

# Dynamic Diffusion

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**Abstract.** Thousands of studies document how laws diffuse across countries, but they typically focus on their initial adoption and ignore later developments. We propose a conceptual typology to classify three possible subsequent diffusion patterns: (1) convergence, when countries revise laws to align more closely with leading regulators; (2) customization, when countries move laws away from leading regulators; and (3) stagnation, when countries stop passing laws on a subject. We then hypothesize that gravity models that predict the flow of goods also likely predict the flow of regulations. More specifically, a persistent empirical finding is that trade between countries is proportional to their economic size and inversely proportional to their geographic distance. Using comprehensive data on antitrust laws from 1958 to 2010, we show that the same pattern holds for legal diffusion. We explain this result emerges with in-depth case studies on the development of antitrust law in Australia, Colombia, and Russia.

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# 1. Introduction

Diffusion is the process in which “government policy decisions in a given country are systematically conditioned by prior policy choices made in other countries” (Simmons, Dobbin, and Garrett 2006, 787). Thousands of studies have empirically examined how a wide range of policies spread around the world (Strang and Soule 1998; Gilardi and Wasserfallen 2019). But how do these laws evolve after their initial adoption? Despite high-profile calls to research this critical question (Solingen 2012), it is understudied in the large quantitative literature on diffusion. In this paper, we develop and test a simple theoretical framework to show that the understudied phenomenon of dynamic diffusion is both consequential and tractable.

We begin with a typology of the three processes that can follow the initial diffusion of laws: convergence, customization, and stagnation. First, after initial adoption, some countries continue to revise their laws to align them more closely with leading regulators. This process strengthens global norm convergence. Second, after initial adoption, some countries move their laws away from global models, typically because they are customizing them to meet local needs. Customization produces regulatory fragmentation. Third, after initial adoption, some countries never revisit their laws, even if the global models continue to evolve. Stagnation entrenches older, outdated regimes in the global periphery.

We then offer a general empirical framework to test ongoing policy diffusion. We argue that the same processes that influence the flow of goods are likely to influence the continued flow of laws. More specifically, a persistent finding in the international political economy literature is that bilateral trade between two countries is proportional to the size of their economies and inversely proportional to their geographic distance (Krugman 1997). We hypothesize that the same pattern is likely to hold for the dynamic diffusion of laws. That is, countries’ propensity to update their laws to converge with the leading regulator in a given area is likely to be proportional to the size of their economies and inversely proportional to their geographic distance. Building on this argument, we offer a modified gravity equation to predict continued convergence.

We focus on antitrust. Antitrust laws directly shape the distribution of economic and political power. They vary significantly over time, with early laws intended to promote national champions and modern ones aiming instead to level the playing field. Because antitrust models have spread around the world, and have changed significantly in recent decades, we can

straightforwardly investigate what happens after the initial diffusion of a global model. Focusing on antitrust law allows us to study the process of dynamic diffusion across different geographic areas and across levels of development. We propose a general theory of dynamic diffusion, but our findings should translate most straightforwardly to fields of global economic regulation ranging from finance to privacy. In contrast, we expect our findings to be less predictive of legal fields that have remained more stable in recent years, such as property and contract law (Bradford et al. 2021), and in areas outside the economic sphere, which globalization influences differently.

We use a mixed-methods approach to explore our typology and empirically test our modified gravity equation. We first leverage a new dataset that includes detailed coding of the evolution of antitrust laws from 1958 to 2010. We evaluate how countries change 36 core antitrust provisions to either move closer or further from the leading regulator of antitrust law: the European Union. We observe that continued convergence is very common, while both customization and stagnation are rarer. Consistent with our hypotheses, we estimate a series of gravity equations and show that countries' economic size is consistently positively correlated with continued convergence and that countries' distance from the European Union is consistently negatively correlated with continued convergence.

To study diffusion mechanisms, we depart from the typical survival models that use spatial lags to distinguish between competition, learning, and emulation. This is because, as we move from the earlier era of the initial adoption of a policy, to the present time, and focus on continued convergence, customization, and stagnation, diffusion mechanisms significantly overlap and reinforce one another. We select three cases unlikely to confirm our theory, and use process tracing to show how frequently diverse politicians referenced EU models in reforming their national antitrust laws. This happened even in Colombia, a country we expected to follow the US model, in Russia, a country with a highly concentrated economy facing European sanctions, and Australia, which ultimately customized, drawing on a broad variety of foreign models. We conclude by discussing the implications of this work for antitrust and other fields.

## **2. Diffusion Scholarship's Contributions and Limitations**

The major success of diffusion research in the last two decades has been to show, across diverse fields, that no country is an island, operating in isolation from global developments. This very success has made it "increasingly hard" to make new contributions (Maggetti and Gilardi

2015). Early research identified clear misfits between the adopted policy and domestic conditions. For example, scholars documented that landlocked countries established navies, and countries without scientists developed complex science bureaucracies (DiMaggio and Powell 1983; Finnemore 1993). Later work examined a variety of fields, including domains once considered entirely domestic, such as employment regulation (Linos 2013). Diffusion research has also utilized increasingly complex statistical techniques to test how policies spread, and developed increasingly nuanced understandings of mechanisms that drive diffusion.

Despite major contributions, quantitative diffusion scholarship has been hampered by two important limitations. First, quantitative diffusion scholarship typically focuses on the adoption of the first law on a subject. Survival models commonly used to study diffusion treat countries as “dying” the moment they adopt their first law. However, laws often evolve significantly over time. In fields as different as utilities, welfare, prisons, and military operations, there have been massive shifts from private provision to government provision and back, and from limited to extensive regulation, followed (again) by deregulation. Qualitative diffusion scholars have also emphasized how much policies have changed after initial adoption, showing for instance how supposedly universal global financial standards were modified to suit local needs (Mosley 2010). Thus, while quantitative diffusion scholarship has made great progress in shining light on surprising similarities around the world, it is only possible to understand the evolution of particular ideas by continuing to study countries after the moment of initial policy adoption.

Second, quantitative diffusion scholarship primarily focuses on whether countries make a binary choice to adopt a given law or policy. Data limitations have typically confined diffusion models to a single observation for each country-year—a binary indicator of whether a country has adopted a policy or not. A notable recent exception examines the diffusion of environmental policies in developed economies, and shows why diffusion models should consider not just a single policy in an issue area, but also policy alternatives in the same field (Genovese, Kern, and Martin 2017). More typically, important differences in the scope of laws, how they are structured, and whether they follow modern or older paradigms are obscured in diffusion studies.

### **3. A Typology of Dynamic Diffusion**

To clarify three behaviors that can follow the initial diffusion of laws, we offer a simple typology of the ways that legal regimes could evolve relative to leading regulatory models.

Following the initial adoption of laws from abroad, countries can adopt three approaches: (1) **convergence**, which occurs when states continue changing their law to be closer to the regime of leading regulators; (2) **customization**, which occurs when states move away from leading regulators; and (3) **stagnation**, which occurs when states cease passing new legislation in a given regulatory area. This typology is intended to help researchers form concepts and organize explanatory claims (Collier, LaPorte, and Seawright 2012, 222).

### ***3.1. Convergence***

The continued evolution of laws toward leading regulatory models can take several forms. Countries may base their original law on the general framework of a foreign model, but not initially copy all aspects of that foreign template. Over time, some countries will choose to amend their laws to bring them into greater harmony with foreign regulators. Additionally, regardless of how much countries base their original law on a foreign model, some may amend their law to track new regulatory developments in a leading jurisdiction. At one extreme, this happens through automatic updates. For example, European legislation incorporating international accounting standards anticipates that any future changes made to the International Financial Reporting Standards by the International Accounting Standards Committee will automatically bind EU member states (Gadinis 2015). To take another example, several US states draw directly on European laws regulating dangerous chemicals, and automatically update dangerous substance lists as European regulators reclassify substances (Scott 2009). This form of automated updating leads to a very strong form of convergence: sustained harmonization of regulatory regimes.

Automatic updating is likely rare, however; continued convergence typically is driven by other factors. Notably, the same processes that produce initial policy diffusion can lead to continued convergence. For instance, scholarship on diffusion across US states documents that across diverse policy fields, the same few states tend to pioneer new laws, and these laws tend to spread quickly within predictable regional networks (Walker 1969; Gray 1973). Linguistic and cultural ties likely make these patterns even more pronounced internationally than within a single country (Simmons, Dobbin, and Garrett 2006). In addition, follow-on laws within a single issue area might be even more likely to be copied than the original. This is especially true when the original law is accompanied by an enforcement infrastructure that becomes vested with its implementation and evolution. The law's entrusted administrators will often eagerly and regularly

engage with their foreign counterparts to build subject matter expertise and enhance their status domestically (Slaughter 2004). This type of engagement is likely to reinforce cross-national dialogues and, with that, continued convergence.

### ***3.2. Customization***

Following the initial adoption of laws on a given topic, some states continue to amend their laws in ways that move them away from the leading regulatory model. This may occur when a country initially bases its laws on a foreign model, but then adapts them to local conditions. For example, case studies have found that, after laws from abroad are copied, diverse domestic political processes lead many countries to modify both the content and implementation of those laws (Jacoby 2000; Rogers 2003). Some of this literature optimistically suggests that the customization of foreign legal templates can help better integrate laws into the country's existing institutional infrastructure (Scott 2009), but most of this work pessimistically flags the way customization can create significant discrepancies between the stated goals of foreign-inspired laws and their effects on the ground (Bromley and Powell 2012). In addition to adopting foreign models to local conditions, countries may also move away from the leading global regulatory template when there are competing international models for a subject. For instance, countries may mix and match different policy elements from abroad, depending on which best serves their interests. This can lead to net movement away from the leading global regulatory template.

Several factors likely determine when countries will move their law away from leading models over time. Notably, customization can occur as follower countries gain experience in the relevant area of law. The development of domestic expertise can give local regulators the confidence to take more ownership of their countries' policy choices. Another critical determinant of customization is whether the follower country has precursor institutions. For example, when private doctors, hospitals, and insurance funds for specific professions preceded the adoption of UK-inspired national health services, these powerful precursor institutions lobbied for special legacy privileges, leading to the customization of the foreign model (Linos 2013).

### ***3.3. Stagnation***

Following the initial adoption of laws on a given topic, some states cease legislating in that domain. This outcome is particularly likely for laws that are difficult to amend, such as those

included in constitutions (Ginsburg, Chernykh, and Elkins 2008). This prediction is also consistent with the literature in sociology on isomorphism, which refers to similarity in policy form, often decoupled from policy function (DiMaggio and Powell 1983). This literature suggests that, in many developing countries, there is little relationship between the law on the books and on the ground (Meyer and Rowan 1977; DiMaggio and Powell 1991). Often this type of decoupling occurs because the country never had the intent or capacity to properly implement copied legislation. For example, political leaders may promise to enact reforms by copying foreign legal models to win elections, but follow through with imperfect implementation (Linos 2011). A law may also stagnate if initially externally imposed as part of a conditional aid package or other political agreement. In such settings, a domestic constituency may not develop to support the law and invest in its evolution. Stagnation is also consistent with the garbage can model of organizational change (Cohen, March, and Olsen 1972). According to this model, the policy process is generally chaotic and anarchical, and legislative activity is only possible when problems, solutions, decision-maker-incentives, and external crises all happen to coincide (Kingdon 2003). One implication of this model is that legislation will often be one-off, and reforms will happen rarely, as the stars rarely perfectly align a second time around.

#### 4. A Modified Gravity Model

Which of the three dynamic diffusion patterns a country follows will, of course, vary depending on the issue area and be influenced by a variety of factors. We thus hope that researchers will apply that typology when researching ongoing legal diffusion in a variety of areas while exploring a range of hypotheses. That said, in addition to developing this typology, we also offer a generalized empirical framework for analyzing dynamic diffusion. Specifically, we argue that the “gravity equation” for predicting flows of goods can be used to predict the flow of ideas.

The gravity equation was developed by Tinbergen (1962) and then subsequently became a mainstay of international economics in the 1990s (Head and Mayer 2014; Chaney 2018). The most basic version of a gravity equation is presented in equation (1).

$$Trade_{A,B} \propto \frac{(GDP_A)^\alpha (GDP_B)^\beta}{(Distance_{AB})^\zeta} \quad (1)$$

The formula in equation (1) suggests that the trade between two countries is proportional to the size of their economies—as measured by their GDP—and inversely proportional to their geographic distance. The institution of this idea is that the greater the size of a country’s economy, the more cause they will have to both import and export their goods. As two countries’ economies increase in size, they will thus have greater need and opportunity to trade. However, these forces are mitigated by geographic distance, which increases the costs associated with that trade. This basic insight has been so reliable that Krugman (1997) called gravity equations an example of a law of “social physics.”

For empirical work, this basic gravity equation is typically translated into a regression like the specification offered in equation (2).

$$\log Y_{AB} = \beta_1 \log GDP_A + \beta_2 \log GDP_B + \beta_3 \log Distance_{AB} + \varepsilon \quad (2)$$

In this equation, the dependent variable  $Y$  equals the total trade between country A and country B, which is regressed on the GDP of country A, the GDP of country B, and the geographic distance between country A and country B. As in equation (2), these values are typically logged to represent relationships between these terms that are linear in logs. Variants of the gravity model also often include additional controls that measure relevant aspects of countries A and country B (e.g., their population or geographic area), or the relationship between the two countries (e.g., if they have a common language) (e.g., Ortega and Peri 2014). This basic approach to estimating trade has been remarkably robust across time, countries, and methodologies (Chaney 2018).

Our hypothesis is that the gravity equation should predict whether countries’ legal regimes in a given policy domain evolve towards greater convergence with the global regulatory leader for that topic area. However, instead of predicting a bilateral relationship between any pair of countries, our goal is to explain whether a specific country’s policies will continue to converge towards a regulatory leader in that policy space. That said, the basic intuition of why this process could be explained as a simple function of economic size and distance is similar to the justification offered for the gravity equation for the trade of goods.

Policy convergence should be proportional to the size of a country’s economy because countries with large economies are likely to have higher quality bureaucracies, and their bureaucrats are also likely to be plugged into global regulatory developments (Berwick and Christia

2018). Such states are not only more likely to be informed about the evolution of laws in leading jurisdictions, but also to have the capacity and technical expertise to import those changes into their own domestic laws. Moreover, in addition to stronger bureaucracies, wealthier countries often have more globally connected firms, resourceful trade associations, and active academic and policy communities. In many cases, these groups will be invested in ensuring that their country's domestic rules are in line with international norms.

Similarly, policy convergence should be inversely proportional to the geographic distance between a given country and the regulatory leader. This is, in part, because countries geographically distant from the global leader in a given area likely have less close commercial and political ties. They are thus less likely to actively seek frequent input from the lead jurisdiction or have frequent interactions among bureaucrats or business leaders. As trade relations are deepest among geographically proximate countries, close countries have a reason to engage in active regulatory cooperation to ensure smooth trade between them—a process less essential for far-away jurisdictions. For instance, businesses are most vested in regulatory alignment across the primary markets in which they operate; a corporate actor in a distant market is, therefore, less likely to advocate dynamic alignment with the lead regulator. All this suggests that convergence is likely to be more pronounced among geographically proximate countries.

Equation (3) translates these basic intuitions into an empirically testable regression specification.

$$\Delta Y_{AR,t1-t0} = \beta_1 \log GDP_{A,t1} + \beta_2 \log Distance_{AR} + \beta_3 Y_{AR,t0} + \varepsilon \quad (3)$$

Here, the dependent variable  $Y$  is the change in policy agreement for country  $A$  and the regulatory leader  $R$  between time 1 and time 0. In other words, this is a measure of whether a country has converged, stagnated, or customized.<sup>1</sup> This measure is regressed on the log of the GDP for country  $A$  in time 0, the log of the distance between country  $A$  and regulatory leader  $R$ , and a measure of the policy agreement between country  $A$  and the Regulatory Leader in time 0. This

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<sup>1</sup> As shown in Equation 2, when gravity equations are used to predict trade, the dependent variable is typically log transformed. As Panel B of Figure 3 shows, however, our measure of change in policy agreement is roughly normally distributed and centered around zero. We thus do not log transform our outcome variable.

equation thus provides a generalized framework to explore the factors that explain countries' patterns of dynamic diffusion.

