SOCIOECONOMIC DEVELOPMENT AND THE EVOLUTION OF LITIGATION RATES OF CIVIL COURTS IN BELGIUM, 1835–1980

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This article tests the usefulness of some aspects of functional theory in explaining the relationship between socioeconomic development and litigation trends in Belgium for 1835–1980. Some of the six hypotheses derived from functional theory are supported by the data; others are clearly contradicted. The analysis indicates that litigation is obviously not an automatic response to conflict caused by socioeconomic change. Socioeconomic development is only one factor causing litigation, and its explanatory power is limited. Research progress can only be made by studying various kinds of conflict and types of actors, all trying to reach their specific goals in a given social context.

I. INTRODUCTION

Research on the relationship between social change and law, the roots of which go back to the theories of Durkheim and Weber, belongs to one of the oldest traditions of sociology of law. During the past decades in both the United States and Western Europe, this tradition has inspired several longitudinal studies of civil litigation. Although these studies represent a new and fruitful approach to research on the relationship of law and society, their results have been weakened by questions about the use of functional theories to describe the relationship between social change and law. The problems encountered in prior research raise the issues of whether and how civil litigation can be used to understand the function of law in society. "Function" here refers to the theories about the influence of law on the maintenance and stability of other social institutions. This is the starting point for most empirical studies of litigation, which, however, very often do not clearly specify what litigation can or cannot tell us about the function of law.

Of course, we must take into account that litigation reflects only a small part of the contribution of law to society. Empirical studies of caseload dynamics have tried to develop a general theoretical framework for analyzing the influence of various groups of factors on the evolution of litigation (Baum et al., 1980–81; Blank-

enburg, 1975; Daniels, 1984, 1985; Grossman and Sarat, 1975; Langerwerf, 1978; Langerwerf and Van Houtte, 1979; Marvell, 1985; McIntosh, 1980–81; Munger, 1988; Rottleuthner, 1985; Wollschläger, 1985). But a strong and comprehensive theoretical base, covering a broad range of factors, does not exist.

It is not the aim of this article to construct such a theory, but to formulate certain elements of it and especially to test a number of hypotheses by means of litigation data for Belgium for the period 1835–1980. We shall thus test the validity of some simple theoretical propositions about the relationship between social change and litigation. While we discover that simple functionalist theories are inadequate, we also conclude that testing more complex theories that incorporate additional factors influencing action exceeds our present research capacity because it requires far more data than are now available from dockets and other statistical sources.

II. SOME THEORETICAL ASPECTS OF THE RELATIONSHIP BETWEEN SOCIOECONOMIC DEVELOPMENT AND LITIGATION RATES

Although a strong theoretical base for the examination of the link between socioeconomic development and litigation rates does not exist, empirical studies use a variety of starting points that in fact almost always can be reduced to a very simple model. Munger (1988), for example, presents a critical evaluation of "the normative effect theory," which very often forms, although implicitly, the framework of the analysis. According to this theory, which is derived from the work of Durkheim and Weber, law supports the functioning of other institutions. When behavioral patterns for one reason or another are disturbed or even broken down, law is available to restore the break. Law thus represents the solidarity of society. Further, law creates a new social order when behavior patterns change. We can call this the "breakdown version" of the normative effects theory. Of course, there are also situations in which law is used to create change or to enforce legal rules, even without consensus.

Another, more complex version of the normative effects theory posits that legal institutions are rational and legitimate means of resolving conflicts. Law helps to rationalize and order socioeconomic relations, keeps deviance under control, and permits the institutionalization of roles and values (Bohannan, 1967a). This interpretation of Weber's theory is widely used as a starting point for discussion of the function of law (Trubek, 1972).

Because litigation reflects the need for dispute resolution, this general theory has some immediate implications for the activity of courts. But one has to realize that because the normative effects theory (in both versions), which is grounded in one view of social change, reflects only one limited aspect of litigation and litigation

dynamics, its explanatory power will necessarily be restricted. Thus more generally we may identify three groups of factors, at different levels, that are responsible for the frequency of litigation.

The first group of factors are the rules of law and judicial procedure. The legislature influences the use of courts by making some court procedures obligatory. An excellent illustration of this factor in Belgium is the divorce law, for even in divorce by mutual agreement, a court procedure is required. The same is true of bankruptcy. The technical quality of the laws also influences the number of lawsuits. In Belgium, for instance, "temporary" laws regulating rent cause mass litigation. In addition, older laws that are out of step with contemporary situations may lead to a greater number of legal disputes (Toharia, 1974) than do more modern laws.

