The Institutional Legacy of Church-State: Concordats with Rome and Development in Europe and the Americas

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Abstract

Why do historically Protestant societies remain systematically less corrupt and more competitive than historically Catholic or Orthodox ones, long after church attendance has collapsed in both? The traditional answer runs through culture: a Weberian ethic of work and thrift, carried by individual believers, that either persists or fades with religiosity itself. However, this paper argues that the most compelling explanation is institutional rather than cultural, which is measurable through variables largely ignored, such as whether a state ever signed, and still honours, a concordat with the Roman See. Using regression analysis and a configurational comparative method (QCA) across 65 countries in Europe and the Americas, together with qualitative evidence from four cases (Switzerland, Uruguay, Cuba, Colombia), I show that concordat status, Catholic state religion, and (Roman) civil-law legal origin predict corruption and low competitiveness with a consistency that current population shares of Protestants or Catholics do not. A Protestant state religion carries roughly twice the coefficient of a Protestant population share on competitiveness. Likewise, a valid concordat is associated with a 10-country Latin American cluster in which the negative outcome is essentially deterministic (consistency = 1.0) once environmental performance is held constant. Because political settlements fixed legal origin, state religion, and concordat status decades to centuries ago, they are far less exposed to reverse causality than current adherence rates (which result from the institutionalisation of religion), and which recent secularisation theory treats as an outcome of prosperity rather than a cause of it. The paper's contribution is to redirect the economics of religion away from belief and toward the legal architecture belief left behind.

1. Introduction

Transparency International's Corruption Perceptions Index ranks Denmark first and Switzerland fifth out of 176 countries. Colombia ranks 90th; Venezuela, 166th (2023, 2016). Every country in the top ten had a historically Protestant confessional heritage. Not one had a valid concordat with the Roman See. Colombia, by contrast, still pays an annual fee to the Roman Catholic Church-State under a treaty signed in 1887 and renegotiated in 1973, and its 1886 constitution declared Catholicism the nation's religion until 1991 (Salinas, 2013; Levine, 1981). This is not a coincidence confined to one country. It is the empirical regularity this paper sets out to explain, and to explain in a way that survives the objection every economist raises first: that religion in these regressions is doing the work of something else, probably something historical, probably something legal.

The traditional explanation in the literature has been cultural. Weber (1905) proposed that the Protestant ethic, an inner disposition toward diligence and deferred gratification instilled in believers, produced the capitalist spirit. A century of empirical work has both confirmed and complicated this story. Becker and Woessmann (2009) show that the Protestant-Catholic education gap in nineteenth-century Prussia accounts for the income differential, suggesting literacy (rather than ethic) did the work. Woodberry (2012) shows that historic Protestant missionary activity, not current Protestant population share, predicts democracy across 142 non-European societies. Both results point in the same direction: the variable that matters is not what people currently believe, but what institutions religion built and left behind.

This paper takes that implication seriously and asks a narrower, more tractable question than "does religion cause development?" It asks whether the *legal entanglement of church and state*, measured through three variables not previously combined in this literature, predicts corruption and competitiveness better than confessional population shares do. The three variables are:

1. Concordat status: whether a country has signed, and still honours, a treaty with the Roman See granting the Roman Catholic Church privileges in education, land tenure, military affairs, marriage law, and/or ecclesiastical appointments.
2. State religion: whether a country's constitution or founding law designates an official religion, and which one.
3. Legal origin: whether a country's civil code descends from the German, Scandinavian, English, French, or Socialist legal tradition, following La Porta, Lopez-de-Silanes, Shleifer, and Vishny (1999).

Current religious adherence might be endogenous to income: Norris and Inglehart's (2004) existential security thesis holds that secularisation is a consequence of prosperity (which follows the Protestant Reformations), so regressing corruption on today's Protestant share risks reversing cause and effect. Legal origin, state religion, and concordat status do not share this problem in the same way. They were fixed by political settlements (e.g. German and Scandinavian sixteenth-century Reformations, the French Revolution's anticlerical codes, or nineteenth-century Latin American concordats), well before the outcomes measured here. They persist through the path dependence of written law rather than through the religious sentiment of a living population (La Porta et al., 2008). A country's civil code and its treaty obligations to Rome do not update every time church attendance falls.

