

April
2019



Democratic Decay & Renewal (DEM-DEC) Global Research Update April 2019

This Update was issued on 11 April 2019. It is based on new publications and suggestions from users of the Democratic Decay & Renewal (DEM-DEC) resource,

Global Research Updates are issued in the first week of each month. They should be read in conjunction with the main bibliography on DEM-DEC (issued 24 June 2018).

www.democratic-decay.org

We've had a Name Change

The Democratic Decay Resource (DEM-DEC)
has become
Democratic Decay & Renewal (DEM-DEC)



This is to highlight that our mission is focused both on anatomising the threats facing liberal democracy worldwide and on finding solutions – immediate, medium-term and long-term.

The aim of democracy defenders cannot be solely to understand authoritarian advances and seek to roll them back. We must also pursue how the practice and structures of democracy can be rethought and reimagined to render democratic governance more responsive and resilient.

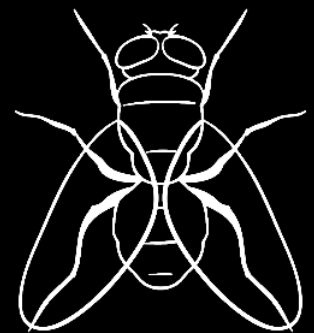
About DEM-DEC

Created by Dr Tom Gerald Daly (Melbourne Law School) and supported by a range of leading public law and policy organisations, Democratic Decay & Renewal (DEM-DEC) is an online resource aiming to provide useful information on the deterioration of democratic rule worldwide through a mixture of curated, collaborative, and user-generated content including a Bibliography, Concept Index, Experts Database, Events Database, Teaching Materials, and Links.

DEM-DEC's core purpose is to bring scholars and policymakers together in a collaborative project to pool expertise on democratic decay, in a context where many experts are talking in silos, or past one another, where the literature is rapidly expanding, and events and projects are proliferating across the world.

www.democratic-decay.org

democraticdecay@gmail.com



DEM-DEC



Director Dr Tom Gerald Daly

Tom is an academic and consultant in the area of democracy-building, public law, and human rights.

He is Associate Director of the Edinburgh Centre for Constitutional Law (ECCL), Fellow at Melbourne Law School, and Co-Convenor of the Constitution Transformation Network. As a consultant he has worked on EU, Council of Europe, African Union, International IDEA and Irish government projects.

His current book project concerns the role of public law in countering 'democratic decay' worldwide. He has written on democratic decay as a columnist for the ICONnect blog and tweets @DemocracyTalk.

Recent academic publications include an article on 'Democratic Decay: Conceptualising an Emerging Research Field' (*Hague Journal on the Rule of Law*). Policy publications include a chapter on 'Democratic Decay in 2016' in International IDEA's *Annual Review of Constitution-Building* for 2016.

Research Editors Kuan-Wei Chen & Anant Sangal

Two Research Editors provide valuable assistance in producing the monthly Global Research Update.

Kuan-Wei Chen is a doctoral researcher at the Faculty of Law at University of Munich (Ludwig-Maximilians-Universität München) in Germany.

Anant Sangal is a student of B.A. LL.B. (Hons.) at the National Law University Delhi, India.



Want to Join the DEM-DEC Team?



Simply fill out the form at

www.democratic-decay.org/get-involved/

Positions are exclusively on a volunteer basis at present

Partners

DEM-DEC enjoys the support of a range of partners, which are leading organisations in public law, governance, and policy worldwide:

Centre for Comparative Constitutional Studies (CCCS)

Centro de Estudos sobre Justiça de Transição (Study Center on Transitional Justice (SCTJ), Brazil)

Constitution Transformation Network (Melbourne Law School)

Constitutionally Speaking (blog – South Africa)

Democracy Reporting International (DRI)

Democratic Erosion: A Cross-University Collaboration (USA)

Edinburgh Centre for Constitutional Law

ICON-S-Israel

International Association of Constitutional Law (IACL) Blog

International Institute for Democracy and Electoral Assistance (International IDEA)

International Journal of Constitutional Law (I-CONnect) Blog

School of Transnational Governance (European University Institute)

Varieties of Democracy (V-Dem)

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	<i>Democratization: Latest Articles</i>	16
	– articles and book reviews on democracy promotion in the EU, support for democracy in Latin America, the effect of constitutional design on democracy, among others	
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	– a collection of articles on the Trump presidency, on drivers for President Trump's election, assessing whether democratic decline has taken place, and voter suppression, among others	
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Have Your Say!

Send suggestions and information on new publications for the next monthly update by filling out the form at www.democratic-decay.org or e-mailing democraticdecay@gmail.com



DEM-DEC

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Introduction

The DEM-DEC Bibliography

The DEM-DEC Bibliography is provided on Democratic Decay & Renewal (DEM-DEC) at www.democratic-decay.org, which was launched on 25 June 2018 and which aims to provide useful information to academics and policymakers concerned with the creeping deterioration of democratic rule worldwide.

The [main Bibliography](#) (finalised on 24 June 2018) presents a global range of research on democratic decay. It has a strong focus on research by public lawyers – spanning constitutional, international and transnational law – but also includes key research from political science, as well as policy texts.

Ninth monthly update since DEM-DEC was launched

Updates to the Bibliography are issued in the first week of each month. This is the eighth monthly update provided and was issued on Thursday 11 April 2019. All updates should be read in conjunction with the main DEM-DEC bibliography.

Comprehensiveness

It is impossible to be comprehensive given the broad scope of the subject. However, the updates here have been collated from suggestions by scholars worldwide, a broad search of publisher websites and academic journals worldwide, as well as information collated on leading blogs. Blog posts, media articles, and (with some exceptions) policy documents are not covered.

Period covered by this update

As this is a monthly update, the main items here are from March 2019. Items suggested by DEM-DEC users include earlier material. In addition, the 'Forthcoming Research' section provides a rapidly growing list of future publications.

Global Coverage

The Global Research Updates aim for global coverage. However, it should be borne in mind that the Bibliography and Updates, at present, collate information exclusively in the English language.

