

Appendices

Appendix A: Coding Guidelines

Number of amendments

In order to derive the number of amendment events enacted under a given constitution, we used the Comparative Constitutions Project “Chronology of Constitutional Events” (Elkins, Ginsburg, and Melton 2010). This dataset does not provide the number of separate amendments, but only the passage of an amendment during a given year. For example, in the United States, both the 20th and 21st Amendments were passed in 1933, coded as one amendment event. Next, we counted the number of constitutional amendment events. Finally, the age of the constitution is the year in which the constitution was enacted subtracted from 2006 (i.e., 2006 – year = age).

Democracy

We used the generally accepted cutoff for POLITY2 of greater than 5 (out of a range of -10 to 10) to indicate a democracy (Marshall, Gurr, and Jaggers 2014). We started counting from the earliest year after which there is no reversion below a score of 5 in order to indicate a stable democracy. POLITY2 measures not just formal elections, but also constraints on government and other features associated with robust democracy. For example, the United States only reached a POLITY score of 9 in 1809, upon the inauguration of James Madison, not in 1789, when it held its first elections.

Amendments under democracy

In order to calculate the number of amendment events under a democratic government, we found the intersection between constitutional amendments *and* constitutional amendments passed after the country had reached a POLITY score of 5 or above.¹ If the constitution already existed at the time of democratization, we did *not* count amendments during the transition year. Such amendments typically create the conditions for democratization rather than reflect the desires of an elected legislature. For example, in Chile we only counted amendments after 1989; the constitutional referendum held in June 1989 enabled the December 1989 general elections.

Because the Polity Project only includes countries with a population greater than 500,000 as of 2006, the dataset does not code information for Iceland (pop. ~323,000 in 2013). However, upon careful consideration, we decided to include Iceland because there was no risk that it would not have met the cutoff. Iceland became a republic in 1944 and women have even held the right to vote since 1915. The first constitutional amendment event in the CCP database occurred in 1959, fifteen years after Iceland became unambiguously democratic.

Amendment frequency

To derive the frequency of amendment events under democracy, we divided the number of amendment events by either the age of the constitution or the age of the democracy, whichever was more recent. For example, for Mexico’s 1917 constitution, we divided by the age of its democracy (2006 – 1997), but for France we used the age of the fifth constitution (2006 – 1958), which was enacted after the country had become a democracy (in 1877).

¹ If POLITY indicates missing data—often indicating foreign occupation—we do not count amendments during that interval. This only applies to Norway’s 1942 amendment under Nazi occupation.

