — 52 to 48, with all but three Democrats backing the move and every Republican opposing it.

The vote was the culmination of more than 25 years of feuding over nominations, beginning with President Ronald Reagan’s choices for the Supreme Court and including Obama’s picks for obscure federal regulatory agencies. Each side in Thursday’s debate cited its own statistics to state its case.

Democrats said the attempted filibusters of Chuck Hagel during his confirmation hearing to become defense secretary, a first for any nominee to lead the Pentagon — as well as a blockade of picks to head the National Labor Relations Board and the Consumer Financial Protection Bureau — exceeded anything Democrats did when they were in the minority. In addition, Democrats charged that Republicans didn’t even have substantive objections to the D.C. Circuit nominees they filibustered.

After the vote, Obama told reporters at the White House that Republicans had turned nomination fights into a “reckless and relentless tool” to grind the gears of government to a halt and noted that “neither party has been blameless for these tactics.” However, he said, “today’s pattern of obstruction... just isn’t normal; it’s not what our founders envisioned.”

Republicans countered that they had confirmed 99 percent of Obama’s judicial selections. McConnell accused Democrats of eyeing the D.C. Circuit in an effort to stack the court, which reviews many cases related to federal laws and regulations, to tilt its balance in a liberal direction.

What made the day so historic for senators, former senators and the small collection of parliamentary experts in Washington was the simple majority vote used to execute the changes — a tactic so extreme it is known as the “nuclear option.”

Previous majorities had threatened to upend filibuster rules in this manner, but relying on a simple majority vote had been used only for relatively minor procedural changes to how amendments were handled, never to eliminate the supermajority requirement altogether. Before Thursday, the standard precedent was that major rule changes needed a two-thirds majority. The change was so significant that Reid and his leadership team held a victory party with liberal activists afterward in a room just off the Senate floor.
Republicans said the way Democrats upended the rules will result in fallout for years. “It’s another raw exercise of political power to permit the majority to do anything it wants whenever it wants to do it,” Sen. Lamar Alexander (Tenn.), the GOP’s parliamentary expert, told reporters.

Republicans vowed to reciprocate if they reclaim the majority.

“Democrats won’t be in power in perpetuity,” said Sen. Richard C. Shelby (Ala.), a 27-year member. “This is a mistake — a big one for the long run. Maybe not for the short run. Short-term gains, but I think it changes the Senate tremendously in a bad way.”

After the vote, Reid told reporters that his views on the issue had evolved — from eight years ago, when Republicans held the majority and he led the fight to protect the filibuster. He acknowledged that he wouldn’t mind seeing the supermajority requirement abolished for everything but that there were not enough votes in his caucus to support such a move.

Reid first faced pressure on this issue from junior Democrats four years ago, particularly Sen. Jeff Merkley, a former speaker of the Oregon state House, who became the point person for growing the anti-filibuster movement. But Reid repeatedly rejected their effort as too radical.

Even if Republicans want to do away with the filibuster someday, Reid said, Thursday’s move was worth it because the current climate had become too hostile to get anything significant done. Reid said he faced a choice: “Continue like we are or have democracy?”

The rule change does not apply to Supreme Court nominations or to legislation.

Individual senators will still be able to seize the floor for marathon speeches opposing nominees, as Sen. Rand Paul (R-Ky.) did in a nearly 13-hour session in March against the nomination of John Brennan as CIA director. But once such speeches end, the majority will be able to confirm nominees without needing bipartisan support.

With the Senate majority very much up for grabs in midterm elections next year, Democrats placed a big bet on maintaining control of the chamber. GOP leaders have suggested that, if given the Senate majority back, they might further strip filibuster rules so they could dismantle Obama’s landmark domestic achievement, the Affordable Care Act, on a simple majority vote.

In his remarks, McConnell finally turned to Democrats and said that a majority of them had never served in the minority and then lectured the longtime members who knew what it was like to be on the other side.

“The solution to this problem is at the ballot box,” he said. “We look forward to having a great election in 2014.”

William Branigin and Ed O’Keefe contributed to this report.

Paul Kane covers Congress and politics for the Washington Post.
CRITICAL READING QUESTIONS

1. Why is the filibuster seen as an obstructive tool?

2. Does one’s position on the filibuster change depending on who holds power?

3. Should the position of political parties regarding the filibuster change depending on whether they are in power or not?

4. How does having a tool like the filibuster help to protect the voice of the minority in the Senate?

5. To what extent do you think senators who are obstructive, but represent the views of their constituency, are acting against the common good?

6. Do you think senators who are obstructive, but do not represent the views of their constituency, are acting against the common good?

7. Do you think senators that ignore the voice of the minority in order to pass their legislation or obtain their nominations are acting against the common good?

8. How do you think the filibuster helps balance this dilemma? Or does the filibuster in fact ruin the balance that would otherwise exist?

WHERE DO YOU STAND?

The Senate is having a vote to decide whether or not a new dam should be built with federal money in your state. If the dam is built, it will supply much needed power and water to an economically depressed area of your state. The plan promises to create at least 1,000 new jobs and several million gallons of easily accessible clean water. However, an historic town stands in the way of the future reservoir. For the dam to be built, this town will have to be demolished. The vast majority of the state favors the building of the dam, but those who live in or grew up in the town are strongly opposed. Compromise efforts have failed and the bill looks set to pass. However, one of the state’s senators changes his mind. Knowing he cannot block the bill with votes, he rises to filibuster it.

Directions: Write a letter to the editor outlining your position on the filibuster. Is it an obstructive tool preventing the majority from acting on popular will? Or is it a vital tool preventing majority tyranny from oppressing opposing views? The length of your letter should be 150-300 words.
**Mr. Smith Goes to Washington**

**Directions**

Watch the filibuster clip from *Mr. Smith Goes to Washington* and use the questions below to discuss the themes of the film.

1. What democratic themes do you see represented in the clip?
2. Why does Mr. Smith’s speech resonate with us today?
3. How is the filibuster represented in the film?
4. To what extent does Mr. Smith hold the Senate hostage?
5. How is freedom of the press represented in the clip?
6. How is freedom of speech represented in the clip?
7. What responsibility does Mr. Smith have to speak the truth, even if that means going against his constituency?
8. How does the clip show the balancing of individual concerns of senators and the common good of the country?
9. How would this clip look different if it were filmed in the present day?
10. Does this clip, as the reporter says, show democracy in action? If so, in what ways?
11. Do you recognize any of the works he quotes? Which ones? What do you think they reveal about the theme of the movie?
12. What do you think he means when he says, “...it’s the blood and bone and sinew of this democracy that some great men handed down to the human race”?