**ONLINE Appendix**

Figure A1. Distribution of *const\_compliance* in democratic countries

Obraz zawierający tekst, mapa

Opis wygenerowany automatycznie

*Source*: Own elaboration based on data from (Gutmann et al., 2024). Higher value corresponds to higher constitutional compliance.

Figure A2. Distribution of *polarity* in democratic countries

Obraz zawierający tekst, zrzut ekranu, mapa

Opis wygenerowany automatycznie

*Source*: Own calculation and elaboration based on text from the Comparative Constitutions Project. Higher value corresponds to more positive expressions.

Figure A3. Distribution of *subjectivity* in democratic countries

Obraz zawierający tekst, zrzut ekranu, mapa

Opis wygenerowany automatycznie

*Source*: Own calculation and elaboration based on text from the Comparative Constitutions Project. Higher value corresponds to more subjective expressions.

Figure A4. Distribution of *agg\_read* in democratic countries

Obraz zawierający tekst, zrzut ekranu, mapa

Opis wygenerowany automatycznie

*Source*: Own calculation and elaboration based on text from the Comparative Constitutions Project. Higher value corresponds to less readable expressions.

Figure A5. Distributions of the indicators measuring the structure of constitutional texts

|  |  |
| --- | --- |
| Obraz zawierający diagram, Wykres, linia, zrzut ekranu  Opis wygenerowany automatycznie | Obraz zawierający diagram, linia, Wykres, tekst  Opis wygenerowany automatycznie |
| Obraz zawierający diagram, Wykres, linia, zrzut ekranu  Opis wygenerowany automatycznie | Obraz zawierający diagram, Wykres, linia, design  Opis wygenerowany automatycznie |
| Obraz zawierający diagram, Wykres, linia, design  Opis wygenerowany automatycznie | Obraz zawierający diagram, Wykres, tekst, zrzut ekranu  Opis wygenerowany automatycznie |
| Obraz zawierający diagram, Wykres, linia, zrzut ekranu  Opis wygenerowany automatycznie | Obraz zawierający diagram, Wykres, linia, design  Opis wygenerowany automatycznie |
| Obraz zawierający diagram, tekst, Wykres, zrzut ekranu  Opis wygenerowany automatycznie |  |

*Source*: Own calculation.

Figure A6. Indicators measuring the structure of constitutional texts vs *const\_compliance*

|  |  |
| --- | --- |
| Obraz zawierający wykres  Opis wygenerowany automatycznie | Obraz zawierający wykres  Opis wygenerowany automatycznie |
| Obraz zawierający wykres  Opis wygenerowany automatycznie | Obraz zawierający wykres  Opis wygenerowany automatycznie |
| Obraz zawierający wykres  Opis wygenerowany automatycznie | Obraz zawierający wykres  Opis wygenerowany automatycznie |
| Obraz zawierający wykres  Opis wygenerowany automatycznie | Obraz zawierający wykres  Opis wygenerowany automatycznie |
| Obraz zawierający wykres  Opis wygenerowany automatycznie |  |

*Source*: Own calculation.

Figure A7. Distributions of indicators measuring the longevity of constitutions

|  |  |
| --- | --- |
| Obraz zawierający diagram, zrzut ekranu, Wykres, linia  Opis wygenerowany automatycznie | Obraz zawierający linia, tekst, zrzut ekranu, diagram  Opis wygenerowany automatycznie |
| Obraz zawierający diagram, zrzut ekranu, linia, Wykres  Opis wygenerowany automatycznie | Obraz zawierający linia, diagram, zrzut ekranu, tekst  Opis wygenerowany automatycznie |

*Source*: Own calculation.

Figure A8. *polarity*, *subjectivity* and *agg\_read* vs the length of the constitution

|  |  |
| --- | --- |
| Obraz zawierający zrzut ekranu, linia  Opis wygenerowany automatycznie | Obraz zawierający zrzut ekranu, linia, ptak  Opis wygenerowany automatycznie |
| Obraz zawierający zrzut ekranu, linia  Opis wygenerowany automatycznie | Obraz zawierający zrzut ekranu, linia  Opis wygenerowany automatycznie |
| Obraz zawierający zrzut ekranu  Opis wygenerowany automatycznie | Obraz zawierający zrzut ekranu, linia  Opis wygenerowany automatycznie |
| Obraz zawierający zrzut ekranu, linia  Opis wygenerowany automatycznie | Obraz zawierający zrzut ekranu, linia  Opis wygenerowany automatycznie |

*Source*: Own calculation.

