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# **The Nation-State Foundations of Constitutional Compliance**

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# **The Nation-State Foundations of Constitutional Compliance**

## **Abstract**

We bring attention to a previously overlooked determinant of de jure-de facto constitutional gaps: a polity's transition to a nation-state. We argue that nation-statehood, predicated on the formation of a strong sense of national identity, lowers the government's incentive to violate constitutional provisions. To test our theory, we use a recently released longitudinal database on constitutional compliance and exploit variation in the timing of countries' attainment of nation-statehood. Our empirical findings substantiate our hypothesis. Based on our preferred estimation approach, nation-statehood bolsters both overall constitutional compliance and constitutional compliance within the subdomains of basic rights, civil rights, and property rights & the rule of law. The estimated long-run effects of nation-statehood on constitutional compliance are considerable in size. Our analysis, thus, illuminates the foundational role of nation-statehood in fostering constitutional compliance.

Keywords: constitutional compliance, de jure-de facto gap, nation-state, national identity, statehood.

JEL Classifications: D02, D72, K10, K42, P51, Z13.

## 1. Introduction

Constitutions often make promises that are not delivered in practice (see, e.g., Law and Versteeg, 2013; Chilton and Versteeg, 2020). At the same time, institutions – humanly devised constraints, such as property rights – are supposedly a key determinant of long-run economic growth (Acemoglu and Robinson, 2012; Spolaore and Wacziarg, 2020). Yet the factors impacting whether a constitutional text is complied with have for a long time received little attention (Voigt, 2021). Certainly, until recently, a key reason for the relative absence of analyses exploring the causes and consequences of constitutional compliance was the lack of systematic data about the phenomenon. However, the recently introduced Comparative Constitutional Compliance Database (CCCD) by Gutmann et al. (2023d) now provides this important information publicly. Thus, scholars have begun to systematically examine the determinants – and so far only to a limited extent the effects – of the de jure-de facto constitutional gaps.

The emerging body of research utilizing the CCCD indicates that constitutional compliance is shaped by a variety of concurrent and historical factors. These include the replacement of constitutions (Gutmann et al. 2023b), threat of sanctions for constitutional violations (Gutmann et al., 2023d), personal traits of political leaders (Gutmann et al., 2023c), incidence of extreme events (Choutagunta et al., 2023), historical experience with representative assemblies (Bologna Pavlik and Young, 2023), political polarization (Lewkowicz et al., 2023), political influence of populist parties (Gutmann and Rode, 2023), strength of civil society (Lewkowicz and Lewczuk, 2023), and prevailing cultural norms (Gutmann et al., 2023a). But constitutional compliance is a complex phenomenon and, as such, remains incompletely understood despite recent progress (see, e.g., Voigt, 2021).

In this paper, we advance the emerging literature on constitutional compliance by arguing conceptually and demonstrating empirically that one central, but thus far overlooked, determinant of the commonly observed gap between constitutional texts and constitutional reality is a country's status as a nation-state. Our analysis is the first to illuminate the nation-statehood based foundations of constitutional compliance. It is related to Gutmann et al.'s (2023a) investigation demonstrating that a country's national culture, such as the levels of individualism and power distance, has a long-run effect on constitutional compliance. The study perhaps closest to our analysis is Bologna Pavlik and Young's (2023), who show that present-day constitutional

compliance is influenced by the population's experience with historical representative assemblies. Bologna Pavlik and Young's argument, however, revolves around representative assemblies laying the cultural seeds for limited government and constitutionalism, whereas our argument focuses on the role of a national identity in overcoming the citizens' collective action problem vis-à-vis government actors who violate the social contract.

Given the ubiquity of nation-states today, it is sometimes forgotten that nation-states began to replace dynastic monarchies, theocracies, and colonial empires only in the last two centuries (Wimmer and Feinstein, 2010).<sup>1</sup> In nation-states, the legitimacy of rule over a territory stems from the existence of a core community of equal citizens who identify themselves as a nation, possibly multiethnic and multireligious (Wimmer and Min, 2006). Nation-states are therefore "states of and for particular nations" (Brubaker, 1996: 79), even though not all nation-states are democratic (Wimmer and Feinstein, 2010).

Bridging the scholarship on constitutional compliance on the one side and that on nation-state formation on the other side, we theorize that nation-statehood, predicated on the existence of a strong sense of national identity, can fundamentally impact the extent of constitutional compliance of a country's government. To test our hypothesis, we use data from the CCCD and exploit the variation across countries in the timing of attainment of nation-statehood, as documented by Wimmer and Feinstein (2010).

We proceed as follows. In Section 2, we develop a conceptual framework, clarifying why and how nation-state creation might have a lasting effect on constitutional compliance. Section 3 introduces our data. In Section 4, we outline our empirical approach. Section 5 presents our results before the final section concludes.

## **2. Theory and hypothesis**

To theorize about the role of nation-statehood for constitutional compliance, we build on the conceptual framework developed by Voigt (2021). The framework describes the degree of a government's constitutional compliance as the outcome of the government's incentives which are in turn critically shaped by the actions of veto players (e.g., legislators and judges), citizens, and

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<sup>1</sup> Some view the establishment of the English Commonwealth in 1649 as the earliest instance of nation-state creation (Feinstein, 2023).

even foreign actors. In choosing whether to comply with the constitution's provisions, the government weighs the benefits and costs from renegeing while subject to two types of constraints: those outlined by the features of constitutional design (e.g., content and structure of the constitution) and, importantly, those defined by a multitude of contextual factors such as constitutional history, geography, and shared norms.

We argue that one hitherto overlooked but highly relevant contextual factor that could significantly affect constitutional compliance in a given polity is that polity's transition towards a nation-state, i.e., an independent state ruled in the name of a nation of equal citizens. As a relatively recent social construct, the nation-state has proliferated only over the past two hundred years (Wimmer and Feinstein, 2010), replacing in most parts of the world the rule by kings, theocrats, and imperial elites. Typically, the sovereignty of a nationally defined community of equal citizens, the crux of a nation-state, is expressed in a written constitution. However, not all nation-states have a written constitution (e.g., the United Kingdom). Moreover, as we clarify in Section 3, there existed and continue to exist states that have a written constitution while still falling short of being fully formed nation-states.

Conceptually, there exist several reasons why attaining fully fledged nation-statehood can decrease the government's expected net benefit from violating constitutional provisions, thereby bolstering constitutional compliance. First and foremost, a polity's attainment of nation-state status implies the existence of a strong sense of national identity which fosters social cohesion and promotes stability (e.g., Anderson, 1983; Gellner, 1983; Smith, 1991; Dimitrova-Grajzl et al., 2016). In a nation-state, common values become better defined and more widely known, resulting in an alignment between the constitution and the citizens' values. Diverse citizen groups are thus more likely to accept the legitimacy of the constitution as a reflection of their shared values, viewing the constitution as a binding social contract.<sup>2</sup> In other words, they exhibit constitutional

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<sup>2</sup> The described sense of national identity is an individual trait shared by citizens. As such, it is fully consistent with methodological individualism, an important premise of the public choice and constitutional political economy approach (e.g., Van den Hauwe, 1999). See Akerlof and Kranton (2000) for theory and evidence on the general importance of group identity for individual decision-making and Grajzl et al. (2018) for a setting where national identity is a source of intrinsic utility for individuals.

loyalty, implying a willingness to uphold the constitution irrespective of the specific provisions it includes (Gutmann et al., 2022).

