

# Islamic Constitutions and Democracy

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### **Abstract**

There is an ongoing debate on the relationship between Islam and (lack of) democracy. Considerable literature shows that Islam, represented as an informal institution by Muslim population share, has a negative effect on democracy. This study examines the effects of formal institutions, specifically constitutions that prescribe Islamic law (*Shari'a*) as a source of legislation, on democracy. We use a newly developed coding of the degree to which Islam is incorporated in constitutions. Our empirical results show that the constitutional entrenchment of Islamic law has a negative and significant effect on democracy. Our findings are robust to using different estimators and instrumental variable regressions, employing alternative measures of democracy and controlling for Muslim population, natural resource wealth and additional control variables. While we show that Islamic constitutionalism is a reason for a democracy deficit in Muslim-majority countries, we find no evidence that Islam is inimical to democracy when not entrenched in the constitution.

**Keywords:** Islam, democracy, Islamic constitutions, institutions, supreme values.

**JEL Classifications:** O11, P16, P48, Z12.

## 1. Introduction

So far, democracy has been failing to find a foothold in the Middle East, a region that has historically been characterized by long-lasting authoritarian regimes (Elbadawi & Makdisi, 2010; Elsassyad & Hanafy, 2014). Theoretical explanations of democracy gap in the Middle East, and in Muslim-majority countries in general, are sought in “history, geography, economics, culture, and religion” (Springborg, 2007, p. 239). A considerable body of literature focuses on the latter cause and shows that the real culprit for the lack of democratic institutions in the Middle East is Islam and its deep institutional factors that historically precede the importance of oil (Fish, 2002; 2011; Kuran, 2016; Lust, 2011; Norris, 2013). In fact, several studies point out that oil rich Islamic countries were largely autocratic long before the discovery of oil (Chaney, 2012; Kuran, 2013; Rørbæk, 2016). While some have argued that Islam has many resources to accommodate a successful democratic state (Esposito & Voll, 1996; Salame, 1994), other studies argue that Islam is inherently incompatible with democracy, judging from the (usual) low scores of democracy recorded by Muslim-majority countries (Huntington, 1996; Lewis, 1993; Fukuyama, 1992). Zakaria (2004, p. 4) claims, “certainly the Koranic model of leadership is authoritarian.”

Institutions constitute the social, political, legal and economic system of a state. According to North (1990), “Institutions are the rules of the game in a society. [...] they structure incentives in human exchange, whether political, social or economic” (p. 1). Generally, rules that constitute the political, legal, economic, and social environment and are formally written down, be it for example a legal text or a constitution, are called formal institutions. Formal institutions indicate an official formal enforcement mechanism in case the rules are violated. Morals, norms, values, traditions, and codes of conduct also influence human behavior. These societal and cultural factors, that are usually unwritten, are called informal institutions (Dobler, 2011; Greif, 2006; North, 2005).

It has been a common practice in empirical research examining Islam and democracy to measure Islam by Muslim population share (Barro R. J., 1999; Fish, 2002; Hanusch, 2013; Potrafke, 2012; 2013; Rød, Knutsen, & Hegre, 2020). Some authors control for the level of religiosity of Muslim population (Ciftci, Wuthrich, & Shamaileh, 2019; Collins & Owen, 2012; Tessler, 2002). From an institutional perspective, religious belief is usually considered an informal institution (Casson, Della Giusta, & Kambhampati, 2010; Domjahn, 2012; Iyer, 2018; Pejovich, 1999). Yet, religious provisions in constitutions are considered formal institutions (Gouda & Gutmann, 2019), as religion is coded and administrated under constitutional authority. There is hardly any research on the effect of Islam on democracy when Islam is established as a formal institution.

According to Lombardi (2013), many Muslim countries have enacted constitutions containing provisions that declare Islam to be a chief source of legislation. The wording of these provisions differs in subtle but consequential ways. Islamic constitutions use multiple terms to describe

the extent to which Islamic norms serve as a source of formal state law. Moreover, these constitutions characterize the degree of supremacy of Islam in different ways. Most clauses describe Islamic norms either as “a chief source of legislation” or as “the chief source of legislation”.<sup>1</sup>

This study examines the effect of formal institutions, in the form of constitutional provisions, on democracy in societies with a significant share of Muslims. We hypothesize that countries in which the supreme values of Islam are entrenched in the constitution tend to be less democratic than comparable countries, as such values not only are declared to be beyond question, but all other goals and values also are subordinated (Bernholz, 1991). We use provisions indicating whether Islamic law is the source of legislation and the degree of supremacy of Islamic law as proxies for the level of ‘Islamicity’ of constitutions. The study follows previous work by Gouda and Potrafke (2016), as well as Gouda and Gutmann (2019). The former shows that discrimination against women is more pronounced in countries where Islamic law is the source of legislation, whereas the latter finds that countries, in which the supreme values of Islam are embedded in the constitution, exhibit more discrimination against religious minorities than comparable countries.

Our results show that the constitutional entrenchment of Islamic law negatively affects democracy. Our findings are robust to using different estimators and instrumental variable regressions as well as employing alternative measures of democracy as dependent variable. Moreover, the effect is highly robust when controlling for Muslim population, natural resource wealth and additional control variables. In fact, there is no negative significant effect of Muslim-majority populations on democracy once our models consider the institutionalization of Islamic law into countries’ constitutions. It is therefore not the religion of the population, but instead the entrenchment of Islamic law in constitutions/institutions, which affects democracy.

There are several advantages to our approach; First, empirical research on Islam and democracy tends to prioritize informal institutions, as demonstrated by religious Muslim population in a given society. In practice, formal and informal rules and norms could be complementary, competing or overlapping (Jütting, Drechsler, Bartsch, & de Soysa, 2007).<sup>2</sup> Our study adds a new and important dimension to analyzing Islam and democracy, because we examine Islam as a formal institution represented by its constitutional entrenchment.

Second, although many studies argue that constitutions matter in shaping the social, political and economic outcomes in respective societies (Brennan & Buchanan, 1981; North &

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<sup>1</sup> See Ahmed and Gouda (2015) for a more detailed discussion.

<sup>2</sup> While North (1990) bases his distinction between formal and informal institutions on the rule component, Kiwit and Voigt (1995) distinguishes the type of rules that make up an institution, as well as who is responsible for sanctioning when a rule has been reneged upon. If the state sanctions rule-breaking, the enforcement is external to society and the authors call the institution “external”. If rule-breaking is sanctioned by members of society, the institution is called “internal” in this case (See Voigt and Kiwit (1998) for an abridged overview in English).

Weingast, 1989; Voigt, 2011), our study is the first to analyze the effects of Islamic constitutional provisions on democracy. Our approach allows us to evaluate hypotheses like that of Ahmed and Ginsburg (2014), who propose that the constitutional incorporation of Islam, or Islamic constitutionalism, is compatible with the fundamental principles of democracy.

Finally, we add to the small literature on supreme values (Bernholz, 2017) by testing the hypothesis that constitutionally entrenched supreme values – in our case Islamic supreme values – are an essential factor behind the democracy deficit in Muslim-majority countries.

