

Zachary Elkins

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Born: February 13, 1970—Bogotá, Colombia
Nationality: United States of America

Areas of specialization

Comparative Politics • Research Methods • Constitutional Design • Democracy • National Identity

Teaching Appointments

2008-present *Associate Professor*, University of Texas at Austin
2003-2008 *Assistant Professor*, University of Illinois

Education

1992 B.A. in Philosophy, Yale University
1996 M.A. in Government, University of Texas at Austin
2003 Ph.D in Political Science, University of California, Berkeley

Publications

BOOKS

2009 Elkins, Zachary, Tom Ginsburg, and James Melton. *The Endurance of National Constitutions*. New York: Cambridge University Press.
forthcoming Elkins, Zachary. *Designed by Diffusion: Constitutional Reform in Developing Democracies*.

PEER-REVIEWED JOURNAL ARTICLES

2014 Zachary Elkins, Tom Ginsburg, James Melton, Robert Shaffer, Juan F. Sequeda, and Daniel P. Miranker. "Constitute: The world's constitutions to read, search, and compare." *Journal of Web Semantics* 27-28: 10-18.
2014 Cheibub, Jose Antonio, Zachary Elkins, and Tom Ginsburg. "Beyond Presidentialism and Parliamentarism." *British Journal of Political Science* 44(3): 515-544.
2012 Elkins, Zachary, James Melton, Tom Ginsburg, and Kalev Leetaru. 2012. "On the Interpretability of Law: Lessons from the Decoding of National Constitutions." *British Journal of Political Science* 43(2): 399-423.
2010 Elkins, Zachary. "Diffusion and the Constitutionalization of Europe." *Comparative Political Studies* 43: 1-31.
2009 Ginsburg, Tom, Zachary Elkins, and Justin Blount. "Does the Process of Constitution-making Matter?" *Annual Review of Law and Social Science* 5: 201-223.

- 2007 Elkins, Zachary and John Sides. "Can Institutions Build Unity in Multiethnic States." *American Political Science Review* 101: 693-708. [Runner-up for the award of best article of 2007 awarded by the Comparative Democratization Section of APSA in 2008.]
- 2006 Elkins, Zachary, Beth Simmons, and Andrew Guzman. "Competing for Capital: The Diffusion of Bilateral Investment Treaties, 1959-2000." *International Organization* 60(4): 811-846. [Reprinted in: (1) Frank Dobbin, Beth Simmons, and Geoff Garrett (eds.) *International Diffusion of Political and Economic Liberalization*. Cambridge: Cambridge University Press. Pp. 220-260; (2) Michael Waibel (ed.) *The Backlash against Investment Arbitration*, pp. 369-407; and (3) *Illinois Law Review* 2008: 265-304, with data and analysis updated to 2006 along with an expanded discussion.]
- 2004 Simmons, Beth and Zachary Elkins. "The Globalization of Liberalization: Policy Diffusion in the International Political Economy." *American Political Science Review* 98: 171-190.
- 2003 de Figueiredo, Rui and Zachary Elkins. "Are Patriots Bigots? An Inquiry into the Vices of In-group Pride." *American Journal of Political Science* 47: 171-188.
- 2000 Elkins, Zachary. "Gradations of Democracy? Empirical Tests of Alternative Conceptualizations." *American Journal of Political Science* 44: 293-300.