As a consequence, nation-statehood is bound to mitigate the collective action problems that arise when individual non-state actors and civil society organizations need to decide whether to hold the government to account following constitutional transgressions; this, in turn, raises the expected costs from renegeing on constitutional promises in the first place (Weingast 1997; Gutmann et al., 2021). At the same time, with greater stability, political stakes are inherently lower. Government actors thus face lower expected benefits from the violation of constitutional principles (Lewkowicz et al., 2023).

Second, nation-statehood may promote constitutional compliance via shaping the basic design features of a polity's constitution. Because the emergence of a nation-state is often preceded by violent struggles for independence (e.g., Hobsbawm, 1990), which induces a sense of unity and urgency, transition to nation-statehood may be accompanied by a relative consolidation of political power in the polity. Attainment of nation-state status can therefore conceivably lead to comparatively lax substantive constitutional constraints that, all else equal, lower the government's incentive to engage in constitutional violations (Voigt, 2021: 1783).

Third, nation-statehood entails not only internal but also external sovereignty (Wimmer and Feinstein, 2010). Once a polity gains recognition as a sovereign nation-state, ratification of international treaties can provide a compelling source of the government's credible commitment to adhere to international norms. This can, in turn, further enhance constitutional compliance (Voigt, 2021: 1789).

At the same time, there is also the possibility that nation-statehood could hurt constitutional compliance, if nation-states define their national identity in exclusionary terms, emphasizing the dominance of some ethnic, religious, or cultural group over others (e.g., Horowitz, 2000; Hutchinson and Smith, 1994). Predicated on such exclusionary nationalism, nation-statehood could actually lower the government's expected net costs from constitutional transgression, thereby incentivizing constitutional noncompliance. Overall, however, we expect the importance of constitutional compliance-promoting factors to outweigh the relevance of constitutional compliance-hindering factors.



We, thus, hypothesize that nation-statehood improves constitutional compliance. In what follows, we test if this hypothesis is borne out by the data.<sup>3</sup>

### **3. Data**

#### *3.1. Constitutional compliance*

The source of our data on constitutional compliance is the novel Comparative Constitutional Compliance Database (CCCD) by Gutmann et al. (2023d). The CCCD combines information on 14 types of de jure constitutional rules with data on their de facto implementation. The resulting information on de jure-de facto gaps is then aggregated into four distinct constitutional subdomains as well as into a single overall indicator, thereby creating the most comprehensive database to date on constitutional compliance. Version 2.0 of the CCCD covers 168 countries over the period 1900 to 2020.

We use five outcome variables, all available in the CCCD. The first is the overall measure of constitutional compliance.<sup>4</sup> The remaining four outcome variables are measures of constitutional compliance within each of the four individual constitutional subdomains as defined by Gutmann et al. (2023d): basic rights, civil rights, political rights, and property rights & the rule of law.<sup>5</sup> In the CCCD, each variable is normalized to have a mean of zero and a standard deviation of one, with higher values indicating more constitutional compliance.

#### *3.2. Timing of nation-statehood*

The source of our data on the timing of countries' nation-statehood is Wimmer and Feinstein (2010; henceforth WF). Examining the historical transformation of territories from 1816 onwards, WF evaluate competing theories of the key drivers of nation-state formation. To this end, WF code the timing of a nation-state's creation as the year "when sovereignty shifted from kings, emperors, or theocrats to the nation" (Wimmer and Feinstein, 2010: 773). Sovereignty implied by nation-statehood has both a domestic and an external component. Domestic sovereignty is based on the

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<sup>3</sup> Of course, even within each of the groups of nation-states and non-nation-states there may exist considerable heterogeneity that we do not strive to unpack. In our analysis, we are only interested in assessing the average effect of nation-statehood on constitutional compliance while controlling for the pertinent polity-specific differences.

<sup>4</sup> In the CCCD, the corresponding variable is named `cc_total`.

<sup>5</sup> See Blume and Voigt (2007) for an empirical derivation of these categories.

recognition of a “nationally defined community of equal citizens as the political (and moral) foundation of the state”, which in turn foresees “some institutional representation of this community (not necessarily a freely elected parliament)” (ibid.). Externally, national sovereignty entails “control over foreign policy decisions that affect the nation, and it stands in opposition to foreign rule” (ibid.).

As stressed by WF, the sovereignty underpinning nation-statehood is typically achieved through a written constitution. More generally, however, the mere existence of a written constitution is neither a necessary nor a sufficient condition for nation-statehood. The United Kingdom, for example, famously has no written constitution but possesses a long history of nation-statehood. Israel has also been a nation-state for 75 years and has not yet passed a formalized written constitution. Of course, a territory or polity may have already adopted elements of a written constitution without having achieved the degree of internal or external sovereignty required for full-fledged nation-statehood. South Africa, for example, was governed by a written constitution already during the apartheid era, when racial segregation of citizens was legally entrenched. But in that era, the country clearly fell short of being a nation-state, instead achieving nation-statehood only following the formal dissolution of apartheid in 1994 (Wimmer and Feinstein, 2010: Appendix). Similarly, a number of Middle Eastern kingdoms today have a written constitution but have not (yet) experienced a transition to nation-statehood. As we clarify below, we explore the variation in nation-state status within countries over time to ascertain the role of nation-statehood for constitutional compliance.

Importantly, the concept of nation-statehood utilized here differs markedly from the notion of state antiquity referred to in a related strand of literature (see, e.g., Bockstette et al., 2002; Hariri, 2012). While the latter emphasizes a polity’s historical experience with state-level institutions, the former is rooted in a solidified sense of national identity. In typical historical settings, the transition to nation-statehood would have directly contributed to and aided the functioning of state-level institutions.

### *3.3. The dataset*

We use a time-varying nation-state dummy defined based on each country’s first experience with nation-statehood as ascertained by WF. Thus-defined dummy equals one in the year of transition to nation-statehood and in subsequent years. Merging this nation-statehood indicator

with the CCCD yields our final dataset, an unbalanced panel of 145 countries that, depending on the outcome variable under consideration, together contribute between 9,025 and 9,233 country-year observations. Table A1 in the Appendix provides a list of all countries included in our analysis and the WF-coded year of their first attained nation-state status.

The dataset covers the time period from 1900 until 2020, but it is limited to country-years with a written constitution in place. During this time, 90 countries transitioned to nation-state status. We observe constitutional compliance both prior to and after a country attained nation-statehood for a subset of those countries, with the number of observations on constitutional compliance available varying depending on the proximity to the transition event.<sup>6</sup> Six countries, all in the Middle East, never transition to full nation-statehood as defined by WF (these are Bahrain, Kuwait, Libya, Oman, Saudi Arabia, and the United Arab Emirates).<sup>7</sup>

----- [Table 1 about here] -----

Table 1 reports summary statistics for the constitutional compliance variables and the nation-state dummy. The unit of observation is a country in a given year. The mean values and standard deviations of the constitutional compliance variables are very close to the CCCD-wide normalized mean of zero and standard deviation of one. This is an indication that the subsample of the CCCD that we use for our analysis is broadly representative of the full CCCD. Based on the mean value of the nation-state dummy, 93 percent of the country-year observations in our sample pertain to polities with a nation-state status.