The organization and operation of the court form a second group of factors that explain litigation rates. Of course, courts form only the top of the classical iceberg of dispute processing and there are alternative means of conflict resolution (Miller and Sarat, 1980–81). Courts influence litigation rates in three ways. First, the uncertainty of the courts leads potential litigators in some kinds of disputes (e.g., those in specialized economic areas) to prefer out-of-court resolution. Second, the enormous delay in the courts generally keeps parties out of court, although for some parties delay can be a reason for suing. Third, the relatively high costs of a trial, including the fees of lawyers, bailiffs, and surveys, can be a reason to choose other ways of dispute resolution.

Factors outside the court may also influence litigation. In distinguishing structural and cultural factors, Grossman and Sarat (1975) define structural factors as including both political change and socioeconomic development. They start from the assumption that the use of law and the courts reflects a society's level of social and economic development. Of course, a major problem for research is that there are many ways of measuring socioeconomic development, an issue we discuss below. The influence of cultural elements is also evident (Galanter, 1983a), although it is difficult to measure quantitatively. Perception of a conflict likewise plays an important role, as do factors such as knowledge of the judicial system, the inclination to sue, and the availability of other forms of dispute resolution.

This general and simple model shows very clearly that several factors work to determine litigation rates and that the final result may come from quite opposite situations. In fact, both a growing and a declining economy can cause increased numbers of court cases. A growing economy means more transactions and as a consequence more potential disputes. A declining economy also potentially generates more disputes in the forms of debt collections, bankruptcies, and the like. Of course, this does not simplify the interpretation of the possible effect (if there is any) of socioeco-

nomic development on litigation dynamics. Thus taking into account that socioeconomic development represents only one factor influencing litigation and that its effect can only be partial, we will try to evaluate its impact by explaining historical litigation patterns in Belgium.

III. THE HYPOTHESES

A. Hypothesis 1

Functional theory predicts that the effect of industrialization is curvilinear, that the litigation rate will be higher during industrial takeoff. Intense economic growth leads to reordering of a broad range of social relationships, which creates a need for normative interventions. But this need for conflict resolution through litigation should—at least in ongoing relations—not continue but rather peak and decline as adaptions become routinized.

B. Hypothesis 2

An alternative functional theory says that industrialization is accompanied by stress and a breakdown of traditional social relations. As a result, during the process of industrialization there is greater reliance on the legal order to resolve conflicts, with elevated litigation rates as a consequence.

C. Hypothesis 3

Functional theory also predicts an increase in some types of litigation as a result of a declining economy. Because business failure is one of the principal structural effects of fluctuating economic situations, a growing number of bankruptcies must result from such instabilities. This is especially true in Belgium, where all bankruptcies must be handled by the courts of commerce.

D. Hypothesis 4

Other events besides industrialization can also alter norms of social behavior and thus affect the litigation rates. During World Wars I and II, for example, courts in Belgium could not work as usual because of lack of personnel, and available records are unreliable. For both reasons, the number of cases in the courts was very low.

E. Hypothesis 5

Although it is not necessarily directly linked with economic development, the growing emancipation of citizens, as measured by the proportion obtaining a university education, may also cause higher litigation rates. A more intensive use of lawyers should also result. The assistance of lawyers is not compulsory in Belgium, but, except in the courts of peace, almost every plaintiff

has one. Even in the courts of peace, about 85 percent of plaintiffs use a lawyer. This increased use of lawyers can be seen in part as a reflection of the changing attitudes toward the courts and the law, resulting from the higher level of education as well as the increased number of laws.

F. *Hypothesis 6*

There are no data on the use of lawyers, but a very interesting predictor of this variable is probably the number of advocates. Opinions about the influence of this factor on the number of new cases differ. On the one hand, we can interpret the increasing number of advocates as a consequence of the growing number of court cases. On the other hand, we can assume that the increasing number of advocates at least partially causes the rising court load. In either case, it is appropriate to include the number of advocates as a variable in our analysis.

IV. THE JUDICIAL SYSTEM IN BELGIUM

Belgium has a hierarchically structured judicial system that is much like the French system. In this article we shall consider only civil cases handled by the courts of peace, the courts of first instance, and the courts of commerce. We do not consider cases on appeal.