NON-PEER-REVIEWED JOURNAL ARTICLES

- 2014 Elkins, Zachary. "Measuring Partial Membership in Categories: Alternative Tools." *Qualitative and Multi-Method Research Newsletter* 12(1).
- 2013 Elkins, Zachary. "The Weight of History and the Rebuilding of Brazilian Democracy." *Lua Nova: Revista de Cultura e Política* 88: 257-303.
- 2013 Elkins, Zachary. "Comparability and the Analysis of National Constitutions." *APSA-CP Newsletter* 23(1).
- 2013 Elkins, Zachary. "When Constitutions Shape National Identity." *LASA Forum*.
- 2013 Elkins, Zachary, Tom Ginsburg, and Beth Simmons. 2013. "Getting to Rights: Treaty Ratification, Constitutional Convergence, and Human Rights Practice." *Harvard International Law Journal*.
- 2012 Elkins, Zachary, Tom Ginsburg, and James Melton. Comment on Law and Versteeg's "The Declining Influence of the U.S. Constitution." *NYU Law Review*.
- 2011 Cheibub, Jose, Zachary Elkins, and Tom Ginsburg. "Latin American Presidentialism in Comparative and Historical Perspective." *University of Texas Law Review* 89(7).
- 2010 Elkins, Zachary, Tom Ginsburg, and James Melton. "Lessons from the Decoding and Coding of National Constitutions." *APSA-CD Newsletter* 9(1).
- 2010 Elkins, Zachary, Tom Ginsburg, and James Melton. "On the Evasion of Executive Term Limits." *William and Mary Law Review* 52.
- 2009 Ginsburg, Tom and Zachary Elkins. 2009. "Ancillary Powers of Constitutional Courts." *University of Texas Law Review* 87: 1430-61.
- 2009 Elkins, Zachary, Tom Ginsburg, and Justin Blount. "The Citizen as Founder: Public Participation in Constitutional Approval." *Temple Law Review* 81(2): 361-382 [Published in Spanish in expanded form as, "Ciudadano Como Fundador: la Participacion Publica en el diseno constitucional," in *Revista Latinoamericana de Politica Comparada* 1: 119-153]
- 2008 Elkins, Zachary, Tom Ginsburg, and James Melton. "Military Occupations and their Constitutional Residue." *APSA-CP Newsletter* 19(2): 7-10.
- 2008 Ginsburg, Tom, Svitlana Chernykh, and Zachary Elkins. "Commitment and Diffusion: How and Why National Constitutions Incorporate International Law." *Illinois Law Review* 101: 201-237.
- 2008 Zachary Elkins, Tom Ginsburg, and James Melton. "Baghdad, Tokyo, Kabul...Constitution Making in Occupied States." *William and Mary Law Review* 49(4): 1139-1178.
- 2005 Elkins, Zachary and Beth Simmons. "On Waves, Clusters, and Diffusion: A Conceptual Framework," with Beth Simmons. *Annals of the American Academy of Political and Social Science* 598: 33-51.

- 2000 Elkins, Zachary. "Quem Votaria? Conhecendo as Consequências do Voto Obrigatório no Brasil" *Opinão Pública* 6 (1): 111-137. [English title: "Who Would Vote? Understanding the Consequences of Mandatory Voting in Brazil"]

CHAPTERS IN EDITED VOLUMES

- 2014 Chernykh, Svitlana, Zachary Elkins, James Melton, Tom Ginsburg. "Constitutions and the Management of Elections." In: Norris, P and Frank, RW and Martinez I Coma, F, (eds.) *Advancing Electoral Integrity*. Oxford: Oxford University Press.
- 2014 Elkins, Zachary. "Comparative Approaches to Constitutional Gun Rights." In Glenn Howard Utter (ed) *Guns and Contemporary Society: The Past, Present, and Future of Firearms and Firearm Policy*.
- 2014 Elkins, Zachary, Tom Ginsburg, and James Melton. "The Content of Authoritarian Constitutions." In Tom Ginsburg and Alberto Simpser (eds) *Constitutions in Authoritarian Regimes*. Cambridge University Press.
- 2012 Cheibub, Jose, Zachary Elkins, and Tom Ginsburg. "Still the Land of Presidentialism? Executives and the Latin American Constitution," in Detlef Nolte and Almut Schilling (eds.). *New Constitutionalism in Latin America: Promises and Practices*. London: Ashgate.
- 2012 Blount, Justin, Zachary Elkins, and Tom Ginsburg. "Does the Process of Constitution-Making Matter?" In Tom Ginsburg (ed.), *Comparative Constitutional Design*. Cambridge: Cambridge University Press.
- 2011 Elkins, Zachary, James Melton, and Tom Ginsburg. "Do Executive Term Limits Cause Constitutional Crises." In Tom Ginsburg (ed.), *Comparative Constitutional Design*. Cambridge: Cambridge University Press.
- 2009 Cheibub, Jose Antonio and Zachary Elkins. "A Hibridização De Formas Constitucionais: A Constituição Brasileira De 1988 Em Uma Perspectiva Histórica." In *O Legislativo Brasileiro em Perspectiva Comparada*. Lucio Rennó and Magna Inácio, eds. Editora Editora UFMG. Pp. 55-77.
- 2009 Elkins, Zachary. "Constitutional Networks." In Miles Kahler (ed.), *Networked Politics: Agency, Power, and Governance*. Ithaca, NY: Cornell University Press. Pp. 43-63.
- 2008 Elkins, Zachary. "Is Democracy Contagious?" In Peter Nardulli (ed.) *International Perspectives on Contemporary Democracy*. University of Illinois Press. Pp. 42-62
- 2003 Elkins, Zachary and Beth Simmons. "Globalization and Policy Diffusion: Explaining Three Decades of Liberalization." In Miles Kahler and David A. Lake (eds.) *Globalizing Authority: Economic Integration and the Changing Structure of Governance*. Princeton, NJ: University of Princeton Press. Pp. 275-304.