Hyperlinks

Every effort is made to provide hyperlinks to access each text listed, or at least information on the text. Please remain mindful that some links may be broken over time.

Acknowledgments

Sincere thanks to all who have suggested additions and sent key information for this Update. A particular thanks to DEM-DEC's Research Editors, Kuan-Wei Chen and Anant Sangal, who have provided highly valuable assistance in compiling information for this Update.

Key Themes from this Update

Identifying Themes

In each monthly Update DEM-DEC Director Dr Tom Gerald Daly selects key themes. The aim is simply to provide ‘added value’ by helping users to navigate the Update, and to provide some limited commentary, especially on very recent research. Although it is impossible to capture every dimension of the issues covered in this Update, six key themes can be picked out. There is a notable bias towards the USA in this month’s themes, partly reflecting Tom’s recent 2-week trip to the US.

1 Political Parties versus Democracy

An increasingly central question in the global conversation concerning democratic decay is the threat posed by political parties to liberal democracy. In a forthcoming article just accepted for publication in the *International Journal of Constitutional Law* (ICON) (and [uploaded to SSRN on 11 April](#)) Brian Christopher Jones and I provide a global analysis of the many ways in which contemporary political parties degrade democratic rule in both indirect and direct ways, and seek to spur discussion of possible remedies. Titled ‘Parties versus democracy: Addressing today’s political-party threats to democratic rule’, the abstract is as follows:

The growing threat to liberal democracy worldwide is, in many ways, a political-party threat. Recent years have witnessed the rise of a range of authoritarian populist, illiberal, far-right, nativist, and extremist parties. Some have entered government in countries including Hungary, Poland, Austria and Italy. Germany’s Alternativ für Deutschland (AfD) is now the main parliamentary opposition. Beyond Europe we see democratic structures threatened or incrementally dismantled through the subversion of an established democratic party by an outsider (e.g., Donald Trump in the U.S., or Rodrigo Duterte in the Philippines) or ascendance of the extremist wing of a right-wing party (e.g., India’s Bharatiya Janata Party (BJP)). Parties and party leaders occupying an ill-defined space on the political spectrum – a form of “far-right lite” – today generally present a much greater threat to democratic governance than overtly anti-democratic fringe outfits, such as the National Democratic Party (NPD) of Germany. The ambiguity of such parties, their growing size, their entry into government, the subversion of “good” democratic parties by a “bad” leadership, and the rise of the “shadow party” and intensifying external control mean that contemporary political-party threats seriously frustrate the possibility of remedial action afforded by existing public law and policy mechanisms. They also require us to reflect anew on crafting novel remedies and to revisit our deep assumptions about parties as creatures of central constitutional importance.

2 5 Years of Democratic Decay in India

In recent years a variety of scholars and democracy analysts have raised concerns about the impact of the BJP government under Prime Minister Mahendra Modi, who came to power in 2014. In a new paper just uploaded to SSRN, [Tarunabh Khaitan](#) provides a highly incisive account of the past 5 years in India, analysing the many ways in which the Modi government has sought to diminish accountability

mechanisms (including the opposition) and pursued an elision of the boundary between the ruling BJP party and the state. Khaitan sets out an analytic framework for the accountability mechanisms put in place by liberal democratic constitutions to provide a check on the executive, to make a crucial distinction between government actions that may be viewed as ideologically suspect but permissible and actions that strike at the heart of liberal democratic constitutionalism. Khaitan concludes that incremental moves toward enhancing executive control mean that '[t]he direction of travel is unmistakably towards a 'guided' or 'managed' democracy which will structurally ensure the political dominance of the ruling party.' It is a must read, and links with items from previous Global Research Updates (e.g. Duncan McDonnell and Luis Cabrera on the right-wing populism of the BJP-March 2019 Update). A highly contrasting view is provided by Ruchir Sharma in his new book [Democracy on the Road](#): based on two decades of following elections and speaking to individuals from every part of Indian society, Sharma concludes that while democracy may be retreating globally, it is very much alive in India. With the general election looming (April-May 2019), this debate is of crucial importance.

3 A Rounded Reflection on the Trump Presidency

The US has evidently been a central preoccupation for democratic decay scholars, especially since the election of President Trump in 2016 (see e.g. from earlier Global Research Updates: Theme 4-February 2019; Themes 4 and 6-December 2018; Theme 5-November 2018; and Theme 1-October 2018).

[A rich collection in the journal *Perspectives on Politics*](#) (March 2019, but which also includes articles published earlier) provides a rounded analysis of the Trump presidency to date, including analysis of the impact of economic conditions and racial attitudes in President Trump's electoral victory in 2016; and continuing evolution of voter suppression in the USA. One piece, drawing on extensive survey data to assess whether 'bright lines' have been transgressed as regards democratic backsliding, offers that 'public and expert perceptions often differ on the importance of specific democratic principles. In addition, though our experts perceive substantial democratic erosion, particularly in areas related to checks and balances, polarization between Trump supporters and opponents undermines any social consensus recognizing these violations.' Another, by Robert Kaufman and Stephan Haggard, perceives 'striking parallels' between the USA and states such as Venezuela, Turkey and Hungary as regards democratic dysfunction, polarization, the nature of authoritarian appeals to the electorate, and the processes through which authoritarian leaders have sought to exploit elected office. A historical piece, placing the Trump presidency in a wider context, suggests the democratic order is under threat due to the interactive effects of debilitated institutions, exclusionary identity politics, and norm-breaking.

Elsewhere, in the [Democratization journal \(April 2019\)](#), Kenneth Bunker provides an insightful review of [Pippa Norris and Ron Inglehart's new book, *Cultural Backlash: Trump, Brexit, and Authoritarian Populism*](#), describing it as 'a foundational piece in the burgeoning field of studies related to the revival of authoritarianism and the rise of populism in the twenty-first century.' Bunker finds particular value in the authors' analysis and charting of a changing social and political landscape, with the left-right cleavage replaced by pluralist-populist and liberal-authoritarian continuums, although he expresses doubt as to whether the framework is applicable outside of the US, UK and EU.