The courts of peace (*justices de paix* in French and *vredegerechten* in Dutch) form the bottom of the hierarchy. There is one court of peace for about every 40,000 to 50,000 inhabitants. These courts have jurisdiction over all civil and commercial issues in which the claim does not exceed BFr 50,000, or $1,300. They also have jurisdiction over certain matters regardless of the amount, with rent control being the most important.

The courts of first instance (*tribunaux de première instance* in French and *rechtbanken van eerste aanleg* in Dutch) are the courts of general civil jurisdiction. With minor exceptions, they handle all civil claims in first instance for which the courts of peace are not competent. They also function as appellate courts for decisions of the courts of peace.[1]

The courts of commerce have jurisdiction over all trade disputes (including bankruptcies) involving more than BFr 50,000. Because in the nineteenth century commercial cases in some judicial districts were handled by the courts of first instance, we combined the litigation rates for those courts and the courts of commerce.

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[1] Appeal is only possible for claims exceeding BFr 15,000 ($400). There are also labor courts that handle individual labor disputes and social security matters (data available only from 1971).

V.   DATA AND METHODOLOGY

A.   *Constructing Litigation Rates*

Because we are interested in explaining the increasing or declining involvement of law in dispute resolution, we will use litigation rates as the dependent variable (the total number of civil cases handled by each court per 10,000 population) instead of the absolute number of cases.[2] Thus each litigation rate is considered a measure of the dispute resolution function performed by that court.[3]

B.   *Economic and Cultural Change*

Because statistics on the economic development of pre–World War II Belgium are almost nonexistent, we have used two measures to study the period from 1835 to World War II—the production of iron and coal—and another to study the postwar period—the production of electricity.[4] Other independent variables include the number of bankruptcies per 10,000 population, the level of education (university graduates per 10,000 population, and the number of advocates per 10,000 population. All are derived directly from our hypotheses.

VI.   RESULTS

A.   *Is the Effect of Industrialization Curvilinear?*

Although for some parts of Belgium, especially in the south, the actual takeoff of industrialization occurred before 1835, in general the nineteenth century was the period of early industrialization in the country.[5] From 1835 to 1913 there appears to have been an increasing litigation rate in the courts of peace, with, of course, some minor exceptions (Fig. 1). During World War I the litigation

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[2] All data are given in the Appendix.

[3] An alternative approach is to explain the number of cases while controlling for the number of people. But since our research aims to explain the causes of fluctuations over time in the use of courts, measures relative to some base are probably more appropriate. We have chosen to use population as our base in reporting litigation rates.

Unfortunately, the data on civil litigation published by the Belgian National Institute for Statistics only refer to the total number of cases handled by the courts. No data are gathered about the nature of the cases (e.g., contracts, tort, or family) or the parties involved, although at times we can get a rough idea of the kind of cases (e.g., bankruptcy). Population as an expression of the volume of social transactions will thus probably serve as the best available baseline for constructing the litigation rates.

[4] Indices of economic development were created from production and population statistics as follows: iron = thousands of tons per 10,000 population; coal = thousands of tons per 1,000 population; electricity = millions of kilowatt-hours per 1,000 population.

[5] Because of the effect of the world wars on the activities of courts and the lack of judicial statistical data for the war years, we split the period 1835-1980 into three parts: 1835–1913, 1920–39, and 1946–80.

rate dropped dramatically, but because statistical data were lacking for the period, this cannot be interpreted as confirmation of Hypothesis 4. The years after World War I were characterized by a high volume of cases, partly caused by "catching up" after the war. The litigation rate in the courts of peace again decreased sharply between 1920 and 1930, followed by an increase that reached the prewar level of about 1913 to the end of the thirties. This increase can be viewed as a lagged effect of the economic crisis in the first part of the decade. During World War II the rate again sharply declined and then doubled between 1946 and the mid-1960s. After 1965, the rate decreased again. In general, there was a stabilization between 1970 and 1978 and an increase in 1979 and 1980. Even without a statistical test, it is clear from Figure 1 that the hypothesis of curvilinearity does not hold, because there is no inverted U-curve. We indeed find a continuous growth of litigation in the nineteenth century, a kind of U-shape between 1920 and 1939, and an irregular, inverted U-shape after 1946.

