

Constitutions of Micro-States: Comparative Notes on Endurance and Rigidity

Introduction

Decades ago, in their landmark study of *Size and Democracy* (1973), Robert Dahl and Edward Tufte introduced a set of hypotheses to guide research on the importance and impact of differences between nations in terms of size. The many hypotheses were about various political system aspects like the extent of citizen participation, the maintenance of security and order, perceptions of loyalty and the common interest, the nature of rational behavior, and the control of leaders (Dahl & Tufte 1973: 12-16). Later empirical research has confirmed the validity of several of these and kindred assumptions – for instance, it is true that more than larger states, small states are conducive to democracy (e.g. Ott 2000; Srebrnik 2004; D. Anckar 2002, 2010a), it is true that size impacts on the degree of party fragmentation (C. Anckar 2000; Anckar & Anckar 2000), it is also true that size differences impact on regime choice (D. Anckar 2004 b) and on electoral system choice (e.g. Blais & Massicotte 1997: 113-114; Lundell 2005). This present study adds to this series of studies as it penetrates the question if small nations are different also in regards to the pursuit of constitutional politics; from this follows, in reverse, that the study also penetrates the question if small and larger states are in fact alike. Explorative in nature and guided by curiosity rather than reflected theoretical consideration, the study thus operates with and investigates two contrary assumptions and research questions, one that states that small nations behave alike and different from larger states, and one that states that small states behave in a similar manner as larger states. Or, in other words, the one assumption is that small nations pursue similar constitutional policies that differ from the policies of larger states and that smallness therefore makes a difference, the other is that small nations pursue similar policies as larger states and that smallness therefore does not make a difference.

Two aspects of constitution-making are observed and examined. The one is about constitutional endurance, the other is about constitutional rigidity. The first term, endurance, is about the life span of national constitutions, while the second term, rigidity, is about the difficulty of the constitutional amendment process. Given the intuitive expectation that low-rigidity countries engage in constitutional change to a larger extent than high-rigidity countries, the thought is of course near at hand that the

two aspects are closely intertwined and cannot really be separated. This is, however, not necessarily the case. One of many important findings in *The Endurance of National Constitutions* by Zachary Elkins, Tom Ginsburg and James Melton (2009), which is the landmark study in the field of constitutional endurance, is that the relation between rigidity and endurance, although positive, is anything but linear. And indeed, on reflection, contradictory results are not that surprising. It would seem that while rigidity notions are important for understanding amendment variation, they are less relevant when it comes to explaining total constitutional replacement; in fact, making amendment difficult could well over time promote a need for total replacement, rigidity then becoming an endurance-demolishing rather than an endurance-sustaining device. All in all, rigidity does not necessarily promote endurance, and the relation between these two constitutional characteristics does not follow from logic alone. They can and they should be examined separately, and the question to what extent they really are intertwined remains empirical in nature.

The study is comparative throughout. Two sets of comparisons are accomplished, which correspond in terms of design and ambition to the two above research questions. On the one hand, the small states that are studied here are compared internally, i.e. to each other. The aim of this comparison is to find out to what extent the small states form a homogeneous group, the members of which display similar patterns – if and when this is true, small size obviously commands an explanatory power in its own right. If, on the other hand, the comparison points at several and conspicuous differences within the group of small states, small size evidently stands outflanked by other factors and conditions. This does not necessarily imply, however, that small states and larger states are alike – although both groups may exhibit heterogeneity rather than homogeneity, they may still represent differing kinds and patterns of heterogeneity, like, for instance, when and if a majority of the small states represent a rigid view of constitutional amendment whereas a majority of the larger states prefer a flexible interpretation. The second comparison, which is between the group of small states and a selected group of other states, aims at charting the extent to which such differing outcomes still prevail between the two populations.

The study is divided into four sections. Following this introduction, a second section explains the operationalizations that come to use of smallness, endurance and rigidity; this section also gives some references to the main data sources of the research. A third section reviews the empirical and comparative findings, and a fourth section contains a summary and commentary.