Contrary to much quantitative policy diffusion literature, and indeed to our own prior research, we do not use spatial lags to distinguish between mechanisms such as competition, learning, and emulation. Instead, for both epistemological and empirical reasons we use simple geographic proximity and capacity measures in our quantitative work and instead use qualitative case studies to investigate mechanisms.

Precise diffusion mechanisms differ by policy area—trade connections, learning, and socialization, to name but a few. But across areas, geography and administrative capacity should matter. Moreover, diffusion mechanisms are not mutually exclusive alternatives, as existing quantitative research implies. For example, in setting up an antitrust regime politicians will often seek to attract foreign capital (competition) by learning from successful regulations (learning) in countries in which epistemic communities reinforce neoliberal ideas (emulation). This is especially so as we move from the more distant historical past to the present, as our study of dynamic diffusion requires. Indeed, the same individual leader might be participating in all three processes. So in our qualitative case studies, we track down these leaders, and their opponents, in their political context in a nuanced way, and speak to the antitrust regime in particular. Empirically, very strong assumptions are needed to construct spatial weight matrices. We think that the small number of countries in the world, and the considerable overlap in the cultural, economic, and political relationships between neighbors means that spatial weights would otherwise force us to estimate off of minor differences.

## **5. Quantitative Analysis**

### ***5.1. Data***

To test our argument that gravity models are likely to predict dynamic diffusion, we use data from the Comparative Competition Law Dataset (“CCLD”) (Bradford et al. 2019a). The CCLD includes data on antitrust laws from 1889, when the first modern antitrust statutes were adopted, to 2010. Panel A of Figure 1 reports countries with antitrust laws in place from 1950 to 2010. In 1950, just 23 countries had antitrust laws; by 2010, this increased to over 130 countries.

Panel B of Figure 1 maps countries with antitrust laws by 2010, revealing that countries from all regions, accounting for over 95 percent of the world’s GDP, have adopted these policies.<sup>2</sup>

The CCLD offers two advantages necessary for testing our theory. First, unlike projects that code countries’ laws at just one moment in time (e.g., La Porta et al. 1998), the CCLD includes data on every antitrust law that 126 countries adopted in any year up to 2010. This includes all laws—even criminal laws, sector-specific regulations, or constitutions—which include provisions that regulate anti-competitive activity. The CCLD data suggests that countries have passed an average of five distinct laws regulating anti-competitive activity.<sup>3</sup>

Second, the CCLD includes detailed coding of the contents of those laws. Following prior scholarship, we focus on 36 core provisions that are central to antitrust policy (Bradford et al. 2019b; Besley, Fontana, and Limodio 2021). These core provisions cover four broad topics: (1) rules on the scope of countries’ antitrust authority (e.g., whether private parties may initiate antitrust cases); (2) rules on merger control (e.g., whether firms must pre-notify the government about their mergers); (3) rules on abuse of dominance (e.g., whether dominant firms are prohibited from tying the sale of one product to another); and (4) rules regulating anticompetitive agreements (e.g., whether the law prohibits firms from price-fixing).<sup>4</sup> Each provision is coded as a binary for each country-year: countries either have the relevant provision in their law or they do not.

The coding of multiple laws per country and multiple provisions per law makes it possible to study legal evolution after initial policy diffusion. Figure 2 illustrates this by reporting the number of core provisions that countries amended between the adoption of their initial antitrust laws and 2010. Panel A reveals that 20.5 percent of countries with antitrust regimes made 0 changes to a core provision, thus allowing their laws to stagnate after initial adoption. But the other 79.5 percent of countries amended core pieces of their antitrust regimes. The median number of changes is 12.5, but it ranges as high as 34 in the case of China. Panel B maps countries by the number of changes to core provisions of their antitrust law. It reveals, for example, that many African countries have not amended any core provisions, the US has made relatively few changes, and several European countries have made many changes.

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<sup>2</sup> Appendix Table A1 lists the countries in the CCLD. There are three countries not included in the CCLD likely had antitrust laws by 2010: Djibouti, the Faroe Islands, and Iran.

<sup>3</sup> Appendix Figure A1 analyzes the number of distinct laws regulating anti-competitive activity.

<sup>4</sup> Appendix Table A2 describes these provisions.

## **5.2. Methods**

To assess diffusion after initial adoption, we adopt a method from the comparative law literature and compare the coding of legal rules from individual countries to the coding of the leading global regulatory model (e.g., Elkins, Ginsburg, and Melton 2008, 2009; Law and Versteeg 2012). We specifically code countries' agreement with the EU antitrust regime because, although the US pioneered modern antitrust law, prior research has shown the EU has emerged as the leading global regulatory model for the subject (Bradford et al. 2019b; Bradford 2020).

To measure agreement, we calculate the percent of the 36 provisions for which a given country has the same coding as the EU in a given year (hereafter called their "Antitrust Agreement"). For instance, if a country had the same coding as the EU for 18 of the 36 core provisions in a given year, it would have an 0.5 Antitrust Agreement for that year. We calculate this measure for each country in each year it had an antitrust regime in place after 1958, the year the EU first had antitrust law.<sup>5</sup> Panel A of Figure 3 reports the distribution of countries' Antitrust Agreement with the EU across all country-years between 1958 and 2010. (To avoid overstating the degree of convergence or stagnation, we omit EU members and countries that have not adopted antitrust law from this and all subsequent analyses.) The median level of Antitrust Agreement with the EU is 0.64, which corresponds to the same coding for 23 of 36 provisions.

To measure diffusion patterns after initial adoption, we then calculate the "Change in Antitrust Agreement" with the EU between the first year after 1958 that each country had an antitrust regime and 2010 (for countries with an antitrust regime prior to 1958, we calculate the Change in Antitrust Agreement from 1958 to 2010). For instance, when Iceland adopted an antitrust law in 1993, it had the same policy as the EU for 21 of 36 core antitrust provisions (0.58 Antitrust Agreement); but by 2010, Iceland had the same policy as the EU for 32 of 36 core antitrust provisions (0.89 Antitrust Agreement). Iceland's Change in Antitrust Agreement with the EU would thus be 0.31. Panel B of Figure 3 plots the distribution of countries' Change in Antitrust Agreement with the EU. The figure reveals that the modal country had no change relative to the EU, but that the plurality of countries had greater agreement with the EU over time.

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<sup>5</sup> Appendix II provides more summary statistics for this data.

### **5.3. Results**

Figure 4 begins investigating whether Changes in Antitrust Agreement are consistent with our theory by mapping whether a country did not change its antitrust law at all (a proxy for stagnation), had a decrease in Antitrust Agreement with the EU (a proxy for customization), or maintained or increased Antitrust Agreement with the EU (a proxy for continued convergence). In total, 25 percent of countries stagnated, 28 percent customized away from the EU, and 47 percent converged. The convergers include many countries in North America, Northern Europe, and Eastern Europe; the customizers include many countries—like Australia, Brazil, and South Africa—that have reasonably high state capacity but are further from the EU’s orbit; and the stagnaters are primarily African countries with more limited state capacity. The visual evidence in Figure 4 is thus consistent with our hypothesis.

Figure 5 directly explores whether economic size and distance can explain dynamic diffusion. Panels A and B of Figure 5 report binned scatterplots that investigate the bivariate relationships between the factors discussed in Part 4, economic size and distance, and Change in Antitrust Agreement with the EU. Because the amount of possible Change in Antitrust Agreement is influenced by the degree of initial agreement (i.e., a country that initially has a near-perfect agreement with the EU has less room to converge than a country initially in little agreement with the EU), the binned scatterplots and lines of best fit all control for initial Antitrust Agreement. In Panel A, the x-axis is the natural log of the country’s GDP per capita, which we standardize for easy interpretation (i.e., 0 is the mean value, and values of -1 or 1 represent one standard deviation below or above the mean, respectively). The figure reveals a clear positive relationship between the log of GDP per capita and Change in Antitrust Agreement, which suggests that greater state capacity is associated with higher rates of convergence.

For Panel B of Figure 5, the x-axis is the geographic distance to the EU, measured as the natural log of distance to Belgium in 1000 kilometers, which we also standardize. The figure reveals a clear negative relationship between distance to the EU and Change in Antitrust Agreement, suggesting that greater geographic distance is associated with low rates of convergence.

Panel C of Figure 5 reports the results of a regression estimating the specification offered in Equation (3). It specifically reports the point estimates and confidence intervals for the standardized measures of log GDP and log distance. It again reveals that log GDP is positively

associated with Change in Antitrust Agreement and log distance is negatively associated with Change in Antitrust Agreement. Panel D of Figure 5 reports a scatter plot of predicted values of Change in Antitrust Agreement from the regression in Panel C and the actual Change in Antitrust Agreement. These results reveal a clear, strong relationship between the modified gravity equations' predictions and actual policy convergence.

To further investigate these relationships, Table 1 regresses countries' Change in Antitrust Agreement against these two variables. Column 1 only controls for a country's initial Antitrust Agreement; Column 2 adds controls for the country's size (i.e., the logs of their area and population);<sup>6</sup> Column 3 adds controls for the country's political system (i.e., their polity score and regime durability); Column 4 adds controls for the country's history with antitrust law (i.e., the number of antitrust laws it has passed and the first year it adopted an antitrust law); and Column 5 controls for all these variables simultaneously. All control variables are measured in 2010, and a constant sample is used for all regressions to ensure that any resulting differences across specifications are not attributable to changes to the samples.<sup>7</sup>

In Table 1, the coefficients for the variables of interest are all in the hypothesized directions and all are statistically significant at the 0.1 level or higher. To put the magnitude of these results in perspective, the results in Column 5 of Panel A suggest that moving from the 10<sup>th</sup> percentile to the 90<sup>th</sup> percentile in log GDP is associated with a change of 0.09 in Antitrust Agreement. A change of 0.09 would move the median country in 2010 from an Antitrust Agreement of 0.64 to an Antitrust Agreement of 0.73, putting it in roughly the 86<sup>th</sup> percentile of countries for 2010. In other words, the results are not only consistently statistically significant, the effects are substantively meaningful.

#### **5.4. Robustness**

These results are robust to a range of alternative model specifications. First, Figure 6 reports specification curves that plot the coefficients and confidence intervals for 64 regressions using every possible combination of control variables from Table 1. The results reported in Figure

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<sup>6</sup> It is worth noting that adding controls for a country's size in addition to the country's GDP in gravity models reflects an alternative way of conceptualizing country's economic "mass" (Reinert 2009). Although this is not the most common way to specify mass for gravity models, many published economics papers has estimated gravity models while controlling for GDP and measures of a country's size simultaneously (Kepaptsoglou, Karlaftis, and Tsamboulas 2010).

<sup>7</sup> For brevity, the results exclude the coefficients for control variables. Appendix III reports complete regression results.

6 are consistent in direction, magnitude, and statistical significance with our primary results. These results suggest that our primary results are not a product of the particular combinations of control variables we included in our primary models, and give some reassurance that omitted variable bias is not driving our results.

Second, our dependent variable is measured as Change in Antitrust Agreement with the EU from the first year a given country had an antitrust regime until 2010. However, prior research has suggested that the EU model of antitrust law only became more prevalent than the US model in roughly 1990 (Bradford et al. 2019b). We thus defined an alternative dependent variable as Change in Antitrust Agreement with the EU since 1990. Panel A of Table 2 estimates our primary specifications when using change in Antitrust Agreement since 1990 as our dependent variable (we also control for Antitrust Agreement in 1990 instead of initial Antitrust Agreement in all specifications). When using this alternative dependent variable, we find consistent results.

Third, for easy interpretation, we measured Antitrust Agreement as the percent of the 36 provisions for which a given county has the same coding as the EU in a given year. Some comparative law research, however, has instead measured agreement as the correlation across a vector of binary variables (e.g., Law and Versteeg 2012). Panel B of Table 2 estimates our primary specifications when using a correlation measure as our dependent variable, and again finds consistent results.

Fourth, following Equation (3), we have focused on measuring the change in Antitrust Agreement with the EU over time. However, the logic of the gravity explained in Part 4 also suggests that, regardless of initial agreement, Antitrust Agreement in the year 2010 should vary based on countries' economic size and geographic distance. Panel C of Table 2 uses Antitrust Agreement in 2010 as the dependent variable, and again finds that levels of antitrust agreement with the EU are proportional to the size of their economies and inversely proportional to their geographic distance.

Finally, we have argued that economic size and distance can explain dynamic diffusion. However, as we explained in Part 4, standard gravity models use economic size and distance to predict trade. It is thus possible that trade itself might more accurately predict dynamic diffusion than the combination of economic size and distance. To assess this, we first re-estimated our specifications from Table 1 while using the log of total trade (defined as imports plus exports) with the EU in 2010 as our dependent variable. Panel A of Table 3 reports these results, which

reveal that the standard gravity result holds for our sample and approach. That is, in 2010 for our sample of countries, the log of GDP is positively correlated with total trade with the EU, and the log of distance to Brussels negatively correlated with total trade with the EU. Next, we re-estimate our specifications from Table 1 while now using total trade with the EU in 2010 as the key explanatory variable (and, as in Table 1, using Change in Antitrust Agreement as the dependent variable). The results in Panel B of Table 3 reveal that greater trade is positively associated with greater Change in Antitrust Agreement. Importantly, however, the r-squared is slightly higher in Table 1 than in each of the corresponding specifications of Panel B of Table 3. This suggests that economic size and distance do more to explain dynamic diffusion than just trade itself.

## 6. Case Studies

Our quantitative analysis reveals a strong and robust relationship between our hypothesized drivers of dynamic diffusion and Change in Antitrust Agreement, but it does not make it possible to understand why some countries converge their antitrust laws while other countries customize them. We thus complement our quantitative analysis with three case studies examining how antitrust laws evolve.

We intentionally selected three case studies—Russia, Colombia, and Australia—that are unlikely to confirm our theory. Such cases offer strong support that our theory is likely to be valid in a broad range of cases, “where contrary winds do not blow as strongly” (Odell 2001). In addition to examining hard cases for our theory, we conduct within-case process tracing. Process tracing involves investigating a series of logically interconnected propositions about how diffusion works within particular contexts in a dynamic way, with a view to causally linking particular outcomes to our hypotheses about wealth and distance, rather than to other country-specific factors (George and Bennett 2005). We also turn to political debates to examine whether politicians extensively discussed foreign antitrust models, or instead discussed a particular global crisis as the impetus for similar antitrust reforms. Process tracing thus allows us to distinguish continued copying from shared responses to the same global shock.

Our case studies also allow us to disaggregate our measure of convergence, Antitrust Agreement with the EU. For example, we explore why, despite converging in most respects to the EU model, Russia customized some aspects of its policies. These studies also allow us to

examine changes in EU law. For instance, for specific issues, we can document whether Australian antitrust law moved away from the EU or whether the EU moved away from Australia.

### ***6.1. Russia***

This case study discusses the major developments in Russian antitrust law from its first adoption in 1991 through its subsequent reforms, focusing in particular on the amendments enacted in 2006, 2009, and 2011. Table 4 summarizes how core provisions of the EU's and Russia's antitrust laws evolved during this period. This case study is particularly informative because, despite strong nationalistic pressure to customize, Russian policymakers continued to converge and publicly present the convergence as well-suited to Russia's needs. Thus, this is a case where the forces encouraging convergence appear to be stronger than the forces encouraging customization. This offers compelling evidence for the political and economic mechanisms that we suggest sustain global legal convergence.

Our theory predicts that Russia was likely to converge to EU law, being geographically close to the EU with important trade connections that tie Russia's economy closely to the European market. Since 1997, EU-Russia political and economic relations have been governed by a bilateral Partnership and Cooperation Agreement designed to deepen their economic engagement. Even though economic sanctions imposed in 2014 dampened that engagement, up until the Ukraine invasion the EU was Russia's largest trading partner. However, Russia is also a large and relatively wealthy economy with some distinct features possibly pushing the country towards customization. Its markets are highly concentrated and its undiversified economy is vulnerable to fluctuations in oil and gas prices. These peculiar features, together with the country's aspirations to portray itself as a world leader and not a follower, create significant domestic pressures to customize and abandon foreign models in developing its antitrust laws. Yet Russia closely emulated foreign models, in particular the EU, and continued to converge towards international best practices.