4 Computing Polarisation

In a [working paper uploaded to SSRN in March](#), David Pozen, Eric Talley and Julian Nyarko adopt an innovative approach to analysing polarisation through a range of machine-learning and text-analysis

techniques. Analysing a data set of all remarks made in the US Congress between 1873 and 2016, as well as a collection of more recent newspaper editorials, the authors' findings suggest that constitutional discourse has grown increasingly polarised over the past four decades and that polarisation has intensified faster in constitutional discourse than in non-constitutional discourse. Further, they suggest that conservative-leaning speakers have driven this trend, and that contemporary conservative legislators have crafted a notably 'coherent constitutional vocabulary', which allows them to 'own' terms associated with the Constitution's original meaning but also terms associated with textual provisions such as the First Amendment.

5 Constitutional Design and Democratic Performance

Constitutional design has become a growing preoccupation in the global discussion concerning democratic decay. Three items in this Update warrant attention. In the [latest edition of the *Democratization* journal \(April 2019\)](#), Anna Fruhstorfer, focusing on presidential and semi-presidential systems in Europe, offers that while directly-elected presidents tend to be more powerful and foster a consistent constitutional design (as regards resonance between de jure and de facto power), 'inconsistent designs' focused on counterbalancing presidential legitimacy and de jure power perform significantly better as regards democratic development. In an earlier article from 2014, suggested for addition by a DEM-DEC user, [Yasmin Dawood develops a typology of 'democratic dysfunction'](#) that distinguishes among constitutional, political, institutional, and civic dysfunction to assess the relative merits and demerits of presidential and parliamentary systems. Dawood's 'optimal constraint theory of governance' provides a useful framework for assessing trade-offs between mechanisms that constrain governmental action and mechanisms that empower government or relieve constraints via "anti-deadlock" mechanisms. Finally, this is the theme of a forthcoming special issue of the journal [Constitutional Studies](#), edited by András Jakab and Howard Schwaebler, on 'The Role of Constitutional Design in Preventing or Contributing to Constitutional Decline'. Contributors include DEM-DEC Director Tom Daly, Tom Ginsburg, Cassie Emmons, Aziz Huq, David Kosař, and Rainer Grote.

6 Poverty and Participation

I was initially unsure whether the [2018 Report of the Special Rapporteur on extreme poverty and human rights on his mission to the United States of America](#), suggested for addition by a DEM-DEC user, was sufficiently relevant. However, it is striking that the Special Rapporteur Philip Alston dedicates an entire section to how extreme poverty undermines democratic participation in the US. As well as 'overt disenfranchisement' of felons and ex-felons, he points to 'covert disenfranchisement' and remarks that it is unsurprising that the US has one of the lowest turnout rates in elections among developed countries:

Then there is covert disenfranchisement, which includes the dramatic gerrymandering of electoral districts to privilege particular groups of voters, the imposition of artificial and unnecessary voter identification requirements, the blatant manipulation of polling station locations, the relocation of Departments of Motor Vehicles' offices to make it more difficult for certain groups to obtain identification, and the general ramping up of obstacles to voting, especially for those without resources. The net result is that people living in poverty, minorities and other disfavoured groups are being systematically deprived of their right to vote.

Additions Suggested by DEM-DEC Users

Note 1: Where possible, hyperlinks are provided directly to the text

Note 2: A number of suggested additions in this Update are found in the 'New Publications' and 'Forthcoming Research' sections on p.16 and p.21

Monographs

[Larry M. BARTELS](#), Unequal Democracy: The Political Economy of the New Gilded Age 2nd ed (Princeton University Press, 2017).

[Chip BERLET](#), Trumping Democracy in the United States: From Ronald Reagan to Alt-Right (Routledge, February 2019).

[André BÉTEILLE](#), Democracy and Its Institutions (Oxford University Press, 2017).

[William DAVIES](#), Nervous States: Democracy and the Decline of Reason (WW Norton & Co., February 2017).

[Sean INGHAM](#), Rule by Multiple Majorities: A New Theory of Popular Control (Part of Political Economy of Institutions and Decisions) (January 2019).

[Torben IVERSEN & David SOSKICE](#), Democracy and Prosperity: Reinventing Capitalism through a Turbulent Century (Princeton University Press, 2019).

[Hélène LANDEMORE](#), Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many (Princeton University Press, 2017).

[Thomas J. MAIN](#), The Rise of the Alt-Right (Brookings Institution Press, 2018).

[Kurt WEYLAND & Raúl L. MADRID \(eds\)](#), When Democracy Trumps Populism: European and Latin American Lessons for the United States (Cambridge University Press, January 2019).

Book Chapters

[Yasmin DAWOOD](#), 'Democracy and the Problem of the Partisan State' in Sanford Levinson, Joel Parker & Paul Woodruff (eds), Loyalty: NOMOS LIV (NYU Press, 2013).

[Catherine O'REGAN](#), 'Mission in Progress: Towards an Assessment of South Africa's Constitution at 20' in Rosalind Dixon and Theunis Roux (eds), Constitutional Triumphs, Constitutional Disappointments: A Critical Assessment of the 1996 South African Constitution's Local and International Influence (Cambridge University Press 2018).

Edited Collections

[Jack KNIGHT \(ed\)](#), *Compromise: NOMOS LIX* (NYU Press, 2018).

[Sanford LEVINSON, Joel PARKER & Paul WOODRUFF \(eds\)](#), *Loyalty: NOMOS LIV* (NYU Press, 2013).

[James E. FLEMING \(ed\)](#), *Getting to the Rule of Law* (NYU Press, 2011).

*** The NOMOS series, a yearbook produced by the American Society for Political and Legal Philosophy, has been added to the Links section on DEM-DEC**

[Eugene D. MAZO & Timothy K. KUHNER \(eds\)](#), *Democracy by the People: Reforming Campaign Finance in America* (Cambridge University Press, December 2018).

Articles

[Susanne BAER](#), 'The Rule of—and not by any—Law. On Constitutionalism' (2018) 71(1) *Current Legal Problems* 335 (published 3 January 2019).

