

DEMOCRATIZING REVOLUTIONS AND THEIR EFFECT ON RULE OF LAW

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I. INTRODUCTION

In a wave of demonstrations, people throughout the Arab world took to the streets, demanding freedom, the overthrow of corrupt regimes, and the establishment of a truly democratic state. Much like these Middle Eastern revolutions, later named the Arab Spring (2010–2012), the Color Revolutions of post-Soviet countries (2000–2005) also sought for more democratized societies. In contrast to more violent revolutions like the Libyan Revolution (2011), many of these democratizing movements encouraged non-violent protests to achieve democratic results. Despite their common goal, results are mixed.

As Goldstone points out, democratizing revolutions, while peaceful, means “that government passes into the hands of a mixture of groups, none of which wishes to take the ruthless measures necessary to consolidate power and strengthen the new regime. These revolutions thus often drift; leaders fall into corruption and petty infighting, and the eventual outcome is usually a flawed democracy with either frequent shifts in leadership or recurrent authoritarian tendencies.”¹ This reality can lead to disheartening results, but it may not be the revolutions themselves that are to blame. If the revolutionaries truly believe in and are striving for the privileges, rights, and protections found in the world’s most robust democracies, where then is the disconnect?

From a non-revolutionary standpoint, one of the most prevalent tactics to ensure a more democratic state is the promotion and preservation of the rule of law. In fact, for many, this tactic is the only viable means of establishing a lasting democracy in any country.² The logic makes sense. At its heart, a democratic system centers power in the people rather than a leader or group of leaders. As all cannot govern, leaders are appointed as representatives of the people to administer, codify, and protect the will of the people. Without a government that is bound by

their own law and answerable to the people, there can be no true democracy. Thus, a successful democracy presupposes rule of law. While it is possible that other forms of government may also lead to robust rule of law, for democracies and similar governing structures, rule of law is a necessity.

Rule of law (hereafter “RoL”), most broadly defined, is a “system in which the laws are public knowledge, are clear in meaning, and apply equally to everyone.”³ In many ways, property rights, economic success, and even social equality cannot exist without a robust RoL. “For these reasons...Western policymakers and commentators have seized on RoL as an elixir for countries in transition. It promises to remove all the chief obstacles on the path to democracy and market economics.”⁴ As such a system is likely the most effective predictor of a stable democratic future, the effect of revolutions on RoL provides valuable insights on the disconnect between revolutionary goals and actual results.

The link between the two—revolutions and RoL—is not at all clear, however. In some instances, as was the case in Georgia, revolutions lead to dramatic increases in RoL. In other instances, RoL decreases. In Egypt, for example, with all its talk of establishing justice and improving the country, RoL is lower than ever while its democracy scores reflect a similar negative trend. And in still other instances, like post-Soviet Ukraine, a democratizing revolution brought no change but rather resulted in subsequent democratizing revolutions. All these democratizing revolutions are similar in their goals, and yet they all achieve such different results in the robustness of their RoL. Despite no obvious connection between democratizing revolutions and RoL, the data suggests that the two are correlated. Accordingly, the causal linkage between these two phenomena is the focus of this analysis. Because of their unique

outcomes, these three cases, the Rose Revolution in Georgia (2003), the Lotus Revolution in Egypt (2011), and the Orange Revolution in Ukraine (2004), are the focus of this paper.

It must be noted, however, that this analysis deals only with democratizing revolutions. While there is plenty to be said about revolutions in general and RoL, I have chosen to focus specifically on democratizing revolutions. As democratizing revolutions are inextricably linked to RoL by virtue of their democratic goals, these are the perfect cases to highlight such a relationship. The conclusions and implications of this paper may not be applicable to revolutions like those in Latin America focused purely on replacing ineffective old regimes.

To determine the relationship between democratizing revolutions and RoL, I have developed three potential hypotheses, each of which could theoretically explain this relationship. These hypotheses are derived from the major types of reform used today to improve RoL in non-revolutionary situations (e.g. codification of law, implementation of law, and government adherence to law).⁵ Another hypothesis was derived from the literature linking corruption and RoL.⁶ Finally, because international actors are often intricately involved in democratizing revolutions, this factor is tested as well.

The three hypotheses are as follows: (1) constitutional reforms focused on checking the power of government leaders and actual government adherence to those reforms will increase RoL; (2) high levels of corruption in the new regime leads to decreases in RoL; (3) a new regime aligning itself with other countries with robust RoL leads to an increase in RoL. To determine whether revolutions truly influenced the RoL in each country, I have also compared the forecasted RoL of each country before the revolution and after the revolution to compare any changes in trajectory. In theory, if the revolution has had any effect on the RoL, the trajectory of RoL should change; if it does not change significantly, this would suggest that the revolution did

not have any effect. It should be noted that these variables may likely overlap somewhat. For example, a country's alignment with other robust RoL systems may be closely related to what constitutional reforms a new regime enacts. However, as this is a qualitative analysis, this analysis does not focus on isolating each variable but instead identifying factors that affect RoL after a democratizing revolution.

Ultimately, this analysis finds the following: Though the revolutions did not change the trajectory of a country's RoL with any statistical significance, there was substantive change in RoL following each democratizing revolution analyzed in this paper. Second, constitutional reform is not directly correlated with RoL as all leaders undertook significant constitutional reform, but the outcome in RoL was different. It appears, however, that had leaders implemented constitutional reforms to balance and check their own power rather than consolidate it, RoL would have likely increased. Third, corruption is highly correlated with RoL in a country—a decrease in corruption is strongly correlated with increase in RoL. Fourth, the new regime favoring foreign relations with countries having obtained robust RoL, like those in the West, is correlated with an increase in RoL. From a global perspective, who leads the country and how divided the country is post-revolution seems to be the best indicators of RoL following democratizing revolutions.

To demonstrate this conclusion, I begin with definitions and measurements in section II. Here I will define RoL and discuss different ways that scholars have measured it, including the way in which this analysis will measure RoL. In section III, I briefly discuss the cases, including each respective revolution, its causes, and the aftermath. Here I will also outline their respective RoL trends to better solidify my choice of these cases. In section IV, I test each of the individual

hypotheses using the cases. In section V, I outline specific extensions, implications, and conclusion regarding the relationship between the RoL and democratizing revolutions.

