

DEM-DEC

Nov-Dec
2019

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

This Update was issued on 19 December 2019. It is based on new publications and suggestions from users of the Democratic Decay & Renewal (DEM-DEC) resource,

Global Research Updates should be read in conjunction with the main bibliography on DEM-DEC (issued 24 June 2018).

www democratic-decay.org

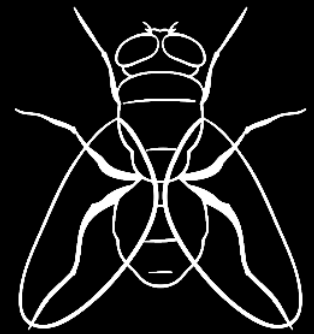
About DEM-DEC

Created by Dr Tom Gerald Daly and supported by a range of leading academic and policy organisations, Democratic Decay & Renewal (DEM-DEC) is an online resource aiming to provide useful information on the deterioration and re-thinking of democratic rule worldwide through a mixture of curated, collaborative, and user-generated content including Research, Experts, Events and Resources databases, a Concept Index, Teaching Materials, and Campaigns.

DEM-DEC's core purpose is to bring scholars and policymakers together in a collaborative project to pool expertise on democratic decay and democratic renewal, 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.

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

His current research concerns the role of public law in countering 'democratic decay' worldwide. 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.

He has written on democratic decay as a columnist for the ICONnect blog and tweets @DemocracyTalk.

Research Editors

Three 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. Her research focuses on the challenges of democracy in the digital era and related human rights issues.



Ibrahim Genc is a researcher based in Melbourne. His research centres on the rise of 'phantom democracies' around the world, with specific focus on Turkey's ruling party, the AKP.



Anant Sangal is a student of B.A. LL.B. (Hons.) at National Law University (NLU) Delhi, India. His central interest is in the intersection of law and politics.

Want to Join the DEM-DEC Team?



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Positions are exclusively on a volunteer basis at present

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

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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)

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International Association of Constitutional Law (IACL) Blog

International Institute for Democracy and Electoral Assistance (International IDEA)

International Journal of Constitutional Law (I-CONnect) Blog

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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 and on re-thinking democratic governance.

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.

Fifteenth monthly update since DEM-DEC was launched

Updates to the Bibliography are issued ordinarily every month. This is the fifteenth monthly update provided and was issued on Thursday 19 December 2019. It covers both November and December. 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 and experts 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 bi-monthly update, the main items here are from late October-late December 2019. Items suggested by DEM-DEC users include earlier material. In addition, the ‘Forthcoming Research’ section provides a 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, Ibrahim Genc, and Anant Sangal, who have provided highly valuable assistance in compiling information for this Update.

Editorial: The UK Elections and the Future of Democracy

Identifying Themes

In each monthly Update DEM-DEC Director Dr Tom Gerald Daly writes an editorial based on key themes in 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.

1 The UK has Voted: What does it Mean for Democracy?

On 12 December the UK voted in what has rightly been viewed as a pivotal election that will shape the UK for a generation. The result confirms that Brexit, in some form, will happen. It also sets the Scottish and Westminster governments on a collision course regarding the holding of a second Scottish independence referendum – how many more constitutional crises can the UK take? More broadly, the elections might be viewed as a case-study for a variety of ills affecting democracies worldwide, including the polarisation and fragmentation of the party system, the intensifying issue of ‘fake news’ in election campaigns, resurgent nationalism, and winner-takes-all politics. Regarding the latter, it is striking that despite the landslide in terms of seats won, as many eligible voters simply didn’t vote (just over 30%) as voted for the Conservatives (again, some 30%). That should, ideally, engender some humility in how the new government approaches its work, but that remains to be seen.

Lawyers will long mull over other aspects of the period before the UK elections and the contents of the parties’ manifestos. Considering the road that other states have travelled away from recognisable liberal democracy, concerns remain as to whether the new ‘Johnson era’ augurs an open season on institutions. Of course, the attempt at prorogation of Parliament before the election still looms large, but we also see in the [Conservative manifesto](#) the promise to establish, in the government’s first year, a Constitution, Democracy & Rights Commission to review everything from the prerogative to the courts, and just a few days after the election, Johnson’s [renewed attacks on the BBC](#) – suggesting, for some, the objective of diminishing scrutiny of the government. While in no way suggesting Johnson is a mirror image of Orbán in Hungary or Modi in India, this aspect of the elections raises a perennial of the discussion of democratic decay worldwide: the use of law to concentrate power in the executive, and the weakening of accountability institutions. A [report by the Constitution Society](#) a month before the elections (November 2019) discusses the issue of “constitutional abuses” since the Brexit referendum and makes remedial proposals including establishment of a Royal Commission and a Citizens’ Convention.