Table A1. List of variables

|  |  |  |
| --- | --- | --- |
| *Variable name* | *Description* | *Source* |
| const\_compliance | A continuous indicator measuring to what extent the top representatives of the various government branches respect the constitution | (Gutmann et al., 2024) |
| polarity | A continuous indicator measuring the sentiment of the given text   * -1: very negative * 1: very positive | Own calculation based on the Constitute Project |
| subjectivity | A continuous indicator measuring the subjectivity of the given text   * 0: very objective * 1: very subjective | Own calculation based on the Constitute Project |
| flesch\_score | Readability measured by Flesch test | Own calculation based on texts scraped from the Constitute Project |
| fleschkincaid\_score | Readability measured by Flesch-Kincaid test | Own calculation based on texts scraped from the Constitute Project |
| gunningfog\_score | Readability measured by Gunning Fox test | Own calculation based on texts scraped from the Constitute Project |
| smog\_score | Readability measured by SMOG test | Own calculation based on texts scraped from the Constitute Project |
| dalechall\_score | Readability measured by Dale-Chall test | Own calculation based on texts scraped from the Constitute Project |
| agg\_read | An average indicator of above five readability tests | Own calculation based on texts scraped from the Constitute Project |
| word\_count | Length of the constitution per 1,000 words | Own calculation based on the Constitute Project |
| current\_age | Age of current constitutions | Own calculation based on the Constitute Project |
| current\_avg\_amend | Age of current constitutions divided by number of amendments received | Own calculation based on the Constitute Project |
| hist\_savg\_amend | A simple weighted average of age of historical constitutions divided by number of constitutional amendments received during corresponding period | Own calculation based on the Constitute Project |
| hist\_eavg\_amend | An exponential weighted average of age of historical constitutions divided by number of constitutional amendments received during corresponding period | Own calculation based on the Constitute Project |
| legal\_origin | A categorical variable indicating the legal origin of a country | (La Porta et al., 2008) |
| former\_socialist | A dummy variable indicating whether the country was formerly socialist | - |

*Source*: Own compilation.

*Note on const\_compliance*: Gutmann et al. (2024) start with using the data from the Comparative Constitutions Project (CCP) (Elkins et al., 2009), which covers information on the *de jure* rules present in national constitutions. Data on the *de facto* constitutional compliance comes from the Varieties of Democracy project (V-Dem) (Coppedge et al., 2022), which contains information on political, social or legal institutions (coded by over 3,500 country experts) and these indicators are meant to be comparable across time and countries. After matching the information from CCP and V-Dem, the authors distinguished 14 constitutional rules, covered consistently by at least one indicator in each dataset. In case there are more than one *de jure* indicators for a given constitutional rule, it is sufficient if one of them is coded as present, to speak about a constitutional promise. When there are more than one *de facto* indicators, in turn, then each one has to indicate a sufficient level of constitutional compliance to assess the constitutional promise as kept. It can be stated that these indicators operationalize constitutional compliance as the lack of a *de jure-de facto* gap. An important advantage of this measurement approach is that to evaluate (non)compliance with a constitutional rule, such rule has to be included in the constitution. Thus, constitutional standards vary over time and over countries. The main coding rule used by the authors was that a constitutional rule takes the value 1 in case that rule is protected both in de jure and de facto dimensions. Otherwise, the indicator of compliance is coded 0 in case that rule is protected *de jure* and not *de facto*, as it would translate into a *de jure-de facto* gap (constitutional underperformance). A value of 0.5 is assigned when a constitutional right is not protected de jure, whatever the de facto indicator is. Gutmann et al. (2024) argue that the coding rule here means that countries start from the level of 0.5 and can deviate from this upwards and downwards only if they have constitutional commitments. When it comes to *de jure* indicators, it is coded based on the presence of a rule in the constitution. The *de facto* coding, in turn, relies on ordered categorical indicators, typically based on a five-point scale. The highest category implies full compliance with the given rule. Then, the second highest category indicates somehow weaker enforcement of the rule, but no intentional or systematic disregard by the government. The authors comment that they consider government falling into one of the two top categories as de facto enforcing the rule, and the government ranked in lower categories as not complying with the rule. They also presented a convincing list of the exact criteria for the *de jure* and *de facto* coding of each of the 14 constitutional rules. The commented 14 individual indicators of *de jure-de facto* gaps were then grouped into 4 legal areas: i) property rights and the rule of law (private property rights, judicial independence, equality before the law, and rule of law) [cc\_prop], ii) political rights (freedom of association, freedom of assembly, and the right to form parties) [cc\_polit], iii) civil rights (free media, free speech, free movement, and religious freedom) [cc\_civil], and iv) basic human rights (right to life, freedom from slavery, and protection from torture) [cc\_basic]. In order to aggregate the individual 14 indicators within each of the 4 categories, the authors used factors analysis and extracted the first factor as the indicator of constitutional compliance in the respective legal category. Thanks to using factor analysis it was possible to check whether there is one dominating factor representing a latent variable of constitutional compliance in each category. Then, the mean value of the commented four legal domain-specific indicators is calculated (cc\_total). This is the indicator, which we use in our models as the dependent variable (const\_compliance). Importantly, all the indicators mentioned above have been also standardized (mean of zero and standard deviation of one), which is relevant for comparing the indicators. In general, the indicator has higher values in case of better constitutional compliance. Importantly, it is higher in case if one de jure rule exists and that rule is not complied with, compared to a situation where five constitutional rules exist but none of them are complied with. Also, the indicator would be lower if one right is promised and complied with, compared to a situation where five rights are promised and all of them are complied with.

