

January
2019

Democratic Decay Resource (DEM-DEC) Global Research Update January 2019

This Update was issued on 14 January 2019. It is based on new publications and suggestions from users of the Democratic Decay Resource (DEM-DEC) at www.democratic-decay.org.

Bibliography updates are issued on the first Monday of each month. They should be read in conjunction with the main bibliography on DEM-DEC (issued 24 June 2018).

www.democratic-decay.org

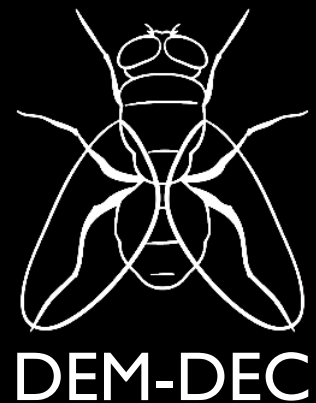
About DEM-DEC

Created by Dr Tom Gerald Daly (Melbourne Law School) and supported by a range of leading public law and policy organisations, the Democratic Decay Resource (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, Experts Database, Events Database, Links, and Concept Index.

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

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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), MLS Fellow at Melbourne Law School, and Co-Convenor of the Constitution Transformation Network (Melbourne Law School). As a consultant he has worked on European Union, 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 I-CONnect blog and tweets @DemocracyTalk.

Recent publications include *The Alchemists: Questioning Our Faith in Courts as Democracy-Builders* (Cambridge University Press, 2017) and a chapter on 'Democratic Decay in 2016' in International IDEA's *Annual Review of Constitution-Building* for 2016.

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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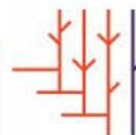


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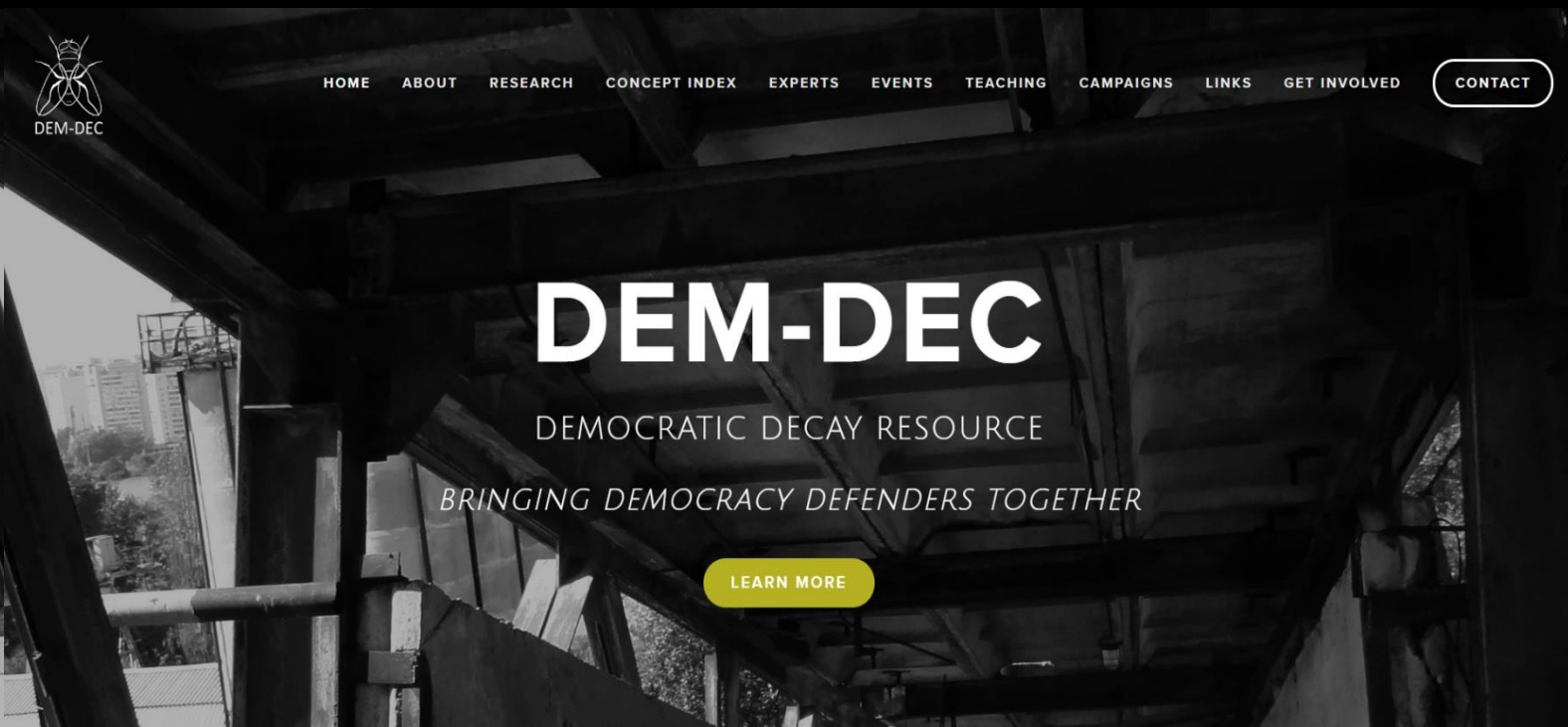
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Have Your Say!

