

HCOL 185I: CRAFTING DEMOCRATIC INSTITUTIONS (Syllabus Version #1)

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Time: Tuesdays, Thursdays 2:50-4:05 P.M.

Office Hours/Location: By appointment, Morrill 205D

Class Location: University Heights North 016

Course Background and Description

The challenge of developing lasting political structures that are representative of and responsive to human needs is hardly new. Beginning in the 1970's however, the discrediting of communism and other forms of authoritarianism has given impetus to a widely-held view that democracy is the most legitimate form of political organization. This perspective holds that democracy is the system that best allows human beings to express themselves, organize freely, and to select and replace those who govern them. In many countries democratic institutions have become the central reference and focal point for societies that are seeking to shed legacies of political authoritarianism.

This perspective has been challenged in recent years by the rise of nationalist and authoritarian leaders in some long-term and nascent democracies. Creating a successful and consolidated democratic system, is thus far from assured. One key challenge facing many countries moving away from authoritarian governance to democracy is what specific institutions to adopt. A legacy of highly centralized and top-down political institution models, superimposed over political cultures lacking experience in the by-play of checks and balances or notions of compromise and conciliation, presents a major challenge. This, in turn, has upped the stakes for political parties and can result in the promotion of violence and discord through parties struggling for the prize of highly centralized power. This is a highly relevant issue, given the recent spread of democracy, reactions against it, and continuing academic, policy and media focus on how to promote democratic development around the world.

So how to operationalize the democracy concept at the level of the nation-state often proves tricky. The devil, as they say, is in the details. There are many issues to be considered in creating and adapting democratic governance institutions. For example, should the system be presidential or parliamentary, or a hybrid incorporating elements of both approaches? What elections systems should be used? How should the executive branch be structured? Should a

president or legislature be term-limited? How should candidates for president or Prime Minister be chosen? What requirements should exist for political parties to function? Should legislatures be unicameral (single chamber) or bicameral? Should all power reside in the central government? If not, what type of decentralized structure should the country have? What relationships should exist between the executive, legislature and judiciary?

In this course we will examine different models of executive branches, legislative branches, and decentralization. We will see how different types of transitional processes have been used to answer the above types of questions in different contexts around the world. We will consider what underlying social, historical, religious, ethnic, economic and other considerations may shape how a country addresses these issues. To be successful, democratic institutions must evolve and reflect the realities of the context in which they are functioning. We will look at some case studies to get a sense of how the process works out in practice, including the hypothetical country of Kayemba in Africa.

The course is divided into several segments. The first provides an introduction to key concepts. It is followed by segments on the executive branch, and then the legislature. Segment 4 addresses Election Systems and Administration, Segment 5 decentralization, and Segment 6 case studies. The course ends with a concluding segment designed to pull together and summarize the proceedings over the semester.

Principles related to *consociationalism* are emphasized in this course. This is the concept of creating systems that include all sectors of society and all factions of elites so that there are as few “losers” in the transition as possible. Democratic transitions are often harmful to many segments of society that may have enjoyed special privileges or benefits under the old system. For example, powerful minority groups may not fully appreciate the concept of majority rule, and powerful elites who maintain wealth through patronage systems will be harmed by a functional legal rational system. In fact, many have suggested that the survival of democratic transitions often lies in the choices and actions of the elites. Thus new constitutional or institutional frameworks must work specifically within the context of every country to ensure that these groups will not be so completely neglected that they reject the system.

The course is shaped to be participatory and hands-on. It is designed with two goals in mind. First, it will provide an overview of the key institutions of democratic governance. Second, the course will provide students with the tools to consider the challenging question of what criteria can be used to determine what types of institutions should be developed, and to provide a sense of the evolutionary process that is at the heart of democracy i.e. that democracies are never finally shaped; they will continue to change as the society from which they emanate changes. In summary, this course is not designed to provide “yes or no” answers but will instead provide us with an understanding of key concepts in the field, how they are utilized, and what some successes and failures have been in the field of governance institution design.

This course will be fast-paced. I will at times use Blackboard to send messages and to update this syllabus. I will challenge students to absorb and internalize key concepts relating to democratic institutions viewed from different perspectives. Students will be required to apply their perspectives in analyzing the democratic institutional development of a particular country.

Course Requirements:

Grading: Course grades will be determined as follows: class participation (25%), reaction papers (25%), country analysis paper (25%), and capstone essay (25%).

Participation: It is extremely important that students not only attend class, but participate actively in it. Students must inform me ahead of time if they will not be able to attend class. As part of the participation grade I will periodically ask students to prepare brief “reaction points” providing their thoughts and reactions to the assigned reading for a particular class, which will inform the class discussion. At the semester mid-point I will provide feedback on student participation to date.