Key concepts: operationalizations

Smallness is of course a quality that may be defined in many ways and by differing criteria (e.g. Maass 2009). Here, a standard political science operationalization comes to use that classifies as small polities so-called microstates, i.e. states with populations of one million or less. Derived from available population statistics, the classifications

here are based on the situation approximately in the year 2010 – of course, the number of microstates in total and in given size categories is to some extent time-dependent, the number changing over time in consequence of population growth and the eventual origin of new independent microstates (D. Anckar 2008). Data are retrieved from the Wikipedia listing List of Countries by Population. They show that there were in the year 2010 a total of 40 microstates; these states, listed below in Table 1, form the main population of this research. They include the case of Bhutan, for which quite differing population figures are reported in different sources. The figure that is used here (742 000) stems from the National Statistics Bureau in Bhutan. It should be noted in passing that the one million ceiling which is used here for the purpose of identifying microstates is arbitrary rather than rooted in empirical findings; for instance, research has suggested that the connection between small size and democracy tends to disappear when the population size threshold exceeds 500 000 (C. Anckar 2008; D. Anckar 2010a). Still, the use of the standard operationalization does not increase much the overall heterogeneity of the sample. In the population used here, the vast majority of the small states (75 %) are made up of entities with populations that fall short of a threshold of 500.000; of these 30 states no less than 19 are in a sub-100 000 category. Only six states have populations that exceed a ceiling of 700 000.

The data that are used to research constitutional endurance and constitutional rigidity are from the Constitutions of the Countries of the World, a series of updated constitutional texts by Oceana Publications (Flanz various years). The texts in the various releases of this collection are as a rule complemented by very useful introductory notes and commentaries that dwell upon the constitutional history and development of the country in question; however, all small nations are not treated in the same detailed manner. With one exception, San Marino, all 40 microstates have written constitutions that can be used as guidelines for the present research. The institutional framework of the Republic of San Marino is, however, laid down in a law of 1974 which can only be amended by a two-thirds majority in the San Marinese Parliament (Duursma 1994: 219). This law is used here as a substitute for a San Marino Constitution.

Endurance is usually measured in terms of the life-span in years of whole constitutions – a constitution that is introduced in 1980 and is replaced in 1995 by a new constitution is in consequence given an endurance score of 15 years. For instance, one important finding in the literature is that the average life span of constitutions in the world is 19 years (Elkins, Ginsburg & Melton 2009; Ginsburg 2011: 112). Here a variant of this method comes to use, as endurance is measured on the basis of the number of constitutions introduced in each country during the time span from independence up to the year 2010; since the countries have gained independence at somewhat differing points of time, the resulting figures are not comparable to a full extent and therefore evoke caution in interpretation (D. Anckar 2013a). The figures offer, however, suggestive evidence for an endurance capability. But still another essential caveat remains. Since a good deal indeed of constitutional renewal in different countries is made by means of amendments, i.e. partial changes to constitutional texts, the use of full-scale revisions only as endurance indicators is somewhat problematic from the point of view of validity. However, reflecting the need for more comparative

and advanced research on amendment politics (Dixon 2011: 106-108), worked-out methods for calculating the impact of amendments on endurance are still lacking (but see D. Anckar 2014a). Acknowledging this, the present research, somewhat reluctantly, becomes still an exercise in the method of measuring endurance by total revisions.

Finally, in regards to rigidity, a new method the outline and content of which was published only recently (D. Anckar 2013b), is applied to the various constitutions. They are measured for rigidity on a scale from 0 (no rigidity) to 9 points (high rigidity). The method cannot be dealt with and discussed here at any length; some brief annotations must suffice. First, constitutions are measured on the basis of prescribed majority thresholds for constitutional amendment, qualified majorities (two thirds and equivalents) authorizing two and supermajorities (three fourths and equivalents) authorizing three rigidity points. Second, constitutions are classified on the basis of involving in any form or not referendums in the amendment process, affirmative classifications authorizing two or three rigidity points, depending on whether simple or qualified referendum majorities are prescribed. Three, still more rigidity points are calculated on the basis of the extent to which the constitutions apply techniques for “repetition”, amendment proposals being considered by the same body in repeated sittings, or “broadenings”, proposals being considered by several executive and/or legislative institutions in joint or separate sittings. Finally, broadenings that imply that a decision by one body is remitted for acceptance to another body, as well as so-called “pre-final votes” (Lorenz 2005: 347) which do not relate to a final document but to the declaration of a need for amendment or to a first draft or similar likewise contribute to the pool of rigidity points.