Section 2 briefly examines the “Islam and democracy” literature. Section 3 shows the evolution of Islamic constitutional provisions, and presents our theory and hypotheses. Section 4 describes the data. Section 5 presents the empirical model and regression results. Section 6 reports several robustness checks. Section 6 concludes.

## **2. Muslim culture or Islamic law?**

Religion has been identified as a significant factor in shaping citizens’ democratic attitudes/values and their opinions about different systems of government (Canetti-Nisim, 2004; Kedourie, 1992). Some authors have argued that religious values could increase support for or, on the contrary, to impede democratic attitudes when certain conditions are present (McClosky & Zaller, 1984; Wald & Martinez, 2001), while others have argued that different religious traditions have different modes of relating to democracy (Huntington, 1996; Vlas & Gherghina, 2012).

Using data from the 1999–2001 World Values and European Values Surveys, Kim (2008) examines the impact of religious values and practices on democratic attitudes in twenty countries across the globe. The author finds that religious commitment and attendance at religious services does not strengthen democratic views. Moreover, the results show that, among religious affiliations, Protestants in developing countries and Muslims in industrialized countries both significantly advocate democratic values. In a recent study examining the sensitivities of 67 proposed determinants of democracy, Rød et al. (2020) shows that chances of democratization are lower in countries with large Muslim populations, but the relationship is sensitive to controlling for natural resources and education.

Rowley and Smith (2009, p. 298) state that democratic deficits in the Muslim world “appear to have something to do with the nature of Islam itself.” This observation is backed by several empirical studies (Donno & Russett, 2004; Fish, 2002; 2011; Lust, 2011; Norris, 2013). However, as most empirical studies use Muslim population share as a proxy for Islam, it is not clear how this population share might be transmitted into a significant and negative effect on democracy in their given societies. The most common argument provided in relevant literature is that the Islamic cultural tradition, represented by Muslim population, is adversarial to democracy (Donno & Russett, 2004; Gassebner, Lamla, & Vreeland, 2013; Fish, 2002).

Nevertheless, these important studies lack a cohesive narrative where the transmission mechanism of Muslim population to lack of democracy is clear and logical. How would an increase in the share of Muslim population affect governmental policies that might be perceived as autocratic? Is this hypothesized effect true in any society regardless of the type of sect (Sunni or Shiite) and jurisprudence school to which Muslims adhere? These are some of the questions that are left with no clear and definite answer.

Adding another piece to the puzzle, considerable literature shows that Muslims express broad support for democracy (Jamal, 2006; Pew Research Center, 2012; Rowley & Smith, 2009), and that Muslims' attitudes towards democracy minimally differ from that of non-Muslims (Norris, 1999; Norris & Inglehart, 2003). These findings significantly contradict the findings of empirical literature on Islam and democracy, casting a shadow of doubt over the theoretical frameworks used previously. In summary, although we acknowledge the findings of many previous studies, we believe that Muslim culture, and not Islamic law per se, has been perceived as the suspected cause for a democracy deficit.

### **3. Islamic Constitutionalism and Democracy**

#### **a. Islamic Constitutionalism: A brief overview**

The prevalence and influence of constitutional provisions that declare *Shari'a* to be a source of legislation is supremely important for constitutional design in Muslim countries (Gouda & Gutmann, 2019; Gouda & Potrafke, 2016). Islamic constitutional clauses have been widely spreading since the second part of the twentieth century, and were featured in the constitutions of about forty percent of Muslim-majority countries in 2014 (Ahmed & Ginsburg, 2014, p. 635).

Beginning with the Tunisian constitution of 1861, states in the Islamic world adopted the form of Western constitutions (Ahmed & Ginsburg, 2014, p. 619). Brown (2002, p. 16) notes that this constitution extensively used Islamic terminology in many provisions. Yet, there were no articles rendering Islam as a source of legislation or giving any legal supremacy to Islamic *Shari'a* (Ahmed & Ginsburg, 2014, p. 631). Brown (2002, p. 18) notes that this constitution was not democratic and was clearly "designed to serve the political elite, given the self-perpetuating nature of political authority envisioned in the document"

The 1876 Ottoman constitution declared Islam as the state religion and the caliph swore on protecting and applying *Shari'a* (Kocak, 2011, p. 238). Backer (2008, p. 128) notes that the Ottoman constitutions of 1876 and its 1908 revision, served as a foundation for most subsequent Arab constitution writing, especially in Syria in 1920 and in Egypt in 1923.

Ahmed and Ginsburg (2014, p. 688) argue that integration of Islamic provisions in Muslim countries' constitutions followed different dynamics, mandated by each country's peculiar situation; In Iran, the clerics and conservatives played a significant role in establishing the constitutional concept of the "guardianship of the jurists" (*wilayat al-faqih*), first mandated in the



1906 constitution. This special concept served as a safeguard against the future enactment of any “un-Islamic” laws in the context of a constitution that already contained considerable Islamic provisions. The 1906 constitution had a considerable effect in shaping Islamic governance, which was to have a crucial impact on the political and legal institutions of the 1979 revolutionary republic.

Acceding the Afghani throne in 1919, Amanullah Khan made significant legal reforms in the hope of rapid modernization, including the first constitution of Afghanistan in 1923.

This constitution guaranteed numerous public and personal freedoms, as well as greater rights to religious minorities. Influential clerics claimed that this constitution offended religious sensibilities, and proclaimed Amanullah’s legal reforms as an attack on both Islam and Afghan values. As opposition by Islamic conservatives became significant, Amanullah’s successor Nadir Khan aimed to mitigate it through the insertion of “progressively stronger Islamic supremacy clauses”, which resulted in the 1931 constitution (Ahmed & Ginsburg, 2014, p. 688).

According to Lombardi (2013, p. 744), due to significant pressure from Muslim Brotherhood and other Islamist groups, clauses declaring Islam a supreme source for legislation first appeared in the post-independence Syrian constitution of 1950, which declared Islamic *fiqh* [scholarly interpretations of Islamic law] as the chief source of legislation. In Egypt, there was a different dynamic; President Sadat sought to legitimize his rule through Islamic constitutional provisions, and, subsequently, win the political support of a growing Islamic opposition in an increasingly religious society. The 1971 constitution included significant Islamic clauses, aimed at expanding the regime’s power through projecting an image for Sadat as a religious, “Believing President.” (Kennedy, 2017)

Through developing an Islamic Constitutions Index to measure and rank constitutions of Muslim-majority countries according to the number of Islamic provisions included, Ahmed and Gouda (2015) find that ‘Islamicity’ of the constitution seems to correlate negatively with political stability, gender equality and democracy. This goes in line with An-Na’im’s (2009) argument that the strict application of *Shari’a* would have a negative effect on democratic institutions in a given society.

### **b. Islam as a Supreme Value**

The institutionalization of *Shari’a* in constitutions leads to the entrenchment of Islam as a supreme value. Supreme values refer to an aim or a set of aims lexicographically preferred by people adhering to these aims to the exclusion of all other aims (Bernholz, 2004; Hillman, 2019). An essential feature of supreme values is that they are absolutely true for adherents and are, thus, not open to question by others (Bernholz, 1991). This features specially manifests in supreme values stemming from religious ideologies (Bernholz, 2004, p. 318).