As Munger (1988) pointed out, the functional theory is to some degree ambiguous in predicting the specific effects of economic fluctuations. In fact, a declining as well as an increasing economic trend may be associated with rising litigation rates. Growing economic activity means an increased number of transactions and thus more potential conflicts. A declining economy also may cause more litigation because of a rising number of persons who cannot meet their financial obligations. We find an illustration of the first phenomenon from 1835 to 1919 and again between 1946 and 1965. A good example of the second phenomenon is found in the 1930s.

The lack of historical data on case type seriously limits further analysis of these trends. Of course, it is possible that changes in economic growth might affect only certain kinds of cases. However, since we cannot isolate particular kinds of cases, our chances of observing such effects are reduced. We can only measure the more general results of large-scale economic change on the formal resolution of conflicts in courts.

Compared to the courts of peace, the courts of first instance and of commerce show a much lower increase in the litigation rates in the period 1835–1913, especially after 1880 (see Fig. 1). The rates stabilized until the end of the 1860s, increased a bit in the 1870s, and stabilized again until World War I. This trend can probably be explained by the kinds of cases handled by these courts. While we do not have exact information, we know the courts of peace handled smaller claims, more contract and rental cases, and fewer family disputes. Probably the number of contract and rental cases has increased more rapidly than the number of family disputes.

The change in the litigation rate for the courts of first instance and of commerce between the world wars is remarkable, in part
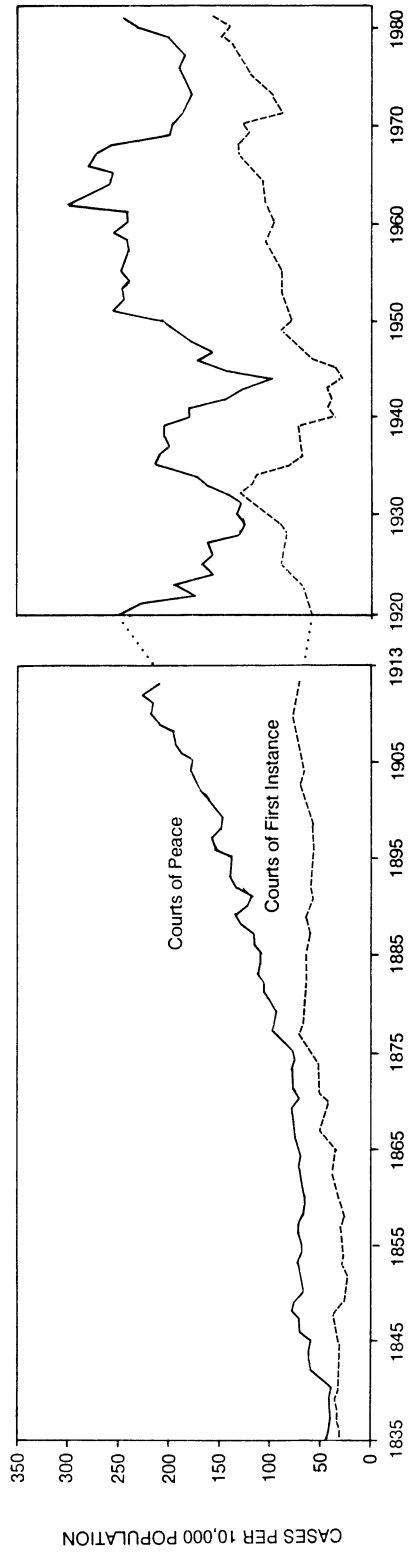
Figure 1. Litigation rates in the courts of peace and of first instance

because it is exactly opposite to the trend in the courts of peace: a small increase in the 1920s and a considerable growth in the early 1930s due to economic crisis, followed by a drop back to the level of 1920. As mentioned, this difference can only be explained by the different kinds of cases the courts treat.

After World War II the litigation rate tripled between 1946 and 1980. The sharp decrease in 1970 is due to a change of composition, procedure, and competence of the courts of commerce, as about thirty thousand cases were transferred from them to the courts of peace.

It is difficult to interpret these trends precisely. Nevertheless, a few conclusions can be drawn. First, the courts of peace and first instance show no curvilinear or monotonic growth in litigation rates. Second, economic change does not seem to have a general effect on litigation, because the trends in the courts of peace and the courts of first instance are different. Small claims litigation (courts of peace) shows a pattern different from that of more important cases. From these results we can conclude both that the curvilinear hypothesis derived form functional theory is not particularly helpful in explaining general patterns of litigation and that by contrast the organization of the judicial system is a major factor that must be considered in the analysis of litigation trends.

