

POLI 391: World Constitutions

University of South Carolina
Tues/Thurs 10:05 – 11:20 AM
Close-Hipp (CLHIPP) 363
Fall 2026



A protester holds a piece of cloth that reads “New Constitution or Nothing” during a demonstration at Plaza Italia in Santiago, Chile on October 22, 2019, the fifth day of the *estallido social* (“social outbreak”) that ultimately led to the 2021-22 Constitutional Convention (Photo by Pedro Ugarte/AFP).

Contact information

Instructor: Matthew Martin, PhD (he/him)
Email: mattmartin@sc.edu
Office location: Gambrell Hall (GAMBRL)
Office hours: TBD

I strongly encourage you to come by my office hours. I want to get to know my students! I am happy to discuss course material, questions, your research ideas, or life in general. Moreover, [research](#) shows a correlation between individual support, like office hours, and student achievement. If you are busy during my office hours, I am happy to find another time. If you would prefer to meet over Zoom, we can make that work, too.

Outside of office hours, the best way to contact me is via email. You can also contact me via Blackboard if you prefer. During the week, I will respond to your message within 24 hours. During the weekend, I may take longer to respond. I usually respond to messages during normal business between 8:00 AM and 5:00 PM, Monday through Friday.

Course description

Over two centuries have passed since Thomas Jefferson first proposed an expiration date of 19 years for constitutions.¹ His timeless prescription that constitutions should be replaced once a generation has corresponded almost exactly to the endurance of these documents in practice.² Since 1789, over 900 new constitutions have entered into force.³ Recently, we have seen processes of constitutional reform unfold across the globe—in Bangladesh, Chile, Guinea, Jamaica, Thailand, Tuvalu, and Uzbekistan, among others—with more on the horizon. Constitutions are fundamental to the establishment, and re-establishment of a country’s social, political, and economic order. These texts, beyond providing for a system of state institutions, serve as a connection between the foundational past and the aspirational future of a national community.

Countries have experimented relentlessly with constitutional design, transforming our understanding of how constitutions are made, maintained, and replaced. Each country possesses a unique approach to this process, offering a rich universe of cases to explore. What are the theoretical foundations of modern constitutionalism? How do we understand the stages of the design process? What innovations have governments incorporated into constitution-making? How are democratic and authoritarian constitutions different? Why do constitutions ultimately die? These are some of the many questions we will explore together using the diversity of constitutional systems at our disposal. This syllabus is, in effect, the constitution of our course—a document that establishes the rules, procedures, and expectations that govern our shared endeavor this semester.

The course is relevant for those students who have an interest in comparative public law and legal systems, institutional procedures and design, democracy and autocracy, and constitution-making processes around the globe. The readings will include materials on constitutional systems from various regions including Africa, Asia, and Latin America in particular.

Learning Objectives

1. Understand the fundamentals (stages, procedures, decisions) of constitutional design.
2. Gain specific knowledge in the fields of comparative politics and public law.
3. Develop and strengthen written communication and critical thinking skills, including the ability to use AI tools productively without outsourcing your own reasoning.
4. Learn to make meaningful interventions in discussions about constitutional politics around the globe.

Required materials

You are not required to purchase any textbooks for this course. According to the [College Board](#), during the 2024-2025 academic year, the average student budget for books and supplies at four-year public institutions was \$1,290. All required readings on the course schedule have been uploaded to Blackboard. You can find them under the “Files” tab in the “Readings” folder. The files are organized by lecture date. If you have any issues accessing files, please let me know. “I couldn’t find the readings” is not an acceptable excuse for coming to class unprepared.

¹ Thomas Jefferson to James Madison, September 6, 1789; Letter to Samuel Kercheval, July 12, 1816.

² Zachary Elkins et al., *The Endurance of National Constitutions* (Cambridge University Press, 2009).

³ Zachary Elkins and Tom Ginsburg, “Chronology of Constitutional Events,” Comparative Constitutions Project, 2025 [2007], <https://comparativeconstitutionsproject.org/>.