Empirical findings

Table 1 lists the 40 microstates and reports for each state the number and adoption years of constitutions introduced in the time span from independence up to the year 2010. In a few cases, like Brunei, the constitution that came into force on independence was in fact an extension of an earlier constitution from the colonial era and therefore represents a higher degree of endurance than indicated by the independence year alone. As evident from the table, the constitutions represent a wide spreading along a time axis – some microstates have quite young constitutions, others quite old constitutions. Five countries were in 2010 governed through constitutions introduced in 2000 or at even later stages – among these countries are Bhutan which only in the year 2000 promulgated its first written constitution, and Vatican City, where Pope John Paul II in 2000 promulgated a Fundamental Law of Vatican City State which replaced the earlier Fundamental Law. On the other hand, another five countries still maintained in the year 2010 constitutions which were of the age of 50 years or more – among these countries are Luxembourg and Tonga which both still have constitutions that stem from the 19th century. In Tonga, significant pressure for fundamental constitutional changes has emanated since the 1990s, involving the outline in recent years of alternative

constitutions that represent blends of modernity and Tongan tradition; however, the attempts have for the time being commanded insufficient support (Campbell 2005). In the group of countries with old constitutions is also Iceland – however, preparations have recently been under way for a constitutional overhaul, which lately has met with even fierce opposition (Gylfason 2013). At the time of writing it still remains unclear if the attempt to draft and install a new constitution will be successful or not. Six constitutions are from the 1990s; eighteen, or close to half are from the time span 1970-1989; six are from the 1960s. In this last group is the diminutive island nation of Nauru, where a series of proposed and major changes to the 1968 constitution were put to the voters in 2010 in the first referendum in the history of the country. However, a clear majority of voters opposed the proposal.

TABLE 1. *Constitutional endurance in microstates: constitutions adopted during independence up to the year 2010.*

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| ONE CONSTITUTION: |
| Andorra (1993), Antigua-Barbuda (1981), Bahamas (1973), Barbados (1966), Belize (1981), Bhutan (2000), Brunei (1959), Cyprus (1960), Dominica (1978), Grenada (1973), Iceland (1944), Kiribati (1979), Liechtenstein (1921), Luxembourg (1868), Malta (1964), Marshall Islands (1979), Micronesia (1978), Nauru (1968), Palau (1979), St Kitts-Nevis (1983), St Lucia (1979), St Vincent and the Grenadines (1979), Samoa (1960), San Marino (1974), Solomon Islands (1978), Tonga (1875), Vanuatu (1980). |
| TWO CONSTITUTIONS: |
| Cape Verde (1980, 1992), Djibouti (1977, 1992), Guyana (1970, 1980), Monaco (1911, 1962), Montenegro (1992, 2007), Sao Tomé and Príncipe (1975, 1990), Suriname (1975, 1987), Tuvalu (1978, 1986), Vatican City (1929, 2000). |
| THREE CONSTITUTIONS: |
| Fiji (1970, 1990, 1997), Maldives (1968, 1998, 2008), Seychelles (1976, 1979, 1993). |
| >THREE CONSTITUTIONS: |
| Comoros (1978, 1992, 1996, 1999, 2001) |

