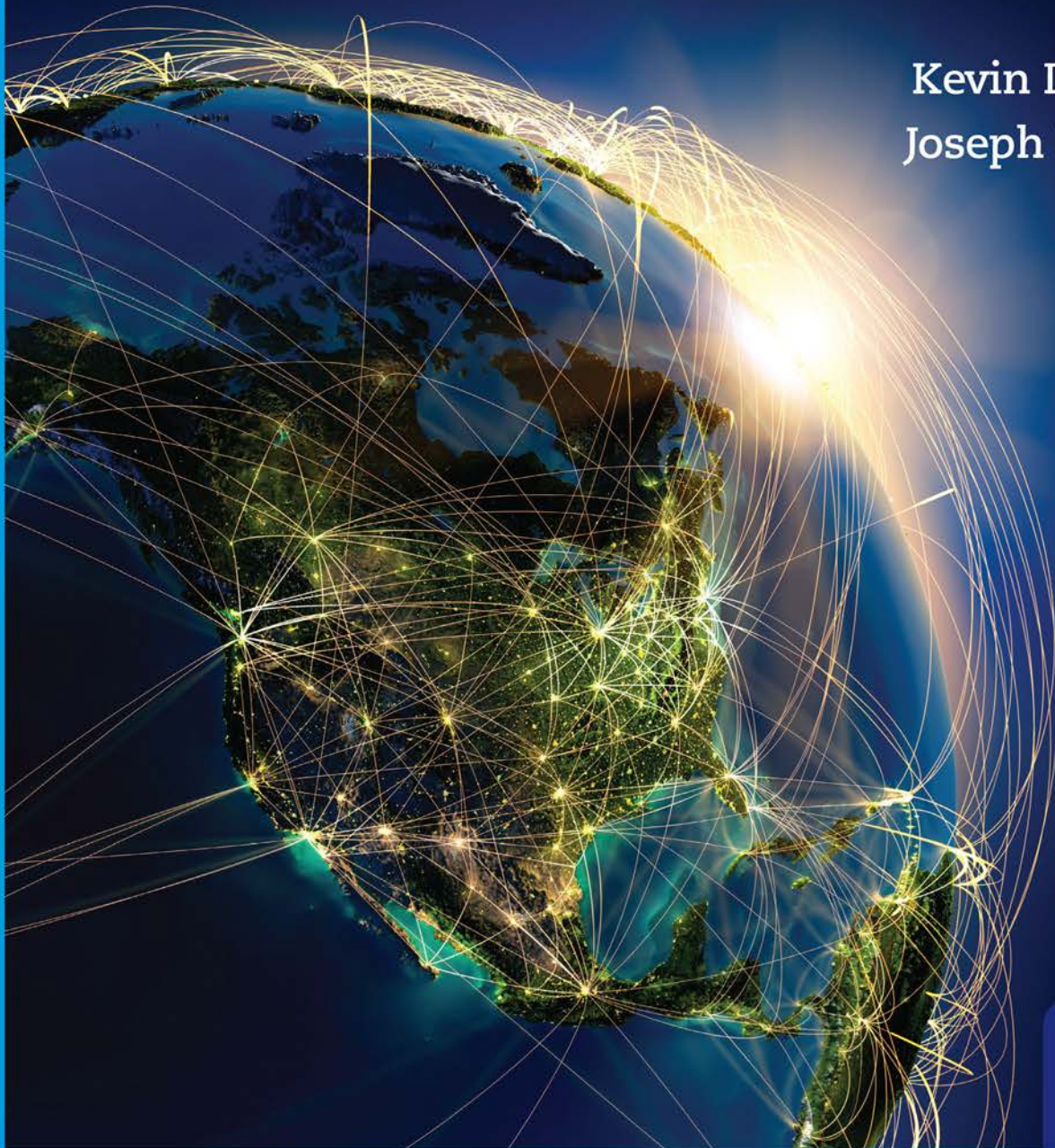


Why Politics Matters

An Introduction to Political Science | 3e

Kevin Dooley
Joseph Patten



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WHY POLITICS MATTERS: AN INTRODUCTION TO POLITICAL SCIENCE

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DEDICATION

To my wife Lauren and our children Jack and Megan.

—K. L. D.

*To my parents, Veena, Nikhil, Jaya, and to the memory of U.S.
Congressman Edward J. Patten.*

—J. N. P.