The results are also, understandably, being picked over worldwide for possible insights, especially given the common coupling of the Brexit vote and President Trump’s election in 2016 as crystallising a global crisis of democracy (see e.g. [Pippa Norris and Ron Inglehart’s](#) key book on ‘cultural backlash’, listed in the April Update). In the US, Democrats will no doubt seek to divine some lessons from Labour’s defeat, although the differing contexts of Brexit and impeachment render caution against superficial comparison: the latter is discussed below. More broadly, analysts will be poring over the UK as an object lesson and case-study in the dramatic changes to party politics in Western states. In

this Update, Sam Roggeveen’s new book, [Our Very Own Brexit](#) (November 2019), examines how party politics is becoming ‘hollow’ in states where the landscape remains dominated by two parties that voters no longer care about. Looking to Brexit as an example, he contemplates whether one of Australia’s declining parties could take the desperate measure of exploiting and expanding a wedge issue that has become central to discussions of Australia’s security and relationship with its immediate neighbourhood: immigration. A useful companion piece is a [special issue on populism](#) in the *Philosophy & Social Criticism* journal.

(Video: On 17 December I sat down with Philomena Murray and Tim Lynch at University of Melbourne for an hour-long lively live-streamed discussion of the many implications of the result: watch it [here](#)).

2 The EU’s Real Existential Crisis (Spoiler: it’s not Brexit)

For all the column inches garnered by the UK’s election result, Brexit remains something of a sideshow to the UK’s sharpening existential crisis spurred by the intensifying authoritarianism in Hungary and Poland. Anyone in any remaining doubt about these rule of law crises will find plenty of evidence in this Update – to add to the mounds of evidence already existing. On Hungary, no less than 4 key reports – from [Amnesty International](#), the [International Press Institute](#), [Article 19](#), and [Unhack Democracy](#) – on the dismantling of media freedoms, judicial independence and electoral integrity lay bare why organisations such as Freedom House now consider it a ‘hybrid regime’ blending elements of democratic and authoritarian rule. Regarding Poland, a crucial report from the [European Stability Initiative](#) from mid-December addresses how the aftermath of the ruling PiS party’s win in the October general election has been marked by a switch to even more overt measures to install a “Soviet-style justice system” in an EU member state. Beyond policy reports, articles by [Dimitry Kochenov and Petra Bárd](#), [Tímea Drinóczi and Agnieszka Bień-Kacała](#), [Luke Spieker](#), and a [chapter by Gábor Halmai](#) further our understanding of the extent to which these democracies have been hollowed out. Ivan Krastev and Stephen Holmes controversially argue in their new book, [The Light that Failed](#), that the post-1989 era has not been the age of liberalism in central and eastern Europe but rather, the ‘Age of Imitation’ of liberal polities. The message is simple: the EU, as a rule of law polity, cannot continue to exist if the rule of law no longer exists in certain Member States.

Finally, my review of Wojciech Sadurski’s landmark book, [Poland’s Constitutional Breakdown](#), has appeared in the [European Constitutional Law Review](#) (December 2019). In it, I urge the global community of democracy defenders to read and engage with the book, which sets out in forensic detail the staggering scale and variety of measures PiS has used since late 2015 to hollow out the democratic system. Wojciech was put on trial in Warsaw in November for criticising the government, to which scholars and supporters worldwide have reacted with a campaign of solidarity: use the hashtag #WithWoj and post a picture of yourself holding the printed hashtag to show your support. As editorials in [Verfassungsblog](#) and the [IACL-AIDC Blog](#) emphasise, this is about academic freedom, and it matters to every one of us – not simply those of us who know Wojciech personally.

3 Dealing with Digital Distortions of Democracy

A key feature of the UK elections (and one which does not augur well for future elections in the US and elsewhere) has been the intensification of ‘dirty digital tricks’ in campaigning. On the Conservative side, the hallmark moment of the campaign was the party’s press office [changing its Twitter handle to @factcheckUK](#) during the leader’s debates, but that was just one example alongside doctored videos and even a fake Labour manifesto posted online. (Labour, too, established a fact-checking website,

The Insider – although it at least made its partisan nature clear). Three reports in this Update are useful for considering the central importance of digital media and technologies, not only to today’s electoral campaigns, but to the way democracy and governance operates in general across the globe. Alongside a [report by the Reuters Institute](#) at Oxford University (November 2019) on digital media options for Europe and Freedom House’s annual [Freedom on the Net report](#) (November 2019), a [World Bank report](#) on emerging digital technologies and citizen participation’ sets out 11 predictions on the influence of emerging technologies, and 6 key measures to address them, including:

- Prediction 1: The “fake news” arms race will grow further, shifting the focus of public debates
- Prediction 4: More political parties will develop policy and choose candidates using digital platforms.
- Prediction 6: Activists and tech companies will fight over who gets to speak to citizens.
- Measure 3: Make use of citizens assemblies to set digital policies.
- Measure 4: When regulating tech companies, don’t forget to consider citizen engagement.
- Measure 6: Design civic technologies for inclusiveness.