What, then, do all these data imply in terms of endurance? Any answer to this question must of course depart from and rely upon some reasonable basis for classification; here, the fact that no less than two thirds, namely 27 out of 40 microstates, have adopted during their existence one constitution only, serves as basis for the conclusion that endurance is indeed a common characteristic of the constitutions of microstates. To phrase this differently: given the framework of this analysis, the endurance performance of the vast majority of the small states has been as good as it can possibly be. It would appear, therefore, that the small states are very much alike in terms of endurance and form a homogeneous group; this trait, then, creates a possible platform for the conclusion that size makes a difference as smallness indeed links to endurance. The

conclusion is further supported by the observation that most of the few states that make up the remaining third have adopted no more than two constitutions. Only a very small handful of cases have installed three or more constitutions; among these cases is notoriously unstable Comoros, which since independence in 1975 had already at the end of the 1990s experienced 18 coups or attempted coups (Thibaut 1999a: 243). Also among these cases is Fiji, tormented since the late 1980s by violent unrest and constitutional instability (e.g. Lawson 1996: 37-76; Lal 2007), and Seychelles, where a semi-presidential system of government, introduced at independence in 1976, was abandoned already in 1977 following a coup that installed a new Constitution and a socialist one-party regime, a political and constitutional return to multi-party politics taking effect in the early 1990s (Thibaut 1999b: 775-778).

Are, then, these figures and impressions in congruence or not with corresponding classifications of larger-sized countries? As a control group serves here a set of 85 countries that promulgated new constitutions during the decade 1990-1999; the countries have been listed in an available data source (Derbyshire & Derbyshire 1999: 12-13). However, the list in question has some minor defects (D. Anckar 2013a: 48-49) and also includes a handful of microstates. When the few shortcomings are corrected and the microstates stand removed, 76 cases remain. These cases are classified here for the present purposes as endurance or non-endurance cases, depending on whether or not the independence constitutions from the 1990s were still valid in 2010. The outcome from this calculation is that three quarters of the cases (76 %) are to be regarded as endurance cases. In other words, this classification of some 70 larger-than-microstates countries produces a pattern that is very similar to the one that emanates from the classification of 40 micro-states; this similarity, then, suggests that differences in size may perhaps be neglected. Small states are predominantly endurance cases, but so are also larger states.

However, this conclusion is premature. Of course, namely, one must consider that the two sets of units that have been singled out here for comparison are selected on the basis of somewhat differing criteria; furthermore, the endurance measures that have been applied to the two sets are not identical. The performance of the larger states has been examined for a period that at the most extends over 20 years (1990-2010); the smaller states, on the contrary, have had to endure a much more severe test of time, extending, for instance, in the case of Samoa over the years 1960-2010, in the case of Malta over the years 1964-2010, in the case of the Bahamas over the years 1973-2010, and in the case of Cape Verde over the years 1975-2010. Given the frame of the comparison, the challenges to the small states have been much more demanding than the corresponding challenges to the larger states; as the two groups have still performed about equally well, the resulting conclusion must come out in favor of the small states. It cannot be demonstrated, empirically, that the endurance input of the larger states has been less convincing and less impressive, but such a conclusion, tentative and suggestive as it may be, is still near at hand and almost suggests itself. The implication is that the outcomes from the comparison are dissimilar enough to merit the conclusion that differences in size do after all make a difference.

The observation that small states outflank larger states in terms of endurance performance of course brings up the question how to explain the microstate advantage. At this point one needs to re-introduce the fact, already hinted at in this essay, that small states are more than larger states conducive to democracy. Of course, all small nations are not democracies. Some are authoritarian, semi-authoritarian or even dictatorial – Brunei, Djibouti and Tonga may be given as examples (D. Anckar 2010b). Most small nations, however, maintain and operate democratic institutions and practices; this dividing line between small and larger states is clearly visible also in the materials at hand here. According to recent Freedom House data (2013), no less than 75 % of the small states that are examined here stand out as democracies (30 cases out of 40), the corresponding share of the larger states being 25 % only (19 cases out of 76). Small size definitely links to democracy, and this feature may in fact go a long way to explain the endurance strength of small states. “Regime stability, as measured by the duration of the present constitution and the number of constitutional changes, occurs *inter alia* among the democracies in the affluent world”, it is said in a book-length study of some 130 countries (Lane & Ersson 1994: 74), and indeed, as evident also from recent empirical research (D. Anckar 2014b), democracies are more than non-democracies and for a variety of reasons in the business of promoting and safe-guarding constitutional endurance. This being the case, the path from small size to endurance is of a particular nature. Smallness promotes democracy and democracy, in turn, promotes endurance. If this chain of reasoning is valid, it follows, then, that small nations foster endurance not because they are small, but because they are predominantly democracies. On the other hand, however, they are predominantly democracies because they are small. Or, to phrase this differently, smallness is an independent factor, endurance is a dependent factor, and democracy is the intervening mechanism that follows from small size and manipulates endurance.

