

## Index

- absentee voters, 216, 219–220
- abusive constitutional borrowing, 46–56
- concept and general forms of, 47–49
  - electoral Commissions and fraud, 55–56
  - electoral equality and quotas, 51
  - electoral integrity, 52–53, 56–59
  - militant democracy and party banning, 53–55, 115–117
  - responses to, 59–60
  - voting rights and participation, 49–51
- abusive electoral discourse, 56–59
- responses to, 59–60
- African Commission on Human and Peoples' Rights, 127
- African constitutions, 119–135
- consensual democracy, 130–135
  - constitution-making process (Kenya), 111–112
  - democratic backsliding (Benin), 127–130
  - election integrity claims, 198–199
  - impact of constitutionalization (Kenya), 113–114, 118
  - number of democracy provisions, 105
  - parliamentary elections, 51–52, 125–126
  - political parties, 8–9, 13–14, 16–17, 112–113, 126–127, 130–135
  - presidential elections, 121–125
  - winner-takes-all politics, 130–134
- African Court on Human and Peoples' Rights, 129–130, 132, 197–198
- African Union
- Election Observation Mission, 126
  - Lomé Declaration, 132
  - treaties (African Charter, ACDEG), 119–120, 126, 129–132
- Alaska, 39, 41–42
- Alemanno, Alberto, 151
- Alternativ für Deutschland (AfD), 136, 146–147
- Angola, 120
- anti-discrimination laws, 87
  - anti-faction principle, 94–98
- Anwar Ibrahim, 249–250, 254–255
- Arendt, Hannah, 8
- Australia, 5, 143, 163–164, 181–182
- Bagehot, Walter, 175
- Bainimarama, Frank, 50–51
- ballot-access rules, 14, 32
- Bangladesh, 188–189, 199
- Barak, Aharon, 235, 237
- Barber, N. W., 95
- Barrett, Chairman John, 221
- Bearpaw, George, 214
- Begich, Nick, 39
- Beitz, Charles R., 165
- Benin, 123–126, 128–132
- Berlusconi, Silvio, 197
- Bhumibol Adulyadej, King of Thailand, 259
- Bligh, Gur, 145
- Boehner, John, 44
- Bogdanor, Vernon, 2
- Bolsonaro, Jair, 11, 57–58
- Botswana, 121, 123
- Brandeis, Louis, 8
- Brazil, 11, 57–58
- Brown, Byron, 42–43
- Brunei, 103
- Buffalo, New York State, 42–43
- Burke, Edmund, 66
- Burkina Faso, 123–124, 199
- Burlington, Vermont, 39
- Burundi, 128, 133
- Bush, George W., 36

- by-law clauses, 8–9  
 Byrd, Joe, 214–215
- Cambodia, 14, 53–54, 114–115  
 Camby, Jean-Pierre, 198  
 Cameroon, 123  
 Canada, 158, 178, 205  
 candidates  
   eligibility rules, 123–124, 211–213, 220  
   exclusion/disqualification, 200–201, 214, 217  
 cartels, 70, 94  
 Carter Center, 56–57  
 Cavanaugh, Kathleen, 150  
 Chavez, Hugo, 55  
 Cherokee Nation, 209–218  
   constitutional development to 1995, 210–214  
   independent commission/1999 Constitutional Convention, 214–216  
   new Constitution of 1999, 216–218  
   original territory and removal, 210–211  
   Presidential approval provision, 213, 216–217  
 Chhibber, Pradeep K., 89–90  
 Chile, 115  
 Chilton, Adam, 127, 156  
 Chiluba, Fredrick, 203  
 China, 16  
 Choudhry, Sujit, 16–17  
 Citizen Potawatomi Nation, 209–210, 218–220  
 citizens' assemblies, 75, 77  
 citizenship laws, 50, 211–212  
 closed list voting systems, 75–76  
 Colombia, 105  
 command-and-control (first-order) models, 12–17, 87–88  
 comparative political process theory, 191–193  
 Condorcet, Nicolas de, 35  
 Congo, Democratic Republic, 121, 128  
 Congo, Republic, 123  
 Connecticut, 41–42  
 consensual democracy, 130–135  
 Conserve, Philip E., 88  
 constitutional conventions, 210–216  
 constitutional courts  
   alternatives to, 150  
   fourth-branch bodies compared, 191–193, 201–205  
   as judicialization of politics, 101  
   minority representation cases (US), 31–34  
   parliamentary mandate case (Czechia), 238–242  
   partisan courts, 101–102, 114–117, 188, 203  
   party ban cases, 227–238  
   role in constitutional law, 188–201  
     constitutional theory, 190–194  
     taxonomy of judicial responsibilities, 194–201  
