

**University of Washington**  
**Department of Political Science**  
**Law and Rights in Democratic and Authoritarian Regimes (POLS/JSIS/LSJ 469)**  
**Spring 2021**  
**TTh 1:30-3:20pm**  
**Synchronous, remote via Zoom**

**Professor Susan Whiting**  
[swhiting@u.washington.edu](mailto:swhiting@u.washington.edu)  
*Office hours by appointment*

### **Course Description**

During this quarter, we will compare democratic and authoritarian regimes and consider whether they are convergent or divergent regime types. Both democratic and authoritarian regimes have adopted legal forms, including constitutions, court systems and professional judges and lawyers. In recent years, authoritarian have made major investments in expanded judiciaries, while some nominally democratic regimes have distorted the role of courts and judges in the course of “democratic backsliding.” Authoritarian regimes have established “democratic-looking” institutions like legislatures, which have enacted extensive bodies of law. We will analyze the roles of these institutions in both democratic and authoritarian regimes and consider how they affect political life. We will also consider citizens’ legal consciousness, their political participation in civil society and social media, and their roles in social movements in both types of regimes. Throughout the quarter, we will address the question who is empowered by law, and consider whether and how the answer differs between democratic and authoritarian regimes.

### **Course Requirements**

#### **Participation (30%)**

Students are expected to read the assigned material before class and to contribute to discussion regularly and thoughtfully. Be prepared to discuss author’s claims and evidence, raise questions, and draw connections to other readings and themes of the course.

#### **In-class activities (30%)**

There will be a total of six graded quizzes, exercises, short responses, etc. during class throughout the quarter. Unexcused late submissions will not be accepted. The lowest score will not count toward the final grade.

#### **Final paper (40%)**

The final paper, not to exceed ten, double-spaced pages, will give you an opportunity to explore one of the themes of the course in greater depth and will be based on secondary literature. We will discuss your paper ideas in class throughout the quarter. A one-page draft of your thesis statement and outline is due before class on Tuesday, May 18<sup>th</sup> via Canvas. The final paper is due on or before 5:00pm, Wednesday, June 9<sup>th</sup>, via Canvas. Unexcused late papers will be marked down 0.1 point per day. Deadline extensions are permitted in emergencies or extenuating circumstances with permission of the professor.

### **Course Materials**

Materials are available through Canvas or full-text online via UW Libraries E-Journals and E-books. The books, *How Democracies Die* and *Twitter and Tear Gas* are also available at the UW Bookstore.

## **Additional Course Information**

### Diversity Statement

The Department of Political Science recognizes and affirms the University of Washington's mission to "value and honor diverse experiences and perspectives, strive to create welcoming and respectful learning environments, and promote access, opportunity and justice for all." We expect every member of this community to contribute toward cultivating an inclusive and respectful culture throughout our classrooms, work environments, and campus events.

### Disability Resources

If you would like to request academic accommodations due to a disability, please contact Disability Resources for Students, 011 Mary Gates Hall (<http://depts.washington.edu/uwdrs>). If you have a letter from DRS indicating you have a disability that requires academic accommodations, please present the letter to me so that we can discuss the accommodations you may need for class.

### Registrar Guidance to Students Taking Courses Outside the US

The University of Washington community is committed to academic freedom. The curriculum includes topics and content that other governments may consider to be illegal and, therefore, choose to censor. Examples may include topics and content involving religion, gender and sexuality, human rights, democracy and representative government, and historic events. If, as a UW student, you are living outside of the United States while taking courses remotely, you are subject to the laws of your local jurisdiction. Local authorities may limit your access to course material and take punitive action towards you. Unfortunately, the University of Washington has no authority over the laws in your jurisdictions or how local authorities enforce those laws. If you are taking UW courses outside of the United States, you have reason to exercise caution when enrolling in courses that cover topics and issues censored in your jurisdiction. If you have concerns regarding a course or courses that you have registered for, please contact your academic advisor who will assist you in exploring options.

### International Access

The following link contains important information from UW IT about international access to online learning technologies (<https://itconnect.uw.edu/learn/tools/international-availability/>).