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



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Introduction

The DEM-DEC Bibliography

The DEM-DEC Bibliography is provided on the Democratic Decay Resource (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.

Sixth monthly update since DEM-DEC was launched

Updates to the Bibliography will be issued on the first Monday of each month. This is the sixth monthly update provided and was issued (exceptionally on the second Monday of the month) on 14 January 2019, based on new publications and suggestions from DEM-DEC user. 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 December 2018. Items suggested by DEM-DEC users include earlier material.

Global Coverage

The Bibliography updates aim for global coverage. However, it should be borne in mind that the Bibliography, at present, collates information exclusively in the English language.

Hyperlinks

For full collections of articles, the hyperlink to the collection is provided rather than individual hyperlinks for each article. Where a small number of articles from a particular journal are provided, a specific hyperlink is often provided for each item.

Format Change

From this update, authors' full names will be listed, to further the aim of fostering a global community.

Acknowledgments

Sincere thanks to all who have suggested additions and sent key information for this update.

Key Themes from this Update

Identifying Themes

Each monthly Bibliography Update includes a section identifying themes from the update. 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.

1 Is Global Democratic Decay Stalling?

The [2018 Democracy Index Report](#) from the Economist Intelligence Unit (EIU) was issued in early January 2019 and its authors suggest that the global “retreat of democracy” ended in 2018 – or, at least, stalled. An [explainer carried in *The Economist*](#) on 8th January summarises the report as follows:

The index rates 167 countries by 60 indicators across five broad categories: electoral process and pluralism, the functioning of government, political participation, democratic political culture and civil liberties. It is stricter than most similar indices: it concludes that just 4.5% of the world’s people live in a “full democracy”. However, the overall global score remained stable in 2018 for the first time in three years. Just 42 countries experienced a decline, compared with 89 in 2017. Encouragingly, 48 improved.

The explainer’s emphasis on its ‘strictness’ clearly seeks to place it apart from other leading indices produced by [Freedom House](#) and [POLITY](#), and it is true that its metrics are somewhat broader. However, it is also important to highlight that indices such as [V-Dem \(Varieties of Democracy\)](#) also produce global democracy assessments based on highly sophisticated analytical frameworks. My advice? First, follow the old adage of “one swallow does not make a summer” – one positive report is good, but it seems important to wait and see if a consensus and similar pattern starts to develop across multiple leading indices. Second, the fine-grained story from the grassroots remains quite grim. While the EIU’s report sounds a welcome note of hope, it should not lead us into complacency.

(Note: Links to a range of democracy indices, and a wealth of other resources, can be found in the [Links](#) section on DEM-DEC).

2 The Central Importance of Political Parties

A clear theme from this month’s update is the central importance of political parties to democratic governance. To political scientists and other social scientists this will seem too obvious to state, but in constitutional law in particular theory and practice has yet to fully grapple with the status of political parties as constitutional entities whose activity directly shapes and impacts on the systemic health of the democratic order as a whole. A range of new publications provide food for thought: In an article published in the [Journal of Communist and Post-Communist Studies \(December 2018\)](#), John Ishiyama, Christopher Pace and Brandon Stewart argue that Russian threats appear to have had little effect on political parties’ manifestoes in Europe (especially regarding security). In an article published in early January 2019 in *Comparative Politics*, [Raúl Madrid, analysing Chile and Uruguay](#), argues that the

development of a functioning democratic system in electoral authoritarian regimes is often spurred by elite opposition parties, who promote suffrage expansion in order to weaken ruling parties' hold over elections and to improve their own electoral prospects. This highlights the importance of opposition parties to the endurance and vitality of democratic rule.

Two journal articles from 2017, suggested by DEM-DEC users, are also highly relevant. In one, [Ron Inglehart and Pippa Norris](#) ask: (1) "What motivates people to support Populist Authoritarian movements?" And (2) "Why is the populist authoritarian vote so much higher now than it was several decades ago in high-income countries? They conclude that declining "existential security" is the answer, which covers not just economic insecurity but broader cultural backlash. In the second, [focused on Poland, Kate Korycki argues](#) that Polish political parties have weak "programmatic identities" (in terms of clear policy platforms) and analyses how the party in power (the Law and Justice (PiS) party) crafted a successful political identity based on a turn to the past and a narrative of state capture by communists. This, she argues, "polarized the field, casting political opponents as essential enemies, and casting the narrators as [the] country's saviors."

3 Direct Democracy, Deliberation, and Representation

A central tension emerging in the literature concerns how best to address the deterioration of democracy: is enhancing direct democracy and/or deliberative processes the answer, or a return to greater focus on representative actors? Or can they be combined? One book from October 2018, suggested by a DEM-DEC user ([Responsible Parties: Saving Democracy from Itself](#)), opts for returning to representation, arguing that the decades-long trend toward devolving power directly to the public – through mechanisms including primaries and local caucuses to select party candidates, ballot initiatives and referenda – has rendered both governments and political parties less able to address constituents' long-term interests, and less effective overall, thereby eroding trust in the political process. They argue that political systems must be restructured to restore power to political parties, as the core institution of representative democracy, to win back electorates' trust.