4 Deliberating About Deliberation

As can be seen above, whether discussing constitutional abuses in the UK or digital distortion of the democratic sphere, there is an intensifying focus on deliberative mechanisms as a way forward for reinvigorating democracy and achieving, as [James Fishkin](#) puts it, a “thoughtful and representative” public voice. On the suggestion of a DEM-DEC user who quite rightly noted we had not yet featured Fishkin’s leading work on deliberation in our Updates, we have provided a list of his key works in the ‘Suggested Additions’ section (p.13). This literature is expanding at speed. In this Update alone, see [Simone Chambers](#) on ‘deliberative versus populist constitutionalism’, [Carlos Forment](#) on informal ‘neighborhood assemblies’ in Argentina, and, in [David Landau and Hanna Lerner’s new collection on constitution-making](#), Carlos Bernal on ‘constitutional crowdsourcing’ and Melissa Crouch on public participation in constitution-making.

5 Impeachment: Pitfalls and Potential

Of course, beyond the UK elections – but with clear potential implications for the US-UK ‘special relationship’ now Boris Johnson is ensconced in Downing Street – is the ongoing impeachment of President Trump. From a comparative perspective, thanks to [Ariel Alejandro Goldstein](#) for sharing a recent article in which he discusses the impeachment of President Rousseff (‘Dilma’) in 2016, suggesting that impeachment can unleash dynamics that weaken both sides of the main parties and undermine the political system as a whole. Of course, the two contexts are not identical – and [Tom Ginsburg, Aziz Huq and David Landau](#) in the *LA Times* (15 December) argue that impeachment has ‘rebooted’ other democracies mired in gridlock and corruption. No matter what happens, as articles in this Update on [‘hybrid PACs’](#), [passive voter suppression](#), and [judicial independence](#) emphasise, the challenges facing US democracy go far beyond the current president.

6 Time to Take a Break (if you Can)

It is customary to wish everyone a well-deserved end-of-year break, and for many, end-of-year activities mean dealing with family arguments about any number of political issues. In a new book,

[*Overdoing Democracy*](#), Robert Talisse lays out a broader argument that we need to forge “civic friendships” through social activities in which political and party loyalties are not simply suppressed, but rendered irrelevant. But from a global perspective, and in the current climate, taking a break is a luxury: as I write, I think for instance of the many Indian constitutional lawyers I know (including my colleague, Tarun Khaitan) protesting right now at the Modi government’s citizenship law and its ongoing attacks on the secular liberal democratic system. Some useful background reading here is found in the latest edition of the [*Indian Law Review*](#) (December 2019), with articles on the [unconstitutionality of mass surveillance programmes](#) and [the government’s revocation of Jammu & Kashmir’s special status](#). Whatever you find yourself doing as 2019 draws to a close and 2020 begins, a sincere thanks from us here at DEM-DEC for your support throughout the year, and for those who cannot take a break, we salute your crucial work. A sincere thanks to all of my [team](#), too: Funding & Communications Coordinator Connie Yaneva, and Research Editors Kuan-Wei Chen, Ibrahim Genc, and Anant Sangal. Finally, thanks to all of [DEM-DEC’s partners](#), not least Verfassungsblog, ICONnect, and the IACL-AIDC Blog for continuing to help publicise DEM-DEC’s activities.

Additions Suggested by DEM-DEC Users

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

**Note 2: A large number of suggested additions in this Update are found in the
'New Publications' and 'Forthcoming Research' sections on p.16 and p.28**

Monographs

[Tim ALBERTA](#), *American Carnage: On the Front Lines of the Republican Civil War and the Rise of President Trump* (HarperCollins Publishers, July 2019).

[Rohit DE](#), *A People's Constitution: The Everyday Life of Law in the Indian Republic* (Princeton University Press, 2018).

[Saidiya HARTMAN](#), *Wayward Lives, Beautiful Experiments: Intimate Histories of Riotous Black Girls, Troublesome Women, and Queer Radicals* (WW Norton & Co., August 2019).

[Takis S. PAPPAS](#), *Populism and Liberal Democracy: A Comparative and Theoretical Analysis* (Oxford University Press, April 2019).

[Joseph STIGLITZ](#), *Power, People and Profits: Progressive Capitalism for an Age of Discontent* (Penguin, May 2019).

[Joseph STIGLITZ](#), *Globalization and Its Discontents Revisited: Anti-Globalization in the Era of Trump* (Penguin, 2017).

[Stijn VAN KESSEL](#), *Populist Parties in Europe: Agents of Discontent?* (Palgrave Macmillan, 2015).

[Brenda WINEAPPLE](#), *The Impeachers: The Trial of Andrew Johnson and the Dream of a Just Nation* (Random House, May 2019).

Book Chapters

[Pui Yin LO](#), 'Twilight of the Idolised: Backsliding in Hong Kong's Legal and Judicial Cultures' in Cora Chan & Fiona De Londras (Eds), *China's National Security: Endangering Hong Kong's Rule of Law?* (Hart Publishing, 2020).

