Public Consultation in Constitution-Making Dataset

Version 1.0 Codebook | Fall 2024

Matthew Martin
Department of Government
University of Texas at Austin
mjmartin@utexas.edu

Introduction

The Public Consultation in Constitution-Making Dataset (PCCD) records public consultations that occurred during the drafting of national constitutions promulgated from 1974 through 2021. I define a "public consultation" in constitution-making as the following:

> The formal solicitation of input from the general public (individual citizens and/or groups) by a country's standing regime[1] before the publication of a draft constitutional text, after the release of a draft, or at both the pre- and post-draft stages.

My definition is deliberately minimalist to account for the relevant actors and the range of mechanisms used to gather public input globally. I specify that the standing regime is the entity formally requesting input from the public. The solicitation of public input also establishes that the consultation generates information in many forms (e.g., submissions, surveys, hearings, etc.) that may, or may not, be used by those responsible for drafting the constitution.

This dataset includes public consultations in constitution-making processes that other sources may refer to as public debates, public hearings, or popular discussions. My definition excludes efforts by rebels, or other groups who do not have control over a country's central government, to draft their own constitutional texts.

Files

There are two versions of the data in the current release. The base version of the Public Consultation in Constitution-Making Dataset contains all identification and consultation variables in the order listed below. The data are available in four formats: (1) comma-delimited text file (PCCD.csv); (2) Stata 17 file (PCCD.dta); (3) R file (PCCD.RDS); and Excel Workbook file (PCCD.xlsx). The extended version of the data includes a set of miscellaneous original variables as well as variables from various sources, which are also listed below, used for statistical analyses in my article "Elite Fractures, Public Capture: The Strategic Use of Public Consultation in Global Constitution-Making." This extended version of the dataset is available as an .RData file (EFPC_data.Rdata), which can be loaded and processed using the R script included in the article's replication materials (EFPC_analysis.R).

Sample

Each observation is a process of constitutional replacement that resulted in a new constitution for an independent state, along with the year in which the text entered into force. I include only new and interim national constitutions, excluding any other constitutional events (e.g., amendments). I thus record only those processes that inaugurate a new constitutional system—the period during which a constitution is in force before it is replaced or suspended. New and interim constitutions are identified using the "Chronology of Constitutional Events" dataset created by Elkins et al. (2009 [2022]). The sample includes a total of 300 observations (n = 300), encompassing constitution-making processes from 1974 to 2021.

[1] I define a regime as the "formal and informal organization of the center of political power, and of its relations to the broader society" (Fishman 1990, 428).

Errors and Omissions

I have tried to ensure that the dataset contains as few errors as possible. These flaws, however, are inevitable in a dataset of this size and scope. I kindly request that users help improve the reliability of the data by reporting any errors to mjmartin@utexas.edu.

List of Variables

The identification and coding and sampling variables listed below are taken from the "Chronology of Constitutional Events" dataset (Elkins, Ginsburg, and Melton 2009 [2022]). The consultation and miscellaneous variables are original data collected for the PCCD. The supplementary variables are taken from several sources for the purpose of statistical analysis, as mentioned above.

Identification Variables

[COWCODE] – Correlates of War country code (correlatesofwar.org).

[COUNTRY] – Country name.

[YEAR] – Year when the constitution entered into force.

[REGION] – Region where the country is located (politico-geographic 6-category).

1. Eastern Europe and Central Asia (including Mongolia and German Democratic Republic)
2. Latin America and the Caribbean
3. The Middle East and North Africa (including Israel and Turkey, excluding Cyprus)
4. Sub-Saharan Africa
5. Western Europe and North America (including Cyprus, Australia and New Zealand, but excluding German Democratic Republic)
6. Asia and Pacific (excluding Australia and New Zealand; see 5)

Source: Quality of Government Standard Dataset (2024).

[SYSTID] – Unique identification number for the constitutional system.

[SYSTYEAR] – Year in which the constitutional system was promulgated.

[EVNTID] – Unique identification number for the constitutional event.

[EVNTYEAR] – Year of promulgation of the most recent constitutional event.

[EVNTTYPE] – Type of constitutional event.

2. Interim – explicitly temporary constitution.
3. New – replacement of constitution with another.

Consultation Variables

[CONSULT] – Indicates whether a public consultation was held at any point during the constitution-making process.

0. No
1. Yes

[STAGE_PRE] – Indicates whether a public consultation was held before the publication of an initial draft text.

0. No consultation held at this stage.
1. Consultation held prior to release of a draft.

[STAGE_POST] – Indicates whether a public consultation was held after the publication of an initial draft text (and prior to the final revision and ratification of the new constitution).

0. No consultation held at this stage.
1. Consultation held after the release of a draft.

[STAGE_BOTH] – Indicates whether a public consultation was held both pre- and post-draft i.e., during both stages.

0. No consultation, or consultation at only one stage.
1. Consultation held at both stages.

Misc. Variables

[BODYCTRL_PERC] – Indicates the number of seats held by the largest party or coalition divided by the total number of seats in the body responsible for approving the constitutional text. A higher proportion indicates a greater degree of control over decision-making during the drafting process (interval from low to high, 0-1).