## 4. Methods

### 4.1. Preliminaries

A polity's nation-state status is arguably not exogenous to that polity's institutional outcomes, including constitutional compliance. As a consequence, a mere comparison of average constitutional compliance for polities with and without nation-state status based on pooled cross-section time-series data would not provide a strong test of our hypothesis. For this reason, we instead exploit the time variation in countries' nation-statehood status. Specifically, we first

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<sup>6</sup> For example, ten years before transition to nation-statehood, we observe constitutional compliance for 9 countries, while one year before transition to nation-statehood, we observe constitutional compliance for 22 countries.

<sup>7</sup> This claim remains valid even post-Arab Spring.

ascertain the average constitutional compliance in each year prior to and after attained nation-statehood for the subset of countries that achieve nation-statehood at some point during the time period covered by our data. For each of the corresponding calendar years, we then calculate the average constitutional compliance for the subset of countries that have never attained nation-statehood. Finally, we compute the difference in average constitutional compliance between nation-statehood attainers and non-attainers for each year before and after the nation-statehood attainers' transition to nation-statehood.

----- [Figure 1 about here] -----

Figure 1 illustrates the resulting patterns, revealing two key stylized facts. First, quite strikingly, constitutional compliance of nation-statehood attainers relative to non-attainers drops considerably prior to achieved nation-statehood. This suggests that the timing of nation-statehood in a given polity may be shaped by the polity's recent (lack of) constitutional compliance. This pattern is similar to Gutmann et al.'s (2023b) result that constitutional compliance is unusually low before constitutions are replaced. Low constitutional compliance might, thus, be an important trigger of institutional reforms. As we clarify below, this important stylized fact directly motivates our empirical strategy for assessing the impact of nation-statehood on constitutional compliance. And second, with the exception of political rights (Figure 1d), constitutional compliance of nation-statehood attainers relative to non-attainers tends to increase after achieving nation-statehood. Figure 1, therefore, provides preliminary evidence in favor of our hypothesis. Since Figure 1 is descriptive in nature, we next resort to regression models to tease out a more precise estimate of the effect of nation-statehood on constitutional compliance.

#### *4.2. Empirical model*

As evidenced by Figure 1, the attainment of nation-statehood is preceded by a pronounced dip in constitutional compliance relative to non-attainers. This pattern invalidates the parallel-trends assumption that underlies the difference-in-differences estimators commonly applied to staggered-treatment settings such as ours. Furthermore, constitutional compliance is bound to exhibit considerable persistence. Failure to account for past constitutional compliance when estimating

the effect of nation-statehood on constitutional compliance would therefore result in biased estimates.<sup>8</sup>

We thus posit the following dynamic regression model specification:

$$CC_{ct}^d = \beta^d NS_{ct} + \sum_{k=1}^s \rho_k^d CC_{c,t-k}^d + \mu_c + \lambda_t + \varepsilon_{ct}^d. \quad (1)$$

In expression (1), the subscript  $c$  denotes country and  $t$  year. The superscript  $d$  indexes the constitutional domain: overall, basic rights, civil rights, political rights, and property rights & the rule of law.  $CC_{ct}^d$  is our CCCD-based measure of constitutional compliance in domain  $d$  for country  $c$  in year  $t$ .  $NS_{ct}$  is the nation-statehood dummy equal to one if country  $c$  is a nation-state in year  $t$ , and zero otherwise. For reasons emphasized above, we include among the explanatory variables lags of the outcome variable,  $CC_{c,t-k}^d$ ,  $k \geq 1$ . Upon estimating models with varying lag lengths, we settled on the model with four lags.<sup>9</sup> We thus present the results for  $s = 4$ .

The country fixed effect,  $\mu_c$ , absorbs any time-invariant country-specific factors that may affect constitutional compliance and, at the same time, potentially shape a polity's acquisition of nation-statehood status. These include historical institutional legacies, such as experience with representative assemblies (Bologna Pavlik and Young, 2023), state institutions (Bockstette et al., 2002), institutional transplantation (Voigt, 2021) and struggle for independence, as well as deep-rooted cultural values as reflected in a territory's ethnic and religious roots, dominant family structure, and even innate loyalty to the constitution (see, e.g., Gutmann et al. 2022, 2023a). In contrast, the year fixed effect,  $\lambda_t$ , controls for year-specific global economic and political circumstances (e.g., global recessions and world wars) that may influence constitutional compliance and affect all countries. The error term  $\varepsilon_{ct}^d$  captures all remaining time-varying unobservable shocks that impact country  $c$ 's constitutional compliance in domain  $d$  in year  $t$ .

We view nation-statehood as a fundamental institutional determinant of constitutional compliance. To ascertain the impact of nation-statehood, on the right-hand-side of expression (1) we thus purposefully do not include, for example, measures of economic performance,

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<sup>8</sup> Acemoglu et al. (2019) encounter an exactly analogous problem in estimating the impact of democracy on per capita output.

<sup>9</sup> In all specifications, an F-test rejects the null hypothesis that the coefficients on the first to fourth lag of the dependent variable are jointly equal to zero.

international trade, level of democracy, political polarization, constitutional system, cultural beliefs, ethnic or linguistic fractionalization, and de jure constitutional constraints. While these variables may be correlated with a country's constitutional compliance, each of these variables is itself plausibly shaped by a country's status as a nation-state. The inclusion of such variables as controls would thus not allow for correctly assessing the effect of nation-statehood on constitutional compliance.<sup>10</sup>

In expression (1), the coefficient of interest is  $\beta^d$ , capturing the immediate effect of nation-statehood on constitutional compliance in domain  $d$ . In addition, for each estimate of  $\beta^d$ , we compute the implied long-run impact of nation-statehood. We let  $t = \infty$  in (1) and then calculate

$$\frac{\hat{\beta}^d}{1 - \sum_{k=1}^4 \hat{\rho}_k^d}, \quad (2)$$

where  $\hat{\beta}^d$  and  $\hat{\rho}_k^d$  are the estimated coefficients from (1) for  $s = 4$ .<sup>11</sup>

#### 4.3. Estimation and inference

We estimate model (1) using three different approaches. We first apply OLS estimation equation by equation, that is for constitutional compliance in each constitutional domain  $d$  separately. This is the standard fixed effects-within estimator.

When examining constitutional compliance with respect to particular constitutional domains (as opposed to overall constitutional compliance), we also estimate model (1) using a system-based approach. For any given country in a specific year, shocks affecting constitutional compliance will plausibly impact the country's constitutional compliance in all constitutional domains. Thus, the error terms  $\varepsilon_{ct}^d$  for the four constitutional subdomains will be contemporaneously correlated, with the corresponding equations forming a system of seemingly unrelated regressions (SUR; see Zellner, 1962). We estimate the system's parameters applying feasible generalized least squares (FGLS; see, e.g., Cameron and Trivedi, 2005: 209).<sup>12</sup> In settings

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<sup>10</sup> See Cinelli et al. (2022) for an illustration of overcontrol bias.

<sup>11</sup> The Phillips-Perron test rejects the null hypothesis that all panels contain unit roots for each of the five considered outcome variables.