B.   *The Effect of the Growth of Industrialization on Litigation Rates*

The impact of the growth of industrialization on litigation rates is a critical test of functional theory. To examine this relationship the litigation was regressed on measures of economic development for three periods for which the time series is unbroken by major social upheavals (Table 1, upper panel). For the courts of peace the only significant results are found for 1835–1913. This holds for the production of both cast iron and coal as economic predictors. The results are not significant for either of the other periods.[6] As mentioned, it is not possible to characterize the nineteenth century as the takeoff period for all Belgian industrialization; in some areas it occurred earlier, in others, later. But for the courts of peace, there is clearly a strong positive relationship between economic growth and litigation rates in the nineteenth century, though not after World War I.

For the courts of first instance and commerce, the relationship between litigation rates and economic development reaches a statistically significant level not only for 1835–1913 but also in the other two periods (Table 1, lower panel). The only exception is a

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[6] Of course, the connection between the pace of industrial growth and the litigation rate might involve a certain time lag. The effects might be distributed over more than one year or even over several years following the alteration of the underlying social relations. Even if this were systematically the case, it seems to be unlikely that the picture would change dramatically.

Table 1: Relationship of Litigation Rates and Economic Variables
(Correlation Coefficients)

Economic Indices	1835–1913	1919–39	1946–80
	Courts of Peace		
Cast iron	.92*	−.31	—
Coal	.77*	.00	—
Electricity	—	—	−.30
	Courts of First Instance and Commerce		
Cast iron	.82*	.56*	—
Coal	.87*	.11	—
Electricity	—	—	.80*

* $p < .05.$

nonsignificant relationship between coal production and litigation rates between the wars.

In summary, we can say that there is obviously a positive relationship between litigation rates and economic development in nineteenth-century Belgium, a finding that seems to support the hypothesis that a "young" industry generates much litigation, either directly or indirectly through such factors as the level of education. It seems significant that this is true for both small claims (courts of peace) and large ones (courts of first instance and commerce).

After World War I the relationship between economic development and litigation disappears for the courts of peace but continues for courts of first instance and commerce. Economic development obviously has a closer link with commercial litigation, and thus with the courts of commerce (which handle many more cases than the general civil litigation in the courts of first instance) and a looser one with small claims, and thus with the courts of peace. Of course, we cannot be certain that the relationship is really causal, but at least the findings do not contradict the predicted effect.

C. The Effect of Business Failure on Litigation Rates

To test the effect of business failures on litigations rates, we use only the rates of the courts of commerce and first instance, since they are the only ones with jurisdiction over business failures and their consequences. Because bankruptcy is a judicial procedure, a rise or decline in business failures necessarily results in a rise or decline in litigation (Hypothesis 3). Therefore, we should not be surprised to find that the number of bankruptcies per

10,000 population is statistically correlated with litigation rates in court of first instance for all three periods: .83 (1835–1913), .79 (1919–39), and .81 (1946–80). All three coefficients are statistically significant ($p < .05$).

D.   Level of Education and the Evolution of Litigation Rates

The level of education as measured by the number of university graduates per 10,000 population has a highly significant statistical correlation with litigation rates of the courts of first instance and peace, but only after World War II (Table 2). The correlation for 1919–39 is not statistically significant. The association with litigation rates of the courts of peace is also small. Too little information about university graduates is available before 1913 (data are available only for every ten years before 1865) to make any conclusions about the period.

Table 2:   Relationship of Litigation Rates and University Graduates per 10,000 Population, Courts of First Instance and Peace (Correlation Coefficients)

	1919–39	1946–80
Courts of first instance	.32	.75*
Courts of peace	.14	−.36

* $p < .05$.

E.   The Number of Advocates and Magistrates

Although the number of advocates and magistrates is available only at ten-year intervals, there has been a remarkable stability in the number of magistrates, with a small increase in the past twenty years (see Appendix Table B). The number of advocates doubled between 1840 and 1940, declined until 1970, and experienced an enormous increase between 1970 and 1980. One explanation might be that advocates perform more tasks today than they did in the nineteenth century (e.g., pre-judicial consultations) and thus are in greater demand.

