

# RESEARCH IN DEMOCRATIC AND CONSTITUTIONAL DEVELOPMENT

GOV 355M (38144) | Spring 2023  
Classroom: WAG 214  
Class time: F 9:00am-12:00pm  
Office hours: W 9:00am-12:00pm (Virtual)

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Democracy and constitutional development are central to building responsive, accountable governance. Decades of research globally has identified key drivers of democratic and constitutional development, yet the theory of democratic and constitutional change and the practice of democracy promotion are not always linked in the field. This course fuses analysis of democratization theory, assistance, and assessment—all with a focus on preparing students to apply this information in the field.

This course explores a wide range of issues in democratic and constitutional development, including: What are current democracy and constitutional trends globally? What are the drivers of democratization? How can democratic assistance support these factors to help consolidate democracy and prevent democratic backsliding? What are the goals and tools of democracy promotion in key areas of constitutional design? How can we assess democratic progress in these areas? How can we best assess public views on the direction of their democratic institutions and constitutional order? The course thus also provides training in public consultation and research methods related to democratic and constitutional development. Students will build analytical and research skills, design public consultations on constitutional reform, and pilot the consultations to collect data on public constitutional opinions.

Following the spring semester, students in good standing will have the option to participate in one of two summer research programs. Students selected for the Democratic Institutional Development in Latin America internship will work in International IDEA offices in Latin America in summer 2023, supporting democratic assistance programs and working with the Comparative Constitutions Project (CCP) to conduct public consultations on constitutional reform in Latin America. Students selected for the CCP Constitutional Design Lab internship will work with CCP in the United States in summer 2023, conducting public consultations on constitutional reform in the United States.

## OBJECTIVES

The course aims for students to: (1) link theories of democratization to practices in democracy promotion, (2) analyze democratic and constitutional trends in the Americas and globally, (3) build research skills in methods of public consultation, (4) develop and pilot a research design for public consultation on constitutional reform, and (5) build professional skills related to group dynamics, cultural competence, and research ethics.

## REQUIREMENTS

**Assignments:** Coursework includes the following components, weighted as noted:

- 10% Class participation: Much of the class will center around structured discussion and applied learning. Students should be prepared to discuss key points from the readings, make insightful arguments or counterarguments, and respond to points raised by others in class. Students will also participate in small-group discussions during class, held in Spanish for those interning in Latin America and in English for those interning in the United States. Regular attendance, a high level of preparation, and consistent contributions in class activities are required.
- 40% Reaction papers: These papers will be due most (but not all) Thursdays to facilitate students' engagement with topics under study that week. Papers will respond to specific questions each week on

a topics in democratic constitutional development, assistance, and research. Papers should be no more than 500 words, submitted on Canvas on assigned Thursdays by 9am (see due dates below).

- 10% Draft collaborative research design: Students will work in groups to develop a research design for public consultation on constitutional reform. The draft research design will be due on Canvas by Thursday, March 23, at 9am.
- 20% Pilot public consultations: Student groups will pilot their public consultations to test their research designs and gather initial data for analysis. These will be scheduled between March 27-April 7 during our regular class or at a time that works for all students in each group.
- 20% Final collaborative research design: Student groups will revise their research design to incorporate lessons learned from their pilot public consultations and add a plan for implementing their research design in the field. The final research design will be due on Canvas by Wednesday, April 26, at 5pm.

**Grading:** All assignments will be graded on a 100-point scale. The final course grade will be the weighted average of these grades, rounded to the nearest whole number, on the following UT scale: A = 94-100, A- = 90-93, B+ = 87-89, B = 83-86, B- = 80-82, C+ = 77-79, C = 73-76, C- = 70-72, D+ = 67-69, D = 63-66, D- = 60-62, F = 0-59.

## DUE DATES

Below is a summary of the due dates for assignments described above.

Jan 19, 9am:	Reaction paper 1 on elections and political parties
Jan 26, 9am:	Reaction paper 2 on executive and legislature
Feb 2, 9am:	Reaction paper 3 on civil society and rights
Feb 9, 9am:	Reaction paper 4 on economic society and rights
Feb 16, 9am:	Reaction paper 5 on rule of law, courts, and constitutionalism
Feb 23, 9am:	Reaction paper 6 on state administration
Mar 2, 9am:	Reaction paper 7 on survey design
Mar 9, 9am:	Reaction paper 8 on deliberative consultation design
Mar 23, 9am:	Draft collaborative research design
Mar 27-Apr 7 tbd:	Pilot public consultations
Apr 13, 9am:	Reaction paper 9 on pilot results analysis
Apr 20, 9am:	Reaction paper 10 on research design revisions
Apr 26, 5pm:	Final collaborative research design

## COURSE POLICIES

**Academic environment:** Our classroom provides an open space for the civil exchange of ideas. It is my intent to ensure that students from diverse backgrounds and viewpoints are well served by this course, that all students' learning needs are addressed, and that the diversity students bring to this class can be comfortably expressed and viewed as a resource, strength, and benefit for all students. I ask students to help create an atmosphere of mutual respect for, and interest in, others' views and experiences.