### Religious Accommodation

Washington state law requires that UW develop a policy for accommodation of student absences or significant hardship due to reasons of faith or conscience, or for organized religious activities. The UW's policy, including more information about how to request an accommodation, is available at [Religious Accommodations Policy \(https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/\)](https://registrar.washington.edu/staffandfaculty/religious-accommodations-policy/). Accommodations must be requested within the first two weeks of this course using the [Religious Accommodations Request form \(https://registrar.washington.edu/students/religious-accommodations-request/\)](https://registrar.washington.edu/students/religious-accommodations-request/).

### Academic Integrity

Students at the University of Washington (UW) are expected to maintain the highest standards of academic conduct, professional honesty, and personal integrity. Plagiarism, cheating, and other misconduct are violations of the University of Washington Student Conduct Code (WAC 478-120).

## **Course Schedule**

The following course schedule indicates the required readings for each week and the topic for each class.

### **WEEK ONE**

#### **1. Tuesday, March 30, 2021**

##### **Introduction**

Start reading Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (New York: Crown Books, 2018). E-book, UW Library.

## 2. Thursday, April 1, 2021

### Democracy and Democratic Backsliding

Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (New York: Crown Books, 2018). E-book, UW Library.

<https://podcasts.apple.com/us/podcast/steven-levitsky-and-daniel-ziblatt-on-how-democracies-die/id1308336168?i=1000428475268>

For further reference:

Juan J. Linz and Alfred Stepan, eds. *The Breakdown of Democratic Regimes* (Baltimore: Johns Hopkins University Press, 1978), Chps. 2 and 3. Canvas.

## WEEK TWO

### 3. Tuesday, April 6, 2021

#### Uncertainty and Reversals in Democratization

Stephen Haggard and Robert R. Kaufman, "Inequality and Regime Change: Democratic Transitions and the Stability of Democratic Rule," *American Political Science Review* Vol. 106, No. 3 (August 2012), pp. 495-516.

For further reading:

Daron Acemoglu and James A. Robinson, *Economic Origins of Dictatorship and Democracy* (New York: Cambridge University Press, 2006), Chps. 1 and 2. Canvas.

Eva Bellin, "Contingent Democrats: Industrialists, Labor, and Democratization," *World Politics* Vol. 52, No. 2 (January 2000), pp. 175-205.

Daniel Ziblatt, "How Did Europe Democratize?" *World Politics* Vol. 58 (January 2006), pp. 311-338.

### 4. Thursday, April 8, 2021

#### Democracy and Authoritarianism as Regime Types

Steven Levitsky and Lucan A. Way, "The Rise of Competitive Authoritarianism" *Journal of Democracy* Vol. 13, No. 2 (April 2002), pp. 51-64.

For further reading:

Robert Dahl, *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1971).

Jan Teorell et al., "Measuring Polyarchy Across the Globe, 1900–2017," *Studies in Comparative International Development* Vol. 54 (2019) 54, pp. 71–95.

Anna Lührmann and Staffan I. Lindberg, "A Third Wave of Autocratization is Here: What is New About It?" *Democratization* (2019): <https://doi.org/10.1080/13510347.2019.1582029>

Barbara Geddes, "What Do We Know about Democratization after Twenty Years?" *Annual Review of Political Science* Vol. 2 (1999).

Barbara Geddes, Joseph Wright, and Erica Frantz, "Autocratic Breakdown and Regime Transitions: A New Data Set," *Perspectives on Politics* Vol. 12, No. 2 (June 2014), pp. 313-331.

## WEEK THREE

### 5. Tuesday, April 13, 2021

#### Democratic-looking Institutions: Legislatures

Gilens, Martin, and Benjamin Page. 2014. "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens." *Perspectives on Politics* Vol. 12, No. 3: 564–81.

Christopher Achen and Larry Bartels, "Democracy for Realists: Holding up a Mirror to the Electorate," *Juncture* Vol. 22, No. 4 (2016), pp. 269-275.

For further reading:

Martin Gilens, Benjamin I. Page, and Jason Seawright, "Democracy and the Policy Preferences of Wealthy Americans," *Perspectives on Politics* Vol. 11, No. 1 (2013), pp. 51-73.

Patrick Flavin, "Campaign Finance Laws, Policy Outcomes, and Political Equality in the American States," *Political Research Quarterly* Vol. 68, No. 1 (2015), pp. 77-88.

