

03006

ERA 3: REVOLUTION AND THE NEW NATION (1754–1820s)

ERA 10: CONTEMPORARY UNITED STATES (1968 – TO THE PRESENT)

THEMES: CULTURE, POLITICS AND CITIZENSHIP

FILIBUSTER

Guiding Questions

Does the filibuster serve any legitimate legislative purpose?

Can the use of the filibuster align to Publius' argument about controlling the effects of a majority faction?

Does the history and use of the filibuster and cloture impact the legislative process on the national level for positive or negative? For efficiency or inefficiency?



Senator Warren R. Austin during a filibuster where the Senate met at noon and kept going until 1:53 the next morning, July 1, 1939.

Question Focus Examples for Task 24

Filibuster is counterproductive to legislative progress.

Teacher-to-Teacher

The use of the filibuster, and eventually the cloture, have been the topic of debate regarding the legislative functions of the United States Congress. With no constitutional provision providing for nor prohibiting the use of either tactic, both chambers have made rules regarding the manner in which the filibuster is to be used in each respective chamber. Of the two chambers, the US Senate is most widely known for the use of both tactics, as the House recognized years ago the inefficiency that could be caused in a chamber with so many members. Students begin with Damon's article and then are provided the opportunity to read about the history of both the filibuster and cloture and their presence in the US Senate. Students then have the chance to analyze whether or not the filibuster and cloture have any alignment with Publius' argument about controlling the effects of a majority faction. Can the filibuster be an opportunity for the legislative minority to thwart the attempts of a legislatively oppressive majority in the US Senate? Also consider researching current commentary on the increased used of cloture in recent years and proposed reforms to the filibuster process.

Literature Connection:

Fighting Bob La Follette: The Righteous Reformer by Nancy C. Unger

Contents

- ❖ **Filibuster** by Allan Damon ARTICLE
- ❖ **Federalist No. 10** DOCUMENT
- ❖ **Filibuster and Cloture** DOCUMENT
- ❖ **Cloture Rule** DOCUMENT
- ❖ **The American Senate** DOCUMENT
- ❖ **Senate Action on Cloture Motions** CHART

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Recommended Instructional Tasks

Task 1: Wrestle with an Argument: Close Reading of an Argumentative Text

Task 2: One Sentence Summaries

Task 23: Identifying Claim and Evidence

Task 24: QFT (Question Focus Technique)

Task 25: Document Sourcing