Assignments and grading

Assignments	Due date	Percent of grade
Class citizenship	Every class	20%
Comparative constitutions project	Thurs. weekly	20%
In-class midterm exam	October 13	25%
Final paper	December 3	35%

Class citizenship (20%)

Class citizenship includes: (1) attendance; (2) participation; (3) civility; and (4) one check-in with me during the semester. First, I expect you to come to every class unless you are sick or have an emergency (see “absences” section). Second, I expect you to do the assigned readings before class and arrive ready to discuss them. Third, I expect you to treat me and your fellow classmates with respect. You should express your ideas and views without reservation, and listen to others’ perspectives, in a way that fosters dialogue (i.e., no insults, interruptions, etc.). You should also avoid behaviors that distract me and your classmates such as cell phone use, dozing off, and loud eating. Fourth, you must complete one brief oral check-in with me during office hours at some point during the second half of the semester. This conversation will focus on your final paper—you will walk me through your argument and current reasoning. If you are concerned about your class citizenship grade, please ask me for feedback.

Comparative constitutions project (20%)

At the start of the semester, you will use [Constitute](#) to select one country whose constitution you will study throughout the course. Each week you will write a brief discussion post (400-500 words) using that week’s readings to analyze how your country’s constitution addresses the topic discussed that week. I will post 12 prompts throughout the semester, each with some questions for your reflection. You will write your posts in a shared Word document that I create for you, which allows me to see your writing process through version history. Responses must be completed by Thursday at 11:59 PM so I have time to read them before the following week. You will receive either a check-plus (100), check (85), check-minus (70), or incomplete (0). At the end of the semester, I will drop the three lowest grades and average the rest. Late posts do not count unless you are sick or have an emergency.

In-class midterm exam (25%)

You will complete one in-class midterm exam around the halfway point of the semester. The exam will consist of several short essay questions testing your comprehension of the key concepts, arguments, and readings from the first half of the course. I will distribute the prompts one week before the exam so you can prepare your thinking, but the exam itself is closed-book and closed-notes. You will need to write your responses from memory.

Final paper (35%)

You will write a final paper (2,500-3,000 words) developing an original argument about your country’s constitutional system. This paper builds on the work you have done throughout the semester in the comparative constitutions project. Rather than summarizing what you have learned, you should identify a puzzle, tension, or significant feature of your country’s constitution and develop an analytical argument about it. Further guidelines will be distributed later in the semester.

Your oral check-in (see “class citizenship” above) will focus on your paper—we will discuss your argument and how your reasoning is developing.

Final grades

Percentage Range	Grade
93.0% - 100%	A
90.0% - 92.9%	A-
87.0% - 89.9%	B+
83.0% - 86.9%	B
80.0% - 82.9%	B-
77.0% - 79.9%	C+
73.0% - 76.9%	C
70.0% - 72.9%	C-
60.0% - 69.9%	D
0% - 59.9%	F

Note: Final course grades are calculated based on a percentage rounded to the nearest tenth of a percent. For example, a final score of 92.95% is rounded to 93.0% and is an A. 82.91% is rounded to 82.9% and is a B-. This grading policy is not subject to appeal.

Late submissions

Final papers, not discussion posts, are accepted for late submission. For each day late, however, you will receive a penalty of five points. Exceptions to this policy are subject to my discretion. If you are physically able, please contact me before the due date to request an extension. Assignments must be completed as soon as possible after the original due date and cannot be accepted after the graded ones have been returned.

Make-ups

If you miss the in-class midterm exam for a legitimate reason such as a medical emergency, please provide a doctor’s note if applicable. I will schedule one make-up time for students to take the exam. Due to the challenges of booking rooms, I cannot accommodate individual make-up times.

Grade appeals

After the return of a graded work, you must wait three (3) days before contacting me about an appeal. After the waiting period, you have eleven (11) days to appeal a grade. Appeals must be made in writing via email or Blackboard and provide specific evidence for the change. In total, the time frame for an appeal is fourteen (14) days from the day the graded assignment is returned.

Absences

You are not graded for attendance, but you are expected to be present for every class session. Class citizenship makes up a significant portion of your final grade (20%). Moreover, the midterm exam and final paper are heavily based on what we discuss in class. Therefore, I strongly encourage you to come to class. If you anticipate needing to arrive late or leave early for any reason over the course of the semester, please talk to me, and we can find a solution.