<sup>12</sup> This entails stacking the observations for each equation, one per each of the four constitutional domains, and then stacking the four equations. In the first step, OLS is applied equation by equation to obtain the regression residuals.

such as ours, where different equations (one per each constitutional subdomain) feature different regressors, the SUR-FGLS estimation strategy in general improves estimator efficiency by explicitly incorporating into the model's estimation the cross-equation correlation of error terms.

Within-estimates of dynamic panel models such as (1) are biased, even if the order of the asymptotic bias decreases with panel length (Nickell, 1981; Alvarez and Arellano, 2003). As our final and preferred approach, we therefore estimate model (1) using the general method of moments instrumental-variable (GMM-IV) approach. We first-difference expression (1) to eliminate country fixed effects:

$$\Delta CC_{ct}^d = \beta \Delta NS_{ct} + \sum_{k=1}^s \rho_k^d \Delta CC_{c,t-k}^d + \Delta \lambda_t + \Delta \varepsilon_{ct}^d. \quad (3)$$

In (3),  $\Delta CC_{c,t-1}^d$  is correlated with  $\Delta \varepsilon_{ct}^d$  via (1), and therefore endogenous.<sup>13</sup> Moreover, if a country's propensity to attain nation-statehood reflects the country's past and current constitutional compliance, then  $\Delta NS_{ct}$  is also correlated with  $\Delta \varepsilon_{ct}^d$ . However,  $CC_{ct}^d$  and  $NS_{ct}$  are uncorrelated with future realizations of the error term and are thus sequentially exogenous. Given that  $CC_{c,t-2}^d$ ,  $NS_{c,t-2}$ , and further lags of these variables are uncorrelated with  $\Delta \varepsilon_{ct}^d$ , they constitute valid instruments.

We use the system GMM estimator (Arellano and Bover, 1995; Blundell and Bond, 1998), which combines in a system the regression in first differences (expression (3)) with the regression in levels (not shown) to improve efficiency. The instruments for the regression in levels are the differences of the corresponding variables. To mitigate any bias due to the resulting instrument proliferation, we collapse the instrument set whenever feasible (Roodman, 2009). In the GMM-IV approach, instrument relevance is predicated on the notion that the past is a good predictor of the future. Instrument exogeneity rests on assumptions of strict or sequential exogeneity of regressors and absence of serial correlation in the error term.

Unobservables affecting constitutional compliance in any given domain will tend to be correlated within countries over time. Throughout the analysis, we thus base statistical inference on standard errors clustered at the country level. In the context of the SUR-FGLS approach,

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In the second step, these residuals are used to estimate the full variance-covariance matrix of the system, embedding the estimated variance-covariance matrix into a standard generalized-least-squares approach.

<sup>13</sup> In contrast,  $\Delta CC_{c,t-2}^d$ ,  $\Delta CC_{c,t-3}^d$ , and  $\Delta CC_{c,t-4}^d$  (for  $s = 4$ ) are predetermined in (3) and thus uncorrelated with  $\Delta \varepsilon_{ct}^d$ .

combining FGLS estimation with clustering is especially beneficial because it guards against model misspecification that can arise in the implementation of the FGLS method alone (Cameron and Miller, 2015).

## 5. Results

### 5.1. Baseline estimates

In Tables 2 to 6, columns (1)-(4) present OLS estimation results for different model specifications. Column (1) in each table shows the estimates based on a static model specification without fixed effects, revealing a strong positive correlation between nation-statehood and constitutional compliance across all constitutional domains. Column (2) shows the estimates when we switch to a dynamic model specification by controlling for lagged constitutional compliance. Irrespective of the constitutional domain, the inclusion of lags of the dependent variable greatly decreases the magnitude of the estimated coefficient on the nation-state dummy. The estimated coefficient on the first lag of constitutional compliance is statistically significant and large, an indication that constitutional compliance exhibits much persistence. The inclusion of lags of constitutional compliance, unsurprisingly, also greatly increases model fit. Accounting for the dynamics of constitutional compliance when assessing the impact of nation-statehood on constitutional compliance is therefore not only warranted on conceptual grounds, as discussed in Section 3, but also quantitatively important.

----- [Tables 2-6 about here] -----

Column (3) in Tables 2 to 6 presents the estimates when we additionally control for year fixed effects in the dynamic model specification. As a result, the coefficient on the nation-state dummy becomes statistically insignificant for constitutional compliance in the domain of political rights (see Table 5). In contrast, the estimates of the focal coefficient for overall constitutional compliance (see Table 2) and constitutional compliance in the other subdomains (Tables 3, 4, and 6) are only marginally affected. Finally, column (4) shows the results when we add country fixed effects to the dynamic model specification with already included year fixed effects. The focal coefficient remains statistically significant (at ten percent using a one-sided test) for the subdomain of property rights & the rule of law (Table 6).



The SUR-FGLS estimates for the specification with year and country fixed effects are shown in column (5) in Tables 3 to 6. The effect of nation-statehood on constitutional compliance is now statistically significant in the domains of basic rights (Table 3, at ten percent using a one-sided test) and property rights & the rule of law (Table 6, at ten percent using a two-sided test).

OLS and SUR-FGLS estimates, however, fail to address the endogeneity bias that arises as a result of the inclusion of lagged dependent variables in the presence of country fixed effects. Thus, we turn next to the estimates generated based on our preferred estimation approach, GMM-IV.

## 5.2. *Main estimates*

In our main GMM-IV specification, we address the endogeneity bias stemming from the combination of lagged dependent variable and country fixed effects. Thus, in the first-differences equation (see Section 4.3), we instrument the differenced lagged dependent variable with the second lag of the dependent variable. Conditional on included controls, however, we view the nation-state dummy as strictly exogenous.

Table 7 shows the corresponding results. Echoing our hypothesis articulated in Section 2, the estimates reveal statistically significant effects of nation-statehood on both overall constitutional compliance (column (1)) and constitutional compliance within each constitutional domain (columns (2) to (5)).

----- [Table 7 about here] -----

The implied effects are quantitatively nonnegligible, especially in the long run. In the short run, nation-statehood increases constitutional compliance by between 1.6 percent (column (4), political rights) and 3.4 percent (column (5), property rights & the rule of law) of the dependent variable's standard deviation. Accounting for the dynamics of constitutional compliance, however, increases the size of the estimated effects considerably. Thus, the long-run effect of nation-statehood ranges between half a standard deviation (column (3), political rights) and more than 1.5 standard deviations of the respective dependent variable (columns (1) and (5), overall and property rights & the rule of law). The tests of serial correlation of residuals and over-identifying restrictions support the validity of our instrumental-variable strategy. In sum, the estimates presented in Table 7 support our hypothesis on the importance of nation-statehood for constitutional compliance.

## 5.3. *Further Estimates*

Table 8 shows further GMM-IV estimates based on a specification where we view the nation-state dummy as sequentially (as opposed to strictly) exogenous (see Section 4.3). In the first-differences equation, we thus instrument not only for the differenced lagged dependent variable, as we do when generating the results in Table 7, but also for the differenced nation-state dummy (we use the second and further lags). We emphasize that this is a demanding specification given the available data at hand. Nevertheless, the results are qualitatively congruent with those presented in Table 7, albeit less statistically significant. The effect on constitutional compliance in the domain of property rights & the rule of law remains statistically significant at conventional significance levels using a two-sided test. The effects on overall constitutional compliance, as well as on constitutional compliance in the domains of basic rights and civil rights, remain statistically significant using a one-sided test. The effects on constitutional compliance in the domain of political rights are no longer statistically significant.