[Yasmin DAWOOD](#), 'Campaign Finance and American Democracy' (2015) 18 *Annual Review of Political Science* 1.

[Yasmin DAWOOD](#), 'Democratic Dysfunction and Constitutional Design' (2014) 94 *Boston University Law Review* 913.

[Yasmin DAWOOD](#), 'The New Inequality: Constitutional Democracy and the Problem of Wealth' (2007) 67 *Maryland Law Review* 123.

[Daphne HALIKIOPOULOU](#), 'A Right-wing Populist Momentum? A Review of 2017 Elections Across Europe' (2018) 56(1) *Journal of Common Market Studies* 63.

[Catherine O'REGAN](#), 'Hate speech online: an (intractable) contemporary challenge?' (2018) 71(1) *Current Legal Problems* 403.

[Catherine O'REGAN](#), 'Political Parties: The Missing Link in our Constitution?' (2018) 1 *South African Judicial Education Journal* 61.

[Carolina PLESCIA & Jakob-Moritz EBERL](#), '“Not my government!” The role of norms and populist attitudes on voter preferences for government formation after the election' *Party Politics* (first published 5 February 2019).

[Jacob RUSH](#), 'Hacking the Right to Vote' (2018) 105 *Virginia Law Review Online* 67.

[Alison L YOUNG](#), 'Populism and the UK Constitution' (2018) 71(1) *Current Legal Problems* 17 (published 10 December 2018).

Policy Papers & Reports

[Report: Philip Alston](#), *Report of the Special Rapporteur on extreme poverty and human rights on his mission to the United States of America* (United Nations, May 2018).

[Policy Brief: Israel BUTLER](#), *The rule of law dialogue: five ideas for future EU presidencies* (Liberties, December 2015).

[Florence GAUB & Nicu POPESCU \(eds\)](#), *After the EU Global Strategy - Building Resilience* (May 2017).

Print Media & Blog Posts

*** Note: Print media articles and blog posts are generally not covered in this Update. However, we follow a policy of occasionally including pieces suggested to us by users, especially if they come from outlets which provide more in-depth analysis.**

[Hal Brands BLOOMBERG](#), 'NATO's next war is against global tyranny' The Eagle 3 April 2019.

[András JAKAB](#), 'How to Defend the Integrity of the EP Elections against Authoritarian Member States' Verfassungsblog (31 March 2019)..

[Amichai MAGEN](#), 'Europe Unbalanced' Jerusalem Post 6 April 2019.

DEM-DEC Launch Podcast

Panel Discussion to Launch DEM-DEC

‘Is Democracy Decaying Worldwide? And What Can We Do About It?’

Having gone live on 25 June 2018, Democratic Decay & Renewal (DEM-DEC) was formally launched at the University of Melbourne on Monday 22 October with a panel discussion. The panel was specifically designed to be open to the public and to be suitable for broadcast. Panellists were asked to avoid all academic jargon in their contributions and to strive for clarity.

The panel started with a global overview from DEM-DEC Creator Dr Tom Gerald Daly of the deterioration of democracy worldwide, in states such as Hungary, the USA and Brazil. This was followed by discussion of democratic decay in Poland, Venezuela and India with leading experts: Prof. Wojciech Sadurski (University of Sydney), Dr Raul Sanchez Urribarri (Latrobe University), and Dr Tarunabh Khaitan (universities of Oxford and Melbourne). The panel concluded with discussion of the robustness of, and challenges facing, Australian democracy, with Prof. Cheryl Saunders (University of Melbourne), followed by Q&A with the audience. DEM-DEC was formally launched by Prof. Pip Nicholson, Dean of Melbourne Law School, following the panel.

Podcast

On 27 and 28 November 2018 the launch panel discussion was broadcast as an hour-long programme on Australian Broadcasting Corporation (ABC) Radio National’s flagship current affairs programme ‘Big Ideas’. It is now available as a podcast.

Click CTRL and this symbol
to access the panel podcast



March 2019: New Publications

Note: A number of items were published in late February or early April 2019

Monograph: Hal BRANDS & Charles EDEL, The Lessons of Tragedy: Statecraft and World Order (Yale University Press, published 26 February 2019).

Monograph: Henry FARRELL & Abraham L. NEWMAN, Of Privacy and Power: The Transatlantic Struggle over Freedom and Security (Princeton University Press, published 2 April 2019).

Monograph: Jennifer M. MILLER, Cold War Democracy: The United States and Japan (Harvard University Press, published 1 April 2019).

Monograph: Pippa NORRIS & Ron INGLEHART, Cultural Backlash: Trump, Brexit and the Rise of Authoritarian Populism (Cambridge University Press, published April 2019).

Monograph: Ruchir SHARMA, Democracy on the Road (Penguin Books, published 28 February 2019).

International Journal of Constitutional Law (Forthcoming)

Tom Gerald DALY and Brian Christopher JONES, 'Parties versus democracy: Addressing today's political-party threats to democratic rule' (available on SSRN; posted 11 April 2019).

Democratization: Latest Articles (April 2019)

Articles

Sonja GRIMM, 'Democracy promotion in EU enlargement negotiations: more interaction, less hierarchy' (published online 5 April 2019).

Luis A. CARNACHO, 'Understanding support for democracy in new and old democracies in the Americas: the role of democratic experience' (published online 2 April 2019).

Robert CSEHI, 'Neither episodic, nor destined to failure? The endurance of Hungarian populism after 2010' (published online 25 March 2019).

Anna FRUHSTORFER, 'Consistency in constitutional design and its effect on democracy' (published online 1 April 2019).

Book Reviews

Kenneth BUNKER, 'Cultural backlash: Trump, Brexit, and authoritarian populism, by Pippa Norris and Ronald Inglehart' (published online 2 April 2019).

Filip MILAČIĆ, 'Building democracy in the Yugoslav successor states: accomplishments, setbacks, and challenges since 1990, edited by Sabrina P. Ramet, Christine M. Hassenstab, and Ola Listhaug' (published online 25 March 2019).