     election integrity, 198–200  
   electoral system review, 197–198  
   entry rules for voters, candidates and parties, 195–197  
   exit rules for candidates and parties, 200–201  
 constitutional entrenchment, 5–7  
 constitutional rights, contingent nature, 155–156  
 constitutional scholarship, 65–66, 139–141, 172–173, 186  
 constitutional supremacy, 4–5  
 constitutionalization of democracy  
   functions  
     building consensual democracy, 130–135  
     coordination, 110–111  
     hands-tying, 101, 111  
     illustration (Kenya), 111–114  
     providing clarity, 101, 110–111  
   growth in, 100–101, 103–107  
   guiding principles (political parties), 79–98  
     antifactionism, 94–98  
     party system optimality, 88–92  
     party-state separation, 92–94  
     purposive autonomy, 80–88  
   political parties and voting systems, design  
     features, 186–187  
   relationship with regime type, 106–109  
   right to vote, 162–167  
   role of courts, 101–102, 114–117  
 cordons sanitaires, 146  
 Côte d'Ivoire  
   electoral commission law impartiality, 197–198  
   eligibility of candidates for high office, 120, 122  
   judicial involvement in 2010 election, 188–189  
   parliamentary elections, 125  
   rights of opposition parties, 133–134  
 Cuba, 16  
 Czechia, 138–139, 238–243
- democratic governance, key values, 171, 174–175  
 diaspora voting, 216, 219–220  
 direct democracy  
   aims and risks, 20–21  
   constitutionalization, 100, 102–103, 105  
   high transaction costs, 70  
 Dixon, Rosalind, 153, 164  
 Djibouti, 123  
 dominant party systems, 15–17  
 Downs, William M., 146  
 Duterte, Rodrigo, 11, 148  
 Duverger, Maurice, 64, 175
- Economic Community of West African States (ECOWAS), 121  
 elected officials  
   immunity of, 8, 83

- removal of, 8, 200–201, 214, 216
- election integrity, 188, 198–200
- electoral boundaries and maps, 19, 88, 197, 211, 213–214, 217
- electoral commissions, 52–53, 55–56, 88, 105, 191–193, 201
- electoral discourse, 56–59
- electoral fraud accusations, 56–60, 214
- electoral freedom and fairness
  - importance to democracy, 47–48
  - protection of, 48
  - undermining, 48–60
    - abusive constitutional borrowing concept and forms, 47–49
    - abusive electoral discourse, 56–59
    - electoral Commissions and fraud, 55–56
    - electoral equality and quotas, 51
    - electoral integrity, 52–53, 56–59
    - militant democracy and party banning, 53–55
    - responses to, 59–60
    - voting rights and participation, 49–51
- electoral monitors, 52–53, 55–57, 88, 105, 191–193, 201
- electoral quotas, 51, 197
- electoral systems
  - absentee voters, 216, 219–220
  - African constitutions, 121–126
    - parliamentary elections, 125–126
    - presidential elections, 121–122
  - ballot-access rules, 14, 32
  - candidates
    - eligibility rules, 123–124, 211–213, 220
    - exclusion/disqualification, 200–201, 214, 217
  - closed party lists, 197
  - constitutionalization, 100, 102–103, 105–106, 110
  - majoritarianism
    - majority-vote mechanisms, 35–36
    - minority interests, balance with, 29–34
    - plurality voting, impact of, 36–37
    - re-assertion of majority winners, 37–45
      - design defects of political structures, 42–45
      - voting rule reform, 37–40
      - voting system reform, 40–42
  - majority party bonus, 197
  - multiparty systems
    - arguments for/against, 144
    - ideological axis, 89–91
    - minority winners, 34, 36–37
    - reconciling values of democratic governance, 178–181
  - one-party systems, 16, 74, 94
  - popular elections, 212
  - proportional representation, 144, 178
  - ranked-choice voting (RCV), 38–40
  - runoff elections, 36–38
  - sore-loser laws, 32, 41–42
  - supermajorities, 32
  - two-party systems
