

*Sheila Jackson Lee*

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**Rep. Jackson-Lee: The Senate must suspend filibuster for bills designed to ensure right to vote**

Rep. Sheila Jackson Lee

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Rep. John Lewis (D-GA) speaks during a news conference about voting rights on Capitol Hill on Dec. 6, 2019, in Washington, D.C. (Brendan Smialowski/AFP/Getty Images/TNS)

From the earliest moments of our nation's birth, the right to vote has been hotly contested. For every individual who has worked to expand voting rights, another has worked to curtail them, resulting in unfinished work for the next generation. As the response to the 2020 election revealed, it is past time to continue this work.

Forty-nine states have introduced bills or passed laws intended to suppress, abridge, restrict or deny the right to vote of millions of eligible Americans, particularly persons of color, young persons, persons with disabilities and working parents — precisely the constellation of individuals whose votes determined the outcome of the 2020 presidential election. The changes being made in state legislatures are not in response to voter fraud, but due to fear about which voters will cast ballots in elections to come. The battle lines are not limited to ethnicity and race. They point to an effort to create deeper divides in our nation that can only be healed by ensuring each eligible voter will have their votes counted as cast. This can only be accomplished through the enactment of the John Robert Lewis Voting Enhancement Act of 2021 and the Freedom to Vote Act.

However, these bills cannot be passed unless actions are taken to address the Senate filibuster. The Senate filibuster is not enshrined in our Constitution. In fact, the modern Senate filibuster cloture rule was not created until 1917, and ever since it has repeatedly proven to be a barrier to the civil rights and liberties of all Americans. The defenders of Jim Crow frequently exploited the filibuster, successfully deploying it time and time again to block civil rights bills. For nearly a half century after the creation of the modern filibuster, not a single substantial civil rights bill became law. Richard Russell, a leading filibuster practitioner and staunch segregationist, said in 1949 that outside of civil rights, “nobody mentions any other legislation in connection with it.” The longest filibuster on record was by the segregationist Strom Thurmond in 1957, who held the Senate floor for more than 24 hours in an attempt to block civil rights legislation. For generations, the filibuster was used as a tool to block progress on racial justice. In recent years, it has been used as a tool to block progress on everything.

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Just as it has been historically used to block civil rights legislation, today the filibuster is being used to block voting rights, civil rights and democracy-protecting bills that are overwhelmingly popular among Americans. The filibuster as used now was never a part of our Founders' vision of the Senate, and it has been used to force a minority vision on the entire country through narrow-minded parliamentary tactics and the blocking of policies supported by the citizenry. It is anathema to our democracy that essential rights favored

by the people can be curtailed by a procedural mechanism like the filibuster created over a century ago.

Elections are not just about the candidates. They are also safety valves that allow the public and the voters to express their will, hopes, fears and frustrations in a peaceful exercise of their right to be heard through casting a ballot in a public election. Citizens are free to vote to choose their government and the policies that they believe in. Elections are not purely government functions; each federal election requires millions of volunteers and tens of millions of voters to accomplish. Where the ability to vote is in question, apathy or violence gain appeal over ballots. If the democratic process loses legitimacy and efficacy, then citizens will either refuse to participate or engage in protests as a necessary means of political expression.

We can either protect the filibuster as an outdated and abused Jim Crow relic, or we can reform it to protect our democracy and deliver real results for the American people. For this reason, the Senate must provide for a suspension of the filibuster when a vote concerns the integrity of our democracy and ensuring the rights enshrined in our Constitution. No right is protected by more parts of the Constitution than the right to vote, and no party should be allowed to filibuster bills that would ensure this right.

We must act with courage and suspend the Senate filibuster in order to pass the John Robert Lewis Voting Rights Enhancement Act of 2021 and the Freedom to Vote Act, both of which are critical for ensuring the integrity of our constitutional right to vote and the fullness and fairness of our elections.

Jackson Lee is a Democrat from Texas's 18th Congressional District.