Perspectives on Politics: First View Articles (March 2019)

*** Note: A number of the items in the collection below were published in October 2018 but are included here as they have not been included in any previous Update**

Brad EPPERLY, Christopher WITKO, Ryan STRICKLER & Paul WHITE, 'Rule by Violence, Rule by Law: Lynching, Jim Crow, and the Continuing Evolution of Voter Suppression in the U.S.' (published online 25 March 2019).

John M. CAREY, Gretchen HELMKE, Brendan NYHAN, Mitchell SANDERS & Susan STOKES, 'Searching for Bright Lines in the Trump Presidency' (published online: 8 March 2019).

Robert R. KAUFMAN & Stephan HAGGARD, 'Democratic Decline in the United States: What Can We Learn from Middle-Income Backsliding?' (published online 29 October 2018).

Jon GREEN & Sean McELWEE, 'The Differential Effects of Economic Conditions and Racial Attitudes in the Election of Donald Trump' (published online 20 October 2018).

Robert C. LIEBERMAN, Suzanne METTLER, Thomas B. PEPINSKY, Kenneth M. ROBERTS & Richard VALELIV, 'The Trump Presidency and American Democracy: A Historical and Comparative Analysis' (published online 20 October 2018).

Byron E. SHAFER & Regina L. WAGNER, 'The Trump Presidency and the Structure of Modern American Politics' (published online 20 October 2018).

The International Journal of Press/Politics: Volume 24, Issue 2 (April 2019)

Articles

Nayla FAWZI, 'Untrustworthy News and the Media as "Enemy of the People?" How a Populist Worldview Shapes Recipients' Attitudes toward the Media' (2019) 24(2) The International Journal of Press/Politics 146.

Nicole ERNST, Frank ESSER, Sina BLASSNIG & Sven ENGESSER, 'Favorable Opportunity Structures for Populist Communication: Comparing Different Types of Politicians and Issues in Social Media, Television and the Press' (2019) 24(2) The International Journal of Press/Politics 165.

Léonie DE JONGE, 'The Populist Radical Right and the Media in the Benelux: Friend or Foe?' (2019) 24(2) The International Journal of Press/Politics 189.

Book Reviews

Andrew CHADWICK, Book Review: 'Misinformation and Mass Audiences' (2019) 24(2) The International Journal of Press/Politics 254.

Scott WRIGHT, Book Review: 'Civic Hope: How Ordinary Americans Keep Democracy Alive' (2019) 24(2) The International Journal of Press/Politics 258.

Global Constitutionalism: Volume 8, Issue 1 (March 2019)

David E. LANDAU, Rosalind DIXON & Yaniv ROZNAI, 'From an unconstitutional constitutional amendment to an unconstitutional constitution? Lessons from Honduras' (2019) 8(1) Global Constitutionalism 40 (published online 7 March 2019).

Gila STOPLER, 'Semi-liberal constitutionalism' (2019) 8(1) Global Constitutionalism 94 (published online 7 March 2019).

Society: Vol. 353, Issue 6432 (March 2019)

John S. DRYZEK, André BÄCHTIGER, Simone CHAMBERS, Joshua COHEN, James N. DRUCKMAN, Andrea FELICETTI, James S. FISHKIN, David M. FARRELL, Archon FUNG, Amy GUTMANN, Hélène LANDEMORE, Jane MANSBRIDGE, Sofie MARIEN, Michael A. NEBLO, Simon NIEMEYER, Maija SETÄLÄ, Rune SLOTHUUS, Jane SUITER, Dennis THOMPSON & Mark E. WARREN, 'The crisis of democracy and the science of deliberation' (2019) 353(6432) Science 1144 (published 15 March 2019).

Foreign Policy (March 2019)

Erica FRANTZ, 'The Evolution of the Strongman: Why authoritarians have grown more liberal as democracies have grown more authoritarian' 11 March 2019.

Journal of Common Market Studies: Volume 57, Issue 2 (March 2019)

James DAWSON & Seán HANLEY, 'Foreground Liberalism, Background Nationalism: A Discursive-institutionalist Account of EU Leverage and 'Democratic Backsliding' in East Central Europe' (first published 15 March 2019).

Johannes KARREMANS, 'Centre-left Parties and the European Union: Power, Accountability, and Democracy, by I. Hertner (Manchester: Manchester University Press, (2018)' (first published 15 March 2019).

Hague Journal on the Rule of Law: First Online Articles (March 2019)

Bogdan IANCU, '*Quod licet Jovi non licet bovi?*: The Venice Commission as Norm Entrepreneur' (published online 13 March 2019).

Lisa LOUWERSE & Eva KASSOTI, 'Revisiting the European Commission's Approach Towards the Rule of Law in Enlargement' (published online 6 March 2019).

West European Politics: Latest Articles (March 2019)

Nicole SCICLUNA & Stefan AUER, 'From the rule of law to the rule of rules: technocracy and the crisis of EU governance' (published online 22 March 2019).

Working Paper: Tarunabh KHAITAN, Killing a Constitution with a Thousand Cuts: Executive Aggrandizement and Party-State Fusion in India (posted to SSRN 6 April 2019).