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Why Politics *Should* Matter to You

With the start of each new semester comes the initial thrill of meeting new students enrolled in our introduction to political science course. At Monmouth University, where we teach, the introductory course has always been considered the “gateway” to the discipline—a general education requirement that attracts majors from across the academic spectrum. We meet students studying everything from accounting, marketing, and management to anthropology, biology, and music. Thus, the learning environment includes a wide variety of interesting and creative students majoring primarily in subjects other than political science. Although each section will also have a number of politically active, politically motivated undergrads, the classroom is mainly filled with nonmajors. In many ways, it was this reality that made us consider not only how we were teaching this course, but also how we could design an appropriate text for students from all academic disciplines.

Student Engagement Matters

Many of the books for this course are written for political science majors with a particular emphasis on comparative politics. But for today’s students, a mix of majors and nonmajors, and those completely new to political science, we wanted to offer a broader understanding of the discipline and an opportunity for you to discover which areas of political science are most interesting to you. Our solution was to design a curriculum that would keep both groups engaged in the learning process, major and nonmajor alike, by taking a “big-picture” approach, evenly surveying the major areas within the field of political science, and emphasizing how the theoretical concepts of the discipline play out in the world around us.

The first thing you may have noticed about this book is this unique organization. We work outward from the student:

- **Part I: Political Theory:** You will learn about the foundations of ancient and modern political thought. This is an important place to start because it is here that the philosophical foundations for modern governments are formed. We believe it is crucial for you to have a general understanding of key political

theorists in order for you to more effectively assess and critique the behavior of governments in our modern world.

- **Part II: Comparing Governments:** Chapter 4 looks at American government and builds on the previous section by examining how the American Framers were influenced by ancient Greek and modern political philosophers when they drafted the American Constitution. Here you will become more familiar with how these political theorists influenced the structure of the American system of government. This section is given special emphasis because it was the “American experiment” toward popular government that ignited democratic fires across the globe, which continues to shape today’s political landscape. It is also the system the majority of our readers will be most familiar with and is therefore a good springboard into our examination and comparison of other government structures around the world.

In Chapters 5 through 9, you will learn about how the world’s political systems are organized, where they differ and are alike, and how they tackle universal issues and those unique to their own particular societies. We will compare the foundations, structures, and modern issues associated with democratic legislatures, executives, and judicial systems. Then we take an in-depth look at authoritarian states and how they differ.

- **Part III: International Relations:** You will learn how the wide array of political systems and cultures interact with one another in our modern international system. Having a broad understanding of political systems and distinct regional cultures will shed light on why nations fight wars, what we can do to try to prevent them, and the challenges and opportunities we face as we attempt to solve global issues.

These sectional stepping-stones from political theory, to American government and comparative politics, to international relations build upon each other, producing a scholar who is able to balance the knowledge of the domestic with that of the global. You will then be given the opportunity to reflect upon all of the issues previously covered in the text and, upon completion, you will possess the skills to see the world through the intellectual prism of the entire field of political science. We’ve found that this is an accessible and intuitive organization for students.

This foundational framework paired with (1) a focus on application and critical thinking, (2) excerpts from the classic and contemporary thinkers who shaped this discipline, (3) the latest global events, and (4) vibrant illustrations bring political science to life! It is because we take so much pleasure in teaching political science to students from all academic majors that writing this book was a labor of love. It’s fun to convey these important themes to our students, and we believe reading this book will be a stimulating, eye-opening,

and enjoyable experience for you as well, as we set out to prove in the pages that follow.

Participation Matters

At the heart of this book, we strive to answer the questions we sometimes hear in the introduction to political science classroom: *Why do I have to take this course? I'm not a political science major and I don't plan to work in government, so why should this matter to me?* The answers surround each and every one of us, whether we know it or not. An understanding of politics is necessary for participation in a globalized world, a concept we stress in the book's opening chapter, "Why Politics Matters," and throughout with a special feature titled "Why Politics Matters to You!" You will come away aware of the challenges of the twenty-first century and with a new perspective on where political beliefs come from. You will be able to identify the opportunities available to you through which you can make an impact, and you will possess a strong confidence in your overview of the field at the book's completion. You are enthusiastically invited to join in this dialog. We've written the book in a conversational style, with thought-provoking questions at every turn.

Why Theory Matters— Applying Theory to Today!

