

# Constitution-Making in Comparative Perspective

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## Summary

Constitution-making has been a central political activity in the modern era. Enacting a new constitution was an essential ingredient in the foundation of republics, the creation of new states, the inauguration of democratic regimes, and the reequilibration of democracies during or after a political crisis. Constitution writing has also become a crucial part of the process of overcoming a legacy of violent internal conflict and a component of authoritarian regimes that seek to gain legitimacy by emulating the formalities of representative democracies. This article surveys the most important concepts and issues related to the comparative analysis of constitution-making. Although it draws examples from constitutions made in a wide variety of settings, special attention is paid to constitutional texts adopted or implemented under competitive conditions.

**Keywords:** [Constitution-making](#), [written constitutions](#), [constituent power](#), [democracy](#), [representation](#), [popular participation](#)

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This paper compares constitution-making in the European Union, with a particular focus on the convention on the Future of Europe, with constitution-making in Ca. Suggested Citation: Suggested Citation. Covell, Maureen, European Union Constitution Making in Comparative Perspective (October 2003). The Federal Trust Constitutional Online Paper Series No. 30/03. Available at SSRN: <https://ssrn.com/abstract=514862> or <http://dx.doi.org/10.2139/ssrn.514862>. View Constitution Making Research Papers on Academia.edu for free. This book provides the first systematic explanation of the origins of constitutional designs from an analytical, historical, and comparative perspective. Based on a comprehensive analysis of constitutional change in Latin America from more. This book provides the first systematic explanation of the origins of constitutional designs from an analytical, historical, and comparative perspective. Repository Citation Pu Zengyuan, A Comparative Perspective on the United States and Chinese Constitutions, 30 Wm. & Mary L. Rev. 867 (1989), <https://scholarship.law.wm.edu/wmlr/vol30/iss4/4>. Copyright c 1989 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository. <https://scholarship.law.wm.edu/wmlr>. ESSA YS. Socialist constitutions make use of those progressive elements of capitalist democracy manifested in the constitutions, such as equality before the law, people's sovereignty, and universal suffrage, and transform them to serve socialism. \* Research Professor and Deputy Director, Institute of Law, Shanghai Academy of Social Sciences.