    - arguments for/against, 144
    - as cartels, 94
    - first-past-the-post and, 64
    - ideological axis, 89–91
    - reconciling values of democratic governance, 177–181
    - voice voting, 211–212
- Elkins, Zachary, 53, 200
- Emmanuel, Rahm, 43
- Erdogan, Recep Tayyip, 115, 178
- eternity clauses, 13, 222–243
  - parliamentary mandates, 238–242
  - party bans, 224–238
    - antidemocratic parties, 227–230
    - ethnic, separatist and religious parties, 230–234
    - indirect party bans, 234–238
- Ethiopia, 121
- European Court of Human Rights, 197, 229, 232–234
- European Union, 151–152
- European's People Party (EPP), 151–152
- extra-territorial voters, 216, 220
- factions, 11, 18–19, 30, 34, 39, 94–98
- Fidesz party (Hungary), 148, 151–152
- Fiji, 50–51
- first-order regulation, 12–17, 87–88
- Foley, Ned, 39
- Fombad, Charles, 126–127
- fourth-branch bodies, 52–53, 55–56, 88, 105, 191–193, 201
- France
  - 2022 presidential election, 36–38, 40
  - electoral boundaries, 197
  - Macron presidency, 36, 180–181, 186
  - regulation of political parties, 138, 143
- fraud accusations, 56–60, 214
- Gabon, 127
- Galston, William, 34
- Gambia, The, 121
- Gandhi, Indira, 201
- Ganghof, Steffen, 182–183
- Gardbaum, Stephen, 189, 191–193
- Gbagbo, Laurent, 188
- gender quotas, 51, 197
- Georgia (US), 37–38

- Germany  
 far-right lite parties, 136, 146–147  
 purposive autonomy principle, 85  
 regulation of antidemocratic parties, 13–14, 53,  
 139, 143–144, 195, 227–230, 242  
 vote thresholds, 196
- Gerring, John, 89
- gerrymandering, 19, 88
- Chai, Yash Pal, 111–112
- Ghana, 127, 195
- Ginsburg, Tom, 53, 152, 200, 259
- Gore, Al, 36
- Gould, Jonathan S., 171
- Greece, 105
- guarantor institutions (fourth-branch bodies),  
 52–53, 55–56, 88, 105, 191–193, 201
- Hailsham, Lord, 178
- Harding, Andrew, 258–259
- Heraclitus, 93
- Hoskin, Chief Chuck, 218, 221
- Houphouët-Boigny, Félix, 188
- Hughes, Edell, 150
- human rights instruments, 145, 164
- human rights judgments, 129–130, 197–198, 229,  
 232–234
- Hungary, 50, 149, 151–152, 178, 222
- Huq, Aziz, 152
- impeachment, 200
- India  
 approach to undemocratic parties, 14  
 citizenship laws, 50  
 disqualification disputes, 201  
 felon disenfranchisement, 195  
 floor-crossing by legislators, 17  
 judiciary, 203  
 local council reserved seats, 51  
 political axes, 90  
 rise of Narendra Modi, 11, 152, 203  
 state electoral bonds, 16  
 voting systems, 97–98
- Indonesia, 197, 201
- International Convention on Civil and Political  
 Rights, 164
- Ireland, 197
- Iroquois Confederacy, 207
- Ismail Sabri Yaakob, 256
- Israel, 14, 17, 138–139, 234–238, 243
- Issacharoff, Samuel, 17
- Italy, 196–197
- Jackson, Andrew, 210
- Juan Carlos I, King of Spain, 259
- judicial review. *See* constitutional courts
- Kaczyński, Jarosław, 149
- Katz, Richard, 70, 94
- Kedar, Nir, 237
- Kelsen, Hans, 109, 191
- Kenya  
 Building Bridges Initiative, 113–260  
 constitution-making process, 111–112  
 election management provisions, 52, 112–113  
 impact of constitutionalization, 113–114, 118  
 number of constitutional democracy provisions,  
 105  
 parliamentary elections, 125  
 presidential elections, 121–122, 198–199, 202  
 prisoner voting rights, 195  
 regulation of political parties, 8–9, 14,  
 112–113  
 reserved seats, 51
- Kenyatta, Uhuru, 198–199
- Khaitan, Tarunabh, 127, 152, 182–183, 191–193
- Kobkua Suwannathat-Pian, 258
- Kommers, D. P., 139
- Korea, Workers Party of, 16
- Landau, David, 153, 164
- Laos, 16
- Latvia, 144
- Law and Justice (PiS) party (Poland), 148–149,  
 151
- Le Pen, Jean-Marie, 143
- Le Pen, Marine, 36, 40
- Lemont, Eric, 209–210
- Lesotho, 121
- Levinson, Daryl J., 140, 149, 152
- Liberia, 105, 118
- Libya, 106
- Lidauer, Michael, 52
- Lieberman, Joe, 41–42
