Democratic Failure in Various Forms of Democracy

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Democratic Failure in
Various Forms of Democracy

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Abstract

Democratic Failure is a problem which has plagued democratic states since their earliest instances, and increasingly is a problem in the world today. Accordingly, a question to ask is, “Are certain forms of democracy more likely to experience democratic failure than others?” The correlation between democratic failure and a state’s executive institutional structure has been researched extensively, while the correlation between a state’s legal tradition and democratic failure has been studied far less. This thesis attempts to confirm the conventional wisdom that certain democratic institutional structures are more likely to fail, and attempts to find out whether certain legal traditions are more highly correlated with democratic failure. This is done through examining states during the post World War II era to find whether Presidential, Parliamentary, or Semi-Presidential systems are more likely to experience democratic failure, and whether Common Law or Civil Law legal traditions are more likely to experience failure. Ultimately, this thesis does confirm the conventional wisdom concerning democratic failure and institutional structures, although not as obviously as is commonly assumed. Also, this thesis does provide data to answer the question of whether higher levels of democratic failure is associated with different legal traditions, confirming that Common Law traditions are less likely to experience democratic failure.

Keywords: Political Science, Democratic Failure, Democratic Institutions, Legal Traditions
Introduction

In their 2018 Freedom in the World report, the organization Freedom House noted the increase in authoritarianism in the world in recent years. Thought by many to have been dealt a significant blow by the end of the Cold War, authoritarianism has made a resurgence, as many formerly strong democracies, such as Turkey, Hungary, and Poland, among many, slide towards less democratic forms of government (Freedom House 2018). Coupled with this decline in democracy, is an increased dissatisfaction with democratic governments in those states that do continue to practice democracy (Diamond et al, Pg. IX 2005). To many in the Western World, where democracy has been a given since the end of the Second World War, this development brings up an important question: How can this trend be reversed and what can be done to stop more democracies from failing? I argue that two of the most significant factors that can affect a country’s chances of democratic success are its democratic institutional structure and its legal tradition. Using primary and secondary sources, this paper will test this hypothesis and see if a country’s institutional structure and legal tradition are, in fact, correlated with higher or lower rates of democratic success and failure.

Broadly, democracies can be split into one of three categories, based upon from where the executive power in the state emerges. The first form, a Presidential style of democracy, mostly found in the Western Hemisphere, such as the United States, is a form of democracy which has an independently elected executive, usually called a president, who is not accountable to the state’s legislative body (Cheibub et al. 2009). The next major form of democracy is the Parliamentary system, most often found in Europe and many of its former
colonies. This form of government places the executive power in the hands of the leader of the legislative majority, usually a person called a prime minister (Cheibub et al. 2009). This system most differentiates itself from the Presidential system by the executive’s immediate accountability to the legislative body. The final form of democratic government is one that is a mix of the two, usually referred to as a Semi-Presidential form of government. Most prominently found in France’s current government, this system has a strong legislative body, like a Parliamentary system, but also maintains a strong executive, usually in the form of a president, who is not directly accountable to the legislative body, but voted upon directly (Cheibub et al. 2009).

Concerning legal traditions, most states can be classified as one of two major legal traditions: Common Law and Civil Law. Common Law traditions are mostly found in states that were once part of the British Empire and place an emphasis on Judge created case law. Civil Law systems, focus instead on legislatively created, codified law, and are mostly found in Europe and its former colonies (The Robbins Collection). Overall, this paper will use the aforementioned definitions when categorizing the types of democratic governments in existence in the world today and in recent decades. While not all democratic governments may fit perfectly into one of these three categories for executive leadership or two categories for legal tradition, the majority do, and those that do not, can be placed into the category closest to their current system.

This paper will seek to answer the question, “Are certain forms of democracy more likely to experience democratic failure than others?” After defining the question in Part I, Part II will review the relevant literature on democratic institutions, legal traditions, and democratic
success and failure. The literature review will also define terms and concepts used throughout the paper. Following this, in Part III, the paper will present my hypothesis on the topic, with an explanation of how the current literature influenced my hypothesis. Part III will then continue to explain the variables and methodology that will be used. Part IV will present the quantitative results to the research question, followed by Part V, a conclusion interpreting the results of the research.

**Part I: Research Question**

As stated in the introduction, this paper will seek to answer the question “Are certain forms of democracy more likely to experience democratic failure than others?” This paper will attempt to answer this question by considering two categories under which democracies can be classified: institutional structure and legal tradition. Accordingly, two sub-questions this paper will seek to answer are, “Do either Presidential, Parliamentary, or Semi-Presidential democracies have a greater chance of democratic failure?” and “Are Civil or Common Law legal traditions more likely to result in democratic failure?” These questions are seeking to find out whether or not any of these three institutional structures or two legal traditions have a higher rate of historical democratic failure. These questions hope to focus mainly on whether any of these categories of democracy correspond with a higher rate of failure, as this is a more meaningful metric than success. This paper hopes to find which institutional structure and legal tradition is most resilient against today’s increasingly antidemocratic mood, which produces the question, “Are certain forms of democracy more likely to experience democratic failure than others?”
Part II: Literature Review

Given the nature of this research, two types of literature were engaged and analyzed. The first set of literature examined the nature of institutional structures and opinions on how they affect democratic success and failure. The second set of literature examines legal traditions and how they are perceived to affect democratic failure rates. Both sets of literature provide multiple opinions on the subjects and attempt to paint the best picture possible of the current opinions on the issue.

Institutional Structures

There has been considerable research done into the question of whether or not Presidential democracies are more likely to experience democratic failure than other systems, including that of Juan Linz, Jose Cheibub, Tatu Vanhanen, Mathew Shugart and Scott Mainwaring. The consensus in the current literature is that Presidential systems are less stable than other systems, and are not the systems that should be implemented if democratic success is the goal of a state (Linz 1990). The question of whether Presidential institutions correlate more highly with democratic failure seems to be considered settled by many, often based on Linz’s work, with many more recent texts, such as Shugart, Mainwaring, and Vanhanen, focusing mainly on why Presidential institutions experience failure more often. Many political scientists who note the higher rate of democratic failure in Presidential systems also believe it could be due to other factors than the form of governance itself such as geographic location or wealth (Vanhanen 2013, Mainwaring 2008, Moe 1994). Despite this, there is still ample
research that claims that Presidential styles of democracy are more likely to experience democratic failure than other systems.