It is striking that the steady increase in the rates of litigation in the courts of first instance occurred during the nineteenth century, when there was no increase in the relative proportion of advocates. In the twentieth century the number of advocates per 10,000 population has increased steadily, but there has been no corresponding increase in the rate of litigation in either type of court.

VII.   SUMMARY AND DISCUSSION

In this article we have tested the usefulness of some aspects of functional theory in explaining the relationship between socioeconomic development and litigation trends in Belgium for 1835–1980. Although we know that the process of bringing conflicts to court for resolution is not only a function of economic growth and the pace of socioeconomic change, we have tried to relate both phenomena to the Belgian situation.

Functional theory predicts that litigation rates will rise during periods of economic instability (either growth or decline) because a range of relationships will be affected by the changes that accompany instability. The need for the normative ordering provided by law should rise whenever there is breakdown or change in social relations. The theory also predicts that industrialization will have a curvilinear effect on litigation rates, but this was not supported by the data. At the level of the courts of peace, we found a continuous growth of litigation in the nineteenth century, a kind of U-curve between 1920 and 1939, and an irregular, inverted U-curve after 1946. At the level of the courts of first instance and commerce, there was no inverted U-curve. Their litigation rates stabilized until the end of the 1860s, increased somewhat in the 1870s, and stabilized again until World War I. The trend between the wars was just opposite to the one found in the courts of peace: a small increase in the 1920s and a considerable growth in the early 1930s, followed again by a drop. After 1945 litigation rates increased rapidly.

In general we did not find a curvilinear pattern, even in the nineteenth century, a period of early industrialization in Belgium. Nor was there any general effect of economic change on litigation, because we found a totally different pattern for the courts of peace from that for the courts of first instance. Munger (1988) is undoubtedly right when he says that the reasoning of normative effect theory is ambiguous in predicting the effect of economic fluctuations. A declining as well as an increasing economy may be associated with rising litigation rates. Without information about the kind of cases, it is difficult to explore more precise explanations.

An alternative hypothesis derived from functional theory fared better in our findings. There was a positive relationship between litigation rates and industrial growth for 1835–1913, which supported the hypothesis that a beginning industry generates much litigation. This was true for small cases in the courts of peace as well as larger ones in the courts of first instance and commerce. After World War I industrial growth continued to be associated with higher litigation rates in the courts of first instance and commerce, but the association disappeared in the courts of peace. Economic growth has a closer link with commercial litiga-

tion than with the small claims handled by the courts of peace. Further, as predicted, the effect of business failures on litigation rates of the courts of first instance and commerce was positive in all three periods. Contrary to our predictions, however, the level of education was only positively related to litigation rates of the courts of first instance and commerce after 1946.

In general, some of the hypotheses derived from functional theory were supported by our data while others were clearly contradicted. It was also obvious that litigation was not an automatic response to conflict caused by socioeconomic change. As mentioned in the introduction, socioeconomic development is only one factor causing litigation, and its explanatory power is thus necessarily limited. In some situations and some periods the effect of socioeconomic factors is important; in others it is negligible. The fundamental problem with normative effects theory is its incomplete reasoning about the factors leading to the use of courts to resolve conflict. To yield better predictions of trends in litigation, we need information about the three groups of factors described earlier in this article: the rules of law and judicial procedure, the organization and operation of the courts, and factors outside the courts, including socioeconomic change. As other have argued (e.g., Galanter, 1974a), the process of dispute resolution is probably also resource dependent. Actors with sufficient resources will use litigation at their discretion to obtain their goals—within, of course, the legal and procedural possibilities in a given social context. Litigation must be considered in the framework of all these related factors and cannot be adequately described by simple functional theory. Research progress can only be made by studying various kinds of conflict and some types of actors, all trying to reach their specific goals in a given context. Without this information, attempts to explain litigation trends will necessarily be unsuccessful.