Russia adopted its first antitrust law after the fall of the Soviet Union in 1991 as part of a wave of reforms instituted as it transitioned from a communist system to a market economy. When writing Russia's first antitrust law, the drafters carefully followed the EU template (Sukhorukov 2008; Kutlina and Vishnevskaya 2017). Another early law, 1995's "On Natural Monopolies" similarly followed international models. Leonid Bochin—then Chairman of the State

Committee of the Russian Federation for Antimonopoly Policy and Support to New Economic Structures—emphasized how the bill “received a positive review from OECD experts” when he introduced the bill to the State Duma, the Russian legislative assembly.

In 2004, Russia strengthened its antitrust regime considerably by establishing a dedicated antitrust enforcement agency, the Federal Antimonopoly Service (FAS). The FAS assumed a strong role in preparing new antitrust legislation. For example, in 2006, the FAS introduced a package of reforms to the Duma, most notably the 2006 federal law “On Protection of Competition.” One of the new laws’ goals was to prevent the monopolization of natural resources in Russia, making the reform both economically significant and controversial given that natural resources make up 60% of Russian GDP (*The Moscow Times*, 14 May 2019, Russia’s Natural Resources Valued at 60% of GDP). Igor Artemyev, head of the FAS, defended the bill by noting how other countries already had similar legislation in place. The government also called for a “thousands time” increase in the penalties associated with violating antitrust laws, urging that “[w]e should compare such practice with that of the European Union and other countries, [our practice] will be fully complied [with that of the European Union and that of other countries]. . . We believe these penalties should be tens, hundreds of million US dollars per single violation, how it is in the European Union” (State Duma 2005). Several members of the Duma supported the further alignment of Russian law with “foreign practices” and emphasized how established antimonopoly legislation was an “integral part of any developed economy” (*ibid.*). However, legislators also emphasized how these reforms served the needs of the Russian economy because more robust antitrust legislation could help the country “get rid of the humiliating dependence on the world pricing environment for oil and other raw materials.”

The 2006 law also aligned the Russian definition of “dominant position” with EU standards and lowered the threshold of finding dominance from 65% to 50%, which according to the authors of the bill, was “in accordance with the practice of most members of the European Union” (On Protection of Competition, Second Reading). However, in a departure from both the EU and US models, the legislators also retained the 1991 law’s formal safe harbor limit of 35%—a threshold under which a company is not considered dominant (*ibid.*). After consulting a 2000 Model Law published by the United Nations Committee on Trade and Development and comparing existing legislation in Germany, Ukraine, the UK, the EU, and the US, the bill also introduced a concept of “collective dominance.” This concept provided a basis for pursuing abuse

of dominance cases in instances where two or more companies collectively hold a dominant position. The bill's authors emphasized how the concept was embraced by the EU (*ibid.*). Another concept borrowed from the EU was the idea of “concerted practices,” which allowed antitrust authorities to challenge firms’ cartel-type practices, even in the absence of an explicit agreement to collude. The explanatory note of the bill cited the leading ECJ judgment on concerted action and described the EU’s “positive experience” in this area (Electronic Fund). When commenting on the bill, Artemyev acknowledged that “concerted action” could be controversial given that parallel behavior can at times reflect pro-competitive behavior by companies, but explained how this term was understood and deployed in the EU’s antitrust legislation (*Garant.ru* 2005).

Although the EU notably influenced Russia’s 2006 reforms, there was also a conscious effort to emphasize that these reforms served the particular needs of its economy. This is illustrated by Artemyev’s assurances that the bill was written exclusively by the FAS “from the first letter to the last” (*ibid.*). He also stressed how copying American law would not have served Russia given “very valuable” “Russian antimonopoly traditions.” But although the FAS tried to incorporate Russian traditions into law, foreign models retained their notable influence. This may partially be explained by Russia’s then-ongoing negotiations to enter the WTO, which likely contributed to Russia’s willingness to converge rather than customize. Artemyev explicitly suggested that “it would, of course, be desired for us to join the WTO because this would make it possible to unify competition rules as well” (*ibid.*).

Related 2007 reforms on sanctions associated with antitrust violations similarly drew on foreign models, with Artemyev calling for higher sanctions and noting how Russian penalties were “tens of thousand times less” than penalties in the EU (State Duma 2006). Consequently, the bill introduced revenue-based fines consistent with the EU practice and elevated the size of penalties while still capping the maximum penalty at around three times less than what EU laws permit.

Russia had another significant wave of antitrust reforms in 2009. Dmitry Medvedev, then Russia’s president, expressed his concern to Artemyev, noting how Russian tradition favored not following foreign antimonopoly legislation, even though similar laws deterred anti-competitive behavior in other countries. In response, Artemyev repeatedly emphasized Russia’s international standing in the antitrust community, noting how the 2006 reforms allowed Russia “according to the United Nations, to be among the 7 countries with the fastest pace of reforming of antimonopoly legislation in the whole world that is harmonized based on best practice.” He added

how “it is very important that today in all these rankings [...] Russia is absolutely universally recognized [...] by all leading countries, as a country that has a modern antimonopoly legislation,” and how these modernization efforts helped Russia gain a seat at the Steering Committee of the International Competition Network (President of Russia 2009).

While the EU has often provided a model for Russia’s efforts to align its law with international best practices, it deviated from the EU template by reigniting the law’s criminal sanctions through a 2009 law “On Amendments to Article 178 of the Criminal Code of the Russian Federation.” In adopting these reforms, Russia turned to Canada as an example of cartel regulations that provide for criminal penalties. The decision to deviate from the EU with more drastic sanctions may well stem from the concerns expressed by then-President Medvedev on Russian companies’ poor compliance record with the law. Interestingly, Artemyev’s report to the Duma did not include any references to the US, which is viewed as a leader in criminal antitrust enforcement (State Duma, May 2009). In a departure from any leading antitrust jurisdiction practices, the 2009 reform also removed the 35% safe harbor threshold for dominance, allowing the pursuit of companies with a trivial market share.

While all key parties supported the various 2009 reforms in the Duma, including the need to learn from foreign practices, some legislators expressed reservations. For instance, Nikolay Kolomeitsev of the Communist Party argued that the legislation should be modified to ensure that Russian monopolies did not invest in foreign countries and thereby further support “American, European, and other economies” at the expense of Russia’s own economic crisis (State Duma, February 2009). He also criticized the FAS’s practice of providing statistical information in dollars as opposed to rubles (State Duma, September 2011). Maksim Rokhmistrov of the Liberal Democratic Party also argued that Russia was a unique economy and should ensure that “our people” have “just prices for goods, which can in fact be regulated,” thus calling for the deployment of antitrust laws for price regulation (*ibid.*).

Russia has continued to reform its antitrust legislation over the last decade, including in 2011, 2015, and 2019, with the continuing goal of further aligning Russian antitrust laws with “the best world practice,” including best practices developed by the ICN (*ibid.*). The more recent reforms were designed to address particular problems underlying the Russian economy, such as the prevalence of oligopolies and resulting high prices. Legislative debates continued to reference the European provisions on collective dominance as a way to constrain oligopolies (*ibid.*,

especially comments by Ivanov and Artemyev). Those debates also drew a contrast to the prevailing prices, profit levels, and overall competitive market structure in Europe when criticizing the state of competition in Russia (State Duma, January 2011). The legislative reforms in line with international best practices have continued even after the EU and US introduced economic sanctions in 2014. The 2015 antitrust reforms reflected the views of Russian business and the OECD (State Duma 2014). A particular concern then was the uniquely high number of dominance investigations in Russia compared to international practices, including those in the US, which Russia sought to address through its 2015 legislative reforms (The Federation Council 2018). Specifically, it reinstated the 35% safe harbor threshold for dominance cases that had been removed with the 2009 reforms. In the recent 2019 reforms, the evolution towards more robust antitrust rules continued, with President Putin calling for “harsher” punishments, noting how “countries with developed market economies” have such penalties (State Council Meeting 2018), and the FAS continuing to defend its legislative amendments with them being “fully in accordance with the world standards” (Sogomonian 2018). That said, the 2022 invasion of Ukraine is likely to completely isolate Russia from the global system.

While Russia is a strong case of continued convergence since the initial adoption of antitrust law in 1991, the Russian experience also illustrates that convergence in legislation does not always translate into convergence in actual enforcement. While Russia kept its laws closely aligned with the leading global models, it deviated from those international standards in its actual enforcement. For instance, Russia has starkly departed from international best practices in its pursuit of a staggeringly high number of dominance and merger cases (Bradford et al. 2019a). Russia has also enforced some of the norms it has copied from the EU in distinct ways—the deployment of antitrust law as a tool for price control being a prime example. Taken together, however, Russian legislative reforms reflect a deliberate effort to align Russian antitrust laws with internationally recognized best practices in order to modernize the Russian economy, enhance competition, and bolster the country’s international reputation.

## ***6.2. Colombia***

Colombia first adopted antitrust law in 1959, and its antitrust regime went through waves of reforms in 1992 and 2009. Table 5 summarizes how the core provisions of the EU’s and Colombia’s antitrust law evolved during this period. In our theoretical scheme, Colombia’s

moderate income and strong ties to the US make it a country that could have customized its antitrust laws. Instead, Colombia converged to the EU model. This is surprising, given that EU involvement in Colombia was limited in comparison to the extensive US involvement in Colombia throughout the 20<sup>th</sup> and 21<sup>st</sup> centuries. However, by the 1990s, the EU had formulated a coherent antitrust policy, incorporated key US ideas into its laws, and actively promoted its policy through bilateral agreements and powerful international organizations, such as the OECD. These factors pushed Colombia’s convergence to the EU antitrust model. To economize on space, we have moved the full text of our Colombian case study to Appendix IV.

### ***6.3. Australia***

Australia was one of the first countries to adopt an antitrust law, passing the “Australian Industries Preservation Act” in 1906. Australia’s 1906 law drew heavily on the US antitrust law adopted 16 years earlier. The country’s antitrust regime then underwent a major legislative reform in 1965, followed by important subsequent amendments in every decade since—including in 1974, 1986, 1992, 1995, 2006, 2009, and most recently in 2017. Table 6 summarizes how the core provisions of the EU’s and Australia’s antitrust laws evolved during this period. Throughout these reforms, Australia has drawn inspiration from a variety of foreign models. It has copied features of the US, EU, UK, Canadian, and New Zealand antitrust laws, while also seeking to align its laws with the international best practices recommended by organizations such as the OECD. At the same time, Australia has rarely copied exact templates from abroad. Instead, it has often consciously adapted foreign models to local circumstances.

Australia’s pattern of foreign emulation with frequent customization is consistent with our theoretical model that predicts distant and wealthy countries will become customizers in their diffusion patterns. Australia exhibits these features, being geographically distant from the EU—or any other global models—while also possessing the wealth that makes the country capable of carving its own, more unique path and thus devising an antitrust regime that best suits its local needs. However, Australia is also a Commonwealth nation, and its ties to the UK could keep it closely aligned with the UK’s antitrust developments; thus indirectly tracking the EU’s antitrust template (given the degree to which the UK’s antitrust law remained intertwined with that of the EU throughout the UK’s EU membership). This suggests that any customization is unlikely to amount to a radical divergence from global models.

Australia's first significant antitrust reform took place in 1965. The "Trade Practices Act of 1965" introduced by the Conservative government, repealed the 1906 law and introduced several changes (Trade Practices Act 1965). The law as proposed was more stringent than its predecessor, seeking to introduce bans on several business practices backed by criminal sanctions. However, the law was notably watered down following successful business lobbying (OECD 2010). The final legislation reflected foreign emulation with local customization. The government referenced the UK model when introducing the reforms, but it also explained how it was in Australia's interest to depart from that model. The most significant customization was excluding merger control from the scope of the law. The government acknowledged that the UK's legislation encompassed merger control but argued that the "developing nature of the Australian economy" justified a different approach (*House of Representatives Hansard* 1965, 1656). The absence of merger control would allow Australian industries to "expand in size" and "compete effectively on world markets." The opposition Labor party criticized the weakened law and emphasized how the law failed to keep up with antitrust developments around the world, including the laws of the US, Canada, New Zealand, and the EU (*House of Representatives Hansard* 1965, 3225–3232).

When the Labor party came to power in 1974, it seized the opportunity to reform Australia's antitrust law (Trade Practices Act 1974). This reform was substantial and reflected a growing consciousness of the importance of consumer welfare and robust competition, not protectionism, as the means to promote economic growth (OECD 2010). The new law introduced merger control and aligned Australia's regime further toward the leading foreign models. The legislative process referenced OECD recommendations but also drew comparisons to the UK and US antitrust laws (*House of Representatives Hansard* 1974, 226, 229–230; Second Reading debate, 568–570). It adopted the US test for assessing a merger's legality, which examines whether the merger is likely to "substantially lessen competition" in the market. But the law also departed from the US model in its provisions on price discrimination "to avoid criticisms that have been expressed in relation to the American legislation" (*House of Representatives Hansard* 1974, 229). This again illustrates how Australia's emulation of foreign models is typically conditional or partial, preserving scope for national customization.

Subsequent reforms in the 1980s, 1990s, and 2000s continued to reflect the government's preference for using a "multi-model" emulation pattern as a way to customize the antitrust law to the needs of Australia's economy. Given the similarity of these post-1980 reforms with foreign

models, the Australian antitrust regime appears to have continued to draw inspiration from foreign templates even though parliamentary debates refer to them less frequently. For example, the 1986 law's tightening of monopolistic practices and recognizing collective dominance held by related corporations brought the Australian regime closer to the EU without explicitly calling for harmonization with the EU template (Trade Practices Revision Act 1986, Section 17). Australia also changed rules relating to concerted practices in 2017 that follow the EU template without explicitly evoking the EU law in the parliamentary debates beyond a brief reference to EU law in background materials (Competition Policy Review 2014, 226–230; Explanatory Memorandum to Competition and Consumer Amendment [Competition Policy Review] Bill 2017, 136–137). There is likely no one explanation for why the discussion of foreign models is less prominent in more recent legislative debates. It is possible that as global convergence around shared antitrust norms increases, the government no longer details the foreign templates the way it did in an era where antitrust law was more contested and foreign models embodied greater variance.

Even though Australia's neighbor New Zealand is often discussed in parliamentary debates, in most instances Australia finds itself straddling American and European influences, for instance in its evolution of merger control. A particularly notable aspect of Australia's pattern of emulation with customization relates to the penalties associated with antitrust infringements. Here, the government explicitly discussed foreign models, perhaps due to the contested nature of criminal penalties and the continuing divergence among leading antitrust jurisdictions in this regard. With the "Trade Practices Legislation Amendment Act of 1992," the Australian government elevated the level of monetary penalties, referencing the practices in the US, Canada, and the EU (Trade Practices Legislation Amendment Act 1992, Section 10.(1) [amending Section 76 of the Principal Act]). In its "Trade Practices Amendment Act of 2009," the government went further and introduced criminal penalties, citing how the adoption of criminal penalties "will bring Australia into line with its major trading partners and developed nations," including the US, Canada, and the UK (Trade Practices Amendment [Cartel Conduct and Other Measures] Act 2009, Section 19 [inserting a new Part IV into the Principal Act]; *House of Representatives Hansard* 2008, 12309). The government modeled its bill on "international proposals and the OECD model" while emphasizing how "there are of course changes necessary to ensure its effective operation in the Australian context" (*House of Representatives Hansard* 2009, 963). This emulation decision was all the more significant considering that the EU antitrust regime—the leading global

model already at that time—did not recognize criminal penalties and that few jurisdictions outside the US pursued them in practice.

The Australian antitrust regime has continued to evolve, including the passage of the Misuse of Market Power Act of 2017 and the Competition Policy Reform Act in 2017. These laws continue the pattern where Australia consults leading foreign models yet customizes those models to the specific needs of the Australian economy—albeit with a less explicit discussion of the foreign influences in the parliamentary debates. Even the name of the 2017 law and the description of its key provisions reveal this type of emulation with customization: Australia does not use the widely adopted EU-term “abuse of dominance,” or the US-term “monopolization,” but refers to “misuse of market power.”