As for the relationship between supreme values and democracy, Bernholz (2004, p. 326) argues that adherents of supreme values tolerate, and essentially take advantage of, democratic rule

and institutions only to fulfill their own divine commands. Thus, democracy is only desired if it allows the fulfillment of supreme values. In fact, supreme values give way to a totalitarian regime characterized by extensive political repression, absolute control over the economy, restriction of speech and widespread use of state terrorism (Bernholz, 2017). A totalitarian state, legitimized through supreme values, recognizes no limits to its authority in any sphere of life, whether it is public or private, secular or spiritual, and extends that authority to whatever length feasible (Bernholz, 2017, p. 3; Conquest, 2001).

According to Bernholz (2017, p. 20), Islam is characterized by supreme values that are preferred lexicographically to all other objectives and considered to be absolutely true. Moreover, Islam is characterized by a legal system “deriving its status from supreme values and with a permanent nature of basic rules and thus of a constitutional nature; a definition of members of the community; a different legal status for nonmembers; legal obligations and duties of members in the service of supreme values; a neutral domain, not covered by laws derived from supreme values, within which members are free to take their own decisions” (Bernholz, 2017, p. 54).

Considerable literature argues that the values propagated by political Islam are not conducive to the establishment of the essential institutional pillars of a free and democratic society (Hillman & Potrafke, 2018; Voigt, 2005). Islamic constitutionalism significantly contradicts with foundations of rule of law and democracy (Gouda, 2013; Gutmann & Voigt, 2015). Bernholz (2004, p. 332) states that, “The very values of western democracies contradict the supreme values of Islam, including the idea of a secular, non-theocratic democracy itself, and the freedom of women to participate equally in a society.” Bernholz (2017) depicts Islamic supreme values clearly as totalitarian and without considerable merit for democracy from the normative perspective of Western liberalism, in general.

Based on the above arguments, we postulate our hypothesis in two versions:

*H1a: Prescribing Islamic law (Shari’a) as a source of legislation in the constitution negatively affects democracy in a given society.*

*H1b: A higher level of Islamic law supremacy in the constitution negatively affects democracy.*

#### **4. Data and descriptives**

We use the democracy-dictatorship measure of political regimes, developed by Cheibub et al. (2010), as our dependent variable on democracy. The variable distinguishes between regimes in which executive and legislative offices are filled through contested elections and those in which they are not, assuming the value one for the former and zero otherwise. We use the updated dataset by Bjørnskov and Rode (2020) for our analysis. Alternative measures of democracy are used for robustness checks.

We investigate the effect of Islamic constitutions using the two independent variables (i) “Islamic law as a source of legislation” and (ii) “Supremacy of Islamic law”. Both variables are based on the Islamic Constitutions Index developed by Ahmed and Gouda (2015). Using the framework of the Comparative Constitutions Project by Elkins et al., (2009), the Islamic Constitutions Index measures the degree of Islamization of constitutions.<sup>3</sup> “Islamic law as a source of legislation” is a dummy variable that takes on the value one if the constitution identifies Islamic law as a source of legislation, and zero otherwise. The “supremacy of Islamic law” indicator gives more details on the degree of Islamization of constitutions. We use a three-point scale (from zero to two), where higher values reflect a higher level of supremacy of Islamic law, following Gouda and Gutmann’s (2019) recoding of the Islamic Constitutions Index.

We follow the empirical literature on democracy determinants regarding our control variables (e.g. Gassebner et al., 2013, Rød et al., 2019). Many empirical studies show that oil-dependent economies tend to have less democracy than countries with fewer natural resources (Ross, 2001; 2012; van der Ploeg, 2011). Following Ross (2008), we use (the logarithm of) oil and gas rents per capita to capture natural resource wealth. We control for (the logarithm of) GDP per capita from the World Bank Development Indicators to capture a possible effect of economic advancement on democracy as postulated by the modernization theory (Lipset, 1959; Epstein, Bates, Goldstone, Kristensen, & O’Halloran, 2006). We additionally control for the degree of globalization using the KOF Globalization Index (Dreher, 2006; Gygli, Haelg, Potrafke, & Sturm, 2019; Potrafke, 2015). Literature findings on the effect of globalization on democracy are mixed. Rodrik and Rigobon (2005), for example, finds a negative effect of globalization on democracy, whereas Lopez-Cordova and Meissner (2008) shows positive effects of international trade on democracy.

Concerning political and institutional variables, we control for presidential political systems (Cheibub, Gandhi, & Vreeland, 2010; Rød, Knutsen, & Hegre, 2020), as well as British, French and Socialist legal origins (La Porta, De-Silanes, Shleifer, & Vishny, 1999; Potrafke, 2012). We additionally control for the share of Muslim population to rule out the possibility that estimated effects of Islamic constitutions only reflect the effect of Muslim culture as an informal institution. A considerable number of studies show a negative effect of Muslim population share on democracy (Fish, 2002; Lust, 2011; Norris, 2013; Potrafke, 2012; 2013). All regression models include region and year fixed effects. Variables and data sources are described in Table A.1 in the Appendix.

Our data sample consists of 3,827 observations from 160 countries for the period 1990-2014.<sup>4</sup> Table 1 shows descriptive statistics based on our full regression sample in the first column, the treated sample, where Islamic law is the source of legislation in the second column and the

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<sup>3</sup> The Islamic Constitutions Index uses a unique model of an Islamic constitution, developed in 1978 by Al-Azhar University, as a benchmark to identify distinctive Islamic characteristics of constitutions. For more details, see Gouda (2013).

<sup>4</sup> Our time frame is restricted by the availability of our main dependent variables on Islamic Constitutions.

control sample in the third column. Accordingly, 321 observations from 16 countries are treated. In 88% (14 out of 16) of these countries, the existence of Islamic constitutions is time-invariant during our sample period, as mentioned at the bottom of Table 1. Democracy exists in about 62% of observations of the control sample, whereas only 6% of the observations experience democracy if Islamic law is the source of legislation.<sup>5</sup>

Our descriptive statistics further reveal that countries with Islamic constitutions have higher rents from natural resources and obviously a higher share of Muslim population. Economic characteristics, such as per capita GDP and globalization do not largely differ between the two samples. Regarding legal origins, no country with an Islamic constitution is of socialist legal origin, whereas two-third of them has a French legal origin.

## 5. Empirical Model and Results

We estimate the following model

$$Democracy_{i,t} = \alpha + \beta \times Islamic\ Constitutions_{i,t} + \gamma \times X_{i,t} + \mu_i + \vartheta_t + \varepsilon_{i,t} \quad (1)$$

where *Islamic Constitutions* is our potentially endogenous treatment variable on Islamic constitutions, *X* is a vector of control variables, and  $\mu$  and  $v$  are region and year fixed effects which are controlled for in all regression models. Standard errors are clustered on the country-level.