First though, I would like to establish the definitions of each of the three types of democratic institutional structures based on the work of experts. According to Jose Cheibub, almost all political scientists would classify that there are at least two institutional structures of democracy, Presidential and Parliamentary (Cheibub et al. 2009). This distinction is often based on whether or not the executive can be removed from their position of power by the legislative body. In Presidential systems the executive cannot be removed, while in Parliamentary systems they can be (Cheibub et al. 2009). Whether or not the third category, Semi-Presidential, should always be included is somewhat debated, but systems that combine components of the two are generally agreed to be in existence. For instance, Alan Siaroff of the University of Lethbridge argues that all democracies are either Presidential or Parliamentary with either a president, a presidential corrective, or a presidential figurehead (Siaroff 2003). Accordingly, amongst the relevant literature, there appears to be some disagreement about the existence of at least three institutional structures in the world today, but many political scientists categorize along the lines presented earlier in the paper (Cheibub 2002).

Concerning the question of whether or not Presidential styles of democracy are more likely to experience democratic failure than other forms, there exists a large amount of literature, most of which conclude that Presidential institutions experience failure more frequently. One of the most prominent researchers on this topic is Yale political scientist Juan J. Linz, who wrote multiple papers on the unsuccessful nature of Presidential Democracies, including “The Perils of Presidentialism” and “Democracy: Presidential or Parliamentary: Does it
make a difference?” Both papers offer up the argument that Presidential systems are less likely to be democratically successful than Parliamentary systems specifically. Linz compares the rates of success between democracies around the world, and notes the high rate of democratic failure in Presidential democracies, particularly those in Latin America. Linz notes that two of the largest reasons for the failure of Presidential systems are that Presidential systems create a system of “dual legitimacy” in which both the executive and the legislative body have a claim to legitimate democratic power, but are not inherently linked together with similar goals. Also, Presidential systems create executives with fixed terms who are harder to remove from office than Prime Ministers. This can create a problem when removing a president with authoritarian ambitions before he potentially seizes power (Linz 1990).

Linz’s work was some of the earliest that focused on the issue of whether Presidential democracies were more or less likely to be democratically successful. Many other writers on this subject, such as Tatu Vanhanen, Scott Mainwaring, Mathew Shugart, Terry Moe, and Michael Caldwell, have focused some of their work responding to Linz’s work, whether by expanding on it or critiquing it. One of those who has built on Linz’s work is Tatu Vanhanen of the University of Tampere in Finland, who argues that Linz’s work can be expanded to conclude that not only are Parliamentary styles of democracy more likely to be successful, but that Parliamentary systems with Proportional Representation are even more likely to be democratically successful. According to Andrew Reynolds, Proportional Representation is a system of governance in which a party’s proportion of votes translates into a similar proportion of representation in a legislative body (Reynolds et al. 2008). Vanhanen notes that among Parliamentary systems that have Proportional Representation, there are even fewer cases of
democratic failure, and that accordingly, the form of democracy which is most successful is a Parliamentary system with Proportional Representation (Vanhanen Pg. 9 2013).

Another response to Linz that is more critical is by Scott Mainwaring and Matthew Shugart who argue in “Juan Linz, Presidential, and Democracy: A Critical Appraisal” that Linz overstated the failure among Presidential democracies (Mainwaring 1997). Mainwaring and Shugart argue Parliamentary style democracies have not experienced their level of success based on their form of government, but rather based on where they are located. They note that Parliamentary systems exist less outside developed states compared to developed ones, and that the few Presidential systems in developed states have also generally been successful. For these reasons, they argue that while Linz may have been correct that Parliamentary systems may be more successful, Linz overstates the degree to which they are more successful. They also emphasize that the switch from Presidential to Parliamentary systems has historically coincided with massive problems in many states and would likely do so in any states that chose to do so based on Linz’s advice. Accordingly, they emphasize that states should not switch their form of governance based on Linz’s advice, and that Linz overstates the issue (Mainwaring 1997).

In another comparison of the two systems, Terry Moe and Michael Caldwell in “The Institutional Foundations of Democratic Government: A Comparison of Presidential and Parliamentary Systems” argue that while Presidential systems may not be as successful in their effectiveness in democratic survival or ease of governance, they are actually more democratic than Parliamentary systems. They argue this on the grounds that in a Presidential system, the people have more direct control over their government than in a Parliamentary system. They
argue that since Presidential systems give the people a vote in the executive, rather than locking it away behind the legislative body, in which executive choice is often locked behind party politics and bureaucracy, Presidential systems are the more democratic of the two (Moe 1994). While this is not necessarily along the same lines I will be using when I define democratic success and failure, this does offer an interesting idea that Presidential systems may still be the more democratic of the systems. This article had little to do with democratic failure in the traditional sense, but it is an interesting defense of Presidential systems when much of the literature agrees with Linz’s initial claims. It also goes against my preconceptions that Presidential systems are less democratic.

Another article written by Jose Cheibub and Fernando Limongi, titled “Democratic Institutions and Regime Survival: Parliamentary and Presidential Democracies Reconsidered”, makes the claim that while Presidential systems may have a higher chance of experiencing democratic failure, it is often not for the reasons that many describe, and that Presidential systems are not inherently inferior at survival. They do concur that based upon the data, Presidential systems have experienced a greater level of failure than Parliamentary ones, but they believe this is largely due to other factors, such as location and culture, and that the factors which are supposedly detrimental to Presidential systems are largely overexaggerated. Cheibub and Limongi particularly show that one of the supposed major problems with Presidential systems which leads to failure, deadlock, is largely exaggerated as a problem in many Presidential democracies. They show that deadlock is a problem which occurs in Parliamentary systems at a fairly comparable rate, something which many previous researchers into the supposed differences between the systems often emphasized as one of the advantages
of Parliamentary government. They illustrate this through data that often shows interparty conflict in a Parliamentary system can cause as much deadlock amongst a majority party or coalition as the conflict that can occur between the various branches of government in a Presidential system. For these reasons, the authors concur that the failure of Presidential systems has less to do with the supposed deadlock that comes with the system of government and more to do with the states that chose to adopt each of the systems (Cheibub 2002).

A final paper concerning the first question which was very useful was “Democracy and Dictatorship revisited” by Cheibub, Gandhi, and Vreeland. This paper accompanied the data I found on the Democracy-Dictatorship Index and provided context and explanations on the data that came with it. The article used the data from the Democracy-Dictatorship Index to examine multiple factors, such as the success of different states based on the data collected. This article divided all governments into two large categories, Democracies and Dictatorships, and then further subdivided them into three categories (Cheibub 2009). The paper was very interesting in how it classified civilian dictatorships. Civilian Dictatorships were classified as a dictatorship in which the head of state was neither hereditary nor the head of the military (Cheibub 2009). Many of the states I might have classified as being a democratic state, had I classified states on my own, were listed as Civilian Dictatorships based on their classifications. Mexico, for instance, until around the new millennium was classified as a Civilian Dictatorship due to the rule of a single party, despite elections still occurring. In Mexico’s case, there was no uncertainty over which party would win the election prior to the year 2000, a factor which disqualified Mexico as a democracy. This was interesting, and I felt it could skew the data somewhat as many states I
might have classified as a weak democracy were simply classified as Civilian Dictatorships in the data collected.

