Constitutions are supposed to provide an enduring structure for politics. Yet most die at a young age. Why is it that some constitutions endure, whereas others do not? In *The Endurance of National Constitutions*, Zachary Elkins, Tom Ginsburg, and James Melton examine the causes of constitutional endurance from an institutional perspective. Using both statistical and case study evidence, they argue that certain design features can sustain constitutions even in the face of seemingly lethal crises.

Zachary Elkins is an Assistant Professor in the Department of Government at the University of Texas at Austin. Professor Elkins’s research focuses on issues of democracy, institutional reform, research methods, and national identity, with an emphasis on cases in Latin America. His work has appeared in leading journals such as the *American Political Science Review*, the *American Journal of Political Science*, and *International Organization*.

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To Jules, Amber, and Linh
Constitutions are made, not found. They do not fall miraculously from the sky or grow naturally on the vine. They are human creations, products of convention, choice, the specific history of a particular people, and (almost always) a political struggle in which some win and others lose. Indeed, in this vein one might even want to argue that our constitution is more something we do than something we make: we (re)shape it all the time through our collective activity.


A permanent constitution must be the work of quiet, leisure, much inquiry, and great deliberation.

– Thomas Jefferson to A. Coray (1823)

For if a constitution is to be permanent, all parts of the state must wish that it should exist and the same arrangements be maintained.

– Aristotle, *Politics* IX (350 B.C.E.)
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Preface

This book is the first from the Comparative Constitutions Project, a long-term research initiative we began several years ago with the goal of understanding the origins, characteristics, and consequences of written constitutions for most independent states. As part of this project, we have since identified and collected the texts of nearly all national constitutions from 1789 onward, and we are engaged in a systematic effort to code their contents along a wide range of dimensions. Readers interested in details of the project can find more information at www.comparativeconstitutionsproject.org. Logically prior to the collection of constitutional texts and a coding of their contents comes an accounting of when, exactly, the various documents came to exist and when they were replaced. This sort of census requires comprehensive historical information on the chronologies of national constitutions, including dates of birth, death, and amendment. In seeking genealogical data about, say, the whereabouts of the Ecuadorian constitution of 1830, we frequently came across veritable “obituaries” that reported the circumstances of death. It was not long before we were deeply engaged in questions of the mortality and endurance of these constitutions ourselves.

This book has its origins at the University of Illinois, where Elkins and Ginsburg were colleagues in the Political Science Department and the Law School, respectively, and where Melton received his doctorate. We are especially grateful to Peter Nardulli, Director of the Cline Center for Democracy at the University of Illinois, for his early and continuing support, friendship, and faith in our project, and to Richard Cline for his vision in endowing the Center and our efforts. Various other institutions have supported aspects of our project, and for that we thank Deans Heidi Hurd and Charles Tabb of the University of Illinois College of Law, Dean Saul Levmore of the University of Chicago Law School, Randy Diehl and Gary Freeman of the University...
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A new generation of Elkinses, Ginsburgs, and Meltons either came to be or passed major milestones during the process of writing this book. No doubt that they have left their mark on these pages somehow as well. Surely, our spouses – Jules, Amber, and Linh – have done so, through their patience, support, and sense of humor. To them, we give our deepest thanks and dedicate this book.