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The Evolution of a Nation: How Geography and Law Shaped the American States.

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REFERENCES


1 *The Evolution of a Nation* provides its readers a welcome alternative to explain striking differences in per capita income between the countries around the world, suggesting the factors that disparities are partly driven by political and legal institutions and the geography of a nation. The authors Daniel Berkowitz and Karen B. Clay are economists of University of Pittsburgh and Carnegie Mellon University respectively; hence their main concern revolves around the societies’ prosperity and poverty. Drawing upon literatures on institutions, American political history and American legal history and adding archival records of 45 states of 1880 and of all 48 continental states from 1860s to 2000, the authors reconsider the history and direction of social change in the United States.

2 *The Evolution of a Nation* is designed in seven chapters and except the first introductory one, all come complete with a conclusion and the last chapter having raised new questions on the relationships among politics, courts and economic outcomes emphasizes that “more work remains to be done” on the subject (199). The particular factors the authors consider effective on the prosperity of the states range from the legal initial conditions of them in chapter two, to state political competition of chapter three, the wealth of the elite; the importance of geography in wealth distribution of chapter four, to laws influencing the causes and consequences of state courts and legislatures of chapters.
five and six. Chapter seven summarizes the main findings with respect to persistence and mechanisms and pinpoints important areas for further research.

3 The authors’ assumption that “the structure and funding of court systems in civil-law states are systematically different than in the court systems in common-law states”(14) turns out to have a strong correlation with their findings since with their classification of states, especially the eight states on America’s southern periphery, which once had civil-law courts, still bear distinctive characteristics and provide the reader evidence that civil-law state legislatures made changes to their judicial retention systems under different conditions. This outcome, according to the authors, offers the scholars “a more nuanced story of the development of American state courts” (14) and proves the persistent effects of colonial legal history, which in dominant belief of scholarly circles, is supposed to be swept away with Americans after they entered the territory after France, Spain or Mexico.

4 As for the state political competition, the characteristics of the elite have been documented since the 1860s. State precipitation, state distance to internal waters such as rivers and lakes, the construction of railroads are among factors to create occupational homogeneity of state elite. However, wealth and political competition do not always exhibit a strong positive correlation. The authors claim that civil-law states adopted partisan elections more easily and were unwilling to give up this habit when compared to common-law states (144). Partisan elections of the judges and the supervision and punishment of them for the wrong decisions are considered the ways to make them part of a bureaucracy and to restrict them, which is seen among the French judges both historically and today.

5 The strength of The Evolution of a Nation lies in the collected historical and recent data. All these are sufficiently displayed on charts, graphs, appendices, which cover over eighty pages in the body of the book. The meticulously written introduction and overview provide a methodological model to those for ongoing research. Complying with the expectations of the authors, the book stands at the intersection between economics, history, law and politics and can be beneficial within the classroom setting of these disciplines at undergraduate and graduate levels. Furthermore, as it presents stimulating discussions and raises new questions about law, legal intuitions, economic growth, it can be a reference book for the years to come in historical and sociological studies.

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