Appendix B: Constitutions in the OECD

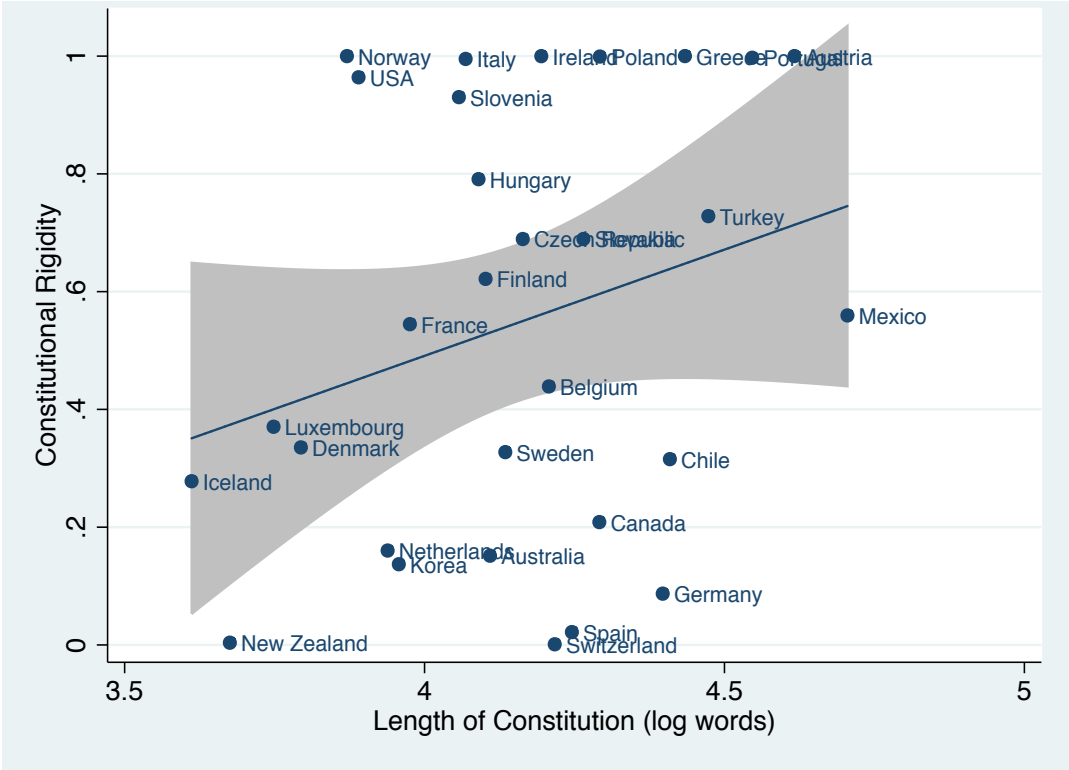


Fig. B1: Constitutional rigidity vs. constitutional length

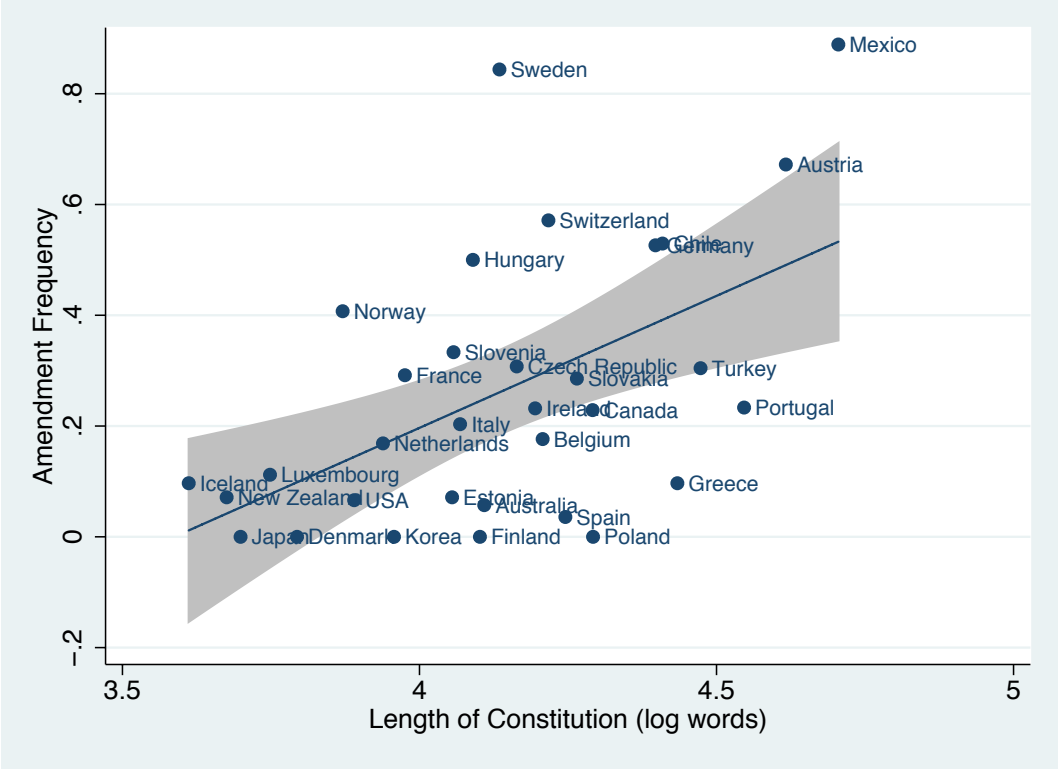


Fig. B2: Number of amendment events vs. constitutional length

Appendix C: Spatial Models of Theoretical Argument

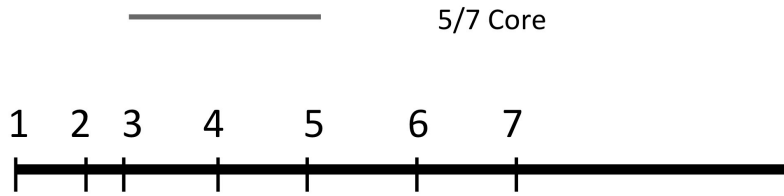


Fig. C1: Core under 5/7 majority

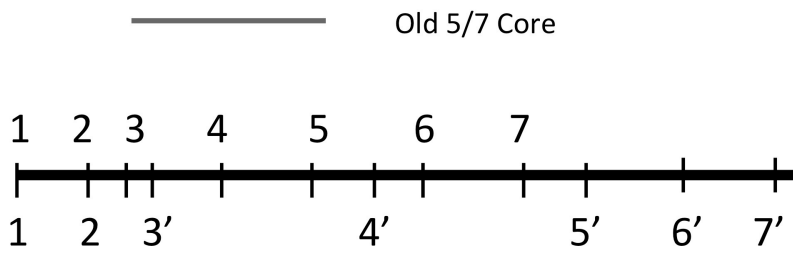


Fig. C2: Shift of public opinion to the right

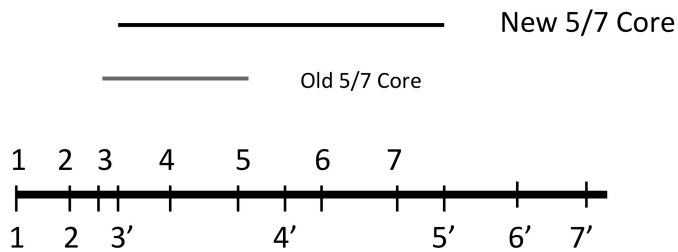