Throughout, we'll look into the relationship between the theoretical underpinnings (theory) and the formation and interplay of political entities (practice). This theme is emphasized throughout the narrative and within special "Theory and Practice" features in every chapter. We highlight this important concept to encourage critical thought when assessing and interpreting our political world, as well as to help you apply these concepts to your life. You will come away with not just a series of case studies, but with the tools you'll need to analyze and affect your political surroundings well into the future.

New to This Edition

Based on reviewer feedback, the third edition of *Why Politics Matters* includes a new Chapter entitled "Nationalism and Populism in the United States and Abroad." This chapter provides in-depth analyses of the current state of global affairs including the rise of populism, nationalism, Brexit, and the Trump presidency. It also highlights how racial and ethnic identity politics is challenging

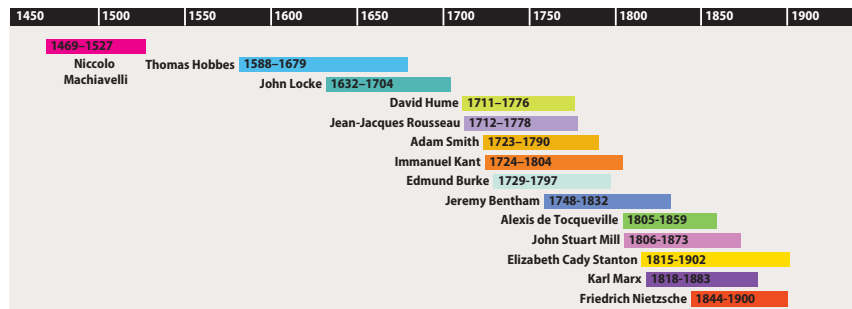
the democratic status quo in the United States and around the world. This new edition also emphasizes the role of women in politics and the impact of the 'pink wave' on the 2018 mid-term congressional election and the 2020 presidential election in the United States.

This book has also been updated throughout to include changes in world leadership, the state of the world economy, the rise of China as a world leader, developments in the Middle East and North Korea, as well as updated statistics and new figures, tables, maps, and photographs.

FEATURES THAT TEACH

- ▼ **Why Politics Matters** brings the subject to life and encourages student interaction through engaging, conversational prose; a bold, full-color design with photographs, maps, figures, and **visual timelines**; and **critical thinking questions** in every boxed feature and throughout the narrative.

FIGURE 3.1 Timeline of Important Modern Political Thinkers and Social Activists



“both visually and intellectually interesting”

Keeley Mahanes,

Student at Northern Arizona University

“The first thing I enjoyed was the enthusiasm and passion the authors have towards their subject matter.... [they] do a good job in making a host of complex topics user friendly for college students.”

Cyrus Hayat,

Indiana University–Purdue University Indianapolis



ANN HERMES/THE CHRISTIAN SCIENCE MONITOR/GETTY IMAGES

QUESTIONS TO CONSIDER

1. How have you been socialized by your family, friends, and peers? Have your political beliefs been challenged since you entered college?
2. What are political ideologies? What are the differences between left-wing and right-wing ideologies?
3. How can public-opinion polls indicate your voting preferences or what you care most about?
4. What is the difference between “hard

◀ **Questions to Consider Before Reading This Chapter** open every chapter, serving as learning objectives to guide students’ reading.

▶ **A marginal glossary** defines key terms as students read, and lists of **Key Terms** and **Key People** at the end of every chapter help students review the material.

THEORY AND PRACTICE

THEORY AND PRACTICE



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DO WOMEN JUSTICES VIEW LEGAL ISSUES DIFFERENTLY THAN MALE JUSTICES?

In 2019, six states enacted “heartbeat” laws that prohibit women from getting an abortion after their sixth week of pregnancy, which is after the fetus’ heartbeat can be first detected through transvaginal ultrasounds, and before some women even know they are pregnant. Many of these “heartbeat” laws have already been struck down by federal courts for violating the standard set forth in the *Roe v. Wade* (1973) case, which prohibits states from banning abortions through the first two trimesters of pregnancy (i.e., first 24–28 weeks of pregnancy). The abortion issue has been heating up across some mostly conservative states that have been buoyed by President Trump’s pledge to appoint justices committed to overturning *Roe v. Wade* (1973), which would then empower states that are so inclined to ban abortions altogether.⁶ While public polling reveals women are only marginally more supportive of reproductive rights than men, some studies have examined whether the gender of the justice impacts how legal issues are framed and decided.