Together, the reforms taken by Australian legislators reflect a keen awareness of how antitrust law has evolved in key antitrust jurisdictions and a willingness to stay abreast with this evolution. However, Australia has never committed to following a single jurisdiction. Rather, it has chosen elements of different foreign models, often emulating the US but also selectively following the UK, EU, Canada, and New Zealand, while also paying close attention to international best practices and OECD recommendations. This strategy has ensured that Australia’s antitrust law evolves within, and contributes to, a growing international antitrust convergence. Yet Australia has always embraced its ability to customize its antitrust laws in ways that best serve the specific needs of its economy.

## **7. Conclusion**

The goal of this project is to generate more research on the ways dynamic diffusion can occur following initial policy adoption. To do so, we offered a typology that distinguishes between continued convergence to the lead jurisdiction’s rules, customization to national needs, and stagnation. We then examine these patterns empirically in the area of antitrust law and find that a majority of countries continue to converge to the dominant global model, reinforcing global policy harmonization. However, a number of countries either customize their policies or cease legislating and thus stagnate with the laws they initially adopted. We further report evidence suggesting that these patterns are explained to a significant extent by a modified gravity model.

Although our findings are robust in the context of antitrust law, a remaining question is whether our findings are generalizable to other regulatory areas. Several key features of antitrust

policy have likely sustained continued convergence, and the same patterns are likely to hold in any policy area where these same factors are present. First, continued convergence may be more common in policy areas where the lead jurisdiction is well-situated to export its policies abroad. Notably, the EU is a regulator with a large network of relevant treaties supporting the diffusion of norms, a skilled global diplomatic apparatus, and a competent bureaucracy active in maintaining trans-governmental dialogues and other forms of global engagement. These robust systems make convergence to EU templates in diverse issue areas more likely, since countries can rely on them collectively in charting their course forward.

Second, continued convergence may be more common in policy areas where the law is complex and reflects technocratic norms perceived as objective or universal. As Finnemore and Barnett have emphasized, international organizations derive much of their power to disseminate ideas when they can portray these as neutral and highly technical (Barnett and Finnemore 1999). Antitrust is not free of ideological choices and values, but many of the key norms are driven by economic ideas that can form a basis for law in different societies, but require development by skilled economists and lawyers. In contrast, in policy fields perceived as culturally specific and easily accessible, we might expect to see more customization.

Third, continued convergence may be more common in policy areas that regulate cross-border conduct. A key feature of antitrust law is its likeliness to govern multinational firms conducting business in multiple jurisdictions. As a result, large export-oriented companies have clear incentives to lobby for continuing convergence. Continued convergence might therefore be dominant in fields such as financial market regulation or aviation regulation. The same dynamic may not exist in areas of law that primarily govern relationships within domestic regimes, such as criminal law or employment regulation, even if those domestic legal regimes initially had derived inspiration from foreign models.

Fourth, continued convergence may depend in part on the comprehensiveness of the initial law adopted. Bare-bones law establishing a regulatory framework or core norms may be more prone to customization, as the country is not equally committed to the specific choices of the lead jurisdiction. In contrast, a highly-detailed regulatory system may involve more marginal adjustments going forward. Hence minor adjustments and updates may more typically simply follow the lead jurisdiction's choices, supporting the pattern of continuing convergence.

Fifth, continued convergence may be more likely in settings where there is a wide perception of the global model's effectiveness—be it highly publicized enforcement decisions showcasing the operation of the lead jurisdiction's rules in practice or the recognition that it constitutes a “gold standard” leading to “herd adoption” after the market has tipped in favor of a single model. As other diffusion scholarship highlights, policy success, especially when supported by a theory predicting this success, often matters greatly (Dobbin et al. 2007).

There are a number of regulatory areas where many, or all, of these five factors are likely to be present. Data protection is one such field. Many countries have already emulated the EU's general data protection regulation (“GDPR”). We may observe similar convergence in other laws regulating the digital economy, such as the EU's new regulation on artificial intelligence (“AI”). This is because the EU has itself emphasized the benefit of setting a uniform global standard, and created incentives for large firms to further lobby for such uniformity. While regulations governing the internet economy can be contested, laws governing data privacy and AI are perceived as technical and normatively suitable for a broad range of countries, and the EU template in this field is comprehensive and widely perceived as effective (Schwartz 2019; Bradford 2020). A similar dynamic exists in financial regulation (Gadinis 2008, 2015). In this highly technical field, EU regulators have created incentives for firms to lobby for continued harmonization with the EU model across jurisdictions. If the EU deems these countries' regulatory frameworks as “equivalent” to the EU's, firms from that country are permitted to operate within the EU. As with data privacy, the finding of equivalence can be lifted if the EU determines that the country has failed to update its laws to match the EU's, compromising the dynamic alignment of laws.

That said, different diffusion patterns likely exist in other regulator fields. We do not intend to claim that the patterns of dynamic diffusion seen in antitrust law exist in all other legal areas. Moreover, we also do not intend to imply that geographic distance and state capacity are the only factors that influenced the diffusion of antitrust regimes. Instead, we hope that our typology, hypotheses, and mixed-methods approach will provide a blueprint for future scholars to further explore how laws evolve after their initial adoption.

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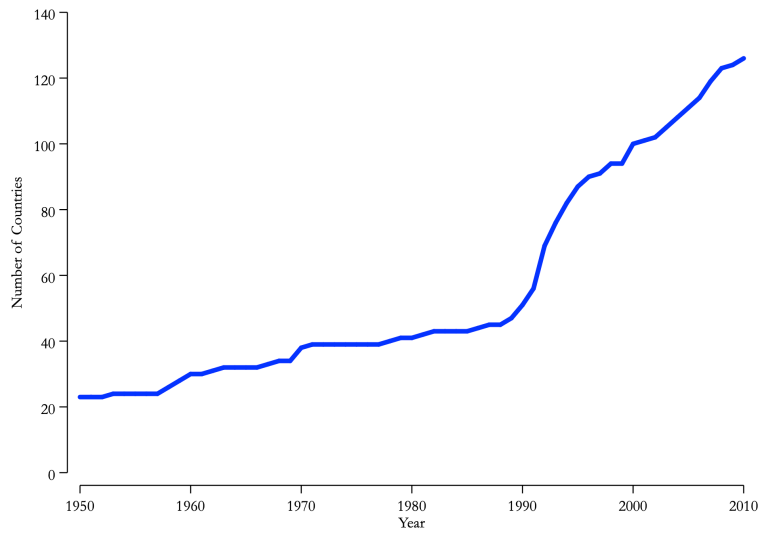
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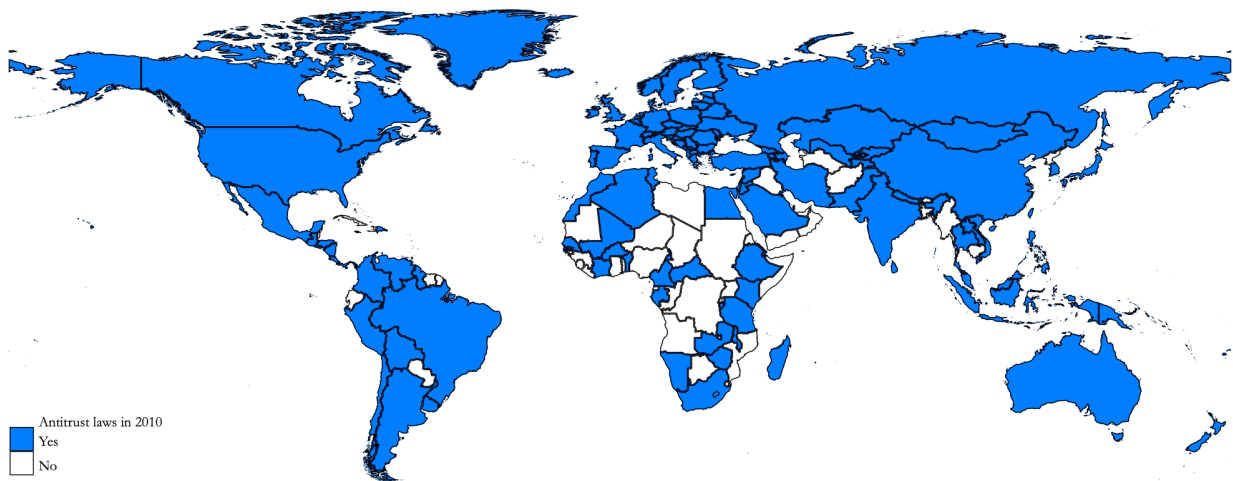
## Tables and Figures

**Figure 1: Adoption of Antitrust Laws**

**1A: Countries with Antitrust Law, 1950 to 2010**



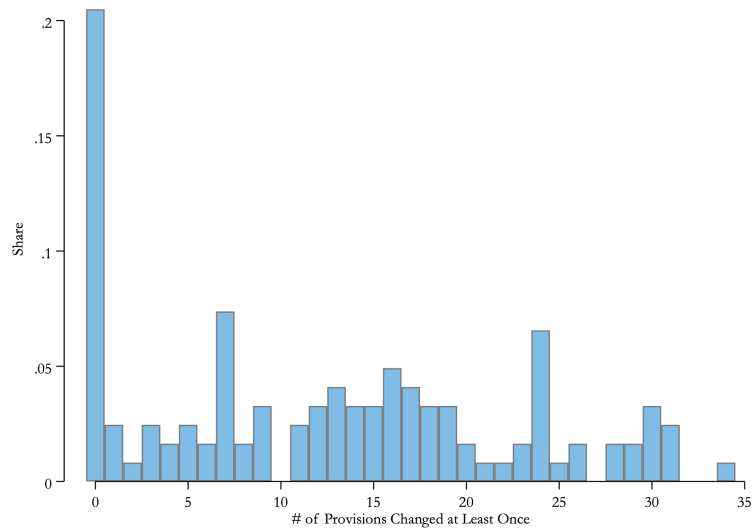
**1B: Countries with Antitrust Law, 2010**



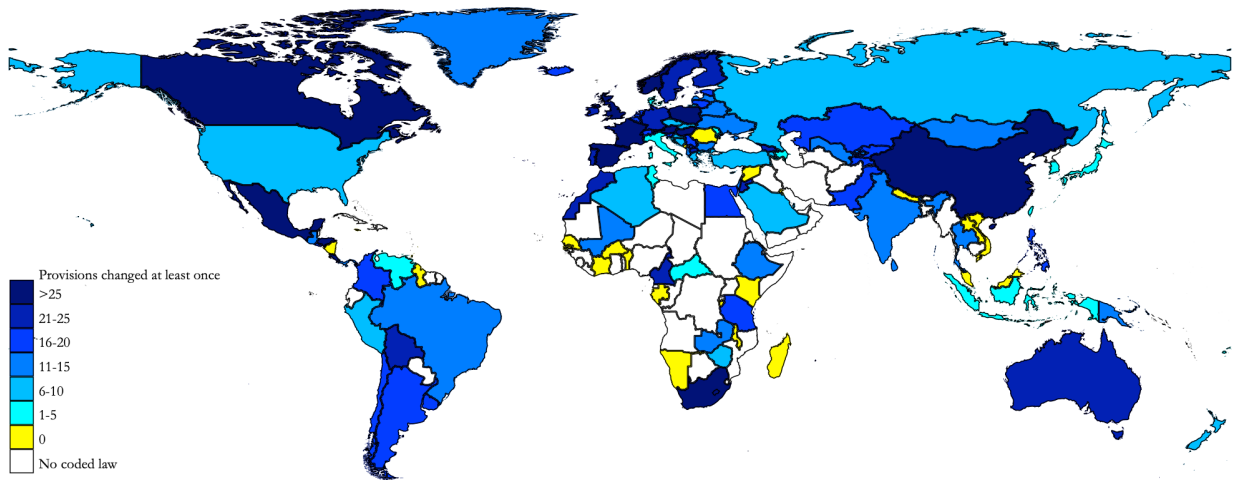
**Notes.** Panel A plots the total number of countries with an antitrust law in place from 1950 to 2010. Panel B plots the countries with an antitrust law in place in as of 2010.

Figure 2: Changes to Core Antitrust Provisions

2A: Distribution of Changes



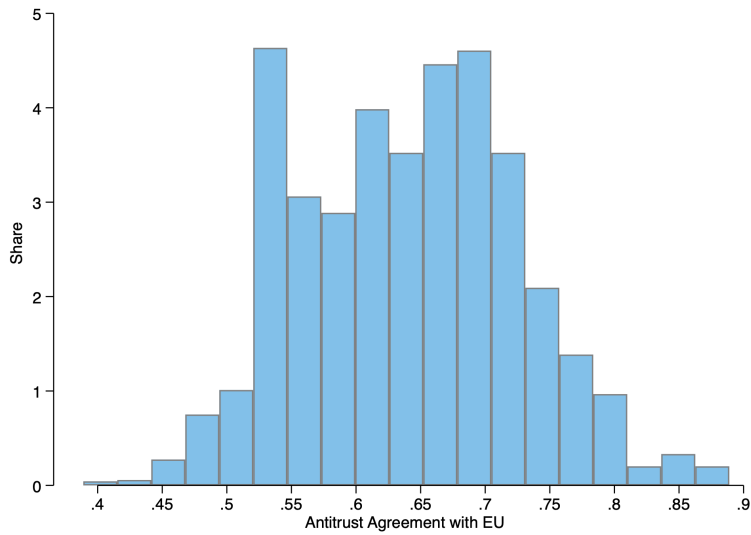
2B: Changes by Country



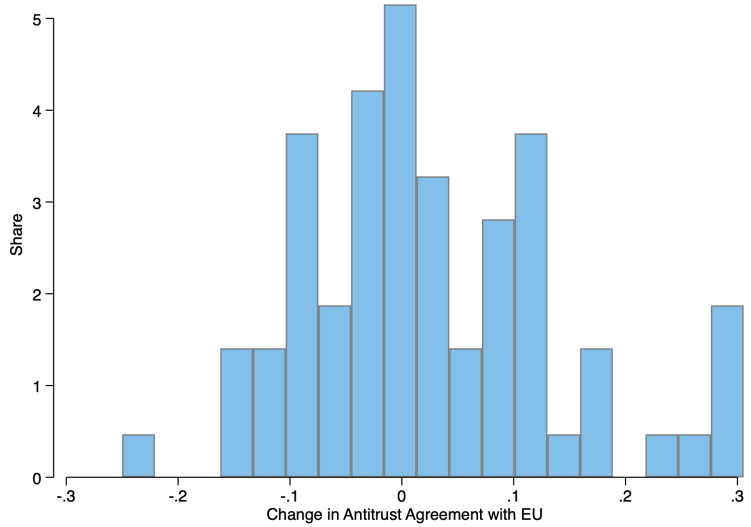
**Notes.** Panel A plots the number of the 36 core antitrust provisions that countries changed at least once between their initial antitrust law and 2010. Panel B graphs this data by country.