So much for endurance. An analysis of the rigidity category now follows. To repeat, states are in this analysis classified on a rigidity scale that runs from 0 (no rigidity) to 9 (high rigidity). The outcome from this exercise is evident from Table 2, which again lists the micro-states and reports, for each state, the grade of that state on the scale in question. To increase the lucidity and transparency of the Table, arbitrary cutting points have been inserted; these points separate flexible amendment cases from low rigidity amendment cases, rigid amendment cases, and high rigidity amendment cases. The overall finding is one of concentration to middle categories – rather few states amend constitutions by means of flexible arrangements and there are, on the other hand, no cases of amendment by the highest points of the rigidity scale. When a distinction is made between, on the one hand, states that amend their constitutions by two-thirds parliamentary majorities or even more flexible arrangements (0-2 points), and, on the other hand, states that implement more rigid procedures, the outcome is that there are 16 cases (=40 %) in the first category as against 24 cases (=60 %) in the second category. Among the flexible amendment cases are the authoritarian systems of Brunei, Tonga and Vatican City which amend their constitutions by reference to the will of individual rulers; among the high rigidity cases is, to mention just two examples, the island state of St Vincent and the Grenadines, which stipulates that certain specified

bills to alter the constitution require a two-thirds parliamentary majority and must also be approved in a referendum, again with a two-thirds majority (Anckar & Karvonen 2002: 13), and the island state of Marshall Islands, where amendments require a two-thirds parliamentary majority and approval in referendum or, for entrenched issues, approval by a Constitutional Convention and in referendum by a two-thirds majority.

TABLE 2. *Constitutional rigidity in microstates: rigidity profiles.*

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| Flexible amendment; rigidity points 0-1,5: |
| Brunei (0), Vatican City (0), Iceland (1), Tonga (1,5) |
| Low rigidity amendment; rigidity points 2-2,5: |
| Belize (2), Cape Verde (2), Cyprus (2), Djibouti (2), Guyana (2), Luxembourg (2), Samoa (2), Sao Tomé and Príncipe (2), San Marino (2), Suriname (2), Tuvalu (2), Barbados (2,5) |
| Rigid amendment; rigidity points 3-3,5: |
| Dominica (3), Fiji (3), Micronesia (3), Monaco (3), Montenegro (3), Palau (3), St Lucia (3), Bhutan (3,5), Solomon Islands (3,5) |
| High rigidity amendment; rigidity points 4-5,5: |
| Andorra (4), Comoros (4), Grenada (4), Kiribati (4), Malta (4), Vanuatu (4), Liechtenstein (4,5), Marshall Islands (4,5), Antigua-Barbuda (5), Maldives (5), Nauru (5), St Kitts-Nevis (5), St Vincent and the Grenadines (5), Seychelles (5), Bahamas (5,5), |

Again, are these findings in congruence or not with corresponding classifications of larger-sized countries? The answer is given in Table 3, which reports the outcome from a comparison between the rigidity profiles of the 40 microstates on the one hand, and the same set of larger states that was used before. Unlike the previous comparison of endurance profiles, this comparison is unaffected by time dimension issues, and is therefore more accessible in terms of interpretation. As evident from the Table, the rigidity profiles show similarities as well as dissimilarities. The flexible amendment method is equally rare among larger states as among small states, and the rigid amendment method category is likewise equally well represented in the two groups of states. Differences come to the fore, however, in regards to low rigidity amendment as well as high rigidity amendment – whereas large states make more frequent use of the first category, small states prefer the second category. In short, size makes a difference: smallness promotes rigidity.

