Authoritarian Constitutionalism
Comparative Analysis and Critique

Edited by Helena Alviar García, Sciences Po, France and Günter Frankenberg, Goethe University, Frankfurt am Main, Germany

The contributions to this book analyse and submit to critique authoritarian constitutionalism as an important phenomenon in its own right, not merely as a deviant of liberal constitutionalism. Accordingly, the fourteen studies cover a variety of authoritarian regimes from Hungary to Apartheid South Africa, from China to Venezuela; from Syria to Argentina, and discuss the renaissance of authoritarian agendas and movements, such as populism, Trumpism, nationalism and xenophobia. From different theoretical perspectives the authors elucidate how authoritarian power is constituted, exercised and transferred in the different configurations of popular participation, economic imperatives, and imaginary community.

‘The terms “authoritarian constitutionalism” may appear contradictory; but as this rich and far-reaching collection of essays demonstrates it is a widespread phenomenon which must be taken seriously at a time when democracy is under threat worldwide. This superb collection serves variously as an introduction to the topic, a penetrating theoretical and jurisprudential analysis, a new lens from which to view important debates about issues such as nationhood and inequality, and a global examination of the varying forms of authoritarian constitutionalism. It also sheds uncomfortable light on what we take to be exemplary, liberal and democratic constitutionalism.’

– Tony Anghie, National University of Singapore and University of Utah, US

‘What if the liberal belief in a Constitution as safeguard and backbone of a democratic, inclusive and egalitarian society turned out to be wrong? The contributors to this extremely well-curated volume provide challenging evidence of the myriad ways in which constitutional texts and practices can and in fact do facilitate, endorse and empower authoritarianism. Calling for a critical reevaluation of liberal constitutionalism, this analysis – from Colombia to the US, Hungary to South Africa, Egypt to Singapore and Japan – is more than just an annotation at the margins of a self-involved, European script of “global constitutionalism”. It emphasizes the need and value of connecting comparative constitutionalist local ethnographies in “the North”, “the South”, “the West” and “the East” with a thorough analysis of transnational regulatory dynamics.

– Peer Zumbansen, King’s College London, UK and Osgoode Hall Law School, York University, Canada