**Figure 3: Antitrust Agreement with the EU**

**3A: Antitrust Agreement**

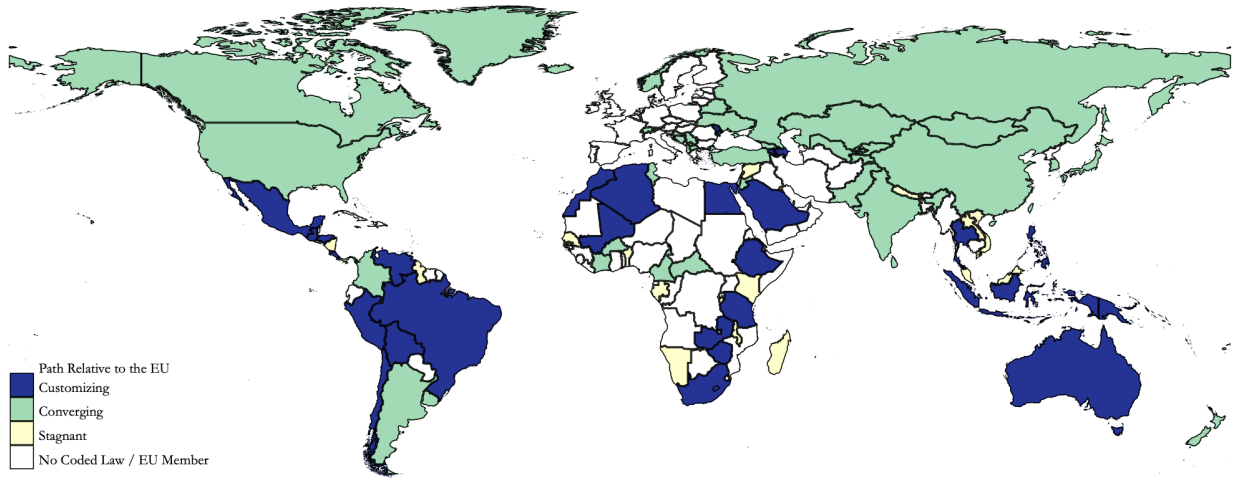


**3B: Change in Antitrust Agreement**



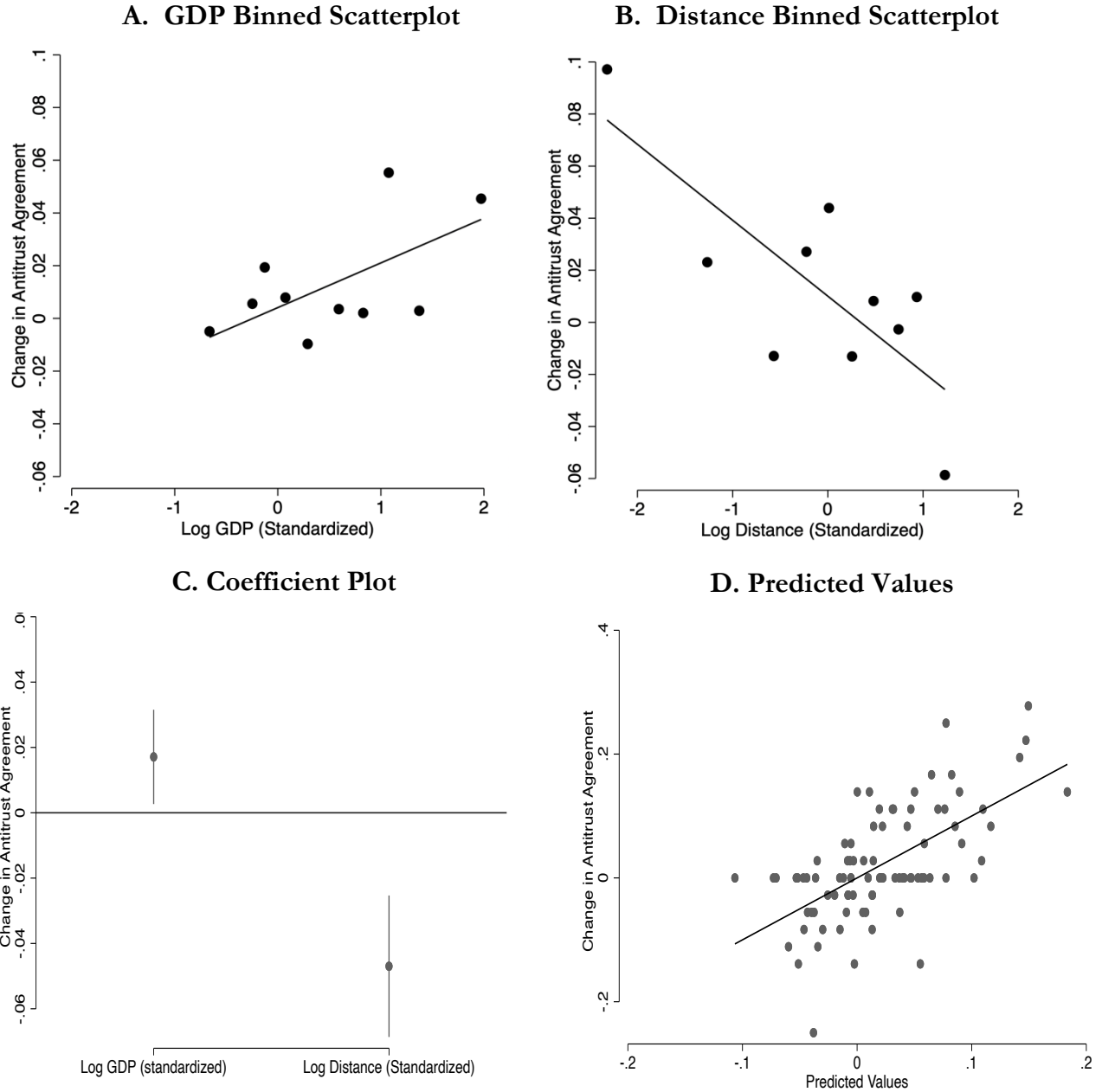
**Notes.** Panel A plots the Antitrust Agreement with the EU for all country-years from 1958 to 2010. Panel B plots the Change in Antitrust Agreement from the initial year a country had antitrust year after 1958 to 2010. For countries that adopted antitrust regimes prior to 1958, the change is calculated from 1958 to 2010. Data from EU member states is excluded from both panels.

**Figure 4: Diffusion Pattern by Country**



**Notes.** Countries are categorized based on their Change in Antitrust Agreement with the EU from the first year they had an antitrust law after 1958 to 2010. Countries that did not adopt an antitrust regime by 2010 and EU members are colored white; countries that have only passed one antitrust law are coded as stagnating; countries with negative values for Change in Antitrust Agreement are coded as customizing; and countries that either maintained or increased their Antitrust Agreement with the EU are coded as converging.

Figure 5: Predicting Change in Antitrust Agreement



**Notes.** Panel A reports a binned scatterplot of Log GDP (standardized) and the Change in Antitrust Agreement with Europe from each country’s first antitrust regime and their regime in 2010. Panel B reports a binned scatterplot of Log Distance (standardized) and the Change in Antitrust Agreement with Europe from each country’s first antitrust regime and their regime in 2010. Panel C reports the coefficients and 90% confidence intervals from our baseline regression, reported in Column (1) of Table 1 and Column (1) of Appendix Table A4. Panel D reports the predicted values for this same regression. The sample for all four panels excludes observations from the EU, countries without an antitrust regime, and countries with missing data. All four panels control for each country’s Antitrust Agreement to Europe in the first year they adopted an antitrust law.

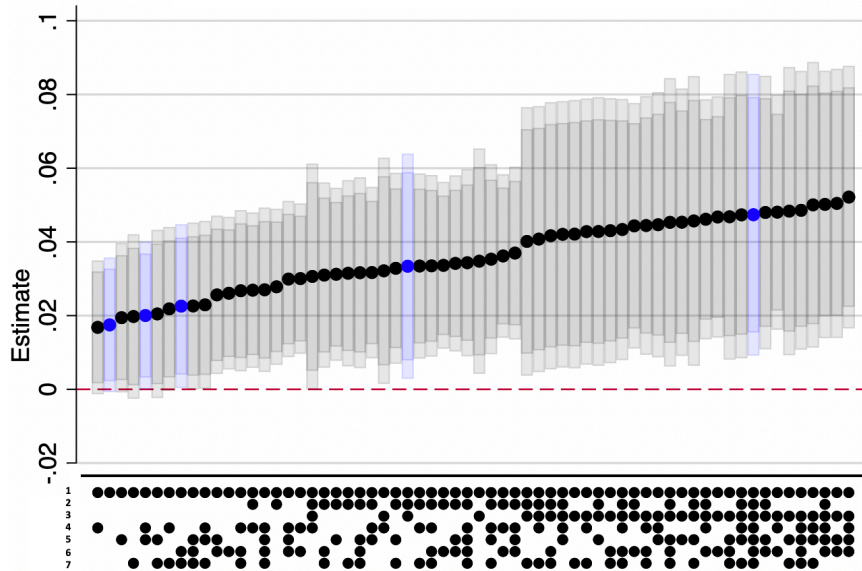
**Table 1: Regressions Estimating Change in Antitrust Agreement Relative to the EU**

	(1)	(2)	(3)	(4)	(5)
Log GDP (standardized)	0.017* (0.009)	0.028** (0.013)	0.019* (0.010)	0.024** (0.011)	0.041** (0.017)
Log Distance (standardized)	-0.047*** (0.013)	-0.044*** (0.013)	-0.050*** (0.013)	-0.045*** (0.013)	-0.046*** (0.013)
Observations	87	87	87	87	87
R-squared	0.387	0.411	0.404	0.408	0.455
<b>Control Variables</b>					
Initial Antitrust Agreement	✓	✓	✓	✓	✓
Area (ln)		✓			✓
Population (ln)		✓			✓
Polity Score			✓		✓
Regime Durability			✓		✓
Number of Antitrust Laws				✓	✓
Year of First Antitrust Law				✓	✓

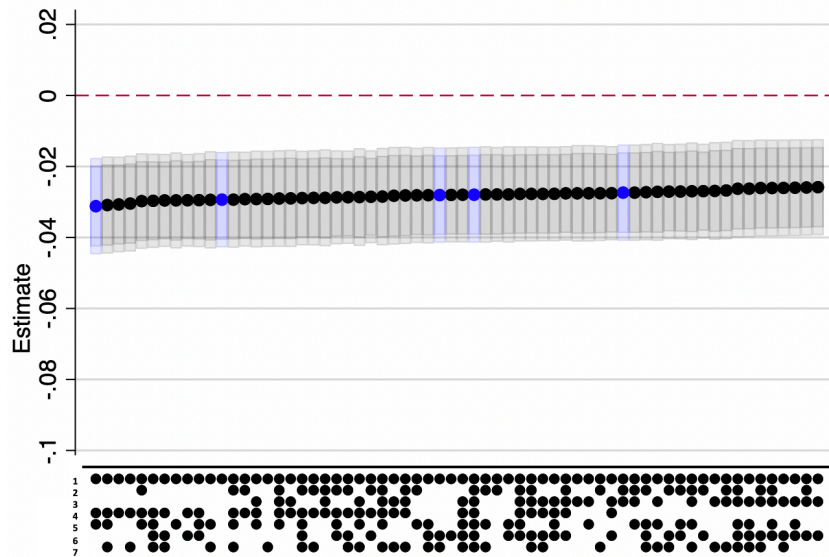
**Notes.** Table 1 reports the results of five OLS regressions. The dependent variable is the Change in Antitrust Agreement with the EU from the first year each country adopted an antitrust regime until 2010. Standard errors are in parentheses. The coefficients for the constant and the control variables are omitted. Observations from countries that have missing values or that are members of the EU are excluded. \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$ . Complete results for these regressions, including coefficients for control variables, are reported in Appendix Table A3.

Figure 6: Specification Curves

A. Log GDP (Standardized)



B. Log Distance (standardized)



**Notes.** Figure 6 reports the results of coefficients of interests for regressions estimated using every possible combinations of control variables for the regression specifications reported in Table 1. The 90 percent confidence intervals are plotted in dark gray and the 95 percent confidence intervals are plotted in light gray. The five specifications reported in Table 1 are plotted in blue. The coefficients are ordered based on their size. The legends report which coefficients are included in each regression. The numbers correspond to the following variables: 1 = Initial Antitrust Agreement; 2 = Area; 3 = Population; 4 = Polity Score; 5 = Regime Duration; 6 = Number of Antitrust Laws; and 7 = Year of First Antitrust Law.

**Table 2: Regressions Using Alternative Measures of Antitrust Convergence**

	(1)	(2)	(3)	(4)	(5)
<b>Panel A – Change in Antitrust Agreement Since 1990</b>					
Log GDP (standardized)	0.016* (0.008)	0.023* (0.012)	0.019** (0.010)	0.018 (0.011)	0.034** (0.017)
Log Distance (standardized)	-0.042*** (0.012)	-0.040*** (0.013)	-0.045*** (0.013)	-0.041*** (0.013)	-0.043*** (0.013)
Observations	87	87	87	87	87
R-squared	0.367	0.378	0.390	0.373	0.410
<b>Panel B – Change in Antitrust Correlation</b>					
Log GDP (standardized)	0.045** (0.019)	0.091*** (0.032)	0.044** (0.021)	0.041* (0.024)	0.102** (0.041)
Log Distance (standardized)	-0.063*** (0.014)	-0.057*** (0.014)	-0.066*** (0.014)	-0.063*** (0.014)	-0.061*** (0.015)
Observations	87	87	87	87	87
R-squared	0.515	0.538	0.533	0.518	0.559
<b>Panel C – Levels of Antitrust Agreement in 2010</b>					
Log GDP (standardized)	0.019* (0.010)	0.030** (0.015)	0.031*** (0.012)	0.034** (0.013)	0.063*** (0.019)
Log Distance (standardized)	-0.061*** (0.015)	-0.058*** (0.015)	-0.065*** (0.015)	-0.056*** (0.015)	-0.057*** (0.015)
Observations	87	87	87	87	87
R-squared	0.183	0.214	0.247	0.237	0.332
<b>Control Variables</b>					
Antitrust Agreement in 1990	Panel A	Panel A	Panel A	Panel A	Panel A
Initial Antitrust Correlation	Panel B	Panel B	Panel B	Panel B	Panel B
Area (ln)		✓			✓
Population (ln)		✓			✓
Polity Score			✓		✓
Regime Durability			✓		✓
Number of Antitrust Laws				✓	✓
Year of First Antitrust Law				✓	✓

**Notes.** Table 2 reports the results of OLS regressions. The dependent variable for Panel A is the Change in Antitrust Agreement with the EU from 1990 until 2010 (for countries that adopted an antitrust regime after 1990, the first year they adopted an antitrust regime is used). The dependent variable for Panel B is the change in Antitrust Correlation with the EU from the first year the country adopted an antitrust regime until 2010. The dependent variable for Panel C is the level of Antitrust Agreement with the EU in 2010. Standard errors are in parentheses. The coefficients for the constant and the control variables are omitted. Observations from countries that are members of the EU are excluded. \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$ . Complete results for these regressions, including coefficients for control variables, are reported in Appendix Table A4.

**Table 3: Regressions Estimating Relationship with Trade**

	(1)	(2)	(3)	(4)	(5)
<b>Panel A – Predicting Log Total EU Trade</b>					
Log GDP (standardized)	2.190*** (0.070)	2.357*** (0.099)	2.176*** (0.083)	2.172*** (0.092)	2.396*** (0.139)
Log Distance (standardized)	-0.886*** (0.105)	-0.847*** (0.103)	-0.877*** (0.108)	-0.885*** (0.106)	-0.841*** (0.107)
Observations	87	87	87	87	87
R-squared	0.927	0.933	0.927	0.927	0.933
<b>Panel B – Predicting Change in Antitrust Agreement</b>					
Log Total EU Trade	0.011*** (0.004)	0.016*** (0.005)	0.013*** (0.004)	0.015*** (0.005)	0.022*** (0.006)
Observations	87	87	87	87	87
R-squared	0.327	0.368	0.340	0.367	0.419
<b>Control Variables</b>					
Initial Antitrust Agreement	✓	✓	✓	✓	✓
Area (ln)		✓			✓
Population (ln)		✓			✓
Polity Score			✓		✓
Regime Durability			✓		✓
Number of Antitrust Laws				✓	✓
Year of First Antitrust Law				✓	✓

**Notes.** Table 3 reports the results of OLS regressions. The dependent variable for Panel A is the Log of total trade with the 28 EU member states in 2010. The dependent variable for Panel B is the change in Antitrust Agreement with the EU from the first year the country adopted an antitrust regime until 2010. Standard errors are in parentheses. The coefficients for the constant and the control variables are omitted. Observations from countries that are members of the EU are excluded. \*\*\* p<0.01, \*\* p<0.05, \* p<0.1.