The question for essayists in the collection [Politics with the People: Building a Directly Representative Democracy](#) (September 2018), suggested for addition by a DEM-DEC user, is how to develop a 'directly representative democracy'. This, the editors propose, can be a new way of connecting citizens and elected officials to improve representative government, with congressional representatives meeting groups of their constituents "via online, deliberative town hall meetings to discuss some of the most important and controversial issues of the day." They argue that this can empower citizens and move past "the broken system of interest group politics and partisan bloodsport" (which might include the [partisan gerrymandering](#) discussed by Mikayla Foster in the latest (December) edition of the *Boston University Law Review*). An interesting companion piece, suggested by a DEM-DEC user, is a [conference paper from April 2018](#), whose authors argue that how we perceive solutions depends on what we believe to be the fundamental problems, which they suggest as: "(i) disconnections between citizens and their elected representatives; (ii) disconnections between multiple publics of in the public sphere; and iii) disconnections between democratic will and policy action.

4 Elite Perceptions of the Electorate

Further complicating the discussion above are two recent articles, which further highlight the tension between representation and other forms of democratic participation. In the latest issue of the *UC*

Davis Law Review (December 2018), Christopher Elmendorf and Abby Wood argue that [perceptions of the electorate among political elites](#) – i.e. candidates, legislators, party officials, and campaign advisers – tend to be distorted; in particular, by assuming they are more conservative than they really are. They argue that reducing elite ignorance could have immediate benefits including reduced political polarisation in the short-term, but possible longer-term risks including more intense gerrymandering and microtargeted campaigns. In the Fall 2018 edition of the *Houston Law Review*, Elizabeth Reese picks up a similar theme, arguing that [critics of current campaign finance rules in the USA](#), who see money in politics as distorting the democratic system, seem to overlook the question of voter autonomy and “risk becoming surreptitiously elitist without sufficient confrontation with certain paternalistic assumptions about voter preferences and behavior.”

5 Can Democracy Endure in an Era of Misinformation?

Further expanding on the themes above, in a new short monograph published in December 2018, [Democracy and Truth: A Short History](#), Sophia Rosenfeld asks whether constitutional government worthy of a self-governing people can be maintained in an age of widespread misinformation and polarisation. Rosenfeld interrogates, from a historical perspective, “a longstanding and largely unspoken tension at the heart of democracy between the supposed wisdom of the crowd and the need for information to be vetted and evaluated by a learned elite made up of trusted experts.” For Rosenfeld, what we are currently witnessing is the unravelling of the functional relationship between these competing aspects of democratic culture, and the end of earlier assumptions that technological advances such as the Internet would enhance democratic discourse by empowering citizens and disrupting “outdated hierarchies of epistemic authority”. This book is useful not only in anatomising the rise and nature of ‘post-truth’ democratic discourse, but also in Rosenfeld’s attempt to offer proposals for defending the very idea of truth against the many forces that undermine it.

6 Is Hungary a Distinct Regime Type?

The questions above bring us back to mulling over why authoritarian populist forces have been gaining ground worldwide, discussed by authors such as [Ron Inglehart](#), [Pippa Norris](#), Ivan Krastev and Stephen Holmes (see the ‘Forthcoming Research’ section) in this Update. Of course, one dimension of authoritarian populism is the claim that a strong leader can understand the will of the ‘true’ people, which means he or she can do away with many of the mediating institutions of a democratic order and enjoy a more dyadic relationship with the public. In an article from September 2018, suggested by a DEM-DEC user, [András Körösesny](#) makes the case for viewing Hungary as a distinct regime type – a ‘plebiscitary leader democracy’ (PLD) formed through the impact of authoritarian populist discourse and other trends of contemporary politics on the political regime (e.g. de-alignment, growing electoral volatility, citizens’ disengagement, personalization of politics and policy, legitimacy problems, the decline of party membership and partisanship, and the “mediatization” of politics).

(Note: For more discussion of concepts and regime types, see the [Concept Index](#) on DEM-DEC).

Additions Suggested by DEM-DEC Users

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

Monographs

[Yochai BENKLER, Robert FARIS and Hal ROBERTS](#), Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics (Oxford University Press, August 2018) (**Note: open-access book. Link is to the full text**).

[Jack CORBETT and Wouter VEENENDAAL](#), Democracy in Small States: Persisting Against All Odds (Oxford University Press, October 2018).

[Javier CORRALES](#), Fixing Democracy: How Power Asymmetries Help Explain Presidential Powers in New Constitutions (Oxford University Press, June 2018).

[Stephen HOLMES](#), Passions and Constraint: On the Theory of Liberal Democracy (University of Chicago Press, 1995).

[Stephen HOLMES](#), The Anatomy of Antiliberalism (Harvard University Press, 1993).

[Stephen HOLMES](#), Benjamin Constant and the Making of Modern Liberalism (Yale University Press, 1984).

[Ron INGLEHART](#), Cultural Evolution: People's Motivations Are Changing, and Reshaping the World (Cambridge University Press, March 2018).

[Daniel INNERARITY](#), Democracy in Europe: A Political Philosophy of the EU (Springer, March 2018).

[Michael LEWIS](#), The Fifth Risk: Undoing Democracy (Penguin UK, 2018). (December?)