Articles

[Mark BROWN](#), ‘“An Unqualified Human Good”? On Rule of Law, Globalization, and Imperialism’ (2018) 43(4) Law and Social Inquiry 1391.

[Ariel Alejandro GOLDSTEIN](#), ‘The New Far-Right in Brazil and the Construction of a Right-Wing Order’ Latin American Perspectives (published online: 30 April 2019).

[James N. GREEN](#), ‘Understanding the Crisis of Democracy in Brazil’ (2019) 46(4) Latin American Perspectives 263.

[Seva GUNITSKY](#), ‘Democratic Waves in Historical Perspective’ (2018) 16(3) Perspectives on Politics 634.

[Pui Yin LO](#), ‘Enforcing an Unfortunate, Unnecessary and ‘Unquestionably Binding’ NPCSC Interpretation: The Hong Kong Judiciary’s Deconstruction of Its Construction of the Basic Law’ (2018) 48 Hong Kong Law Journal 399.

[Gabriel L. NEGRETTO](#), ‘Democratic constitution-making bodies: The perils of a partisan convention’ (2019) 16(1) International Journal of Constitutional Law 254.

[Duncan McDONNELL](#), ‘Differently Eurosceptic: radical right populist parties and their supporters’ (2019) 26(12) Journal of European Public Policy 1761.

James Fishkin: Key Works

One DEM-DEC user has, quite rightly, pointed out that the DEM-DEC Updates have not yet included James Fishkin’s leading work on democratic deliberation. Key works are as follows:

Monographs

[James FISHKIN](#), *Democracy When the People are Thinking: Revitalizing our Politics through Public Deliberation* (Oxford University Press, 2018).

[James FISHKIN](#), *When the People Speak: Deliberative Democracy and Public Consultation* (Oxford University Press, 2011).

[Bruce ACKERMAN & James FISHKIN](#), *Deliberation Day* (Yale University Press, 2004).

[James FISHKIN](#), *The Voice of the People: Public Opinion and Democracy* (Yale University Press, 1995).

[James FISHKIN](#), *Democracy and Deliberation: New Directions for Democratic Reform* (Yale University Press, 1991).

Book Chapters

[James FISHKIN](#), ‘Deliberative Polling’ In André Bächtiger, John S. Dryzek, Jane Mansbridge & Mark E. Warren (eds), *The Oxford Handbook of Deliberative Democracy* (Oxford University Press, 2018).

Articles

[James FISHKIN](#), ‘Random Assemblies for Lawmaking? Prospects and Limits’ (2018) 46(3) *Politics & Society* 359.

[James FISHKIN](#), 'Deliberation by the People Themselves: Entry Points for the Public Voice' (2013) 12(4) *Election Law Journal* 490.

[James FISHKIN](#), 'Bringing Deliberation to Democracy: The British Experiment' (1995) 5(3) *The Good Society* 45.

5 Books Recommended by Cas Mudde

In a [recent interview](#), the leading analyst Cas Mudde recommended his pick of the 5 best books on populism, as follows:

[Hans-Georg BETZ](#), *Radical Right-Wing Populism in Western Europe* (Palgrave Macmillan, 1994).

[Robert FORD & Matthew GOODWIN](#), *Revolt on the Right* (Routledge, 2014).

[Ruth WODAK](#), *The Politics of Fear: What Right-Wing Populist Discourses Mean* (SAGE, 2015).

[Cynthia MILLER-IDRISS](#), *The Extreme Gone Mainstream* (Princeton University Press, 2018).

[Chip BERLET & Matthew LYONS](#), *Right-Wing Populism in America* (Guilford Publications, 2018).

Policy Papers

[Steven FELDSTEIN](#), *The Global Expansion of AI Surveillance* (Carnegie Endowment for International Peace, 17 September 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



November-December 2019: New Publications

Note: A small number of items were published before October 2019

Monograph: Sam ROGGEVEEN, *Our Very Own Brexit: Australia's Hollow Politics and Where It Could Lead Us* (Penguin, 5 November 2019)

Monograph: Robert B. TALISSE, *Overdoing Democracy: Why We Must Put Politics in its Place* (Oxford University Press, published 1 November 2019).

Monograph: Ivan KRASTEV & Stephen HOLMES, *The Light that Failed: A Reckoning* (Penguin UK, published 31 October 2019).

Monograph: Lars Erik BERNTZEN, *Liberal Roots of Far-Right Activism: The Anti-Islamic Movement in the 21st Century* (Routledge, published 16 October 2019).

Monograph: Nic CHEESEMAN & Jonathan FISHER, *Authoritarian Africa: Repression, Resistance, and the Power of Ideas* (Oxford University Press, published October 2019).

Edited Collection: David LANDAU & Hanna LERNER (eds), *Comparative Constitution-Making* (Edward Elgar, published October 2019).