We first estimate equation (1) using OLS. Results are reported in Table 2. We start our analysis in column (1) by using “Islamic law as a source of legislation” as our indicator for Islamic constitutions, controlling for (the logarithm of) oil and gas rents per capita, (the logarithm of) per capita GDP, the degree of globalization, presidential systems as well as British, French and Socialist legal origins. The reference group are countries with German or Scandinavian legal origin which are all democratic. Our results show that countries with constitutions mentioning Islamic law as a source of legislation have a lower probability of being democratic by 29 percentage points (pp). The effect is highly significant at 0.1% significance level. We additionally control for the share of Muslim population in column (2) and for Muslim majority in column (3), to rule out the possibility that estimated effects of Islamic constitutions only reflect the effect of Muslim population rather than Islamic law as a formal institution. However, the identified effect of Islamic constitutions remains robust and significant at the 1% level. Neither Muslim population nor the dummy for Muslim-majority countries is significant.

We repeat the same strategy in columns (4)-(6), using “Supremacy of Islamic Law” as our indicator for Islamic constitutions. Results show that a single point increase in “supremacy of Islamic law” goes in hand with a lower probability of democracy by 15-17 pp. This indicates that countries with a high supremacy of Islamic law have a lower probability of being democratic by 30-34 percentage points.

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<sup>5</sup> Only Comoros, Mauritania and Maldives experience democracy in limited time periods of the treatment sample.

As our dependent variable is a binary variable, we run into the problem that OLS could predict variables lower than zero or higher than one. We therefore additionally estimate model (1) using a Probit estimator. Table A.2 in the Appendix presents the marginal effects calculated based on the Probit regression results.<sup>6</sup> The Probit marginal effects show very similar results to our OLS coefficients in Table 2 and confirm our previous findings on the effect of Islamic constitutions.

It could be argued that the lack of democracy leads to the adoption of Islamic constitutions and not the other way. To tackle endogeneity concerns, we estimate 2SLS instrumental variable regressions. Following Gouda and Gutmann (2019), we rely on the following two instrumental variables as exogenous predictors of the Islamization of a country's constitutions: (i) (the logarithm of the) distance of a country's capital from Mecca as proposed by Michalopoulos et al. (2018), who show that a country's distance to Mecca is a reliable predictor of the historical diffusion of Islam and its legal institutions and (ii) a measure of Arab conquest by Chaney (2012)<sup>7</sup>, who shows that Arab conquest significantly shaped the institutional development of its countries on the basis of Islamic law. Both instruments rely on the hypothesis that countries that are geographically closer to Mecca and countries that were under Muslim rule for centuries are more likely to have adopted Islamic constitutions that are still in effect today. Our instrumental variable strategy builds on a body of economic literature that uses exogenous geographic and historical variables to explain contemporary institutions (Chaney, 2013; Tabellini, 2010).

Admittedly, our instruments not only predict the emergence of Islamic constitutions (as formal institutions) but also the diffusion of adherence to Islam and its informal institutions. Accordingly, for our exclusion restriction to hold, it is necessary that our results are robust to controlling for the Islamization of a society in the first and second stages of the instrumental variables regression, as argued by Gouda and Gutman (2019). We account for this by controlling for the share of Muslim Population and Islam as a majority religion in a country.

As the descriptive statistics in Table 1 show, countries with Islamic constitutions tend to be geographically closer to Mecca and are more likely to have been ruled by Muslims for a long period of time. Table A.3 in the Appendix shows the regression results for the first stage of our instrumental variable regressions. The dependent variable is Islamic law as a source of legislation in columns (1)-(3) and supremacy of Islamic law in columns (4)-(6). Both instruments show the expected positive sign and are individually significant at the 5% level in columns (1) and (4). The second instrumental variable on Arab conquest is no longer individually significant when we include Muslim populations in columns (2) and (4) or a dummy for Muslim-majority

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<sup>6</sup> The table of Probit coefficients is not included for space reasons and is available upon request.

<sup>7</sup> Arab conquest is calculated as the product of the share of a country's landmass in 1100 that was ruled by Muslim dynasties and a dummy variable that equals one if at least half of the country's landmass remained under Muslim rule in 1900.

countries in columns (3) and (6). However, both instruments remain jointly significant at the 1% significance level across all model specifications.<sup>8</sup>

Table 3 shows the regression results of the second stage from the 2SLS instrumental variable regressions and confirms our findings from Table 1, regarding the negative effect of Islamic constitutions on democracy. In fact, the coefficients of both source and supremacy variables have more than doubled compared to the OLS coefficients. Similar to our previous findings, neither Muslim population nor the dummy for Muslim-majority countries is significant. We report diagnostic tests that are relevant for assessing the validity of the IV regression results at the bottom of Table 3. The null hypothesis that the instruments are valid cannot be rejected according to the Hansen's J statistic.

Moreover, testing for under-identification, we reject the null hypothesis of reduced rank (based on the Kleibergen-Paap rk LM statistic), which implies that the rank condition is satisfied. The Kleibergen-Paap F-tests for weak instruments are larger than the critical value of 10, especially in the baseline regressions of columns (1) and (4), which could indicate a problem of weak instruments. However, their values decrease and are mostly smaller than 10 when controlling for Muslim population shares. Weak instruments would mean that 2SLS estimates are biased towards the OLS estimates. However, since our 2SLS estimates are more than twice the size of OLS estimates, we would be – if at all – underestimating the effect of Islamic constitutions on democracy.

Both the negative coefficient for natural resources and the positive globalization coefficient are only significant in Table 2 using OLS regressions, but turn insignificant when 2SLS is estimated in Table 3 for all model specifications.<sup>9</sup> Similar to Acemoglu et al. (2008), we do not find support for a positive effect of economic advancement on democracy, as postulated by the modernization theory. Our results further show that countries with socialist legal origins have a lower probability of being democratic. Similar to our previous results, British and French legal origins as well as presidential systems do not have a significant impact on democracy.

## 6. Robustness checks

We conduct several robustness checks. We first use two alternative dependent variables to measure democracy; the Polity2 score (rescaled from 0 to 1) and the Support Vector Machines Democracy Index (SVMDI) by Gruendler and Krieger (2016; 2018). Using Polity2 score as dependent variable in columns (1)–(3) and SVMDI in columns (4)–(6), Table A.4 in the Appendix reports results of OLS regressions and Table A.5 shows 2SLS regression results of model (1). “Islamic law as source of legislation” is used as an indicator for Islamic constitutions.

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<sup>8</sup> Note that the correlation between both instrumental variables is larger than 0.5 and that the second instrumental variable on Arab conquest becomes individually significant across all regressions when the first instrumental variable on distance to Mecca is omitted.

<sup>9</sup> The ambiguous findings on natural resource wealth holds when using natural resource rents (as % of GDP) from the World Development Indicators as an alternative measure of natural resources (available upon request).

