

GALLUP NEWS SERVICE

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Public Favors Keeping Filibuster Rule in U.S. Senate Majority of Americans not following issue closely, however

by Frank Newport

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PRINCETON, NJ -- As the U.S. Senate returns Monday from a week of recess, it faces a wide range of challenges, but perhaps none so visible as wrangling over the Senate filibuster rule. Democrats have used the filibuster to hold up votes on selected Bush judicial nominees, and Republicans have responded by threatening to vote to change the filibuster rule. This would mean a simple majority vote (rather than the current 60 votes) would end floor debate on a nominee, clearing the way for an up-or-down vote to confirm or reject the nominee. The debate has extended for weeks, with intense lobbying from all sides involved. The issue has taken on greater significance in light of the high probability that the Senate will be voting to confirm at least one presidential nominee for the U.S. Supreme Court within the next several years.

A review of recent public opinion data on this issue suggests four conclusions:

1. The filibuster debate per se has not attracted the attention of the majority of the American public. It is not a high-salience issue to rank-and-file Americans.
2. When the filibuster situation is explained to Americans, the majority appear to favor keeping the rule in place. A plurality also favors the Democratic approach over the Republican approach to the issue.
3. Americans following the filibuster situation closely are more likely to favor keeping it in place than are those who are not following it as closely. Republicans and those who attend church most frequently are more likely to oppose the filibuster rule than are independents, Democrats, and those who do not attend church as frequently.
4. One unanticipated consequence of the rancorous debate appears to be a general diminution of Congress' status, as well as that of both parties in Congress, in the eyes of the American public.

Filibuster Debate Not Being Closely Followed

Thirty-five percent of Americans say they are following news about the filibuster situation either very or somewhat closely.

How closely have you been following the news about the use of the filibuster on judicial nominations in the U.S. Senate -- very closely, somewhat closely, not too closely, or not at all?

	Very closely	Somewhat closely	Not too closely	Not at all	No opinion
2005 Apr 29- May 1	12%	23	28	37	*

* Less than 0.5%

This is a relatively low level of attention. Gallup has asked this "closely following" question about 148 news stories over the past decade and a half. The average percentage following these stories very or somewhat closely is 60%, slightly less than twice the level measured for the filibuster story.

To help put the filibuster issue into some context, here is a list of the 11 news stories that have attracted the most attention of those Gallup has measured.

Poll dates		Percentage who are following story "very closely" or "somewhat closely"
2001 Sep 14-15	Terrorist attacks on New York City and Washington, D.C.	97
2003 Mar 22-23	War between U.S. and Iraq	95
2002 Oct 21-22	The sniper shootings in the Washington, D.C., area	91
2005 Jan 3-5	The tsunami that struck parts of Asia	89
2003 Jan 3-5	The situation with Iraq	89
2003 Jan 23-25	U.N. inspections for weapons of mass destruction in Iraq	88
2000 Nov 11-12	Situation surrounding Tuesday's presidential election	87
1997 Sep 6-7	Death of Princess Diana	85
1991 Feb 24	Beginning of ground war in Iraq	84
1999 Apr 13-14	Situation in Kosovo	84
1998 Aug 21-23	Clinton-Lewinsky matter	83

On the other hand, here are the stories that have attracted the least attention:

Poll dates		Percentage who are following story "very closely" or "somewhat closely"
2001 Jun 28-Jul 1	A patient's bill of rights	36
1999 Mar 19-21	Situation in Kosovo	36
2005 Apr 29-May 1	Filibuster in the Senate	35
1992 Dec 18-20	Clinton economic conference in Little Rock	35
2003 May 19-21	<i>New York Times</i> reporter Jayson Blair (falsified stories)	34
1998 Jun 5-7	Clinton race initiative	34
2003 Aug 25-26	Candidates for the Democratic nomination in 2004	34
2005 Apr 18-21	Michael Jackson child molestation trial	33
1999 Feb 19-21	Situation in Kosovo	30
1999 Feb 8-9	Situation in Kosovo	30
2000 May 5-7	China and the World Trade Organization	29
1994 Feb 1-3	Vote in Japan for political reforms	22
2000 Aug 11-12	CBS show "Survivor"	17

Note that the filibuster issue is tied for 10th from the bottom on the "least attention" list, underscoring the finding that as a news story, it has not galvanized the attention of the average American -- at least not yet. (Of some solace to those who would argue for the importance of the filibuster issue is the fact that it has attracted slightly more attention than the highly publicized child molestation trial of pop star Michael Jackson.)

Recent news reports have focused on the intense lobbying to remove the filibuster rule by Republicans and leaders of the religious right. Americans who identify with the Republican Party and those who attend church frequently, however, are neither more nor less likely to be following the issue closely than are independents, Democrats, and those who seldom or never attend church.