**Table 4: Evolution of Core Antitrust Provisions in the EU and Russia**

Provision Type	Provision	EU	RUS	EU	RUS	EU	RUS	EU	RUS
		1991	1991	1996	1996	2006	2006	2010	2010
Authority Provisions	Fines	1	1	1	1	1	1	1	1
Authority Provisions	Imprisonment	0	0	0	1	0	1	0	1
Authority Provisions	Private Right of Action	0	1	0	0	0	0	0	0
Authority Provisions	Damages	0	1	0	1	0	0	0	0
Authority Provisions	Divestitures	1	1	1	1	1	1	1	1
Authority Provisions	Extraterritoriality	0	1	0	1	0	1	0	1
Authority provisions	Industry Exemptions	1	1	1	1	1	1	1	1
Authority Provisions	Enterprise Exemptions-Categorical	0	0	0	0	0	0	0	0
Merger Control	Mandatory Notification	1	1	1	1	1	1	1	1
Merger Control	Substantive Assessment: Public Interest	0	0	0	0	0	0	0	0
Merger Control	Public Interest Defense	0	1	0	1	0	0	0	0
Merger Control	Failing Firm Defense	0	0	0	0	0	0	0	0
Merger Control	Efficiency Defense	1	1	1	1	1	0	1	0
Merger Control	Pre-Merger Notification	1	1	1	1	1	1	1	1
Merger Control	Substantive Assessment: Economic	1	1	1	1	1	1	1	1
Abuse of Dominance	General Prohibition	1	1	1	1	1	1	1	1
Abuse of Dominance	Market Access	1	1	1	1	1	1	1	1
Abuse of Dominance	Tying	1	1	1	1	1	1	1	1
Abuse of Dominance	Discounts	0	0	0	0	0	0	0	0
Abuse of Dominance	Unfair Pricing	1	1	1	1	1	1	1	1
Abuse of Dominance	Discriminatory Pricing	1	1	1	1	1	1	1	1
Abuse of Dominance	Predatory Pricing	0	0	0	1	0	1	0	1
Abuse of Dominance	Resale Price Maintenance	0	0	0	0	0	0	0	0
Abuse of Dominance	Other Abusive Acts	1	1	1	1	1	1	1	1
Abuse of Dominance	Efficiency Defense	0	1	0	1	0	1	0	1
Abuse of Dominance	Public Interest Defense	0	1	0	1	0	1	0	1
Anticompetitive Agreements	Pricefixing	1	1	1	1	1	1	1	1
Anticompetitive Agreements	Market Sharing	1	1	1	1	1	1	1	1
Anticompetitive Agreements	Output Limitations	1	0	1	0	1	1	1	1
Anticompetitive Agreements	Bid Rigging	0	1	0	1	0	1	0	1
Anticompetitive Agreements	Tying	1	0	1	0	1	0	1	0
Anticompetitive Agreements	Exclusive Dealing	0	1	0	1	0	1	0	1
Anticompetitive Agreements	Resale Price Maintenance	0	0	0	0	0	0	0	0
Anticompetitive Agreements	Eliminate Competitors	0	1	0	1	0	0	0	0
Anticompetitive Agreements	Efficiency Defense	1	1	1	1	1	1	1	1
Anticompetitive Agreements	Public Interest Defense	0	1	0	1	0	1	0	1

EU moves towards RUS  
 RUS moves away from EU   
 RUS moves towards EU  
 EU moves away from RUS 

**Notes.** Table 4 presents EU and Russian antitrust policies over time, based on the 36 “core” competition provisions in Bradford et al. 2019. A score of 1 indicates the presence of a provision and a score of 0 indicates its absence. The borders highlight the moment in time when there is policy convergence for the first time in our data, or when there is a return to convergence following divergence.

**Table 5: Evolution of Core Antitrust Provisions in the EU and Colombia**

Provision Type	Provisions	EU	COL	EU	COL	EU	COL
		1959	1959	1990	1990	2010	2010
Authority Provisions	Fines	0	1	1	1	1	1
Authority Provisions	Imprisonment	0	0	0	0	0	0
Authority Provisions	Private right of action	0	0	0	0	0	1
Authority Provisions	Damages	0	0	0	0	0	1
Authority Provisions	Divestitures	0	1	1	1	1	1
Authority Provisions	Extraterritoriality	0	0	0	0	0	0
Authority Provisions	Industry exemptions	0	0	1	0	1	0
Authority Provisions	Enterprise exemptions - categorical	0	0	0	0	0	0
Merger Control	Pre-merger notification	0	1	1	1	1	1
Merger Control	Mandatory notification	0	1	1	1	1	1
Merger Control	Substantive assessment: economic	0	1	1	1	1	1
Merger Control	Substantive assessment: public interest	0	0	0	0	0	0
Merger Control	Public interest defense	0	1	0	1	0	0
Merger Control	Failing firm defense	0	0	0	0	0	0
Merger Control	Efficiency defense	0	0	1	0	1	1
Abuse of Dominance	General prohibition	1	1	1	1	1	1
Abuse of Dominance	Market access	1	0	1	0	1	1
Abuse of Dominance	Tying	1	0	1	0	1	1
Abuse of Dominance	Discounts	0	0	0	0	0	0
Abuse of Dominance	Unfair pricing	1	0	1	0	1	0
Abuse of Dominance	Discriminatory pricing	1	0	1	0	1	1
Abuse of Dominance	Predatory pricing	0	0	0	0	0	1
Abuse of Dominance	Resale price maintenance	0	0	0	0	0	0
Abuse of Dominance	Other abusive acts	1	0	1	0	1	1
Abuse of Dominance	Efficiency defense	0	0	0	0	0	0
Abuse of Dominance	Public interest defense	0	0	0	0	0	0
Anticompetitive agreements	Price fixing	1	0	1	0	1	1
Anticompetitive agreements	Market sharing	1	0	1	0	1	1
Anticompetitive agreements	Output limitations	1	0	1	0	1	1
Anticompetitive agreements	Bid rigging	0	0	0	0	0	1
Anticompetitive agreements	Tying	1	0	1	0	1	1
Anticompetitive agreements	Exclusive dealing	0	0	0	0	0	1
Anticompetitive agreements	Resale price maintenance	0	0	0	0	0	1
Anticompetitive agreements	Eliminate competitors	0	0	0	0	0	0
Anticompetitive agreements	Efficiency defense	1	0	1	0	1	0
Anticompetitive agreements	Public interest defense	0	1	0	1	0	0

EU moves towards COL       COL moves away from EU   
 COL moves towards EU       EU moves away from COL 

**Notes.** Table 5 presents EU and Colombia antitrust policies over time, based on the 36 “core” competition provisions in Bradford et al. 2019. A score of 1 indicates the presence of a provision and a score of 0 indicates its absence. The borders highlight the moment in time when there is policy convergence for the first time in our data, or when there is a return to convergence following divergence.

**Table 6: Evolution of Core Antitrust Provisions in the EU and Australia**

Provision Type	Provision	EU	AUS	EU	AUS	EU	AUS	EU	AUS	EU	AUS
		1959	1959	1977	1977	1990	1990	1995	1995	2010	2010
Authority Provisions	Fines	0	1	1	1	1	1	1	1	1	1
Authority Provisions	Imprisonment	0	1	0	0	0	0	0	0	0	1
Authority Provisions	Private Right of Action	0	1	0	1	0	1	0	1	0	1
Authority Provisions	Damages	0	1	0	1	0	1	0	1	0	1
Authority Provisions	Divestitures	0	0	0	1	1	1	1	1	1	1
Authority Provisions	Extraterritoriality	0	1	0	1	0	1	0	1	0	1
Authority provisions	Industry Exemptions	0	0	1	0	1	0	1	0	1	0
Authority Provisions	Enterprise Exemptions-Categorical	0	1	0	1	0	1	0	1	0	1
Merger Control	Mandatory Notification	0	0	0	0	1	0	1	0	1	0
Merger Control	Substantive Assessment: Public Interest	0	0	0	0	0	0	0	0	0	0
Merger Control	Public Interest Defense	0	0	0	1	0	1	0	1	0	1
Merger Control	Failing Firm Defense	0	0	0	0	0	0	0	0	0	0
Merger Control	Efficiency Defense	0	0	0	0	1	0	1	0	1	0
Merger Control	Pre-Merger Notification	0	0	0	1	1	1	1	1	1	1
Merger Control	Substantive Assessment: Economic	0	0	0	1	1	1	1	1	1	1
Abuse of Dominance	General Prohibition	1	1	1	1	1	1	1	1	1	1
Abuse of Dominance	Market Access	1	0	1	0	1	0	1	0	1	0
Abuse of Dominance	Tying	1	0	1	0	1	0	1	0	1	0
Abuse of Dominance	Discounts	0	0	0	0	0	0	0	0	0	0
Abuse of Dominance	Unfair Pricing	1	0	1	0	1	0	1	0	1	0
Abuse of Dominance	Discriminatory Pricing	1	0	1	1	1	1	1	0	1	0
Abuse of Dominance	Predatory Pricing	0	0	0	0	0	0	0	0	0	1
Abuse of Dominance	Resale Price Maintenance	0	0	0	1	0	0	0	0	0	0
Abuse of Dominance	Other Abusive Acts	1	0	1	0	1	0	1	0	1	0
Abuse of Dominance	Efficiency Defense	0	0	0	0	0	0	0	0	0	0
Abuse of Dominance	Public Interest Defense	0	0	0	0	0	0	0	0	0	0
Anticompetitive Agreements	Pricefixing	1	0	1	1	1	1	1	1	1	1
Anticompetitive Agreements	Market Sharing	1	0	1	0	1	0	1	0	1	1
Anticompetitive Agreements	Output Limitations	1	1	1	1	1	1	1	1	1	1
Anticompetitive Agreements	Bid Rigging	0	0	0	0	0	0	0	0	0	1
Anticompetitive Agreements	Tying	1	0	1	1	1	1	1	1	1	1
Anticompetitive Agreements	Exclusive Dealing	0	1	0	1	0	1	0	1	0	1
Anticompetitive Agreements	Resale Price Maintenance	0	0	0	1	0	1	0	1	0	1
Anticompetitive Agreements	Eliminate Competitors	0	0	0	0	0	0	0	0	0	0
Anticompetitive Agreements	Efficiency Defense	1	0	1	1	1	1	1	1	1	1
Anticompetitive Agreements	Public Interest Defense	0	1	0	0	0	0	0	0	0	0

EU moves towards AUS    AUS moves away from EU    AUS moves towards EU    EU moves away from AUS

**Notes.** Table 6 presents EU and Australian antitrust policies over time, based on the 36 “core” competition provisions in Bradford et al. 2019. A score of 1 indicates the presence of a provision and a score of 0 indicates its absence. The borders highlight the moment in time when there is policy convergence for the first time in our data, or when there is a return to convergence following divergence.

# Dynamic Diffusion

## Appendix

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## Appendix I. Datasets and Definitions

*Appendix I Overview:* This appendix provides additional information on the datasets used in the paper and the definitions for the provisions that constitute the 36 “core” competition provisions in Bradford et al 2019.<sup>1</sup>

**Table A1.** Countries and Organizations in the Comparative Competition Law and Comparative Competition Enforcement Datasets

Albania	Dominican Republic*	Kosovo*	Romania
Algeria*	Egypt	Kuwait*	Russia
Argentina	El Salvador	Kyrgyzstan*	Saudi Arabia
Armenia	Estonia	Laos*	Senegal
Australia	Ethiopia*	Latvia	Singapore
Austria	European Union	Lithuania	Slovakia
Azerbaijan	Fiji	Luxembourg	Slovenia
Barbados	Finland	Macedonia	South Africa
Belarus*	France	Madagascar*	South Korea
Belgium	Gabon*	Malawi	Spain
Benin*	Gambia*	Malaysia*	Sri Lanka*
Bolivia*	Georgia	Mali	Sweden
Bosnia and Herzegovina	German Federal Republic*	Malta*	Switzerland
Botswana*	Germany	Mauritius	Syria*
Brazil	Greece	Mexico	Taiwan
Bulgaria	Greenland	Moldova	Tajikistan*
Burkina Faso	Guatemala*	Mongolia	Tanzania
Burundi*	Guyana*	Montenegro	Thailand
CAN*	Honduras	Morocco	Trinidad and Tobago*
CARICOM	Hungary	Namibia	Tunisia
COMESA*	Iceland	Nepal*	Turkey
Cameroon	India	Netherlands	Ukraine
Canada	Indonesia	New Zealand	United Kingdom
Central African Republic*	Ireland	Nicaragua	United States of America
Chile	Israel	Norway	Uruguay
China	Italy	Pakistan	Uzbekistan*
Colombia	Ivory Coast	Panama	Venezuela
Costa Rica	Jamaica	Papua New Guinea	Vietnam

<sup>1</sup> Bradford et al 2019.

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Croatia	Japan	Peru	WAEMU*
Cyprus	Jersey Channel Islands	Philippines	Yugoslavia
Czech Republic	Jordan	Poland	Zambia
Czechoslovakia	Kazakhstan	Portugal	Zimbabwe
Denmark	Kenya	Qatar*	

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\* Only in the Comparative Competition Law Dataset

\*\* Only in the Comparative Competition Enforcement Dataset

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**Table A2.** The 36 “Core” Competition Provisions

<b>Authority Provisions</b>	
Private right of action	This variable indicates whether private parties are entitled to file lawsuits to seek remedies.
Fines	This variable indicates whether the law provides for fines as a remedy for violating the law.
Imprisonment	This variable indicates whether the law provides for imprisonment as a punishment for violating provisions of the law.
Divestitures	This variable indicates whether the law allows for divestitures as a remedy. These may entail 1) selling of assets or division of the company as a remedy for non-merger-related antitrust violations or 2) for the merger control authority to make the approval of a merger conditional on divestiture (or allow it to force divestiture if the firms proceed with the merger without it).
Damages	This variable indicates whether the law allows injured parties to obtain damages. Remedies available for third parties may include either monetary damages or injunctions.
Extraterritoriality	This variable indicates whether the law applies extraterritorially (i.e., it applies to foreign companies and citizens as long as the activity has some effect in the country applying its law).
Industry exemptions	This variable indicates whether any industries or economic sectors or types of economic activities are excluded from the application of this antitrust law.
Enterprise Exemptions – categorical	This variable indicates whether this law categorically or completely exempts any of the following categories of enterprises from the application of this law categorically (i.e., completely as opposed to partially or conditionally): <ul style="list-style-type: none"> <li>- export cartels</li> <li>- state-owned enterprises</li> <li>- state-operated or state-designated trading companies</li> <li>- designated monopolies</li> <li>- other categories of enterprises</li> </ul>
<b>Substantive Prohibitions</b>	
<b>Merger Control</b>	
Pre-merger notification	This variable identifies whether the law provides for a pre-notification of mergers (i.e., where the notification must take place before the closing).

Mandatory notification	This variable indicates if the law provides for a mandatory merger notification.
Substantive assessment: economic	This variable identifies whether the law directs the agency to consider the effect of the merger on market competition, such as anti-competitive consequences for the structure of the market or possible barriers to entry or, alternatively, the resulting dominant position or market share of the merged entity.
Substantive assessment: public interest	This variable identifies whether the law grants the agency the power to prohibit a merger if the merger runs contrary to public interest.
Efficiency defense	This variable identifies whether an otherwise impermissible merger may be allowed if it will contribute sufficiently to economic efficiency.
Failing firm defense	This variable identifies whether an otherwise impermissible merger may be allowed if it prevents a business failure.
Public interest defense	This variable identifies whether an otherwise impermissible merger may be allowed because it is in the public interest.
<b>Abuse of Dominance</b>	
General prohibition	This variable identifies if the law prohibits the abuse of a dominant position, either generically or by specifying actions that would constitute an impermissible abuse of a dominant position.
Market Access	This variable identifies if the law prohibits a dominant firm from limiting the supply of goods to the market or from restricting sales to certain purchasers or consumers (refusal to supply).
Tying	This variable identifies if the law prohibits a dominant firm from conditioning the sale of products or services on the sale or acquisition of another product or service that is not directly connected (tying).
Discounts	This variable identifies if the law prohibits a dominant firm from offering discounts that incentivizes the buyer to deal exclusively or predominantly with the dominant firm (loyalty discounts).
Unfair pricing	This variable identifies if the law prohibits a dominant firm from taking advantage of its dominant position when setting its prices (unfair pricing).
Discriminatory pricing	This variable identifies if the law prohibits a dominant firm from imposing different prices for the same goods or services for different customers (discriminatory pricing).
Predatory pricing	This variable identifies if the law prohibits a dominant firm from engaging in predatory pricing.
Resale Price Maintenance	This variable identifies if the law prohibits a dominant firm from setting the price at which retailers will ultimately sell their product to consumers (resale price maintenance).