2. Related Literature and Contribution

Three literatures converge on this question without fully meeting.

The **legal origins literature** (La Porta et al., 1997, 1998, 1999, 2008) establishes that English, German, French, Scandinavian, and Socialist legal traditions produce systematically different institutional outcomes, including investor protection and regulatory burden. This literature treats legal origin as exogenous with respect to current outcomes, a convention this paper adopts, but it has not asked whether the religious content that shaped these codes, canon law in the French and Iberian tradition, the Sola Scriptura principle in the German and Scandinavian one, is itself part of the mechanism rather than a historical footnote (Berman, 2003; Witte, 2002).

The **missionary and human capital literature** (Woodberry, 2012; Becker and Woessmann, 2009; Becker, Pfaff, and Rubin, 2016) has done the most to move the field away from Weber's cultural claim and toward an institutional one, showing that Protestant missionary activity predicts printing, education, and democracy independent of current religious composition. This paper's contribution to that literature is to identify a comparable institutional variable on the Catholic side: not merely the *absence* of Protestant missionary influence, but the *presence* of an active legal treaty subordinating parts of civil law to canon law.

The **political economy of religion literature** includes Rubin's (2017) account of how rulers who lost religious legitimation after the Reformation turned to parliaments as an alternative source of authority, and how this shift generated the pro-market policy bundles associated with the West's long-run divergence from the Middle East. Rubin traces a *political* mechanism: legitimation moves from clergy to parliament. This paper traces a parallel but distinct *legal* mechanism: canon law's authority over civil law recedes or persists depending on whether a concordat keeps it in force. The two mechanisms are complementary explanations. A ruler who no longer needs the church's "blessing" to rule is also the ruler who no longer needs, or is willing to sign, a concordat granting that church jurisdiction over marriage, education, or land. Where Rubin's variable is political legitimation, mine is a directly observable legal instrument, and the two should move together empirically in ways this paper is positioned to test in future work.

The contribution here is threefold. First, I introduce concordat status as a coded, ordinal institutional variable (four categories, described in Section 4) that has not previously appeared in cross-country corruption or competitiveness regressions. Second, I show that state religion outperforms population share as a predictor, supporting an institutional rather than cultural channel. Third, I combine regression with a configurational comparative method (QCA) and four institutional cases to show that the same combination of concordat, state religion, and legal origin produces near-deterministic outcomes within clusters of countries that share a colonial or reformist legal inheritance, which regression coefficients alone cannot demonstrate.

3. Institutional Channels: Why Concordats, Not Adherents

The mechanism this paper proposes runs through four channels documented in the historical and legal literature, each of which a concordat or its absence directly governs.

Education. Colombia's 1887 concordat required public and private education to be organised "in conformity with the dogmas of the Catholic religion". It gave diocesan bishops the right to review textbooks in every subject, not only religion (Salinas, 2013). Uruguay's 1877 education law, by contrast, removed religious content from the curriculum entirely, four decades before any Latin American peer, and placed the entire system under civil control (Da Costa, 2009). Becker and Woessmann (2009) find that the Protestant literacy edge over Catholic populations in nineteenth-century Prussia persists at 0.8 years of schooling and 5.4% of income even after a century of a shared, religiously neutral public school system, suggesting the education pathway, once opened, closes slowly.

Marriage, civil registry, and family law. Concordat countries typically ceded birth registration, marriage law, and cemetery administration to the church for most of their post-independence history (Levine, 1981). Uruguay recognised civil marriage in 1837 and completed civil registration by 1879. Under its concordat, Colombia's parish records took precedence over civil ones well into the twentieth century.

Hierarchy and horizontal versus vertical trust. La Porta, Lopez-de-Silanes, Shleifer, and Vishny (1997) find hierarchical religions correlate with lower interpersonal trust in large organisations. A concordat is the institutional expression of hierarchy: it formalises a chain of authority running from the Vatican through national bishops into domestic law, in contrast to Protestant polities in which, as Volonté (2015) shows for Switzerland, corporate and ecclesiastical governance alike tend toward decentralised, multi-tiered boards rather than single points of authority.

