Constitutional Design

Changing the Architecture of Democracy
Class Structure

I: What are the consequences of constitutional designs?

- Evidence of effects on
  - Public opinion and institutional support
  - Social representation
  - Political participation & turnout
  - Political violence/stability
  - Government performance

II. Executive reports next Monday
Reading:

- Norris ‘Institutions & Political Support’ (Ch 11 Critical Citizens)
- Arend Lijphart ‘Democracies’ EJ PR 1994
Criteria for Democratic Constitutions

- State-building and legitimation
- Government stability
- Government accountability
- ‘Effective’ policymaking
- Citizen control and participation
- Representation of minorities
- Protection minority interests
Types of Constitutions

- Written (de jure) or unwritten (de facto)
- Self-binding rules
- Product of
  - Historical institutional legacies
  - Inherited constraints
  - International pressures
  - Internal negotiations and bargaining,
  - Incremental reform
Impact of Public Opinion:
Ref: Norris Ch 11. Critical Citizens

Why does regime support vary?
- Cultural values?
- Government performance?
- Institutional accounts?
  - Rules of the game produce persistent winners and losers
  - Specific > diffuse support
  - Type of democracy + distribution of winners and losers in the system
Model 11.1

Winners  Losers

High

Majoritarian

Consensus

Low

Winners  Losers
## Hypotheses

<table>
<thead>
<tr>
<th>Hypothesis</th>
<th>Positive</th>
<th>Negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support for party in power</td>
<td>Winners</td>
<td>Losers</td>
</tr>
<tr>
<td>Level of democratization</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>Exec</td>
<td>Parliamentary</td>
<td>Presidential</td>
</tr>
<tr>
<td>Party system</td>
<td>Mod Multiparty</td>
<td>Other</td>
</tr>
<tr>
<td>State structure</td>
<td>Federal</td>
<td>Unitary</td>
</tr>
<tr>
<td>Electoral system</td>
<td>Proportional</td>
<td>Majoritarian</td>
</tr>
</tbody>
</table>
## Predictors of Institutional Confidence

<table>
<thead>
<tr>
<th>Predictor</th>
<th>Correlation</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of democratization</td>
<td>.10</td>
<td>**</td>
</tr>
<tr>
<td>Win/lose</td>
<td>.11</td>
<td>**</td>
</tr>
<tr>
<td>Executive (parliamentary)</td>
<td>.02</td>
<td>*</td>
</tr>
<tr>
<td>Federalism</td>
<td>-.06</td>
<td>**</td>
</tr>
<tr>
<td>Party system</td>
<td>.10</td>
<td>**</td>
</tr>
<tr>
<td>Electoral system</td>
<td>-.15</td>
<td>**</td>
</tr>
<tr>
<td>Postmaterialism</td>
<td>.12</td>
<td>**</td>
</tr>
<tr>
<td>Econ development</td>
<td>.09</td>
<td>**</td>
</tr>
<tr>
<td>Demographics...</td>
<td>Etc.</td>
<td></td>
</tr>
</tbody>
</table>
Conclusion of study

- Regime support and institutional confidence reflects:
  - Systems with high CL&PR
  - Whether we’re winners or losers
  - Majoritarian institutions
- Therefore institutional confidence relates to institutional design
Other consequences?

- Lijphart ‘Democracies’ EJPR Jan 1994
- Conventional wisdom
  - Consensus govnt = minority representation
  - Majority govnt = more effective policies
  - Test: 19 established democracies
- Classification:
  - parliamentary-plurality, (4 nations eg Canada)
  - parliamentary-PR, (9 nations eg Belgium)
  - Other (5 nations eg US, Japan)
## Impact on stability & performance

<table>
<thead>
<tr>
<th>Mean</th>
<th>Parlt-majority</th>
<th>Parlt-PR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riots 1948-77</td>
<td>1.96</td>
<td>3.17</td>
</tr>
<tr>
<td>Political deaths 1948-77</td>
<td>6.86</td>
<td>2.41</td>
</tr>
<tr>
<td>Economic growth 1961-88</td>
<td>3.4</td>
<td>3.5</td>
</tr>
<tr>
<td>Inflation 1961-88</td>
<td>7.5</td>
<td>6.3</td>
</tr>
<tr>
<td>Unemployment 1965-88</td>
<td>6.1</td>
<td>4.4</td>
</tr>
<tr>
<td>Income top 20% 1988</td>
<td>42.9</td>
<td>39.0</td>
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</tbody>
</table>
Impact on minorities & turnout

<table>
<thead>
<tr>
<th>Mean</th>
<th>Parl-t-majority</th>
<th>Parl-t-PR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women’s rep. 1980-82</td>
<td>4.0</td>
<td>16.4</td>
</tr>
<tr>
<td>Voting turnout 1971-80</td>
<td>75.3</td>
<td>84.5</td>
</tr>
</tbody>
</table>
Conclusions: Lijphart

- Institutions matter
- New research needed:
  - Update analysis to late 1990s
  - Widen analysis to new democracies
  - Consider new criteria of performance
  - Understand what aspects of constitutional structures influence performance, and why
Consequences for citizens control

- Compares 16 estab. Democracies
- Classified by two criteria:
  - electoral system for legislature majoritarian, mixed or PR, and
  - Legislative roles for opposition government domination, mixed, opposition participation.
## Classification

<table>
<thead>
<tr>
<th>Govt domination Legis. cttes</th>
<th>Mixed</th>
<th>Opposition participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Majoritarian</td>
<td>Eg NZ, UK</td>
<td>Canada</td>
</tr>
<tr>
<td>Mixed</td>
<td>Ireland</td>
<td></td>
</tr>
<tr>
<td>PR elections</td>
<td>--</td>
<td>Finland</td>
</tr>
</tbody>
</table>
Evaluative Criteria

- Constitutional designs with majoritarian elections and government dominance create government accountability.
- Designs using PR and opposition participation in leg. Cttees create representative delegates.
Standards to evaluate report

- What are the most appropriate standards you use to evaluate effective policy analysis?
- Eg official government reports, think-tank/NGO publications, public-domain publicity leaflets

List top ten criteria – prioritize

Next class

Monday: Present one-page executive summaries to groups