## 6. Thursday, April 15, 2021

### Democratic-looking Institutions in Authoritarian Regimes: Legislatures

Rory Truex, "The Returns of Office in a 'Rubber Stamp' Parliament," *American Political Science Review* Vol. 108, No. 2 (May 2014), pp. 235-251.

For further reading:

Jennifer Gandhi, Ben Noble, and Milan Svolik, "Legislatures and Legislative Politics without Democracy," *Comparative Political Studies* (2020), Vol. 53, No. 9, pp. 1359-1379.

Jennifer Gandhi and Adam Przeworski, "Authoritarian Institutions and the Survival of Autocrats," *Comparative Political Studies* Vol. 40, No. 11 (November 2007), pp. 1279-1301.

## WEEK FOUR

## 7. Tuesday, April 20, 2021

### Democracy and Rights

Charles R. Epp, *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective* (Chicago: University of Chicago Press, 1998), pp. 1-70. Canvas.

## 8. Thursday, April 22, 2021

### Constitutionalism

Kim Lane Scheppele, "Autocratic Legalism" *University of Chicago Law Review* Vol. 85 (2018), pp. 545-557 and 564-571 *only*.

Michael Dowdle, "Popular Constitutionalism and the Constitutional Meaning of Charter 08," Jean-Philippe Beja and Hualing Fu, eds., *Liu Xiaobo, Charter 09, and the Challenges of Political Reform in China* (Hong Kong, University of Hong Kong Press, 2012), pp. 205-228. E-book.

For further reading:

Aziz Huq and Tom Ginsburg, "How to Lose a Constitutional Democracy," *UCLA Law Review* Vol. 65 (2018), PARTS I and III only. (Check out the podcast: <https://www.uclalawreview.org/> Dialectic Episode 3.7.)

## WEEK FIVE

## 9. Tuesday, April 27, 2021

### "Zones of Exception"

Anthony W. Pereira, "Of Judges and Generals: Security Courts under Authoritarian Regimes in Argentina, Brazil, and Chile," in Tamir Moustafa and Tom Ginsburg, eds., *Rule by Law: The Politics of Courts in Authoritarian Regimes* (New York: Cambridge University Press, 2008), pp. 23-57. Canvas.

Jonathan Hafetz, *Habeas Corpus after 9/11: Confronting America's New Global Detention* (New York: NYU Press, 2011), Chp. 2, pp. 31-45. E-book.

For further reading:

Flora Sapio, *Sovereign Power and the Law in China* (Boston: Brill, 2010), pp. 1-29. Canvas.

## 10. Thursday, April 29, 2021

### Judicial Independence

José J. Toharia, "Judicial Independence in an Authoritarian Regime: The Case of Contemporary Spain," *Law & Society Review* Vol. 9, No. 3 (Spring 1975), pp. 475-496.

For further reading:

Adam Bonica and Maya Sen, "The Politics of Selecting the Bench from the Bar: The Legal Profession and Partisan Incentives to Introduce Ideology into Judicial Selection," *Journal of Law and Economics*, Vol. 60, No. 4 (November 2017), pp. 559-595.

**WEEK SIX****11. Tuesday, May 4, 2021****In-class Discussion of Final Papers****Judges and Politics**

Gretchen Helmke, "The Logic of Strategic Defection: Court-Executive Relations in Argentina under Dictatorship and Democracy," *American Political Science Review* Vol. 96, No. 2 (June 2002), pp. 291-303.

For further reading:

Carlos Berdejo and Daniel L. Chen, "Electoral Cycles among US Courts of Appeals Judges," *Journal of Law and Economics* Vol. 60 (August 2017), pp. 479-496.

**12. Thursday, May 6, 2021****Support Networks: Legal Advocacy**

Austin Sarat and Stuart Scheingold, "The Dynamics of Cause Lawyering: Constraints and Opportunities," in Sarat and Scheingold, eds., *The Worlds Cause Lawyers Make: Structure and Agency in Legal Practice* (Stanford: Stanford University Press, 2005), pp. 1-14 only. Canvas.

Hualing Fu and Richard Cullen, "Weiquan (Rights Protection) Lawyering in an Authoritarian State: Building a Culture of Public-Interest Lawyering," *The China Journal* No. 59 (January 2008), pp. 111-127.

For further reading:

Ethan Michelson, "In Search of Activist Lawyers in China: A Time Machine Back to the Heyday of Political Activism in the Chinese Legal Profession," *Wisconsin International Law Journal* (2020) Vol. 37, No. 2, pp. 350-414.