BOOK REVIEWS

- 2012 Elkins, Zachary. Review of Tulia G. Falletti's *Decentralization and Subnational Politics in Latin America* (Cambridge: Cambridge University Press) in *Perspectives on Politics*.
- 2005 Elkins, Zachary. Review of Marcus Kurtz's *Free Market Democracy and the Chilean and Mexican Countryside* (Cambridge: Cambridge University Press) in *Comparative Political Studies* 38: 330-332.

SELECTED OTHER WRITING

- 2013 Elkins, Zachary. "Rewrite the Second Amendment." *New York Times*, April 5, 2013. p. A23
- 2013 Elkins, Zachary, Tom Ginsburg, and James Melton. "Guns Truly are American Exceptionalism." *Bloomberg View*, March 7, 2013
- 2010 Elkins, Zachary. "Constitutional Engineering." In Leonardo Morlino (ed.) *The International Encyclopedia of Political Science*. Sage.

1998

- Stiles, Jon, Jonathan Cohen, Zachary Elkins, and Frederick Gey. *Latino Demographic Data Book*. Berkeley, CA: California Policy Studies. 176pp.
- 1997 Cavalcanti, Maria, Zachary Elkins, Katherine Mock, and O’Neal Spicer. “Problems of Service Delivery in Brazilian Public Security Policy,” *In Policymaking in a Redemocratized Brazil*, Volume 2: Public Policy and Social Exclusion. Austin, TX: University of Texas Press. Pp. 47-69.
- 1994 Elkins, Zachary and Adelaide Farrah. “Racing Toward a New Disabilities Strategy in the Americas.” *Americas* 46 (4).

SELECTED ONLINE AND MULTIMEDIA PROJECTS

- 2014-present *Rights Interactive: The Bill of Rights in Comparative Perspective*. Interactive infographics and visualizations installed in the gallery of the National Constitutions Center and online.
- 2013-present *Constitute: The World’s Constitutions to Read, Search, and Compare*. Online at constituteproject.org.
- 2013-present *The Constitution Imagery Project*. High-resolution images of Constitutional artifacts and photos. Online at imagine-constitutions.culturalspot.org
- 2013-present *Constituting Brazil*. A film about the making of the Brazilian Constitution. [status: editing in progress]
- 2006-2013 *constitutionmaking.org*. Resources for constitutional drafters, including analytical reports, an edited set of constitutions, and an online forum (blog) [Since merged with *constituteproject.org*]
- 2005-present *The Comparative Constitutions Project*. Data, reports, and infographics. Online at comparativeconstitutionsproject.org.