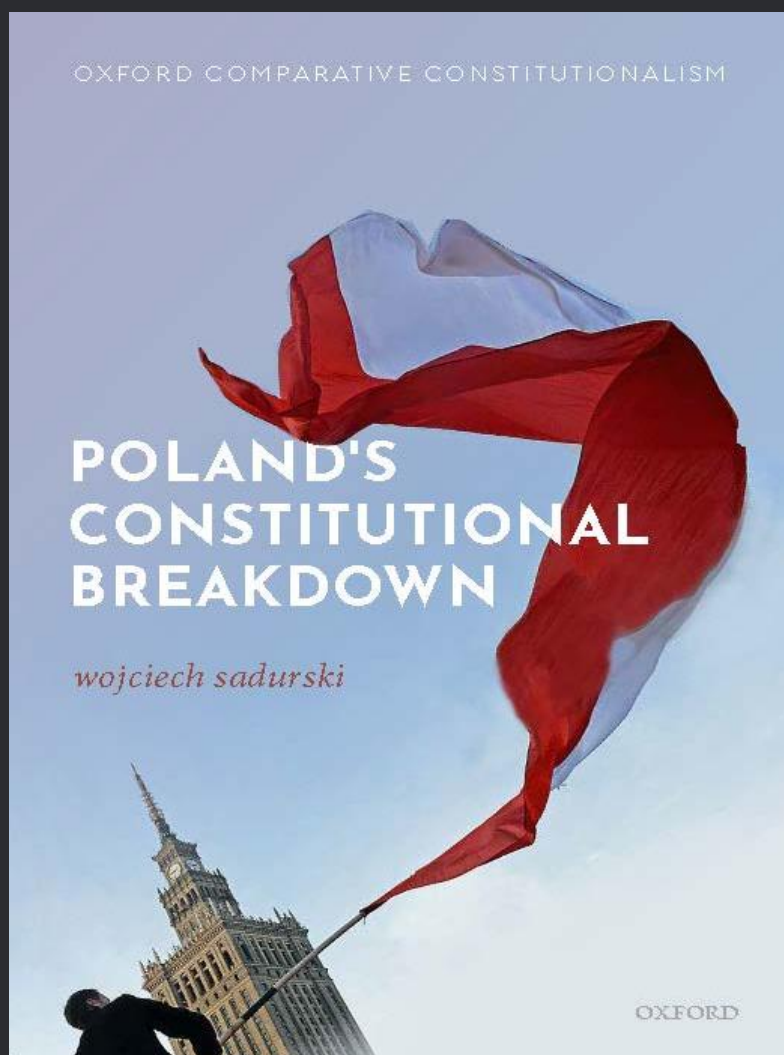
Working Paper: David POZEN, Eric L. TALLEY & Julian NYARKO, A Computational Analysis of Constitutional Polarization. Columbia Public Law Research Paper No. 14-624. Cornell Law Review, Forthcoming (posted on SSRN 14 March 2019).

Policy paper: William J. BURNS & Bob MENENDEZ, Democracy Under Assault: How American Foreign Policy Can Rise to the Challenge (Carnegie Endowment for International Peace, 10 April 2019).

Policy paper: Venice Commission, Report on Funding of Associations. Adopted by the Venice Commission at its 118th Plenary Session (Venice, 15-16 March 2019) CDL-AD(2019)002 (18 March 2019).

Policy Paper: Alberto ALEMANNINO, Petra BÁRD & Judit BAYER, Disinformation and propaganda: Impact on the functioning of the Rule of Law in the EU and its Member States (European Parliament, Policy Department for Citizens' Rights and Constitutional Affairs, March 2019).

DEM-DEC Recommended Read



"An indispensable look at the disheartening illiberal assault on democracy. Sadurski illuminates how Poland, once the great success story of the post-1989 new world order, has been brought to the brink of authoritarianism.

— **Samuel Issacharoff**, NYU Law

"A magnificent achievement! Sadurski's close reading of the Polish case sheds light on many theoretical and empirical debates in the growing literature on democratic backsliding."

— **Tom Ginsburg**, author (with Aziz Huq) of *How to Save a Constitutional Democracy*

"Sadurski rises above the specificity of the case to offer general reflection, substantial analysis, and a series of important lessons we can learn from the collapse of a constitutional democracy."

— **Kim Scheppele**, Princeton University

Pre-order from Oxford University Press

Paperback \$39.95 / Also available as E-book

Poland's Constitutional Breakdown. Oxford University Press 2019. 9780198840503.
<https://bit.ly/2G6HFxD>

Forthcoming Research

Note 1: Where possible, hyperlinks are provided to information on the text

Note 2: New additions to this section are now clearly marked

Books

[Bruce ACKERMAN](#), *The Rise of World Constitutionalism, Volume One: Revolutionary Constitutions: Charismatic Leadership and the Rule of Law* (Harvard University Press, due for publication 13 May 2019). * **Note: this is the first volume in a three-volume series**

[Carol ANDERSON](#), *One Person, No Vote: How Voter Suppression Is Destroying Our Democracy* (Bloomsbury Publishing, due for publication 17 September 2019).

[Yeşim ARAT & Şevket PAMUK](#), *Turkey Between Democracy and Authoritarianism* (Cambridge University Press, due for publication in September 2019).

[Julian BERNAUER & Adrian VATTER](#), *Power Diffusion and Democracy* (Cambridge University Press, due for publication in August 2019).

[David F J CAMPBELL](#), *Global Quality of Democracy as Innovation Enabler: Measuring Democracy for Success* (Palgrave Macmillan, due for publication 22 November 2019).

[Renske DOORENSPLEET](#), *Rethinking the Value of Democracy: A Comparative Perspective* (Palgrave Macmillan, due for publication 2019 (precise date TBA)).

[Yiftah ELAZAR & Geneviève ROUSSELIÈRE](#), *Republicanism and the Future of Democracy* (Cambridge University Press, due for publication in August 2019).

[Catherine FIESCHI](#), *Populocracy: The Tyranny of Authenticity and the Rise of Populism* (Columbia University Press, due for publication June 2019).

[George FRIEDMAN](#), *The Storm Before the Calm: America's Discord, the Coming Crisis of the 2020s, and the Triumph Beyond* (Knopf Doubleday Publishing Group, due for publication 10 September 2019).

[Dipayan GHOSH](#), *Digital Democracy: A New Social Contract for Our Technological Future* (publisher TBA, due for publication 5 November 2019).

NEW [Dannagal GOLDTHWAITE YOUNG](#), *Irony and Outrage: The Polarized Landscape of Rage, Fear, and Laughter in the United States* Hardcover (due for publication 2 December 2019).

[Ioannis N. GRIGORIADIS](#), *Democratic Transition and the Rise of Populist Majoritarianism: Constitutional Reform in Greece and Turkey* (Palgrave Macmillan, due for publication 7 November 2019).

[Ignas KALPOKAS](#), *A Political Theory of Post-Truth* (Palgrave Macmillan, due for publication 11 September 2019).

Ivan KRASTEV I & Stephen HOLMES, *The Light that Failed* (Penguin, forthcoming 2019).