Justice Elena Kagan was confirmed with little fanfare to the U.S. Supreme Court in August 2010. Out of the 114 justices who have served on the Court throughout our history, only four of them have been women. Why is that? Do women justices interpret legal facts differently from their male counterparts? There is some research in political science suggesting that women justices might frame legal issues differently than male justices when hearing oral arguments and drafting legal opinions.

Supreme Court Justice Ruth Bader Ginsberg, for example, was most vocal on a case questioning whether school officials in Arizona could legally strip-search a 13-year-old female student while searching for drugs. Whereas some of the other male justices downplayed the significance of the girl’s embarrassment, Justice Ginsburg, as the lone female justice on the Supreme Court at the time, empathized with the girl’s humiliation. In a subsequent interview, Justice Ginsberg stated, “they [the male judges] have never been a 13-year-old girl . . . it’s a very sensitive age for a girl. I don’t think my colleagues . . . quite understand.”

◀ **Theory and Practice** features demonstrate how political thought directly influences modern-day situations, institutions, and policies, in turn teaching students how to apply overarching political ideas to the current events and political practice around them and analyze both.

“I think it is vital to show how these theories work in practice.... I really like how this textbook is organized and written.

It highlights the different sub-fields of political science giving equal time and energy to each, while providing excellent resources and tools within the textbook for the instructor to use.

The book reflects my own philosophy of teaching an Intro to Politics course.”

Ryan Fitzharris,
Pima Community College

“It does a great job relating the ideas to current issues, which makes it seem relevant and therefore engaging.”

Kaitlyn Andrey,
Student at Bloomsburg University of Pennsylvania

WHY POLITICS MATTERS TO YOU!

WHY POLITICS MATTERS TO YOU!



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RARE EARTH MINERALS AND THE FUTURE OF GLOBAL LEADERSHIP: IS AFRICA CHINA'S SECOND CONTINENT?

China overtook the United States as Africa's largest trading partner in 2008. It has also been active in constructing and funding massive infrastructure projects, such as the new 470-mile electrified railways project connecting Ethiopia's capital Addis Ababa to the neighboring country of Djibouti.¹⁶ In 2015, Chinese President Xi Jinping met with African leaders and pledged \$60 billion in funding over a three-year period to help in the economic development of African countries.¹⁷ This new economic relationship has not surprisingly evolved into a strategic partnership, evidenced by China's new military base in Djibouti, which is located just eight miles away from an American military base. Howard W. French more fully explains the sprouting relationship in his 2015 book titled *China's Second Continent: How a Million Migrants Are Building a New Empire in Africa*.

But at this point you are still probably wondering what China's relationship with Africa has to do with you. Well, 80 percent of China's imports from Africa are mineral products. Rare earth minerals are important because they are needed to build most modern appliances, such as your family's refrigerator and your cell phone. There are seventeen different types of rare earth metals,



BEGONA ESQUIBIA/ALAMY STOCK PHOTO

Children workers of a mine in the Democratic Republic of Congo.

◀ **Why Politics Matters to You!** features show students how they can get involved and how politics and government are influential in their lives.

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I really liked the material. I think the students liked it as well because the exam I gave them over the material gave me the highest average for a quiz/exam for the semester."

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Longview Community College

"An engaging text with easy readability, leaving you with not only answers but the **desire to learn more, know more, and do more.**"

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Why Politics Matters

1



IMAGE 1.1 On January 21, 2017, one day after President Trump was inaugurated as President of the United States, three to five million people across the United States participated in the first annual Women's March. It was one of the largest single-day protests in U.S. history.

CHAPTER OUTLINE

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QUESTIONS TO CONSIDER

1. How have you been socialized by your family, friends, and peers? Have your political beliefs been challenged since you entered college?
2. What are political ideologies? What are the differences between left-wing and right-wing ideologies?
3. How can public-opinion polls indicate your voting preferences or what you care most about?
4. What is the difference between "hard power" and "soft power" in the realm of international politics?
5. What do you think it takes to win a policy debate? How can the skills you learn in debate help you to influence policy issues?
6. What are the different areas that political scientists study? Why are theories so important to their research?

Introduction: What is Political Science?