Honors

- 2014 *Tribeca Disruptive Innovation Award*. [awarded for *Constitute*]
- 2014 *Nomet Trust List: 100 Most Inspiring Examples of Social Innovation*. [awarded for *Constitute*]
- 2013 *Lijphart/Przeworski/Verba Prize for Best Dataset* awarded by the Comparative Politics Section of the APSA. [awarded for the *Comparative Constitutions Project*]
- 2012 *Innovating Justice Award*, awarded by the *Hague Institute for the Internationalization of Law* [awarded for *constitutionmaking.org* (now *constituteproject.org*)]
- 2009 *Best book of 2009*, awarded by the Comparative Democratization Section of APSA. [awarded for *Endurance of National Constitutions*]
- 2007 *Best article of 2007* (runner-up), awarded by the Comparative Democratization Section of APSA. [awarded for “Can Institutions Build Unity in Multiethnic States?”]
- 2005-06 *Graduate Mentor of the Year*, Department of Political Science, University of Illinois [Selected by the Political Science Graduate Student Association]
- 2002-07 *List of Excellent Instructors as Rated by their Students*, University of Illinois [awarded if “course quality” and “Instructor Effectiveness” are both in the top 30 percent of University instructors]
- 2006 *Jon Tolman prize for best paper*, Brazilian Studies Association Conference (BRASA). [awarded for “Sources of Constitutional Reform in Brazil: The Role of Foreign Models”]

Grants

As FACULTY

- 2013-present Fellow of H. Malcolm Macdonald Chair in Constitutional and Comparative Law, University of Texas at Austin
- 2012-13 IC2 Innovation Grant (\$25,000)
- 2013-14 Google Ideas (multiple)
- 2008-09 National Science Foundation Grant – renewal of SES 0648288 (\$95,000)

2007-08 US Institute of Peace (\$26,000)
 2007-08 National Science Foundation Grant – SES 0648288 (\$197,000)
 2005-06 Fellow, Center for the Study of Democratic Governance, University of Illinois
 2003,2004 University of Illinois Research Board Grants

AS STUDENT

2001 University of California, Berkeley Dissertation Writing Fellowship
 2000 Boren Dissertation Fellowship
 1999 Institute on Global Conflict and Cooperation (IGCC) Dissertation Fellowship
 1998 Tinker Summer Grant for Research in Brazil
 1997 Foreign Language and Area Studies (FLAS) Summer Fellowship
 1996 Ford Foundation Summer Grant for Research in Brazil
 1995 University of Texas Summer Grant for Research in Cuba
 1991 Yale University Mellon Summer Grant for Research in Guatemala
 1991-92 Aurelian Honor Society, Yale University

Teaching

UNDERGRADUATE COURSES

Comparative Constitutional Design. In this course we will examine the design and implementation of national constitutions. In particular, we will address the following questions. What are the basic elements of constitutions? How do these elements differ across time, across region, and across regime type? What is the process by which states draft and implement constitutions? What models, theories, and writings have influenced the framers of constitutions? We will begin by reviewing the historical roots of constitutions and investigate their provisions and formal characteristics. We will also discuss the circumstances surrounding the drafting of several exemplary or noteworthy constitutions. We will then examine the process of constitutional design in some depth, exploring both the sources and consequences of different design choices.

The Politics of Development. This course surveys important topics in the politics of developing countries. The course begins conceptually with a closer look at the idea of “development” and the classification of cases along such lines. We then examine the historical foundations of political systems in the developing world. We briefly explore the constraints of geography before turning to aspects of colonialism, the rise of nationalism, the movements for independence, and transitions to and from democratic rule. The second part of the course then investigates particular demographic challenges to (and policy solutions for) governance in the developing world, including the problem of population, urban migration, and agrarian reform. In the third part, we turn to sources of political change and upheaval in these societies, including globalization, ethnic violence, and the role of women in politics.

Comparative Political Behavior. This course explores traditional themes of political psychology from an international perspective. The goal is to understand the motivations behind political acts such as ethnic violence and vote choice as well as the sources of political attitudes and beliefs such as patriotism and political ideology. While much of the research in this area is traditionally set in the United States, the focus of this course is explicitly comparative with the United States as a point of reference. We review the classic works of political psychology as well as its contributions to the study of international politics. Students will also develop an understanding of basic research methods used in the study of political behavior, in particular public opinion and experimental research.