**Legal Tradition**

Scholars interested in democratic success and failure have also occasionally focused on legal tradition and how it might shape democratic outcomes. Despite this, there has not been as much research done into the topic of whether or not Common or Civil Law systems are more likely to be correlated with democratic failure. Accordingly, there seems to be little consensus on this issue, but there are a few pertinent articles to the survival of democratic institutions and legal traditions.

Similar to the first question, I will seek to define the terms Common Law and Civil Law using academic definitions. Civil Law is traditionally thought to be a legal tradition which is codified and largely dictated by a legislative body or some other governmental power outside the judicial system. The role of the Judge in a Civil Law system is largely to consult a preset set of laws, follow a preset procedure to determine guilt, and then give out a predetermined sentence (The Robbins Collection). The judge’s role is purely to determine guilt, rather than interpreting law or creating law outside the legislature procedure. While Civil Law systems are often tied to the Inquisitorial system of justice and are often confused, they are not the same thing, and jury based, Adversarial systems with Civil Law systems do exist. Civil Law is most often practiced in Europe and Latin America in a pure form, and is practiced in a mixed form with local traditions in Africa, the Middle East, Asia, and the former Soviet Union. Some legal scholars consider Civil Law systems which existed under communist states to be a completely
separate, but related legal system called Socialist Law, but this is largely irrelevant today due to the fall of Communism and has no bearing on this paper as it only examines democracies (The Robbins Collection).

Common Law traditions, on the other hand, are systems in which judges contribute to the body of laws that exist in a state. According to Oliver Wendell Holmes, Common Law legal traditions still have written laws, but their interpretation and execution is often left to judges, who in many ways contribute to the law through their legal rulings. Judicial precedent through case law is extremely important in Common Law, with one judge’s ruling effectively entering into the entire legal system itself via his or her ruling. The Common Law tradition was first developed in England, and accordingly, has spread throughout the British colonized world with states such as the United States, Canada, and Australia all practicing Common Law traditions. It is commonly associated with the Adversarial legal system, but is separate, and some Inquisitorial Common Law systems exist in the world today (Holmes 2009).

Two terms which were used in the previous paragraphs were Adversarial and Inquisitorial legal systems. These terms are often confused with Common and Civil Law traditions, as they are often interwoven, but are two different facets of a legal system. Adversarial systems are commonly associated with Common Law traditions and are defined as legal systems in which “contesting parties maintain autonomy and control over legal proceedings.” This means that trials possess both accusers and defenders, along with an independent judge and jury (Block et al. 2000). While this system is often associated with Common Law, they are not the same thing and will not be examined in this paper. Conversely, an Inquisitorial system is one in which “control is emphasized by a disinterested judge or
decision maker.” This means that the judge performs the roles of both the prosecution and judge (Block et al. 2000). While often associated with Civil Law, they are again not permanently tied together, and should be considered two separate facets of a legal system for the purpose of this paper.

An article which gave further support to the supremacy of Common Law traditions is “The Quality of Government” by Rafael La Porta. In his paper, La Porta makes the argument that limited government leads to many benefits to society and prevents authoritarianism. He argues that Common Law traditions are incredibly important to systems of limited government, as they allow judges to interpret and overturn laws which might be enacted by a heavy-handed legislature. He also explores the history of Common Law traditions and explains how they were developed with limiting the power of the sovereign in favor of Parliament and the land holders in England (La Porta et al. 1999). This article gives credence to the idea that Common Law traditions actually serve as a check on non-democratic actors by strengthening the judiciary as a coequal branch of government, something which they are not in a Civil Law system.

One article that does not explicitly address the second research question, but does examine a similar one, is “The Legacy of Western Overseas Colonialism on Democratic Survival” by Bernhard, Reenock, and Nordstrom. Bernhard et al. seek to answer whether or not democratic survival in formerly colonialized states has been positively or negatively affected by colonization, and whether it changes depending on the colonizer. One of the conclusions they come to is that states which were formerly colonies of Great Britain are far less likely to experience democratic failure than states which were formerly colonized by other European states. Bernhard et al. largely attribute this to what they call the positive relationship between
Civil Society and the State that exists in the UK and was accordingly spread to Britain’s colonies in the colonial period. Amongst one of the key traits that Britain spread to its colonies was the Common Law tradition. The UK is the birthplace of Common Law systems, and with the exception of Ireland, is the sole Common Law practicing state in Europe. Bernhard et al. note briefly that the legal system which Britain spread during the colonial period was superior to those spread by other European states, and therefore, gave these states an advantage at democratic survival (Bernhard et al. 2004). While this does point in the direction of the idea that Common Law systems are advantageous towards democratic survival, the article only indicates that colonization by Britain was advantageous to democratic survival, with Common Law legal traditions only being one component of this advantage amongst others such as respect for freedom of speech and limited government.

Another article which provides further context for the question is “The Common Law and Economic Growth” by Paul Mahoney. In his article, Mahoney argues that a hypothesis by Friedrich Hayek stating Common Law traditions produce greater economic growth is correct. He argues this is true because there is a greater emphasis placed on property rights and limited government in the Common Law tradition, something Mahoney believes leads to economic growth. He compares the economies of multiple states with Common and Civil Law legal traditions and shows that states which have Common Law traditions generally have higher economic growth. This higher economic growth could likely be correlated with greater democratic survival, as wealthier nations are on average less likely to experience democratic failure (Mahoney 2001). Hayek’s and Mahoney’s point that Common Law traditions have a
greater respect for property rights also contributes to the logic that Common Law systems will be less likely to experience democratic failure on average than Civil Law traditions.

An additional article which does not directly relate to the research question, but provides interesting context for the question, is “Mixed Jurisdictions: Common Law v. Civil Law” by William Tetley. In his article, Tetley examines legal systems in which both Common Law and Civil Law are used, using four key case studies: South Africa, Louisiana, Quebec, and Scotland. In all of these jurisdictions, previous legal systems were replaced or at least altered as Anglo culture became more prevalent. In all of these places today, Civil Law is still practiced in local law, but has to be mixed with Common Law which is practiced federally and in higher courts. Tetley concludes that these systems are usually untenable, and that the only one that has been successful at retaining its Civil Law nature in the long term has been Quebec, which he largely attributes to the lingual difference between Quebec and the rest of Canada. Tetley believes that Common Law systems are more dominant and successful, and accordingly, generally overtake other systems when they are mixed in some format (Tetley 1999). This would lead some credence to the idea that Common Law might be better at democratic survival, if it is the preferred legal tradition practiced in mixed legal systems.