II. DEFINING RULE OF LAW

When it comes to RoL and revolutions, the literature is limited. Most of the literature only focuses on the American Revolution and its impact on RoL. There is, however, literature dealing with exiting a lawless state and promoting RoL generally,⁷ in addition to more general literature in which scholars have noted how the law and revolutions are oddly related. Seemingly antithetical at first, when looking at the law as a means of social reform, revolutions and RoL can become bedfellows.⁸ Studies focusing specifically on RoL and revolutions are underrepresented, if not nonexistent, in the literature to date. This analysis is somewhat of a pioneer in this regard.

Most of the current understanding of RoL stems from revolutions like the American and Glorious Revolution that in many ways began to form and thus define RoL.⁹ While RoL is a concept with a wide breadth and depth, defining, conceptualizing, and operationalizing it is anything but easy. And while it is a contested concept on a deeper level,¹⁰ there are several basic aspects that most agree upon. As stated above, RoL means simply that the law, rather than an individual or group, is supreme. When an individual or group is above the law, the system is referred to as *rule of man* (“Rule of Law”). Defining RoL, the UN Secretary General in 2004 stated RoL includes “equality before the law, accountability to the law, fairness in the application of the law...and legal transparency.”¹¹

Perhaps the most complete definition of RoL comes from the World Justice Project (hereinafter, “WJP”), a non-profit founded by the American Bar Association to define, measure, and research RoL. As part of its methodology, WJP finds a robust RoL when (1) government officials, individuals, and private entities are accountable under the law; (2) laws are clear,

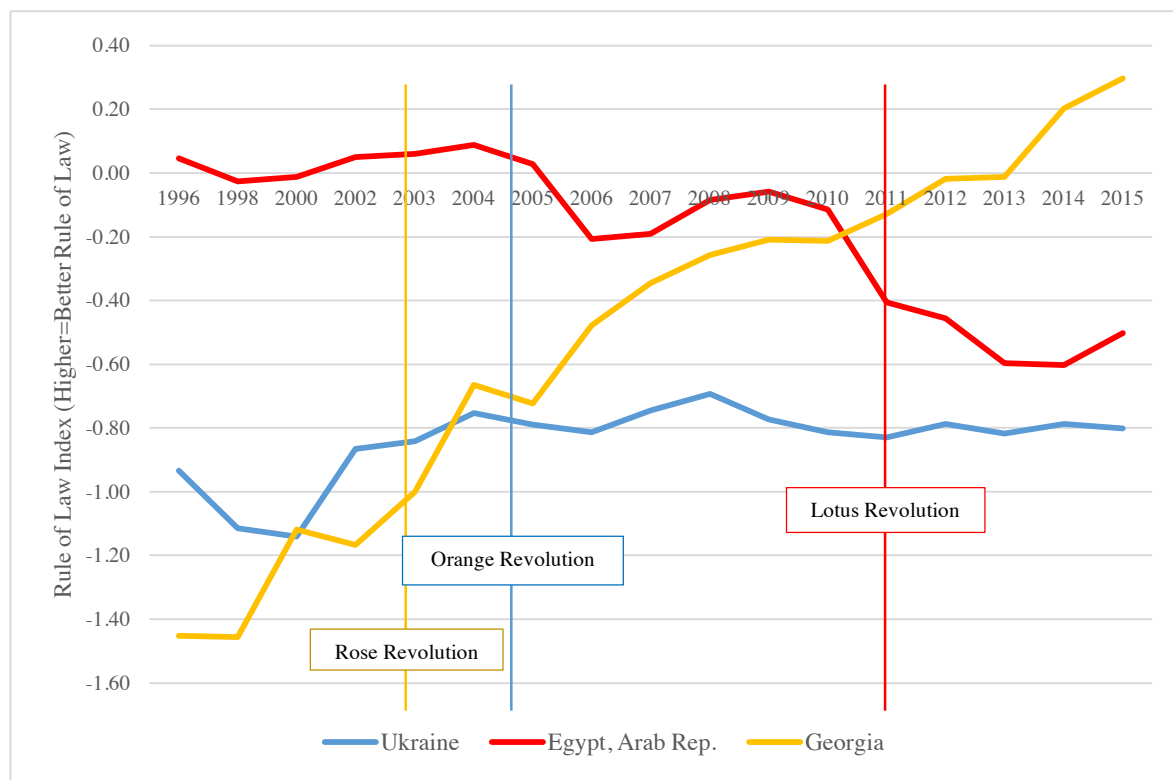
publicized and protect fundamental rights/human rights; (3) the process through which laws are made and enforced is fair and efficient; and (4) justice is served by competent, ethical, and impartial judges that reflect the makeup of the communities served. As part of their methodology, they enumerate nine key factors that are then subdivided into 44 other indicators including constraints on government, absence of corruption, and transparency. Their data pulls from over 110,000 household and expert surveys in 113 countries, taking into account both citizenry and academic views of a country's RoL. While some scholars criticize these measurements because of their tendency to oversimplify a quite complex concept, others agree that the WJP is likely the best and most exhaustive measure of RoL yet.¹² Unfortunately, because the WJP database begins in 2013—two years after the Egyptian Lotus Revolution and a decade after the Georgian Rose Revolution—it cannot be used for this analysis.

The closest and most complete dataset aside from the WJP data is likely the World Bank Data on Rule of Law. They define RoL with similar criteria but only survey country experts as most other RoL indexes do.¹³ In contrast to the WJP, the World Bank also focuses on factors like the enforcement of contract, the function of the police and courts, the protection of property rights, the likelihood of crime and violence, and the perceived extent to which government officials must abide by a country's laws.¹⁴ The World Bank has also been collecting data since 1995, offering valuable panel study of the three cases.

As both the WJP and World Bank datasets are highly correlated when comparing the 2012–2015 data and as there was no substantive change in the World Bank's methodology, it is assumed the World Bank Rule of Law Index sufficiently and accurately measures RoL. Thus, for purpose of this analysis, RoL will be defined by the values put forth in this index. This index

ranges from approximately -2.5 to 2.5 with the more positive number indicating a more robust RoL and vice versa. Figure 1 displays index values for each of the cases from 1996–2015.

