

Alexa Prickett

Professor Wagner

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Test #3

The Supreme Court cases of *Roe v. Wade* and *Planned Parenthood v. Casey* created more freedoms to women in the right to have an abortion. *Dobbs v. Jackson Women's Health Organization* is currently facing the Supreme Court and it is possible that this case could reverse *Roe* and *Casey*. With the *Dobbs* case in the works, it is bringing up questions about polarization, federalism, and separation of powers in the United States government.

With *Roe* and *Casey* being overruled, it is indicating that there is more polarization within U.S. politics. Polarization is the dividing of political attitudes and over time, U.S. politics has gotten more and more polarized, and people are moving farther and farther away from the line that separates Republicans from Democrats and conservatives from liberals. In a *CNN* article written by Devan Cole, he states, "A majority of Americans -- 54% -- now say they disapprove of the job the Supreme Court is doing following the leak of the draft opinion showing the justices are poised to overturn *Roe v. Wade*" (Cole 1). As you can see from Cole, the leaders of our government are polarized and so are each and every individual in the U.S. Also, the idea of overturning *Roe* and *Casey* indicates more polarization in U.S. politics because Congress is so polarized to the point where they were unable to pass any laws relating to abortion, so the next step was to take the issue to the Supreme Court. The Supreme Court itself is polarized and you can see this by the decision being five to four with the conservatives only winning by one vote. Also, the Supreme Court is not making a definitive decision for the whole country, they decided

that each state can decide to keep abortions legal or to make them illegal. This shows that U.S. politics are polarized because there are so many individuals on both sides of the argument, and it is hard to make a decision when no matter what it is going to make a large group of people angry, so they left it to the states to decide.

The result of the *Dobbs* case also strengthens federalism. The U.S. government uses federalism, and it has multiple levels of government that work together including federal and state governments. James Madison argued that federalism as well as separation of powers is important because this would ensure that the government would not be a tyranny and it wouldn't allow one group or party to dominate politics. In the article written by Pierson and Schickler, they say that federalism is "not just that the national government shares power with 50 separate state governments. The diversity of state circumstances and the relative autonomy of state political institutions promote carefully brokered compromises that are mindful of an array of distinctive interests" (Pierson & Schickler 42). As Pierson and Schickler stated, federalism is not just the state and federal governments working together but it also allows for states to do different things since every state has different necessities. The result of *Dobbs* strengthens federalism because it gives more power to the states, and it takes some weight off of the shoulders of the federal government. The federal government couldn't decide on this issue, so they gave it to the states to handle individually since each state is so different.

Although the decision of *Dobbs* strengthens federalism, it weakens the separation of powers. Separation of powers is the idea that the federal government is separated into three branches, executive, legislative, and judicial, so that no one in the government can have too much power. The issue of abortion is an issue that has caused our government to be more polarized than it already was, and it has weakened the idea of separation of powers because none of the branches could decide. The issue of abortion went to each branch, and no one could make

a decision, so the Supreme Court had to give it to the states to decide for themselves. This gave each branch of the federal government less power and weakened separation of powers since each branch couldn't decide with their own powers.

The results of the *Dobbs* case have increased the polarization throughout the U.S. while also strengthening federalism since it is allowing the states and federal government to share powers. But it is weakening the separation of powers since the branches are so polarized and were not able to decide about the laws relating to abortions, they had to give the power to the states.