

# Swedish High Court (SeHC) Database

## Data Description and Code Book

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# 1. General presentation

## 1.1. Introduction

The database contains data on the Swedish high courts, more specifically the Supreme Court (“Högsta domstolen” or “HD”) and the Supreme Administrative Court (“Högsta förvaltningsdomstolen”, previously “Regeringsrätten”, or “HFD”). It contains data on both the judgments of the Supreme Court (presented for example in *cases*, *opinions*), as well as on the individual Justices that have served on the Supreme Court and the Supreme Administrative Court (presented in the table *appointments*).

The database has been collected as part of a research project involving researchers at the Department of Law at Umeå University and the Department of Political Science at Gothenburg University. The creation of the database was made possible with the financial support of the Swedish Research Council (project number 2018–1383). We also want to express our gratitude to our research assistants at Umeå University for their invaluable help in compiling the data: Erik Engman Jonsson, Thomasine Francke Rydén, Angelica Kullström, Carl Lexenberg, Malin Thorneman, and Juni Wikman.

If you have any questions regarding the data, the coding process, or commercial use of the data, please contact Johan Lindholm ([johan.lindholm@umu.se](mailto:johan.lindholm@umu.se)).

## 1.2. Accessing and using the data

All release versions of the database are available on GitHub (<https://github.com/jojolindholm/sehc>) and Zenodo (<https://zenodo.org/account/settings/github/repository/jojolindholm/sehc>). The database is also incorporated in our package for R, *sehc* (for now install through GitHub, CRAN forthcoming), which also contains functions for manipulating the data.

The data is free to use for research and non-commercial use. However, we ask that all who uses the data to cite it clearly. We suggest the following citation format:

Johan Lindholm, Mattias Derlén, and Daniel Naurin. [release year]. *Swedish High Court Database* (version [version number], [release date]). DOI: [doi number].

## 1.3. Sources, structure, and content

The data on judgments contains information on cases that reached the Supreme Court and that resulted in a final judgment (in other words, no decisions) that the court selected for publication as precedent in the NJA series. The examined judgments were collected from Swedish National Court Administration’s (“Domstolsverket”) open database, *Vägledande avgöranden*.<sup>4</sup>

This data has been split up and stored in four tables. Information that pertains to the entire case, such as case identifiers and information about the parties, is stored in the table called *cases* (see below Sec. 2). Information about the judges and clerks involved in the judgement, their grouping (for example majority, minority, and concurring), intent deference and interest affected by the precedent is stored in the table called *opinions* (see below Sec. 3). Information about claims and claim outcome is stored in the table called *opinions\_on\_claims* (see below Sec. 4). Information about which legal and other sources were used in the judgement is stored in the table called *reference* (see below Sec. 5) Finally, information about the individual justices who have served in the high courts is stored in the table called *appointments* (see below Sec. 6).

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<sup>4</sup> <https://rattsinfosok.domstol.se/lagrummet/>.

The data contains information that has been ascertained in different manners and for each variable the source of the information is indicated below using the following values:

<i>value</i>	<i>description</i>	<i>use</i>
<i>scraped</i>	Information that was automatically extracted from the judgment data provided by Swedish Courts and not subject to manual confirmation.	Structured meta data as well as information in the judgment text that is structured in such a way that it can be extracted using regular expressions with a high degree of reliability.
<i>confirmed</i>	Information that was automatically extracted but manually confirmed by the hand coder.	Information that is capable of being subject to automatic extraction but where we were uncertain about the precision and reliability of the extraction process.
<i>handcoded</i>	Hand-coded information.	Information that was only accessible to a human coder because there was no way of automatically extracting it in a reliable manner, or because coding required a judgment call, typically one that requires legal knowledge.
<i>generated</i>	Information that was generated.	Sometimes variables that were generated based on other variables, but also e.g. automatic assignment of unique identifiers.

