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Political Science

**Defending the Filibuster: The Soul of the Senate**
Richard A. Arenberg
Robert B. Dove
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From the early days of the Obama administration, Republicans in the Senate have used the filibuster to an unprecedented degree. They deployed the obstructionist tactic not only to hold up major legislation like the Affordable Care Act, but even to block uncontroversial nominees to apolitical federal posts, leaving dozens of positions unfilled. The filibuster itself—the rule giving any senator the power to delay a vote by extending debate—has routinely drawn criticism for its increasing role in Washington gridlock, with some senators advocating reform or even elimination of the practice.

In *Defending the Filibuster: The Soul of the Senate*, longtime Senate experts Richard Arenberg and Robert Dove argue that while the filibuster and other Senate rules have undoubtedly been severely abused in recent years, the fault lies with the abusers and not the filibuster itself. Rather, they convincingly argue that the ability to extend debate is a valuable check on the majority party, one that has helped preserve the Senate as a more moderate, careful body than the House of Representatives.

The authors do an excellent job of breaking down the sometimes-convoluted rules of Senate procedure, not only detailing how the filibuster works in practice, but mapping out how other obstructionist tactics such as holds and “filling the amendment tree” have been similarly overused in recent years and might be better areas for reform. They give a detailed history of the filibuster and how the Senate has modified it, such as reducing the number of senators needed to invoke cloture from two-thirds to three-fifths; or, eliminating the need for a quorum to camp out and avoid the restroom while one senator reads the phone book. They cite famous historical filibusters, noting how some led the majority party to make compromises to get their legislation passed.

Throughout the book, Arenberg and Dove provide many examples of both Democrats

and Republicans arguing to get rid of the filibuster while in the majority, only to change positions when their parties' roles are flipped, and of newcomers to the Senate becoming more accepting of the filibuster as they become more familiar with how the body works. While the majority party in the House can consistently overpower the minority, the authors argue that the filibuster forces parties to work together if they want to avoid gridlock, and that gridlock can be preferable to one-party dominance in certain cases.

The book closes with a list of suggestions for Senate rules reform that would preserve the filibuster while cutting down on current abuses. While most seem unlikely under the same hyper-partisan conditions that led to filibuster abuse in the first place, Arenberg and Dove successfully explain why, despite its flaws, the filibuster is worth preserving or reforming rather than eliminating.

*Jeff Fleischer*