

Coups and Constitutional Change

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Abstract: Successful coup plotters come to power by disregarding the constraints of their country's constitution. Yet, 42% of them initiate the writing of a new constitution within three years after their coup. In this paper, we ask under which conditions coup-plotters are particularly likely to instigate a new constitution, whether coups staged by members of the military lead to constitutions different from those instigated by civilian plotters, and in what sense these constitutions can be distinguished from those that have emerged out of other contexts. To do so, we introduce five measures of constitutional characteristics that specifically relate to the allocation of political power. We find that military coup plotters are particularly likely to draw on constitutional assemblies in order to produce new constitutions and that constitutions created in the aftermath of a coup are particularly difficult to amend. Individual traits of the coup plotters, such as their (military or civil) rank or their age, are not significantly associated with the structure of the new constitutions. We also show that in most ways, constitutions written by coup plotters are similar to those of other autocracies except that they include more paragraphs without being longer. We argue that our findings can inform the ongoing debate about the characteristics of autocratic regime transitions and democratisation.