

Tulsa Law Review

Volume 51 | Number 2

Spring 2016

Are Women Silent or Silenced?

Susan Gluck Mezey
Loyola University Chicago

Follow this and additional works at: <https://digitalcommons.law.utulsa.edu/tlr>



Part of the [Law Commons](#)

Recommended Citation

Susan G. Mezey, *Are Women Silent or Silenced?*, 51 Tulsa L. Rev. 339 (2016).

Available at: <https://digitalcommons.law.utulsa.edu/tlr/vol51/iss2/10>

This Book Review is brought to you for free and open access by TU Law Digital Commons. It has been accepted for inclusion in Tulsa Law Review by an authorized editor of TU Law Digital Commons. For more information, please contact megan-donald@utulsa.edu.

ARE WOMEN SILENT OR SILENCED?

Susan Gluck Mezey*

CHRISTOPHER F. KARPOWITZ & TALİ MENDELBERG, *THE SILENT SEX: GENDER, DELIBERATION AND INSTITUTIONS* (PRINCETON UNIVERSITY PRESS 2014). PP. 450. PAPERBACK \$ 35.00

This review essay is divided into three parts. Part I discusses the literature on gender differences in political participation. Part II summarizes the way in which *The Silent Sex: Gender, Deliberation & Institutions* by Christopher F. Karpowitz and Tali Mendelberg adds to this literature. Part III discusses the implications of the study and poses questions that arise from the book.

PART I

There is a vast literature on the issue of women's participation in the U.S. political system. It became a subject for debate in a variety of disciplines, including political science, communication, sociology, anthropology, and psychology several decades ago, corresponding roughly with the start of the second wave of the women's liberation (feminist) movement.

Political scientists pursued several lines of inquiry about women and men in public office, comparing their motivation to run, including the degree to which their political ambitions relied on their family's involvement and encouragement. Once women began to achieve public office in greater numbers, the scholarship largely focused on women in legislative offices, comparing women and men's ambitions for higher office and their interest in assuming leadership positions.

Congruent with the concern about descriptive representation in *The Silent Sex*, this literature explored theories of representation, asking if increasing descriptive representation (that is, increasing the number of women in office) led to increases in substantive representation (better representation of issues of concern to women).¹ A number of scholars explored the extent to which women politicians considered

* Professor Emeritus, Department of Political Science, Loyola University Chicago.

1. See HANNA FENICHEL PITKIN, *THE CONCEPT OF REPRESENTATION* (1967).

themselves feminists and whether they believed women should play leading roles in supporting such issues as childcare, reproductive rights, sexual harassment, rape crisis centers, domestic violence prevention, and equal pay.² Depending on the focus of the inquiry, these studies found some differences in the attitudes and behavior of women and men public officials, but usually not as many as were hypothesized. They chiefly found that ideology and political party outweighed gender in explaining support for such issues.³

Anecdotal evidence from women politicians suggested an awareness that women typically had to overcome more hurdles than men in pursuing public office.⁴ In addition, studies that focused on political ambition showed that a major recurring theme in explaining the continued deficit of women in public office was that the largest roadblock for women politicians was in the recruitment process rather than in the electoral process. Once a woman succeeded in getting her name on the ballot, the electorate was just about as likely to vote for her as for a man.⁵

Although much of this research focused on legislative actors, political scientists also looked at gender gaps in other offices. To this end, much of this literature focused on women and men judges, comparing their paths of recruitment and attempting to determine the extent to which differences in their attributes, attitudes, and ideologies affected their voting behavior on the bench.⁶ The latter most often aimed at discerning differences between the votes of women and men appellate court judges on issues of concern to women, such as sex discrimination in employment, or issues in which public opinion polls showed that women's views diverged from men's views such as the death penalty, criminal justice, and economic inequality. Again, scholars found support for their hypotheses—that there was a gender gap on the bench, but that party and ideology were usually more important in explaining judicial votes.⁷ Most relevant to the research in *The Silent Sex*, such studies also sought to determine whether the gender composition of the three-judge appellate panels affected the judges' influence and voting behavior.⁸