European Constitutional Law Review: Volume 15, Issue 4 (December 2019)

Articles

Eoin Daly, 'Translating Popular Sovereignty as Unfettered Constitutional Amendability' (2019) 15(4) *European Constitutional Law Review* 619.

William PARTLETT & Mikhail KRASNOV, 'Russia's Non-Transformative Constitutional Founding' (2019) 15(4) *European Constitutional Law Review* 644.

Book Review

Tom Gerald DALY, 'Between Fear and Hope: Poland's Democratic Lessons for Europe (and Beyond) - Wojciech Sadurski, Poland's Constitutional Breakdown (Oxford University Press 2019) 304 pp. English.' (2019) 15(4) European Constitutional Law Review 752.

German Law Journal: Volume 20, Issue 8 (December 2019)

Tímea DRINÓCZI & Agnieszka BIEŃ-KACAŁA, 'Illiberal Constitutionalism: The Case of Hungary and Poland' (2019) 20(8) German Law Journal 1140.

Luke Dimitrios SPIEKER, 'Breathing Life into the Union's Common Values: On the Judicial Application of Article 2 TEU in the EU Value Crisis' (2019) 20(8) German Law Journal 1182.

Southeast European and Black Sea Studies: Latest Articles (November-December 2019)

Article

Orçun Selçuk, Dilara HEKIMCI & Onur ERPUL, 'The Erdoğanization of Turkish politics and the role of the opposition' (published online: 20 November 2019).

Book reviews

N. Nevra ESNTURK, 'Democratic transition and the rise of populist majoritarianism: constitutional reform in Greece and in Turkey by Ioannis N. Grigoriadis, Macmillan Palgrave, 2018, 106 pp., 54.99 Euro (hardcover/softcover), ISBN 978-3-319-57555-1' (published online: 9 December 2019).

Chiara MILAN, 'Hunger and Fury. The crisis of democracy in the Balkans by Jasmin Mujanović, London, Hurst and Company, 2018, 229 pp., £20.00 Bp (paperback), ISBN 978-1849048927' (published online: 21 October 2019).

Hague Journal on the Rule of Law: Volume 11, Issue 2-3 (November 2019)

Special Issue: Martin Krygier's Passion for the Rule of Law (and his Virtues)

Editorial

Jeremy WALDRON, 'Preface' (2019) 11(2-3) Hague Journal on the Rule of Law 251.

Introduction

Nick CHEESEMAN & Ronald JANSE, 'Martin Krygier's Passion for the Rule of Law (and His Virtues)' (2019) 11(2-3) Hague Journal on the Rule of Law 255.

Essays

John BRAITHWAITE, 'Tempering Martin' (2019) 11(2-3) Hague Journal on the Rule of Law 277.

Lidia RODAK, 'From Rules of Life to Rules of Law. An Account of M. Krygier Approach to Sociological Jurisprudence' (2019) 11(2-3) Hague Journal on the Rule of Law 283.

Philip PETTIT, 'Athens and the Rule of Law: An Essay in Honour of Martin Krygier' (2019) 11(2-3) Hague Journal on the Rule of Law 289.

Theunis ROUX, 'A Normatively Inflected, Sociologically Aware Account of the Rule of Law' (2019) 11(2-3) Hague Journal on the Rule of Law 295.

Sanne TAEKEMA, 'Two Realist Idealists Theorizing the Rule of Law' (2019) 11(2-3) Hague Journal on the Rule of Law 301.

David LIEBERMAN, 'Krygier and Selznick and the Rule of Law' (2019) 11(2-3) Hague Journal on the Rule of Law 307.

Richard SANNERHOLM, 'A Rule of Law Guy' (2019) 11(2-3) Hague Journal on the Rule of Law 315.

Christopher MAY, 'The Rule of Law and Technocratisation' (2019) 11(2-3) Hague Journal on the Rule of Law 321.

David DESAI, 'The Passions and the Interests of Martin Krygier' (2019) 11(2-3) Hague Journal on the Rule of Law 327.

Veronica L. TAYLOR, 'The Mythology of (Rule of) Law' (2019) 11(2-3) Hague Journal on the Rule of Law 331.