Legal pluralism and enforcement. Where canon law retains constitutional force, as under most concordats, criminal and civil enforcement of clerical wrongdoing runs through a parallel, slower, and less transparent system (O'Reilly and Chalmers, 2014). This is a claim about the enforcement architecture a concordat locks into place (rather than a claim about individual clergy), and enforcement architecture is a canonical determinant of corruption in this literature (Treisman, 2000; Lambsdorff, 2006).

Each of these channels is legal and institutional, not doctrinal or psychological, and each is switched on or off by a treaty a state either did or did not sign, rather than by its citizens' private beliefs.

4. Data and Empirical Strategy

Sample. 65 countries in Europe and the Americas, selected for data availability and for sharing a common Christian (e.g. Catholic, Protestant, Orthodox) confessional background over the past two centuries or more, which limits comparisons to variation within a single broad religious family rather than across unrelated ones.

Outcome variables. The Global Competitiveness Index (World Economic Forum), a 1-7 scale aggregating twelve categories including institutions, infrastructure, and market efficiency; and the Corruption Perceptions Index (Transparency International), a 0-100 scale, higher values indicating greater transparency.

Concordats as institutional predictors

Concordats, coded 1-4 following Corral and Petschen (2004): (1) negligible Vatican influence on state affairs; (2) some diplomatic relations; (3) formal agreements touching education, military chaplaincy, land, or ecclesiastical appointments; (4) a currently valid concordat, typically alongside constitutional recognition of Catholicism as the state religion. Eleven Latin American countries currently hold a category-4 concordat (Argentina, Bolivia, Brazil, Colombia, Ecuador, El Salvador, Haiti, Paraguay, Peru, Dominican Republic, Venezuela); Chile, Uruguay, and Cuba have never signed one.

State religion, coded following Barro and McCleary (2005), a binary indicator by denomination (Catholic, Protestant, Muslim) as of the year 2000.

Legal origin, following La Porta et al. (1999): English common law, French civil code, German civil code, Scandinavian civil code, or Socialist law.

Environmental control. The Environmental Performance Index (EPI) (Hsu et al., 2016), following Sachs (2001) and Diamond (1997), shows that geography and climate exert a direct, non-institutional effect on development that must be netted out before isolating an institutional-religious effect. EPI is the single strongest predictor in every specification (standardised β = 0.52-0.59 on competitiveness).

Confessional population shares, included as a comparison baseline: the percentage of a country's population identifying as Roman Catholic, Protestant, Orthodox, or Muslim (Johnson and Zurlo, 2016).

Empirical strategy. I estimate OLS regressions of competitiveness and corruption on the institutional variables and controls, following an 11-step variable selection protocol combining stepwise search, cross-validation, and regression trees to guard against overfitting given the number of candidate predictors relative to sample size. I complement regressions with fuzzy-set QCA (Ragin, 2000; Schneider and Wagemann, 2012). QCA is a configurational method that identifies combinations of conditions jointly sufficient for an outcome, which regression coefficients cannot recover. Regressions answer "how much does concordat status shift competitiveness/transparency holding other variables constant", while QCA answers "which combinations of concordat status, state religion, legal origin, and environmental performance are jointly sufficient for high corruption, and how consistently." The two methods answer different questions and are reported as complements, not substitutes.

5. Results

Competitiveness. Table 1 summarises the pooled 65-country model. Environmental performance carries the largest standardised effect (β = 0.586), consistent with Sachs (2001). German legal origin is the second most important positive predictor (β = 0.229), a result that holds whether or not a country also carries a category-4 concordat, which is itself informative: Germany and Austria both have valid concordats (the former signed by Hitler) yet remain highly competitive, and the persistence of anticlerical, Sola Scriptura-influenced legal codes in both countries appears to outweigh the concordat's effect, a pattern Section 6 examines in more detail. Protestant state religion carries a standardised effect (β = 0.223) roughly 1.5 times the size of Protestant population share (β = 0.146, significant only at the 10% level), which is the paper's central empirical claim: the institutional fact of an established Protestant church predicts competitiveness more reliably than the proportion of a population that currently identifies as Protestant.

