

NAME OF EVENT: Filibustering Progress: To Reform or Not to Reform the Filibuster
(This event has been approved for 1 hour of California MCLE credit.)

DATE | TIME | LOCATION: May 13, 2021 | 3:00pm ET | Online

BRIEF DESCRIPTION:

With the Senate so closely divided and a legislative agenda on democracy reform, labor rights, and the environment hanging in the balance, the debate over whether to eliminate the filibuster has intensified. Advocates point to the concerning history of the Senate rule which in the past has been used to protect slavery, block civil rights legislation, and prevent labor law reform as reason to dispense with the super-majoritarian requirement. Others argue restraint, suggesting either keeping the filibuster as is or reforming it, perhaps by returning it to its original roots as a “talking filibuster” made famous by the movie “Mr. Smith Goes to Washington.” Is the filibuster “a relic of the Jim Crow era” that disproportionately blocks civil rights and labor rights legislation? Or is it a necessary tool to protect minority rights in the Senate?

SPEAKERS’ NAMES AND BIOS:

Richard Arenberg, Interim Director of the A. Alfred Taubman Center for American Politics and Policy, Brown University

Keisha Blain, Associate Professor, University of Pittsburgh

Russ Feingold, President, ACS

Tefere Gebre, Executive Vice President, AFL-CIO

TBD Moderator

AGENDA OF PROGRAM:

5 minutes introduction

40 minutes speaker presentations and moderated conversation

15 minutes Q&A

MATERIALS FOR CALL:

Ronald Brownstein, [The End of the Filibuster-No, Really](#), ATLANTIC (July 20, 2020).

Josh Chafetz, [The Unconstitutionality of the Filibuster](#), 43 CONN. L. REV. 1003 (2011).

Dan T. Coenen, [The Filibuster and the Framing: Why the Cloture Rule is Unconstitutional and What to Do About it](#), 55 B.C.L. REV. 39 (2014).

Michael Ettlinger, [*5 Ideas to Reform the Filibuster that Joe Manchin Might Actually Support*](#) VOX (Jan. 19, 2021).

Jonathan Gould, Kenneth Shepsle & Matthew Stephenson, [*Don't Eliminate the Filibuster. Democratize It.*](#) WASH. POST (Apr. 6, 2021).

Sen. Tom Harkin, [*Fixing the Filibuster*](#), AM. CONST. SOC'Y EXPERT F. (Feb. 16, 2010).

Ezra Klein, [*The Definitive Case for Ending the Filibuster*](#), VOX (Oct. 1, 2020).

Molly E. Reynolds, [*What Is the Senate Filibuster, and What Would it Take to Eliminate it?*](#), BROOKINGS (Sept. 9, 2020).

Lindsay Wise, [*Filibuster Q&A: Why It Has Vexed the Senate, and How Lawmakers Could Change It*](#), WALL STREET J. (Sept. 16, 2020).

Craig Becker, [*The Filibuster Threatens Both Civil Rights and Workers' Rights*](#), ACS BLOG (April 5, 2021).