Other abusive acts	This variable identifies if the law prohibits a dominant firm from engaging in any acts—other than those specified in the preceding questions—as constituting an impermissible abuse of a dominant position, or indicates that the acts that are specified in the law do not constitute a comprehensive list of impermissible acts.
Efficiency defense	This variable indicates if an otherwise impermissible act by a dominant company is excused if it substantially contributes to economic efficiency.
Public interest defense	This variable indicates if an otherwise impermissible act by a dominant company is allowed if it contributes significantly to the public good.
<b>Anticompetitive Agreements</b>	
Price fixing	This variable identifies whether the law prohibits attempts to set the market price for a products (price fixing).
Market sharing	This variable identifies whether the law prohibits agreements to divide or allocate the market by a particular geographic, demographic, price- or otherwise-defined characteristic (market sharing).
Output limitations	This variable identifies whether the law prohibits agreements to limit the overall rate of production or amount of products made available to the market (output restraint).
Bid rigging	This variable identifies whether the law prohibits agreements not to bid on a tender for a certain product or to bid at or above a certain price (bid rigging).
Tying	This variable identifies whether the law prohibits companies from conditioning contracts on buying additional products that are not directly connected to the product that is the subject of the contract.
Exclusive dealing	This variable identifies whether the law prohibits agreements not to sell/buy their products to/from certain other companies or groups of companies.
Resale price maintenance	This variable identifies whether the law prohibits producers setting the price at which retailers will ultimately sell the product to consumers.
Eliminate competitors	This variable identifies whether the law prohibits engaging in coercive or other practices that eliminate competitors or make it very difficult for them to increase their market share.
Efficiency defense	This variable identifies whether the law allows for an impermissible practice if it contributes significantly to economic efficiency.
Public interest defense	This variable identifies whether the law allows for an impermissible practice if it contributes significantly to the public good.

## Appendix II. Summary Statistics and Correlations

*Appendix II Overview:* This appendix provides summary statistics to illustrate and complement the data reported in the main text

**Figure A1: Total Number of Competition Laws Adopted**

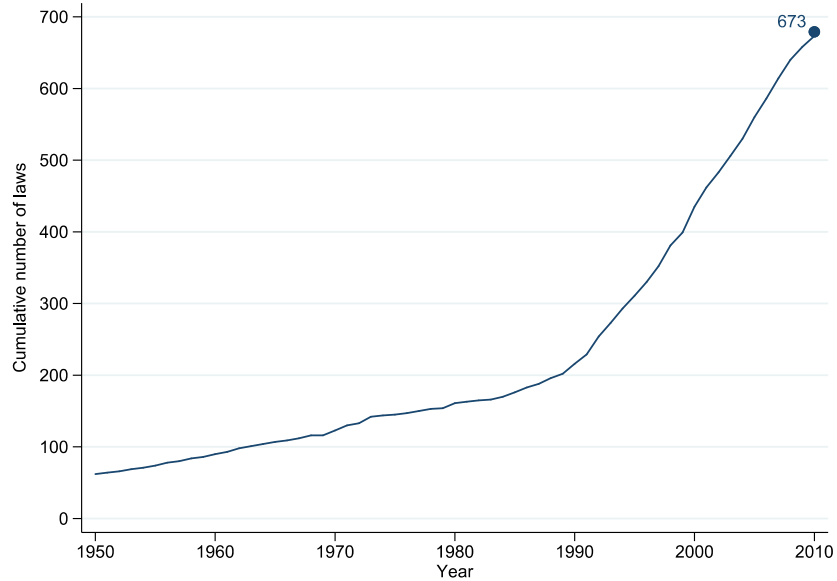


Figure A1 reports the cumulative number of competition laws included in the CCLD over time. By 2010, there were 673 laws passed by the 126 countries included in the data. This means that, on average, the 126 countries in the CCLD have each passed over 5 laws that cover competition policy.

**Figure A2: Distribution of Competition Laws Adopted**

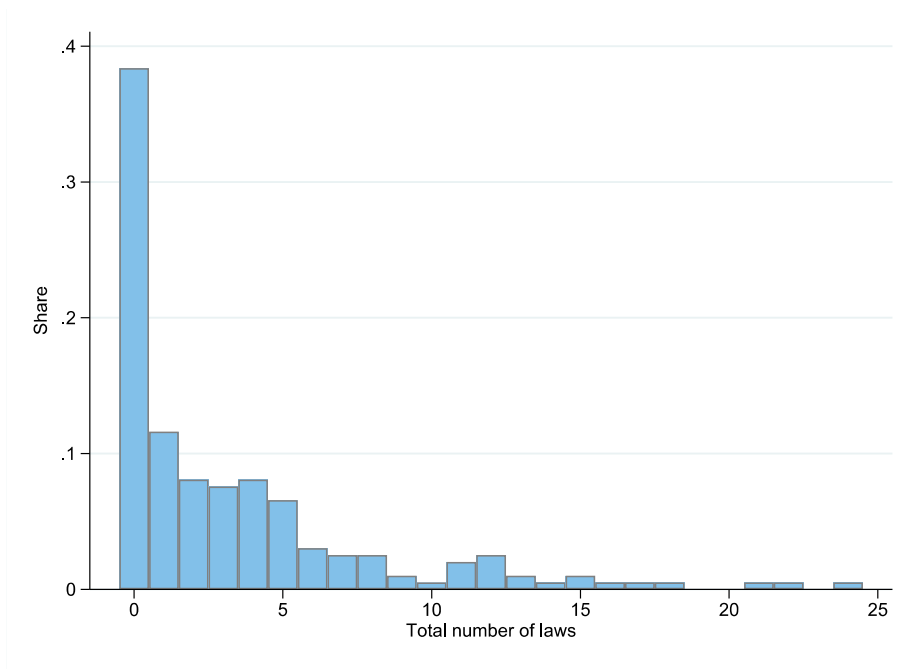


Figure A2 illustrates the variation in the number of laws that countries have actually passed by reporting the distribution of competition laws passed by each country. Notably, the modal number of competition laws passed by countries is just one; more specifically, 23 countries have passed only one competition law. In the typology we developed in Part 3.1, those 23 countries have ceased to legislate. The vast majority of countries, however, have adopted two or more competition laws. In fact, several countries have adopted more than 20 competition laws.

**Figure A3: Number of Competition Laws Adopted**

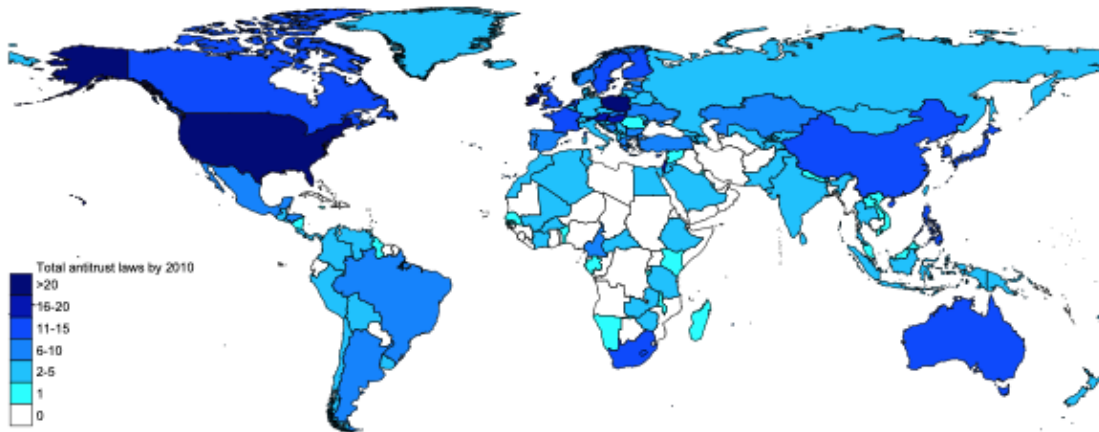


Figure A3 maps the distribution from Figure A2 by country. As it shows, the world’s biggest economies—the United States, China, Japan, Germany, and the United Kingdom—all have passed multiple competition laws, and many regional leaders—like Brazil, South Africa, or Australia—have passed many competition laws as well. In other words, the rules in these countries have continued to evolve after the initial diffusion of competition law into their borders.

**Figure A4: Distribution of Provisions Included in Initial Competition Law**

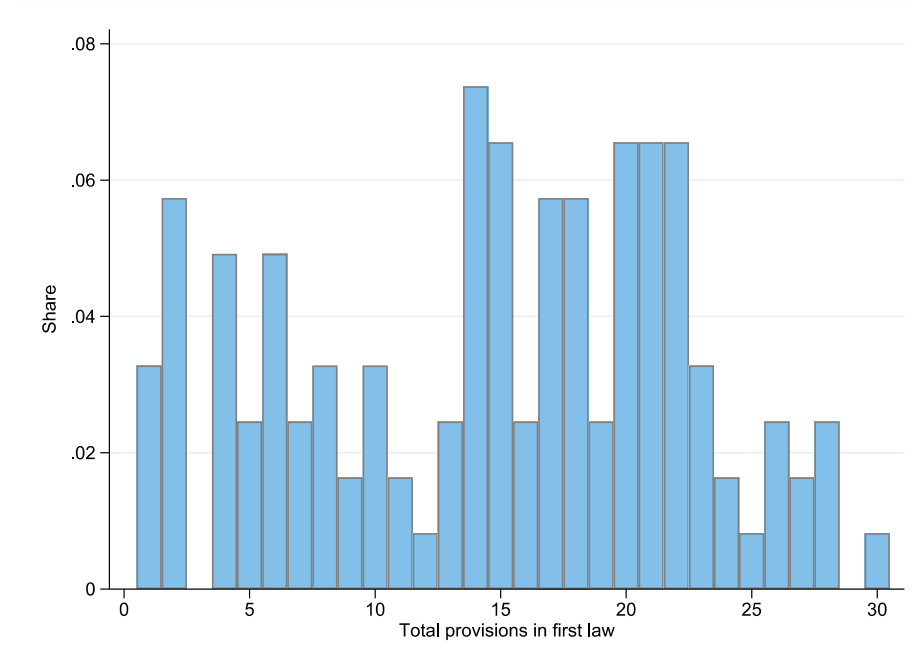


Figure A4 graphs the distribution of the number of core provisions included in the first competition law that countries passed. In some cases, countries’ initial competition laws were limited to the regulation of a few kinds of conduct. For instance, the United States’ first competition law, the Sherman Antitrust Act of 1890, was less than 2 pages long. It only included 4 of the 36 provisions. On the other end of the spectrum, the first competition law that Romania passed included 30 of the 36 core provisions. The median country included 15 provisions in their initial competition law.

Figure A5: Map of Number of Provisions Coded in Countries Initial Competition Laws

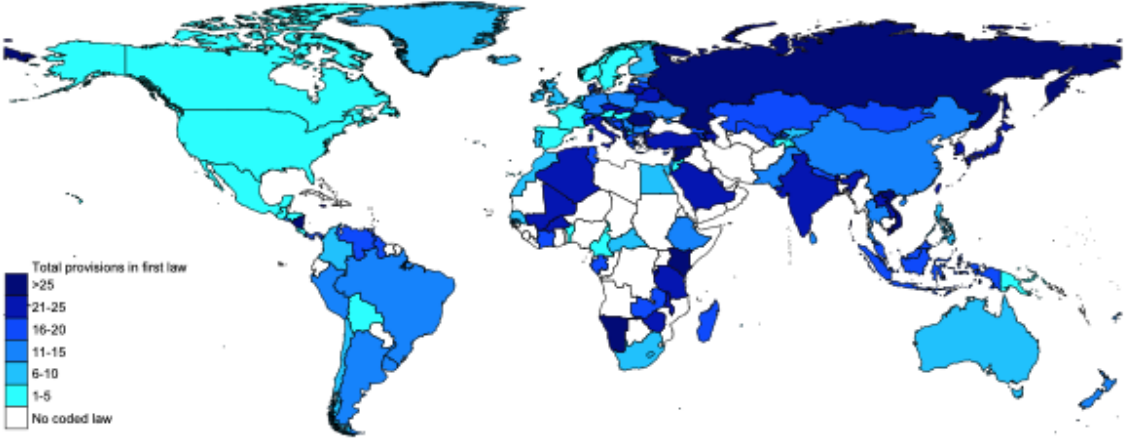


Figure A5 maps countries by the number of provisions included in their first competition laws. As the map shows, many of the first adopters of competition policy—including the major economies of North American and Western Europe—adopted laws with relatively few of these provisions. Many later adopters, like China, passed initial laws that covered many of these core topics.

**Figure A6: Changes in The Provisions of Countries Competition Laws**

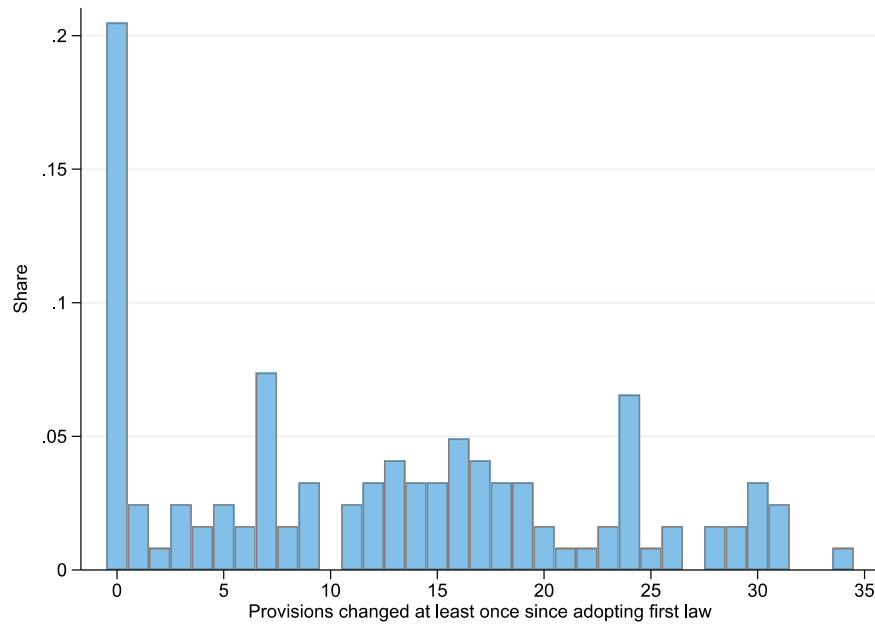


Figure A6 shows the distribution of the number of the 36 core provisions where countries' coding changed after initial adoption. The figure reveals that over 20 percent of countries have changed 0 of these core provisions in their competition law. This number is notably greater than the 12 percent of countries that Figure 2 revealed to have passed only one competition law. The discrepancy is because countries may adopt additional competition laws after their initial statute, but not add or subtract any of these core provisions to their competition regime.

**Figure A7: Average Correlation with the EU Over Time**

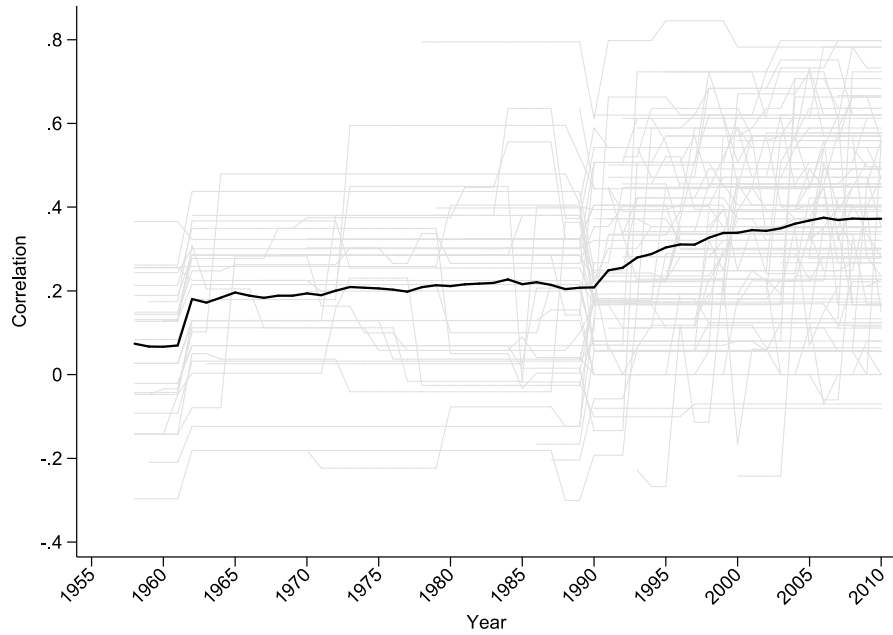


Figure A7 graphs the correlations between legal rules in individual countries and the legal rules in the EU over time. The thin gray lines each depict the evolution of an individual country's correlation with the EU, and the thick black line depicts the average for all countries' correlations to the EU in a given year. As Figure 5 shows, there is a great deal of heterogeneity in the patterns that countries have followed. Some countries always had high correlations with the EU, some countries always had low correlations, and some countries either moved further away or closer to the EU's policies during this frame. But, on average, countries have moved closer to the EU. The average correlation to the EU was 0.07 in 1960, this grew to 0.21 in 1990, and to 0.37 in 2010.