Part III: Hypothesis, Variable, and Methodology

Hypothesis

Returning to the original question of the paper, “Are certain forms of democracy more likely to experience democratic failure than others?” I hypothesize that the answer is yes. As stated earlier, this main question will be answered using two sub-questions, the first of which is “Do either Presidential, Parliamentary, or Semi-Presidential democracies have a
greater chance of democratic failure?” For this question, I hypothesize that Presidential institutional structures are more likely to experience democratic failure than either Parliamentary or Semi-Presidential structures. I believe this is true for a variety of reasons. The first, as noted by Cheibub, is the presence of a single, strong executive in Presidential institutions. The president in a Presidential system is the person most obviously likely to become the dictator in an authoritarian regime if the state experiences democratic failure. Second, having an executive who is not directly accountable to a legislative body also appears more likely to lead to authoritarianism. In a Parliamentary style of governance, the executive can be removed very easily by having the majority in parliament remove their support from the prime minister. This means the executive is more accountable to the public through its representatives while in office. Having an executive with that much power and having him or her not easily removable from office or accountable to the people could be a problem, which I hypothesize is more likely to lead to democratic failure than a traditional Parliamentary system. Returning to the work of Juan Linz in the literature review, the system of “dual legitimacy” which is created by Presidential forms of democracy also seems to be a factor which would heighten the chances of democratic failure in a Presidential system. The dispute which could emerge between the legislative and executive branches of a government seems to be another factor which would make the chances of democratic failure go up. Also, as noted by Moe and Caldwell in the Literature Review, it appears that Parliamentary democracies are more likely to be in wealthier, more developed parts of the world, lending them a further advantage in avoiding democratic failure.
While there existed less information in the Literature Review on Semi-Presidential systems, I hypothesize that Presidential systems are also more prone to democratic failure than Semi-Presidential ones. I hypothesize this because Semi-Presidential systems are still more likely to have a strong legislative branch, and maybe even a powerful prime minister who might be able to serve as a counterbalance to the powerful president. Most of the shortcomings of the Presidency would still exist, but another countervailing force might exist in the leader of the state’s legislature. This could sharply reduce the chances of democratic failure due to the separation of powers. Overall, I hypothesize that the Presidential institutional structure is the one most likely to correlate with democratic failure for the aforementioned reasons.

Concerning the second sub-question, “Are Civil or Common Law legal traditions more likely to result in democratic failure?”, I hypothesize that Civil Law traditions are the more likely to experience democratic failure. I hypothesize this because Civil Law traditions are purely composed of laws which are written by the government of the state. States which have Civil Law traditions are solely susceptible to written laws which can be changed by the state’s government itself. This leaves the door open to changes in legal statutes made by regimes that are sliding into non-democratic systems. On the other hand, Common Law traditions have judicial opinions composed by judges who are often not accountable to currently elected political leaders nor the public. Common Law is both composed of decisions which have been made by past judges and decisions made by current judges who are often unaccountable to the public or politicians, and therefore, it would be harder for an aspiring nondemocratic regime to circumvent these decisions without outright illegally altering or abolishing the current judicial system. While it could be argued that changing established law through the legislature could be
harder for an aspiring non-democratic regime than altering or, more likely, corrupting, current members of the judicial system, I still hypothesize that states which have Common Law legal traditions are less likely to experience democratic failure than states which have Civil Law legal traditions.

Also, as noted by Paul Mahoney in the literature review, Common Law systems have a far greater respect for property rights and personal liberties on average than Civil Law traditions do. This tradition of protection for property and individual rights by courts in Common Law traditions seems like another counterbalance to a nondemocratic force present in a failing democracy. While courts may not always be able to stop regimes from implementing their undemocratic goals, they do at least provide a check on executive power, and even a potential legitimacy issue. If many supporters of the undemocratic leader still see courts as a legitimate part of the state, they may take issue with an executive overruling of a judicial opinion. Additionally, just as Parliamentary and Semi-Presidential systems seem to be located more in more developed states, Common Law systems seem to be more common in the former British Empire, and in wealthier states generally. I argue this wealth advantage will give Common Law states a lesser chance of experiencing democratic failure.

Variables and Methodology

As the paper has two main sub-questions, there will be two independent variables, one for each of the questions. The main variables I will be using for the first question of this paper are Institutional Structure as the main independent variable and Democratic Failure as the main dependent variable. The main independent variable for this research,
Institutional Structure, will be a variable which classifies each of the governments being studied as one of the three aforementioned forms of democratic government: Presidential, Parliamentary, and Semi-Presidential. This will be the independent variable because it will be the variable which has an effect on the other one being studied. The data on how each state will be coded for this variable comes from the Democracy-Dictatorship Index which has similar classifications. The main dependent variable will be called Democratic Failure. This will measure whether or not the democratic state in question is a democracy or not in the year observed. This data can also be gathered from the Democracy-Dictatorship Index. The observations for this paper will attempt to find correlations between Institutional Structure and Democratic Failure by determining the Institutional Structure of each democracy from 1946 to 2008, as these are the years the Democracy-Dictatorship Index covers. Each state that has at least one instance of being a democracy in the years observed will be included in the analysis. Each state will be given a value Democracy or Non-Democracy for the Democratic Failure variable, and if a Democracy, a variable of Presidential, Parliamentary, or Semi-Parliamentary for Institutional Structure. Each time a state switches from the value Non-Democracy to Democracy, the Institutional Structure it had will be noted. All instances of democratic failure will be noted, and it will be determined which of the Institutional Structures had the highest rate of failure. It will also examine all democracies which existed in the same time period, and what percentage of each Institutional Structure failed, as one Institutional Structure system may have had a significantly higher number of democracies in the world over that time period than the others. Overall, Institutional Structure will be the independent variable, and Democratic Failure will be the dependent one.
Concerning the second question, the dependent variable, Democratic Failure, will remain the same as in the previous question. The independent variable, Legal Tradition, will be changed to account for the new question. The data for this variable will be taken from the University of Ottawa’s “Alphabetical Index of the Political Entities and Corresponding Legal System.” Legal Tradition will classify states as possessing either Common Law or Civil Law systems based on how they are classified in the University of Ottawa’s data set. Many states have legal systems which combine one of these two traditions with local legal traditions, often referred to as Customary Law. Accordingly, when a state has a legal system that is a mix of one of the two prevalent legal traditions and local customs it will be marked as Mixed, but will be noted as possessing Civil or Common Law as the predominant part of the Mixed nature. Similarly, some states possess mixes of Common or Civil Law with religious law, most often Sharia Law. These states will also be marked as Mixed and will note whether they are Civil or Common Law dominant. The few states that only have Customary Law or Sharia Law, will be marked and shown in the data, but are so few in number amongst democracies that they will not be examined for their correlations with Democratic Failure. Finally, states which have systems which are mixes of Common and Civil Law will be marked as Mixed and noted as possessing both of the traditions. States which have regions that practice a different form than the national system, such as Louisiana in the United States or Quebec in Canada, will solely be marked as the predominate legal tradition of its legal system.
Part IV: Findings (Data)