Again, why is this? Why a link between small size and high rigidity, what conditions and circumstances serve to steer small states more than larger states in the direction of difficult amendment? Derived from previous research, one possible answer to these questions focuses on electoral system choice and the very fact that plurality and majority electoral systems are clearly better represented in the small states community than in the polity community at large. As evident from an available mapping of electoral system choice in the world during the period 1945-2003, plurality and majority systems like the

single-member plurality, block vote and two-ballot majority formulas were applied in a scanty majority of countries, whereas the remaining countries made use of proportional and mixed systems, like the list PR, the mixed-corrective and the mixed-superposition formulas (Lundell 2005: 48-51). When these categories and classifications are applied to the microstate universe that is researched here, the application being based on the same available data set (Lundell 2005: 249-254), the outcome is now that 63 % or close to two thirds of the microstates have installed plurality and majority systems, the single-member plurality formula being the most popular choice. In other words, adding larger-than-microstates cases to the group of microstates decreases the share of plural and majority formulas. Importantly, this microstate interest in plurality elections follows largely from the fact that many small states are former British colonies – more than half (22 out of 40) of the small states in this investigation are in that category. These states have adopted, through mechanisms of diffusion, the electoral method as well as other politico-constitutional arrangements of the metropolitan power – calculations show that no less than 78 % of the former British colonies inherited at independence the plurality election formula (Lundell 2005: 174-175).

TABLE 3. *Constitutional rigidity: microstates compared to larger states.*

| | Microstates (N=40) | Larger States (N=76) |
|-------------------------|--------------------|----------------------|
| Flexible Amendment | 10 % | 7 % |
| Low Rigidity Amendment | 30 % | 49 % |
| Rigid Amendment | 23 % | 22 % |
| High Rigidity Amendment | 37 % | 22 % |
| Total | 100 % | 100 % |

And why, then, should one expect plurality system countries to be particularly inclined to apply rigid amendment? In his landmark study of Patterns of Democracy Arend Lijphart delivered one key answer to this question. Discussing specifically the case of Barbados, Lijphart noted that in parliaments elected by plurality large majorities often represent smaller popular majorities and sometimes even merely a popular majority. Since such large parliamentary majorities are often single-party majorities, it follows that majorities that are large enough to force through constitutional change in fact may represent rather narrow political interests. Indeed, in his study Lijphart made the observation that while two-thirds majorities are required for amending the constitution of Barbados, in three of seven elections since 1966 such large one-party majorities were manufactured from between 50 and 60 % of the popular votes (1999: 219-220). The lesson to be learned is that supermajorities are less constraining in plurality systems than in proportional systems, and that plurality systems may therefore be assumed having internalized a need to ward off sudden constitutional replacement by means of high amendment thresholds. Lijphart furnished future research with a hypothesis of that content (1999: 220); the hypothesis has later been repeatedly confirmed in empirical research (D. Anckar 2004a, 2012). Summing up now the argument from

this section: smallness promotes diffusion; diffusion promotes in the British heritage dominated small states universe the adoption of a plurality electoral system; such a system necessitates rigid amendment. In short: smallness advances rigidity.

Closing

On the very first page of their before-mentioned treatise on *Size and Democracy* Dahl and Tufte posed the question if differences in population or in other dimensions of size really are of any importance (1973: 1). While the obvious general answer to the question is that size differences sometimes make a difference and sometimes not, the specific aim of this study was to find out and describe patterns of microstate management of constitutional affairs. Two expectations, both reasonable, functioned as points of departure – microstates either follow a pattern of their own, a pattern dictated by smallness, or microstates perform pretty much as larger states, disclosing the same kind of heterogeneity and the same sensibility in constitutional politics to background factors other than smallness. The overall result, perhaps unsurprisingly, is that both expectations have proven valid, although one is left with the general impression that smallness actually counts for quite a lot. This impression follows from the fact that the constitutions of small states, apparently, have a better endurance record than larger states, as well as sustain, definitely, more rigid amendment policies than larger states. Both characteristics may be given interpretations as consequences albeit not direct consequences of smallness, the transmitting mechanisms being about democracy and diffusion. On the one hand, so the reasoning has gone here, smallness breeds democracy and democracy, in turn, breeds endurance; small states are therefore endurance cases. On the other hand, smallness breeds diffusion, diffusion breeds plurality election systems and such systems breed rigidity.