The Art and Science of Contracting. This course explores the challenges of writing collectively - whether the text is national law, international treaties, legal contracts, business plans, or analytic reports. Our particular concern is with Constitutional Design, which is arguably an especially important form. The course explores theoretical approaches to collective decision-making, negotiation, contracting, and workflow in organizations. Students will be active participants in the evaluation of experiences with, and methods of, collective writing.

GRADUATE COURSES

Conceptualization and Measurement. This course introduces students to the challenges of developing meaningful social science concepts and of identifying and evaluating appropriate measures of these concepts. These are challenges that arise, explicitly or not, in nearly every social science inquiry. Topics include the following. What makes for a “good” concept? How do we determine the defining characteristics of concepts? How can we build measures of concepts and evaluate their reliability and validity? How can we measure concepts comparably across different contexts (both geographic and historical)? The objective of the course is highly pragmatic. Students will develop a familiarity with a varied set of methodological tools that are useful with both qualitative and quantitative data. As such, the course requirements will include applied exercises and analyses. The course will entail both “interpretive” and statistical components, although prior coursework in methodology of any sort is not required or expected.

Comparative Constitutional Design. The purpose of this course is to explore some of the problems and curiosities involved in designing a constitution. Our subject matter is limited to the “hard-wired” aspects of a constitution - that is, its institutional or structural components - not its interpretation per se. So, for example, we ask how and to what effect constitutional drafters design things like federalism, electoral rules, and the relationship between executives and legislatures, rather than puzzle over the nuances of the text of the American founders and its application. The background assumption is that drafters can improve upon their designs with a better understanding of the consequences of institutional choices. The course is intended for both law students and doctoral students in political science, who will be equally represented. Given our institutional approach, law students may well find a larger dose of social science than that to which they are accustomed and Government students will notice a stronger emphasis on the normative implications of particular institutional structures than they may be used to.

Comparative Political Behavior. This course explores traditional themes of political behavior from an international perspective. The goal is to understand the motivations behind political acts from voting to violent protest as well as the sources of political attitudes and beliefs such as ethnic and national identity and the values and skills associated with democratic societies. While much of the research in this area is traditionally set in the United States, the focus of this course is explicitly comparative with the United States as a point of reference.

Democracy and Democratization. This graduate seminar focuses on the concept of democracy, its measure, and its causes and consequences. We cover many of the classic works in this large literature, as well as several recent contributions. Along the way, we also read select methodological works that explore some of the challenges in the comparative analysis of democracy and democratization. The major requirement for the course is a seminar paper, the topic of which is to be arranged individually.

Law and Democracy. This course reviews current research on legal institutions and human rights and their effect on societal outcomes, with a special focus on the craft of writing. For one-half of the course, participants will read and discuss a selection of unpublished book manuscripts and papers authored by leading scholars in the field, who will visit class on the day their text is discussed. Another half of the course will be devoted to broader readings on methodological and theoretical approaches to “Law and Democracy.” and in particular, to the art of writing in law and political science. Participants will be expected to complete a set of short writing

assignments and engage actively in class discussions. Note that a small set of UT faculty and graduate students will likely visit the course on occasion.

Writing and Publishing in Political Science. In this course we focus on the craft of writing in the social sciences. The course will cover general approaches to style and mechanics, processes of (and tools for) collaboration and review, as well as particular modes and forms of writing, such as proposals, articles, and opinion pieces. Much of the course runs like a highly coordinated writing group – participants produce written work, of various genres, and read and comment on fellow-participants’ work. The specific and pragmatic objective is to produce published writing, for which there will be a clear set of deadlines. If you are still reading at this point, you’re probably interested in this.

PHD STUDENTS SUPERVISED OR SUPERVISING

[based on limited records – apologies for omissions!]