There is an old adage that states one should never discuss religion or politics when attending dinner parties with casual acquaintances. Many of us have been taught that arguments focused on our cultural differences, health care law, or partisan viewpoints frequently grow tense and might prevent friends from enjoying each other's company or, more important, dessert. Those who adhere to the social etiquette of proper dinner conversation are probably smart to do so. A clashing of political views can bring about a stressful social environment and can cause awkward moments for unsuspecting dinner guests.

Lucky for you, however, you are in a political science class, which happens to be the most appropriate and exciting place to discuss such things. Here you are encouraged and even rewarded for respectfully engaging in a wide variety of political observations and cultural perspectives. Learning how to discuss politics in a civil manner requires practice and a thick skin. Although we are certainly not required to agree with any particular outlook, we all have a responsibility to at least try to understand the viewpoints of others. We want to see that you, the next generation of citizens, are able to articulate and understand some of the challenges that face us in the coming century and to succeed in making this world a better and more secure place.

The challenges ahead are great. But so were the challenges that faced George Washington, Abraham Lincoln, Susan B. Anthony, Alice Paul, Mohandas Gandhi, Martin Luther King Jr., and Nelson Mandela. All of these men and women demonstrated a commitment to change, but most of all, they recognized that politics matters. In fact, it is probably one of the most defining features of the human experience. We are above all else, as the great Greek philosopher Aristotle noted, "political animals." Unlike other members of the animal kingdom, humans possess the ability to reason and then

STEPHEN J. BOTTANO/LIGHTPROCKET/GETTY IMAGES

through language carry that reason into action in the form of legally constructed communities. So, although you may never have thought of yourself or your friends as being *political*—you are. You have the ability to reason, the ability to articulate your ideas, and the ability to carry those thoughts into action.

At times politics and debates about politics can become a passionate endeavor, one that can cause disagreements over what is considered right and wrong. Has there ever been a time when a fellow student said something you completely disagreed with? Or have you ever been offended by another’s comments? If so, that is because each of us has been socialized by the many groups to which we belong. Political scientist Thomas M. Magstadt has defined **political socialization** as the process by which citizens develop the values, attitudes, beliefs, and opinions that enable them to support the political system.¹ In other words, the various groups that define our lives contribute to the way we view the world.

Political Socialization:

The process by which one’s attitudes and values are shaped.

Other students will likely process discussions that take place in this class differently from you because of the influences of their gender, race, religion, friends, sexual orientation, family, level of education, and socioeconomic status. These differences should be celebrated both in and beyond this class because learning from the experiences of others helps to inform our own beliefs. Perhaps Thomas Jefferson put it best when he said that he “never considered differences of opinion in politics, in religion, in philosophy, as cause for withdrawing from a friend.”

Some political scientists examine how our differences influence whether and how we participate in the political process. Tables 1.1 to 1.3 highlight how race, gender, and education impact voting turnout rates in recent presidential elections. These tables reveal that some groups of Americans are more likely to vote than others. On closer inspection, Table 1.1 shows that African Americans for the first time voted in higher percentages than Caucasians and other ethnic groups in 2012, but then voter turnout rates of African Americans dipped seven percentage points

TABLE 1.1. Voting Turnout in Recent Presidential Elections by Race and Ethnicity, 1996–2016²

	Caucasian (%)	African American (%)	Hispanic (%)	Other Race, Non-Hispanic (%)
1996	60.7	53	44	45.7
2000	61.8	56.9	45.1	44.1
2004	67.2	60.3	47.2	48.3
2008	66.1	65.2	49.9	50.5
2012	64.1	66.6	48	49.9
2016	65.3	59.6	47.6	49.3

Source: Current Population Survey Voting and Registration Supplements 1980–2016. “Voting in America: A Look at the 2016 Presidential Election,” found at https://www.census.gov/newsroom/blogs/random-samplings/2017/05/voting_in_america.html.

Question: Why do you believe some racial or ethnic groups vote in higher numbers than others?

TABLE 1.2. Voting Turnout in Recent Presidential Elections by Gender, 1996–2016³

	Women (%)	Men (%)
1996	59.6	57.1
2000	60.7	58
2004	65.4	62.1
2008	65.6	61.5
2012	63.7	59.8
2016	63.3	59.3

Source: Center for American Women and Politics, 2019. "Gender Differences in Voter Turnout." Eagleton Institute of Politics, Rutgers University.

Why do you believe that women vote in higher percentages than men?

