In the second half of the 20th century, at least 91 countries emerged into statehood from western colonial rule. Upon independence, they each drafted and promulgated a national constitution. Moreover, 65 percent of these postcolonial states have rewritten their original constitution since independence, in many cases more than once. This constitutional construction and reconstruction in the postcolonial world has been massive in scope. By the early 1970s, postcolonial constitutions accounted for roughly two-thirds of all the world's constitutions. As decolonization continued into the early 1990s, postcolonial constitutions, together with the constitutions of ex-Soviet countries and other secessionist states, accounted for more than four-fifths of them (Beer, 1992b).
Of course, the fact of postcolonial documentary constitutionalism is not entirely remarkable. Nearly all countries of the world—new or old, colonizer or colonized, rich or poor—have their own single-document constitution (Lutz, 2000: 118). On the other hand, postcolonial constitutions are indeed remarkable in the sense that constitutions are not logically necessary. That is, there is no immediately necessary connection between having an independent state and writing a single-document constitution. A constitution does not have to exist in written form, neither does it have to be issued in a single document. The first written constitution in Europe was Poland’s in 1791, but independent states had been in existence long before that. Nor do constitutions, once codified in a single document, have to be similar. But on many counts they are. All existing constitutions share some same basic features. Not only are they all packaged in a single written document, they all specify in one way or another the organization of political power, the division of governmental labor, the major principles and goals of governance, and so on. It is due to these basic similarities that Albert P. Blaustein, a constitutional consultant and compiler, was able to publish his pamphlet *Framing the Modern Constitution: A Checklist* (Blaustein, 1994). Aimed for constitution-builders in new states, the pamphlet identifies the basic elements which any constitution should have and which most written constitutions have in fact.

Postcolonial constitutions thereby affirm that documentary constitutionalism has become a globally shared mode of organizing socio-political formations. Postcolonial constitutions are part and parcel of a ‘globalizing constitutionalism’ (Klug, 2000: 2). This is a point which the neoinstitutionalist approach to world society has been quick to seize (Boli-Bennett, 1976; Meyer et al., 1987, 1997). Neoinstitutionalism highlights the cultural and cognitive dimensions of the world system.

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3 According to Beer (1979: 11), a ‘written constitution’ is equal to ‘documentary constitutionalism’, which is the ‘worldwide agreement that a modern nation state needs a single document of basic law setting forth constitutional arrangements’. Documentary constitutionalism ‘thus refers only to the adoption by a nation state of a single document to state its fundamental formal law on the major divisions, structures, principles and powers of government, and rights and duties of citizens; different, then, from “the constitution” of a nation, which may consist of other documents like judicial decisions, speeches by a key leader, theories, public values, customs, and so on’.

4 Poland’s Constitution was written right after the American Constitution and four months before the first written French Constitution (Ludwikowski, 1996: 9–14). To this day, Britain does not have a single-document constitution. Britain is an exception in this regard, but by this token it reveals the historically arbitrary nature of written constitutionalism.