[Frances McCall ROSENBLUTH and Ian SHAPIR](#), Responsible Parties: Saving Democracy from Itself (Yale University Press, October 2018).

[James MILLER](#), Can Democracy Work?: A Short History of a Radical Idea, from Ancient Athens to Our World (Farrar, Straus and Giroux, October 2018).

[Helena ROSENBLATT](#), The Lost History of Liberalism: From Ancient Rome to the Twenty-First Century (Princeton University Press, September 2018).

Book Chapters

[Stephen HOLMES](#), 'What's Wrong with Democratic Theory?' in Kjartan Koch Mikalsen, Erling Skjei and Audun Øfsti (eds), *Modernity: Unity in Diversity? Essays in Honor of Helge Høibraaten* (Oslo Novus Press, 2016).

Edited Collections

[Michael A. NEBLO](#), [Kevin M. ESTERLING](#) and [David M.J. LAZER](#) (eds), *Politics with the People: Building a Directly Representative Democracy* (Cambridge University Press, published September 2018).

Special Journal Collections

[Kentucky Law Journal: Volume 104, Issue 4 \(2015-2016; published online March 2017\)](#)

Note: This is not technically a special collection, but all articles relate to the US electoral system

Joshua A. Douglas, Foreword: 'A Pivotal Movement for Election Law' (2016) 104 Kentucky Law Journal 547.

Luis FUENTES-ROHWER, 'Who's Afraid of the Hated Political Gerrymander' (2016) 104 Kentucky Law Journal 561.

Gilda R. DANIELS, 'Voting Realism' (2016) 104 Kentucky Law Journal 583.

Atiba R. ELLIS, 'Economic Precarity, Race, and Voting Structures' (2016) 104 Kentucky Law Journal 607.

Michael J. PITTS, 'Judicial Enforcement of a Grand Election Bargain' (2016) 104 Kentucky Law Journal 631.

Michael D. GILBERT and Emily REEDER, 'Aggregate Corruption' (2016) 104 Kentucky Law Journal 651.

Michael E. SOLIMINE, 'Judicial Review of Direct Democracy: A Reappraisal' (2016) 104 Kentucky Law Journal 671.

Rebecca GREEN, 'Arbitrating Ballot Battles' (2016) 104 Kentucky Law Journal 671.

Articles

[Ron INGLEHART](#) and [Pippa NORRIS](#), 'Trump and the Populist Authoritarian Parties: *The Silent Revolution* in Reverse' (2017) 15(2) *Perspectives on Politics* 443.

[András KÖRÖSÉNYI](#), 'The Theory and Practice of Plebiscitary Leadership: Weber and the Orbán regime' *East European Politics and Societies: and Cultures* (First Online Articles: published 25 September 2018).

[Kate KORYCKI](#), 'Memory, Party Politics, and Post-Transition Space: The Case of Poland' (2017) 31(3) *East European Politics and Societies: and Cultures* 518.

[Zim NWOKORA](#) and [Riccardo PELIZZO](#), 'Measuring party system change: a systems perspective' (2018) 66 *Political Studies* 100.

Book Reviews

[Jeffrey HAYNES](#), Book Review: 'How democracy ends, by David Runciman' (2019) 26(2) Democratization 344.

[Siddharth TRIPATHI](#), Book Review: 'Reforming democracy: institutional engineering in Western Europe, by Camille' (2019) 26(2) Democratization Bedock 350

Research Papers

[Zsolt ENYEDI](#), [Ferenc EROS](#) and [Zoltán FÁBIÁN](#), 'Authoritarianism and the Ideological Spectrum in Hungary'. Discussion Papers No. 40, June 1997. Collegium Budapest/Institute for Advanced Study.

Conference Papers

Aydin ATILGAN, 'The Anatomy of the Dual State of Turkey', paper presented at the annual conference of the International Society of Public Law (ICON-S Conference) 2018,

[Selen A. ERCAN](#), [Carolyn M. Hendriks](#) and [John BOSWELL](#), 'Reforming democracy in disconnected times: A deliberative systems approach'. Paper presented at ECPR Joint Sessions Workshop WS05: Can Participatory Reforms Save Representative Democracy?, 10-14 April 2018, Nicosia.

Additional Resources

Varieties of Democracy (V-Dem)

On 5 December 2018 DEM-DEC concluded a partnership agreement and Memorandum of Understanding with Varieties of Democracy (V-Dem). Based at the V-Dem Institute in the Department of Political Science at the University of Gothenburg, Sweden, V-Dem is a global team of 50 social scientists, 170 Country Coordinators (CCs) and 3,000 Country Experts (CEs). V-Dem is a new approach to conceptualizing and measuring democracy, providing a multidimensional and disaggregated dataset that reflects the complexity of the concept of democracy as a system of rule that goes beyond the simple presence of elections.

[The V-Dem website](#) is a treasure trove of information, including datasets, Democracy Reports, Country Reports, working papers, and V-Dem users' working papers.