- Liechtenstein, 105
- Lithuania, 144
- Loewenstein, Karl, 12–13, 110
- Lomé Declaration, 132
- Louisiana, 37
- Macron, Emmanuel, 36, 180–181, 186
- Madison, James, 18–19, 35, 42, 66, 104, 138,  
 155
- Maduro, Nicolas, 55–56
- Mahathir Mohamad, 249–250, 252
- Mair, Peter, 10, 70, 94
- majoritarianism  
 majority-vote mechanisms, 35–36  
 minority interests, balance with, 29–34  
 plurality voting, impact of, 36–37  
 re-assertion of majority winners, 37–45  
 design defects of political structures, 42–45

- voting rule reform, 37–40
- voting system reform, 40–42
- Malawi, 122–123, 126–128
- Malaysian monarchy, 244–259
  - constitutional role and powers of monarch, 248, 250
  - election of monarch, 247–248
  - historical background, 246–247
  - interventions in contemporary practice
    - government formation in 2020, 249–252
    - government suspension in 2021, 253–256
    - reflections on, 257–260
- Masri, Mazen, 235
- Massachusetts, 35
- Mauritius, 121
- McCargo, Duncan, 55
- McConnell, Mitch, 43
- median voter theorem, 43–44
- Mélenchon, Jean-Luc, 40
- militant democracy
  - constitutionalization, 102–103, 110
  - party bans
    - antidemocratic parties, 13, 53–55, 87–88, 110, 195–197, 227–230, 242
    - ethnic, separatist and religious parties, 13, 230–234
    - frequency of use, 144–145
    - human rights implications, 145
    - indirect party bans, 234–238
    - reconsideration of, 145
    - unamendability, 224–238, 242–243
    - use by military regimes, 115–117
    - as regulatory model, 12–15
  - soft militant democracy, 14
  - military influence in politics, 115–117
- minority representation
  - electoral quotas, 51, 197
  - invalid vote threshold, 196
  - US right to vote, 31–34, 87, 159–160, 165
- Mississippi, 36–37
- Modi, Narendra, 11, 152, 203
- monarchy
  - absolute monarchies, 103
  - African monarchies, 121
  - elective monarchies, 247–248
  - Malaysian monarchy, 244–259
    - constitutional role and powers of monarch, 248, 250
    - election of monarch, 247–248
    - historical background, 246–247
    - interventions in contemporary practice
      - government formation in 2020, 249–252
      - government suspension in 2021, 253–256
      - reflections on, 257–260
    - power of monarch in Thailand, 259–260
- Montroull, Andy, 39
- Morocco, 121
- Muhyiddin Yassin, 249–250, 252–256
- Müller, Jan-Werner, 14, 145
- multiparty systems
  - arguments for/against, 144
  - ideological axis, 89–91
  - minority winners, 34, 36–37
  - reconciling values of democratic governance, 178–181
- Murkowski, Lisa, 41–42
- Myanmar, 52–53
- Namibia, 121
- national consensus principle, 130–135
- National Democratic Party of Germany (NPD), 147, 228–230
- Native American constitutions, 206–221
  - Cherokee Nation, 209–218
    - constitutional development to 1995, 210–214
    - independent commission/1999 Constitutional Convention, 214–216
    - new Constitution of 1999, 216–218
    - original territory and removal, 210–211
    - Presidential approval issue, 213, 216–217
  - Citizen Potawatomi Nation, 209–210, 218–220
  - dynamic nature of, 206, 208
  - Indian Reorganization Act (IRA), 207, 218
  - initial adoption of written constitutions, 207–208
  - significance of constitutional reform, 208–209
- Navalny, Alexei, 189
- Nazrin Shah, Sultan of Perak, 257
- Nepal, 118
- New York City, 37–38
- Ngulube, Mathew, 203
- Nigeria, 115, 121–123, 126–128, 199
- Obasanjo, Olusegun, 130
- Ocasio-Cortez, Alexandria, 42
- Odinga, Raila, 198
- one-party systems, 16, 94
- opposition empowerment, 130–135, 152
- Orban, Viktor, 178, 222
- Ossoff, Jon, 38
- Quattara, Alassane, 188
- Pakistan, 115
- Pal, Michael, 203
- parliamentary mandates, 238–242
- parliamentary systems, and values of democratic governance, 177–178
- party system optimality principle, 88–92