### Appendix III. Complete Regression Results

*Appendix III Overview:* The below tables provide the complete results for the specifications reported in Table 1, Panel A of Table 2, Panel B of Table 2, and Panel C of Table 2.

**Table A3: Complete Regression Results for Table 1**

	(1)	(2)	(3)	(4)	(5)
Log GDP (standardized)	0.017*	0.028**	0.019*	0.024**	0.041**
	(0.009)	(0.013)	(0.010)	(0.011)	(0.017)
Log Distance (standardized)	-0.047***	-0.044***	-0.050***	-0.045***	-0.046***
	(0.013)	(0.013)	(0.013)	(0.013)	(0.013)
Initial Antitrust Agreement	-0.516***	-0.524***	-0.537***	-0.540***	-0.574***
	(0.078)	(0.078)	(0.083)	(0.080)	(0.083)
Area (ln)		-0.007			-0.004
		(0.005)			(0.006)
Population (ln)		-0.003			-0.006
		(0.010)			(0.010)
Polity Score			0.002		0.003*
			(0.001)		(0.001)
Regime Durability			-0.000		-0.000
			(0.000)		(0.000)
Number of Antitrust Laws				0.001	0.001*
				(0.000)	(0.000)
Year of First Antitrust Law				0.002	0.001
				(0.003)	(0.003)
Constant	0.343***	0.432***	0.353***	-0.962	-1.059
	(0.051)	(0.076)	(0.055)	(0.807)	(0.910)
Observations	87	87	87	87	87
R-squared	0.387	0.411	0.404	0.408	0.455

**Notes.** This reports the results of five OLS regressions. The dependent variable is the Change in Antitrust Agreement with the EU from the first year each country adopted an antitrust regime until 2010. Standard errors are in parentheses. The coefficients for the constant and the control variables are omitted. Observations from countries that have missing values or that are members of the EU are excluded. \*\*\* p<0.01, \*\* p<0.05, \* p<0.1

**Table A4: Complete Regression Results for Table 2, Panel A**

	(1)	(2)	(3)	(4)	(5)
Log GDP (standardized)	0.016*	0.023*	0.019**	0.018	0.034**
	(0.008)	(0.012)	(0.010)	(0.011)	(0.017)
Log Distance (standardized)	-0.042***	-0.040***	-0.045***	-0.041***	-0.043***
	(0.012)	(0.013)	(0.013)	(0.013)	(0.013)
Initial Antitrust Agreement	-0.473***	-0.486***	-0.494***	-0.454***	-0.502***
	(0.073)	(0.074)	(0.076)	(0.083)	(0.087)
Area (ln)		-0.005			-0.006
		(0.005)			(0.005)
Population (ln)		-0.001			-0.004
		(0.009)			(0.010)
Polity Score			0.002		0.002
			(0.001)		(0.001)
Regime Durability			-0.000		-0.000
			(0.000)		(0.000)
Number of Antitrust Laws				-0.000	-0.000
				(0.000)	(0.000)
Year of First Antitrust Law				-0.003	-0.003
				(0.003)	(0.003)
Constant	0.322***	0.386***	0.333***	0.887	0.909
	(0.047)	(0.075)	(0.049)	(0.841)	(0.953)
Observations	87	87	87	87	87
R-squared	0.367	0.378	0.390	0.373	0.410

**Notes.** This reports the results of five OLS regressions. The dependent variable is the Change in Antitrust Agreement with the EU from 1990 (or first year each country adopted an antitrust regime if later than 1990) until 2010. Standard errors are in parentheses. The coefficients for the constant and the control variables are omitted. Observations from countries that have missing values or that are members of the EU are excluded. \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$

**Table A4: Complete Regression Results for Table 2, Panel B**

	(1)	(2)	(3)	(4)	(5)
Log GDP (standardized)	0.045** (0.019)	0.091*** (0.032)	0.044** (0.021)	0.041* (0.024)	0.102** (0.041)
Log Distance (standardized)	-0.063*** (0.014)	-0.057*** (0.014)	-0.066*** (0.014)	-0.063*** (0.014)	-0.061*** (0.015)
Initial Antitrust Agreement	-0.611*** (0.071)	-0.615*** (0.070)	-0.612*** (0.076)	-0.614*** (0.077)	-0.652*** (0.080)
Area (ln)		-0.008 (0.011)			-0.006 (0.011)
Population (ln)		-0.025 (0.021)			-0.027 (0.023)
Polity Score			0.004* (0.002)		0.005* (0.003)
Regime Durability			-0.000 (0.001)		-0.000 (0.001)
Number of Antitrust Laws				0.000 (0.001)	0.001 (0.001)
Year of First Antitrust Law				0.005 (0.007)	0.002 (0.007)
Constant	0.183*** (0.024)	0.333*** (0.113)	0.168*** (0.030)	-0.677 (1.676)	-1.085 (1.880)
Observations	87	87	87	87	87
R-squared	0.515	0.538	0.533	0.518	0.559

**Notes.** This reports the results of five OLS regressions. The dependent variable is the Change in Antitrust Agreement with the EU from the first year each country adopted an antitrust regime until 2010. Standard errors are in parentheses. The coefficients for the constant and the control variables are omitted. Observations from countries that have missing values or that are members of the EU are excluded. \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$

**Table A4: Complete Regression Results for Table 2, Panel C**

	(1)	(2)	(3)	(4)	(5)
Log GDP (standardized)	0.019*	0.030**	0.031***	0.034**	0.063***
	(0.010)	(0.015)	(0.012)	(0.013)	(0.019)
Log Distance (standardized)	-0.061***	-0.058***	-0.065***	-0.056***	-0.057***
	(0.015)	(0.015)	(0.015)	(0.015)	(0.015)
Area (ln)		-0.010			-0.005
		(0.006)			(0.006)
Population (ln)		-0.001			-0.012
		(0.011)			(0.012)
Polity Score			0.002		0.003*
			(0.001)		(0.002)
Regime Durability			-0.001**		-0.001**
			(0.000)		(0.000)
Number of Antitrust Laws				0.001**	0.001*
				(0.000)	(0.001)
Year of First Antitrust Law				0.001	0.000
				(0.004)	(0.004)
Constant	0.648***	0.756***	0.650***	-1.286	-1.139
	(0.015)	(0.066)	(0.015)	(0.950)	(1.047)
Observations	87	87	87	87	87
R-squared	0.183	0.214	0.247	0.237	0.332

**Notes.** This reports the results of five OLS regressions. The dependent variable is the Antitrust Agreement with the EU in 2010. Standard errors are in parentheses. The coefficients for the constant and the control variables are omitted. Observations from countries that have missing values or that are members of the EU are excluded. \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$

## Appendix IV. Complete Colombia Case Study

*Appendix IV Overview:* This appendix provides the complete text of our Colombia case study, which was only excerpted in the body of the manuscript to economize on space.

Although Colombia had earlier statutes that prohibit concentrations in the banking sector (Law 19 of 1936) and a never-enforced competition law under the Rojas Pinilla dictatorship (Decree 2061 of 1955; Gutiérrez and Palacios 2015), its first modern antitrust law was adopted in 1959. The substance of this antitrust law—Law 155 of 1959—was quite distinct from contemporary EU rules, in large part because it resembled the US antitrust model. For instance, Colombia’s 1959 law included US-inspired provisions that would later be adopted by the EU, such as mandatory merger notification (Bradford et al. 2019).

In 1959, US influence on Colombia’s economic policy was strong, but contested. From the 1940s through the 1980s, import-substitution industrialization wielded influence in Colombia and other Latin American countries (Sikkink 1997). Articulated by Raúl Prebisch and promoted through the UN Economic Commission for Latin America (ECLA/CEPAL), import-substitution industrialization theories emphasized the importance of centralized planning to combat center-periphery inequalities (Waterbury 1999; Sikkink 1997). The Minister who proposed the 1959 antitrust law to Parliament, Hernando Agudelo Villa, argued that Colombia should make maximal efforts to develop agricultural and industrial products internally, that duties and import restrictions were not enough for this purpose, and that the antitrust law was necessary to control abuses from companies that control key products (Parliamentary Debate Transcript 1959, 474–75).

In the 1980s and 1990s, in accordance with economic policies promoted by Western states, ECLA/CEPAL underwent a paradigm shift, moving from a focus on import substitution industrialization to international competitiveness (Sikkink 1997, 229). In 1991, following peace accords with guerilla groups, Colombia adopted a new Constitution, which introduced decentralization and more robust mechanisms for the protection of individual rights. A diverse group of drafters, which included union members and Liberal party delegates, included antitrust rules in this new constitution. Antitrust principles were introduced in the 1991 Constitution’s article 333 and in the associated report, “Economic regime, freedom of entrepreneurship, economic competition, monopolies and state intervention” (Constitutional Report 1991). The

motivational statement for this new antitrust regime expressed ideas promoted by the EU, and established that henceforth what would be problematic was not a monopoly per se, but the abuse of a dominant position (Constitutional Report 1991, 18).

Decree 2153 of 1992 implemented this constitutional provision and made major modifications to Colombia's 1959 law. It consolidated antitrust implementation in a single agency, the Superintendence of Industry and Commerce. This decree was based on the recommendations of a commission of experts, led by R. Shyam Khemani of the World Bank (Miranda Londoño 2011, 98, 124). Developed with strong international organization templates, it is unsurprising that the 1992 law brought Colombia closer to contemporary international models. The 1992 law specifically resembles EU laws not only in introducing the general logic of abuse of dominance, but also in key definitions. For example, following developments in the EU and the US, its article 45 defines agreements to include explicit coordination, in the form of contracts, and tacit coordination, in the form of parallel conduct (Decree 2153 of 1992, Art. 45). The law also resembled EU law through a non-exhaustive list of the types of agreements that operate in restraint of trade, such as output restraints, market-sharing, and tying (Decree 2153 of 1992, Art. 50). At the same time, this 1992 law also had key influences from US merger control rules, which would be soon also adopted by the EU (Miranda Londoño 2011, 124; own coding). For example, the 1992 Colombian law included a US-inspired efficiency defense (Decree 2153 of 1992, Art. 51). These major changes in substantive antitrust law, and the centralization of enforcement generated controversy and litigation; many provisions have been found constitutional, but on other challenges, litigation is ongoing. For example, a 2018 decision of the Colombian Constitutional Court redirects a particular challenge to the State Council (Constitutional Court 2018). Repeated legal challenges are also consistent with observations from prominent observers that, unlike its 1959 precursor, the 1992 law was actively applied (Parliamentary Debate Transcript 2007, 3–4).

The next major reform of Colombia's antitrust law was passed in 2009. It was originally proposed by Senator Ashton of the liberal party, and then amended and adopted by the Uribe government. As Senator Ashton explained, the first goal of this new law was to further centralize enforcement powers in a single agency, and to increase financial and human resources in order to allow Colombian authorities to follow international antitrust advances. (This is a point emphasized by the main force behind the 2009 reform, Senator Ashton: "Crear una autoridad única de competencia en materia represiva puede producir varios resultados deseables. En primer lugar

permitirá fortalecerla con recursos técnicos y humanos. Ello le permitirá asimilar los enormes avances que se producen internacionalmente en este campo.” Parliamentary Debate Transcript 2007, p. 4.) The law’s second goal was to increase sanction amounts. In arguing for higher sanctions, Ashton emphasized the EU’s rule that sanctions could reach 10% of a firm’s turnover (Parliamentary Debate Transcript 2007, 5). Other goals of the bill were improving effectiveness by extending the statute of limitations and encouraging firms to reveal anti-competitive behavior by introducing a leniency program. At the same time, not every amendment strengthened antitrust enforcement—critically, similar to the EU’s agricultural exemption, agriculture was exempt from many of the law’s provisions (Law 1340 of 2009, Art. 5). The 2009 law also updated the merger control regime to closely resemble the EU’s regime, by including subjective and objective criteria and a 20% minimum market share requirement (Law 1340 of 2009, Art. 9). In debating this provision, Representative Borjas compared and contrasted the US and EU merger control regimes, and explained why Colombia should follow the EU template and establish a specific minimum market-share requirement (Parliamentary Debate Transcript 2009, 10).

As this history shows, the influence of EU antitrust policy in Colombia increased over time. Colombia’s 1959 law reflected US influence. The 1992 decree included many EU-inspired elements (including definitions, lists of prohibited agreements, and abuse of dominance prohibitions) and important US-inspired elements (notably merger control). But by the 2009 reforms, the changes to Colombia’s antitrust law were heavily inspired by the EU. Additionally, new reforms that closely follow OECD recommendations were initiated in 2015. These ongoing reform efforts suggest that continued convergence to global paradigms is highly likely in Colombia. In other words, Colombia is a middle-income economy and is geographically distant from the European Union; but despite far more direct US pressure, it ended up continuing to converge to the EU antitrust model.

## Appendix V. Complete Case Study Citations

*Appendix V Overview:* This appendix provides a more complete set of citations for the legislative debates for the three case studies.

### Citations to Russian Parliamentary Debates

*The State Duma.* 1994. Transcript of Session 22 December 1994. Retrieved from <http://transcript.duma.gov.ru/node/3113/> [Translation from Russian].

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*The State Duma.* 2009. Transcript of Meeting February, 20 2009. No 75(1048). Retrieved from <http://transcript.duma.gov.ru/node/390/> [Translation from Russian].

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*The State Duma.* 2011. Transcript of Meeting January 26, 2011. Retrieved from <http://transcript.duma.gov.ru/node/3370/> [Translation from Russian].

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*The State Duma.* 2014. Transcript of Meeting October 22, 2014. Retrieved from <http://transcript.duma.gov.ru/node/4160/> [Translation from Russian].

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Parliamentary Debate Transcript. 2007. *Gaceta del Congreso*. No. 583, Noviembre 15, 2007:1–6.

Parliamentary Debate Transcript. 2009. *Gaceta del Congreso*. No. 159, Marzo 25, 2009:7–12.

## Citations to Australian Legislation

- House of Representatives Hansard*. Various Years. Please See Appendix for a full text of relevant laws.  
1906. Australian Industries Preservation Bill, Second Reading Speech, Sir William Lyne, Minister of Trade and Customs, Thursday 14 June 1906: 249.
- House of Representatives Hansard*. 1906. Australian Industries Preservation Bill, Second Reading Debate, Mr. Isaac Isaacs, Tuesday 19 June 1906: 377–378.
- House of Representatives Hansard*. 1965. Trade Practices Bill 1965, Second Reading Speech, Mr. Billy Snedden, Attorney-General, Wednesday 19 May 1965: 1656.
- House of Representatives Hansard*. 1965. Trade Practices Bill 1965, Second Reading Debate, Wednesday 19 May 1965: 1656 and Thursday 25 November 1965: 3225–3232.
- House of Representatives Hansard*. 1974. Trade Practices Bill 1974, Second Reading Speech, Mr. Kep Enderby, Tuesday 16 July 1974: 226, 229–230
- House of Representatives Hansard*. 1974. Trade Practices Bill 1974, Second Reading debate, Wednesday 24 July 1974: 568–570.
- House of Representatives Hansard*. 1992. Trade Practices Legislation Amendment Bill 1992, Second Reading debate, Thursday 12 November 1992: 3295.
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