Michael LIND, *The New Class War: Saving Democracy from the Elite Hardcover* (Penguin, due for publication 15 October 2019).

NEW Duncan McDONNELL & Annika WERNER, *International Populism: The Radical Right in the European Parliament* (Hurst, due for publication August 2019).

NEW Fathali M. MOGHADDAM, *Threat to Democracy: The Appeal of Authoritarianism in an Age of Uncertainty* (American Psychological Association, due for publication 28 May 2019).

Joe MULHALL, David LAWRENCE, Simon MURDOCH & Patrik HERMANSSON, *The Alt-Right International* (Routledge, forthcoming; due for publication 30 March 2019 * **Unable to verify whether this book was published on schedule**).

John NICHOLS, *The Danger of American Fascism: Henry Wallace, Donald Trump, and the Democratic Party's Road Not Taken* (Penguin Random House Canada, due for publication 17 September 2019).

Frances E. NOLAN & Nolan McCARTY, *Can America Govern Itself?* (Cambridge University Press, due for publication in August 2019).

Dana OTT, *Small is Democratic: An Examination of State Size and Democratic Development* (Comparative Studies of Democratization; due for publication 12 October 2020).

Merijn OUDENAMPSEN, *The Dutch New Right: Culture Wars in the Netherlands* (Routledge, forthcoming due for publication 28 February 2019 * **Unable to verify whether this book was published on schedule**).

Wojciech SADURSKI, *Poland's Constitutional Breakdown: Freefall 2015-2018* (Oxford University Press, forthcoming, early 2019).

Amy Erica SMITH, *Religion and Brazilian Democracy: Mobilizing the People of God* (Cambridge University Press, due for publication July 2019).

NEW Ece TEMELKURAN, *How to Lose a Country: The 7 Steps from Democracy to Dictatorship* (HarperCollins, due for publication 28 May 2019).

Alen TOPLIŠEK, *Liberal Democracy in Crisis: Rethinking Resistance under Neoliberal Governmentality* (Palgrave Macmillan, due for publication 16 October 2019).

James TRAUB, *What Was Liberalism?: The Past, Present, and Promise of a Noble Idea Hardcover* (Basic Books, due for publication 24 September 2019).

Edited Collections

Stephen ASHE, Joel BUSHER, Graham MACKLIN and Aaron WINTER (eds), *Researching the Far Right: Theory, Method and Practice* (Routledge, due for publication 1 June 2019).

Francesca BIGNAMI (ed), *EU Law in Populist Times* (Cambridge University Press (forthcoming, publication date TBC).

Yoichi FUNABASHI & G. John IKENBERRY (eds), *The Crisis of Liberal Internationalism: Japan and the World Order* (publisher TBA, due for publication 29 October 2019).

NEW [Stéphanie HENNETTE, Thomas PIKETTY, Guillaume SACRISTE & Antoine VAUCHEZ](#), *How to Democratize Europe* trans Paul Dermine, Marc LePain & Patrick Camiller (Harvard University Press, due for publication 8 August 2019).

[Graham MACKLIN and Fabian VIRCHOW \(eds\)](#), *Transnational Extreme Right Networks* (Routledge, due for publication 1 May 2019).

Gerald L. NEUMAN (ed), *Human Rights in a Time of Populism: Challenges and Responses* (Cambridge University Press, forthcoming, 2019).

[Stephen SKINNER \(ed\)](#), *Ideology and Criminal Law: Fascist, National Socialist and Authoritarian Regimes* (Hart Publishing, due for publication 25 July 2019).

Book Chapters

Tímea DRINÓCZI, 'Legislation in Hungary' In Helen Xanthaki & Ulrich Karpen (eds), *Legislation in Europe – A Country to Country Guide* (Hart Publishing, forthcoming, 2019).

[Bertil Emrah ODER](#), 'Populism and the Turkish Constitutional Court: From a Game Broker to a Strategic Compromiser' in M Javonovic & V Besiveric (eds), *New Politics of Decisionism* (Eleven, forthcoming, 2019).

Shawn ROSENBERG, 'Democracy Devouring Itself: The Rise of the Incompetent Citizen and the Appeal of Right Wing Populism' in D Hur & JM Sabucedo (eds), *Psychology of Political and Everyday Extremisms* (forthcoming, 2019).

Kim SCHEPPELE & R. Daniel KELEMEN, 'Defending Democracy in EU Member States: Beyond Article 7 TEU' in Francesca Bignami (ed), *The EU at a Crossroads: From Technocracy to High Politics?* (Cambridge University Press, 2019).

Kim SCHEPPELE, 'Autocracy Under Cover' in T Ginsburg, T Halliday & G Shaffer (eds), *Constitution-Making as Transnational Legal Practice* (Cambridge University Press, due for publication in August 2019).

[Kim SCHEPPELE](#), 'The Legal Complex and Lawyers-in-Chief' in R Greenspan, J Simon & H Aviram (eds), *The Legal Process and the Promise of Justice* (Cambridge University Press, June 2019).

Journal Special Issues

David KOSAŘ (ed), special issue of the *German Law Journal* on 'The Rise and Fall of Judicial Self-Government in Europe' (forthcoming, 2019).

* Two special issues of the *German Law Journal* are also due for publication in April 2019. Details coming soon.

Gila STOPLER & Iddo PORAT (eds), special issue of *Law and Ethics of Human Rights* on 'Democratic Backsliding and Human Rights' (forthcoming, 2020).

András JAKAB & Howard SCHWEBER, Special Edition of *Constitutional Studies*: 'The Role of Constitutional Design in Preventing or Contributing to Constitutional Decline'.

Articles

[Ryan CALO & Madeline LAMO](#), 'Regulating Bot Speech' 66 UCLA Law Review (forthcoming, 2019).

NEW [Bruno CASTANHO SILVA](#), "'He's Not One of Them!' Anti-establishment Supporters of Populist Governments in Bolivia and Ecuador; (forthcoming, The Journal of Politics).