Majority Favors Keeping Filibuster Rule in Place

Summarizing American public opinion on a complex issue like the Senate's filibuster rule must be undertaken with caution. As noted in the section above, it has not attracted a great deal of attention among Americans. Thus, it is a fair assumption that relatively few Americans are wholly conversant with the specific details of the filibuster issue. This in turn means that most pollsters attempt to explain the filibuster rule to survey respondents before asking their opinions, creating a situation in which response patterns may vary, depending on the exact question wording of the survey.

Still, a review of the responses to several recent questions that independent survey organizations have asked about the filibuster rule suggests that a majority of the public has no evident desire to change the rule. Regardless of question format, a majority of respondents favor keeping the filibuster rule in place.

The April 29-May 1 CNN/*USA Today*/Gallup poll asked about the filibuster situation as follows:

As you may know, the filibuster is a Senate procedure which has been used to prevent the Senate from passing controversial legislation or confirming controversial appointments by the president, even if a majority of senators support that action. A vote of at least 60 senators out of 100 is needed to end a filibuster. Do you favor or oppose the use of the filibuster in the U.S. Senate?

	Favor	Oppose	No opinion
2005 Apr 29-May 1	52%	40	8

In the current controversy over the filibuster, whose side do you generally favor -- [ROTATED: the Republicans in the Senate (or) the Democrats in the Senate]?

	Republicans	Democrats	BOTH (vol.)	NEITHER (vol.)	No opinion
2005 Apr 29-May 1	36%	45	*	8	11

* Less than 0.5%

(vol.) = Volunteered response

In response to this question wording, a slight majority of Americans favor keeping the filibuster rule in place. Importantly, when asked to choose between the two parties' approaches to the controversy, Democrats win out over Republicans by about a 10-point margin.

Other polls have asked about the filibuster in other ways, but with similar results.

An April 21-24 ABC News/*Washington Post* poll used a two-part question to query respondents about filibusters:

The Senate has confirmed 35 federal appeals court judges nominated by Bush, while Senate Democrats have blocked 10 others. Do you think the Senate Democrats are right or wrong to block these nominations?

	Right	Wrong	BOTH (vol.)	Unsure
2005 Apr 21-24	48%	36	3	13
(vol.) = Volunteered response				

Would you support or oppose changing Senate rules to make it easier for the Republicans to confirm Bush's judicial nominees?

	Support	Oppose	Unsure
2005 Apr 21-24	26%	66	8

This wording does not use the word "filibuster," and the second question is focused very specifically on one outcome of changing the Senate rules, rather than a broad question on the value of the filibuster rule more generally. As can be seen, in response to this specific question, about two-thirds of Americans say they are opposed to this type of change.

An NBC News/*Wall Street Journal* poll conducted in late March and early April used a more complex question wording, as follows:

As you may know, in the last term of Congress some senators used a procedure called a filibuster when it came to some of President Bush's judicial nominees. When this happens, it takes the votes of 60 senators instead of 51 to end debate and hold a confirmation vote for a nominee. In your opinion, should the Senate maintain the filibuster rule or eliminate the filibuster for judicial nominations?

	Maintain Filibuster	Eliminate Filibuster	Unsure
	%	%	%
2005 Mar 31-Apr 3	50	40	10
2005 Jan 13-17	48	39	13

The responses to this question about the filibuster rule are quite similar to those obtained in the recent CNN/*USA Today*/Gallup poll; about half favor keeping the rule, while about 40% would like to see it eliminated.

A March *Newsweek* poll used still more words to describe the filibuster situation to respondents before asking their opinions about changing the rule:

U.S. Senate rules allow 41 senators to mount a filibuster -- refusing to end debate and agree to vote -- to block judicial nominees. In the past, this tactic has been used by both Democrats and Republicans to prevent certain judicial nominees from being confirmed. Senate Republican leaders -- whose party is now in the majority -- want to take away this tactic by changing the rules to require only 51 votes, instead of 60, to break a filibuster. Would you approve or disapprove of changing Senate rules to take away the filibuster and allow all of George W. Bush's judicial nominees to get voted on by the Senate?

	Approve	Disapprove	Unsure
2005 Mar 17-18	32%	57	11

By almost a 2-to-1 margin, respondents in this context say they would disapprove of changing the rules to eliminate the filibuster -- at least in situations involving President Bush's judicial nominees.

Although the wording (and time frame) differs across these various surveys' measures of the filibuster situation, the results are similar: Americans oppose changing the rules to get rid of filibusters, no matter how the question is put to them. It also appears that Americans are somewhat more opposed to changing

the rules when questions emphasize the specifics of the current situation involving Bush's judicial appointments than when the questions are phrased to focus more broadly on the filibuster rule per se.