In all models, constitutions that use Islamic law as a source of legislation show a statistically significant negative effect on democracy. We conclude that the effect is robust to using alternative democracy measures.<sup>10</sup>

One concern about our findings is that the effect of Islamic constitutions on democracy might be driven by broader constitutional provisions such as freedom of religion. In an additional robustness check, we control for whether the constitution acknowledges freedom of religion using data by Elkins et al. (2014) and report the findings in Table A.6. The effect of constitutional provision of religious freedom is insignificant and our results on the effect of Islamic constitutions are robust.

Furthermore, our results are robust to controlling for external forces such the average democracy score of geographical neighbors from Bjørnskov and Rode (2020) in columns (1)–(3) of Table A.7 and (the logarithm) of received ODA from World Development Indicators in columns (4)–(6) (Kersting & Kilby, 2014; Knack, 2004). Also, our results are robust to controlling for several socio-economic variables such as the average years of schooling in the population over 15 years (Barro & Lee, 2013) and the level of inequality in a country using the Gini coefficient (World Bank, 2019). Results are reported in Table A.8 in the Appendix. We use “Islamic law as source of legislation” as an indicator for Islamic constitutions in Tables A.7 and A.8. The effect of Islamic law supremacy is similarly robust.<sup>11</sup> To conclude, both variables on entrenching Islamic law in constitutions have a negative and significant effect on democracy in all model specifications.

## 7. Conclusion

The study reveals several important findings. First, the level of Islamicity of a country’s constitution is significantly associated with authoritarianism. Second, after considering the possible entrenchment of Islamic legal principles in the constitution, there is no further significant effect of any other measure for the influence of Islam in society on the level of democracy. In other words, the widespread democracy deficit in Muslim societies seems to be a consequence of the design of formal institutions (i.e., especially the constitution) rather than caused directly by the informal norms prevalent among the Muslim population. This supports the more general idea that constitutions matter, which has been recently gaining ground in empirical research (e.g. (Persson & Tabellini, 2003)). Finally, this study demonstrates once more the grave dangers inherent in institutionalizing supreme values. Constitutions that propagate absolute truths and, in disregard of the rule of law, expect these principles to be enforced will most likely lead to authoritarianism.

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<sup>10</sup> Similarly, the effect of Islamic law supremacy is robust to using alternative democracy indicators. Additional tables are not included for space reasons and are available upon request. We additionally estimate Tobit models as polity2 and SVMDI are right and left censored at zero and one, respectively. Results are similar to OLS and are available upon request. Note, however, that SVMDI has only eight right and eight left censored variables.

<sup>11</sup> We control for ethnic fractionalization in an additional robustness check. Our results remain unchanged. All additional results are available upon request.

Furthermore, our findings have implications for research on further consequences of Islamic constitutionalism. Considerable literature shows that Islamic constitutional provisions have adverse consequences for gender equality (Gouda & Potrafke, 2016), rule of law (Gouda, 2013; Gutmann & Voigt, 2015; 2018), as well as the protection of rights of religious minorities (Gouda & Gutmann, 2019). Particularly in the case of democracy, it is, however, not well understood how or under what conditions exactly, Islam is detrimental to its consolidation. As we demonstrate here, understanding these details can be crucial for formulating policy recommendations and should, thus, be a main objective of future research.



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## Appendix

**Table A.1: List of variables and data sources**

Variable	Description and data source
Democracy	Dummy variable =1 if executive and legislative offices are filled through contested elections and zero otherwise, as developed by Cheibub et al. (2010). Source: Bjørnskov and Rode (2019).
Polity2*	Level of democracy Polity2, rescaled between zero and one. Source: Polity IV project.
SVMDI*	Support Vector Machines Democracy Index (SVMDI). Source: Gruendler and Krieger (2016, 2018).
Source	Dummy variable =1 if the constitution identifies Islamic law as a source of legislation, and zero otherwise. Source: Ahmed and Gouda (2015).
Supremacy	A three-point scale (from zero to two), where higher values reflect a higher level of supremacy of Islamic law. Supremacy = 0 when Islam is not the source of legislation. Source: Ahmed and Gouda (2015) and Gouda and Gutmann (2019).
Distance	Distance from Mecca, logarithm, own calculation.
Conquest	Arab conquest. Source: Chaney (2012).
Natural resources	Total oil and gas rents divided by population and measured in constant 2014 U.S. dollars, Logarithm. Source: Ross and Mahdavi (2015).
GDP per capita	GDP per capita, logarithm. Source: World Development Indicators.
Globalization	KOF Globalisation Index. Source: Gygli et al. (2019).
Presidential	Presidential political system. Source: Bjørnskov and Rode (2019).
British legal origin	British legal origin. Source: La Porta et al. (1999).
French legal origin	French legal origin. Source: La Porta et al. (1999).
Socialist legal origin	Socialist legal origin. Source: La Porta et al. (1999).
Share Muslim	Muslim population share. Source: ARDA's Religious Characteristics of States Dataset.
Muslim Majority	Dummy Variable =1 if Muslim population share larger than 50%, own calculation.

\*used for robustness checks

**Table A.2: Effect of Islamic constitutions on democracy, Probit, Marginal Effects**

	(1)	(2)	(3)	(4)	(5)	(6)
Source	-0.251*	-0.203	-0.212*			
	(0.099)	(0.106)	(0.106)			
Supremacy				-0.167***	-0.141**	-0.146**
				(0.044)	(0.047)	(0.048)
Natural resources	-0.023*	-0.021*	-0.021*	-0.022*	-0.020*	-0.019*
	(0.009)	(0.009)	(0.010)	(0.009)	(0.009)	(0.009)
Income per capita	-0.010	-0.019	-0.018	-0.008	-0.016	-0.014
	(0.030)	(0.029)	(0.029)	(0.030)	(0.029)	(0.029)
Globalization	0.005*	0.006*	0.006*	0.005	0.006*	0.006*
	(0.003)	(0.003)	(0.003)	(0.003)	(0.003)	(0.003)
Presidential	-0.066	-0.063	-0.065	-0.066	-0.063	-0.066
	(0.063)	(0.062)	(0.062)	(0.062)	(0.061)	(0.061)
British legal origin	-0.008	-0.023	-0.019	-0.006	-0.021	-0.017
	(0.061)	(0.059)	(0.060)	(0.061)	(0.059)	(0.059)
Socialist legal origin	-0.225*	-0.247**	-0.240**	-0.229*	-0.251**	-0.244**
	(0.091)	(0.088)	(0.088)	(0.090)	(0.087)	(0.087)
Share Muslim		-0.095			-0.089	
		(0.074)			(0.073)	
Majority Muslim			-0.066			-0.062
			(0.061)			(0.060)
Observations	3,827	3,827	3,827	3,827	3,827	3,827
Countries	160	160	160	160	160	160

Notes: Dependent variable is Democracy. Table shows the marginal effects based on Probit regressions of Model (1). All models include region- and year-fixed effects; country-clustered standard errors are shown in parentheses: \*0.05, \*\*0.01 and \*\*\*0.001.