Table 1. Competitiveness regression (65 countries, World Economic Forum GCI, 2016)

Variable	Coefficient	Standardized β	Significance
Environmental Performance Index	0.026	0.586	$p < 0.001$
German legal origin	0.942	0.229	$p < 0.001$
Protestant state religion	0.577	0.223	$p < 0.001$
Orthodox population share	-0.782	-0.270	$p = 0.001$
Catholic population share	-0.575	-0.273	$p = 0.011$
Protestant population share	-0.542	-0.146	$p = 0.084$

The sample is restricted to Europe and the Americas (n = 65, four-variable specification). It reproduces the same ordering: EPI, then Orthodox population share (β = -1.04, $p < 0.001$), Catholic population share (β = -0.50, $p = 0.002$), and German legal origin (β = 0.76, $p = 0.001$), with adjusted $R^2 = 0.637$.

Corruption. A regression tree splits first on political rights and civil liberties, then on GDP per capita, then, within the highest-transparency branch, on Protestant population share, which raises mean Corruption Perception Index (CPI) from 77.9 to 84.75 among already-democratic, high-income countries. In the pooled regression, Protestant population share is a significant positive predictor of transparency (coefficient = 17.93, $p = 0.006$). Catholic share is negative but not robust (coefficient = -2.24, $p = 0.60$) once political rights, GDP, and linguistic fractionalization are controlled, consistent with the view that corruption's institutional channel runs through legal and political variables rather than the raw count of adherents.

Configurational results. The QCA analysis identifies a ten-country Latin American cluster (Argentina, Bolivia, Brazil, Colombia, Dominican Republic, Guatemala, Peru, Paraguay, El Salvador, Venezuela) for which the combination of a category-4 concordat, low environmental

performance, and Catholic state religion is sufficient for high corruption with consistency = 1.0, meaning every country in this configuration falls in the high-corruption outcome without exception. An identical configuration on the French legal origin variable (concordat, low EPI, French civil code) covers 12-13 countries at consistency = 1.0. No configuration combining high EPI with any concordat status produces high corruption, indicating environmental performance can partially offset, but never fully substitute for, the concordat channel in the sample examined here.

6. Evidence from Four Institutional Cases

Regressions and QCA established that concordats predict corruption. Four case studies, developed through critical discourse analysis (CDA) of sixty semi-structured interviews with clergy, government officials, and academics across the four countries, illustrate the chain that connects a nineteenth-century treaty to a twenty-first-century corruption/competitiveness score.

Switzerland (the world's most competitive country along with the USA) never signed a federal concordat. However, seven cantons hold cantonal-level agreements (1828-1926), which are mostly limited to diocesan administration rather than education or land (Corral and Petschen, 2004). The 1848 federal constitution, drafted by a Protestant-liberal coalition after the Sonderbund war, was explicitly anticlerical and German in legal derivation. Conservative Catholic cantons retreated to mountainous, agrarian regions and used cantonal autonomy to preserve church control of education there into the twentieth century (Head-König, 2017; Obinger, 2009). The result today is legible in the data at the subnational level: historically Protestant cantons rank consistently above historically Catholic mountain cantons on the UBS cantonal competitiveness index, even though Catholics have outnumbered Protestants in the national population since the 1970s. The population share flipped; the institutional gap, tied to which legal and educational system each canton built before it flipped, did not.

Uruguay is the outlier that tests the theory rather than merely illustrating it. It adopted French, not German or Scandinavian, legal origin after independence, the same civil code family associated with high corruption elsewhere in the sample. But Uruguay never signed a concordat, separated church and state fully in 1917, removed religious instruction from schools in 1877, and today has both the lowest Catholic population share and among the lowest corruption levels in Latin America. This is consistent with the paper's claim that legal origin's effect operates substantially through the concordat channel rather than independently of it: a French-derived civil code without an accompanying concordat behaves differently from one with an active concordat, and Uruguay and Chile, the two Latin American countries in the sample without a concordat, cluster together at consistency = 0.88 on low corruption, distinct from their French-legal-origin, concordat-holding neighbors.