## 1.4. Reliability

To ensure data reliability, two test coding sessions were conducted. In the first session, conducted in April 2020, 19 Supreme Court judgments in criminal and civil cases issued between 1991 and 2016 were randomly selected and all were coded by each of the three had coders. This revealed some problems with intercoder reliability for certain variables that were caused by either errors in the automatic text analysis, unclear or ambiguous coding instructions, or a combination of these two. In response to the results of the first session the coding scheme, the automatic text analysis and the coder interface were adjusted.

A second test coding session was conducted in August 2020. In this session 61 judgments issued between 1981 and 2016 were randomly selected and each judgment was coded by two randomly-selected hand coders. This confirmed a generally high level of intercoder reliability, but also some lingering concerns. Some of these concerns could be addressed through minor adjustments to the coding scheme.

Below we report the results of this process where relevant. As the primary measure of reliability, we use the mean intersect in percent between the test coders' input. For variables where the coders' set of values can differ in size, this measure is based on the smaller set.

## 2. cases

The *cases* dataset contains one observation per case and variables that describe the case and are the same across all courts. It includes for example information on the subject matter of the case (Sec. 2.3) as well as information about the parties (applicant and respondent) (Sec. 2.4), case identifiers such as case number, and decision date.

### 2.1. Identifiers

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>case_num</b>	str	deciding high court's case number	"T4816-12"	scraped

*Description:* When a lower court's judgment is appealed to a high court it is assigned a unique, internal case number based on the year it arrived at the court and the order in which it arrived. For the Supreme Court, the case is also assigned a letter which signify and correlate to the case's type (see also *court\_provided\_class*). After the Supreme Court has reached a verdict and the judgment is officially published, the case is assigned a publication identifier (see *publication\_num*). But until then, this case number (*case\_num*) is the main identifier and is used, for example, by courts when referring to not-yet-published judgments.

*Note:* The same case with the same internal case number may exceptionally (circa once per three years) give rise to multiple Supreme Court judgments. This can be the case when, for example, the Court requests a preliminary reference from the CJEU. For example, case B 712-03 resulted in three published judgements: NJA 2004 s. 137, NJA 2005 s. 595, and NJA 2007 s. 941. To ensure that each judgment has a unique internal case number identifier in these instances we pad the case number. For example, the three separate Supreme Court judgments originating from case B 712-03 is padded as such: B 7121-03, B 7122-03, and B 7123-03. This is a reason for using *publication\_num* rather than *case\_num* for matching this data to other sources.

*Reliability:* Very high, scraped without any problem.

<i>name</i>	<i>Type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>publication_num</b>	str	publication identifier	"NJA 2016 s. 288"	scraped

*Description:* A few months after they are delivered, the high courts' judgments are published in authoritative publications, which for the Supreme Court is NJA ("Nytt Juridisk Arkiv"). The year and first page in these publications constitute the identifier commonly used for citing a decision, including by courts. This is the identifier that users most likely will want to use for matching this data to other sources.

*Reliability:* Very high, scraped without any problem.

## 2.2. Procedural history

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>decision_date</b>	date	date of the high court's judgment	"2016-12-31"	scraped

*Description:* The date of the high court's judgment in the format YYYY-MM-DD.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>combined_publication</b>	int	a dummy variable on whether the publication includes multiple decisions	"0"	generated

*Description:* Normally every decision in a case (see above *case\_num*) is published by itself (see above *publ\_num*). However, in a small number of cases (ca 2%), two or more decisions in cases concerning the same or similar legal issues are published together (e.g. NJA 1999 s. 199 I, II, and III). This variable indicates whether an observation belongs to this latter category. Where this is so, cases can if necessary be split using information in the opinions dataset.

## 2.3. Subject matter

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>court_provided_header</b>	str	a short description of the case and/or the main precedential question, provided by the high court in question	"Fråga huruvida preskription avbrutits avseende skadeståndsanspråk mot landsting på grund av behandlingsskada"	scraped

*Description:* This variable contains a short description of the case and/or the main precedential question. It is written and provided by the high court in question.