Figure 1: Rule of Law by Country



Source: World Bank

Regarding measuring and evaluating the hypotheses, it should be noted that nearly all revolutions result in at least a temporary decrease following their revolution (See Figure 1) but after some time, the results of the revolution began to take form. For this reason, most of this analysis will look to the actions that occurred during and just after the revolution along with the aftermath of the revolution several years down the road. This raises the possibility that the revolution itself does not affect RoL at all, but this is unlikely given the influence a revolution has on the new regime and the causal logic between these two phenomena. As this is a qualitative analysis and not a quantitative analysis, this analysis does not measure exactly how

much each independent variable affected RoL. Instead, this analysis looks to each of the three cases to determine differences and similarities that explain the differing results in their respective post-revolution RoL. It should be noted also, that this analysis is purely correlative, though the causal logic of each independent variable lends robustness to arguments of causality.

III. RULE OF LAW IN EGYPT, UKRAINE, AND GEORGIA

In the following section I will give a brief overview of each revolution and the country's RoL over the last 20 years, particularly focusing on RoL before and after each respective revolution. These brief summaries are not meant to function as an exhaustive history of the revolutions, just as a highlight of key causes, events, and outcomes. It should be noted also that these cases—Egypt, Ukraine, and Georgia—were chosen because of their similarities in goals, methods of revolution, and their relative chronological proximity. Other democratizing revolutions, like the Pink Revolution in Kyrgyzstan, were considerably more violent. Still others did not achieve the same regime shift, as was the case in the Blue Revolution in Kuwait (2005), when revolutionaries protested for women's suffrage. While the cases come from different geographical regions, there is no indication that cultural or geographical differences would limit these cases' comparability. Furthermore, as each case is an iconic democratizing revolution with very different results, they offer an invaluable subject of study to better analyze the relationship between democratizing revolutions and RoL.

A. A Lotus Lost: Egypt and its Failure

Led mostly by youth revolutionaries, opposition groups began to form in response to increased police brutality, high unemployment, inflation, corruption, and anything but a democratic election process. As the opposition began to grow and gain more strength, President Hosni Mubarak used increasingly violent tactics to suppress the protesters who continuously

demanded that he step down. To ease tensions and attempt concessions, Mubarak appointed a vice president, dissolved his government, and asked the former chief of Air Force, Shafik, to form a new government. Mubarak additionally announced that he did not intend to seek re-election in September. Protestors were not at all satisfied, and they continued to call for the ousting of Mubarak. After several more weeks of protest, Mubarak stepped down, was eventually tried with premeditated murder of those that died in the revolts, and the government went into the hands of a military who would govern the state until elections could be held several months later.

As part of this military government, the constitution was suspended and the People's Assembly and Consultative Assembly, Egypt's two legislative bodies, were dissolved in preparation for drafting a new constitution. After several more changes of power, the temporary government issued a constitutional declaration outlining the changes in the election process and the steps necessary to draft a new constitution once the new regime took power. Despite these changes, protests continued against the Supreme Council of the Armed Forces, calling for expedited reforms and a civilian government to take control. When several constitutional reforms were proposed during the interim focusing on ceding more power to the Supreme Council of the Armed Forces, protestors grew even more enraged and openly opposed the proposed reforms. Ultimately, Mohammed Morsi was appointed the new president after the presidential election, and the Muslim Brotherhood gained a considerable number of seats in the People's Assembly and eventually gained considerable power in the country. Egypt under its new leadership turned from the West, did not improve upon the previous regime's corruption, and saw increasing divisions as many factions vied for power.¹⁵

Of the three cases, Egypt had the highest level of RoL in the mid 1990's, but soon saw a significant decrease shortly after 2004's all-time RoL high for Egypt. This decrease continued until 2014 with the sharpest decrease occurring directly after the 2011 revolution. From that point on, it seemed that Egypt was improving, but the most recent data shows that Egypt RoL is continuing to decrease and is forecasted to continue in such a direction. While the Lotus Revolution was aimed at creating a more democracy and thus RoL in Egypt, the data suggests that the revolution only made things worse. Egypt continues to be a very undemocratic state, according to Freedom House ratings, and, perhaps, the reason this revolution failed to bring any democratic improvements was due to the fact that the RoL so drastically decreased following the revolution (See Figure 1, 8).

B. An Ordinary Orange: Ukraine and Its Flat-line

Of all the post-Soviet countries, Ukraine had the greatest chances of integrating into Europe and becoming a prosperous society (aside from the Balkan region). But in only a few short years following the dissolution of the Soviet Union, Ukraine fell on hard economic times, not fulfilling the political hopes many had once had. President Kuchma held office immediately preceding the Orange Revolution and was subject to increasing foreign pressures: the EU and NATO borders were drawing closer and closer, and the West was providing significant financial assistance to Ukraine.¹⁶ Not surprisingly, the people began to divide between Western- and Russian-leaning politics.

Approaching the 2004 elections, both right- and left-wing advocates barraged the Kuchma presidency, leading to widespread disapproval across the political spectrum. Though united against Kuchma, both sides held strong opinions as to whether Russia or the West should become Ukraine's primary focus and ally. Both factions soon realized that the result of the 2004

election would the future of Ukraine as a Western or Russian ally. Not surprisingly, the result of the 2004 elections nearly brought Ukraine to civil war: Victor Yanukovich, supported by both Kuchma and Russian president Vladimir Putin, ran for president against the leading, pro-Western competitor, Yushchenko, who ran on an anti-cronyism, anti-corruption platform. When Yanukovich won the runoff between the two, the people were outraged, took to the streets, and the Orange Revolution began. They demanded a revote to counter the seemingly-rigged elections and a fairer election without the intimidation and fraud allegedly present during the first runoff. The revolution was termed an “orange” revolution because the protesters were mainly Yushchenko supporters who brandished his campaign color: orange.

As a victory for the revolutionaries, the Ukrainian Supreme Court held that the first elections were invalid and ordered a new run-off, in which pro-Western Yushchenko came out victorious. His presidency was not without difficulties, however, especially as he tried to maintain ties with Russia while moving closer to the European Union. Most difficult was the ascension of Victor Yanukovich, Yushchenko’s rival, to the prime ministership. Because the Ukrainian parliament had recently ceded more power to the prime minister, Yushchenko and another plurality bloc were forced to join together against Yanukovich. Eventually, however, Yushchenko failed to win the reelection bid, and Yanukovich was inaugurated as president of Ukraine several years later. Ironically, Yanukovich was ousted by another, more violent, democratizing revolution termed the Euromaidan revolution (a revolution not considered in this analysis, but useful mentioning to provide context).¹⁷ Though the Orange revolution was a bloodless revolution resulting in a regime change, nothing but name of the one in power truly changed.