New Resources in the DEM-DEC Links Section

A range of additional resources have been added to the [Links](#) section on DEM-DEC, including:

- [National Endowment for Democracy \(NED\) Power 3.0 podcast](#): 'Authoritarian Resurgence, Democratic Resilience'
- [Research project: 'Defending Democracy: Civil and Military Responses to Weaponized Information'](#), Princeton University (USA)

- [Research project: Political Concepts in the World – Rule of law and constitutionalism](#), University of Aberdeen (Scotland, UK)
- [Research project: Political Concepts in the World – Sovereignty and the state](#), University of Aberdeen (Scotland, UK)
- [Research project: Populist rebellion against modernity in 21st-century Eastern Europe: neo-traditionalism and neo-feudalism' \(POPREBEL\)](#), Horizon 2020 (EU) - 6 universities from Central and Eastern Europe
- [Defending Democracy Together](#) (an advocacy organisation formed by conservatives and Republicans “standing up for the rule of law, for free trade, and for more welcoming legal immigration policies”)

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, the Democratic Decay Resource (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



December 2018: New Publications

Note: Some items below were published at the end of November 2018 or early January 2019

Monograph: Dan EDELSTEIN, On the Spirit of Rights (University of Chicago Press, published 5 December 2018).

Monograph: Sophia ROSENFELD, Democracy and Truth: A Short History (University of Pennsylvania Press, published 29 November 2018).

Democratic Theory: Volume 5, Issue 2, Winter (December 2018)

Special section on populism

Editorial

Jean-Paul GAGNON, Emily BEUSOLEIL, Kyong-Min SON, Cleve ARGUELLES, and Callum N JOHNSTON, 'What is populism? Who is the populist? A state of the field review (2008-2018)' (2018) 5(2) Democratic Theory vi.

Articles

Special Section I: On Populism

Benjamin MOFFITT, 'The Populism/Anti-Populism Divide in Western Europe' (2018) 5(2) Democratic Theory 1..

Adele WEBB, 'In Praise of Democratic Ambivalence' (2018) 5(2) Democratic Theory 17..

Mary WALSH, 'Freedom From Democracy: Progressive Populism and the Rise of Global Corporate Power' (2018) 5(2) Democratic Theory 37.

Perspectives on Politics: Volume 16, Issue 4 (December 2018)

Articles

Zsolt ENYEDI, 'Democratic Backsliding and Academic Freedom in Hungary' (2018) 16(4) Perspectives on Politics 1067.

Review Symposium

Sheri BERMAN, 'A Discussion of Steven Levitsky and Daniel Ziblatt's How Democracies Die' (2018) 16(4) Perspectives on Politics 1092.

William E. CONNOLLY, 'A Discussion of Steven Levitsky and Daniel Ziblatt's How Democracies Die' (2018) 16(4) Perspectives on Politics 1095.

Katherine J. CRAMER, 'A Discussion of Steven Levitsky and Daniel Ziblatt's How Democracies Die' (2018) 16(4) Perspectives on Politics 1097.

Christopher S. PARKER, 'A Discussion of Steven Levitsky and Daniel Ziblatt's How Democracies Die' (2018) 16(4) Perspectives on Politics 1099.

Aníbal PÉREZ-LIÑÁN, 'A Discussion of Steven Levitsky and Daniel Ziblatt's How Democracies Die' (2018) 16(4) Perspectives on Politics 1101.

Valerie BUNCE, 'A Discussion of Steven Levitsky and Daniel Ziblatt's How Democracies Die' (2018) 16(4) Perspectives on Politics 1103.

Journal of Communist and Post-Communist Studies: Recent Articles (December 2018)

John ISHIYAMA, Christopher PACE and Brandon STEWART, 'Foreign threat and political party change: Russia and changes in party manifestos' (December 2018).

Comparative Politics: Volume 51, Number 2 (January 2019)

Raúl L. MADRID, 'Opposition Parties and the Origins of Democracy in Latin America' (2019) 51(2) Comparative Politics 157.

Constitutional Review: Vol. 4, No.2 (December 2018)

Abdurrachman SATRIO, 'Constitutional Retrogression in Indonesia Under President Joko Widodo's Government: What Can the Constitutional Court Do?' (2018) 4(2) Constitutional Review 271.

Hague Journal on the Rule of Law: First Online Articles (December 2018)

Oliver MADER, 'Enforcement of EU Values as a Political Endeavour: Constitutional Pluralism and Value Homogeneity in Times of Persistent Challenges to the Rule of Law' (published online 5 December 2018).

Society: Volume 55, Issue 6 (December 2018)

Bradley C. S. WATSON, Book Review: 'Thomas G. West, The Political Theory of the American Founding: Natural Rights, Public Policy, and the Moral Conditions of Freedom' (2018) 55(6) Society 556.

Columbia Law Review Online: Volume 118 (December 2018)

David E. BERNSTEIN, 'Constitutional Hardball Yes, Asymmetric Not So Much' (2018) 118(8) Columbia Law Review Online 207 (7 December 2018).

This is a response to the earlier essay published in the print version of Columbia Law Review, Joseph FISHKIN and David E. POZEN, Asymmetric Constitutional Hardball (2018) 118(3) Columbia Law Review 915.

New York University Law Review: Volume 93, Number 6 (December 2018)

Ari GLOGOWER, 'Taxing Inequality' (2018) 93(6) New York University Law Review 1421.

California Law Review: Volume 106, No. 6 (December 2018)

Aaron TANG, 'Rethinking Political Power in Judicial Review' (2018) 106(6) California Law Review 1755.