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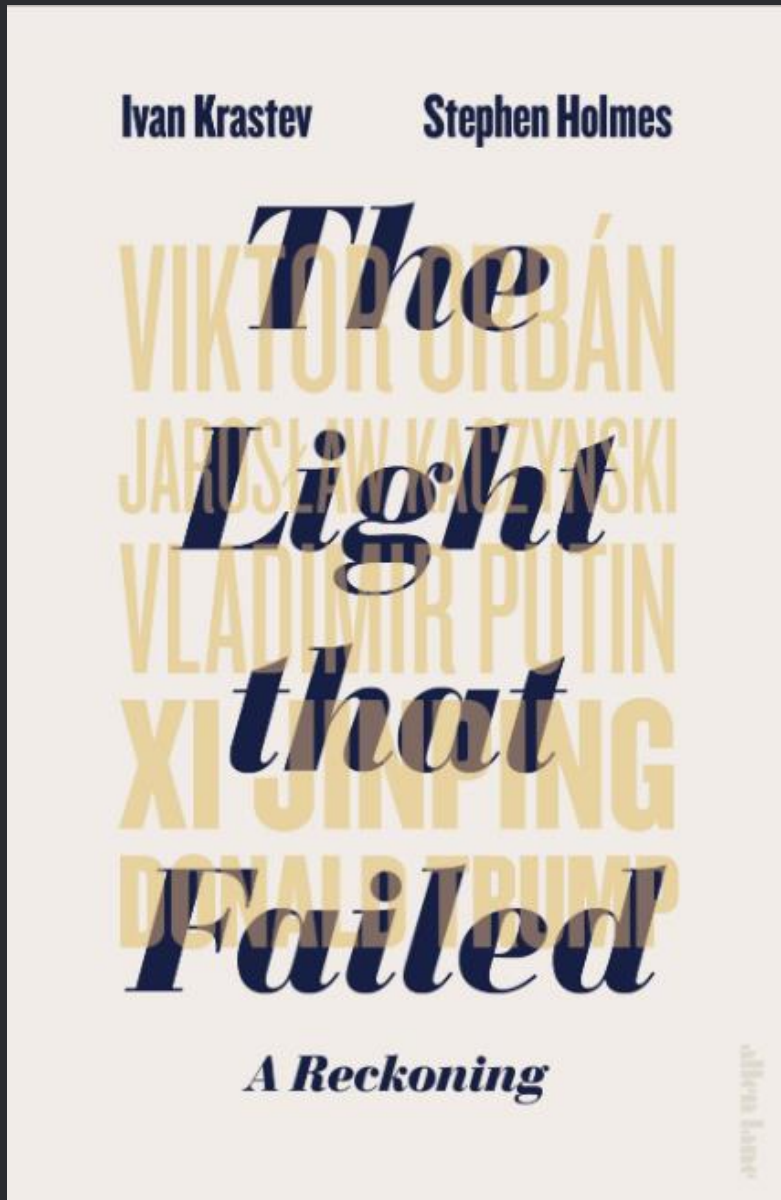
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DEM-DEC Recommended Read



Why did the West, after winning the Cold War, lose its political balance?

In the early 1990s, hopes for the eastward spread of liberal democracy were high. And yet the transformation of Eastern European countries gave rise to a bitter repudiation of liberalism itself, not only in the East but also back in the heartland of the West.

In this brilliant work of political psychology, Ivan Krastev and Stephen Holmes argue that the supposed end of history turned out to be only the beginning of an Age of Imitation. Reckoning with the history of the last thirty years, they show that the most powerful force behind the wave of populist xenophobia that began in Eastern Europe stems from resentment at the post-1989 imperative to become Westernized.

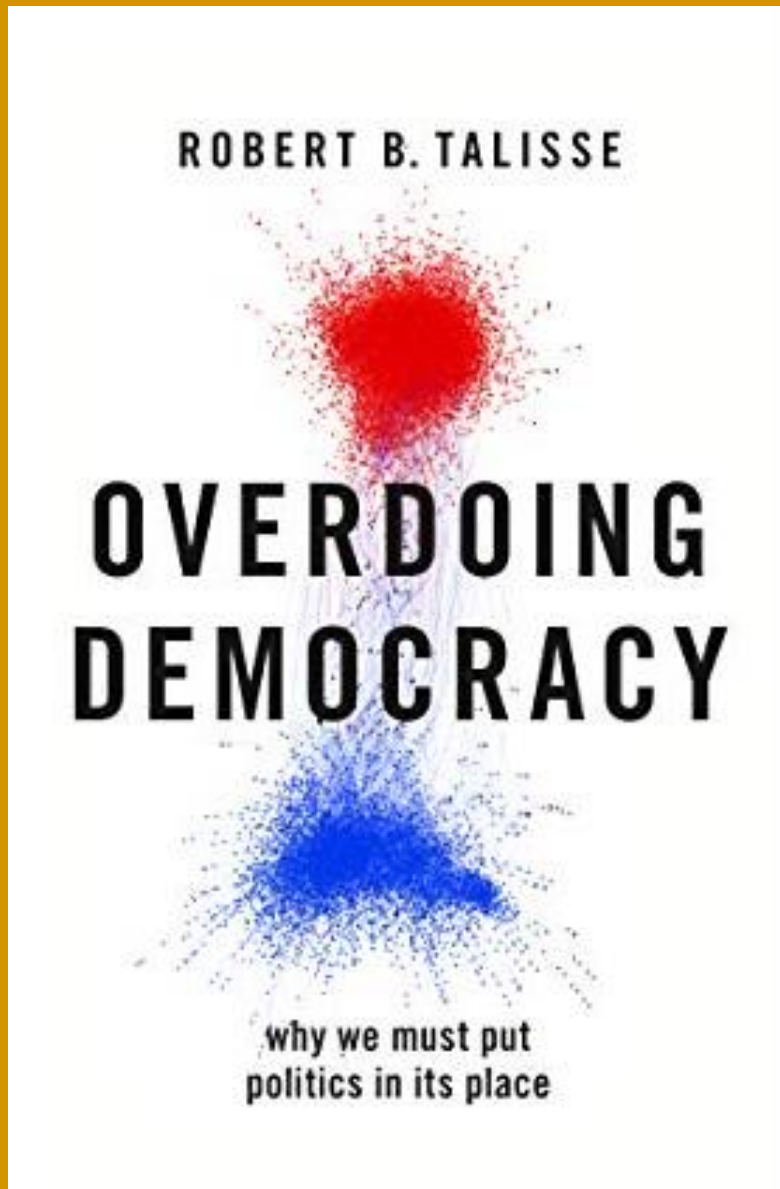
Through this prism, the Trump revolution represents an ironic fulfillment of the promise that the nations exiting from communist rule would come to resemble the United States. In a strange twist, Trump has elevated Putin's Russia and Orbán's Hungary into models for the United States.