*Reliability:* Reliably scraped from the court-provided data. The court-provided text does however vary significantly in nature and extent.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>court_provided_keywords</b>	str	unstructured keywords, provided by the high court in question	"Preskription,Skadestånd,Patientförsäkring,Behandlingsskada"	scraped

*Description:* This variable contains unstructured keywords provided by the high court, the keywords relate to the subject matter of the case.

*Reliability:* Reliably scraped from the court-provided data. However, the data varies wildly with regard to what extent and what keywords were used and we advise strong caution.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>court_provided_class</b>	str	procedural classification	“T”	scraped

*Description:* When a case is initiated in a Swedish court, it is assigned a court-internal case identifier (see above *case\_num*) that includes a letter that describes the applicable type of procedure. These procedures correlate with legal areas, albeit on a very general level, and thus provides a rough description of the affected legal area.

*Reliability:* Very high, scraped with no concerns.

<i>value</i>	<i>description</i>
<i>T</i>	A civil case (“tvistemål”).
<i>B</i>	A criminal case (“brottmål”).
<i>P</i>	Land planning cases (“Mål enligt plan- och bygglagen (2010:900)”).
<i>Ö</i>	Other classes of cases under the jurisdiction of the general courts (“övrigt”).

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>legal_area</b>	int	most affected areas of law	“10”	handcoded

*Description:* This variable seeks to capture the legal area or areas, using the traditional categorization under domestic law, that were most affected by thM high court’s judgment. Since the variable seeks to capture the impact of the high court’s judgment, coders were asked to focus on the issue before the high court and what legal areas it relates to. If the issue before the high court differs from the issues and areas addressed by the lower courts, the coders were asked to only code for the legal areas affected by the high court’s judgment. This may for example be the case if the high court only granted partial leave on a particular point, or if the high court’s judgment only related to certain procedural issues in the case.

Coders were able to designate up to three legal areas that were affected by the judgment. If a case affects more than one legal area, coders were asked to rank the affected legal areas with the most affected area first and the least affected last.

*Reliability:* There is a relatively high level of intercoder reliability (90%), but during test coding the coders differed significantly with regard to the number of areas coded (mean N difference = 0.75). We also found that coders differed significantly on the order of areas when asked to rank them. In response, coders have been instructed to be generous, and to code more rather than fewer values.

<i>value</i>	<i>description</i>
0	No legal area affected.
1	General administrative law (“allmän förvaltningsrätt”) as a general category, excluding, for example, constitutional law, health care law, and education law.
2	Agriculture, hunting, and fishing (“jordbruk, jakt och fiske”).
3	Arbitration law (“skiljemannarätt”) and other forms of alternative dispute resolution (ADR), for example mediation.
4	Competition law, including bans on abuse of dominant position, anti-competitive cooperation/cartels/anti-trust, as well as state aid (“marknadsrätt”).
5	Constitutional law (“statsrätt/konstitutionell rätt”), including, for example, fundamental rights under both Swedish “grundlag” (RF, TF, YGL), The European Convention of Human Rights and EU law and the horizontal and vertical division (municipality-state-EU) of power.
6	Contract law (“allmän och särskild avtalsrätt samt sakrätt”), including sales (“köprätt”) and services, business-to-business as well as in consumer relations.
7	Corporate law (“associationsrätt”) including for example owner liability and shareholder actions.
8	Criminal law (“straffrätt”). This includes most obviously general criminal law (for example “BrB”) but also specific criminal law (for example the penal law on narcotics “narkotikastrafflagen”). However, it does not, as a general rule, include criminal sanction under other areas of law. For example, a case concerning criminal liability for tax fraud is coded as “tax law”, not “criminal law”.
9	Educational law (“utbildningsrätt”).
10	Enforcement, insolvency, and bankruptcy law (“utsöknings- och insolvensrätt”, “skuldsanering”).
11	Environmental law (“miljörätt”).
12	Family law (“familjerätt”), including, for example, divorce (status and property division), wills and estates, custody, and child support.
13	Healthcare law (“hälso- och sjukvårdsrätt”).
14	Intellectual property law (“immaterialrätt”), including, for example, copyright, patent, and trademark law.