**Academic integrity:** Students are expected to abide by the university's honor code and uphold its standards of academic integrity. Students who violate university rules on academic integrity are subject to disciplinary penalties, including the possibility of failure in the course and/or dismissal from the university. The university's policies on this topic are available on the Office of the Dean of Students website at <https://deanofstudents.utexas.edu/conduct/academicintegrity.php>, and in the university's rules on Student Discipline and Conduct at <https://catalog.utexas.edu/general-information/appendices/appendix-c/student>.

[discipline-and-conduct](#). I highly encourage you to review the very helpful resources UT has compiled on how to avoid plagiarism (<https://guides.lib.utexas.edu/c.php?g=539686&p=8083280>) and how to properly cite sources (<https://guides.lib.utexas.edu/c.php?g=539686&p=3694907>).

**Citation standards:** In this course, you are welcome to use APA, Chicago, or MLA citation styles.

**Communication:** Your success in this course and at UT is important to me. If there are aspects of this course or other challenges that prevent you from learning, please let me know as soon as possible. Together we'll develop strategies to meet both your needs and the requirements of the course. I also encourage you to reach out as any questions come up or just to chat. You can talk with me after class, drop by office hours, schedule a time to meet, or email me anytime.

**Disabilities:** The university is committed to creating an accessible and inclusive learning environment consistent with university policy and state and federal law. Please let me know if you experience any barriers to learning so I can work with you to ensure you have equal opportunity to participate fully in this course. If you are a student with a disability, or think you may have a disability, and need accommodations, please contact the Division of Diversity and Community Engagement, Disability and Access Services (D&A). Please refer to its website for contact and more information at <https://diversity.utexas.edu/disability>. If you are already registered with D&A, please deliver your Accommodation Letter to me as early as possible in the semester so we can discuss your approved accommodations and needs in this course.

**Office hours:** Office hours will be held on Wednesdays from 9am-12pm on Zoom (<https://us02web.zoom.us/j/86357252679>), or by appointment at other times during the week.

**Prohibition on sharing course materials:** No materials used in this class, including, but not limited to, readings, handouts, lectures, assignments, research designs, and any other course materials, may be shared online or with anyone outside of the class without explicit, written permission of the instructor. Lecture recordings are reserved only for students in this class for educational purposes and are protected under FERPA. The recordings should not be shared outside the class in any form.

## MATERIALS

All course materials are posted on the class Canvas site. This includes the syllabus, readings, lectures, announcements, assignments, and grades.

All lectures are recorded using the UT Lectures Online recording system. This records the audio and video material presented in class so you can review it after class or if you miss class. Recording links will appear in the Lectures Online tab on the left-side navigation on our class Canvas page.

## SCHEDULE

### Conceptual Foundations

#### Jan 13 | Democratic Transition and Consolidation

Assigned:

- J. Teorell. 2010. *Determinants of Democratization: Explaining Regime Change in the World, 1972-2006*. Cambridge: Cambridge University Press, 16-28.
- J. Linz and A. Stepan. 1996. *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore: Johns Hopkins University Press, 3-15.
- T. Carothers. 2002. The End of the Transition Paradigm. *Journal of Democracy* 13 (1): 5-21.

- S. Finkel, A. Pérez-Liñán, and M. Seligson. 2007. The Effects of U.S. Foreign Assistance on Democracy Building, 1990-2003. *World Politics* 59 (3): 404-439.