Available from Penguin

Hardback US\$45.00 / Also available as E-book

The Light that Failed: A Reckoning. Penguin 2019. 9780241345702. Available at:
<https://bit.ly/2RWz86A>

DEM-DEC Recommended Read



“Political saturation, polarization, radicalization ... With precision and wit, Robert Talisse shows how politics today are tearing America apart — and how a revival of civic friendships can save our democracy from itself.”

—Leif Wenar, Chair of Philosophy and Law, King's College London

“It's always possible to have too much of a good thing — even for democracy. Robert Talisse reveals how our culture became saturated with politics nearly to the point of self-destruction. ... Talisse shows that sustainable democracy requires thinking of our fellow citizens as people first and politicos second. To a culture rapidly overdosing on politics, this book offers both a diagnosis and a cure.”

—Regina Rini, Canada Research Chair in Philosophy of Moral and Social Cognition, York University

“Our tendency to politicise everything needs to be contained for democracy's sake.”

—Fabienne Peter, Professor of Philosophy, University of Warwick

Available from Oxford University Press

Hardback £19.99 / Also available as E-book

Overdoing Democracy: Why We Must Put Politics in Its Place. Oxford University Press 2019.
9780190924195. <https://bit.ly/34zh31k>

Forthcoming Research

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

Note 2: New additions to this section are clearly marked

Books

[Bruce ACKERMAN](#), *The Rise of World Constitutionalism, Volumes Two and Three* * **Note: the first volume in this three-volume series was published on 13 May 2019**

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

Paul BURGESS, *The Concept and Conceptions of the Rule of Law Across Time* (Hart Publishing: contract announced on Twitter 15 August 2019).

[Mark CHOU, Benjamin MOFFITT & Octavia BRYANT](#), *Political Meritocracy and Populism: Cure or Curse?* (Routledge, due for publication 22 November 2019).

[Catherine DE VRIES & Sarah HOBOLT](#), *Political Entrepreneurs: The Rise of Challenger Parties* (Princeton University Press, due for publication May 2020).

[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 25 February 2020).

[Dipayan GHOSH](#), *Terms of Disservice: How Silicon Valley is Destructive by Design* (Brookings Institution Press, due for publication 19 May 2020).

[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).

[John KEANE](#), *The New Despotism* (Harvard University Press, due for publication 12 May 2020).

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[Cristina LAFONT](#), *Democracy without Shortcuts: A Participatory Conception of Deliberative Democracy* (Oxford University Press, due for publication 12 January 2020).

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NEW [Aurélien MONDON & Aaron WINTER](#), *Reactionary Democracy: How Racism and the Populist Far Right Became Mainstream* (Verso Books, due for publication 5 May 2020).

[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 March 2020).

[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**).

Erug [TOMBUS](#), *Life-Cycle of a Populist: Populism and Its Trajectory in Turkey* (book manuscript under preparation * **No online information yet: announced on Twitter**).

[Mark TUSHNET](#), *Taking Back the Constitution: Activist Judges and the Next Age of American Law* (Yale University Press, due for publication 19 May 2020).

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Edited Collections

Daniele [ALBERTAZZI](#) & Davide [VAMPA](#), *Actions & Reactions: Populism & New Patterns of Political Competition in Western Europe* (Routledge, due for publication in 2020 * **No concrete date yet; announced on Twitter 23 June 2019**).

[Stephen ASHE](#), [Joel BUSER](#), [Graham MACKLIN](#) and [Aaron WINTER](#) (eds), *Researching the Far Right: Theory, Method and Practice* (Routledge, due for publication 1 January 2021).

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

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

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

[Tímea DRINÓCZI](#), 'Constitutional Identity in Europe: The Identity of the Constitution. A Regional Approach' *German Law Journal* (forthcoming, 2020) (posted on SSRN: 5 December 2018).