Illness

You should not come to class if you are sick. You will have the opportunity to make up any missed work without penalty. Missing class due to illness will not affect your class citizenship grade. If you have to miss class, please notify me as soon as possible. Your health should always come first!

Religious holidays

If you plan to miss class to observe a religious holiday, please notify me at least one week prior to the date of observance. If you miss an assignment, you will be given an opportunity to complete the missed work within a reasonable time after the absence.

Disabilities

If you have a disability or other condition that may affect your attendance or academic performance, you may request relevant accommodations from the [Student Disability Resource Center](#). Please make sure the relevant documentation is on file, and come to me as soon as possible to discuss your specific accommodation needs.

Use of AI Tools

Generative AI such as OpenAI's ChatGPT and Anthropic's Claude, otherwise known as Large Language Models (LLMs), are powerful tools, and they will be part of your professional lives. My goal is not to police your use of them, but to ensure you develop the thinking skills that make such tools useful rather than harmful. [Research](#) on learning suggests that the struggle to articulate your ideas—even when frustrating—is often where genuine understanding develops. When you offload that struggle to AI, you may get a finished product, but you risk missing the cognitive work that builds on your prior knowledge as well as your capacity for independent thought.

Weekly discussion posts

For the comparative constitutions project, you will write your posts in a shared Word document that I create for you. This allows me to see your writing process through version history. You are encouraged to write these posts without AI assistance. If you feel you must use AI, you should:

1. Fill out the template below.
2. Paste it into your Word document.
3. Paste it into the AI chat as your prompt.
4. Paste the AI's reply into your Word document below the template.
5. Write your response.
6. Write a brief note (2-3 sentences) on what you took from the AI's feedback, what you didn't, and why.

Instructions for AI: I am an undergraduate student working on my own argument. Your job is to be a critical thinking partner. Identify logical gaps or tensions in my reasoning, suggest alternative interpretations I may not have considered, and raise objections to my argument. Do not give me “the answer” or draft my response.

My question: What am I trying to figure out?

My current position: What do I think the answer is, even if tentative. (“I’m not sure” is not acceptable. Take a stance.)

My reasoning: Why do I think this? What evidence or logic supports my view? (2-3 sentences minimum.)

What I want from you: (Choose one) Stress-test my reasoning and identify gaps / Help me see alternatives I haven’t considered / Check whether I’m understanding a concept correctly / Other (specify — must concern your reasoning, not content generation)

The point of this template is to ensure you do the thinking *before* you engage AI, not after. If you cannot fill out the template, that is useful information. It means you need to do more reading or come to office hours before AI can help you productively.

Final paper

The following uses of AI are not permitted on the final paper:

- Generating arguments, thesis statements, or analytical frameworks.
- Producing draft text, even as a “starting point” you plan to revise.
- Finding or recommending sources (use library databases, course bibliographies, and Constitute instead).

The following uses are permitted with documentation:

- Stress-testing an argument you have already developed.
- Getting feedback on organization or clarity after you have written a full draft.
- Checking grammar and mechanics on a completed draft.

For the first two (stress-testing and feedback) use the same template from the discussion posts. Paste the completed template, the AI’s response, and a brief paragraph explaining how you used (or chose not to use) the feedback into an appendix at the end of your paper. See example appendix at the end of this syllabus. For grammar and spell-check only, include a brief note in your appendix: “I used [tool] for [specific purpose] on [date].”

If you are unsure whether a particular use is appropriate, please do not hesitate to ask me.

Oral check-in

At some point during the second half of the semester, you must complete a brief oral check-in with me during office hours. This is not an interrogation—it is a short conversation where you walk me through your argument and current reasoning on your final paper. I will ask questions like “How did you arrive at this argument?” or “What alternatives did you consider?” The check-in is pass/fail. You simply need to be able to explain your own thinking. This requirement is part of your class citizenship grade.

What AI is good and bad for

AI can be useful for brainstorming (using the template above), checking grammar, and getting feedback on a draft you have already written. AI is less useful—and potentially harmful to your learning—when used to generate arguments, conceptual distinctions, or theoretical frameworks that you have not first developed yourself. I am happy to discuss AI use openly throughout the semester. If you have questions about whether a particular use is appropriate, ask me.

