

27. Wissenschaftlicher Kongress
der Deutschen Vereinigung für Politikwissenschaft (DVPW)
„Grenzen der Demokratie / Frontiers of Democracy“
vom 25. bis 28. September 2018 an der Goethe-Universität Frankfurt am Main

Call for papers in the panel

Constitutionalism without democracy

Organized by Eugénie Mérieau/Fruhstorfer, Anna (both Universität Göttingen)

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Abstract: It is only a theoretical possibility to rule alone. Not even Europe’s absolutist dictators in the 20th century ruled in this absolute sense. Political power is always dependent on a cohesive group and “devices” (Ginsburg 2014) to control this group. In a surprisingly high number of cases, the devices of choice are constitutions. And this poses a fascinating puzzle. Basic law has a role even beyond its failure to limit the government. While it is tempting to disregard the influence of constitutions in autocratic and hybrid regimes and treat them as shams, research shows that constitutionalism without democracy exists and cannot be dismissed so quickly. Constitutions and constitutional politics serve a variety of purposes in countries with democratic deficits, both in substance and in effect. Research has offered different ideas to situate constitutions outside democratic settings, among them most importantly Tushnet (2014,) Isiksel (2013) Brown (2002) and Law / Versteeg (2013).

To follow up on the work of these authors, we will elaborate on a theoretical framework and a conceptual idea linking the recently revived discussion on authoritarian regimes beyond a transformation paradigm and the classic functions of constitutional design. Building on this research, we apprehend constitutionalism without democracy not as a transitional deficient state, but as a stable emerging model. To achieve this, the proposed panel seeks to bring together a diverse group of scholars from political science and public law with expertise on constitutionalism in individual countries or regions. Theoretical contributions are also welcome.

The DVPW executive encourages papers from junior and / or female scholars.
Please send your proposal (up to 350 words, in **German or English**) until **31 January 2018** to: anna.fruhstorfer@uni-goettingen.de and Eugenie.merieau@uni-goettingen.de

Literature:

Brown, N. (2001). *Constitutions in a Nonconstitutional World: Arab Basic Laws & the Prospects for Accountable Government*. Albany and N.Y.: SUNY Press

Dowdle and Willkinson (2017). *Constitutionalism beyond Liberalism*, Cambridge University Press

Ginsburg, T. (2014). *Constitutions ... in Dictatorships?*

Isiksel, T. (2013). *Between text and context: Turkey's tradition of authoritarian constitutionalism*. *International Journal of Constitutional Law* 11(3), 702–726.

McIlwain, C. (1947). *Constitutionalism: Ancient and Modern*.

Tushnet, M. (2013). *Authoritarian Constitutionalism*. In T. Ginsburg and A. Simpser (Eds.), *Constitutions in Authoritarian Regimes*, pp. 36–49. Cambridge University Press.