Virginia Law Review: Volume 104, Issue 8 (December 2018)

Karl M.F. LOCKHART, Note: 'A "Corporate Democracy"? Freedom of Speech and the SEC' (2018) 104 Virginia Law Review 1593.

Boston University Law Review: Volume 98, Number 6 (December 2018)

Tom C.W. LIN, 'Incorporating Social Activism' (2018) 98(6) Boston University Law 1535.

Hon. Bernice Bouie DONALD, 'When the Rule of Law Breaks Down: Implications of the 1866 Memphis Massacre for the Passage of the Fourteenth Amendment' (2018) 98(6) Boston University Law 1607.

Mikayla FOSTER, "'Gobbledygook" or Unconstitutional Redistricting?: Floterial Districts and Partisan Gerrymandering' (2018) 98(6) Boston University Law 1607.

Notre Dame Law Review: Volume 94, Issue 2 (January 2019)

Ronald J. KROTOSZYNSKI, 'Transborder Speech' (2019) 94 Notre Dame Law Review 437.

UC Davis Law Review: Volume 52, No.2 (December 2018)

Christopher S. ELMENDORF and Abby K. WOOD, 'Elite Political Ignorance: Law, Data, and the Representation of (Mis)Perceived Electorates' (2018) 52(2) UC Davis Law Review 571.

Hannah J. WISEMAN and Dave OWEN, 'Federal Laboratories of Democracy' (2018) 52(2) UC Davis Law Review 1119.

Fordham Law Review: Vol. 87, No.3 (December 2018)

The Robert L. Levine Distinguished Lecture: 'A Conversation with The Honorable Rosalie Silberman Abella and Dean Matthew Diller' (2018) 87 Fordham Law Review 843.

Alabama Law Review: Volume 70, Issue 1 (December 2018)

Bruce A GREEN and Rebecca ROIPHE, 'Can the President Control the Department of Justice?' (2018) 70(1) Alabama Law Review 1.

Houston Law Review: Vol. 56, Issue 1 (Fall 2018)

Elizabeth A. REESE, 'The Inexplicable Absence of the Voters in the Campaign Finance Debate' (2018) 56(1) Houston Law Review 123.

V-Dem Working Paper: Matthew Charles WILSON and Josef WOLDENSE, 'Strengthening the Rubber Stamp: Comparing Legislative Powers across Regimes'. Varieties of Democracy Institute: Working Paper No. 82. December 2018.

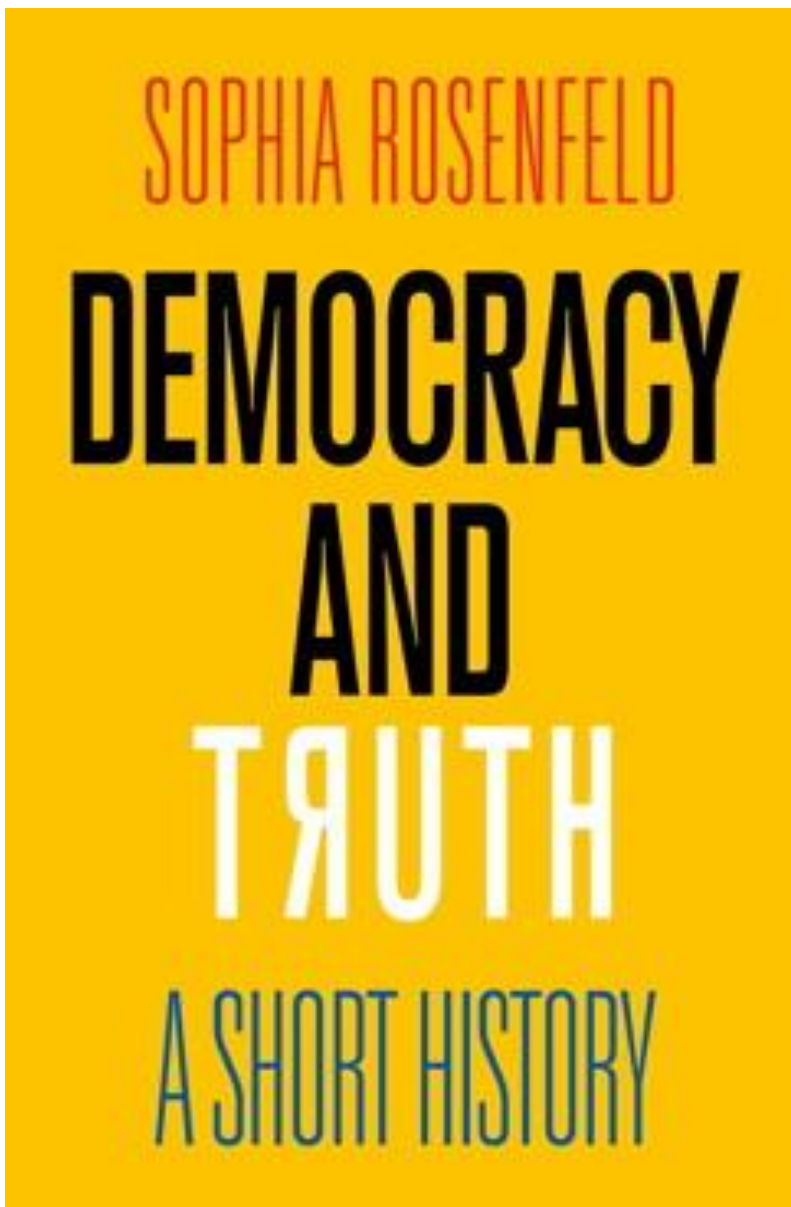
Working Paper: Rivka WEILL, 'The Strategic Common-law Court of Aharon Barak and its Aftermath: On Judicially-led Constitutional Revolutions and Democratic Backsliding' (5 December 2018).