Misc.

Academic honesty

All written work must be your own. I will bring any incident of academic dishonesty to the Office of Student Conduct and Academic Integrity, which can result in severe [penalties](#) such as a failing grade in this course.

Examples of academic dishonesty include copying someone else's work, copying and pasting text, fabricating citations, and submitting AI-generated text as your own. You can be held responsible and penalized even if you commit a violation accidentally. For more information on academic honesty, visit the [Office of Student Conduct and Academic Integrity](#).

Additional resources

The [Student Gateway](#) offers a list of various resources that are important for students as you engage with your course and the university, including [disability services](#), [mental health support](#), and [emergency services](#).

Syllabus changes

This syllabus is only a guide for the course and is subject to change with advanced notice. I will notify you of any changes as soon as possible by making an announcement on the Blackboard course page. Like any constitution, this document may be amended—though I reserve the authority to decide when and how.

Course schedule and readings

The one area of this course where I ask you not to use AI ever is when doing the assigned reading. It may sound counterintuitive, but the point of reading is to struggle—to push yourself beyond the boundaries of what you currently know. If you choose to throw the readings into an AI tool and ask for a summary, the only person you are hurting is yourself. Even effective skimming is a skill you must develop! It is better to come to class with one well-developed idea, thought, or reflection after speed-reading an article than to come with a surface-level summary that adds next to nothing to the discussion.

Week 1: What is a constitution?

Tuesday, August 18:

- Course syllabus (Be prepared for a quiz!)
- Corwin (1936), “The Constitution as Instrument and as Symbol,” 1071-1085.

Thursday, August 20:

- Elkins, Ginsburg, and Melton (2009), *The Endurance of National Constitutions*, “Conceptualizing Constitutions,” 36-64.
- **Optional:** International IDEA, [“What is a Constitution? Principles and Concepts,”](#) 5-28.

Week 2: Constitutional theory

Tuesday, August 25:

- Jacobsohn and Roznai (2020), “Constitutional Revolutions and Constituent Power,” In *Constitutional Revolution*, 224-260.

Thursday, August 27:

- Hirschl, R. (2013), “The strategic foundations of constitutions,” In *Social and political foundations of constitutions*, 157-181.

Week 3: Initiation and procedural design

Tuesday, September 1:

- Escudero (2021), “From the Dance of Those Left Out to a New Constitution: Channeling the Chilean Social Unrest,” In *The Social Outburst and Political Representation in Chile*, 173-192.
- **Optional:** Elster (1995), “Forces and Mechanisms in the Constitution-Making Process,” 364-396.

Thursday, September 3:

- Ginsburg, Elkins, and Blount (2009), “Does the process of constitution-making matter?,” 201-223.

Week 4: Drafting and deliberation

Tuesday, September 8:

- Elster (2012), “The Optimal Design of a Constituent Assembly,” In *Collective Wisdom: Principles and Mechanisms*, 148-172.

Thursday, September 10:

- Negretto (2018), “Democratic constitution-making bodies: The perils of a partisan convention,” 254-279.

Week 5: Public participation

Tuesday, September 15:

- Hart (2003), “Democratic Constitution Making,” 1-12.
- Saati (2019), “Participatory Constitution-Making as a Transnational Legal Norm: Why Does It “Stick” in Some Contexts and Not in Others?,” 283-311.

Thursday, September 17:

- Martin (2025), “Elite Fractures, Public Capture: The Strategic Use of Public Consultation in Constitution-Making,” 1-34.
- **Optional:** Constitutions For Democracy (2022), “Does a constitution-making process need to be deliberative?,” [26-minute podcast episode](#).

Week 6: Approval

Tuesday, September 22:

- Elkins and Hudson (2019), “The constitutional referendum in historical perspective,” 142-164.

Thursday, September 24:

- Lynch (2006), “The fruits of perception: ‘ethnic politics’ and the case of Kenya’s constitutional referendum,” 233-270.
- **Optional:** Cottrell and Ghai (2007), “Constitution Making and Democratization in Kenya (2000–2005),” 1-23.

Week 7: Amendments

Tuesday, September 29:

- Albert (2019), “Introduction: Uncharted Terrain in Constitutional Amendment,” In *Constitutional Amendments: Making, Breaking, and Changing Constitutions*, 1-30.