[Patrícia ROSSINI & Rousiley CM MAIA](#), 'Disagreement in Online Political Talk: Comparing Discussions on News Websites and Facebook in Brazil' (*Journal of Public Deliberation*, forthcoming).

[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).

Ben STANLEY, 'A new populist divide? Correspondences of supply and demand in the 2015 Polish parliamentary elections' East European Politics and Societies (forthcoming; in press).

Stijn VAN KESSEL, Javier SAJURIA & Steven M. VAN HAUWAERT, 'Informed, uninformed or misinformed? A cross-national analysis of populist party supporters across European democracies' (forthcoming, West European Politics, announced on Twitter 30 October 2019).

New Additions to DEM-DEC Resources Database

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

The Links section on DEM-DEC has been renamed the [Resources Database](#). New resources added since the last Research Update include the following:

New Resource on ‘Reactionary Democracy’

[Reactionary Democracy: Racism, Populism, the Far Right and ‘the People’](#)

This website is a repository of publications on which a forthcoming book by the same name and current research by Aurélien Mondon and Aaron Winter is based. Should you have any questions or require access to publications, you can contact the authors at a.mondon@bath.ac.uk or a.winter@uel.ac.uk

New Academic Projects

[Evaluating the Challenge of ‘Fake News’ and Other Malinformation](#)

Australian Research Council (ARC) Discovery project led by Dr Scott Wright and Dr Axel Bruns

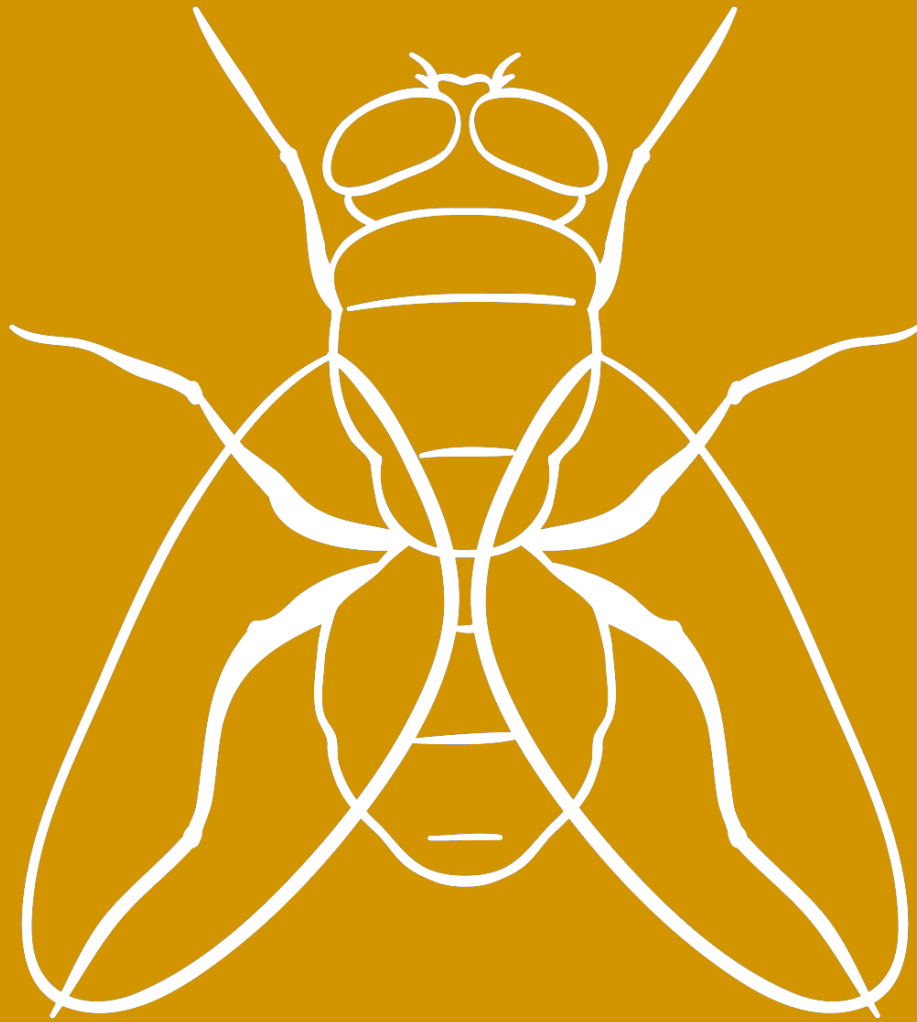
[DEMED: ‘Democracy under Threat: How Education Can Save It’](#)

Project led by Prof. Anja Neundorf (School of Social and Political Sciences, University of Glasgow).
Funded by ERC Consolidator grant awarded in December 2019.

Leading Database on Public Participation

[Up to Us](#)

Up to Us is a new UK organisation dedicated to political reform and the organisation of a Citizens’ Convention.



DEM-DEC

Bringing Democracy
Defenders Together