Scholars also investigated gender differences among women and men in the electorate, comparing their level of interest in politics; their participation in non-political institutions and organizations; and their participation in politics, particularly their voting, in order to determine whether a gender gap existed in issue preferences and voting

2. See, e.g., Jennifer Lawless, *Politics of Presence? Congresswomen and Symbolic Representation*, 57 POLITICAL RESEARCH QUARTERLY 81 (2004); Kathleen Bratton & Michele L. Swers, *Are Women More Likely to Vote for Women's Issue Bills than Their Male Colleagues?*, 23 LEGIS. STUD. Q. 435 (1998); Susan Gluck Mezey, *Increasing the Number of Women in Office: Does It Matter?*, in THE YEAR OF THE WOMAN: MYTHS AND REALITIES 255 (Elizabeth Adell Cook, Sue Thomas, & Clyde Wilcox eds., 1994).

3. Manon Tremblay & Réjean Pelletier, *More Feminists or More Women? Descriptive and Substantive Representations of Women in the 1997 Canadian Federal Elections*, 21 INT'L POL. SCI. REV. 381, 383 (2000).

4. See Yvonne Galligan & Sara Clavero, *Prospects for Women's Legislative Representation in Postsocialist Europe: The Views of Female Politicians*, 22 GENDER & SOC'Y 149, 159-65 (2008).

5. See *id.*

6. See Susan Gluck Mezey, *Gender and the Federal Judiciary*, in GENDER AND AMERICAN POLITICS: WOMEN, MEN, AND THE POLITICAL PROCESS 221 (Sue Tolleson-Rinehart & Jyl J. Josephson eds., 2005).

7. Jennifer L. Peresie, *Female Judges Matter: Gender and Collegial Decisionmaking in the Federal Appellate Courts*, 114 YALE L.J. 1787 (2005).

8. *Id.* at 1761.

behavior. These studies revealed the existence of a gender gap in policy preferences, with women generally showing greater concern about issues related to children, family, education, violence, and public welfare.⁹ Additionally, women were more likely than men to support government involvement to help society achieve the goals they believed desirable. Finally, election results showed that women have long overcome their reluctance to vote or to believe that politics is a man's game that is beyond their interests and capabilities.¹⁰ Women, especially younger, single, more educated women, now outvote their male counterparts, and have been doing so for a number of years.¹⁰

PART II

The Silent Sex is a welcome addition to this voluminous literature on gender and political participation, offering a narrower and more focused lens on the subject. The book is very impressive—the recipient of scholarly awards that reflect the authors' meticulous research and careful explanations of their methods and findings.

The thesis of the book is that there is a gender gap in political participation when measured by the degree to which women and men differ from each other in speech participation in the deliberative process.¹¹ The authors' chief measure of political participation is "talk time," that is, whether there is a sustained gender difference in oral participation in small group deliberations.¹²

As the authors note (and as indicated at the outset of this review), there is a plethora of research on the role of women in politics and attempts by governments and political parties to achieve greater gender equality, or parity, between women and men.¹³ The attempts to achieve parity are based on several assumptions, chiefly that increasing the number of women in legislatures or party councils (that is, improving descriptive representation) will lead to more women-oriented policies or policies favored by women.¹⁴ These theories are based on the belief that in addition to creating greater numerical parity, enhancing descriptive representation will enhance substantive representation (support for women's issues) and symbolic representation (the belief that women can and should exercise power).¹⁵

Without disputing the validity of these theories, the authors begin with the premise that, despite the abundance of research on legislative parity, scholars have paid insufficient attention to differences between women and men's participation on smaller deliberative bodies, such as juries, local political bodies, and homeowner associations.¹⁶

9. See, e.g., KATHERINE ADAMS & CHARLES DERBER, *NEW FEMINIZED MAJORITY: HOW DEMOCRATS CAN CHANGE AMERICA WITH WOMEN'S VALUES* (2008); BRUCE MIROFF, RAYMOND SEIDELMAN, TODD SWANSTROM, & TOM DE LUCA, *THE AMERICAN DEBATE: AMERICAN POLITICS IN AN AGE OF CHANGE* (2010).