Americans who are following the filibuster situation most closely are most in favor of keeping the rule in place.

Attitude Toward Filibuster Rule
by How Closely Following Filibuster News

	Favor	Oppose	Don't know/ Refused
	%	%	%
Following news of filibuster	%	%	%
<i>Very closely</i>	62	37	1
<i>Somewhat closely</i>	59	37	4
<i>Not too closely/not closely at all</i>	48	41	11

At the same time, as would be expected given the political battle lines being drawn around the issue in the current environment, support for the filibuster is lowest among Republicans and those who most frequently attend church.

Attitude Toward Filibuster Rule
by Partisanship and Church Attendance

	Favor	Oppose	Don't know/ Refused
	%	%	%
Republicans	43	50	7
Independents	52	39	9
Democrats	62	31	7
Attend church weekly	43	47	10
Attend church nearly weekly/monthly	58	38	4
Attend church seldom/never	56	36	8

Congress Sinks in Public's Esteem

Gallup's latest polling suggests that Americans have become increasingly negative about the job Congress is doing, and that the public's displeasure is being heaped roughly equally on both sides of the aisle. There may be a wide variety of causes for this downward drift in approval for the nation's representative bodies. It is impossible to determine the precise impact of the seemingly incessant wrangling over what many Americans may see as arcane Senate rules on the decline in the image of Congress, but it is not unreasonable to assume that the two are somewhat related.

Most tellingly, a new May 2-5 Gallup Poll shows that only 35% of Americans now approve of the job Congress is doing. This is down several points from April and March, and is the lowest congressional approval rating Gallup has measured in about eight years.

In addition, the April 29-May 1 CNN/USA Today/Gallup poll shows that ratings of the Republicans in Congress have fallen to 42% (lowest since April 2000) and ratings of the Democrats in Congress are at 40% (the lowest of any of the 13 times this question has been asked since June 1999).

Do you approve or disapprove of the way [ROTATED] are handling their job?

A. The Republicans in Congress

	Approve	Disapprove	No opinion
	%	%	%
2005 Apr 29-May 1	42	50	8
2003 Nov 14-16	48	49	3
2003 Oct 10-12	51	44	5
2002 Apr 5-7	59	30	11
2001 Aug 3-5	49	40	11
2001 Jun 8-10	49	43	8
2000 Aug 18-19	45	44	11
2000 Jul 25-26	46	39	15
2000 Apr 28-30	42	46	12
1999 Nov 4-7	38	53	9
1999 Oct 8-10	37	55	8
1999 Aug 16-18	36	53	11
1999 Jun 25-27	40	53	7

B. The Democrats in Congress

	Approve	Disapprove	No opinion
	%	%	%
2005 Apr 29-May 1	40	52	8
2003 Nov 14-16	47	50	3
2003 Oct 10-12	45	48	7
2002 Apr 5-7	57	32	11
2001 Aug 3-5	52	38	10
2001 Jun 8-10	54	37	9
2000 Aug 18-19	56	34	10
2000 Jul 25-26	51	36	13
2000 Apr 28-30	46	42	12
1999 Nov 4-7	49	42	9
1999 Oct 8-10	48	44	8
1999 Aug 16-18	48	41	11
1999 Jun 25-27	46	46	8

Neither of the two Senate leaders -- Bill Frist (Republican) and Harry Reid (Democrat) -- are well-known to Americans. Those who do have an opinion of Frist are more positive than negative -- by an 11-point margin. Those with an opinion of Reid essentially break even.

Interestingly, Americans' views of Frist have become slightly more positive between Gallup's early April poll and the current poll.

Next, we'd like to get your overall opinion of some people in the news. As I read each name, please say if you have a favorable or unfavorable opinion of these people -- or if you have never heard of them. First, ... How about ... ? [ITEMS A-C ROTATED, ITEM D READ LAST]

B. Senate Republican Leader Bill Frist

	Favorable	Unfavorable	Never heard of	No opinion
	%	%	%	%
2005 Apr 29-May 1	32	21	31	16
2005 Apr 1-2	26	24	31	19
2003 Jan 3-5	36	11	30	23

C. Senate Democratic Leader, Harry Reid

	Favorable	Unfavorable	Never heard of	No opinion
2005 Apr 29-May 1	21%	18	44	17

Survey Methods

These results are based on telephone interviews with a randomly selected national sample of 1,006 adults, aged 18 and older, conducted April 29-May 1, 2005. For results based on this sample, one can say with 95% confidence that the maximum error attributable to sampling and other random effects is ± 3 percentage points. In addition to sampling error, question wording and practical difficulties in conducting surveys can introduce error or bias into the findings of public opinion polls.