----- [Table 8 about here] -----

The implied magnitudes of the estimated short run effects of nation-statehood in Table 8 are several-fold larger than those in Tables 2 to 7, giving rise to implausibly large estimates of long-run effects. We offer two conceivable explanations for this discrepancy. One is a possible problem with weak instruments.<sup>14</sup> Another is that our instruments are capturing some unobserved aspects of nation-statehood that also affect constitutional compliance, a conjecture that resonates with the rejection of the null hypothesis in the test of overidentifying restrictions for some of the specifications (columns (1) and (4)). As such, the estimates in Table 8 should be interpreted with caution. Overall, however, the estimates in Table 8 continue to lend support to our hypothesis.

#### *5.4. Robustness*

The precise timing of attained nation-statehood is admittedly difficult to ascertain. To the extent that the WF coding of the year of achieved nation-statehood entails a random measurement error, our estimates of the effect of nation-statehood on constitutional compliance are downward

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<sup>14</sup> See Kraay (2015) for a general discussion of the problem of weak instruments when applying the system GMM approach. The very exercise in this subsection shows that our qualitative results are robust to alternative instrumentation strategies.

biased. That is, the actual positive effect of nation-statehood on constitutional compliance is even larger than implied by our estimates reported in Tables 2-7.

We also examined the robustness of our results to alternative dates of attained nation-statehood for a subset of countries. Scholars in the field of nationalism might contend that the WF coding is dating the year of achieved nation-statehood too late for some polities and too early for others.<sup>15</sup> We therefore re-estimated our main specifications using two alternative definitions of the nation-state dummy. In one, a subset of countries was assumed to have attained nation-statehood earlier than posited by WF, while in the other, a subset of countries was assumed to have attained nation-statehood later than posited by WF.<sup>16</sup> None of our qualitative findings were affected as a consequence and even the point estimates of the effect of nation-statehood on constitutional compliance remained very similar to those reported in Section 5.2.

### *5.5. Probing a Mechanism*

Why exactly does nation-statehood foster constitutional compliance? Here, we explore the relevance of one possible mechanism. According to this account, the attainment of nation-statehood shapes the substantive nature of constitutional constraints, which in turn affect the extent of constitutional compliance (see Section 2).

We posit and estimate the following models:<sup>17</sup>

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<sup>15</sup> A reviewer of an earlier draft of our paper noted, for example, that Ghana could be viewed as having attained nation-statehood only in 1979 (rather than 1957, as coded by WF) and Denmark only in 1864 (rather than 1849). Similarly, Norway could be viewed as having attained nation-state status already in 1857 (rather than 1905) and Sweden in 1809 (rather than 1866). Future research awaits the systematic re-assessment of the WF coding, an endeavor we did not undertake.

<sup>16</sup> Detailed results are available upon request.

<sup>17</sup> See Acemoglu et al. (2019: Sec. VI) for an analogous approach to eliciting mechanisms. Importantly, the Gutmann et al. (2023d) constitutional compliance indicators measure compliance for each country with respect to a country-specific standard defined by the country's own constitutional provisions. As such, the construction of the Gutmann et al. (2023d) compliance measures is only minimally affected by the extensiveness of constitutional protections. Therefore, even if we find empirical evidence in favor of the candidate mechanism, there should exist a further mechanism that explains the uncovered effect of nation-statehood on constitutional compliance and is independent of any effect arising via substantive constitutional constraints alone.

$$DJ_{ct}^d = \beta^d NS_{ct} + \sum_{k=1}^s \eta_k^d DJ_{c,t-k}^d + \sum_{k=1}^s \rho_k^d CC_{c,t-k}^d + \mu_c + \lambda_t + \varepsilon_{ct}^d, \quad (4)$$

where  $DJ_{ct}^d$  is a count measure of de jure constitutional rights in domain  $d$  for country  $c$  in year  $t$ . (See Table 1 for descriptive statistics.) All other terms in expression (4) are defined as in expression (1). In addition to controlling for the dip in constitutional compliance that precedes a transition to nation-statehood (see Section 4.1), the inclusion of the lags of the applicable constitutional compliance measure on the right-hand side of expression (4) helps remove any confounding effect of past constitutional compliance on de jure constitutional rights.

All else equal, a greater number of de jure constitutional rights amounts to tighter constitutional constraints on the government. In order for the nature of constitutional constraints to serve as a persuasive mechanism for our finding of a positive effect of nation-statehood on constitutional compliance, we would expect the sign of the estimate of the focal coefficient  $\beta^d$  in expression (4) to be negative. We, however, do not find such evidence.

----- [Table 9 about here] -----

Table 9 summarizes our empirical results, generated using OLS and GMM-IV estimation methods exactly analogous to those used to obtain the results in Tables 2-7. The estimates of the focal coefficient are in fact positive and, with the exception of one instance, never statistically significantly different from zero. We therefore do not find evidence in favor of a story that nation-statehood impacts constitutional compliance via shaping substantive constitutional features. Our findings align more closely with the interpretation that nation-statehood encourages constitutional compliance directly. Because attainment of nation-statehood alleviates collective action problems among citizens, it enhances their ability to hold governments accountable for constitutional infringements.

## 6. Conclusion

We have argued conceptually that a country's status as a nation-state constitutes one potentially important, but so far unexplored, factor fostering constitutional compliance. Drawing on the recently introduced Comparative Constitutional Compliance Database (CCCD; Gutmann et al., 2023d) and exploiting the cross-country variation in the timing of attainment of nation-statehood, we have then demonstrated empirically that constitutional compliance is indeed positively related to a country's status as a nation-state. According to the results from a range of different estimation

approaches, nation-statehood is positively associated with constitutional compliance, especially in the subdomains of basic rights and property rights & the rule of law.

In contrast, nation-statehood is the least clearly associated with enhanced constitutional compliance in the domain of political rights. Perhaps possible downsides of nation-statehood attributable to exclusionary nationalism are most evidently featured precisely in this constitutional subdomain, where the contestation of political control naturally manifests itself most prominently. As we have argued above, nation-states can come with different political systems and when they are not organized as liberal democracies, a majority of the citizenry might tolerate, or even outright demand, violations of rights of minority groups.

The implied long-run positive effect of nation-statehood on constitutional compliance is considerable. Based on our preferred estimates and depending on the constitutional domain, nation-statehood is associated with an increase in the extent of constitutional compliance amounting to between more than one standard deviation (basic rights and civil rights) and more than one-and-a-half standard deviations (property rights & the rule of law and constitutional compliance overall) of the applicable constitutional compliance measure. Our paper, therefore, highlights the nation-statehood based foundations of constitutional compliance.