TABLE 1.3. Voting Turnout in Recent Presidential Elections by Education, 1996–2016⁴

	Some College or College Bachelor's Degree (%)	Did Not Complete High School (%)	Difference in Voting Turnout (%)
1996	67	39	28
2000	69	39	30
2004	73	40	33
2008	71	40	31
2012	70	38	32
2016	68	33	35

Source: United States Election Project. "Voter Turnout Demographics," found at <http://www.electionproject.org/home/voter-turnout/demographics>

Why do you believe that educated voters are more likely to vote than non-educated voters?

(i.e., 66.6 percent to 59.6 percent) in the 2016 presidential election. Political scientists notice these types of behavioral trends and seek to explain through empirical research why they are happening. In Chapter 4, for example, we discuss whether the *Shelby County v. Holder* (2013) Supreme Court case, where the Court struck down a key provision of the Voting Rights Act of 1965, might have played a role in the seven-point drop in African American voter turnout rates in 2016. Approximately 59.6 percent of African American voters participated in the 2016 presidential election, compared with 65.3 percent of Caucasians and 47.6 percent of Hispanics.

Table 1.2 also indicates women were more likely to vote than men in the 2016 election, with 63.3 percent of women and 59.3 percent of men casting a ballot for either Donald Trump, Hillary Clinton, or a third-party candidate. However, the most dramatic predictor of whether a person is likely to vote is educational attainment. Table 1.3 highlights that people with at least some experience in college (68 percent of voter turnout) were much more likely to vote in the 2016 presidential election than those without a high school diploma (33 percent of voter turnout).

Although you may never have considered the influence that all or some of these groups have had on your life, certain political scientists have. For example, there are a number of political scientists who conduct and then analyze the results of public-opinion polls. **Public-opinion polls** allow individuals to see how certain *demographics* view specific political issues or problems. **Demographics**, which refer to some of the ways people are categorized (e.g., women, people of color, small business owners, union members, 18- to 24-year-olds with college degrees, Catholics, etc.), allow

political scientists to determine if relationships exist between one's group and how one feels about a number of political issues. Public-opinion polls may ask you your age, race/ethnicity, religion, and level of education and what you think about health care reform, gun control, homeland security, or President Trump. By answering these questions, political scientists can determine if there are relationships between one's demographic and one's opinions about the political world.

So in this abstract way, you are already political. What this text attempts to do is to help you see that politics matters in a much deeper sense than the material covered on an exam or expressed in a research paper (although these also matter for obvious reasons).

Political Science as the Study of Power

In his 1936 book, political scientist Harold Lasswell said that “politics is who gets what, when, and how.” This simple expression sums up the essence of this book and the field of political science at large. Political science is in many respects concerned with the study of *power*. In this book, you will learn about how important ancient and modern political theorists viewed power and how political leaders exercise it in the current era. Political power can broadly be defined as the ability to get others to do what they would not do on their own. Socrates, Plato, Aristotle,



IMAGE 1.2 College sophomore Denzel Fleming signs a voting pledge during a Rock the Vote road trip bus tour on the University of North Carolina's Charlotte campus. Rock the Vote visits campuses across the country to encourage voter registration and political awareness and participation among young people.

Public-Opinion Polls:

Surveys that seek to determine how different groups of people perceive political issues.

Demographics:

Classifications of different groups of people that usually refer to one's race, class, ethnicity, gender, level of wealth, age, place of residence, employment status, level of education, and so on.

and other ancient philosophers believed political power should only be applied as a means to the end of social justice. These thinkers laid the theoretical foundation of Western civilization by maintaining that political power should be brandished by the wisest and most ethical members of society because leaders, above all else, have a responsibility to promote social harmony and the public good. They believed that only those educated on the virtues of justice should wield power because they will more likely place the public's interest over their own.

Niccolò Machiavelli (1469–1527), in his book *The Prince*, wandered away from this Greek view by asserting that “power” and not “justice” is the most important unit of analysis in politics. He claimed that in order to truly comprehend the nuances of politics, it is more important to have an understanding of how leaders can best acquire and maintain political control over the populace. Machiavelli's amoral approach to politics stressed that the primary purpose of government is to prevent civil unrest and to promote security at home and abroad.