Democratic Institutions

The results of my research proved to be fairly in line with my hypothesis, though not to the degree I had originally predicted. Concerning the first research sub-question, democracies that have Presidential Institutional Structures were more likely to become autocracies and experience Democratic Failure than the other two institutional structures previously identified. I came to this conclusion through the use of two different methods of testing, both which showed the result that democracies were more likely to experience failure if they had a Presidential structure.

The first part of my research involved finding adequate data that showed instances of democratic successes and failures. Based on previous research I had done, the first group I sought for data on whether a state was a democracy was Freedom House. I ultimately found their data to be helpful on the state of democracy in the current world, but ultimately their data mostly measured whether a state was free or not. While basic civil and political freedoms strongly correlate with democracy, they are not completely interchangeable with illiberal democracies and liberal autocracies existing, if rarely. Next, I chose to look into the Democracy-Dictatorship Index. I retrieved the Index from its creators Cheibub, Ghandi, and Vreeland in their 2009 article, Democracy and Dictatorship revisited. This index classifies all states that existed in the world between the years 1946 and 2008 as either a democracy or a dictatorship. It then further breaks them down into one of six sub categories: a Parliamentary democracy, a Semi-Presidential democracy, a Presidential democracy, a Civilian dictatorship, a Military dictatorship, or a Monarchy. This data proved to be extremely helpful in researching
democratic failure, as it contained whether a state was a democracy or a dictatorship over a very long period of time, 1946 to 2008. This data also easily splits each of the states listed into one of the three institutional structures, making it relatively simple to determine which form of democracy the state was at each year recorded.

The first method I used to test my hypothesis was to record every instance of democratic failure that had occurred during the years observed. I gained this data by going through each of the states listed in the Democracy-Dictatorship Index over the years recorded and making note of any time a state went from being recorded as a democracy to being recorded as a dictatorship. Multiple states experienced democratic failure on multiple occasions and were accordingly recorded multiple times. These failures were then noted in the data as the dependent variable, Democratic Failure. In total, based on the Democracy-Dictatorship Index, there were 62 instances of democratic failure which occurred between the years of 1946 and 2008. Most of these instances of failure occurred in South and Central America and in newly decolonized parts of Africa and Asia. The states that had the most repeated instances of failure in the Democratic Failure variable were two states in South America, Peru and Argentina, which tied for a total of four instances of democratic failure in the time period examined. I then proceeded to record which Institutional Structure each state had when it experienced its democratic failure and noted it as the Institutional Structure variable. Some states, such as Pakistan, had different Institutional Structure values at different points of failure and were accordingly listed on both of the lists at various points.

In total, 66 instances of democratic failure occurred between 1946 and 2008. When splitting them into different percentages, 34 out of 66 or 51.51% of failures occurred in
Presidential systems, 7 out of 66 or 10.6% occurred in Semi-Presidential systems, and the remaining 25 failures or 37.88% occurred in Parliamentary systems. These results proved to initially show my hypothesis was correct as there were higher instances of the dependent variable, Democratic Failure, occurring when the independent variable, Institutional Structure, was a Presidential system.

While these initial results proved to show my hypothesis was correct, a few problems with my data came to mind that I believed should be further investigated. One was that many of the democratic failures which had been recorded over the time period had occurred in the same state. This could have possibly thrown off the results to some degree by having a high concentration of failure in a few countries with a single institutional structure. Accordingly, I reexamined the data set and collected the same data as before, but only recorded each state one time, even if it had experienced multiple democratic failures over the years. As stated earlier, some states had experienced democratic failure multiple times, but with different Institutional Structures in place. I decided to record those instances as multiple instances of failure, though only once per failure per system. Accordingly, Pakistan, which had failed twice as a Parliamentary system and once as a Semi-Presidential system, was recorded twice, once under Semi-Presidential and once under Parliamentary. The results of examining the data in this way provided similar results to the first examination of the data, although the results were somewhat skewed compared to the first examination. Measuring democratic failure this way, there were 48 instances of failure in the time frame observed. 22 of these or 45.8% were Presidential systems, 7 or 14.53% were Semi-Presidential and 19 or 39.58% were Parliamentary systems. My hypothesis still proved to be correct as before, but my worries did prove to be
somewhat valid, as removal of multiple instances of failure did close the gap between Presidential and Parliamentary systems to a noticeable degree, bringing their percentage of failure within 6 percent of each other.

Another problem that emerged from my initial method of observing the data was that it only showed instances of failure and not success. It could be that the world had a very small number of Parliamentary democracies of which almost all had experienced failure, while there were a large number of Presidential democracies, most of which never experienced an instance of failure. Accordingly, I devised a second type of observation of the data which would examine the instances of democratic failure in the context of the total number of democracies of each type that had existed in the world over the years observed. I first collected this data by observing the total number of democracies which had existed in the time period observed. Democracies which had failed, or which had switched from being one Institutional Structure to another without a failure, such as France, were placed on the list multiple times for each Institutional Structure they had used. In total, there were 195 instances of democratic governments which had existed in one of the three Institutional Structures between the years 1946 and 2008 based on the data from the Democracy-Dictatorship Index. The first observation of the data I did was to examine how many of those total democracies had experienced a failure of each type within the totality of democracies. 66 of 195 democracies in the time had failed, meaning that 33.84% of democracies had resulted in failure. It also meant that 17.43% of all democracies had experienced a Presidential failure, 3.59% had experienced a Semi-Presidential failure, and 12.82% had experienced a Parliamentary failure.
In addition, I split the total number of democracies observed into the three categories of Institutional Structures. I did this using the data from the Democracy-Dictatorship Index which split all governments into one of the three categories. Based on this data, there were 74 Presidential democracies, 40 Semi-Presidential democracies, and the remaining 81 were Parliamentary. This means there were almost the exact same number of democracies between Presidential and Parliamentary systems in the years observed, with a slightly higher number of Presidential than Parliamentary, just like in the observed instances of failure. Observing the number of failures out of the number of democracies of each type, 45.94% of Presidential democracies failed, 17.5% of Semi-Presidential democracies failed, and 30.86% of Parliamentary systems ended in failure. This data would still largely show that my initial data was correct, that Presidential systems are more likely to experience democratic failure than other systems, but it appears to be by a relatively small percentage. Overall, based on the data, I would conclude that the hypothesis is correct, that Presidential Institutional Structures are more likely to experience Democratic Failure, but not by the percentage I had anticipated.
### Data (Institutional Structures)