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Table 1: Summary statistics

Variable	Mean	S.D.	Min.	Max.	Obs.
CC overall	-0.056	0.995	-1.862	1.972	9,233
CC basic rights	-0.066	0.997	-1.989	1.588	9,233
CC civil rights	-0.048	1.007	-1.671	1.399	9,205
CC political rights	-0.027	1.002	-1.407	1.812	9,025
CC property rights & the rule of law	-0.051	0.988	-1.410	2.013	9,200
Nation-state	0.931	0.253	0	1	9,233
DJ overall	9.333	3.404	0	14	9,233
DJ basic rights	1.435	1.114	0	3	9,233
DJ civil rights	3.129	1.164	0	4	9,233
DJ political rights	2.052	0.903	0	3	9,233
DJ property rights & the rule of law	2.717	1.023	0	4	9,233

Notes: Summary statistics based on country-years as the units of observation. The constitutional compliance (CC) variables are defined in Gutmann et al. (2023d). In the CCCD, each CC variable is normalized to have a mean of zero and a standard deviation of one. Nation-state is a dummy variable equal to one in the year of nation-state creation (as defined by Wimmer and Feinstein, 2010) and in subsequent years, and zero otherwise. The variation in the number of observations across the CC variables is a consequence of Gutmann et al.'s (2023c) methodology and data availability. The de jure (DJ) rights variables match the corresponding CC variables by domain and are constructed from the data available in the CCCD.

Table 2: OLS estimates, overall constitutional compliance

Dependent variable: CC overall				
	(1)	(2)	(3)	(4)
Nation-state	0.643*** (0.117)	0.020*** (0.005)	0.019*** (0.005)	0.019 (0.023)
1 <sup>st</sup> lag of dep. var.		1.031*** (0.022)	1.020*** (0.022)	0.993*** (0.022)
2 <sup>nd</sup> lag of dep. var.		-0.028 (0.030)	-0.026 (0.029)	-0.026 (0.029)
3 <sup>rd</sup> lag of dep. var.		-0.032 (0.021)	-0.031 (0.021)	-0.031 (0.021)
4 <sup>th</sup> lag of dep. var.		0.016 (0.013)	0.023* (0.013)	0.013 (0.014)
Year FE	No	No	Yes	Yes
Country FE	No	No	No	Yes
R-squared	0.0268	0.9710	0.9717	0.9725
Observations	9,233	8,239	8,239	8,239
Long-run effect		0.690	0.514	0.297

Notes: The table reports OLS coefficient estimates with heteroskedasticity-robust standard errors clustered at the country level in parentheses. The dependent variable is CC overall. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test. The long-run effect is computed according to expression (2).

Table 3: OLS and SUR-FGLS estimates, constitutional compliance–basic rights

Dependent variable: CC basic rights					
Estimation method:	OLS (1)	OLS (2)	OLS (3)	OLS (4)	SUR-FGLS (5)
Nation-state	0.713*** (0.142)	0.032*** (0.008)	0.029*** (0.008)	0.035 (0.031)	0.049+ (0.034)
1 <sup>st</sup> lag of dep. Var.		0.906*** (0.028)	0.902*** (0.028)	0.873*** (0.028)	0.852*** (0.026)
2 <sup>nd</sup> lag of dep. Var.		0.049 (0.031)	0.051 (0.031)	0.047 (0.031)	0.051* (0.029)
3 <sup>rd</sup> lag of dep. Var.		-0.008 (0.032)	-0.009 (0.032)	-0.010 (0.031)	-0.003 (0.029)
4 <sup>th</sup> lag of dep. Var.		0.024 (0.024)	0.024 (0.023)	0.005 (0.023)	0.005 (0.021)
Year FE	No	No	Yes	Yes	Yes
Country FE	No	No	No	Yes	Yes
R-squared	0.0321	0.9307	0.9316	0.9336	0.9322
Observations	9,205	8,239	8,239	8,239	8,025
Long-run effect		1.103	0.906	0.412	0.516

Notes: Columns (1)-(4) report OLS coefficient estimates. Column (5) reports SUR-FGLS estimates, with the estimates for the remaining equations shown in Column (5) of Tables 4 to 6. Heteroskedasticity-robust standard errors clustered at the country level are in parentheses. The dependent variable is CC basic rights. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test. + denotes a p-value smaller than 0.10 using a one-sided test. The long-run effect is computed according to expression (2).

Table 4: OLS and SUR-FGLS estimates, constitutional compliance–civil rights

Dependent variable: CC civil rights					
Estimation method:	OLS	OLS	OLS	OLS	SUR-FGLS
	(1)	(2)	(3)	(4)	(5)
Nation-state	0.265** (0.126)	0.021*** (0.006)	0.020*** (0.007)	-0.013 (0.024)	-0.006 (0.026)
1 <sup>st</sup> lag of dep. var.		0.978*** (0.023)	0.969*** (0.023)	0.937*** (0.023)	0.896*** (0.022)
2 <sup>nd</sup> lag of dep. var.		-0.019 (0.029)	-0.018 (0.029)	-0.021 (0.028)	-0.007 (0.027)
3 <sup>rd</sup> lag of dep. var.		0.002 (0.018)	0.004 (0.019)	0.003 (0.019)	0.018 (0.018)
4 <sup>th</sup> lag of dep. var.		0.019 (0.013)	0.025* (0.013)	0.011 (0.013)	0.012 (0.013)
Year FE	No	No	Yes	Yes	Yes
Country FE	No	No	No	Yes	Yes
R squared	0.0035	0.9538	0.9550	0.9564	0.9555
Observations	9,025	8,211	8,211	8,211	8,025
Long-run effect		1.050	1.000	-0.186	-0.074

Notes: Columns (1)–(4) report OLS coefficient estimates. Column (5) reports SUR-FGLS estimates, with the estimates for the remaining equations shown in Column (5) of Tables 3, 5, and 6. Heteroskedasticity-robust standard errors clustered at the country level are in parentheses. The dependent variable is CC civil rights. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test. + denotes a p-value smaller than 0.10 using a one-sided test. The long-run effect is computed according to expression (2).

Table 5: OLS and SUR-FGLS estimates, constitutional compliance–political rights

Dependent variable: CC political rights					
Estimation method:	OLS (1)	OLS (2)	OLS (3)	OLS (4)	SUR-FGLS (6)
Nation-state	0.536*** (0.123)	0.016** (0.007)	0.011 (0.007)	-0.001 (0.028)	-0.008 (0.030)
1 <sup>st</sup> lag of dep. var.		0.907*** (0.025)	0.896*** (0.026)	0.868*** (0.026)	0.836*** (0.026)
2 <sup>nd</sup> lag of dep. var.		0.028 (0.037)	0.032 (0.038)	0.029 (0.037)	0.036 (0.035)
3 <sup>rd</sup> lag of dep. var.		0.023 (0.030)	0.021 (0.030)	0.018 (0.030)	0.025 (0.028)
4 <sup>th</sup> lag of dep. var.		0.016 (0.018)	0.023 (0.018)	0.010 (0.018)	0.013 (0.018)
Year FE	No	No	Yes	Yes	Yes
Country FE	No	No	No	Yes	Yes
R squared	0.0181	0.9405	0.9421	0.9437	0.9434
Observations	9,200	8,051	8,051	8,051	8,025
Long-run effect		0.615	0.393	-0.013	-0.089

Notes: Columns (1)-(4) report OLS coefficient estimates. Column (5) reports SUR-FGLS estimates, with the estimates for the remaining equations shown in Column (5) of Tables 3, 4, and 6. Heteroskedasticity-robust standard errors clustered at the country level are in parentheses. The dependent variable is CC political rights. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test. + denotes a p-value smaller than 0.10 using a one-sided test. The long-run effect is computed according to expression (2).