**Table A.3: First Stage**

	(1)	(2)	(3)	(4)	(5)	(6)
<b>Distance (IV)</b>	-0.171*	-0.168*	-0.173*	-0.309*	-0.306*	-0.312*
	(0.068)	(0.068)	(0.067)	(0.132)	(0.132)	(0.130)
<b>Conquest (IV)</b>	0.244*	0.154	0.143	0.466*	0.371	0.334
	(0.114)	(0.155)	(0.146)	(0.218)	(0.261)	(0.260)
Natural resources	0.010	0.009	0.008	0.021*	0.020*	0.019
	(0.006)	(0.006)	(0.006)	(0.010)	(0.010)	(0.011)
GDP per capita	0.040	0.046	0.046	0.079	0.085	0.086*
	(0.025)	(0.027)	(0.026)	(0.042)	(0.044)	(0.043)
Globalization	-0.005	-0.005	-0.005	-0.010*	-0.010*	-0.010*
	(0.003)	(0.003)	(0.003)	(0.004)	(0.004)	(0.004)
Presidential	0.006	-0.004	-0.002	-0.007	-0.018	-0.018
	(0.035)	(0.034)	(0.034)	(0.063)	(0.061)	(0.063)
British legal origin	0.053	0.044	0.043	0.115	0.106	0.102
	(0.051)	(0.050)	(0.049)	(0.085)	(0.085)	(0.083)
French legal origin	0.028	0.021	0.024	0.053	0.046	0.047
	(0.047)	(0.046)	(0.046)	(0.088)	(0.089)	(0.087)
Socialist legal origin	-0.100*	-0.096*	-0.098*	-0.188*	-0.184*	-0.186*
	(0.044)	(0.045)	(0.044)	(0.087)	(0.087)	(0.087)
Share Muslim		0.131			0.137	
		(0.122)			(0.168)	
Majority Muslim			0.120			0.158
			(0.081)			(0.120)
Constant	0.130	0.079	0.093	0.209	0.155	0.161
	(0.178)	(0.180)	(0.169)	(0.326)	(0.321)	(0.309)
Observations	3,827	3,827	3,827	3,827	3,827	3,827
Countries	160	160	160	160	160	160

Notes: First stage results of 2SLS instrumental variable regressions. Dependent variable is Islamic law as a source of legislation in columns (1)-(3) and supremacy of Islamic law in columns (4)-(6). The excludable instruments are the log-distance to Mecca and an indicator for Arab conquest. All models include region- and year-fixed effects; country-clustered standard errors are shown in parentheses: \*0.05, \*\*0.01 and \*\*\*0.001.

**Table A.4: Alternative democracy measures as dependent variables, OLS**

	(1) DV=Polity2	(2) DV=Polity2	(3) DV=Polity2	(4) DV=SVMDI	(5) DV=SVMDI	(6) DV=SVMDI
Source	-0.262*** (0.070)	-0.213** (0.075)	-0.215** (0.074)	-0.272*** (0.078)	-0.228** (0.084)	-0.220** (0.081)
Natural resources	-0.021*** (0.006)	-0.018** (0.006)	-0.018** (0.006)	-0.020** (0.006)	-0.018** (0.006)	-0.018** (0.006)
GDP per capita	-0.029 (0.021)	-0.036 (0.020)	-0.035 (0.020)	-0.025 (0.025)	-0.030 (0.023)	-0.030 (0.023)
Globalization	0.008*** (0.002)	0.009*** (0.002)	0.009*** (0.002)	0.007** (0.002)	0.007** (0.002)	0.007** (0.002)
Presidential	-0.052 (0.044)	-0.044 (0.043)	-0.047 (0.043)	-0.046 (0.041)	-0.039 (0.040)	-0.041 (0.040)
British legal origin	-0.022 (0.066)	-0.018 (0.063)	-0.020 (0.064)	0.002 (0.079)	0.007 (0.076)	0.005 (0.076)
French legal origin	-0.033 (0.063)	-0.014 (0.059)	-0.021 (0.060)	-0.044 (0.074)	-0.028 (0.070)	-0.031 (0.071)
Socialist legal orig.	-0.177* (0.072)	-0.172* (0.069)	-0.171* (0.069)	-0.156 (0.083)	-0.153 (0.081)	-0.151 (0.081)
Share Muslim		-0.114 (0.066)			-0.100 (0.072)	
Majority Muslim			-0.086 (0.048)			-0.094 (0.053)
Constant	0.419** (0.130)	0.456*** (0.132)	0.446*** (0.132)	0.326* (0.159)	0.357* (0.162)	0.354* (0.161)
Observations	3,710	3,710	3,710	3,827	3,827	3,827
Countries	156	156	156	160	160	160

Notes: Dependent variable is Polity2 in (1)–(3) and SVMDI in columns (4)–(6). All regressions are estimated by OLS. See Table 2.

**Table A.5: Alternative democracy measures as dependent variables, 2SLS**

	(1) DV=Polity2	(2) DV=Polity2	(3) DV=Polity2	(4) DV=SVMDI	(5) DV=SVMDI	(6) DV=SVMDI
Source	-0.597*** (0.148)	-0.596** (0.197)	-0.594** (0.186)	-0.680*** (0.187)	-0.763** (0.272)	-0.706** (0.250)
Natural resources	-0.012* (0.006)	-0.012* (0.006)	-0.013* (0.006)	-0.011 (0.007)	-0.011 (0.007)	-0.011 (0.007)
GDP per capita	-0.014 (0.027)	-0.014 (0.030)	-0.014 (0.030)	-0.003 (0.033)	0.003 (0.039)	-0.001 (0.037)
Globalization	0.006* (0.003)	0.006* (0.003)	0.006* (0.003)	0.004 (0.004)	0.004 (0.004)	0.004 (0.004)
Presidential	-0.055 (0.045)	-0.055 (0.046)	-0.055 (0.046)	-0.042 (0.043)	-0.047 (0.045)	-0.044 (0.043)
British legal origin	0.021 (0.064)	0.021 (0.064)	0.020 (0.064)	0.063 (0.080)	0.067 (0.084)	0.064 (0.082)
French legal origin	0.026 (0.059)	0.026 (0.059)	0.025 (0.060)	0.031 (0.072)	0.029 (0.074)	0.030 (0.073)
Socialist legal origin	-0.187** (0.069)	-0.187** (0.069)	-0.187** (0.069)	-0.171* (0.079)	-0.176* (0.081)	-0.173* (0.080)
Share Muslim		0.002 (0.100)			0.072 (0.121)	
Majority Muslim			0.004 (0.069)			0.025 (0.083)
Constant	0.345* (0.139)	0.344* (0.150)	0.345* (0.145)	0.219 (0.177)	0.183 (0.204)	0.208 (0.191)
Underidentification	17.78 (0.000)	11.62 (0.003)	12.94 (0.002)	16.49 (0.000)	9.45 (0.009)	11.03 (0.004)
p-value						
Kleibergen-Paap F	15.93	9.33	10.91	13.54	6.33	8.12
Hansen J	0.40	0.48	0.53	0.04	0.29	0.15
p-value	(0.527)	(0.489)	(0.468)	(0.839)	(0.588)	(0.696)
Observations	3,710	3,710	3,710	3,827	3,827	3,827
Countries	156	156	156	160	160	160

Notes: Dependent variable is Polity2 in (1)–(3) and SVMDI in columns (4)–(6). All regressions are estimated by 2SLS instrumental variable regressions. See Table 3.