[BODYCTRL_NEW] – Indicates whether the largest party or coalition in the body responsible for approving the constitutional text is a newcomer. To qualify as a newcomer, the party or coalition must have not had control over the government within ten years prior to the promulgation of the new constitution.

0. No
1. Yes

[PRIOR_CONST] – Indicates the number of years since the promulgation of the country's previous constitution (numeric).

Supplementary Variables

[POLYARCHY] – Indicates the extent to which the ideal of electoral democracy in its fullest sense is achieved (interval from low to high, 0-1).

Source: The Varieties of Democracy (V-Dem) Dataset, Version 13 (2023)

[NATIONALIST] – Indicates the extent to which the ideology of a regime is categorized as nationalist (interval from low to high, 0-1).

Source: The Varieties of Democracy (V-Dem) Dataset, Version 13 (2023)

[COMMUNIST] – Indicates the extent to which the ideology of a regime is categorized as socialist or communist (interval from low to high, 0-1).

Source: The Varieties of Democracy (V-Dem) Dataset, Version 13 (2023)

[PERFORMANCE] – Indicates the extent to which the government refers to performance (e.g., economic growth, poverty reduction, effective and non-corrupt governance, and/or providing security) in order to justify the regime in place (ordinal, converted to interval).

Source: The Varieties of Democracy (V-Dem) Dataset, Version 13 (2023)

[PARTYINST] – Indicates the extent to which political parties are institutionalized (interval from low to high, 0-1).

Source: The Varieties of Democracy (V-Dem) Dataset, Version 13 (2023)

[CIVILSOC] – Indicates the extent to which major civil society organizations are routinely consulted by policymakers (interval from low to high, 0-1).

Source: The Varieties of Democracy (V-Dem) Dataset, Version 13 (2023)

[PROTEST] – Indicates how frequent and large events of mass mobilization have been the year when the constitution entered into force (ordinal, converted to interval).

Source: The Varieties of Democracy (V-Dem) Dataset, Version 13 (2023)

[CIVILWAR] – Indicates whether a civil war was ongoing the year when the constitution entered into force (extended through 2021).

0. No
1. Yes

Source: Haber and Menaldo (2011)

[AVG_GDP_GROWTH] - Average growth in a country's gross domestic product (GDP) during the five-year period prior to when the constitution entered into force (numeric).

Source: World Development Indicators, Version 29 (2024)

[DEMOCRATIC_TRANSITION] – Indicates whether a democratic transition took place the year when the constitution entered into force.

0. No
1. Yes

Source: The Lexical Index of Electoral Democracy, Version 6.5 (2015 [2024])

[DEMOCRATIC_BREAKDOWN] – Indicates whether a democratic breakdown took place the year when the constitution entered into force.

0. No
1. Yes

Source: The Lexical Index of Electoral Democracy, Version 6.5 (2015 [2024])

[LEX_BINARY] – Indicates whether a country was classified as a democracy (binary) the year when the constitution entered into force.

0. No (autocracy)
1. Yes (democracy)

Source: The Lexical Index of Electoral Democracy, Version 6.5 (2015 [2024])

[LEXICAL_INDEX_PLUS] – An extended version of the Lexical Index of Electoral Democracy, which operationalizes electoral democracy as a series of necessary-and-sufficient conditions arrayed in an ordinal scale.

0. Non-electoral autocracies
1. One-party autocracies
2. Multiparty autocracies without elected executive
3. Multiparty autocracies
4. Exclusive democracies
5. Male democracies
6. Electoral democracies
7. Polyarchies

Source: The Lexical Index of Electoral Democracy, Version 6.5 (2015 [2024])

References

Coppedge, Michael, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, and David Altman. 2023. "V-Dem Codebook V13." Varieties of Democracy (V-Dem) Project. https://doi.org/10.23696/VDEMDS23.

Elkins, Zachary, Tom Ginsburg, and James Melton. 2009 [2022]. "Chronology of Constitutional Events, Version 1.3." http://www.comparativeconstitutionsproject.org.

Fishman, Robert M. 1990. "Rethinking State and Regime: Southern Europe's Transition to Democracy." *World Politics* 42 (3): 422–40.

Haber, Stephen, and Victor Menaldo. 2011. "Do Natural Resources Fuel Authoritarianism? A Reappraisal of the Resource Curse." *The American Political Science Review* 105 (1): 1–26.

Skaaning, Svend-Erik, John Gerring, and Henrikas Bartusevičius. 2015. "A Lexical Index of Electoral Democracy." *Comparative Political Studies* 48 (12): 1491–1525. https://doi.org/10.1177/0010414015581050.

Teorell, Jan, Aksel Sundström, Sören Holmberg, Bo Rothstein, Natalia Alvarado Pachon, Cem Mert Dalli, Rafael Lopez Valvarde, and Paula Nilsson. 2024. "The Quality of Government Standard Dataset." University of Gothenburg: The Quality of Government Institute. https://doi.org/10.18157/QOGSTDJAN24.

World Bank. 2024. "World Development Indicators." https://datacatalog.worldbank.org/search/dataset/0037712/World%20Development%20Indicators?version=29.