<i>value</i>	<i>description</i>
15	Labor law (“arbetsrätt”), including, for example, private employment relations, trade union relations, and public regulation of work conditions (vacation, work time, workplace safety etc.).
16	Migration law (“medborgarskaps- och utlänningsrätt”).
17	Municipal law (“kommunalrätt”) including, for example, the limits of municipal power.
18	Procedural law (“processrätt”) including civil, criminal, and administrative procedure, but excluding the special category of arbitration law and ADR.
19	Property law (“fastighetsrätt”) including, for example, purchase and failures of real property, rental relations, and permission to construct buildings.
20	Public procurement law (“offentlig upphandling”).
21	Social welfare, benefit, and security law (“socialrätt”).
22	Tax law (“skatterätt”), including, for example, corporate taxes, private taxes, VAT (“moms”), as well as custom duties. Also including issues of criminal liability, if the criminal issue is tax-related, for example tax-fraud.
23	Tort and insurance law (“skadeståndsrätt”, “ersättningsrätt”, ”försäkringsrätt”).
24	Transportation law (“transport- och kommunikationsrätt”).

## 2.4. Party information

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>applicant_names</b>	str	name of applicant(s)	“N.N.”	confirmed

*Description:* Name of the applicant or applicants (then comma separated) in the first instance.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>applicant_class</b>	str	type of applicant(s)	“Px,Cx”	confirmed

*Description:* The variable seeks to classify, with the highest possible degree of detail, information about the types of applicant or applicants. The variable can for example be used to identify if certain classes of litigants bring certain types of cases or are successful. The applicant classes are intended to incorporate possible relevant distinctions between public and private entities, for-profit and non-profit legal entities, and gender identity.

*Reliability:* Intercoder reliability is relatively high (91% for applicant class and 86% for respondent class) on the higher level of coding (higher level pertains to the overarching value-variable, for example *Ox*, *Cx*, *Px*) and would have been near perfect but for missing information. The issue of missing information relates especially to the specified value-variable lower level of coding for private parties (for example *Pm*, *Pw* as compared to *Px*). Lower-level coding for other litigant classes does not suffer from similar concerns as the lower-level coding for *Px*. The issue of missing information for private parties is due to the fact that the courts largely refer to the private parties by their initials (for example N.N.) throughout its judgment, not mentioning pronouns. Also, it should be noted that there may be reason to be cautious regarding the value *Pq*, especially as it relates to transgender persons. The reason being that there will often be no way to discern whether a person referred to by a certain pronoun by the courts is cis- or transgender. Hence, it is likely that persons who were assigned another gender at birth will have been coded as the gender they identify with rather than *Pq*. However, in certain types of cases this may be evident from other circumstances, for example in cases concerning discrimination or hate crime on the basis of the applicants' gender identity.

*Values:* Coders were instructed to apply the most specific value possible but in cases of ambiguity or uncertainty they are instructed to opt for a more general value, for example *Ox* rather than *Oa* and *Px* rather than *Pm*.

<i>value</i>	<i>description</i>
<i>Ox</i>	A Swedish government entity of unknown type or level. This category does not include government-owned corporations.
<i>Os</i>	The State of Sweden. In practice, this will be the State of Sweden represented by the Chancellor of Justice ("Justitiekanslern").
<i>Oa</i>	A Swedish national government agency ("myndighet"). This includes, for example, the Tax Agency ("Skattemyndigheten"), the prosecutor's office ("Åklagarmyndigheten"), and universities. This value applies in particular to criminal proceedings where the applicant is normally the prosecutor's office. This value also includes private entities if their involvement in the case concerns them exercising an agency function ("myndighetsuppgift") and thus act as a government agency. This may include, for example, the Swedish Bar Association ("Advokatsamfundet") and the Swedish Sports Confederation ("Riksdrottsförbundet").
<i>Om</i>	A municipality ("kommun") or county ("region"). This also includes sub-municipality and sub-county entities, such as a municipal committee ("kommunalnämnd"). However, it does not include corporations owned by municipalities or counties which are coded as <i>C*</i> .
<i>Of</i>	A non-Swedish public entity. This includes both (i) foreign states, sub-state entities (for example a municipality), or agency and (ii) international organizations, institutions, or agencies under an international organization.
<i>Cx</i>	A corporation, a for-profit organization, or another type of for-profit legal entity of unknown geographic origin.
<i>Cs</i>	A Swedish corporation, for-profit organization, or other for-profit legal entity. This includes for example limited companies ("aktiebolag") and cooperative economic