Fig. C3: New core under 5/7 majority

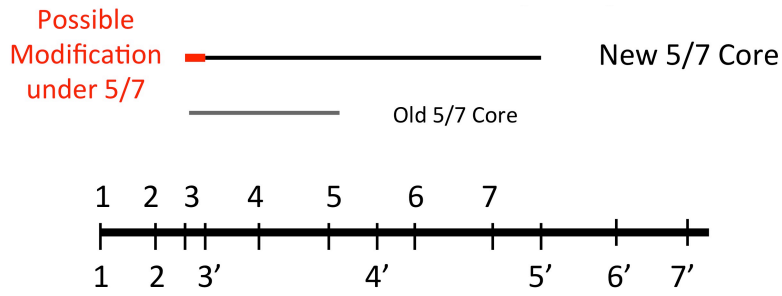


Fig. C4: Possible policy change after shift in public opinion under 5/7 majority



Fig. C5: Core under 6/7 majority

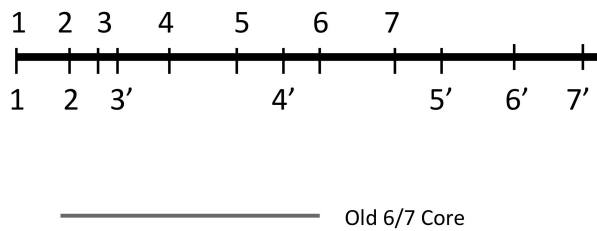


Fig. C6: (Same) Shift of public opinion to the right

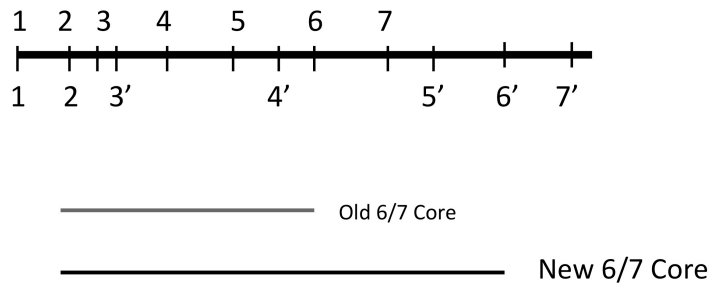


Fig. C7: New core under 6/7 majority

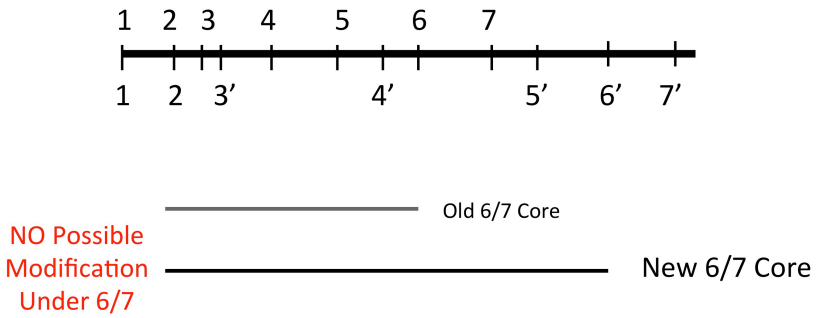


Fig. C8: No possible policy change after shift in public opinion under 6/7 majority