- party-state separation principle, 92–94

- Pech, Laurent, 151
- People's Labour Party (Turkey), 231
- Perdue, David, 38
- Perot, Ross, 100
- Philippines, 11, 148
- Pildes, Richard H., 17, 140–141, 149, 152
- plurality systems
  - arguments for/against, 144
  - ideological axis, 89–91
  - minority winners, 34, 36–37
  - reconciling values of democratic governance, 178–181
- Poland, 13, 144, 148–149, 151
- political parties
  - African constitutions, 8–9, 14, 16–17, 112–113, 126–127
  - cartel parties, 70, 94
  - challenges to democratic governance
    - antidemocratic parties in government, 148
    - far-right lite parties, 136, 143–148
    - general problem, 175–176
    - overview, 10–12
    - polarization, fragmentation and hyper-partizanship, 171–181
    - populist capture/subversion of established parties, 11, 148–149
  - constitutional scholarship, 65–66, 139–141
  - constitutionalization
    - functions, 109–111
    - growth in, 100, 103–105
    - guiding principles, 79–98
      - antifactionism, 94–98
      - party system optimality, 88–92
      - party-state separation, 92–94
      - purposive autonomy, 80–88
  - factions distinguished, 95–96
  - fragmentation and weakness, 33–34, 43, 172, 177
  - funding
    - campaign finance, 161–162
    - state funding, 83–84, 143
  - idealized functions, 69–79
    - mediation between state and people, 69–73, 78
    - reduction of costs, 74–77
      - ally prediction costs, 77
      - policy packaging costs, 76–77
      - political participation costs, 74–75
      - voters' information costs, 75–76
    - training role, 78
  - ideology, 88–90
  - importance to democracy, 9
  - internal party democracy, 14–15, 40–43, 85–88
  - losing parties, 9
  - opposition parties, 130–135, 152
  - plenary character, 72–73
  - policies, 72–73, 76–77, 85, 174
  - political science scholarship, 64–65, 139–140
  - public duties, 84–86
  - public vs private nature, 80–82
  - regulation
    - cordons sanitaires, 146
    - election system changes, 144
    - first-order regulation, 12–17, 87–88
    - media restrictions, 143
    - new approaches, 149–153
      - incentivizing opposition rights, 152
      - international mechanisms, 151–152
      - nonjudicial options, 150–151
      - tiered constitutional amendment, 153
    - one-off restrictions, 143
  - party bans
    - antidemocratic parties, 13, 53–55, 87–88, 110, 195–197, 227–230, 242
    - ethnic, separatist and religious parties, 13, 230–234
    - frequency of use, 144–145
    - human rights implications, 145
    - indirect party bans, 234–238
    - reconsideration of, 145
    - unamendability, 224–238, 242–243
    - use by military regimes, 115–117
    - registration requirements, 142
    - second-order regulation, 12, 18–20, 86–88
    - use of general law, 14, 143
    - vote thresholds, 142–143, 196–197, 232
  - political science scholarship, 64–65, 139–140, 172–173
- Popp-Madsen, Benjamin Ask, 15
- popular elections, 212
- populist leaders, 11, 30, 54–55, 58, 148–149, 178
- post-colonial constitutionalism, 208–209
- presidential systems, and values of democratic governance, 178–180, 183–185
- primary elections, 40–43
- prisoners, right to vote, 120, 158, 195
- proportional representation, 144, 178–180, 196
- public/private actor distinction, 80–81
- purposive autonomy principle, 80–88
- racial equality, 31–34, 51, 87, 159–160, 165, 211
- ranked-choice voting (RCV), 38–40, 42, 97
- Rauch, Jonathan, 30
- referendums, 212
- Renshaw, Catherine, 52
- Renzi, Matteo, 197
- rerun elections, 217–218
- Rhode Island, 36

- Rosenblum, Nancy L., 96  
 Rosenbluth, Frances McCall, 10, 73, 144  
 round-robin voting, 39–40  
 Roznai, Yaniv, 231  
 runoff elections, 36–38  
 Russia, 189  
 Rwanda, 51, 134
- Sartori, Giovanni, 64, 71–72, 74, 89–90, 95  