Working Paper: Samuel ISSACHAROFF, 'Judicial Review in Troubled Times: Stabilizing Democracy in a Second Best World'. NYU School of Law, Public Law Research Paper No. 18-51 (1 December 2018).

Working Paper: Jan PETROV, 'The Populist Challenge to the European Court of Human Rights'. Jean Monnet Working Paper 3/18, NYU Law School (posted December 2018).

Policy report: Economist Intelligence Unit, Democracy Index 2018: Me too? Political participation, protest and democracy (8 January 2019).

DEM-DEC Recommended Read



"A valuable historical guide to current debates about elitism and populism, *Democracy and Truth* poses the hardest of questions: can we maintain a constitutional government worthy of a free people in an age of widespread misinformation and fanaticism?."

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— **Lynn Hunt**, *author of History: Why it Matters*

"If you are a citizen concerned and not a little confused about the frantic assault on objective truth in today's United States, Sophia Rosenfeld's learned but extremely accessible book is a must-read."

— **Michael Tomasky**, *author of Left for Dead: The Life, Death, and Possible Resurrection of Progressive Politics in America*

Available now from University of Pennsylvania Press

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Democracy and Truth: A Short History, University of Pennsylvania Press 2018. 9780812250848.

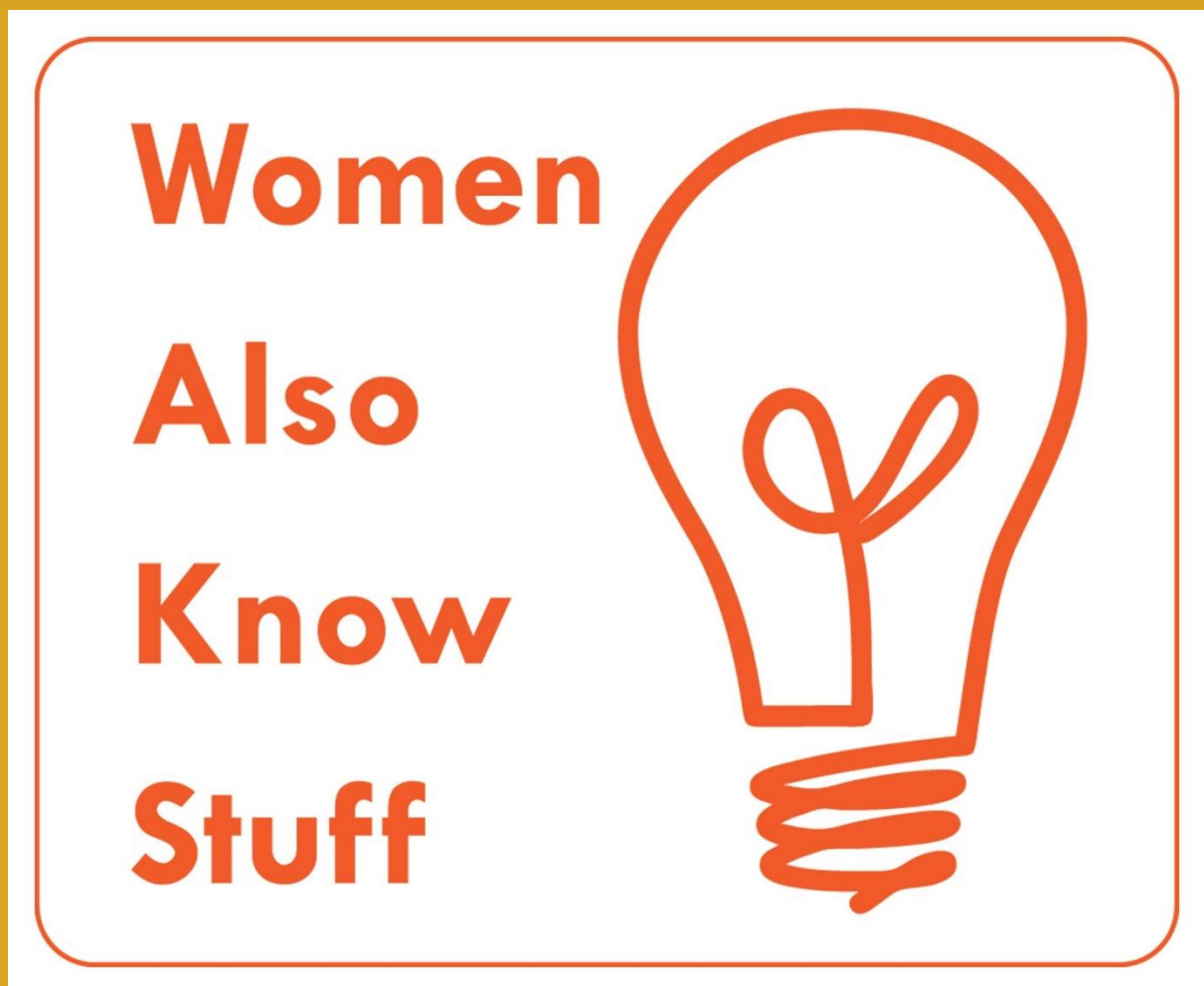
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Women Also Know Stuff

