

upon by a benevolent, protective, democratic state, (Ally 2009) which purports to give them rights without broader social transformation. In other words, perhaps the regulatory misfit lies at least partly elsewhere. This volume has the virtue of forcing the reader to grapple with the relationship between historically laden social status, affirmations of rights, and broader emancipatory claims in any counter-hegemonic project purporting to write labor law into the future.

This book is a pleasure to read in part because it is so clearly the work of a team of researchers that has been engaged in rigorous, constructive dialogue, and rooted social action. The chapters build convincingly on each other, and the book constitutes a satisfying whole. I recommend it enthusiastically to anyone concerned with the future of labor law, and intent on reimagining it from the bottom up.

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Constitutions in Authoritarian Regimes. Edited by Tom Ginsburg and Alberto Simpser. Cambridge: Cambridge University Press, 2013. 278 pp. \$95.00 cloth, \$34.99 paper.

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What shape do constitutions take in authoritarian regimes, when governmental power is not limited? Can even “sham” constitutions generate state legitimacy? If so, how? These related questions guide Ginsburg and Simpser’s edited volume, *Constitutions in Authoritarian Regimes*. This book begins with a concise introduction in which the editors explain why constitutions matter and what they do for authoritarian rulers. Specifically, constitutions solve “problems of

governing” (p. 3) by creating incentives for different political actors to do “what authoritarian rulers wish them to do” (p. 2). These documents can also help to set up governing institutions and build public trust. The political functions of authoritarian constitutions include coordinating competing oligarchs and subjects, establishing “focal points,” and even imprinting on rulers and citizens a set of common values, such as the boundaries of permissible and impermissible discourse (Ibid.).

The remaining ten chapters are divided into four parts that showcase either theoretical frameworks or empirical cases. Two chapters focus on authoritarian constitutionalism, three on constitutional design, two on the contents of authoritarian constitutions, and three on the consequences of authoritarian constitutions. Generally, the overarching themes relate to the pathologies of authoritarian rule, why authoritarian constitutions exist, and how they might serve or harm democratic transition.

Five of the chapters expose the democratic potential of authoritarian constitutions. Tushnet (Chapter 3) looks to Singapore to show how rules found in authoritarian constitutions commit even autocrats to particular courses of action, which may encourage stability and predictability. Using the Polish communist constitution of 1952, Przeworski (Chapter 2) shows how, even if autocrats are not good at following rules, constitutions set out structures for how a government operates and the relationship between its constituent parts. Similarly, Hale (Chapter 10) turns to Kyrgyzstan, Moldova, and Ukraine to argue that democratic transition may come about even in highly paternalistic regimes in which rules are not always followed. Drawing on dozens of presidential elections in authoritarian regimes between 1946 and 2008, Gandhi (Chapter 9) shows how constitutions may drive democratic transition by bringing about multiparty elections. Related quantitative research by Elkins, Ginsburg, and Melton (Chapter 7) suggests that authoritarian and democratic constitutions are converging in form, particularly through their provisions of rights and judicial independence, which also suggests new ways to understand democratic transition.

Authoritarian constitutions have insidious and darker sides, too. Law and Versteeg (Chapter 8) reveal that, with limited exceptions, authoritarian governments are likely to use constitutional rights provisions as “shams” or “window-dressing,” which creates a gap “between what a country promises . . . and how it . . . behaves” (p. 187). Drawing on the role of constitutions as “operating manuals,” Albertus’s and Menaldo’s quantitative analysis (Chapter 4) of the effect of constitutions on regime survival in Latin America between 1950 and 2002 reveals that constitutions actually “help[ed] dictators consolidate power, increase investment, and boost economic development – all while generating a steady flow of rents for

themselves. . . without empowering challengers” (p. 53). In that way, governments can use constitutions to create “autocratic coalitions” that keep dictators in power (p. 79). Similarly, Negretto (Chapter 5) draws on Latin American dictatorships from 1900 to 2008 to argue that constitutions are critical for military rulers seeking major social transformation. And Stilt’s analysis (Chapter 6) of Egypt’s 1971 constitution and its 1980, 2005, and 2007 amendments illustrates how the governing document helped to cultivate images of Anwar Sadat and Hosni Mubarak as “just and pious” presidents who believed in the rule of law and the protection of private property—contrasting to Nasser’s earlier “excesses” and helping to preempt opposition (p. 134).

By examining the diverse roles that constitutions play in authoritarian states across time and space, *Constitutions in Authoritarian Regimes* offers a helpful extension of recent work on the functions of courts and judges in non-democratic states (Cheesman 2011; Ginsburg and Moustafa 2008; Hilbink 2007; Massoud 2013; Moustafa 2007; Rajah 2012; Stern 2013). Some of the volume’s findings confirm recent conclusions on the political economy of authoritarian rule (e.g., that states use constitutions, like courts, to promote foreign investment). Some of the volume’s findings also deepen our understanding of the pathologies of authoritarian rule (e.g., that constitutions can help build ruling coalitions of power or modernize the images of dictators). Ultimately, the provisions of authoritarian constitutions are surprisingly similar to those in democratic states, as clauses in both kinds of constitutions take on one of the following four political roles: “operating manual,” “billboard,” “blueprint,” and “window-dressing” (p. 15).

The book does not attempt to answer all questions about the functions of constitutions in non-democratic states. First, the case studies focus largely on the domestic functions of constitutions, while recent research suggests that national constitutions may also play important regional or international roles (Cope 2013). Second, constitutions are not the only place to look when trying to understand authoritarian legality. In this regard, the final chapter (Chapter 11), which is Xin He’s examination of the Chinese Communist Party, suggests that searching for political openings in authoritarian states may necessitate studying political and legal discourse beyond constitutions, including party practices, documents, and speeches. Finally, while the book’s introduction provides an excellent summary of the cases that follow, a conclusion to the book would have helped to illuminate those cases’ implications for the field of comparative constitutional law, including on the increasingly prominent role of religious law in authoritarian constitutional development.

Bucking trends in public law scholarship focused on the United States constitution, *Constitutions in Authoritarian Regimes* is required

reading for those who care about law in non-democratic states. The volume's chapters draw on a variety of political contexts and epochs to advance sociolegal knowledge of the unexpected places and ways that constitutions matter—paving the path toward a new generation of scholarship on comparative constitutions.

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Nation and Family: Personal Law, Cultural Pluralism, and Gendered Citizenship in India. By Narendra Subramanian. Stanford, California: Stanford University Press, 2014. 377 pp. \$65 paper.

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Nation and Family points to the need to examine carefully the ways in which conceptions of nation inform attempts to regulate family life through law and policy in plural societies. It addresses questions about plurality of personal laws and the patterns and pace of family law reform in independent India. One of the principal arguments Subramanian makes is that the extent and direction of personal law reform is determined by specific interactions between discourses of nation and community and the "coalition-building ambitions" of the political elites. In India this resulted in what he describes as