**Table A.6: Additional control variable on freedom of religion in constitutions, OLS**

	(1)	(2)	(3)	(4)	(5)	(6)
Source	-0.239** (0.079)	-0.215* (0.098)	-0.228* (0.093)			
Supremacy				-0.141*** (0.037)	-0.128** (0.048)	-0.135** (0.045)
Natural resources	-0.023* (0.010)	-0.022* (0.010)	-0.023* (0.010)	-0.022* (0.010)	-0.021* (0.010)	-0.022* (0.010)
GDP per capita	-0.051 (0.035)	-0.053 (0.034)	-0.052 (0.034)	-0.049 (0.035)	-0.052 (0.034)	-0.051 (0.034)
Globalization	0.008* (0.004)	0.008* (0.004)	0.008* (0.004)	0.008* (0.004)	0.008* (0.004)	0.008* (0.004)
Presidential	-0.034 (0.067)	-0.032 (0.067)	-0.034 (0.067)	-0.038 (0.067)	-0.035 (0.067)	-0.037 (0.067)
British legal origin	-0.154 (0.120)	-0.149 (0.119)	-0.152 (0.120)	-0.148 (0.120)	-0.143 (0.119)	-0.146 (0.120)
French legal origin	-0.159 (0.117)	-0.147 (0.114)	-0.154 (0.117)	-0.154 (0.117)	-0.142 (0.115)	-0.149 (0.117)
Socialist legal origin	-0.379** (0.135)	-0.374** (0.135)	-0.376** (0.137)	-0.379** (0.135)	-0.374** (0.135)	-0.377** (0.136)
Freedom of religion	-0.001 (0.001)	-0.001 (0.001)	-0.001 (0.001)	-0.001 (0.001)	-0.001 (0.001)	-0.001 (0.001)
Share Muslim		-0.054 (0.115)			-0.056 (0.113)	
Majority Muslim			-0.022 (0.093)			-0.023 (0.092)
Constant	0.438 (0.250)	0.452 (0.254)	0.444 (0.251)	0.430 (0.250)	0.445 (0.254)	0.436 (0.251)
Observations	2,681	2,681	2,681	2,681	2,681	2,681
Countries	152	152	152	152	152	152

Notes: See Table 2.

**Table A.7: Additional control variables on external effects, OLS**

	(1)	(2)	(3)	(4)	(5)	(6)
Source	-0.285*** (0.079)	-0.239** (0.091)	-0.241** (0.091)	-0.283** (0.091)	-0.234* (0.104)	-0.243* (0.105)
Natural resources	-0.023* (0.009)	-0.021* (0.009)	-0.021* (0.010)	-0.023 (0.012)	-0.021 (0.012)	-0.021 (0.012)
GDP per capita	-0.024 (0.034)	-0.028 (0.033)	-0.027 (0.034)	-0.020 (0.044)	-0.025 (0.044)	-0.024 (0.044)
Globalization	0.006* (0.003)	0.006* (0.003)	0.006* (0.003)	0.005 (0.004)	0.006 (0.004)	0.006 (0.004)
Presidential	-0.087 (0.065)	-0.081 (0.065)	-0.083 (0.065)	-0.076 (0.099)	-0.069 (0.098)	-0.072 (0.098)
British legal origin	-0.038 (0.102)	-0.033 (0.100)	-0.035 (0.101)	-0.444** (0.159)	-0.406* (0.168)	-0.416* (0.163)
French legal origin	-0.065 (0.097)	-0.049 (0.093)	-0.054 (0.093)	-0.470** (0.165)	-0.418* (0.175)	-0.435* (0.167)
Socialist legal origin	-0.249* (0.112)	-0.243* (0.111)	-0.242* (0.112)	-0.791*** (0.182)	-0.758*** (0.190)	-0.764*** (0.188)
Spatial democracy	0.025 (0.101)	0.037 (0.098)	0.039 (0.097)			
ODA				-0.004 (0.046)	-0.004 (0.044)	-0.005 (0.045)
Share Muslim		-0.102 (0.102)			-0.109 (0.105)	
Majority Muslim			-0.079 (0.084)			-0.075 (0.085)
Constant	0.302 (0.230)	0.332 (0.233)	0.323 (0.232)	0.689 (0.460)	0.680 (0.459)	0.685 (0.457)
Observations	3,827	3,827	3,827	2,757	2,757	2,757
Countries	160	160	160	126	126	126

Notes: See Table 2.

**Table A.8: Additional control variables on education and inequality, OLS**

	(1)	(2)	(3)	(4)	(5)	(6)
Source	-0.375*** (0.069)	-0.352*** (0.088)	-0.365*** (0.088)	-0.272** (0.083)	-0.204* (0.098)	-0.210* (0.097)
Natural resources	-0.019 (0.010)	-0.018 (0.010)	-0.019 (0.010)	-0.023* (0.010)	-0.020* (0.010)	-0.020* (0.010)
GDP per capita	-0.041 (0.042)	-0.042 (0.041)	-0.041 (0.041)	-0.018 (0.039)	-0.028 (0.037)	-0.026 (0.037)
Globalization	0.004 (0.004)	0.004 (0.004)	0.004 (0.004)	0.005 (0.003)	0.005 (0.003)	0.005 (0.003)
Presidential	-0.080 (0.067)	-0.078 (0.067)	-0.080 (0.067)	-0.078 (0.066)	-0.067 (0.065)	-0.072 (0.065)
British legal origin	-0.027 (0.096)	-0.023 (0.096)	-0.026 (0.096)	-0.031 (0.098)	-0.011 (0.095)	-0.020 (0.096)
French legal origin	-0.007 (0.090)	0.001 (0.088)	-0.005 (0.089)	-0.070 (0.094)	-0.031 (0.088)	-0.044 (0.089)
Socialist legal origin	-0.299* (0.125)	-0.297* (0.124)	-0.298* (0.126)	-0.237* (0.104)	-0.232* (0.100)	-0.232* (0.101)
Education	0.019 (0.021)	0.018 (0.021)	0.019 (0.021)			
Inequality				-0.181 (0.528)	-0.367 (0.560)	-0.307 (0.547)
Share Muslim		-0.055 (0.120)			-0.173 (0.119)	
Majority Muslim			-0.019 (0.099)			-0.126 (0.092)
Constant	0.369 (0.251)	0.384 (0.254)	0.373 (0.251)	0.438 (0.342)	0.583 (0.369)	0.538 (0.359)
Observations	3,261	3,261	3,261	3,187	3,187	3,187
Countries	136	136	136	157	157	157

Notes: See Table 2.