10. ADAMS & DERBER, *supra* note 9.

11. CHRISTOPHER F. KARPOWITZ & TALI MENDELBERG, *THE SILENT SEX: GENDER, DELIBERATION & INSTITUTIONS* 20 (2014).

12. *Id.*

13. *Id.*

14. *Id.* at 22.

15. *Id.* at 20-21.

16. KARPOWITZ & MENDELBERG, *supra* note 11, at 14-15.

Their research seeks to remedy this gap by testing differences between women and men's political participation in such bodies.

Using experimental design and quantitative analysis, Karpowitz and Mendelberg primarily base their study on a series of experiments in which small groups with different compositions of men and women are given a variety of scripts to determine whether women differ from men in the quantity and quality of their speech.¹⁷ The experiments involve small group deliberations in which the authors devise scenarios intended to produce group discussion and decision-making, and they test their hypotheses with varying combinations of gender composition and procedural rules.¹⁸ From observation and multivariable analysis, controlling for attitudinal and demographic variables, the authors find a statistically significant gender gap in participation in these groups.¹⁹ Their study also shows that women are less influential in the group discussions: because men talk more, they achieve a higher status, and are therefore more influential in the deliberative process than women.²⁰

Their data are based on comparisons of the oral participation of the women and men members of the groups, operating under different decision-making rules.²¹ Each group consisted of five non-Latino whites, who, because they are recruited from a student population, are among the youngest age voting cohort.²² The experiments allow the authors to measure the average participation of women and men relative to each other to determine whether participation by each gender is proportional to its number in the group.²³

They do so by operationalizing participation as the number of times women and men speak, and find that women speak less than men do.²⁴ However, while not dismissing it entirely, they believe that gender role theory is insufficient to explain the difference.²⁵ To put it simply, they contend that the number of women in the group by itself does not explain the gender gap in participation.²⁶

Their key finding is that understanding why women in such small groups speak less (and have less authority, less confidence, and are less persuasive) than men requires an analysis of the way in which the gender composition of the group interacts with the group's norms of deliberation and decision-making.²⁷ They conclude that women acquire a more effective voice when either of two conditions is present: they must be in the majority on a deliberative body where decisions are made by majority vote, or they must be in the minority on a body that makes decisions by unanimous consent.²⁸ Thus, the

17. *Id.* at 102.

18. *Id.* at 100-09.

19. *Id.* at 119-20.

20. *Id.* at 134-38.

21. KARPOWITZ & MENDELBERG, *supra* note 11, at 98.

22. *Id.* at 111-12.

23. *Id.* at 120-22.

24. *Id.*

25. *Id.*

26. KARPOWITZ & MENDELBERG, *supra* note 11, at 120-22.

27. *Id.* at 77-78.

28. *Id.* at 138.

authors maintain that simply increasing the number of women on small deliberative bodies will not resolve the problem of gender inequality.²⁹

The authors delve into a number of the ways in which the gender gap in political participation manifests itself, noting that the gender gap in voting is in the opposite direction, with women outvoting men.³⁰ However, in other areas of participation, the data show that women are less likely than men are to engage in authoritative acts, such as discussing politics, enjoying political discussions, feeling efficacious, or offering opinions about politics.³¹ Contrary to conventional wisdom (which may have been true decades ago), this gender gap is not explained by women's level of education, employment, or income.³² Indeed, the authors point out the incongruous situation that more educated women are less likely to attempt to persuade others of their political views and are less likely to engage in politics.³³ This evidence shows that despite the enormous advances they have made as political actors, women may still be socialized to believe that politics is a male activity; consequently, they participate less, speak less authoritatively, and are more likely to wish to avoid conflict among the members of the group.³⁴

The authors carefully and methodically set the stage for exploring the gender role theory, that is, that the gender gap in speech participation appears when women are in a minority.³⁵ With speech (both length of time and amount of influence) as the indicators of participation, they find partial support for this theory.³⁶ Their evidence shows that when women are a minority in their small deliberative groups, they participate less than their equal share under a majority rule procedure.³⁷ Indeed, women must be in a supermajority to achieve equal time in such groups.³⁸ When women are in the majority, their influence increases as their numbers grow because their presence signals the members of the group that they are entitled to exercise power.³⁹

Their data do not support gender role theory when measuring women's participation in groups governed by unanimous rule.⁴⁰ Women are more likely to participate equally and exert equal authority when they are in the minority in such groups.⁴¹ Compared to majority rule, minority status enhances women's participation in such groups for their views are more likely to be solicited to allow the group to arrive at the necessary unanimous decision.⁴² Women in the minority in groups with unanimous

29. *Id.* at 29.

