



“A Government of Laws, Not of Men”: Building Constitutional Frameworks in Changing Dictatorships

By Omar Khattaly · 21 August 2021

The Constitutional Foundation of Governance

In 1780, John Adams—a political philosopher and the second president of the United States—enshrined the idea of “a government of laws, and not of men” into the Massachusetts State Constitution. His words represented his firm conviction that governments should be built and based on written laws agreed upon by those who are governed, rather than left to the motivations of a group of men, or a single man, to decide the fate of the people and the nation.

In 1787, his words and the Massachusetts State Constitution became the model for the U.S. Constitution, which is recognized today as one of the oldest and most comprehensive foundational legal documents for a nation in the world.

A ratified constitution clears the path for institutional development, the protection of civil liberties, and nation-building. Written constitutions contribute significantly to economic growth by providing stability, accountability, and credibility. Along with dedicated and informed citizens, a country’s strong institutions contribute to preserving and protecting the nation’s constitution. For a nation to survive the evil and manipulative acts of a few individuals, devoted citizens must stay involved with



their institutions to protect the nation's democratic path from falling into anarchy, as has been seen in Afghanistan, Libya, and many other nations.

The Supremacy of Constitutional Law

According to the International Institute for Democracy and Electoral Assistance (International IDEA):

"The vast majority of contemporary constitutions describe the basic principles of the state, the structures and processes of government and the fundamental rights of citizens in a higher law that cannot be unilaterally changed by an ordinary legislative act. This higher law is usually referred to as a constitution."

A written constitution is considered supreme and superior to any ordinary statutory laws, meaning it cannot be easily altered.

In conclusion, the struggles of Libya, Iraq, and Syria highlight the fundamental paradox facing fragile democracies and collapsing dictatorships worldwide: holding elections in an institutional vacuum rarely leads to true democracy. Instead, it often clears a path for a corrupt and powerful few to legitimize their greed, as seen in the case of many MENA region and African countries today. While a ratified constitution serves as an indispensable shield for civil liberties and the rule of law, it cannot succeed in isolation. For emerging democracies to survive the threat of anarchy and avoid falling back into dictatorship, the international community, domestic reformers, and civil society organizations must realize that drafting a constitution is merely the first step; the true challenge lies in building strong and functioning institutions that can foster civic devotion required to defend it.