**Table 1: Descriptive statistics**

	Full sample				Treated sample				Control sample			
	mean	sd	min	max	mean	sd	min	max	mean	sd	min	max
Democracy	0.57	0.49	0	1	0.06	0.24	0	1	0.62	0.49	0	1
Polity2*	0.67	0.32	0.00	1.00	0.23	0.23	0.00	0.95	0.71	0.30	0.00	1.00
SVMDI*	0.66	0.37	0.00	1.00	0.19	0.27	0.00	0.94	0.70	0.35	0.00	1.00
Source	0.08	0.28	0	1	1.00	0.00	1	1	0.00	0.00	0	0
Supremacy	0.15	0.51	0	2	1.80	0.40	1	2	0.00	0.00	0	0
Distance	1.55	0.69	-0.38	2.75	0.48	0.58	-0.24	1.76	1.65	0.61	-0.38	2.75
Conquest	0.15	0.34	0.00	1.00	0.80	0.38	0.00	1.00	0.09	0.26	0.00	1.00
Natural resources	2.93	3.07	0.00	10.94	6.32	3.46	0.00	10.94	2.62	2.84	0.00	10.25
GDP per capita	7.88	1.64	4.17	11.54	8.28	1.61	5.55	11.39	7.84	1.64	4.17	11.54
Globalization	55.69	16.02	19.45	90.67	51.63	11.64	27.31	74.21	56.06	16.31	19.45	90.67
Presidential	0.63	0.48	0	1	0.55	0.50	0	1	0.64	0.48	0	1
British legal origin	0.28	0.45	0	1	0.33	0.47	0	1	0.28	0.45	0	1
French legal origin	0.46	0.50	0	1	0.67	0.47	0	1	0.44	0.50	0	1
Social legal origin	0.19	0.40	0	1	0.00	0.00	0	0	0.21	0.41	0	1
Share Muslim	0.26	0.36	0.00	1.00	0.87	0.14	0.56	1.00	0.20	0.32	0.00	0.99
Muslim Majority	0.26	0.44	0	1	1.00	0.00	1	1	0.19	0.39	0	1
N (countries)	3827 (160)				321 (16)				3506 (144)			

\*used for robustness checks

Note: Countries in the treated sample are Bahrain, Comoros, Egypt, Iran, Iraq (starting 2004), Kuwait, Libya (starting 2011), Maldives, Mauritania, Oman, Qatar, Saudi Arabia, Sudan, Syria, United Arab Emirates and Yemen.

**Table 2: Effect of Islamic constitutions on democracy, OLS**

	(1)	(2)	(3)	(4)	(5)	(6)
Source	-0.288*** (0.079)	-0.244** (0.091)	-0.247** (0.091)			
Supremacy				-0.170*** (0.035)	-0.148*** (0.042)	-0.149*** (0.042)
Natural resources	-0.023* (0.009)	-0.021* (0.009)	-0.021* (0.010)	-0.022* (0.009)	-0.020* (0.009)	-0.020* (0.009)
GDP per capita	-0.024 (0.034)	-0.029 (0.033)	-0.029 (0.033)	-0.022 (0.034)	-0.027 (0.033)	-0.026 (0.033)
Globalization	0.006* (0.003)	0.006* (0.003)	0.006* (0.003)	0.006* (0.003)	0.006* (0.003)	0.006* (0.003)
Presidential	-0.087 (0.065)	-0.080 (0.065)	-0.083 (0.065)	-0.090 (0.065)	-0.083 (0.065)	-0.085 (0.065)
British legal origin	-0.039 (0.102)	-0.034 (0.100)	-0.036 (0.100)	-0.032 (0.101)	-0.028 (0.099)	-0.030 (0.100)
French legal origin	-0.065 (0.096)	-0.049 (0.092)	-0.054 (0.093)	-0.060 (0.096)	-0.044 (0.092)	-0.049 (0.093)
Socialist legal origin	-0.253* (0.109)	-0.249* (0.108)	-0.248* (0.108)	-0.254* (0.109)	-0.251* (0.107)	-0.250* (0.108)
Share Muslim		-0.099 (0.102)			-0.098 (0.101)	
Majority Muslim			-0.076 (0.083)			-0.074 (0.083)
Constant	0.307 (0.226)	0.338 (0.229)	0.330 (0.228)	0.297 (0.225)	0.327 (0.228)	0.319 (0.227)
Observations	3,827	3,827	3,827	3,827	3,827	3,827
Countries	160	160	160	160	160	160

Notes: Dependent variable is Democracy. All regressions are estimated by OLS. All models include region- and year-fixed effects; country-clustered standard errors are shown in parentheses: \*0.05, \*\*0.01 and \*\*\*0.001.



**Table 3: Effect of Islamic constitutions on democracy, 2SLS**

	(1)	(2)	(3)	(4)	(5)	(6)
Source of legislation	-0.723** (0.243)	-0.798* (0.362)	-0.766* (0.321)			
Supremacy				-0.391** (0.129)	-0.421* (0.174)	-0.409* (0.160)
Natural resources	-0.013 (0.012)	-0.013 (0.012)	-0.014 (0.012)	-0.012 (0.012)	-0.012 (0.012)	-0.012 (0.012)
GDP per capita	-0.001 (0.041)	0.005 (0.047)	0.003 (0.045)	0.001 (0.040)	0.005 (0.044)	0.004 (0.043)
Globalization	0.003 (0.004)	0.003 (0.005)	0.003 (0.005)	0.003 (0.004)	0.003 (0.004)	0.003 (0.004)
Presidential	-0.083 (0.065)	-0.088 (0.068)	-0.086 (0.067)	-0.091 (0.065)	-0.094 (0.067)	-0.093 (0.067)
British legal origin	0.026 (0.103)	0.028 (0.108)	0.026 (0.106)	0.032 (0.103)	0.035 (0.106)	0.033 (0.105)
French legal origin	0.015 (0.093)	0.010 (0.095)	0.011 (0.095)	0.016 (0.093)	0.014 (0.094)	0.013 (0.094)
Socialist legal origin	-0.269* (0.106)	-0.273* (0.109)	-0.272* (0.108)	-0.270* (0.106)	-0.274* (0.108)	-0.273* (0.108)
Share Muslim		0.079 (0.158)			0.051 (0.133)	
Majority Muslim			0.052 (0.110)			0.035 (0.097)
Constant	0.194 (0.239)	0.158 (0.259)	0.174 (0.247)	0.185 (0.239)	0.160 (0.252)	0.170 (0.244)
Underidentification	16.49 (0.000)	9.45 (0.009)	11.03 (0.004)	19.12 (0.000)	12.82 (0.002)	13.51 (0.001)
Kleibergen-Paap F	13.54	6.33	8.12	15.21	9.65	11.40
Hansen J	0.45 (0.504)	0.97 (0.325)	0.97 (0.326)	0.37 (0.546)	0.71 (0.399)	0.71 (0.400)
Observations	3,827	3,827	3,827	3,827	3,827	3,827
Countries	160	160	160	160	160	160

Notes: Dependent variable is Democracy. All regressions are estimated by 2SLS instrumental variable regressions. The excludable instruments are the log-distance to Mecca and an indicator for Arab conquest. All models include region- and year-fixed effects; country-clustered standard errors are shown in parentheses: \*0.05, \*\*0.01 and \*\*\*0.001.