<i>value</i>	<i>description</i>
	associations (“ekonomisk förening”). “Swedish” in this context means incorporated in Sweden, for example a Swedish “aktiebolag”, or a for-profit legal entity that clearly has its center of operation in Sweden, for example a corporation exclusively or primarily targeting the Swedish market but incorporated abroad, for example TV3.
<i>Cf</i>	A non-Swedish corporation, for-profit organization, or other for-profit legal entity. “Non-Swedish” in this context means <i>neither</i> incorporated in Sweden <i>nor</i> clearly having its center of operation in Sweden.
<i>Ex</i>	An economic interest organization, namely an organization that is not directly for-profit, but which serves the economic interests of its owners/members through, for example, coordination, lobbying and public relations. This includes, for example, trade unions (“fackföreningar”), trade organizations (“branschorganisationer”), and professional organizations (“professionsorganisationer”). Compare <i>I*</i> below. This category is used subsidiary to <i>C*</i> above.
<i>Es</i>	A Swedish economic interest organization. “Swedish” here means the economic interest organization is registered in Sweden or clearly has its center of operation in Sweden. This includes, for example, “Svenskt näringsliv” and “Svenska byggnadsarbetareförbundet”.
<i>Ef</i>	A non-Swedish economic interest organization. “Non-Swedish” here means neither registered in Sweden nor clearly has its center of operation in Sweden.
<i>Ix</i>	“True” non-profit organizations, namely a non-profit legal entity that does not serve an economic interest (compare <i>E*</i> above). This category is used for such entities of unknown geographic origin.
<i>Is</i>	A Swedish “true” non-profit organization (“ideell förening”), in other words not an economic interest organization. “Swedish” here means that it is registered in Sweden or that clearly has its center of operation in Sweden, for example a non-profit with its formal seat (“säte”) in Sweden. This includes, for example, “RFSU”, “Djurgården-Lilla Värtans Miljöskyddsförening”, and “Svenska jägareförbundet”.
<i>If</i>	A non-Swedish “true” non-profit organization. “Non-Swedish” here means that it is neither registered in Sweden nor clearly has its center of operation in Sweden. This includes, for example, Green Peace, Red Cross, and Amnesty International.
<i>Xx</i>	A legal entity of uncertain or mixed profit/non-profit interest of unknown geographic origin. This category is only used as a last resort when none of the other categories are applicable.
<i>Xs</i>	A Swedish legal entity that has an uncertain or mixed profit/non-profit interest. Regarding what for these purposes constitutes “Swedish”, see above under <i>Cs</i> and <i>Is</i> . Note that a limited company (“aktiebolag”) and cooperative association (“ekonomisk förening”) are presumed to be for-profit and non-profit organization (“ideell förening”) to be non-profit. An example of a Swedish legal entity of uncertain or mixed profit/non-profit interest is the form of association known as

<i>value</i>	<i>description</i>
	Sameby (Sámi herding community). It also includes legal entities under bankruptcy (“konkursbo”).
<i>Xf</i>	A non-Swedish legal entity that has an uncertain or mixed profit/non-profit interest for comparable purposes as <i>Xs</i> . Regarding what for these purposes constitutes “non-Swedish”, see above under <i>Cf</i> and <i>If</i> .
<i>Px</i>	A private person of unknown gender.
<i>Pm</i>	A male private person.
<i>Pw</i>	A female private person.
<i>Pq</i>	A private person that identifies as non-binary, non-cisgender, or transgender.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>respondent_names</b>	str	name of respondent(s)	“X AB”	confirmed

*Description:* See above *applicant\_names*.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>respondent_class</b>	str	type of applicant(s)	“Px,Cx”	confirmed

*Description:* See above *applicant\_class*.

