Course Description
Are you interested in why law and courts matter for international and comparative politics and policy? This course is about how political dynamics shape courts and how courts, in turn, shape politics.

By the end of 20th century, judges in many countries have started to exercise a good deal of power over public policy, make major substantive decisions, and strike legislation. This development represents a significant change from the way societies were governed only fifty years ago. Yet, difficulties in establishing and maintaining independent judicial institutions continue to plague governments around the world. The overarching goal of this course is to provide an introduction to judicial politics literature and explore why, when, and how courts function or fail to function as independent checks on government. To address these fundamental questions, the first half of the course is devoted to examining leading theories of why judicial empowerment and independence emerges and endures. The second half of the course considers various theories of judicial decision-making and focuses on the impact of political structures in which judges operate; examines judicial review in comparative perspective; and addresses the law and courts in supranational and international context.

Required Materials
Comparative Judicial Politics is a relatively new discipline, and there is not a textbook that we can use as a single platform for the course. Therefore, we will need to read different books and articles. The readings assigned for this course will be available in a course pack at the copy center.

Grading and Evaluation
Your grade will be based on the following components:

20% class participation: You are expected to complete all of the assigned readings before class. The grade will be given for classroom attendance and participation. Active and thoughtful participation based on careful reading of the material is required from all of you.

40% reaction papers (2 * 20%): You are required to write two reaction papers. You will sign up on the first day of class for weeks in which you are particularly interested. Reaction papers are short (two page, double-spaced) essays in which you reflect on the readings and address any criticism(s) or reactions to the readings.

40% research paper: You will be expected to produce a medium-length essay (15-18 pages) in which you expand on one of the themes addressed in the course and provide a research design. In your paper you should read and synthesize a collection of articles relevant to the given area, tying them together into coherent themes, and identifying gaps in the literature where future research should concentrate. Subsequently you should try to fill one of those gaps or focus on a certain puzzle. It will include why you think the research is important, how it extends previous research, and how you would go about addressing the problem.
Outline

Week 1a- Introduction: An introduction to the research agenda of Law and Politics


Week1b - The Functions of Courts in the Modern State: What are the functions of courts? What is the basic structure of judicial decision-making?


Week2a- Judicial Power I: Is judicial power expanding? What are the key variables that explain judicial empowerment?


Week2b- Judicial Power II: Is the expansion of judicial power occurring in conflict with the wishes of other political actors?


Week3a- Judicial Independence I: What do we mean by “judicial independence”? Independence of whom, and from whom? How can we best approach this concept in comparative perspective?


**Week3b - Judicial Independence II:** What is the impact of institutional and political factors on judicial independence?


**Week4a- Judicial Decision-Making: Strategic Approaches I**


**Week4b- Judicial Decision-Making: Strategic Approaches II**


**Week5a- Judicial Review in Turkey I**


**Week5b- Judicial Review in Turkey II**


**Week6a- Judicial Review in Developing Democracies I**


**Week6b- Judicial Review in Developing Democracies II**

Lisa Hilbink .2007. Judges beyond Politics in Democracy and Dictatorship: Lessons from Chile. Cambridge: Cambridge University Press (Ch1)


**Week7a- International Courts**


**Week7b- Supranational Courts**


