Twitter Thread by Hayes Brown



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So you'd think that under Trump there would've been more successful filibusters than ever given Democratic opposition.

Nope.

The vast majority of cloture votes passed — the Senate already nuked the filibuster for things Republicans care about

During the Trump era, there were an historic number of cloture motions filed in the Senate: 529 of them. 466 of them got votes — 93% of them passed

Compare to Obama's first term: only 70% passed the first half, 57% in the second

https://t.co/JPYS0zfDjo

Why? In 2013, Senate Dems nuked the 60 vote threshold to get past a filibuster on nominees, except for SCOTUS, but left it for legislation

But when controlling Congress and the WH, the GOP didn't move much legislation. They got what they wanted anyway

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So when Mitch McConnell says "no no, you have to keep the filibuster for legislation" it's because he knows that it doesn't matter when the GOP is a majority

The filibuster isn't a useful tool for Democratic minorities — just Republicans

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This essay is brought to you by several hours of combing through cloture motions for this spreadsheet, which shows a major drop in the filibuster blocking cloture after 2013 — with one exception highlighted, which I'll explain in a second

	Control of White House/ House/ Senate	Cloture motions filed - total	Cloture votes taken	Cloture votes failed - total	Cloture failed with majority - total	Cloture votes failed - percentage	Cloture failed with majority - percentage
109th Congress	R/R/R	68	54	20	12	37%	22%
110th Congress	R/D/D	139	112	51	34	45%	31%
111th Congress	D/D/D	137	91	28	25	30%	27%
112th Congress	D/R/D	115	73	32	29	43%	40%
113th Congress	D/R/D	252	218	31	27	14%	12%
114th Congress	D/R/R	128	123	63	48	51%	49%
115th Congress	R/R/R	201	168	11	10	6%	5%
116th Congress	R/D/R	328	298	26	16	8%	5%

That spike is from Obama's last two years in office, when Rs controlled Congress. But a major caveat: those were almost all cloture votes on legislation, which still needed 60 votes

McConnell brought almost no Obama nominees to the floor in that time.

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That's the period when Merrick Garland couldn't even get a vote. It's also when McConnell kept all the seats that he filled in the next two rows of the chart in under Trump.

He knows that his goals don't need filibuster reform.

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Judges and tax cuts! That's all the GOP really pushed for in the Senate over the last four years, neither of which can be filibustered.

Compare that to Democrats, who need legislation to pass.

It's totally unbalanced now.

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A final caveat: it's impossible to know what Republicans would have passed for sure without the filibuster for legislation. Cloture votes aren't an exact predictor for a filibuster taking place.

But consider this: you didn’t hear much complaining from the GOP then, did you?