*Reliability:* See above *applicant\_class*.

### 3. opinions

The *opinions* dataset contains one observation per opinion. The concept of an “opinion” here refers to a section of a judgment where an individual judge or a group of judges present(s) his/her/their view and reasoning on legal issues in the case before the court. An opinion can for example be a majority opinion, a minority opinion, or a concurring opinion (see *opinion\_class*). When several judges together issue an opinion, this means that they share a certain opinion or argument concerning the legal issue in a case before the court.

#### 3.1. Identifiers

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>opinion_id</b>	int	opinion identifier	“42”	generated

*Description:* A unique identifier for each opinion.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>case_num</b>	str	deciding high court’s case number	“T 4816-12”	scraped

*Description:* See above under *cases*, Sec. 2.1.

*Reliability:* Very high, scraped without any problem.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>start_paragraph_id</b>	int	first paragraph of opinion	“12”	scraped

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>stop_paragraph_id</b>	int	last paragraph of opinion	“24”	scraped

*Description:* *start\_paragraph\_id* and *stop\_paragraph\_id* are used to identify which paragraphs of the judgment text that belong to which opinion, for example which paragraphs correspond with the majority opinion in the case. These identifiers can be used to match data from the dataset *paragraphs* (not included in the public release, contact for access) to data in *opinions*.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>author_appointment_id</b>	str	author identifiers	“42”	generated

*Description:* Comma-separated identifiers of the high court Justices co-authoring the opinion in the form of *appointment\_id*. As described in Sec. 6.2, each appointment of a high court Justice have been assigned a unique identifier, *appointment\_id*. This identifier can be used to match data from

*appointments* to data in *opinions*. Values for this variable is only available for final instances (see *institution\_class*).

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>author_last_name</b>	str	names of the judges	“Lundius, Severin Blomstrand (ref), Håstad”	confirmed

*Description:* The surnames of the high court Justices co-authoring the opinion. This largely serves informational purposes and *appointment\_id* is superior for matching data from *appointments* to *opinions*. Values for this variable is only available for final instances (see *institution\_class*).

*Reliability:* Very high (94.4%).

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>ref_appointment_id</b>	str	referent identifier	“42”	generated

*Description:* In the high courts, one of the Justices partaking in the case will have been appointed the main responsibility for the case and present the other Justices with a suggested judgment on the matter before the court. The Justice who has been given this responsibility is referred to as the “referent”. This variable contains the *appointment\_id* of the high court Justice that served as the referent, if that person co-authored the opinion in question. This is additional to *author\_appointment\_id* and a high court Justice’s will hence appear both under *ref\_appointment\_id* and *author\_appointment\_id*. Values for this variable is only available for final instances (see *institution\_class*).

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>ref_last_name</b>	str	names of the judges acting as referent	“Blomstrand (ref)”	confirmed

*Description:* This variable identifies the surname of the high court Justice acting as referent (compare *author\_last\_name*). The referent is thus identified both by last name and a unique identifier (see *ref\_appointment\_id*). Values for this variable is only available for final instances (see *institution\_class*).

### 3.2. Opinion information

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>institution_name</b>	str	name of the court to which the opinion belongs	“Svea hovrätt”	confirmed

*Description:* This variable contains the name of the court (or more rarely a non-court institution) that the judge(s) issuing the opinion belong to.

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>institution_class</b>	str	hierarchical placement of the court to which the opinion belongs	“appellate”	confirmed

*Description:* This variable identifies the hierarchical placement of the court or other institution identified under *institution\_name*.

