This course examines courts from a comparative perspective. By the end of the 20th century, the growing power of courts abroad has led to the so-called “judicialization of politics.” Yet, difficulties in establishing and maintaining independent judicial institutions continue to plague governments around the world. The overarching goal of this course is to understand why, when, how, and where courts function or fail to function as independent checks on government. To address these fundamental questions, the course is divided into two main parts. The first part is devoted to examining leading theories of why judicial independence emerges and endures. The second part of the course is primarily empirical, examining the role of courts in Western Europe, Eastern Europe, Russia, Latin America, Africa, Asia and the Middle East.

Organization and Course Requirements

For students registered to take the class without a writing credit, grades will be based on the following assignments:

Participation: 20%
Midterm Exam: 35%
Take-Home Final Exam: 45%

For students registered with a “W,” grades will be based on the following assignments:

Participation: 20%
Midterm Exam: 20%
Take-Home Final Exam: 30%
Research Paper 30%

Participation
Participation makes up a significant part of your grade for this course. This class is a discussion seminar, not a lecture course. It is essential that students be prepared to discuss all of the readings each and every class. Many of the works that we will read are intellectually demanding; be sure to leave yourself enough time to do all of the readings carefully.
Student responsibilities include presenting the readings by briefly summarizing in a 10-15 minute presentation the main points and raising important questions and criticisms. A one-two page handout of notes for the entire class should be provided. The number of readings each student is responsible for leading will depend on the size of the seminar. A sign-up sheet will be circulated the first week of class.

Exams
There will be one in-class midterm and a take-home final. Both exams will be based on the assigned readings and class discussion. The midterm will contain identification terms, short questions, and essays. A list of possible identification terms will be distributed prior to each exam. The final exam will be in an essay format.

Make-Up Policy
Make-up exams and assignments will be given only under the most exceptional circumstances. Exams will not be re-scheduled to accommodate other courses. Missed exams or assignments due to illness require a doctor’s note.

Term Paper (Only for Students Taking the Course for “W)
Each student will choose a country and topic on which they will write a 10-12 page research paper. Students should be prepared to hand in a 1-2 paragraph description of their topic on February 18th. Annotated bibliographies are due no later than March 24th. A draft is required and can be turned in anytime on or before April 7th. Final Papers are due at the beginning of class on Monday, April 21st. Late papers will not be accepted.

Books
The following books are required and available for purchase at the Campus Bookstore:


Articles
All articles are available on-line via Blackboard
Weekly Class Schedule

Week 1: No Class—MLK Day
1/21

Week 2: Course Introduction: Judicial Independence in Comparative Perspective
1/28


Week 3: Explanations of Judicial Independence I: Information, Bargaining, and Competition
2/4


Week 4: Explanations of Judicial Independence II: Delegation
2/11


Week 5: Judicial Independence and Institutional Design  
2/18

Alexander Hamilton. 1787. No. 78, Federalist Papers.


W Students: Paper Topics Due in Class

Week 6: Midterm  
2/25

In-Class Midterm

Week 7: Theories of Judicial Decision-Making  
3/3


Week 8: Spring Break No Class  
3/10

Week 9: Common Law versus Civil Law Systems  
3/17


Week 10: Western Europe  
3/24


W Students: Annotated Bibliography Due in Class

Week 11: No Class
3/31

Week 12: Russia and Eastern Europe
4/7


W Students: Last Day to Turn in Drafts

Week 13: Latin America
4/14


Jeffrey Staton. 2007. Why Do Judges Go Public: Constitutional Review and Judicial Public Relations in Mexico (ms, selections)


Week 14: Africa
4/21


W Students: Final Papers Due in Class—No Exceptions

Week 15: Asia and the Middle East
4/28


**Take-Home Final Hand-Out at the end of class on 4/28. Due at 5 pm May 1st.**