While the above lines give a concise summation of the findings in this chapter that relate to the guiding research question, one remaining issue needs to be briefly addressed in this closing section. This issue concerns the relation between the two dependent variables in the research at hand, namely endurance and rigidity. Returning now to reflections in the introductory section of the chapter, the relation between the two concepts is anything but obvious and indisputable. The intuitive expectation would be that rigidity is an endurance-sustaining rather than an endurance-demolishing device, but findings remain undecided, some noting and others failing to note a correlation. Reviewing the capacity of several rigidity conceptions to explain amendment variation, Astrid Lorenz makes the observation that the conceptions produce “strikingly different results” (2005: 339); in consequence, she poses the question if the pro-intuitive effect of institutional rigidity has been overestimated, and she states that it is a challenge to the further debate on constitutional politics to solve this puzzle (2005: 355). This study, of course, does not solve the puzzle, but comes out, for what it is worth, as supportive of the thesis that rigidity advances endurance. This is fairly evident from a few simple calculations, based on the findings that have been given earlier in this presentation.

If endurance positions are dichotomized, those small states being classified as endurance cases which have introduced one constitution only and those being classified as non-endurance cases which have introduced more than one constitution, and if rigidity positions are likewise dichotomized, those small states representing high rigidity that score 4 or more rigidity points and those representing low rigidity that score less than 4 points, the outcome forms a pattern which is in part distinct and in part indistinct. On the one hand, of 15 high rigidity cases a vast majority of 12 are endurance cases whereas a small minority of 3 are non-endurance cases; in other words, high rigidity spells endurance. On the other hand, of 25 low rigidity cases a small majority of 15 are endurance cases whereas a large minority of 10 are non-endurance cases; in other words, low rigidity links to endurance as well as non-endurance. Obviously, then, a threshold value is operative, that makes rigidity count only when and if high levels of rigidity are involved. It is worth noting, though, that the pattern remains much the same if the high-rigidity criterion is somewhat relaxed to discriminate between cases of 3 or more rigidity points and cases of less than 3 points. The outcome is now that of 27 high rigidity cases a majority of 18 represent endurance and a minority of 9 cases represents non-endurance, whereas of 13 low rigidity cases 6 represent endurance and 7 represent non-endurance. Also worth noting is that there are little grounds to justify the perhaps emerging idea that the link between rigidity and endurance is really a reflection of a link between democracy and endurance, democracy then promoting endurance as well as rigidity. Besides being difficult to defend on theoretical grounds alone, the idea appears also to be empirically false. The proportion in the democratic microstate group between rigid and less rigid amendment cases (12 as against 18) is exactly the same as in the non-democratic microstate group (3 as against 7), this meaning, then, that degrees of rigidity remain largely unaffected by democracy variation.

References

- Anckar, C. (2000). Size and party system fragmentation. *Party Politics* 6(3): 305-328.
- Anckar, C. (2008). Size, islandness and democracy: A global comparison. *International Political Science Review* 29(4): 433-459.
- Anckar, D. (2002). Why are small island states democracies? *The Round Table* (91)365: 375-390.
- Anckar, D. (2004a). Författningsändring och problemlösning: En studie av kvalificerade majoriteter i 34 stater. *Politiikka* 46(4): 239-249.
- Anckar, D. (2004b). Regime choices in microstates: the cultural constraint. *Commonwealth and Comparative Politics* 42(2): 206-223.
- Anckar, D. (2008). Microstate democracy revisited: developments in time and space. *The Open Political Science Journal* 1(1): 75-83.
- Anckar, D. (2010a). Small is democratic, but who is small? *Arts and Social Sciences Journal* 2010: ASSJ-2: 1-10.
- Anckar, D. (2010b). Undemocratic miniatures: cases and patterns. *International Journal of Politics and Good Governance* 1(1.2): 1-22.
- Anckar, D. (2012). Constitutional amendment methods in twenty-one small island democracies. *Island Studies Journal* 7(2): 259-270.
- Anckar, D. (2013a). Constitutional endurance: lessons from 83 cases. *International Journal of Politics and Law Research* 1(4): 48-54.
- Anckar, D. (2013b). Hur kan konstitutionell rigiditet mätas? *Politiikka* 55(3): 168-179.
- Anckar, D. (2014a). *Hur kan konstitutionell uthållighet mätas?* Manuscript. Department of Political Science, Åbo Akademi University (forthcoming).
- Anckar, D. (2014b). Notes on constitutional endurance. *Beijing Law Review* 5(1). Published Online March 2014, SciRes.
- Anckar, D. & Anckar, C. (2000). Democracies without parties. *Comparative Political Studies* 33(2): 225-247.