Tímea DRINÓCZI & Agnieszka BIEŃ-KACAŁA, 'Constitutions and Constitutionalism Captured: Shaping Illiberal Democracies in Hungary and Poland', German Law Journal (forthcoming, summer 2019).

Tímea DRINÓCZI & Agnieszka BIEŃ-KACAŁA, 'Extra-legal Particularities and Illiberal Constitutionalism - The Case of Hungary and Poland', Hungarian Journal of Legal Studies (forthcoming, 2019).

[Sarah C. HAAN](#), 'The Post-Truth First Amendment' 94 Indiana Law Journal (forthcoming, 2019).

[Tamar HOSTOVSKY BRANDES](#), 'International Law in Domestic Courts in an Era of Populism', International Journal of Constitutional Law (forthcoming, 2019).

[Luke Dimitrios SPIEKER](#), 'From Moral Values to Legal Obligations – On How to Activate the Union's Common Values in the EU Rule of Law Crisis', German Law Journal (forthcoming, 2019).

New Resources in DEM-DEC Links

Note: Think something could be added to the DEM-DEC Links section? E-mail the information to democraticdecay@gmail.com

New resources added to the [Links](#) section on DEM-DEC since the last Research Update include:

New Research Project

[Constitutional populism: friend or foe of constitutional democracy?](#)

CONPOP aims to explain and evaluate a new type of regime sweeping the globe – ‘constitutional populism’ as newly influential and pervasive in the domestic and geopolitical conduct of a variety of countries. Partly funded by the Australian Research Council (ARC), research will run from 2019 to 2021.

New Bibliography

[Nordic Right-Wing Populism Bibliography](#)

This new bibliography, recently issued by the Centre for Research on Extremism (C-REX) at the University of Oslo contains a range of material. Send an email to Anders Ravik Jupskås (a.r.jupskas@c-rex.uio.no) if you know of any relevant publication that is not already on the list.

Podcast

[Philosophy 24/7](#)

Philosophy 24/7 provides concise interviews with leading philosophers about pressing moral, political and social questions. Recent podcasts include:

- Democracy: How can we save democracy?
- Intellectual Arrogance: Are we becoming incapable of respecting other people's opinions?

Journal

[NOMOS: Yearbook of the American Society for Political and Legal Philosophy](#)

The NOMOS series is produced by the American Society for Political and Legal Philosophy since 1958. Each yearbook is devoted to a single theme, often boiled down to one word, e.g. Authority, Loyalty, Compromise. It is a real treasure trove for deeper thinking on democracy and democratic decay.

Featured Link

Constitutional Populism

Friend or Foe of Constitutional Democracy?

Chief Investigators

Adam Czarnota, Martin Krygier, Wojciech Sadurski

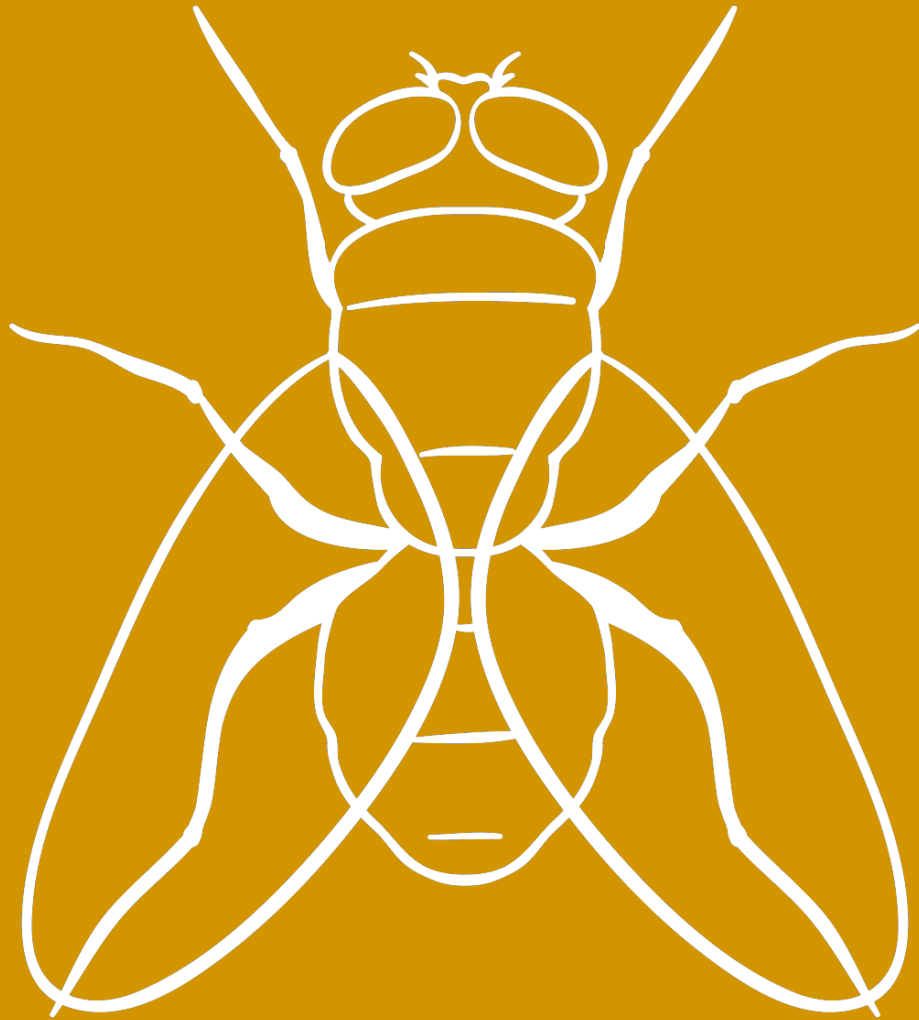
Description

Our project aims to explain and evaluate a new type of regime sweeping the globe – where what we call ‘constitutional populism’ is newly influential and pervasive in the domestic and geopolitical conduct of a variety of countries.

Constitutional populists play by new rules – that they are still making up. From where we sit this means that politicians, policy-makers, and concerned citizens need to understand them.

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access the website





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Bringing Democracy
Defenders Together