30. *Id.* at 35-36.

31. KARPOWITZ & MENDELBERG, *supra* note 11, at 36-37.

32. *Id.* at 35-36.

33. *Id.* at 39.

34. *Id.* at 52-53.

35. *Id.* at 117.

36. KARPOWITZ & MENDELBERG, *supra* note 11, at 137-38.

37. *Id.* at 122-23.

38. *Id.* at 142.

39. *Id.* at 311.

40. *Id.* at 120-22.

41. KARPOWITZ & MENDELBERG, *supra* note 11, at 138.

42. *Id.* at 94-95.

voting procedures are more likely to participate equally because the decision-making rule makes their input more valuable.⁴³

In sum, the authors find support for gender role theory under conditions of majority rule, but note that it does not account for the fact that women's speech participation is enhanced when they are in the minority in a group with unanimity as the decision-making rule.⁴⁴ Based on their findings, they conclude that the best explanation for the differences in women and men's participation in small group deliberations lies in the interaction of the decision-making rule and the gender composition of the group. They offer the interaction theory as a better explanation for the gender gap in participation.

In their analysis of the gender gap in participation in the small groups under observation, they found a confidence gap between women and men, a gap that likely arises because women are more attuned to social cues than men are and are less likely to rebound after receiving negative feedback for articulating their views.⁴⁵ In the end, Karpowitz and Mendelberg report that confidence in the ability to articulate opinions and participate in group deliberations is strongly related to the proportion of speaking time in the group.⁴⁶ Confidence, in turn, varies according to the group composition and the decision-making rules.⁴⁷ The gender gap in participation therefore arises because women are less likely to be as confident as men are at the outset, and, when they constitute only a minority in a group that operates on the principle of majority rule, they remain less confident.⁴⁸ The authors discerned no support for other possible explanations, such as that women speak less frequently because they are anxious to avoid conflict and are concerned about disturbing the social bonds among themselves and among their likely listeners.⁴⁹

Satisfied that they presented sufficient support for the internal validity of their experiments, the authors present evidence of external validity by testing their findings in the real-life situations of school boards—small deliberative bodies that typically rely on principles of majority rule.⁵⁰ Here again, they report a gender gap in participation when women are in the minority.⁵¹ Indeed, in such settings, when women are in the minority, they participate far less than one would expect, based on the proportion of women to men on the board.⁵² When women are a numerical majority, their talk comes close to equality, but they need to be in a substantial majority to achieve equal talk time.⁵³ Because the experimental groups were not assigned leaders, the authors examined the

43. *Id.* at 138.

44. *Id.* at 137-38.

45. *Id.* at 54-55.

46. KARPOWITZ & MENDELBERG, *supra* note 11, at 154-55.

47. *Id.* at 155.

48. *Id.* at 165.

49. *Id.* at 162, 65.

50. *Id.* at 273-74.

51. KARPOWITZ & MENDELBERG, *supra* note 11, at 286.

52. *Id.*

53. *Id.*

boards' speech behavior when women happened to be in leadership positions. Although they found greater equality in overall talk time, they discovered that this was only because the woman in charge talked more; having a woman as chair or president did not affect the talk time of the non-leadership women, who continued to remain more silent than the men.⁵⁴

PART III

This book offers an interesting, albeit disturbing, analysis of women in the political process, for it reveals that, despite the advances women have made in political participation, there are still lingering measures of inequality between women and men—with women falling short. There are a number of real-world implications to the authors' findings. Before discussing these, a brief comment about their research design is appropriate. Experiments are a widely used research method, but it is always wise to question how much the results of such experiments reflect reality. The authors go to great lengths to establish the external validity of their methods by replicating their analysis in the practical, real-life settings of local school boards. Moreover, their research portrays an image of gender inequality that comports to reality, as anyone (especially any woman) who has taken part in a meeting or even a social gathering in which men outnumber women can attest. Nevertheless, the manipulation of the content and procedure of the small-group discussion leads to questioning the extent to which their assessment of the gender gap displayed in women and men's speaking patterns can be generalized beyond the artificially contrived deliberative bodies in their study.