<table>
<thead>
<tr>
<th>Institutional Structure/ Data Measured</th>
<th>Presidential</th>
<th>Semi-Presidential</th>
<th>Parliamentary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of Total Failures</td>
<td>51.51%</td>
<td>10.6%</td>
<td>37.88%</td>
</tr>
<tr>
<td></td>
<td>34/66</td>
<td>7/66</td>
<td>25/66</td>
</tr>
<tr>
<td>Percentage of Total Failures (Without Repeats)</td>
<td>45.83%</td>
<td>14.53%</td>
<td>39.58%</td>
</tr>
<tr>
<td></td>
<td>22/48</td>
<td>7/48</td>
<td>19/48</td>
</tr>
<tr>
<td>Percentage of Total Democracies</td>
<td>17.43%</td>
<td>3.59%</td>
<td>12.82%</td>
</tr>
<tr>
<td></td>
<td>34/195</td>
<td>7/195</td>
<td>25/195</td>
</tr>
<tr>
<td>Percentage of Failures (Within Institutional Structure)</td>
<td>45.94%</td>
<td>17.5%</td>
<td>30.86%</td>
</tr>
<tr>
<td></td>
<td>34/74</td>
<td>7/40</td>
<td>25/81</td>
</tr>
</tbody>
</table>

Source: Democracy-Dictatorship Index (Cheibub 2009)

### Legal Traditions

For studying Legal Traditions, I chose to use the exact same data from the Democracy-Dictatorship Index to record all of the instances of failure for the Democratic Failure variable which had occurred in the years from 1946 – 2008. To collect data on what form of Legal Tradition each of these states possessed, I used the University of Ottawa’s list of states by legal tradition (University of Ottawa 2004). This system broke down each state by its exact legal system, classifying them as either Civil, Common, Customary, Islamic, or Mixed legal traditions. The data did not classify the legal traditions over the years, but unlike the Institutional Structures variable, Legal Traditions do not often change when a country experiences
democratic failure. Most states that have a Civil or Common law tradition while a democracy, often end up as a non-democracy with a Civil or Common law tradition. Accordingly, the legal tradition which a state possessed in the year 2004 is likely to be the same that it possessed in all of the years observed.

For the first survey of the data, I examined all of the instances of democratic failure that occurred between 1946 and 2008. Similar to the data in the first question, there were 66 instances of democratic failure that occurred in the years studied, including states in which repeated failure occurred. In the first survey, states were placed into three categories, Common Law, Civil Law, and Mixed Law, which includes states where Customary and Islamic Law are mixed with either Common or Civil Law, and states in which Civil and Common Law traditions are combined together. In this survey, only 2 of the 66 or 3.03% instances of observed democratic failure occurred in states that had pure Common Law legal traditions. Civil Law systems exhibited the largest number of failures with 35 out of 66 or 53.03% of failures occurring in a Civil Law tradition. Finally, 29 out of 66 or 43.94% of the instances observed were in systems which had a Mixed legal system.

This data would mostly indicate that my hypothesis is largely correct, with most of the instances of democratic failure that occurred during the years observed occurring in states which had Civil Law traditions. Despite that, most of the systems which have a Mixed legal system still have either a Common or Civil legal tradition as the basis of its legal system, with local customs or religious law mixed in. Accordingly, for the next survey, I split all of the systems which were previously marked as Mixed and placed them into the Common or Civil legal traditions categories. Three of the states which were examined had a mix of Common and Civil
Law and were accordingly counted twice and placed in both categories, with the total number of failures increased from 66 to 69. When these changes were made to the data, the gap between Civil and Common Law shrunk, but not to a significant degree. In this survey, 20 out of 69 or 28.99% of failures occurred in Common Law traditions, with the remaining 49 out of 69 systems or 71.10% occurred in a Civil Law tradition. This means that the gap between the two categories had reduced from 50% to around 40%. Based on this data, my original hypothesis still appears to be largely correct, with more instances of failure likely to occur in a state with a Civil Law tradition.

Similar to the previous question, the next survey of the data involved removing repeated instances of democratic failure from the data, with only one instance recorded per state if it failed, regardless of the number of times the states have experienced democratic failure. Using the data from this survey, the total number of failures actually reduced from the first question because there were no longer repeated instances of failure in which a state failed multiple times with different Institutional Structures. Accordingly, there are only 42 states which have experienced failure in the time period observed. Of these instances, 20 of the 42 or 47.62% of these states had Civil Law traditions. Mixed legal systems experienced the exact same number of failure with 20 of 42 or 47.62% of all failed democracies being Mixed systems. Common Law traditions experienced no changes with 2 of 42 systems or 4.76% being Common Law traditions. This data would show that my hypothesis is largely still correct, with Civil Law legal traditions still exhibiting the highest chances of democratic failure, but now on par with Mixed legal systems.
Similar to the first question, the next survey attempted to determine the total number of democratic failures that occurred per legal tradition amongst all of the instances of democracy noted in the data set. Unlike the first survey where all Institutional Structures were measured, this survey will only examine the total number of states with Civil and Common Law traditions if they were democracies. States that were non-democracies and possessed a Common Law or Civil Law legal tradition were not included. Using this definition, I found that 108 of 195 democracies were Civil Law, 64 of 195 were Mixed Law, 21 of 195 were Common Law. There was one instance of both Customary and Islamic Law democracies that had no Mixed Law systems. Amongst those democracies, 2 of 21 total Common Law democracies failed or 9.52%. Concerning Civil Law democracies, 35 of 108 failed or 34.41% failed in the time period, and, finally, 29 of 64 Mixed Law democracies or 45.31% failed in the time period studied. Amongst the single instances of Customary and Islamic Law democracies, neither had failed in the time frame observed. Finally, 2 of 195 instances of democracies were Common Law failures or 1%. 35 out of 195 democracies failed under Civil Law democracies or 17.95%. Finally, 29 of 195 or 14.87% of democracies failed under Mixed Legal systems.
### Data (Legal Traditions)

