

The Achievement of General Laws

Faculty Member: [Naomi Lamoreaux](#)

Proposal Description: Equality before the law is a basic American principle that most people think was enshrined at the founding. In fact, however, most of what state legislatures (and Congress) did until the middle of the nineteenth century was to enact special laws that granted privileges to specific individuals, groups, or localities. This fundamentally inequalitarian system was abolished constitutionally by most states, though not the federal government, beginning with Indiana in 1851. The aim of this project is to understand how the state constitutional mandate that laws be general changed the way state governments worked. In this phase of the project, we are collecting the full set of laws enacted by state legislatures every five years starting from 1830 and continuing to the end of the nineteenth century. We are interested in whether legislative behavior was already changing before the constitutional revisions. For example, a common argument, which does not seem to be borne out by the data, is that legislatures enacted general laws because they were overwhelmed by requests from their constituents. We are also interested in whether legislatures found ways to evade the constitutional mandates by making special laws look like general laws. Although there are examples of such evasions, so far it looks as if legislatures really did change their behavior in accordance with the constitutional provisions. We are also interested in the extent to which the requirement that laws be general changed political norms and thus affected legislative behavior in venues (like the federal government) where it was not constitutionally mandated.

We began this phase of the project by hand coding the statutes compiled in the state session laws on HeinOnline. Now we are working on automating the process using machine learning and language processing techniques. The Tobin fellows will collect data using the automation procedures we have already developed and ideally will help us improve those processes.

Requisite Skills and Qualifications: We are especially looking for research assistants who have some experience programming in Python.

Award: Justin Li

Cameron Greene

Tobin Application Link: [Tobin Application](#)

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