**WEEK SEVEN****13. Tuesday, May 11, 2021****Legal Consciousness**

Michael W. McCann, *Rights at Work* (Chicago, University of Chicago Press, 1994), excerpts.

Susan H. Whiting, "Authoritarian 'Rule of Law' and Regime Legitimacy," *Comparative Political Studies* Vol. 50, No. 14 (2017), pp. 1907-1940.

For further reading:

Mary E. Gallagher, "Mobilizing the Law in China: 'Informed Disenchantment' and the Development of Legal Consciousness," *Law & Society Review* Vol. 40, No. 4 (2006), pp. 783-816.

**14. Thursday, May 13, 2021****Contentious Politics and Social Movements**

Sidney Tarrow and Charles Tilly, "Contentious Politics and Social Movements," in Carles Boix and Susan C. Stokes, eds., *Oxford Handbook of Comparative Politics* (New York: Oxford University Press, 2009), E-book.

Leonardo Bursztyn, et al., "Persistent Political Engagement: Social Interactions and the Dynamics of Protest Movements," June 2019.

[https://home.uchicago.edu/bursztyn/Persistent Political Engagement July2019.pdf](https://home.uchicago.edu/bursztyn/Persistent%20Political%20Engagement%20July2019.pdf)

**WEEK EIGHT****15. Tuesday, May 18, 2021****1-page draft of thesis statement and outline due****Civil Society**

Robert Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993), excerpt. Canvas.

Sheri Berman, "Civil Society and the Collapse of the Weimar Republic," *World Politics* Vol. 49, No. 3 (April 1997), pp. 401-429.

For further reading:

Robert Putnam, "Bowling Alone: America's Declining Social Capital," *Journal of Democracy* Vol. 6 (January 1995), pp. 65-78.

## **16. Thursday, May 20, 2021**

### **Internet Society, I**

W. Lance Bennett and Alexandra Segerberg, "The Logic of Connective Action," *Information, Communication & Society* Vol. 15, No. 5 (2012), pp. 739-768.

Zeynep Tufekci, *Twitter and Tear Gas: The Power and Fragility of Networked Protest* (New Haven: Yale University Press, 2017), Part One.

## **WEEK NINE**

## **17. Tuesday, May 25, 2021**

### **Internet Society, II**

Zeynep Tufekci, *Twitter and Tear Gas: The Power and Fragility of Networked Protest* (New Haven: Yale University Press, 2017), Parts Two and Three.

Mark R. Beissinger, "'Conventional' and 'Virtual' Civil Societies in Autocratic Regimes," *Comparative Politics* Vol. 49, No. 3 (April 2017), pp. 351-371.

## **18. Thursday, May 27, 2021**

### **Censorship**

Yuyu Chen and David Y. Yang, "1984 or Brave New World? Evidence from a Field Experiment on Media Censorship," *American Economic Review*. Vol 109, No. 6 (2019), pp. 2294-2332.

For further reading:

W. Lance Bennett, Regina G. Lawrence, and Steven Livingston, "None Dare Call It Torture: Indexing and the Limits of Press Independence in the Abu Ghraib Scandal," *Journal of Communication* Vol. 56 (2006), pp. 467-485.

Gary King, Jennifer Pan, Margaret E. Roberts, "How Censorship in China Allows Government Criticism but Silences Collective Expression," *American Political Science Review* Vol. No. (May 2013), pp. 1-18.

## **WEEK TEN**

## **19. Tuesday, June 1, 2021**

### **Fake News**

Jieun Shin, Lian Jian, Kevin Driscall, Francois Bar, "The Diffusion of Misinformation on Social Media: Temporal Pattern, Message, and Source," *Computers in Human Behavior* Vol. 83 (2018), pp. 278-287.

Gary King, Jennifer Pan, Margaret E. Roberts, "How the Chinese Government Fabricates Social Media Posts for Strategic Distraction, Not Engaged Argument," *American Political Science Review* Vol. 111 No. 3 (2017), pp. 1-18.

## **20. Thursday, June 3, 2021**

### **Conclusion**

In-class: Laura Jakli, "Contingent Extremism."

## **FINAL PAPER DUE**

**On or before 5:00pm, Wednesday, June 9, 2021, via Canvas.**