- Ankar, D. & Karvonen, L. (2002). Constitutional amendment methods in the democracies of the world. Paper to the 13th Nordic Political Science Congress. Denmark: Aalborg.
- Blais, A. & Massicotte, L. (1997). Electoral formulas: A macroscopic perspective. *European Journal of Political Research* 33(1): 107-129.
- Campbell, I. (2005). The quest for constitutional reform in Tonga. *The Journal of Pacific History* 40(1): 91-104.
- Dahl, R. A. & Tufte, E. (1973). *Size and democracy*. Stanford: Stanford University Press.
- Derbyshire, J. D. & Derbyshire, I. D. (1999). *Political systems of the world*. Oxford: Helicon Publishing.
- Dixon, R. (2011). Constitutional amendment rules. A comparative perspective. In T. Ginsburg & R. Dixon (eds), *Comparative constitutional law*. Northampton: Edward Elgar, 104-108.
- Duursma, J. (1994). *Self-determination, statehood and international relations of micro-states*. Leyden: University of Leyden.
- Elkins, Z., Ginsburg, T. & Melton, J. (2009). *The endurance of national constitutions*. New York: Cambridge University Press.
- Flanz, G. H. (ed.) (various years). *Constitutions of the countries of the world*. New York: Oceana Publications.
- Freedom in the World 2013. Retrieved from: www.freedomhouse.org/
- Ginsburg, T. (2011). Constitutional endurance. In T. Ginsburg & R. Dixon (eds), *Comparative constitutional law*. Northampton: Edward Elgar, 112-125.
- Gylfason, T. (2013). Democracy on Ice: A Post-Mortem of the Icelandic Constitution. Retrieved from: <http://www.opendemocracy.net/can-europe-make-it/thorvaldur-gylfason/demo>.
- Lal, B. V. (2007). Anxiety, uncertainty and fear in our Land: Fiji's road to military coup, 2006. *The Round Table: The Commonwealth Journal of International Affairs* 96(389): 135-153.
- Lane, J-E. & Ersson, S. (1994). *Comparative politics. An introduction and new approach*. Cambridge: Polity Press.

- Lawson, S. (1996). *Tradition versus democracy in the South Pacific: Fiji, Tonga and Western Samoa*. Cambridge: Cambridge University Press.
- Lijphart, A. (1999). *Patterns of democracy. Government forms and performance in thirty-six countries*. New Haven CT: Yale University Press.
- Lorenz, A. (2005). How to measure constitutional rigidity. *Journal of Theoretical Politics* 17(3): 339-361.
- Lundell, K. (2005). *Contextual determinants of electoral system choice*. Åbo: Åbo Akademi University Press.
- Maass, M. (2009). The elusive definition of the small state. *International Politics* 46(1): 65-83.
- Ott, D. (2000). *Small is democratic: An examination of state size and democratic development*. New York: Garland.
- Srebrnik, H. (2004). Small island nations and democratic values. *World Development* 32(4): 329-341.
- Thibaut, B. (1999a). Comoros. In D. Nohlen, M. Krennerich & B. Thibaut (eds), *Elections in Africa. A Data Handbook*. Oxford: Oxford University Press, 243-258.
- Thibaut, B. (1999b). Seychelles. In D. Nohlen, M. Krennerich & B. Thibaut (eds), *Elections in Africa. A Data Handbook*. Oxford: Oxford University Press, 775-788.
- Wikipedia: List of countries by population. Retrieved from: http://en.wikipedia.org/wiki/List_of_countries_by_population.