Thursday, October 1:

- United States Constitution, Article V
- Lijphart (2012), “Chapter 12: Amendment Procedures and Judicial Review,” 204-212 only.
- Blake et al. (2023), “Social Capital, Institutional Rules, and Constitutional Amendment Rates,” 1-9.

Week 8: Constitutional identity

Tuesday, October 6:

- Jacobsohn (2006), “Constitutional Identity,” 361-397.

Thursday, October 8:

- Bui (2017), “Globalization of Constitutional Identity,” 463-492.

Week 9: Midterm exam/Fall break

Tuesday, October 13:

- Midterm exam

Thursday, October 15:

- No class due to fall break.

Week 10: Democratic constitutions

Tuesday, October 20:

- Negretto and Wandan (2020), “Democratic Constitutional Replacements and Majoritarian Politics: The Cases of Poland (1993–1997) and Hungary (2010–2011),” In *Redrafting Constitutions in Democratic Regimes*, 155-174.

Thursday, October 22:

- Dahl (2001), “Introduction: Fundamental Questions” and “What the Framers Couldn’t Know,” In *How Democratic is the American Constitution?*, 1-39.

Week 11: Authoritarian constitutions

Tuesday, October 27:

- Fruhstorfer (2025), “Why Are Autocratic Constitutions Amended?,” In *Constitutional Change Under Autocracy*, 41-84.
- **Optional:** Ginsburg (2020), “Beyond Window Dressing: Constitutions in Authoritarian Regimes,” In *Modern Constitutions*, 133-153.

Thursday, October 29:

- Elkins, Ginsburg, and Melton (2013), “The Content of Authoritarian Constitutions,” In *Constitutions in Authoritarian Regimes*, 141-164.

- **Optional:** Law and Versteeg (2013), “Constitutional Variation Among Strains of Authoritarianism,” In *Constitutions in Authoritarian Regimes*, 165-196.

Week 12: Election Day/Beyond the nation-state

Tuesday, November 3:

- No class on Election Day.

Thursday, November 5:

- Gover (2010), “Comparative Tribal Constitutionalism: Membership Governance in Australia, Canada, New Zealand, and the United States,” 689-721.
- **Optional:** Hirschl (2020), “Constitutions and the Metropolis,” 59-77.

Week 13: Constitutions and courts

Tuesday, November 10:

- Brinks and Blass (2018), “Constitutional Justice in the Americas at the Turn of the Millennium,” In *The DNA of Constitutional Justice in Latin America*, 1-17 only.
- Baines and Rubio-Marín (2005), “Toward a Feminist Constitutional Agenda,” In *The Gender of Constitutional Jurisprudence*, 1-21.

Thursday, November 12:

- Dixon (2007), “Creating Dialogue about Socioeconomic Rights: Strong-Form versus Weak-Form Judicial Review Revisited,” 391-418.
- **Optional:** Tushnet (2003), “Social welfare rights and the forms of judicial review,” 1895–1920.

Week 14: Impact

Tuesday, November 17:

- Chilton and Versteeg (2016), “Do constitutional rights make a difference?,” 575-589.
- Stamler-Goody (2020), “Why some rights are violated more often—even in a democracy,” [Interview with Dr. Adam Chilton](#)

Thursday, November 19:

- Brinks and Forbath (2013), “The Law’s Majestic Equality? The Distributive Impact of Judicializing Social and Economic Rights,” 375-393,
- Constitute (2021), “Data stories: How many rights is enough?,” read [here](#)

Week 15: Thanksgiving recess

Monday, November 23 – Friday, November 27:

- No class

Week 16: Constitutional endurance

Tuesday, December 1:

- Elkins, Ginsburg, Melton (2009), “What Makes Constitutions Endure?,” In *The Endurance of National Constitutions*, 65-92.
- Comparative Constitutions Project (2026), “Constitutional Chronology,” [Data visualization](#)

Thursday, December 3:

- Course wrap-up
- Final paper due by 11:59 PM.

Appendix

AI Use Documentation

Tool used: Anthropic Claude, Opus 4.6 (via claude.ai)

Purpose: Stress-testing my argument about constitutional identity in Turkey’s 1982 Constitution.