(1) James Melton; (2) Hector Ibarra-Rueda; (3) Daniel Nogueira-Budny; (4) Stephanie Holmsten; (5) Allison White; (6) Gabriel Cardona-Fox (LBJ); (7) Rachel Sternfeld; (8) Ilana Lifshitz; (9) Abby Blass; (10) Huseyin Alptekin.; (11) Gustavo Rivera; (12) Anna Fruhstorfer (Humboldt University, Berlin); (13) Regina Goodnow; (14) Steven Brooke; (15) Riitta-Ilona Koivumaecki; (16) Justin Blount (Illinois); (17) Joe Amick; (18) Robert Shaffer; (19) Alex Hudson; (20) Giorleny Altamirano; (21) Byung-Jae Lee; (22) Ryan Lloyd; (23) Luis Camacho; (24) Mathew Rhodes-Purdy.

Project Administration

2005-present Co-director (with Tom Ginsburg and James Melton), *Comparative Constitutions Project*
2012-present Director, *Constitute*
2010-present Co-editor (with Ran Hirschl and Tom Ginsburg). Book series on Comparative Constitutional Law and Policy, Cambridge University Press
2008-present Co-director (with Dan Brinks). Working Group on Law and Democracy, University of Texas

Selected Previous Experience

2001 Visiting Scholar, Universidade de Brasilia, Brasilia, Brazil
1996 Visiting Scholar, Instituto Universitario de Pesquisa de Rio de Janeiro (IUPERJ), Brazil
1994 Analyst, The Organization of American States, Washington, DC
1992-94 Manager, The Princeton Review, Barcelona, Spain
Summer 1990 Intern, US Agency for International Development, Guatemala City, Guatemala

Professional Service and Affiliations

UNIVERSITY OF TEXAS

2008-present Graduate Admissions
2010-11; 2012-13; Executive Committee
2014-15
2010 Centennial Speakers Committee
2010 IR search committee
2010-12 Charlie Wilson Chair Search Committee
2011-12; 2012-13 Faculty Council
2012-13 Faculty Council committee on International Programs and Study Abroad (Chair)
2012-present Institute of Latin American Studies committee on student aid

2012-present Advisory Board Member, Human Dimensions of Organizations
2008-present Affiliate, *Rapoport Center on Human Rights, Institute of Latin American Studies, and School of Law*

DISCIPLINE-WIDE SERVICE

2014 Chair, Best Dataset Award Committee
2012-2015 Advisory Board, Committee on Concepts and Methods
2013 Chair, Best Paper Award Committee, APSA Comparative Democratization Section
2012-present Advisory Board, Electoral Integrity Project
2010 MPSA Section Head

UNIVERSITY OF ILLINOIS (2002-2008)

2006-07 Graduate Admissions
2004-05; 2007-8 Executive Advisory Board
2002-08 Formal Theory and Empirical Methodology
2002-07 Comparative Politics
2002-03 Teaching and Student Awards
2002-03 Undergraduate Programs
2003; 2004; 2005 Comparative Politics Search Committees
2004-5; 2006-7 Executive Board, Center for Latin American and Caribbean Studies
2006-8 Executive Board, Brazilian Studies Center
2003-2008 Regular instructor for a modular course in Latin American Studies
2005-2008 International Political Economy Research Group
2004-08 Center for the Study of Democratic Governance

REVIEWER

inter alia, American Journal of Political Science; American Political Science Review; Journal of Politics; Political Psychology; International Organization; Journal of Peace Research; World Politics; Journal of Theoretical Politics; World Development; Political Behavior; Law and Society; Comparative Politics, Comparative Political Studies; Political Analysis; NSF

Foreign Languages and Experience

LANGUAGES

Serviceable command of Spanish and Portuguese (extensive coursework and residency); rudimentary knowledge of French (two years of college coursework); sub-conscious knowledge of Latin (five years of high-school coursework)

EXPERIENCE

Born in Bogotá, Colombia. Field work or residency in Brazil, Guatemala, Spain, Cuba, Colombia, and Belize.

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