 Saudi Arabia, 103  
 Schattschneider, E. E., 9, 195  
 Scheppele, Kim Lane, 10, 67, 89–90  
 Scott, Rick, 57  
 second-order regulation, 12, 17–20, 86–88  
 semi-parliamentarianism, 172–173, 181–183  
 semi-presidentialism, 180–181, 185–186  
 Senegal, 123–124, 128, 133  
 Sethiya, Aradhya, 138  
 Seychelles, 133  
 Shapiro, Ian, 10, 73, 144  
 Shklar, Judith, 165  
 single-party models, 16, 94  
 social media influence, 162  
 soft militant democracy, 14  
 sore-loser laws, 32, 41–42  
 sortition, 70, 75  
 South Africa  
   dominant party system, 16–17  
   electoral oversight, 52, 201–202  
   equal treatment of parties, 127  
   form of parliamentary system, 121  
   presidential elections, 123  
   prisoner voting rights, 195  
 South Korea, 138–139  
 Spain, 138–139, 259  
 Sri Lanka, 105–106  
 Stopp, Rune Møller, 15  
 structural rights theory, 160–161  
 supermajorities, 32  
 Swaziland, 119
- Taiwan, 198, 202  
 Talon, Patrice, 124  
 Tanzania, 121, 123, 129, 199  
 Thailand, 54–55, 105, 115–117, 259–260  
 Thaksin Shinawatra, 54–55, 112–117  
 Thanathorn Juangroongruangkit, 117  
 Thiel, Stefan, 147  
 Togo, 121–122  
 Top-4 primaries, 41  
 Trump, Donald, 11, 49, 57, 60, 148  
 Tunisia, 120, 134  
 Turkey, 144–145, 178, 230–234, 242–243
- Tushnet, Mark V., 204–205  
 two-party systems  
   arguments for/against, 144  
   as cartels, 94  
   first-past-the-post and, 64  
   ideological axis, 89–91  
   reconciling values of democratic governance, 177–181
- Uganda, 123  
 Ukraine, 231  
 Ulloa, Jazmine, 58  
 unamendability, 13, 222–243  
   parliamentary mandates, 238–242  
   party bans, 224–238  
     antidemocratic parties, 227–230  
     ethnic, separatist and religious parties, 230–234  
     indirect party bans, 234–238  
 unconstitutional constitutional amendment  
   doctrines, 13, 222–223, 225
- United Arab Emirates, 103  
 United Kingdom  
   government pre-Brexit, 178, 259  
   Human Rights Act, 81  
   party proscription process, 150–151  
   role in Malaysian history, 246–247  
   threshold to enter parliament, 142–143  
   unwritten constitution, 164, 175–176
- United States. *See also* Native American constitutions  
   campaign finance rules, 161–162  
   constitutional democracy provisions, 103–105  
   design of federal judiciary, 203  
   duopoly system, 17, 138  
   electoral fraud, 59  
   fragmented political parties, 33–34  
   law of democracy literature, 140–141  
   minority representation cases, 31–34  
   party primaries, 40–43  
   right to vote, 31–34, 87, 159–160, 163, 165  
   rise of Donald Trump, 11, 49, 57, 60, 148  
   second-order regulatory model, 18–19  
   sore-loser laws, 32, 41–42  
   suppression of communist parties, 143  
   voter registration rules, 50  
   Voting Rights Act (VRA), 32, 38  
   voting systems, 35–39
- Venezuela, 55–56  
 Venice Commission, 145, 148–149  
 Verma, Rahul, 89–90  
 Vermont, 35–36

- Versteeg, Mila, 127, 156
- Vietnam, 16
- voice voting, 211–212
- vote thresholds, 142–143, 196–197, 232
- voting rights, 155–168
  - Cherokee Nation, 211
  - constitutionalization of
    - effectiveness, 162–164
    - expressive functions, 165–166
    - subconstitutional regulation, 166
    - undermining of democracy, 166–167
  - eligibility rules, 157–160, 195
  - information costs, 75–76
  - institutional dimension, 160–162
  - partisan practices and restrictions, 49–51
  - prisoners, 120, 158, 195
- voting systems. *See* electoral systems
- Wako, Amos, 112
- Walkingstick, David, 217
- Walton, India, 42–43
- Warren, Chief Justice Earl, 31
- Weber, Max, 205
- Welfare Party (Turkey), 232–234
- Welikala, Asanga, 251
- West Virginia, 32
- White, Jonathan, 96
- winner-takes-all politics, 130–134
- Ypi, Lea, 96
- Zambia, 123, 126–128, 203
- Zemmour, Eric, 36
- Zimbabwe, 16–17