Date: December 1, 2026

Completed prompt template (pasted into Claude):

Instructions for AI: I am an undergraduate student working on my own argument. Your job is to be a critical thinking partner. Identify logical gaps or tensions in my reasoning, suggest alternative interpretations I may not have considered, and raise objections to my argument. Do not give me “the answer” or draft my response.

My question: Does Turkey’s 1982 Constitution reflect a “constitutional identity” (per Jacobsohn) that is fundamentally militaristic, and if so, does this identity persist even after the extensive amendments of the 2000s and 2010s?

My current position: I think the 1982 Constitution’s identity remains rooted in military tutelage despite civilian-led amendments. The unamendable provisions in Articles 1-3 and the original design of the National Security Council encoded a vision of the state that subsequent amendments worked around rather than displaced.

My reasoning: Jacobsohn argues that constitutional identity is not static but evolves through “disharmony” between a document’s commitments and its political community. In Turkey’s case, the 2010 referendum restructured the Constitutional Court and reduced military influence on the judiciary, but it did so through executive consolidation rather than a broadly deliberative process. This suggests the tutelary identity wasn’t replaced by a democratic one—it was replaced by a different form of concentrated authority. The “disharmony” shifted, but didn’t resolve toward pluralism.

What I want from you: Stress-test my reasoning and identify gaps.

Claude’s response:

Your argument has a clear through-line, but here are some tensions worth working through:

First, you’re treating “military tutelage” and “executive consolidation” as comparable forms of concentrated authority, which lets you argue the identity persisted in a new guise. But Jacobsohn’s framework distinguishes between identity *content* and identity *structure*. You might need to address whether a shift from military to civilian concentration really constitutes continuity of constitutional identity or whether it’s better understood as a constitutional *revolution*—a concept Jacobsohn and

Roznai develop in the reading from Week 2. If the locus of power changed that fundamentally, calling it the “same identity” may be doing more rhetorical work than analytical work.

Second, your claim about Articles 1-3 is strong but underspecified. Which specific commitments in the unamendable provisions do you see as encoding military tutelage? The provisions protect the republic’s form, territorial integrity, and secularism—these are substantive values that predate the 1982 Constitution and trace back to Kemalist principles from the 1920s. A reviewer could argue these reflect *republican* identity, not specifically *military* identity, and that the military simply appointed itself guardian of values it didn’t author. That distinction matters for your argument.

Third, you lean on the 2010 referendum as your main example of post-1982 change, but the 2017 amendments converting Turkey to a presidential system are arguably more consequential for constitutional identity. If you don’t address 2017, a reader may wonder whether your argument is incomplete.

Finally, consider a counterargument: maybe the ease with which amendments restructured military prerogatives shows the identity was *not* as deeply rooted as you claim. If tutelary identity were truly foundational, it might have been harder to dislodge through ordinary amendment procedures. You might need to explain why formal-legal changes didn’t displace the identity you’re tracking.

How I used this exchange: Claude’s first point pushed me to clarify that I’m arguing for structural continuity of concentrated authority, not continuity of the same *kind* of authority, which sharpened my thesis. The second point about Articles 1-3 made me realize I was conflating republican identity with military identity, so I added a paragraph distinguishing the two. I did not use Claude’s suggestion about 2017 because my paper focuses on the relationship between the original 1982 design and the 2010 reforms specifically, and I explain that scope choice in my introduction. I did not use Claude for any other purpose on this paper.

Instructor’s Note

The appendix above doubles as documentation of how I used Claude to develop and refine the prompt template. The template went through several iterations during the spring and summer of 2026. My goals were to design a prompt structure that (1) requires students to articulate a position and reasoning *before* engaging AI, (2) constrains the AI to a critical interlocutor role rather than a drafting role, and (3) produces exchanges that are documentable and transparent.

The example above is a product of my testing process. The student voice, the country selection, and the argument are fabricated for illustrative purposes. Claude’s simulated response reflects the kind of output the template is designed to elicit: critical engagement with your reasoning, not a substitute for it. The final paragraph (“How I used this exchange”) models what I expect from students—a brief, informal, and honest account of what was useful, what was not, and why.