The discussion of how governmental power should be structured is later joined by some of the leading **social contract theorists**, such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau. These theorists focused mostly on the power relationship between government and the individual. In Chapter 3, we highlight how social contract theorists typically make observations on (1) whether humans are more generally cooperative or competitive with one another, (2) the types of problems that are likely to occur in the absence of government, and (3) their preferred form of government for addressing these problems. Thomas Hobbes's (1588–1679) classic text *Leviathan* sets out to prove the correctness of Machiavelli's contention that power rather than justice is the most important variable in studying politics. It is here, Hobbes argued, that the purpose of political power should not be used to primarily promote ethical governance, but should instead be used to promote the more limited goal of preventing social turmoil and war. Hobbes's social contract advocated for an *authoritarian system of government*, where individuals surrender all political power to the government so that government can more efficiently prevent civil unrest and violence. In Table 1.4, we include definitions of different types of political systems and the economic systems and ideologies that influence them.

Social Contract

Theorists: Thinkers beginning in the seventeenth century who sought to explain human nature by looking at the terms by which governments are set up in the first place.

TABLE 1.4. Different Types of Political Systems, Economic Systems, and Political Ideologies⁵

Anarchism	A doctrine that advocates the abolition of organized authority. Anarchists believe all government is corrupt and evil.
Authoritarianism	A form of government in which a large amount of authority is invested in the state, at the expense of individual rights.
Autocracy	A government in which almost all power rests with the ruler. The Soviet Union under Stalin and Iraq under Saddam Hussein are examples of autocracies.
Capitalism	An economic system in which the means of production, such as land and factories, are privately owned and operated for profit.

TABLE 1.4. (Continued)

Communism	The political system under which the economy, including capital, property, major industries, and public services, is controlled and directed by the state and in that sense is “communal.”
Conservatism	A political philosophy that tends to support the status quo and advocates change only in moderation. Conservatism upholds the value of tradition and seeks to preserve all that is good about the past.
Direct Democracy	Democracy in which the people as a whole make direct decisions, rather than have those decisions made for them by elected representatives.
Fascism	A nationalistic, authoritarian, anticommunist movement founded by Benito Mussolini in 1919. Fascism was a response to the economic hardship and social disorder that ensued after the end of World War I.
Feminism	The theory of the political, economic, and social equality of the sexes.
Feudalism	A medieval form of social economic and political organization. Feudalism had a pyramidal structure. At its head was the king; below the king was a hierarchal chain of nobles, down to the lords of individual manors—the manor being the basic social and economic unit.
Liberal	A person who believes it is the duty of government to ameliorate social conditions and create a more equitable society.
Libertarianism	The belief that government should not interfere in the lives of citizens, other than to provide police and military protection.
Marxism	The theory developed by Karl Marx and Friedrich Engels, which became the official doctrine of communism. According to Marxism, the key to how society operated was economics; all other aspects of society, such as politics and religion, were conditioned by the economic system.
Meritocracy	A society in which power is wielded by those who deserve it, based on their talents, industry, and success in competition, rather than through membership in a certain class or possession of wealth.
Monarchy	Form of rulership whereby a queen or king, empress or emperor holds absolute or limited power, usually inherited.
Nation-State	Usually used to describe the modern state, but strictly speaking applies only when the whole population of a state feels itself to belong to the same nation.
Oligarchy	A political system that is controlled by a small group of individuals, who govern in their own interests.
Pacifist	The doctrine holding that war is never justified and that all disputes between nations should be settled peacefully.
Plutocracy	Government by the wealthy, or a group of wealthy people who control or influence a government.
Representative Democracy	A system of government in which the people elect agents to represent them in a legislature.
Republic	The form of government in which ultimate power resides in the people, who elect representatives to participate in decision making on their behalf.
Social Contract	The political theory that a state and its citizens have an unwritten agreement between them, a social contract into which they voluntarily enter.
Socialism	A political system in which the means of production, distribution, and exchange are mostly owned by the state and used, at least in theory, on behalf of the people.
Terrorism	The pursuit of a political aim by means of violence and intimidation.
Theocracy	A state or government that is run by priests or clergy.
Totalitarianism	A system of government where the ruling authority extends its power over all aspects of society and regulates every aspect of life.
Utilitarianism	A political philosophy developed in England in the nineteenth century by thinkers such as Jeremy Bentham and John Stuart Mill, which says that the duty of government is to promote the greatest good for the greatest number.