APPENDIX

Table A: Summary of Data on Litigation Rates and Socioeconomic Change in Belgium, 1835–1940

| Year | Litigation Rates[a] | | Iron Production | Coal Production | Electricity Production | Bankruptcies[a] | University Graduates[a] |
	Courts of Peace	Courts of First Instance					
1835	42.66	31.07	0.30	6.79	—	0.19	—
1836	40.37	29.94	0.34	7.78	—	0.21	—
1837	38.79	33.58	0.38	8.16	—	0.22	—
1838	40.43	33.03	0.33	8.15	—	0.25	—
1839	39.61	35.33	0.25	8.62	—	0.29	—
1840	35.94	32.15	0.23	9.65	—	0.39	3.23
1841	45.76	32.08	0.22	9.73	—	0.32	—
1842	57.62	32.54	0.23	9.92	—	0.37	—
1843	60.62	32.42	0.23	9.45	—	0.32	—
1844	59.48	31.07	0.25	10.44	—	0.33	—
1845	58.57	30.50	0.31	11.44	—	0.35	—
1846	69.96	35.41	0.44	11.61	—	0.45	—
1847	71.96	35.37	0.57	13.06	—	0.49	—
1848	76.98	35.34	0.37	11.16	—	0.43	—
1849	74.33	28.66	0.34	11.99	—	0.30	—
1850	68.47	25.27	0.33	13.15	—	0.26	3.84
1851	69.36	25.08	0.38	13.94	—	0.29	—
1852	71.86	25.85	0.40	15.05	—	0.36	—
1853	73.44	28.54	0.51	15.77	—	0.43	—
1854	69.61	26.76	0.62	17.33	—	0.46	—
1855	69.60	29.14	0.64	18.25	—	0.49	—
1856	73.68	30.99	0.71	18.13	—	0.58	—
1857	72.88	31.42	0.66	18.32	—	0.52	—
1858	67.52	26.09	0.70	19.31	—	0.39	—
1859	66.31	29.06	0.68	19.61	—	0.44	—
1860	68.37	32.06	0.68	20.31	—	0.61	4.06
1861	70.20	36.75	0.65	21.03	—	0.72	—
1862	72.13	38.48	0.74	20.54	—	0.66	—
1863	72.92	37.93	0.80	21.14	—	0.65	—
1864	71.89	37.44	0.91	22.58	—	0.57	—
1865	72.60	37.53	0.95	23.76	—	0.55	3.74
1866	77.27	46.06	1.00	26.46	—	0.73	—
1867	77.07	50.11	0.86	26.04	—	0.79	3.61
1868	79.32	48.97	0.88	24.78	—	0.82	3.77
1869	80.88	47.22	1.06	25.78	—	0.71	3.73
1870	73.41	43.63	1.11	26.92	—	0.68	3.73
1871	78.56	53.26	1.19	26.85	—	0.67	3.93
1872	77.91	50.94	1.27	30.26	—	0.60	4.12
1873	79.40	51.87	1.16	30.03	—	0.73	4.22
1874	77.46	52.97	1.00	27.49	—	0.91	4.18
1875	78.94	60.59	1.00	27.78	—	1.01	4.21
1876	85.47	65.48	0.92	26.86	—	1.06	4.41
1877	97.62	70.89	0.87	25.75	—	1.08	5.14
1878	96.18	68.01	0.95	27.20	—	1.07	5.31
1879	94.23	67.00	0.82	27.90	—	1.12	5.68
1880	101.88	67.59	1.10	30.56	—	0.97	6.30
1881	106.37	66.60	1.12	30.21	—	0.98	6.68
1882	106.85	65.79	1.29	31.10	—	1.12	7.09
1883	112.84	63.73	1.37	31.77	—	1.14	7.50
1884	109.99	63.87	1.30	31.20	—	1.03	8.07
1885	110.86	63.32	1.22	29.79	—	1.13	8.09
1886	115.84	63.04	1.19	29.25	—	1.12	8.21
1887	117.67	60.06	1.27	30.76	—	1.06	8.47
1888	128.67	61.88	1.37	31.87	—	1.12	8.20
1889	135.22	63.40	1.37	32.61	—	1.07	8.15
1890	124.28	62.92	1.30	33.56	—	1.02	8.66
1891	119.18	58.86	1.11	32.07	—	0.94	7.73
1892	132.88	61.03	1.22	31.61	—	1.09	6.85

Table A (Continued)