Reaction Papers: Three times during the semester students will be assigned a topic related to course content. Students will write a three-four page double-spaced reaction paper answering the topic question. The papers will then be read by another student and comments regarding the substance and organization of the paper will be provided to the paper’s author. The author will then prepare a second draft of the paper using track changes based on the comments. Grades will be assigned based on the quality of the student’s substantive input, and how well the student has integrated comments (or explained why s/he has not incorporated comments into the final paper).

Country Analysis: Students will prepare a 17-20 page research and analysis paper in which they analyze the governance institutions of a country of their choice. Students will work on these papers in teams of two. I will assign the teams. The paper should identify a) key elements affecting institutional design; b) what institutional design decisions have been made and why, and c) what suggestions could be made for future strengthening of the functioning of democratic institutions in that country. Students will provide a one-page submission of their choice of country with their reasons for this choice by class 8.

Capstone Essay: Participants will write a 5-6 page essay due last class. This essay, on a specific topic that I will assign, will be designed to allow participants to demonstrate their understanding of the underlying concepts and trends that formed the core of the course material.

IMPORTANT: Please note that determination of a final grade is contingent upon all of these grading components being fulfilled. Failure to submit, for example, the country analysis paper could result in a grade of F being assigned for the course.

Texts: International IDEA. A Practical Guide to Constitution-Making, Stockholm, 2008, <http://www.idea.int/publications/pgcb/>.

Miller, Laurel, ed. Framing the State in Times of Transition: Case Studies in Constitution-Making, United State Institute of Peace Press, 2010.

Lijpart, Arend, Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries, Yale University Press, 2014 (Second Edition).

The Carter Center. The Constitution-Making Process in Tunisia, 2015. (To be provided)

Please note that there will also be some internet and Blackboard-based readings. I have done this to try to keep down the cost of reading materials. Students are expected to do this reading, and I will be taking this into account when grading.

Schedule and Readings Please note that next to the listing of each class session several questions are included. These relate to the content matter of the class and are questions around which class discussion will be based.

Segment One – Introduction to Key Concepts

8/30 Class 1 - Introduction/Explanation of Course/Administrative Issues

9/1 Class 2 – Definition of the term Democracy/Evolution of the Democratic Concept. How do you define the term democracy? What experiences have you had with it?

Readings: Edward McMahon and Thomas Sinclair, Democratic Institution Performance: Research and Policy Perspectives, Chapters 1 and 14. (Blackboard).

International IDEA, "A Practical Guide to Constitution Building: An Introduction" Pages 1-20. <http://www.idea.int/publications/pgcb/> (download introduction)

9/6 Class 3 – The “Third Wave” and the Growth of Democracy (LMUPP/FH). What has been the historical evolution of democracy? What have been reasons for the progression or retreat of democracy around the world?

Readings: Samuel Huntington, "After Twenty Years: The Future of the Third Wave" http://muse.jhu.edu/journals/journal_of_democracy/v008/8.4huntington.html

Larry Diamond, “Why Wait for Democracy”, The Wilson Quarterly, Spring, 2013, <http://archive.wilsonquarterly.com/essays/why-wait-democracy> (Blackboard)

Miller, Laurel, ed. Framing the State in Times of Transition: Case Studies in Constitution-Making, Chapter 1.

9/8 Class 4 – Concepts to be Considered: Illiberal Democracy (Illiberal v Liberal Democracy.ppt). What are ways the authoritarian governments seek to present the appearance, but not reality of democracy? What can be done about this? What implications might this have for the future?

Reaction paper #1 assigned

Readings: Fareed Zakaria, “The Rise of Illiberal Democracy” <http://www.jstor.org/stable/20048274>

9/13 Class 5 – Consociational Theory. What is consociationalism? Why is it important? What are its strengths and weaknesses?

Readings: Lijphart, Patterns of Democracy Chapters 1-3

Reynolds, Chapter 2 (Blackboard)

International Idea: Principles and Cross-Cutting Themes

Reaction paper #1 due

9/15 Class 6 – Tips for Researching Your Paper, Scott L. Schaffer
Coordinator of Government Information and Maps
Liaison to Economics, Political Science, & Sociology
Bailey/Howe Library

Also, Kayemba Scenario #1

Note: This class will take place in the Library Projection Room, Bailey Howe Library.

Reading: Kayemba Briefing Paper #1 (Blackboard)

Segment 2 – Executive Branch

9/20 Class 7 - Francis Fukuyama on governance (youtube:
<https://www.youtube.com/watch?v=VSzUX7Ewo40>). Please watch the first 45 minutes of this and identify 2- 3 themes with which you agree and 2-3 with which you question or disagree).