Other social contract theorists such as John Locke and Jean-Jacques Rousseau believed that power should be more widely dispersed among the people in *democratic systems of government* to achieve social harmony. John Locke (1632–1704) advocated for a *representative democracy* where government possesses limited powers and where the people select representatives to make decisions on their behalf. Locke’s writings were particularly influential to the American Framers as they grappled with how best to form a new government in the late eighteenth century. Thomas Jefferson referenced Locke when he penned the U.S. Declaration of Independence in what has become one of the most widely cited sentences ever written: “We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are life, liberty, and the pursuit of Happiness.” It was this line of thinking that also paved the way for the expansion of political rights for ethnic minorities and women (see Theory and Practice box about women judges). Jean-Jacques Rousseau (1712–78), on the other hand, criticized representative democracies, claiming they facilitate the exploitation of the masses by political elites. He instead called for universal political participation in a direct democracy form of government, where the people as a whole make decisions for themselves.

Leading experts in American politics discuss political power in the context of the executive, legislative, and judicial branches of government. One major debate involves whether the American president has taken on “imperial” qualities and whether the executive branch has too much power over the other two branches of government. Famed presidential scholar Richard Neustadt, known by some as the American Machiavelli, argues that presidents must above all else have the political skills to “persuade” the Washington establishment and the American public to act on their agendas.

THEORY AND PRACTICE



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DO WOMEN JUSTICES VIEW LEGAL ISSUES DIFFERENTLY THAN MALE JUSTICES?

In 2019, six states enacted “heartbeat” laws that prohibit women from getting an abortion after their sixth week of pregnancy, which is after the fetus’ heartbeat can be first detected through transvaginal ultrasounds, and before some women even know they are pregnant. Many of these “heartbeat” laws have already been struck down by federal courts for violating the standard set forth in the *Roe v. Wade* (1973) case, which prohibits states from banning abortions through the first two trimesters of pregnancy

(Continued)

(i.e., first 24–28 weeks of pregnancy). The abortion issue has been heating up across some mostly conservative states that have been buoyed by President Trump’s pledge to appoint justices committed to overturning *Roe v. Wade* (1973), which would then empower states that are so inclined to ban abortions altogether.⁶ While public polling reveals women are only marginally more supportive of reproductive rights than men, some studies have examined whether the gender of the justice impacts how legal issues are framed and decided.

Justice Elena Kagan was confirmed with little fanfare to the U.S. Supreme Court in August 2010. Out of the 114 justices who have served on the Court throughout our history, only four of them have been women. Why is that? Do women justices interpret legal facts differently from their male counterparts? There is some research in political science suggesting that women justices might frame legal issues differently than male justices when hearing oral arguments and drafting legal opinions.

Supreme Court Justice Ruth Bader Ginsberg, for example, was most vocal on a case questioning whether school officials in Arizona could legally strip-search a 13-year-old female student while searching for drugs. Whereas some of the other male justices downplayed the significance of the girl’s embarrassment, Justice Ginsburg, as the lone female justice on the Supreme Court at the time, empathized with the girl’s humiliation. In a subsequent interview, Justice Ginsberg stated, “they [the male judges] have never been a 13-year-old girl . . . it’s a very sensitive age for a girl. I don’t think my colleagues, some of them, quite understood.”⁷

The first woman to serve on the Supreme Court was Sandra Day O’Connor, who was nominated to the bench by President Ronald Reagan in 1981. In 2010, Justice Kagan joined two other women justices: Justice Ruth Bader Ginsberg, appointed by President Clinton in 1993, and Justice Sonia Sotomayor, nominated by President Obama in 2009. All three of the current women Supreme Court justices have a history of supporting the reproductive rights of women and are unlikely to support overturning *Roe v. Wade* (1973) in the future. Having three women justices serve together could also be impacting the culture of the Court. One study of the U.S. business world, for instance, found that a critical mass of “three or more women can cause a fundamental change in the boardroom and enhance corporate governance.”⁸ Having three women justices deliberating on cases might, then, expand the range of perspectives brought to legal discussions. However, another study in political science found no difference between the judicial decisions of male and female judges at the lower federal court level, except on the issue of sexual discrimination, where women judges were 10 percent more likely to rule in favor of the party bringing the suit.⁹ Approximately 33 percent of all state and federal judges in the United States are women, which matches the percentage of women justices serving on the U.S. Supreme Court, and slightly higher than the 27 percent international average.¹⁰

Think It Through

Is the gender composition of the U.S. Supreme Court relevant to how it makes decisions?

Should a person’s gender, race, and/or ethnicity be taken into account when selecting judges? Why or why not?