Table 6: OLS and SUR-FGLS estimates, constitutional compliance–property rights &amp; the rule of law

Dependent variable: CC property rights & the rule of law					
Estimation method:	OLS	OLS	OLS	OLS	SUR-FGLS
	(1)	(2)	(3)	(4)	(5)
Nation-state	0.390*** (0.138)	0.023*** (0.005)	0.019*** (0.005)	0.041+ (0.029)	0.068* (0.032)
1 <sup>st</sup> lag of dep. var.		0.937*** (0.025)	0.934*** (0.025)	0.905*** (0.025)	0.871*** (0.025)
2 <sup>nd</sup> lag of dep. var.		0.046 (0.043)	0.045 (0.042)	0.043 (0.042)	0.058 (0.041)
3 <sup>rd</sup> lag of dep. var.		-0.051 (0.036)	-0.049 (0.035)	-0.051 (0.035)	-0.044 (0.032)
4 <sup>th</sup> lag of dep. var.		0.053** (0.021)	0.055** (0.021)	0.043** (0.022)	0.044** (0.021)
Year FE	No	No	Yes	Yes	Yes
Country FE	No	No	No	Yes	Yes
R squared	0.0181	0.9617	0.9622	0.9633	0.9630
Observations	9,200	8,206	8,206	8,206	8,025
Long-run effect		1.533	1.267	0.683	0.958

Notes: Columns (1)–(4) report OLS coefficient estimates. Column (5) reports SUR-FGLS estimates, with the estimates for the remaining equations shown in Column (5) of Tables 3 to 5. Heteroskedasticity-robust standard errors clustered at the country level are in parentheses. The dependent variable is CC property rights & the rule of law. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test. + denotes a p-value smaller than 0.10 using a one-sided test. The long-run effect is computed according to expression (2).

Table 7: Main GMM-IV estimates

	Dependent variable:				
	CC overall (1)	CC basic rights (2)	CC civil rights (3)	CC political rights (4)	CC prop. rights & rule of law (5)
Nation-state	0.025*** (0.009)	0.034*** (0.011)	0.027*** (0.009)	0.016+ (0.012)	0.026*** (0.010)
1 <sup>st</sup> lag of dep. var.	1.020*** (0.021)	0.902*** (0.028)	0.969*** (0.023)	0.895*** (0.025)	0.933*** (0.025)
2 <sup>nd</sup> lag of dep. var.	-0.027 (0.029)	0.052* (0.029)	-0.021 (0.028)	0.033 (0.037)	0.044 (0.042)
3 <sup>rd</sup> lag of dep. var.	-0.031 (0.023)	-0.003 (0.034)	0.008 (0.019)	0.023 (0.032)	-0.051 (0.036)
4 <sup>th</sup> lag of dep. var.	0.023 (0.016)	0.017 (0.029)	0.023* (0.013)	0.019 (0.021)	0.057** (0.023)
Year FE	Yes	Yes	Yes	Yes	Yes
Country FE	Yes	Yes	Yes	Yes	Yes
Observations	8,239	8,239	8,211	8,051	8,206
Long-run effect	1.667	1.063	1.286	0.533	1.529
Serial corr. test (p-value)	0.893	0.600	0.421	0.832	0.504
Overid test (p-value)	0.899	0.767	0.689	0.127	0.221

Notes: System GMM-IV coefficient estimates with heteroskedasticity-robust standard errors clustered at the country level in parentheses. For each specification in Columns (1)-(5), the instruments set for the first differences equation is based on the second lag of the dependent variable, differenced year dummies, and the differenced second to fourth lag of the dependent variable; and for the levels equation on differenced lagged dependent variable, second to fourth lag of the dependent variable, and year dummies. The null hypothesis for the overidentification test is that the instruments are not correlated with residuals. The null hypothesis for the serial correlation test is that the errors in the first-difference regression exhibit no second-order autocorrelation. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test. + denotes a p-value smaller than 0.10 using a one-sided test. The long-run effect is computed according to expression (2).



Table 8: Further GMM-IV estimates

	Dependent variable:				
	CC overall (1)	CC basic rights (2)	CC civil rights (3)	CC political rights (4)	CC prop. rights & rule of law (5)
Nation-state	0.615 <sup>+</sup> (0.388)	0.823 <sup>+</sup> (0.585)	0.684 <sup>+</sup> (0.446)	0.382 (0.443)	0.574* (0.303)
1 <sup>st</sup> lag of dep. var.	1.000*** (0.026)	0.885*** (0.032)	0.951*** (0.028)	0.893*** (0.026)	0.918*** (0.028)
2 <sup>nd</sup> lag of dep. var.	-0.026 (0.028)	0.049* (0.029)	-0.023 (0.028)	0.033 (0.037)	0.044 (0.042)
3 <sup>rd</sup> lag of dep. var.	-0.031 (0.023)	-0.005 (0.033)	0.006 (0.018)	0.023 (0.031)	-0.051 (0.036)
4 <sup>th</sup> lag of dep. var.	0.019 (0.016)	0.012 (0.029)	0.015 (0.013)	0.020 (0.021)	0.056 (0.023)
Year FE	Yes	Yes	Yes	Yes	Yes
Country FE	Yes	Yes	Yes	Yes	Yes
Observations	8,239	8,239	8,211	8,051	8,206
Long-run effect	16.2	13.9	13.4	12.3	17.4
Serial corr. test (p-value)	0.324	0.210	0.739	0.597	0.545
Overid test (p-value)	0.047	0.058	0.711	0.040	0.239