Much like Georgia, Ukraine had an extremely low RoL in the mid 1990's. In fact, in comparison to Egypt sitting around an RoL of 0.005 (again, on a scale from -2.5 to 2.5), Ukraine sat at a -0.90. Until the 2000s, Ukraine's RoL continued to decrease, but turned upwards at the turn of the century. This steady increase continued until the Orange Revolution when there was a slight decrease in RoL (decrease of 0.04). After peaking at an RoL of -0.69 in 2008, Ukraine has simply leveled off and does not seem to be increasing or decreasing even after the Euromaidan Revolution in 2014. While Egypt has seen a steady decrease in RoL following their revolution, Ukraine has seen little but stagnation following their revolution. Of the three cases, Ukraine remains the lowest in terms of RoL (See Figure 1, 8).

C. A Rose Realized: Georgia and its Success

Georgia's Rose Revolution looked quite like Ukraine's Orange revolution in many ways. Most importantly, this revolution also occurred in response to a faulty and fraudulent election at a critical deciding time in Georgia's future. Prior to the fall of the Soviet Union, Georgia was one of the most fruitful areas of the USSR because of its tourism and agricultural output. When the Soviet Union fell, so did the Georgian economy, creating widespread discontent with the first Georgian president and the eventual election of Eduard Shevardnadze, a prominent player in the old Soviet hierarchy. Shevardnadze followed the corrupt practices of the Soviet Union and was often criticized for advocating corruption within his ruling party. There was not much improvement under Shevardnadze, something that Mitchell attributes to the lack of RoL and widespread corruption (2012, 29). Shevardnadze did not necessarily favor either the West or Russia, but as the 2003 elections drew closer, he was perceived as favoring Russia more, adding to the public's general distaste with his presidency.

Prior to the election of 2003, the United States put increased pressure on Shevardnadze to ensure fair and free elections, to which he gave little heed. As pressures mounted, numerous parties were formed, all promising a decrease in corruption, the strengthening of democracy, and a shift in foreign policy towards supporting the West. In essence, the 2003 elections would also test the democratic future of Georgia. On Election Day, there were widespread reports of fraud: vote centers opened late, ballot boxes were stuffed, officials and citizens were intimidated, and a shooting occurred outside a vote center. The elections were anything but fair or free, especially with Shevardnadze's party, the Citizens' Union of Georgia (CUG), still in power.

When President Shevardnadze attempted to open a new session of the illegitimate parliament, protestors stormed into parliament with red roses in hand in response to Shevardnadze's blatant disregard of the democratic electoral process, demanding that the elections be held again and that Shevardnadze step down. When the military elite defected to the protestors' side, Shevardnadze realized he could not fight the opposition. He stepped down from office shortly thereafter. Pro-Western, pro-Nato Mikheil Saakashvili, the leader of the Rose Revolution, was elected president several months later. And even though Georgians opposed Saakashvili in the years following, during Saakashvili's terms, Georgia's foreign policy focus shifted to the West, corruption was significantly reduced, and Georgia's democracy ratings increased (See Appendix, Figure 4).¹⁸

Unlike the other two cases, Georgia has seen the most dramatic increase in RoL. Though Georgia had the weakest RoL of the three cases, beginning at -1.45, it now has the highest, and only positive, RoL score at 0.30 in 2015. Like Ukraine, Georgian RoL saw a dramatic increase directly before its democratizing revolution. Unlike both the Egyptian and Ukrainian revolutions, there was no decrease in RoL immediately following the revolution, though a minimal decrease

followed the following year (decrease of 0.06 points compared to Egypt's 0.29-point decrease after its revolution). Following this decrease, Georgian RoL has continued to rise, with their trajectory predicted to continue in such a direction. Unlike the other two cases where the revolution either is correlated with a decrease in RoL or no change in such, the Georgian case seems to show a revolution that actually spurred an increase in RoL (See Figure 1, 8).

Understanding these revolutions and their RoL trends, this analysis now turns towards specific hypotheses that could explain these variations in RoL following a democratizing revolution.

IV. REVOLUTIONS AND RULE OF LAW: WHAT ACTUALLY MATTERS

The following hypothesis come from the literature surrounding both revolutions and the ways in which RoL is promoted in general. The literature focused on promoting RoL defines three broad strategies: (1) codification of law, (2) implementation of law, and (3) government adherence to law.¹⁹ Thus, the effects of a revolution on constitutional and legal reform should, in theory, also affect RoL in a country as these reforms often deal with how the law is codified, implemented, and obeyed. More specifically, a revolution that increases the robustness of a system that codifies, implements, and binds leaders to laws will likely increase a country's RoL. This also speaks to the type of regime that takes power immediately following the revolution. Revolutionary regimes that give more deference to the law will likely engender an increase in RoL, while those that disregard the law will not.

As openness and transparency are closely connected with RoL, the level of corruption in a post-revolution regime is likely correlated with a decrease in a country's RoL.²⁰ There is also a likely tie between the foreign policy focus of the revolutionary regime and the RoL in a country. If, for example, revolutionaries lean towards states where RoL is not very robust, their deference

to the law will likely be lower as well, decreasing RoL in the country. However, if a country seeks approval and leans towards countries where RoL is quite robust, the country's RoL would likely increase per the same logic. To begin, I will discuss the statistical differences between the forecasted RoL before and after the revolution to determine if the revolution had any actual effect, thus controlling for the revolution itself.

A. Control: Forecasted Rule of Law Pre- and Post-Revolution

If the revolution had some effect on the RoL in country, it is not enough to simply measure the change in RoL from one year to the next. Even the general behavior of the RoL line for each country cannot be explicitly attributed to the revolution without controlling for other factors. In order to measure the statistical effect of the revolution on a country's RoL, I have independently forecasted the RoL trendline, or slope, both before and after the revolution to isolate the effect of a given revolution on the country's RoL trajectory. I calculated a simple single-variable regression to determine the line of best fit for the data prior to the revolution and again for the data following the revolution. Comparing the slopes of these before and after trajectories and testing the statistical significance of the difference yields interesting results. It should be noted, however, that the N for the forecasting of both the before and after RoL trendlines is not large because of the World Bank has only collected data for a few years. While this analysis refers to the slopes by only the number associated with its rate of change, note that the slope values are in terms of points per year.

