

# Legal origin, juridical form and industrialization in historical perspective: the case of the employment contract and the joint-stock company

[Get access >](#)

Simon Deakin

*Socio-Economic Review*, Volume 7, Issue 1, January 2009, Pages 35–65,

<https://doi.org/10.1093/ser/mwn019>

**Published:** 07 October 2008

## Abstract

The timing and nature of industrialization in Britain and continental Europe had significant consequences for the growth and development of labour market institutions, effects which are still felt today and which are visible in the conceptual structure of labour law and company law in different countries. However, contrary to the claims of the legal origin hypothesis, a liberal model of contract was more influential in the civilian systems of the continent than in the English common law, where the consequences of early industrialization included the lingering influence of master–servant legislation and the weak institutionalization of the juridical form of the contract of employment. Claims for a strong-form legal origin effect, which is time invariant and resistant to pressures for legal convergence, are not borne out by a growing body of historical evidence and time-series data. The idea that legal cultures can influence the long-run path of economic development is worthy of closer empirical investigation, but it is premature to use legal origin theory as a basis for policy initiatives.

© The Author 2008. Published by Oxford University Press and the Society for the Advancement of Socio-Economics. All rights reserved. For Permissions, please email: [journals.permissions@oxfordjournals.org](mailto:journals.permissions@oxfordjournals.org)

**Issue Section:** [SPECIAL ISSUE: Changing institutions in developed democracies: economics, politics and welfare](#)

## Sign in

 [Get help with access](#)

### Personal account

- Sign in with email/username & password
- Get email alerts
- Save searches
- Purchase content
- Activate your purchase/trial code
- Add your ORCID iD

Sign in >

[Register](#)

### Institutional access



Sign in through your institution

[Sign in through your institution](#)

[Sign in with a library card](#)

[Sign in with username/password](#)

[Recommend to your librarian](#)

### Institutional account management

[Sign in as administrator](#)

## Purchase

[Subscription prices and ordering for this journal](#)

[Purchasing options for books and journals across Oxford Academic](#)

## Short-term Access

To purchase short-term access, please sign in to your personal account above.

Don't already have a personal account? [Register](#)

Legal origin, juridical form and industrialization in historical perspective: the case of the employment contract and the joint-stock company† - 24 Hours access

EUR €53.00

GBP £44.00

USD \$58.00

## Rental



This article is also available for rental through DeepDyve.