Background:

- G. O'Donnell and P. Schmitter. 1986. *Transitions from Authoritarian Rule: Tentative Conclusions About Uncertain Democracies*. Baltimore: Johns Hopkins University Press.
- A. Pérez-Liñán and S. Mainwaring. 2013. Regime Legacies and Levels of Democracy: Evidence from Latin America. *Comparative Politics* 45 (4): 379-97.
- S. Huntington. 1991. *The Third Wave: Democratization in the Late Twentieth Century*. Norman: University of Oklahoma Press, 3-108.
- S. Mainwaring and F. Bizzarro. 2019. The Fates of Third-Wave Democracies. *Journal of Democracy* 30 (1): 99-113.
- Z. Elkins. 2000. Gradations of Democracy? Empirical Tests of Alternative Conceptualizations. *American Journal of Political Science* 44 (2): 293-300.
- D. Collier and S. Levitsky. 1997. Democracy with Adjectives: Conceptual Innovations in Comparative Research. *World Politics* 49 (3): 430-451.

### Democratic Constitutional Development

**Jan 19 | Reaction paper 1 on elections and political parties due by 9am**

**Jan 20 | Political Society: Elections and Political Parties**

Assigned:

- A. Edgell et al. 2018. When and Where Do Elections Matter? A Global Test of the Democratization by Elections Hypothesis, 1900-2010. *Democratization* 25 (3): 422-444.
- M. Gallagher. 2014. Electoral Institutions and Representation. In *Comparing Democracies: Elections and Voting in a Changing World, 4th Ed.*, edited by L. LeDuc, R. Niemi, and P. Norris. Los Angeles: Sage Publications Ltd., 11-31.
- R. Moser. 2009. Electoral Engineering in New Democracies: Can Preferred Electoral Outcomes Be Engineered? In *Is Democracy Exportable?* 131-154.
- Global Commission on Elections Democracy, and Security. 2012. *Deepening Democracy: A Strategy for Improving the Integrity of Elections Worldwide*. Geneva: Kofi Annan Foundation, 39-59. /or/ Global Commission on Elections Democracy, and Security. 2012. *Profundizando la Democracia: Una Estrategia para Mejorar la Integridad Electoral en el Mundo*. Geneva: Kofi Annan Foundation, 43-65.

Background:

- T. Carothers. 2007. How Democracies Emerge: The “Sequencing” Fallacy. *Journal of Democracy* 18 (1): 12-27
- E. Mansfield and J. Snyder. 2007. Exchange: The Sequencing “Fallacy.” *Journal of Democracy* 18 (3): 5-9.
- J. Møller and S. Skaaning. 2013. Regime Types and Democratic Sequencing. *Journal of Democracy* 24 (1): 142-155.
- P. Burnell and A. Gerrits. 2010. Promoting Party Politics in Emerging Democracies. *Democratization* 17 (6): 1065-1084.
- R. Pildes. 2011. Political Parties and Constitutionalism. In *Comparative Constitutional Law*, edited by T. Ginsburg and R. Dixon. Cheltenham: Edward Elgar Publishing, 254-77.

**Jan 26 | Reaction paper 2 on executive and legislature due by 9am**

**Jan 27 | Political Society: Executive and Legislature**

Assigned:

- R. Elgie. 2005. From Linz to Tsebelis: Three Waves of Presidential/Parliamentary Studies? *Democratization* 12 (1): 106-122.
- J. Cheibub, Z. Elkins, and T. Ginsburg. 2013. Beyond Presidentialism and Parliamentarism. *British Journal of Political Science*, 1-30.
- M. S. Fish. 2006. Stronger Legislatures, Stronger Democracies. *Journal of Democracy* 17 (1): 5-20.
- S. Morris. 2021. *Mechanisms for Indigenous Representation, Participation, and Consultation in Constitutional Systems*. Stockholm: International IDEA, 12-38. /or/ S. Morris. 2021. *Mecanismos Constitucionales para Posibilitar la Representación, la Participación, y la Consulta de los Pueblos Indígenas*. Stockholm: International IDEA, 14-44.

Background:

- A. Reynolds. 2011. *Designing Democracy in a Dangerous World*. Oxford: Oxford University Press, 89-118.
- J. Linz. 1994. Presidential or Parliamentary Democracy: Does It Make a Difference. In *The Failure of Presidential Democracy, Volume 1*, edited by J. Linz and A. Valenzuela, 3-70.
- J. Cheibub and F. Limongi. 2011. Legislative-Executive Relations. In *Comparative Constitutional Law*, edited by T. Ginsburg and R. Dixon. Cheltenham: Edward Elgar Publishing, 211-33.