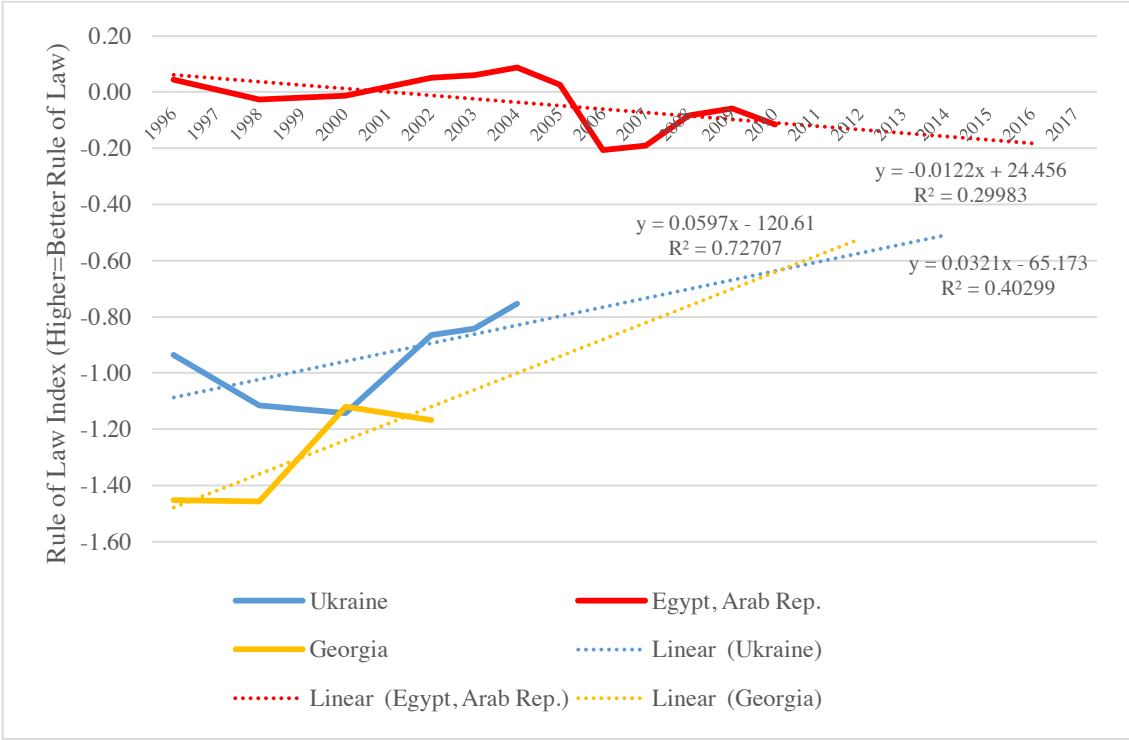
In the case of Egypt, the forecast suggests that RoL steadily decreased prior to the 2011 revolution at a slope of -0.0122 . After the revolution, however, that slope decreased even further to -0.0340 . Clearly, the revolution seemed to have some substantive effect on the trajectory of RoL in the country, increasing the negative trajectory. Running an independent t-test, however,

the difference in these slopes is not statistically significant with a p-value of 0.40. While a decrease of 0.02 in the slope is substantively significant when compared to the scale of the index, it is not statistically significant. This, however, could simply be the result of the small N in both lines which naturally increases the standard error of each slope, decreasing the chances of statistical significance. As there was still a substantive decrease in the slope, analyzing the Egyptian Revolution and each of the hypotheses can still provide useful results.

The Ukrainian RoL slope also decreased when comparing the pre- and post-revolution forecasts. Before the revolution, Ukrainian RoL was predicted to continue growing at a rate of 0.0321 per year. After the revolution, however, the slope practically flatlined at -0.0038, a decrease in the slope of 0.0359. This change was even larger than the slope change in Egypt's case. After an independent t-test, however, this change was barely statistically insignificant with a p-value of 0.093. Like Egypt's revolution, the Orange Revolution decreased the trajectory of Ukraine's RoL taking it from a positive forecast to a flat-to-negative one. Thus, while the revolution did not have a clear statistically significant impact on Ukraine's RoL, the drastic change in trajectory suggests that the revolution did have substantive effects.

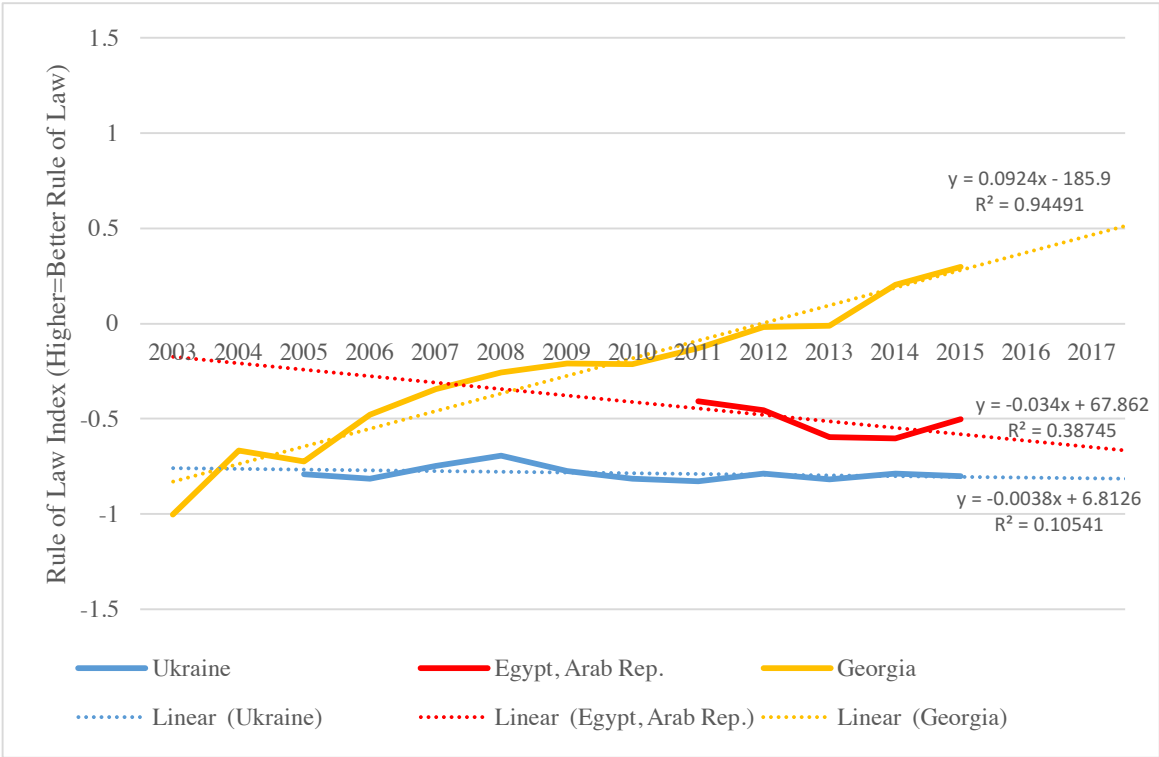
The data for Georgia suggests a completely different story: Prior to the Rose Revolution, RoL was forecasted to increase at a rate of 0.0597. After the revolution, the RoL was forecasted to increase 0.0924, a positive change of 0.0327. As in Ukraine, the change was much larger than in Egypt; however, this was a positive change rather than a negative change. And while this difference is still not statistically significant, applying the following hypotheses will help understand why Georgia saw a drastic positive increase in their RoL trendline slope. For all three cases, see the following figures and tables below:

Figure 2: Rule of Law Forecast Pre-Revolution



Source: World Bank

Figure 3: Rule of Law Forecast Post-Revolution



Source: World Bank

Table 1: Independent T-Test of the Pre- & Post-Revolution Forecasted Slopes

<i>Country</i>	<i>Slope</i>	<i>SE</i>	<i>T-Test</i>	<i>p-value</i>
<i>UKR-Pre</i>	0.03	0.02	1.82	0.09
<i>UKR-Post</i>	0.00	0.00		
<i>EGY-Pre</i>	-0.01	0.01	0.86	0.40
<i>EGY-Post</i>	-0.03	0.02		
<i>GEO-B</i>	0.06	0.03	1.22	0.24
<i>GEO-A</i>	0.09	0.01		

B. Constitutional Reforms and the Regime Deference to Law

One of the most important influences a revolution could have on RoL is the effect revolutions have on constitutional reform. As most of the revolutions were spurred by fraudulent elections, prolonged state of emergency laws, and an overall government lack of adherence to the law of the land, many revolutionaries set out to reform the constitution, place greater restrictions on those in power, and ensure that such lawlessness does not happen again.

In Egypt, one of the key demands of the protesters was a new constitution to replace the 1971 Constitution. Accordingly, the Supreme Council of the Armed Forces (SCAF) suspended the 1971 Constitution, implemented interim constitutional decrees, and in many ways did move towards a more robust RoL. As Eldakak noted, the “enforcement of judicial decisions, trying of the former president and his entourage before courts of law, and increased promotion of freedom of expression” were all examples of improving RoL. However, the military trials for civilians,

supra-constitutional allocation of power to the SCAF, and the mess of constitutional reform all tainted that improvement.²¹ Contrary to the protesters' wishes, the SCAF attempted numerous times to ensure power stayed in their council, attempting to "grant[] themselves extraordinary powers through legal decrees and supra-constitutional legal declarations, surpassing Mubarak's tyranny."²² Even after their new constitution in 2012, which was largely catered to the differing parties both within and without the state,²³ the 2014 constitution continued to vaguely define human rights and gave the military significant control of the democratic process and in civilian matters²⁴—something scholars agree is clearly contrary to the promotion of RoL (Directorate-General for External Politics of the Union Policy Department 2014, 1). Thus, while the Lotus Revolution intended for much more constitutional reform to occur, these intentions were not realized. In reality, rather than supporting rule *of* law, the government used rule *by* law to further enforce and consolidate its power.

In Ukraine, Orange revolutionaries held hopes for reform. When President Yushchenko was elected, it seemed to be a final pull from the pro-Russian forces keeping the Ukrainian state in a downward political spiral. The revolution did bring about reforms like in the Egyptian Lotus Revolution (*e.g.*, free and fair elections, free media, and a more active civil society).²⁵ However, because the prime minister was able to use the Ukrainian parliament to cede more and more powers from the president to himself, whatever constitutional reforms took place did not support the core notion of RoL: that leaders are subject to and not masters over the law. What occurred in Ukraine reflects what some scholars consider the greatest threat to post-Soviet countries: too much power constitutionally concentrated in an executive-authoritative figure like the prime minister.²⁶ The reason the Orange Revolution had little effect seems to be that pre-revolution, leaders could use the law to consolidate and maintain power and post-revolution, no

constitutional reforms were enacted to change this. Without such reforms to bridle its leaders, the reforms to democratize Ukraine (*e.g.*, free and fair elections or free media) were only as effective as deference leaders in power gave them. Thus, to improve Ukraine's RoL and democratic future, many now suggest that constitutional reforms should focus much more on separation of powers and implementing checks and balances.²⁷ Without any constitutional change in subjecting its leaders to the law, there is little surprise that Ukraine's RoL trajectory has neither increased nor decreased.

The situation in Georgia is not so clear. Immediately following the revolution, Saakashvili's presidency was just as lacking in RoL as Yanukovich's prime ministership in Ukraine or the SCAF's interim government in Egypt. In fact, many sources suggest that his presidency was just as lacking in RoL. For example, even though freedom of speech was promoted in the country legally, the government would use indirect pressure tactics to suppress the opposition ("Georgia"). Shortly after the revolution, the government even continued their violation of human rights and their authoritarian practices.²⁸ Furthermore, the 2004 constitutional amendment concentrated nearly all powers in the hands of the president, as was seen in the aftermath of both the Orange and Lotus Revolutions. The only constitutional reform that would lend itself to an increase in RoL did not take place until 2010 when a "counter assignment" amendment balanced governmental power by taking power from the presidential power and giving it to the prime minister. Thus, in a way, the government began to benefit more from a separation of powers.²⁹ Despite the similarity between the three cases immediately following their revolutions, for some reason RoL still continued to increase even prior to the 2010 Amendment. This suggests that at least in Georgia, constitutional reforms may not be the biggest driver in increasing the country's RoL.

Looking at the cases of Egypt, Ukraine, and Georgia, constitutional reforms offer mixed reviews. In all three cases, immediate action was taken to consolidate power in the new ruling body/individual, which concentration of power was only perpetuated (excluding Georgia) thereafter. While Georgia did eventually change their governmental structure to involve a greater balance of power, the immediate positive effect of the revolutions' constitutional reforms on RoL is uncertain. However, it is clear from both the Egypt and Ukrainian cases that without using revolutionary reforms to check the power of governmental leaders eventually, there is little hope for increases RoL.