The premise of their research is that deliberative groups play an important role in a functioning democratic system.⁵⁵ Yet, aspects of this study raise questions about the value of such deliberative bodies in a democracy. Most assume that such meetings are beneficial to a governing democracy because they allow citizens to exercise their authority over the policy-making process within their political communities. However, the most common method of decision-making is majority rule, and this research shows that, when women are in the minority in such groups, as they almost inevitably are, the gender gap is most pronounced.⁵⁶ It therefore appears that such institutions as the local town council or the neighborhood community group, proclaimed as some of the most effective vehicles for democratic decision-making, might need to be reevaluated; at a minimum, their decision-making procedures must be reassessed, for they seem to contribute to gender inequality, with its accompanying diminished political authority for women.

The authors define the gender gap in political participation by measuring the verbal expression of women and men in small groups, finding that women speak less and are less authoritative and influential under the conditions they devise.⁵⁷ However, their study offers only a partial glimpse of women's role in the U.S. political system and does not

54. *Id.* at 292.

55. *Id.* at 28, 306.

56. KARPOWITZ & MENDELBERG, *supra* note 11, at 141.

57. *Id.* at 137-39.

address the apparent contradiction between their limited speech participation and their greater voting participation. Karpowitz and Mendelberg's analysis does not have much to say about women's roles as voters and their impact on the political system in this capacity. Thus, although they persuasively show that there is a gender gap in participation in deliberative bodies, their narrow focus omits consideration of women's roles as political beings more generally.

This research also indicates it might be wise to rethink the importance of participation in local politics (governed by small deliberative bodies) as recruitment paths for women public officeholders. Its findings imply that their minority status on such boards or councils would not necessarily embolden women to seek higher office and indeed might have the opposite effect. *The Silent Sex* suggests that, for women with such local government experience, their political ambition may depend upon the type of group in which they participated, including its decision-making rules, as well as the women's own social and psychological history.

Additionally, the book reveals that when women participate less in deliberative groups and have less influence over the policy outcomes, their distinctive political concerns are undervalued by the group.⁵⁸ The experiments also show that the outcomes of the group's deliberation will be different when women are more influential and will likely reflect their greater concern for improving education and supporting children and families.⁵⁹ Again, the real world implications of this research highlight that, given the likelihood of voting by majority rule, it is crucial to increase descriptive representation at local levels of government, as well as higher levels.

Finally, because their data derive from experiments in which only non-elite women and men participate, the book has less to offer about the existence of a gender gap in verbal participation when elite women and men meet in their roles as cabinet members, congressional leaders, or members of corporate boards. Not much is known about whether a gender gap exists in the speech participation of such women and men when they deliberate in small groups. It is, of course, very difficult to collect such data. The authors attempt to compensate for this lack by citing anecdotal evidence of women in leadership positions, who report the problems they face when they are in the minority in such groups. With the increasing numbers of women in such positions, Karpowitz and Mendelberg's study underscores the importance of further research into this area and perhaps offers some insights into how to conduct it.

The Silent Sex offers convincing evidence of the gender inequality that manifests itself in unequal speech participation when small groups deliberate. The authors' path-breaking analysis of the political, social, and psychological explanations for this gender gap adds to the voluminous literature on women's participation, gender role theory, and theories of representation. Their study offers some support for gender role theory, but their innovative research design shows that gendered speech participation arises from the interactive effect between gender composition and decision-making rules. Assuming the

58. *Id.* at 191.

59. *Id.* at 170, 272.

2016]

ARE WOMEN SILENT OR SILENCED?

347

value of deliberative groups in a democratic system, this book indicates that it may be as important to investigate the structure of such groups and the ways in which women's participation and exercise of authority and influence can be enhanced by more egalitarian decision-making rules, as well as to increase the number of women in such groups.⁶⁰

60. *Id.* at 317.