## Feb 2 | Reaction paper 3 on civil society and rights due by 9am

### Feb 3 | Civil Society and Rights

Assigned:

- L. Diamond. 1994. Rethinking Civil Society: Toward Democratic Consolidation. *The Journal of Democracy* 5 (3): 4-17.
- P. Norris. 2011. *Democratic Deficit: Critical Citizens Revisited*. Cambridge: Cambridge University Press, 219-235.
- A. Chilton and M. Versteeg. 2016. Do Constitutional Rights Make a Difference? *American Journal of Political Science* 60 (3): 575-589.
- S. Finkel. 2014. The Impact of Adult Civic Education Programmes in Developing Democracies. *Public Administration and Development* 34: 168-180.
- T. Pogrebinschi. 2021. *Thirty Years of Democratic Innovations in Latin America*. Berlin: WZB Berlin Social Science Center. /or/ T. Pogrebinschi. 2021. *Treinta Años de Innovación Democrática en América Latina*. Berlin: WZB Berlin Social Science Center.

Background:

- R. Inglehart and C. Welzel. 2005. *Modernization, Cultural Change, and Democracy*. Cambridge: Cambridge University Press, 173-212.
- S. Tarrow. 2011. *Power in Movement: Social Movements and Contentious Politics, 3rd Ed.* Cambridge: Cambridge University Press.
- C. Gershman. 2004. Democracy Promotion: The Relationship of Political Parties and Civil Society. *Democratization* 11 (3): 27-35.

## Feb 9 | Reaction paper 4 on economic society and rights due by 9am

### Feb 10 | Economic Society and Rights

Assigned:

- C. Rodríguez-Garavito. 2011. Beyond the Courtroom: The Impact of Judicial Activism on Socioeconomic Rights in Latin America. *Texas Law Review* 89 (7): 1669-1698.
- D. Davis. 2011. Socio-Economic Rights: Has the Promise of Eradicating the Divide Between First and Second Generation Rights Been Fulfilled? In *Comparative Constitutional Law*, edited by T. Ginsburg and R. Dixon. Cheltenham: Edward Elgar Publishing, 519-531.
- T. Carothers. 2010. The Elusive Synthesis. *The Journal of Democracy* 21 (4): 12-26.

- M. Robert. Inequality and Social Inclusion in the Americas: Key Drivers, Recent Trends, Way Forward. In *Inequality and Social Inclusion in the Americas, 2<sup>nd</sup> Ed.*, edited by H. de Zela. Washington: Organization of American States, 33-49. /or/ M. Robert. La Desigualdad y la Inclusión Social en las Américas: Elementos Clave, Tendencias Recientes, y Caminos Hacia el Futuro. In *Desigualdad e Inclusión Social en las Américas, 2<sup>nd</sup> Ed.*, edited by H. de Zela. Washington: Organización de los Estados Americanos, 35-52.

Background:

- J. Teorell. 2010. *Determinants of Democratization: Explaining Regime Change in the World, 1972-2006*. Cambridge: Cambridge University Press, 54-76.
- A. Sen. 1999. *Development as Freedom*. New York: Anchor Books, 146-159.
- L. Diamond. 2005. Empowering the Poor: What Does Democracy Have to Do with It? In *Measuring Empowerment: Cross-Disciplinary Perspectives*, edited by D. Narayan. Washington: The World Bank, 403-411.

## **Feb 16 | Reaction paper 5 on rule of law, courts, and constitutionalism due by 9am**

### **Feb 17 | Rule of Law, Courts, and Constitutionalism**

Assigned:

- G. O'Donnell. 2004. The Quality of Democracy: Why the Rule of Law Matters. *The Journal of Democracy* 15 (4): 32-46.
- D. Brinks and A. Blass. 2018. *The DNA of Constitutional Justice in Latin America: Politics, Governance, and Judicial Design*. Cambridge: Cambridge University Press, 19-48.
- R. Uprimny. 2011. The Recent Transformation of Constitutional Law in Latin America: Trends and Challenges. *Texas Law Review* 89 (7): 1587-1609. /or/ R. Uprimny. 2011. *Las Transformaciones Constitucionales Recientes en América Latina: Tendencias y Desafíos*, 1-22.
- T. Carothers. 1998. The Rule of Law Revival. *Foreign Affairs* 77 (2): 95-106.

Background:

- R. Gargarella. 2016. When Is a Constitution Doing Well? The Alberdian Test in the Americas. In *Assessing Constitutional Performance*, edited by T. Ginsburg and A. Huq. Cambridge: Cambridge University Press, 99-133.
- S. Alberts, C. Warshaw, and B. Weingast. 2012. Democratization and Countermajoritarian Institutions: Power and Constitutional Design in Self-Enforcing Democracy. In *Comparative Constitutional Design*, edited by T. Ginsburg, 69-100.
- M. Stephenson. 2022. Constitutionalism and Public Corruption. In *Constitutionalism and a Right to Effective Government*, edited by V. Jackson and Y. Dawood. Cambridge: Cambridge University Press, 247-252.

