The filibuster as a political delaying tactic has been a part of the American political process since the adoption of the U.S. Constitution. Though it was not used in the early years of the nation, the filibuster has been used hundreds of times since the 1840's. Here are a few of the famous filibusters from our political history.

The U.S. Constitution does not limit the length or nature of debate on the floors of the Senate or the House of Representatives. The House has since adopted rules which limit the length of debate since the House has a very large number of Representatives. But the smaller Senate has always upheld the right of a recognized Senator to debate an issue for as long as he or she wishes to hold the floor. Senate Rule 19 and Rule 22, the cloture rule adopted in 1917, create some guidelines for conducting a debate and for closing the debate when it becomes lengthy.

**Senator Henry Clay**

In 1841 Senator Henry Clay proposed a bank bill that was opposed by Senator John C. Calhoun who began a lengthy, seemingly unending, rebuttal. Calhoun basically created the modern filibuster. Clay threatened to change the Senate rules in order to close debate on the issue. Clay's colleague, Thomas Hart Benton, rebuked Clay and accused him of trying to stifle the Senate's right to unlimited debate.

Through the next few turbulent decades and into the 1960's the filibuster was used often by Southern Democrats to block civil rights legislation. The filibuster had been seen by the minority party as a tool to combat the potential "tyranny of the majority," but the frequent usage of the filibuster by the Southern Democrats became characterized as the "tyranny of the minority."

**Senate Rule 22**

President Woodrow Wilson suggested that some limits be placed on the unlimited debate concept. In 1917 the Senate adopted Senate Rule 22, now known as the "cloture" rule. The new Rule 22 provided the mechanism to close out debate on a legislative bill and bring the bill up for a vote if cloture was approved by 67% of the Senate. The 67% requirement remained in effect until 1975 when Rule 22 was amended to allow a 60% agreement to invoke cloture.

Cloture Rule 22 was tested in 1919 when the Senate was asked to ratify the Treaty of Versailles, which ended World War I. The treaty was debated and filibustered, but a 67% majority voted to end the filibuster and to bring the treaty to a vote.
Senator Huey Long

Senator Huey Long, the fiery and colorful senator from Louisiana, made the filibuster famous between 1932 and 1935 when he utilized it several times to stall legislation that he considered unfair to the poor. Long frustrated his opponents and entertained the Senate gallery by reading Shakespeare, reciting shrimp and oyster recipes and talking about "pot-likkers." An amendment to Senate Rule 19 later required that debate on legislation be germane to the issue being debated.

On June 12, 1935, Senator Long engaged in his most famous filibuster. A bill was before the Senate to eliminate the provision for the Senate to confirm senior National Recovery Act employees. Senator Long opposed the bill because he didn't want his political adversaries in Louisiana to obtain lucrative N.R.A. jobs. Senator Long spoke for 15 hours and 30 minutes running well into the evening and early morning hours with senators dozing at their desks. Long read and analyzed each section of the Constitution, a document which he claimed had become "ancient and forgotten lore" under President Roosevelt's New Deal.

After the reading of the Constitution Senator Long offered to give advice to the remaining senators on any subject of their choosing. No senator took Long up on his offer but the gallery patrons began sending notes to the floor for Senator Long to extemporize on. That kept Long going into the early hours of the morning. At 4 a.m. Long yielded the floor in order to use the restroom and his proposal was defeated.

James Stewart brought more fame to the filibuster when he played the role of Senator Jefferson Smith in the 1939 film, "Mr. Smith Goes to Washington." Stewart's character launched into a filibuster in response to an attempt to ridicule him.

Senator Strom Thurmond

About 9 p.m. on August 28, 1957, Senator Strom Thurmond rose before the Senate and announced, "Mr. President, I rise to speak against the so-called voting rights bill, H.R. 6127." His own staff had not been informed about Senator Thurmond's intentions to filibuster the bill, but they knew something was up when they saw Thurmond gathering considerable reading material.

Senator Thurmond had prepared himself for a long filibuster on the Senate floor. Earlier in the day he had spent time in the Senate steam room, dehydrating himself so that he would absorb all the water he drank without having to visit the restroom. His wife packed a steak sandwich lunch for him and she stayed in the family gallery throughout the night. Thurmond brought a quantity of malted milk tablets and throat lozenges from his office.

Senator Thurmond began his filibuster by reading each state's election statutes. He later read and discussed an opinion by Chief Justice Taft. He also read and discussed the Declaration of Independence, the Bill of Rights, and Washington's Farewell Address. His staff, concerned for Senator Thurmond's health, was finally successful in getting him to leave the floor.

After 24 hours and 18 minutes, a record that still stands, Senator Thurmond concluded his remarks with, "I expect to vote against the bill." The bill was defeated.
Filibuster

Use the article given to you in class to answer the following questions in your packet in the additional notes page.

1. What is a Filibuster?
2. Which house of Congress can use this power?
3. Name the politician who created the modern filibuster.
4. What is Senate rule #22?
5. Why would a politician use a filibuster?