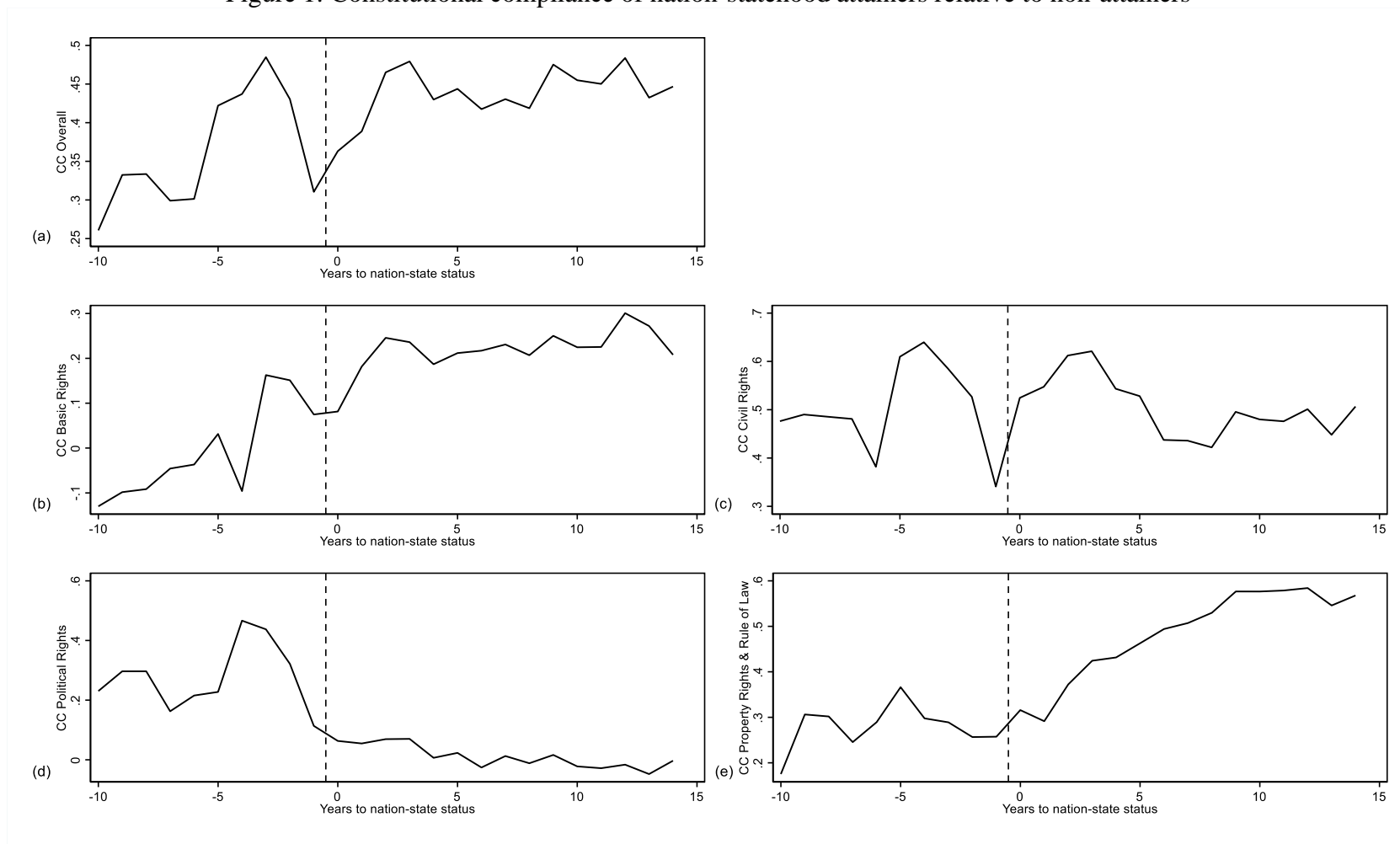
Notes: System GMM-IV coefficient estimates with heteroskedasticity-robust standard errors clustered at the country level in parentheses. For each specification in Columns (1)-(5), the instruments set for the first differences equation is based on the second lag of the dependent variable, second and further lags of nation-state, differenced year dummies, and the differenced second to fourth lag of the dependent variable; and for the levels equation on differenced lagged nation-state, differenced lagged dependent variable, second to fourth lag of the dependent variable, and year dummies. The null hypothesis for the overidentification test is that the instruments are not correlated with residuals. The null hypothesis for the serial correlation test is that the errors in the first-difference regression exhibit no second-order autocorrelation. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test. + denotes a p-value smaller than 0.10 using a one-sided test. Long-run effect is computed according to expression (2).

Table 9: Summary of estimates of the coefficient on the nation-state dummy

Dependent variable	Estimation approach:	
	(1) OLS	(2) GMM-IV
De jure rights overall	0.196* (0.112)	0.074 (0.057)
De jure basic rights	0.020 (0.019)	0.007 (0.014)
De jure civil rights	0.060 (0.037)	0.023 (0.021)
De jure political rights	0.039 (0.026)	0.026 (0.019)
De jure prop. rights & rule of law	0.049 (0.032)	0.017 (0.010)

Notes: The table summarizes the estimates of the coefficient on the nation-state dummy for model (4), where the dependent variable is a measure of de jure rights in a particular domain. Column (1) shows the OLS estimates. Column (2) shows the GMM-IV estimates based on an analogous approach as that used to generate the results in Table 7. All estimated models include country and year fixed effects as well as lags of variables as specified in expression (4). Heteroskedasticity-robust standard errors clustered at the country level in parentheses. \*\*\*, \*\*, and \* denote a p-value smaller than 0.01, 0.05, and 0.10, respectively, using a two-sided test.

Figure 1: Constitutional compliance of nation-statehood attainers relative to non-attainers



Notes: The figure plots the mean values of overall constitutional compliance (part a) and constitutional compliance in specific domains (parts b to e) for nation-statehood attainers in the years prior to and after attaining nation-statehood, relative to countries that never attain nation-statehood and for which constitutional compliance is measured in the same calendar years.

## Appendix

Table A1: Included countries with Wimmer and Feinstein's (2010) year of nation-state creation

Country	Year of nation-state creation
Afghanistan	1964
Algeria	1963
Angola	1975
Argentina	1824
Armenia	1918
Australia	1948
Austria	1918
Azerbaijan	1917
Bahrain	
Bangladesh	1972
Belarus	1991
Belgium	1831
Benin	1960
Bhutan	1998
Bolivia	1825
Bosnia and Herzegovina	1921
Botswana	1966
Brazil	1889
Bulgaria	1879
Burkina Faso	1960
Burundi	1962
Cambodia	1953
Cameroon	1960
Canada	1867
Central African Republic	1960
Chad	1960
Chile	1828
China	1911
Colombia	1821
Congo	1960
Congo, Democratic Republic	1960
Costa Rica	1823
Cote d'Ivoire	1960
Croatia	1921
Cuba	1902
Cyprus	1960
Czech Republic	1918
Denmark	1849
Dominican Republic	1844
Ecuador	1821
Egypt	1923
El Salvador	1823
Eritrea	1993
Estonia	1918
Ethiopia	1974
Finland	1917
Gabon	1960
Gambia	1965
Georgia	1918
Germany	1871
Ghana	1957
Greece	1844
Guatemala	1823
Guinea	1958
Guinea-Bissau	1974
Guyana	1970
Honduras	1823
Hungary	1918
India	1947
Indonesia	1950
Iran	1906
Iraq	1932
Ireland	1931
Israel	1948

Country	Year of nation-state creation
Italy	1861
Japan	1868
Jordan	1946
Kazakhstan	1991
Kenya	1963
Korea, North	1948
Korea, South	1948
Kuwait	
Kyrgyzstan	1991
Laos	1954
Latvia	1918
Lesotho	1966
Liberia	1944
Libya	
Lithuania	1918
Madagascar	1960
Malawi	1964
Malaysia	1957
Mali	1960
Mauritania	1960
Mauritius	1968
Mexico	1824
Moldova	1991
Mongolia	1924
Morocco	1996
Mozambique	1975
Myanmar	1948
Nepal	1990
Netherlands	1848
New Zealand	1907
Nicaragua	1823
Niger	1960
Nigeria	1960
North Macedonia	1921
Norway	1905
Oman	
Pakistan	1947
Panama	1821
Papua New Guinea	1975
Peru	1824
Philippines	1946
Poland	1921
Portugal	1822
Qatar	1971
Romania	1878
Russia	1905
Rwanda	1962
Saudi Arabia	
Senegal	1960
Serbia	1878
Sierra Leone	1961
Slovakia	1918
Slovenia	1921
Somalia	1960
South Africa	1994
Spain	1820
Sri Lanka	1948
Sudan	1956
Suriname	1975
Sweden	1866
Switzerland	1848
Syria	1946
Taiwan	1949
Tajikistan	1991
Tanzania	1961
Thailand	1932
Togo	1960
Tunisia	1956
Turkey	1924

Country	Year of nation-state creation
Turkmenistan	1992
Uganda	1962
Ukraine	1918
United Arab Emirates	
United States	1868
Uruguay	1830
Uzbekistan	1991
Venezuela	1821
Vietnam	1954
Yemen	1962
Zambia	1964
Zimbabwe	1980