C. Level of Corruption in New Regime

Key to the success of any democracy and the promotion of RoL is the eradication of corruption. This study uses Transparency International's Corruption Perceptions Index, which ranks countries on a scale from 0 (highly corrupt) to 100 (very clean) based on the compilation of data from thirteen different business or performance assessment expert surveys. Based on this index, all three cases were highly corrupted governments before their revolution, and a study of the corruption after the revolution gives key insights into how the revolution affected RoL. As seen in Figure 5, all the countries saw a slight improvement in corruption immediately following the revolution. In the cases of Ukraine and Egypt, however, that corruption did not change much as their corruption levels stayed relatively stable from the period before their revolution to the most recent data in 2016. Georgia was the only country who has significantly changed the level of corruption in the country. This could be in part because Saakashvili's reforms, while lacking in human rights protections or true constitutional reforms, focused heavily on eliminating corruption. With a policy goal to reduce corruption in the state and active legwork to bring that goal to fruition, corruption was quickly reduced in Georgia as early as 2005.³⁰ In 2012,

Transparency International lauded Georgia for tackling corruption, unlike all the other countries in that geographic area.³¹ While the other two revolutions claimed to hold anti-corruption, anti-fraud platforms, the data suggests otherwise. The dramatic increase in RoL that occurred in Georgia and the lack of improvement in the other countries seems to suggest a positive corollary between the revolution's impact on government corruption and the RoL.

TABLE 2: CORRUPTION INDEX BY COUNTRY, BEFORE AND AFTER REVOLUTION

		Prior to Revolution	Years Following					
Egypt	Year	2010	2011	2012	2013	2014	2015	2016
	CPI	3.1	2.9	3.2	3.2	3.7	3.6	3.4
Ukraine	Year	2003	2004	2005	2006	2007	...	2016*
	CPI	2.3	2.2	2.6	2.8	2.7	...	2.9
Georgia	Year	2002	2003	2005	2008	2011	2014	2016
	CPI	2.4	1.8	2.3	3.9	4.1	5.2	5.7

*Note: The CPI index for Ukraine did not really change from this range during the abbreviated period.

Source: Transparency International

D. New Regime's International Alignment

The final hypothesis tests the relationship between the new regime's foreign relations focus and RoL. In many ways, who the country tried to align with immediately following the

revolution seems to be correlated with RoL in the country. As explained above, the theoretical link is likely that as a new regime turns towards a country that has a robust RoL, the new regime will also be more likely to support the promotion of RoL in their own country.

In Egypt prior to the revolution, American interests were represented under the Mubarak regime. However, after the revolution, scholars are skeptical if those interests were still being represented. Steven Cook from the Council on Foreign Relations (CFR) noted, “The end of the Hosni Mubarak’s regime in Egypt portends fundamental change throughout the Middle East and the end of the American era in the region.”³² In many ways, this turn from the West in support of more radical groups like Hamas and the sharp decline in Western trust supports the notion that Egypt is not orientating itself towards countries that have robust RoL.³³ Despite its democratizing revolution in 2011, Egypt made it increasingly difficult for its own system to cultivate greater RoL by allying itself with groups and countries not supporting robust RoL systems.

In Ukraine, following the Orange Revolution there was a clear shift to support the West: Yushchenko was a proponent of NATO and the EU, and he even had married a Ukrainian-American (“Ukraine”). It seemed like in many ways the orientation of Ukraine was heavily shifted towards the West away from Russia. However, with Yanukovich coming to power as prime minister and shifting much of the actual power to himself as described above, there was a distinct division in Ukraine’s foreign policy and their political alignments. Once Yanukovich won the presidency a few years later, that orientation towards Russia was further strengthened. This lack of alignment with other countries supporting RoL seems to best describe the change in Ukraine’s RoL: Leading up to the Orange Revolution, more and more of the Ukrainian society was orientated on the West, which correlates with Ukraine’s slight increase in RoL prior to the Orange Revolution. As time went on, however, the country became more and more pledged to

Russian ideals under its president Yanukovich. This reorientation towards Russia's less robust system of RoL in Russia seems like a plausible factor explaining some of the change in Ukraine's RoL trend going from positive to zero.

In Georgia, the international alignment hypothesis also seems to support Georgia's change in RoL after the Rose Revolution. Georgia, even before leaving the Soviet Union, vehemently expressed its disdain for Russia and sought its own independence. There was not a clear shift away from Russia, however, until after the Rose Revolution. Prior to the revolution, President Shevardnadze was an old Soviet party leader, and thus the country remained tied with Russia, straddling both the West and Russia in their foreign relations. However, once Saakashvili came to power, Georgia shifted its focus from Russia to western countries and values ("Georgia"), continuing those ties to this day.³⁴

The case of Georgia, Egypt, and Ukraine all seem to support the hypothesis that a new regime's international alignment matters when trying to promote RoL. Georgia demonstrated that shifting international alignment to those countries with a robust RoL led to an increase in RoL. The opposite also seems to be true as seen in the case of Egypt and the change in RoL direction in Ukraine. While it seems logically sound that all revolutions seeking to democratize would look to other already democratized countries with robust RoL, the personal orientation of the leaders elected immediately following the revolution matters as well. In fact, even though the orientation of the revolution was towards increasing democracy and RoL in both Egypt and Ukraine, without leaders in power who share that orientation, it appears difficult for a country to truly align itself with such countries.

V. CONCLUSIONS AND IMPLICATIONS

As noted above, revolutions seeking to democratize their political systems should give great heed to their own RoL and how to promote it. Both on a theoretical level and an empirical level, improving the RoL acts as a vehicle for creating a stable democracy in the future. This analysis has therefore investigated the relationship between key democratizing revolutions and their subsequent RoL. As such, there are several conclusions that can be drawn.

The immediate effects of a revolution are not necessarily promotional of RoL—in fact, in all three cases, RoL decreased closely following the revolution; however, there are several factors highly correlated with changes in RoL. Of the factors that seem to influence RoL, international political alignment and changes in corruption all have a correlative impact on the RoL in the country. As new regimes align their country with states that support a robust system of RoL, the countries' RoL also increase. The inverse is also true. The most highly correlated factor though is likely corruption. As RoL implies a sense of transparency, openness, and fairness, corruption is extremely detrimental to the viability of RoL in a country. As such, countries that improve their corruption post-revolution will likely see much better success in increasing their RoL than those that persist in their corruption.