<i>value</i>	<i>description</i>
<i>first</i>	First instance, i.e. “tingsrätt” or “förvaltningsrätt”.
<i>appellate</i>	Appellate instance, i.e. “hovrätt” or “kammarrätt”.
<i>final</i>	Final instance, i.e. “Högsta domstolen” or “Högsta förvaltningsdomstolen”.
<i>other</i>	Any other actor than one of the Swedish court instances involved in the case, for example an opinion by a government agency or a preliminary ruling by the Court of Justice of the European Union.

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>opinion_class</b>	str	type of opinion	“majority”	confirmed

*Description:* Distinction can be made between five types of opinions: majority, concurring, minority, other, and in the high courts, clerk. Thus, this variable identifies what type(s) of opinion(s) were included in the judgement. In the case of the high courts this variable can be used to match *opinion\_class* with *author\_appointment\_id*, *author\_last\_name*, *ref\_appointment\_id*, and *ref\_last\_name*.

*Reliability:* Very high (99.3%).

<i>value</i>	<i>description</i>
<i>majority</i>	A judge or group of judges in an instance whose opinion constitutes the court’s binding judgment. A majority opinion may be a unanimous opinion, i.e. there is no specific value for opinion class for unanimous opinions. To determine whether a majority opinion constitutes a unanimous opinion, examine the variables <i>opinion_size</i> and <i>panel_size</i> . If <i>opinion_size</i> of a majority opinion is the same as <i>panel_size</i> , the court was unanimous.
<i>concurring</i>	A judge or group of judges who participated in the majority opinion but whose opinion contains additional, non-binding elements (“tillägg för egen del”).
<i>minority</i>	A judge or group of judges that disagreed, entirely or in part, with the majority and registered a dissenting opinion (“skiljaktig mening”).

*clerk* In the final instance, a clerk (“föredragande Justitiesekreterare”) is assigned to present the case and offers the Justices a proposed judgment (“betänkande”). This is not binding and not part of the court’s decision.

*other* This value is used when *institution\_class* is “other”.

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>opinion_size</b>	int	number of high court Justices who co-authored the opinion	“4”	confirmed

*Description:* This variable provides a count of the number of high court Justices who co-authored the opinion. Values for this variable is only available for final instances (see *institution\_class*).

<i>Name</i>	<i>type</i>	<i>Description</i>	<i>Example</i>	<i>source</i>
<b>panel_size</b>	int	number of high court Justices partaking in the judgment	“5”	confirmed

*Description:* This variable describes the total number of high court Justices partaking in the judgment. Values for this variable is only available for final instances (see *institution\_class*). This variable can be used together with the variable *opinion\_size* to calculate the relative size of the majority opinion.

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>adopt_clerk</b>	int	court adopted presenting clerk’s opinion as its own	“0”	handcoded

*Description:* In the high courts, the presenting clerk does not have a vote on the outcome. The clerk’s opinion is only advisory, and the court may follow the opinion entirely, partly, or not at all. Sometimes a judge or group of judges (in practice almost always unanimously) explicitly decides to adopt the clerk’s opinion in its entirety as its own without restating it. This dummy variable captures if a high court opinion adopts the clerk’s opinion as its own (1) or not (0).

Note that this is based on the presence of an explicitly statement in the opinion, not any sort of text analysis in order to ascertain whether the court adopted the clerks opinion in its entirety or not. In some (older) cases the clerk’s opinion is not reported and it is impossible to know to what extent final instance actors based their ruling on the clerk’s opinion, in these instances the value has been coded as “0”.

When a high court opinion adopts the clerk’s opinion in its entirety, its values for *intent\_deference*, *interest\_positively\_affected*, and *interest\_negatively\_affected* have been copied from the clerk’s opinion.

*Reliability:* Very high (97.4%).



### 3.3. Deference to legislative intent

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>intent_deference</b>	str	relevance of legislative intent for precedent (relative to other sources)	“20” or “21,22”	handcoded

*Description:* High court opinions’ holding, i.e. its answer to the precedential question, is a product of legal argumentation, including interpretation of legal sources. As developed below, the database primarily captures these factors on a paragraph-level (see further *reference* in Sec 5.2). However, what relevance high court opinions placed on legislative intent relative to other sources need to be considered as a whole (in other words, as an opinion-level variable). Legislative intent broadly refers to the correct interpretation of the law according to the legislator (in the abstract, general sense) as expressed in the legislative process.

