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Data Article

A novel dataset on legal traditions, their determinants, and their economic role in 155 transplants

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ARTICLE INFO

Article history:

Received 16 March 2016

Received in revised form

15 May 2016

Accepted 23 May 2016

Available online 31 May 2016

ABSTRACT

The law and the economy are deeply influenced by the legal tradition or origin, which is the bundle of institutions shaping law-making and dispute adjudication. The two principal legal traditions, common law and civil law, have been transplanted through colonization and occupation to the vast majority of the jurisdictions in the world by a group of European countries. Here, I illustrate a novel dataset recording the lawmaking institution employed by 155 of these jurisdictions at independence and in 2000 and four discretion-curbing adjudication institutions adopted by 99 of these “transplants” at the same two points in time. Contrary to the “legal origins” scholars’ assumption, 25 transplants changed the transplanted lawmaking institution and 95 modified at least one of the transplanted lawmaking and adjudication rules. In “Endogenous Legal Traditions” (Guerriero, 2016a) [12], I document that these reforms are consistent with a model of the design of legal institutions by societies heterogeneous in their endowment of both the extent of cultural heterogeneity and the quality of the political process. In “Endogenous Legal Traditions and Economic Outcomes” (Guerriero, 2016b) [13] moreover, I show the relevance of considering legal evolution and the endogeneity between legal traditions and economics outcomes. The data illustrated here also include the proxies for the determinants of legal evolution I use in “Endogenous Legal Traditions” (Guerriero,

DOI of original article: <http://dx.doi.org/10.1016/j.irle.2016.02.001>E-mail address: c.guerriero@uva.nl<http://dx.doi.org/10.1016/j.dib.2016.05.049>2352-3409/© 2016 The Authors. Published by Elsevier Inc. This is an open access article under the CC BY license (<http://creativecommons.org/licenses/by/4.0/>).

2016a) [12] and the novel measure of economic outcomes I employ in “Endogenous Legal Traditions and Economic Outcomes” (Guerriero, 2016b) [13].

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Specifications Table

Subject area	<i>Economics.</i>
More specific sub- ject area	<i>Law and Economics; Institutional Economics.</i>
Type of data	<i>Excel, PDF</i>
How data was acquired	<i>Codifying the measures of legal institutions starting from the history of each country legal order and collecting the other data from primary sources.</i>
Data format	<i>Raw, processed</i>
Experimental factors	<i>Countries with incomplete data have been discarded; legal institutions have been measured with dummies and discrete indices; the measure of legal traditions in 2000 employed in [13] as well as the other reported variables are continuous.</i>
Experimental features	<i>Legal institutions are measured for the year of independence and 2000; all the other variables are measured at different points in time preceding 2000.</i>
Data source location	<i>155 countries that received their initial legal tradition externally.</i>
Data accessibility	<i>Data are with this article.</i>

Value of the data

- The data reveal that legal traditions are not fixed in the original transplanted form as assumed by the legal origins scholars [14], but they evolve. Hence, more theoretical and empirical research on the determinants of this evolution, as in [12], is necessary.
- The data allow to study the impact of endogenous legal traditions on the economy as in [13].
- The data are key to draw policy implications relevant for the current process of international legal harmonization.

1. Data

The dataset consists of cross-sectional observations on 155 countries that received their initial legal tradition exogenously mainly via colonization or occupation, i.e., transplants. For this sample, I report in the excel file “OIL_W” the lawmaking and adjudication institutions at independence and in 2000, the proxies for the determinants of their evolution I discuss in [12], and both the continuous measure of legal traditions and a measure of social welfare I employ in [13]. While the lawmaking institution determines the identity of the lawmaker – i.e., the government, the legislature, or the president under statute law and appellate judges under case law, adjudication institutions modulate the discretion allowed by the legal system to lower adjudicating courts [5,10,20,22]. The drivers of the evolution of legal traditions are the extent of cultural diversity and the quality of the political process.

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