Year	Litigation Rates[a]		Iron Production	Coal Production	Electricity Production	Bankruptcies[a]	University Graduates[a]
	Courts of Peace	Courts of First Instance					
1893	137.92	60.73	1.19	31.00	—	1.06	6.22
1894	137.97	61.24	1.29	32.38	—	0.98	6.23
1895	138.54	58.32	1.29	31.91	—	0.85	5.97
1896	154.47	56.87	1.48	32.72	—	0.84	6.14
1897	158.36	58.54	1.57	32.63	—	0.82	5.69
1898	149.53	59.22	1.47	33.12	—	0.90	5.65
1899	147.76	59.01	1.52	32.72	—	0.77	5.52
1900	155.31	62.15	1.52	35.05	—	0.80	5.57
1901	159.98	65.72	1.12	32.67	—	0.84	5.51
1902	169.66	68.22	1.55	33.17	—	0.89	5.47
1903	174.09	69.35	1.75	34.26	—	0.88	5.68
1904	179.11	66.30	1.81	32.17	—	0.82	5.62
1905	176.93	66.94	1.83	30.41	—	0.75	5.68
1906	188.45	70.37	1.88	32.56	—	0.80	6.01
1907	193.55	71.30	1.88	32.39	—	0.75	6.10
1908	196.25	75.74	1.72	31.89	—	0.70	6.35
1909	208.74	75.29	2.17	31.56	—	0.75	6.44
1910	218.05	76.06	2.49	32.21	—	0.80	6.86
1911	215.96	75.25	2.73	30.78	—	0.78	6.96
1912	225.07	74.66	3.08	30.34	—	0.79	7.04
1913[b]	211.08	72.15	3.25	29.90	—	0.82	7.12
1920	254.80	57.44	1.51	29.90	0.162	0.13	9.25
1921	232.64	60.49	1.17	28.64	0.174	0.19	9.53
1922	173.99	62.09	2.14	27.56	0.186	0.32	9.00
1923	194.71	68.54	2.82	29.07	0.217	0.38	8.86
1924	158.18	78.41	3.70	28.96	0.234	0.46	9.58
1925	165.57	86.11	3.26	28.15	0.291	0.58	9.58
1926	155.89	85.46	4.28	29.82	0.343	0.81	9.31
1927	159.78	85.02	4.68	31.67	0.409	0.63	8.52
1928	131.41	80.69	4.82	30.85	0.465	0.64	8.83
1929	123.09	86.26	5.01	29.40	0.532	0.62	9.32
1930	130.45	103.05	4.16	29.16	0.543	0.78	10.84
1931	124.96	115.30	3.92	28.02	0.521	1.20	11.18
1932	139.86	127.22	3.35	26.08	0.480	1.03	11.83
1933	161.55	116.48	3.29	30.67	0.473	1.68	12.18
1934	172.40	111.42	3.57	31.89	0.486	1.62	12.56
1935	213.85	76.70	3.65	31.93	0.537	1.01	11.77
1936	210.43	66.22	3.79	33.45	0.593	0.77	11.45
1937	203.84	65.68	4.55	35.47	0.664	0.72	11.23
1938	207.41	67.45	2.89	35.24	0.629	0.80	11.86
1939	207.29	67.89	3.64	35.00	0.666	0.89	13.86
1940	181.61	33.49	0.00	0.00	0.505	0.27	14.47

NOTE: See text for an explanation of the construction of the variables.

[a] Rate per 10,000 population.

[b] No data for 1914–19.

Table B: Summary of Data on Litigation Rates, Advocates and
Magistrates, Belgium, by Decades, 1840–1980

Year	Advocates Advocates Per 10,000 Population	Index	Magistrates Magistrates Per 10,000 Population	Index	Courts of Peace Cases Per 10,000 Population	Index	Courts of First Instance Cases Per 10,000 Population	Index
1840	2.22	100	1.36	100	35.94	100	32.15	100
1850	1.84	83	1.21	89	68.47	191	25.27	79
1860	2.08	94	1.19	88	68.37	190	32.06	100
1870	2.26	102	1.12	82	73.41	204	43.63	136
1880	2.42	109	1.13	83	101.88	283	67.59	210
1890	3.12	141	1.10	81	124.28	346	62.92	196
1900	3.26	147	1.06	78	155.31	432	62.15	193
1910	3.23	145	1.03	76	218.05	607	76.06	237
1920	2.88	130	1.16	85	254.80	709	57.44	179
1930	3.74	168	1.01	74	130.45	363	103.05	321
1940	4.45	200	0.98	72	181.61	505	33.49	104
1950	3.81	172	1.29	95	210.55	586	77.60	241
1960	3.90	176	1.19	88	245.15	682	94.03	292
1970	3.96	178	1.64	121	199.33	555	125.14	389
1980	6.74	304	1.75	128	236.35	658	139.60	434