Table A2. List of constitutions considered

|  |  |  |
| --- | --- | --- |
| **Continent** | **#** | **Constitutions** |
| America | 22 | Argentina, Barbados, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Panama, Paraguay, Peru, Surinam, Trinidad and Tobago, U.S.A., Uruguay |
| Europe | 33 | Albania, Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Moldova, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine |
| Africa | 18 | Benin, Botswana, Cape Verde, Gambia, Ghana, Guinea, Guinea-Bissau, Lesotho, Liberia, Malawi, Mali, Mauritius, Nigeria, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Zambia |
| Asia | 17 | Armenia, Bhutan, Cyprus, East Timor, Georgia, India, Indonesia, Japan, Kyrgyzstan, Malaysia, Maldives, Nepal, Pakistan, Philippines, South Korea, Sri Lanka, Taiwan |
| Oceania | 4 | Australia, Papua New Guinea, Solomon Islands, Vanuatu |

*Source*: Own calculation and elaboration based on data from the Comparative Constitutions Project.

Table A3. Comparison between two weighted averages

|  |  |  |
| --- | --- | --- |
|  | *Dependent variable:* | |
|  | const\_compliance | |
|  | (1) | (2) |
|  |  |  |
| polarity | 7.568 | 7.499 |
|  | (3.482) | (3.496) |
| subjectivity | 0.368 | 0.406 |
|  | (2.496) | (2.512) |
| word\_count | 0.015 | 0.016 |
|  | (0.004) | (0.004) |
| current\_age | 0.001 | 0.001 |
|  | (0.002) | (0.002) |
| current\_avg\_amend | 0.017 | 0.013 |
|  | (0.009) | (0.008) |
| hist\_eavg\_amend | 0.010 |  |
|  | (0.014) |  |
| hist\_savg\_amend |  | 0.0001 |
|  |  | (0.007) |
| legal\_originge | 0.292 | 0.304 |
|  | (0.193) | (0.194) |
| legal\_originscand | 0.679 | 0.656 |
|  | (0.316) | (0.317) |
| legal\_originuk | 0.066 | 0.058 |
|  | (0.184) | (0.186) |
| former\_socialist | 0.067 | 0.077 |
|  | (0.200) | (0.200) |
| Constant | 2.041 | 2.059 |
|  | (0.942) | (0.954) |
|  |  |  |
| Observations | 94 | 94 |
| R | 0.270 | 0.266 |
| Adjusted R | 0.182 | 0.177 |
| Residual Std. Error (df = 83) | 0.599 | 0.601 |
| F Statistic (df = 10; 83) | 3.075 | 3.001 |
|  |  |  |
| *Note:* | p0.1; p0.05; p0.01 | |

*Source*: Own calculation. The regression model with *hist\_eavg\_amend* has better performance compared to the one with *hist\_savg\_amend*, in terms of higher R2, lower AIC and BIC values.