The only factor that seems questionable in its effect is the constitutional reforms that the revolutionary new regime undergoes. In many ways, the constitutional reforms themselves do not do much if the government in power is using said reforms to concentrate power to themselves. In all three cases, the new regimes did this, with the exception of Georgia's amendment balancing out power several years later, but the results of constitutional reforms in each of the cases are quite different. This suggests that perhaps, contrary to what the existing literature would theorize, constitution reforms are not clearly correlated with RoL.

One potential implication is also drawn from this analysis: the general relevance of revolutions. There seems to be an argument that revolutions may not actually make any difference at all (or at least they are not a real agent of change in regard to RoL). This is evidenced in the change of the RoL trendlines after the revolution occurred. In none of the three cases was the change statistically significant. While there was substantive change, this data almost leads to the conclusion that revolutions act more as solidifying agents rather than agents of change themselves. More specifically, a revolution does not change the trajectory of a country's RoL but only solidifies that direction. This seems somewhat counterintuitive, especially since the revolution is intended to improve RoL and democracy, but the data suggests otherwise. Of course, this could simply be due to the case selection itself, but it does suggest a topic of further study. The exclusion to this implication is Ukraine where the revolution did substantively change the direction of the RoL trendline to flat rather than positive. This, however, is likely explained in the extreme divisions that occurred in the government immediately following the revolution, killing what momentum the revolution had gained.

For future analysis and study, investigating the relationship between non-revolutionary factors and their effect on RoL would also prove beneficial in discerning what truly effects the RoL in a country and if democratizing revolution really have an actual impact on such. These non-revolutionary factors include things like foreign aid and the country's economic situation, both factors that likely influence RoL in a country. It is possible that these factors have far more sway in increasing or decreasing a country's RoL than the revolutionary factors analyzed in this paper.

Jack Goldstone noted that when it comes to democratizing revolutions, “[r]evolutions are most likely to lead to democracy in societies that have prior experience with democracy”³⁵ and

this seems to be true of the RoL and revolutions as well: the best predictor of a country's post-revolution trend is the pre-revolution trend. For countries seeking to promote democracy and RoL through revolution, this raises an interesting implication: can revolutions ultimately bring about true democratic and legal change? As these democratizing revolutions are still fairly recent, their long-term effects are yet to be ascertained. However, the situation in Georgia gives hope for the future of other revolutions like the Ukrainian and Arab Spring revolutions. While this analysis was not able to pinpoint the exact cause of the upward trajectory prior to the revolution, other states can mimic Georgia's intense battle with corruption, their unification around revolutionary goals, and their foreign relations orientation.

Ultimately, revolutionaries should be extra cautious about who they choose to lead the post-revolution regime. Democratic revolutions experience an unfortunate infanticide when they put leaders in power rather than the law. Furthermore, as divisions occur post-revolution—which they always do—unifying the country around RoL rather than rule by law or rule of man will ensure that divisions do not darken the democratic future. The American Revolution with all its flaws and faults both during and after seems to stand as an example for future democratizing revolutions: make the law your ruler and let that unify you, only then will the true democratic results be achieved.

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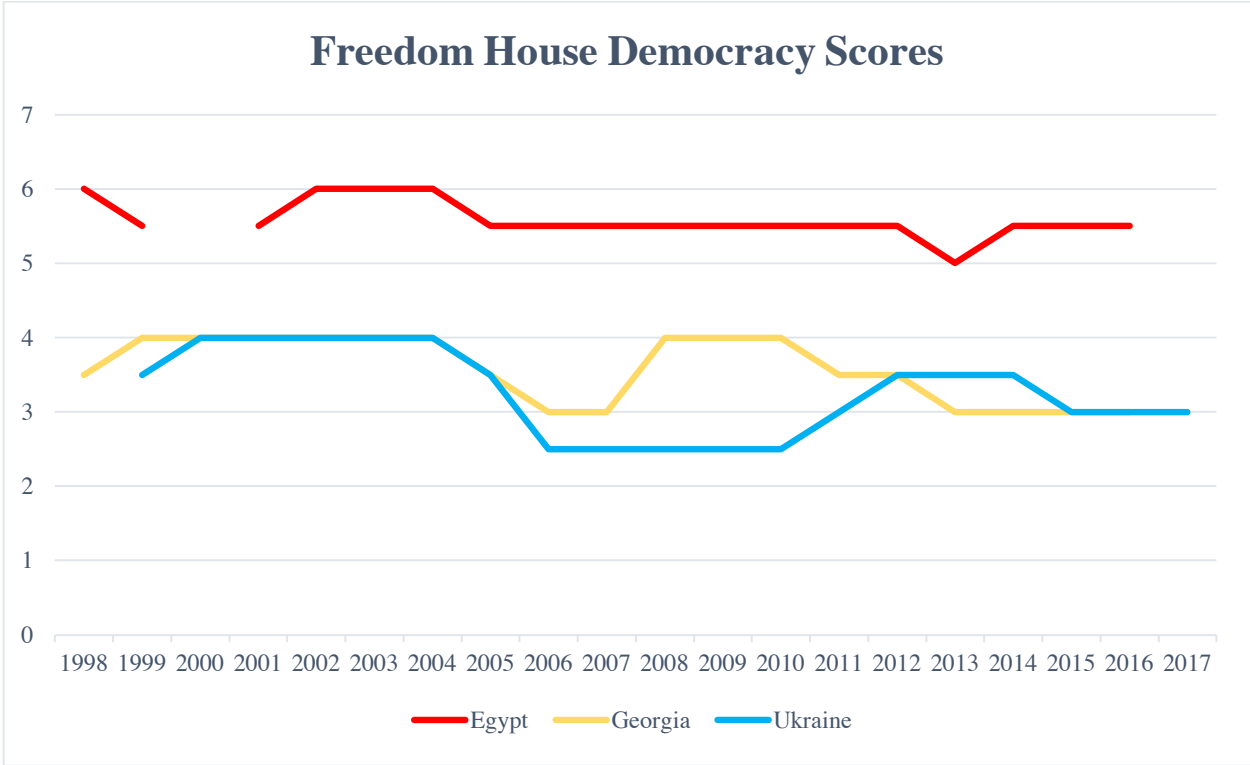
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APPENDIX

FIGURE 4: FREEDOM HOUSE DEMOCRACY SCORES BY COUNTRY



Source: Freedom House