Cuba shows what happens when revolution, rather than liberal reform, closes the concordat channel. The 1959 revolution severed church-state ties entirely and adopted a Socialist legal origin, itself associated with high corruption in the pooled sample (coefficient direction consistent across specifications). Cuba's post-1990 rapprochement with the Vatican, driven by the regime's need for external legitimacy after the Soviet collapse, did not restore a concordat but did restore informal church access to corporatist channels resembling the Council of

Churches arrangement Goldenziel (2009) documents for Cuban Protestants. Cuba's corruption score places it within the Socialist-legal-origin cluster (Moldova, North Macedonia, Ukraine, Bosnia, Cuba; consistency = 0.91 for high corruption), suggesting that removing one hierarchical institution without building horizontal, rule-of-law alternatives reproduces the corruption outcome the theory predicts, under a different label.

Colombia is the paper's clearest negative case. Its 1886 constitution and 1887 concordat, still partially in force after a 1973 renegotiation, gave the church constitutional authority over education "in conformity with the dogmas of the Catholic religion," control of civil registry in mission territories covering 63% of national territory, and a state-funded annual payment that continues today (Salinas, 2013; Levine, 1981). The 1991 constitution removed Catholicism's status as official state religion and introduced formal religious freedom, but retained six of the concordat's original 33 articles, including the education clause and the annual payment (Garzón, 2011). Colombia remains one of the most corrupt and least competitive of the cases, and Paraguay, its closest configurational match in the QCA analysis (identical cluster membership across all five condition groups), shares an essentially identical concordat and legal-origin profile.

7. Identification Concerns and Robustness

Three objections deserve direct engagement.

Reverse causality. Could a country's current level of corruption or poverty cause it to retain a concordat, rather than the reverse? This is less plausible for the specific timing involved here than for population-share measures, since ten of the eleven currently valid Latin American concordats were signed in the nineteenth century, well before the twentieth-century corruption and competitiveness measures used as outcomes. Several, including Colombia's, have survived multiple subsequent political regimes that had both the incentive and the constitutional opportunity to abrogate them. A treaty that outlives the political conditions that produced it, and that a 1991 liberal-reformist constitution chose to retain to a certain extent, rather than abolish partially, describes a persistent institutional constraint (rather than as an endogenous response to current outcomes). That said, colonial institution intensity (where the Roman Church played an extractive role) in the sense of Acemoglu, Johnson, and Robinson (2001) may have determined both concordat retention and current corruption. Future work should instrument concordat status using distance from Rome, following the identification strategy Woodberry (2012) develops for Protestant missions.

Omitted variable bias from colonial legal transplant. Legal origin and concordat status are correlated, which is precisely what makes them jointly informative. Germany and Austria hold valid concordats but German legal origin; both remain highly competitive. Uruguay and Chile hold French legal origin but no concordat; both are the least corrupt countries in Latin America. This cross-cutting variation, rather than a clean correlation, is what allows the regression to separate a legal-origin effect from a concordat effect at all, and both effects survive when entered jointly.

External validity of a 65-country, Europe-and-Americas sample. The sample is deliberately restricted to countries sharing common Christian confessional inheritances over the past two

centuries (or more), which controls for confound from entirely distinct religious traditions (Islam, Buddhism, Hinduism) whose institutional relationship to the state operates through different historical mechanisms not modelled here. This is a scope condition, not a limitation: the paper's claim is about the institutional legacy of a specific, datable set of European legal and ecclesiastical settlements, and the sample matches that claim.

8. Conclusion

The economics of religion has spent a century testing and refining Weber's claim that belief itself, transmitted person to person, shapes economic behaviour. This paper argues for redirecting attention to the legal instruments religion left behind once belief moved on. For instance, the concordat that still binds education and justice to canon-law review, the constitutional clauses naming an official church, or the civil code that either absorbed or expelled ecclesiastical jurisdiction over marriage and land. These instruments are dated, drafted, and in most cases still legible in a country's statute book, which makes them a more tractable object of empirical study than the private confessional convictions of a population whose religiosity is itself, on the best current evidence, an outcome of prosperity and the institutionalisation of religion rather than a cause of it. Across 65 countries, a configurational method, and four institutional cases, concordat status, state religion, and legal origin account for the cross-country pattern in corruption and competitiveness with a consistency that population shares alone do not achieve. Where a ruler's loss of religious legitimation redirected political authority toward parliaments, as Rubin (2017) shows, it also, this paper argues, redirected legal authority away from Rome. Both channels are worth tracing together, and this paper is a first attempt to trace the second one on its own terms.

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