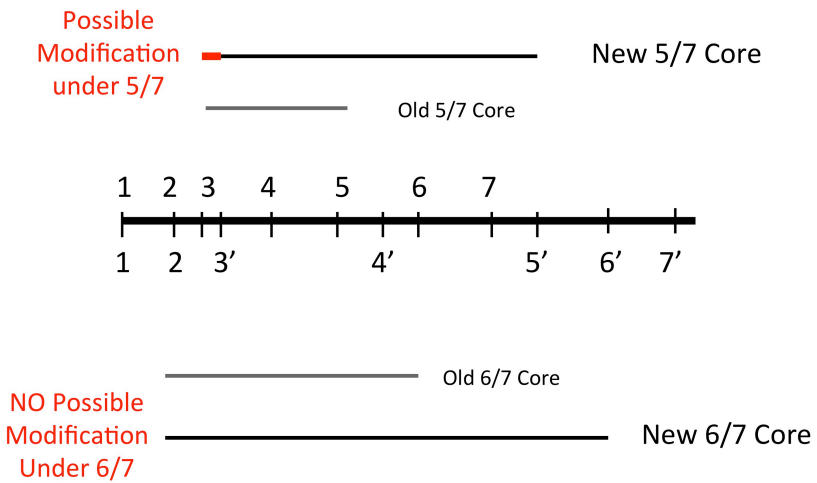


Fig. C9: Joint illustrations of possible policy change under 5/7 or 6/7 majority

Appendix D: Number of Amendments vs. Year of Constitution

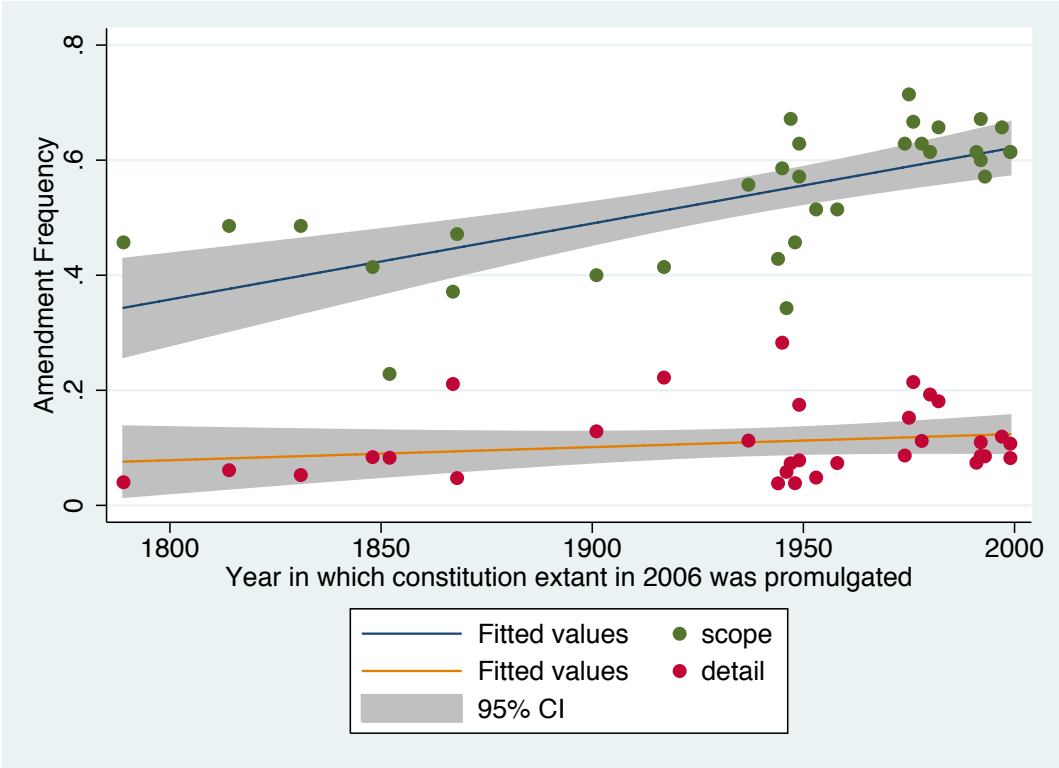


Fig. D1: Number of amendments vs. year of constitutional promulgation