## **Feb 23 | Reaction paper 6 on state administration due by 9am**

### **Feb 24 | State Administration**

Assigned:

- J. Linz and A. Stepan. 1996. *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore: Johns Hopkins University Press, 16-37.
- J. Dryzek. 2009. Democratization as Deliberative Capacity Building. *Comparative Political Studies* 42(11): 1379-1402.
- Y. Dawood. 2022. Effective Government and the Two Faces of Constitutionalism. In *Constitutionalism and a Right to Effective Government*, edited by V. Jackson and Y. Dawood. Cambridge: Cambridge University Press, 47-59.

- J. M. Insulza. 2016. *Democratic Governance, 2005-2015*. Washington: Organization of American States, 95-99. /or/ J. M. Insulza. 2016. *Gobernabilidad Democrática, 2005-2015*. Washington: Organización de los Estados Americanos, 94-98.

Background:

- F. Fukuyama. 2015. Why Is Democracy Performing So Poorly? *Journal of Democracy* 26 (1): 11-20.
- R. Doorenspleet. 2010. Public Support Versus Dissatisfaction in New Democracies: An 'Inside Challenge'? In *New Challenges to Democratization*, edited by P. Burnell and R. Youngs. London: Routledge, 93-115.
- A. Stepan. 1999. Federalism and Democracy: Beyond the U.S. Model. *Journal of Democracy* 10 (4): 19-34.

## **Public Consultation Research Design**

**Mar 2 | Reaction paper 7 on survey design due by 9am**

**Mar 3 | Survey Design**

Assigned:

- J. Gerring. 2012. *Social Science Methodology: A Unified Framework, 2nd Ed.* Cambridge: Cambridge University Press, Chapters 5 (Concepts) and 7 (Measurement).
- W. Trochim and J. Donnelly. 2008. *Research Methods Knowledge Base, 3rd Ed.* Mason: Cengage Learning, Chapter 4 (Survey Research).
- G. King, R. Keohane, and S. Verba. 1994. *Designing Social Inquiry*. Princeton: Princeton University Press, Chapter 4 (Determining What to Observe).
- P. Norris. 2004. From the Civic Culture to the Afrobarometer. *APSA-CP Newsletter* 15 (2): 6-11.

**Mar 9 | Reaction paper 8 on deliberative consultation design due by 9am**

**Mar 10 | Deliberative Consultation Design**

Assigned:

- J. Fishkin. 2010. Deliberative Democracy and Constitutions. *Social Philosophy and Policy* 28 (1): 242-260.
- J. Fishkin. 2018. Deliberative Polling. In *The Oxford Handbook of Deliberative Democracy*, edited by A. Bächtiger et al. Oxford: Oxford University Press, 315-328.
- O. Doyle and R. Walsh. 2022. Constitutional Amendment and Public Will Formation: Deliberative Mini-Publics as a Tool for Consensus Democracy. *International Journal of Constitutional Law* 20 (1): 398-427.
- S. Elstub. 2014. Mini-publics. In *Deliberative Democracy: Issues and Cases*, edited by S. Elstub and P. McLaverty. Edinburgh: Edinburgh University Press, 166-188.

**Mar 11-19 | Spring Break**

**Mar 23 | Draft collaborative research design due by 9am**

**Mar 24 | Constitutional Reform**

Assigned:

- G. Negretto and J. Couso. 2018. *Constitution-Building Processes in Latin America*. Stockholm: International IDEA.
- A. Cruz et al. 2022. *What Kind of Constitution Do Chileans Want? Chilean Consultation Input in Comparative Perspective*. Unpublished manuscript.

- W. Trochim and J. Donnelly. 2008. *Research Methods Knowledge Base*, 3<sup>rd</sup> Ed. Mason: Cengage Learning, Chapter 9 (Experimental Design).

### **Pilot Public Consultations**

**Mar 31 | Pilot Survey (or another day between Mar 27-Apr 7)**

**Apr 7 | Pilot Deliberative Consultation (or another day between Mar 27-Apr 7)**

**Apr 13 | Reaction paper 9 on pilot results analysis due by 9am**

**Apr 14 | Pilot Results Analysis**

**Apr 20 | Reaction paper 10 on research design revision due by 9am**

**Apr 21 | Research Design Revision**

**Apr 26 | Final collaborative research design due by 5pm**