As the phenomenon of democratic decay has spread worldwide, it has been observed by many that female experts are often overlooked. It is also evident that there is a gender imbalance in the expert lists provided in the Experts Database on DEM-DEC. Every effort has been made, and continues to be made, to ensure that female experts are not overlooked in the collation of material on DEM-DEC. If you are a female expert on democratic decay, or know of an expert who is not currently included on DEM-DEC, simply e-mail democraticdecay@gmail.com.

A useful complementary resource to the DEM-DEC Experts Database is Women Also Know Stuff

<https://womenalsoknowstuff.com/>



Forthcoming Research

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

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**

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

[Chip BERLET](#), *Trumping Democracy in the United States: From Ronald Reagan to Alt-Right* (Routledge, forthcoming; due for publication 1 February 2019).

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

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

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

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

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

Joe MULHALL, David LAWRENCE, Simon MURDOCH & Patrik HERMANSSON, *The Alt-Right International* (Routledge, forthcoming; due for publication 30 March 2019).

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

[Pippa NORRIS & Ron INGLEHART](#), *Cultural Backlash: Trump, Brexit and the Rise of Authoritarian Populism* (Cambridge University Press, due for publication in March 2019).

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

[Merijn OUDENAMPSEN](#), *The Dutch New Right: Culture Wars in the Netherlands* (Routledge, forthcoming; due for publication 28 February 2019).

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 in July 2019).

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

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

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

[Eugene D. MAZO & Timothy K. KUHNER \(eds\)](#), *Democracy by the People: Reforming Campaign Finance in America* (Cambridge University Press, due for publication in April 2019).

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

Book Chapters

[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).

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

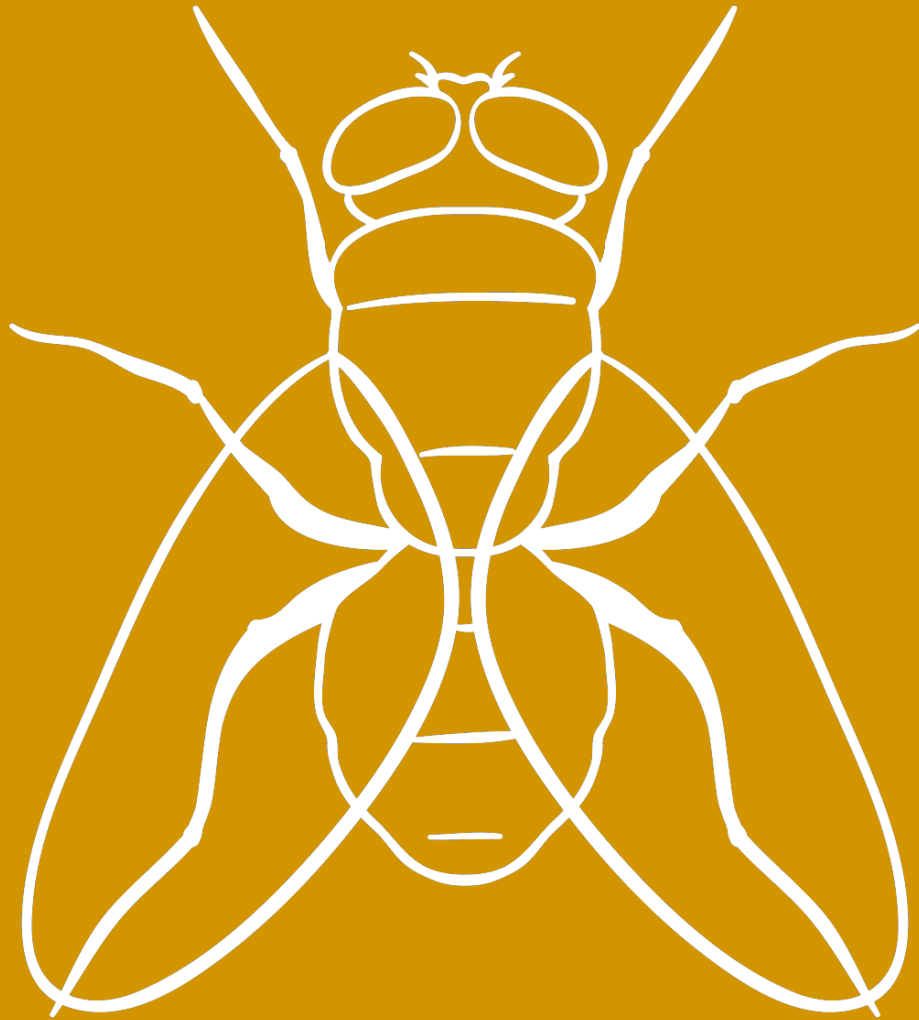
Articles

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



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