Readings: http://www.youtube.com/watch?v=X5Qy_4249JA
Steven Erlanger, “Are Western Values Losing Their Sway?”, New York Times September 13, 2015 (Blackboard)

9/22 Class 8 – Executive Branch design. What are different models of executive branch design? What are their relative strengths and weaknesses? Why is the choice of particular model important?

Readings: IDEA, The Design of the Executive Branch

Choice of paper topic due, with explanation of why you have chosen it.

9/27 Class 9 – Executive branch continued. What conditions in a particular country might impact the choice of executive branch model?

Readings: Reynolds, Chapter 4 (Blackboard)

http://www.academia.edu/2789444/Comparative_Executive-legislative_Relations_Hierarchies_Vs._Transactions_in_Constitutional_Design

Segment 3 – Legislature

9/29 Class 10 - Legislative branch design. What are different models of legislative branch design? What are their relative strengths and weaknesses? Why is the choice of particular model important?

Readings: IDEA, The Design of the Legislature

Reaction paper #2 assigned.

10/4 Class 11 – Legislature (con't). What conditions in a particular country might impact the choice of legislative branch model?

Readings: Lijphart, Chapter 11

Reaction paper #2 due.

Segment 4 – Election Systems and Administration

10/6 Class 12 – Framing the State Readings. What are the key themes that have emerged so far? How do they relate to the course content?

Kayemba Scenario #2

Readings: Miller, Framing the State, Parts II & II
Kayemba Briefing Paper #2 (Blackboard)

10/11 Class 13 – Guest Lecture: Prof. Peter Von Doepp, “Factors Impacting Judicial Independence”

Reaction paper #2 due

10/13 Class 14 – Presidential election systems. What are different models of how chief executives are elected? What are their relative strengths and weaknesses? Why is the choice of particular model important?

Readings: <http://aceproject.org/ace-en/topics/es> Presidential election systems
<http://aceproject.org/main/english/es/esi01.htm>

10/18 Class 15: Legislative electoral system overview. What are guiding principles involved in the choice of electoral systems? What criteria exist for choosing systems? Who makes these decisions?

Readings: <http://aceproject.org/ace-en/topics/es/es10>

10/20 Class 16 – Kayemba Scenario #3

Readings: Kayemba Scenario #3 (Blackboard)

10/25 Class 17 – Elections Systems: First-Past-the-Post, Proportional Representation, Mixed and Other Systems (show CGP Grey Problems with FPP). What are the particular characteristics of each of these systems? What are their relative strengths and weaknesses? Why is the choice of particular model important?

Readings: Lijphart, Chapter 8

<http://aceproject.org/ace-en/topics/es/esd/esd02>

<http://aceproject.org/ace-en/topics/es/esd/esd01>

Ashbourne College, Electoral Systems: <http://politics-blog.ashbournecollege.co.uk/unit-one-people-politics/electoral-systems/>

10/27 Class 18 – Election Administration. What different models of election administration exist? Why and how are they different? Who decides what method will be utilized?

Readings: <http://aceproject.org/ace-en/topics/em>

11/1 Class 19 – Kayemba Scenario #4

Reading: Kayemba Briefing Paper #4 (Blackboard)

Segment 5 – Decentralization

11/3 Class 20 – Decentralization. What Is It? What are different models of decentralization? What are their relative strengths and weaknesses? Why is the choice of particular model important?

Reaction paper #3 due

Readings: IDEA, Decentralized Forms of Government

http://www.brookings.edu/~media/press/books/2007/decentralizinggovernance/decentralizinggovernance_chapter.pdf

http://csis.org/files/publication/120329_White_Decentralization_Web.pdf

11/8 Class 21 – Federalism and Other Forms of Decentralization.

Readings: Lijphart, Chapter 10

<http://emlab.berkeley.edu/users/webfac/bardhan/papers/BardhanGovt.pdf>
Kayemba Scenario #5

Reading: Briefing Memo #5 (Blackboard)

Segment 6 – Case Studies

11/10 Class 22 - Research Paper Preparation Status Reports.

11/15 Class 23 – Revising the Constitution: The Case of Tunisia

Readings: Carter Center Tunisia Report (Blackboard)

https://freedomhouse.org/report/freedom-world/2014/tunisia#.VdSUA_1VhHw

11/17 Class 24 – Kayemba Scenario #6

Reading: Briefing Paper #6

11/29 Class 25 – Pulling Together the Pieces and the Future

Readings: Miller, Parts IV-VII (including Chapter 22).

Capstone paper question handed out.

Lijphart, Chaps. 16 and 17

12/1 Class 26 - Conclusion

Country Study Paper due.

12/6 Class 27 - Evaluation

Capstone Essay paper due.

12/8 Class 28 - TBD