<table>
<thead>
<tr>
<th>Legal Traditions/Data observed</th>
<th>Common Law</th>
<th>Civil Law</th>
<th>Mixed Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of Total Failures</td>
<td>3.03%</td>
<td>53.03%</td>
<td>43.94%</td>
</tr>
<tr>
<td></td>
<td>2/66</td>
<td>35/66</td>
<td>29/66</td>
</tr>
<tr>
<td>Percentage of Total Failures (No Mixed)</td>
<td>28.99%</td>
<td>71.10%</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>20/69</td>
<td>49/69</td>
<td>N/A</td>
</tr>
<tr>
<td>Percentage of Total Failures (No Repeats)</td>
<td>4.76%</td>
<td>47.62%</td>
<td>47.62%</td>
</tr>
<tr>
<td></td>
<td>2/42</td>
<td>20/42</td>
<td>20/42</td>
</tr>
<tr>
<td>Percentage of Total Democracies</td>
<td>1.02%</td>
<td>17.95%</td>
<td>14.87%</td>
</tr>
<tr>
<td></td>
<td>2/195</td>
<td>35/195</td>
<td>29/195</td>
</tr>
<tr>
<td>Percentage of Failures (Within Legal Traditions)</td>
<td>9.52%</td>
<td>32.41%</td>
<td>45.31%</td>
</tr>
<tr>
<td></td>
<td>2/21</td>
<td>35/108</td>
<td>29/64</td>
</tr>
</tbody>
</table>

Sources: Democracy-Dictatorship Index (Cheibub 2009), “Alphabetical Index of the Political Entities and Corresponding Legal System.” (University of Ottawa 2004)

**Part IV Continued: Findings (Interpretation)**

The initial test proved to have the largest difference in the failure rates of democracies between the different structures, particularly between Presidential and Parliamentary systems.

All subsequent tests showed a much smaller difference between the tests, showing that the hypothesis might not be as correct as it had appeared based on the initial observation. One of the biggest reasons there appears to be a difference between the results in the four
observations above is the higher instance of repeated failures in the Presidential democracies in comparison to Parliamentary or Semi-Presidential democracies. Of the multiple instances of failure across multiple countries, the highest number was among Presidential democracies, of which ten had multiple instances of failure, and many had as many as four instances of failure in each state. This issue could have skewed the results in the measurement of democratic failure, especially in the first test. Similarly, the possible problem of having a higher number of democracies of a certain type proved to not be a concern. The number of democracies of each type in the world, comparing Presidential and Parliamentary systems, is largely the same, and not enough of a difference to affect the results of the initial findings.

Overall, the results of the observations show that my hypothesis is largely correct. In all four of the observations performed, Presidential democracies were the most likely of the three to experience Democratic Failure. It appears that the independent variable of being a Presidential democracy for Institutional Structure does raise the chances of Democratic Failure, the dependent variable. The results were not as clear as anticipated, though. Based on my previous biases and the relevant literature read prior to the observations, I had anticipated that the results would have been far clearer, with Presidential democracies having a higher rate of failure than the other Institutional Structures. Parliamentary governments particularly surprised me in the high degree of their instances of democratic failure. I would have predicted they would have been the least likely to become autocracies. Based on the higher prevalence of Parliamentary systems in the world compared to Semi-Presidential democracies, I would have thought they might have had more instances of failure, but not a significantly higher number than Semi-Presidential democracies as they did.
The most surprising results of the observations were the low level of democratic failure among Semi-Presidential democracies. Semi-Presidential democracies are relatively rare in the world, and are especially rare amongst the world’s old democracies, with the most notable incidence of a Semi-Presidential system being France, which has only adopted its current government since the 1960s. Based on this lack of prevalence, it might not appear to be a particularly successful system of democratic governance, but based on the data collected, it appears to be the most successful at not experiencing democratic failure. The low incidence among the first two observations could be explained away based on the relatively low number of Semi-Presidential systems in the world, but the final observation, that only 17% of Semi-Presidential systems have failed in the measured time frame, compared to the other two, which were both over 30%, is a remarkable number. Based on these observations, Semi-Presidential democracies would appear to be the type of government more countries could consider implementing if they wish to avoid the increasing anti-democratic fervor around the world. It cannot be completely ascertained that Semi-Presidential systems are the most successful, based on the fact that it is relatively unused as a system of government and that other factors could be at work, but it does appear to be the system least likely to experience democratic failure of the three. Overall, based on these observations, my hypothesis that Presidential democracies are more likely to experience democratic failure than other forms does appear to be true, but not by an overwhelming amount.

When examining the second question concerning failure amongst different legal traditions, my hypothesis largely appears to be correct, and this time in a clearer manner. Common Law legal traditions appear to universally experience rates of democratic failure at
lower rates than Civil Law traditions, even when Mixed systems are broken into their dominant form of Civil Law or Common Law. Mixed systems with Common Law traditions as the primary component of their Mixed systems are also similarly less likely to experience democratic failure than Mixed systems which have Civil Law as the basis of their Mixed system. Accordingly, there does appear to be a correlation between having a Civil Law legal tradition as a state’s independent variable, Legal Tradition, and a high failure rate for the dependent variable, Democratic Failure.

Similar problems exist to those experienced in the first research question. Civil Law legal traditions are significantly more common than Common Law traditions, by a far wider margin than Parliamentary Systems are prevalent over Presidential Systems. Due to this, there could be a bias in favor of failure occurring more amongst Civil Law traditions, but there is also a far lower rate of failure amongst the Common Law Democracies when they are split up by type of legal tradition. Based on the final surveys that were done within the total number of each system that existed, we can conclude that the higher rate of existence amongst Civil Law traditions is not likely to be the reason that democracy fails more frequently in Civil Law traditions than Common Law traditions.

Another interesting similarity between the first and second question is that the significantly less used legal tradition, Common Law, is the least likely to experience democratic failure. This is similar to the first question in which the least commonly used system, Semi-Presidential Democracy, was the least likely to be implemented, but also had the lowest rate of failure. Similar to the first question, an interesting question to follow up this research with would be why are the systems which appear least likely to fail the ones that are least likely to
be used? Based on the data collected, only one instance between 1946 and 2008 exists in which a state has a Semi-Presidential structure and a Common Law tradition, Ireland. Ireland has never experienced democratic failure, although this obviously is too small a sample size to determine whether this combination is the most likely to lead to democratic success. Despite that, it does appear that states that have Semi-Presidential systems and Common Law legal traditions are the least likely to experience democratic failure.

Another interesting factor to note, is that the systems which are the least likely to experience democratic failure, Common Law and Semi-Presidential systems, are generally used in far wealthier parts of the world. As noted in the Literature Review, Common Law traditions are most often practiced in the English-speaking world, particularly in wealthier states. In addition, Semi-Presidential institutional structures are frequently used more often in wealthier parts of Europe and are relatively uncommon in the developing world. This raises the question of whether the results are largely due to other factors, such as national wealth. Wealthier states might have governments which are seen as more legitimate by their people, leading them to be less likely to seek alternatives to democracy. Conversely though, it is also possible that states are wealthy because they have successful institutional and legal systems. As Paul Mahoney’s article in the literature review noted, Common Law systems are more likely to defend the property rights of individuals, which makes them more likely to experience financial success. This raises the question of whether certain aspects of Semi-Presidentialism are more likely to generate wealth, leading to their democratic success, rather than vice versa.

As also noted in the literature review, previous colonization by Great Britain seems to be correlated with democratic survival. This also begs the question of whether or not Common
Law and Parliamentary or Semi-Presidential systems are really more likely to avoid democratic failure due to their own nature, or due to outside cultural factors that have little to do with the government. As noted in the literature review, cultural practices, such as respect for freedom of speech, respect for property rights, and respect for the free market, are culturally engrained in British society and more common in its formerly colonized states. These states may only have governments and legal systems which are successful and avoid democratic failure due to cultural factors which influenced the systems, rather than being created by them. Democratic success may actually have very little to do with good government institutions, and may be more dependent on democratic culture which promoted those democratic forms of government in the first place. The only former British colony in North America which does not have a Parliamentary system is the United States, which has never experienced democratic failure, unlike many other Presidential systems in North America. This could reinforce the idea that British cultural and political traditions could have a greater impact on democratic success than either Institutional Structure or Legal Tradition.

Part V: Conclusion

Overall, the above research does provide interesting answers to the question of which of the three institutional structures and two legal traditions were most likely to experience democratic failure. It also brought up many other questions that arose after learning the answers. The most interesting question that arose from the research is why are Semi-Presidential systems so successful? Much of the literature out there concerning the differences between Institutional Structures and their success rates focuses almost exclusively on the
differences between only Presidential and Parliamentary systems. This is apparently insufficient as Semi-Presidential systems appear to be the most successful of the three systems, experiencing very few instances of democratic failure between the years 1946 and 2008. Even when accounting for the relatively low number of Semi-Presidential democracies which actually exist in the world, there is still a remarkably low number of failures as a percentage of the whole. A question which should further be researched is are Semi-Presidential systems of democracy truly the least likely of the three systems to experience democratic failure? Also, why are there so few instances of failure among Semi-Presidential systems? Semi-Presidentialism appears to be a relatively unused system because of how complicated it is, and many countries which have a president and a prime minister only have the president as a vestigial position, such as in Israel. If so many countries have not implemented the system, and it has become obsolete in many countries, are there other problems which emerge from it that would make it unappealing regardless of its increased chances of success? Similarly, are there other factors which produce such low chances of failure, such as selection bias, as there might appear to be with Parliamentary governments? Overall, it appears that Semi-Presidential systems are woefully low on data and should be further investigated to understand why their failure rate is so low.

Another question to further investigate is, are Parliamentary systems less likely to fail due to other factors than their system of governance or due to other unobserved factors? Many of the articles that were summarized in the literature review suggested that Parliamentary systems were less likely to fail purely based on other factors. The high instance of Parliamentary systems in wealthy, developed places like Western Europe, which are unlikely to
fail for other reasons, could throw off the data somewhat. Similarly, the high rate of Presidential systems in Latin American, a region of traditional instability, could have made the instance higher than it would normally have been if the countries being observed were the same other than their forms of governance.

Another important future question is why are Common Law traditions significantly less likely to experience democratic failure than Civil Law traditions? As stated in one of the articles in the literature review, Common Law systems are almost exclusively used in states that were once part of the British Empire. Britain treated its colonies very differently than other European states in many ways, not just legally, and there could be other factors at play that are related to the legacies of British colonialism that work in favor of democratic survival in formerly colonized states. Common Law traditions could only be experiencing their low level of failure based upon other factors at play which are related more generally to British democratic traditions.

In terms of things that could have been done to improve the quality of the research done itself, it would have been better to have used multiple measures of democracy to see whether or not they aligned with one another. There are obviously multiple listings of states that classify states as either a democracy or not a democracy, and they do not always agree with one another on whether or not a state is a democracy. For these reasons, it would improve the quality of the research done and help to confirm or disprove the observation done here if the same observations were repeated, but with a different set of data on whether countries were democracies or not. Another change that would improve the observation would be to conduct the research with a longer timespan than 1946 to 2008. Many of the most famous
instances of democratic failure, such as in the Weimar Republic, preceded the years observed, and with the increasing anti-democratic fervor occurring in the world in recent years, it would be interesting to see if similar results occurred in recent years. Prior to the rise of fascism, Germany and Italy were not Presidential systems, and it would be interesting to see if when European democratic failure was actually an occurrence, the data would change. It would be especially interesting to look into whether the theories that the location of different systems of government actually makes a difference. Similarly, examining the changes in legal traditions over the years could have likely had a small change on democratic outcomes. Most states have had their legal traditions remain constant in the years observed, but some have likely changed, particularly in the Islamic world, and, accordingly, could have been listed as multiple systems if more data had been available.

In conclusion, this paper sought to answer the question “Are certain forms of democracy more likely to experience democratic failure than others?” The answer to that question appears to be yes. These results were found by asking whether Presidential, Parliamentary, or Semi-Presidential institutional structures were more likely to experience democratic failure than any of the other systems. I hypothesized that Presidential structures would be the most likely of the systems observed to experience democratic failure, and my hypothesis was shown, at least in this data set, to be correct. This data though, did not show the difference to be as great as I believed it would be, and showed that Semi-Presidential systems were by far the least likely of the three systems to experience democratic failure.

Conversely, concerning the second question, “Are Civil or Common Law legal traditions more likely to result in democratic failure?”, it appears Common Law traditions are significantly more
likely to avoid democratic failure. Overall, if states wish to counterbalance their current forms of governance against an increase in anti-democratic sentiment, it may be wise to consider adopting some of the tenants of Semi-Presidential democracy and Common Law legal traditions.
Bibliography


*Democracy-Dictatorship Index included with this article*