The importance that courts attach to legislative intent when conducting legal interpretation is interesting for three reasons. First, it shows whether and to what extent legislative intent is considered as a source of law, which, in turn, depends on what guidance the legislator provides and what importance judges attach to that guidance. Thus, for example, a decrease in the relevance of legislative intent can indicate either the legislator providing less (relevant) guidance or judges placing less value on the legislator’s intent. Second, when courts find that legislative intent is at odds with other legal sources, how it resolves such conflicts reveal the importance of legislative intent, and by extension the importance of the legislator, relative to other legal sources and actors in legal interpretation. Third, to what extent courts base precedent on legislative intent can be indicative of the rule of courts vis-à-vis the legislator in legal norm-making.

This variable seeks to answer four questions: (i) In interpreting the law, did the opinion in the final instance find guidance in legislative intent? (ii) If so, did legislative intent support or run counter to the opinion in the final instance’s interpretation? (iii) And, did the opinion in the final instance find legislative intent consistent with other legal sources? (iv) If not, did the interpretation supported by legislative intent win out over those other sources?

*Values:* Like for many other variables, the coding was based on what the opinion in the final instance expressed, but this variable raises some special considerations. First, an opinion in the final instance that cites the preparatory works (see also *reference\_class* in Sec. 5.2) was coded as invoking legislative intent, even if it did not explicitly mention legislative intent. Second, judges use other sources and methods to deduce legislative intent, including from the language or organization of the legislation itself. Opinions in the final instance that explicitly relied on legislative intent deduced from legislation was coded as invoking legislative intent. By comparison, the opinions in the final instance just referring to a legislative act (as such) was not coded as invoking legislative intent.<sup>5</sup>

*Reliability:* Intercoder reliability in test coding was decent even for lower-level values (76.1%). Closer examination revealed that almost all coder disagreements concerned the distinction between *Implicit no intent* (12), *Explicit no intent* (13), and *Harmonious support* (14). We therefore encourage caution with respect to the lower-level values for *No conflict* (11-14), but are confident about the reliability of all higher-level values (10, 20, 30), as well as the lower-level values for *Intent deference* (21-29) and *Intent overrule* (31-39).

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<sup>5</sup> Even though one could and sometimes does say that clear and unambiguous statutory language is legislative intent.

<i>value</i>	<i>description</i>
0	Not applicable.
10	<i>No conflict</i> : This variable is only used when none of the more specific codes below were applicable.
11	<i>No intent</i> : The opinion in the final instance did not find a legislative intent. This means that no conflict between legislative intent and other sources was possible. This code will rarely be used as most applicable situation fall under the situations below, particularly 12.
12	<i>Implicit no intent</i> : The opinion in the final instance did not consider/mention legislative intent.
13	<i>Explicit no intent</i> : The opinion in the final instance explicitly stated that legislative intent provided no guidance on the proper interpretation.
14	<i>Harmonious support</i> : The opinion in the final instance (i) considered legislative intent, (ii) interpreted the law consistent with legislative intent, and (iii) did not find a conflict between legislative intent and other sources (if any were considered). This includes both when legislative intent was explicitly the sole or dominant reason for the interpretation as well as when the opinion in the final instance invoked legislative intent as one among multiple arguments supporting a particular interpretation.
20	<i>Intent deference</i> : The opinion in the final instance (i) considered legislative intent, (ii) interpreted the law consistent with legislative intent, and (iii) in conflict with and over the interpretation that follow from another source. This variable is only used if it was unclear what that other source was – which should be rare – and instead replaced with a value for the overruled source type (using comma-separated values if multiple apply):
21	Swedish constitution (“grundlag”).
22	General legal principle (for example principle of legality).
23	Swedish statutory language.
24	The European Convention of Human Rights, as such without case law.
25	Primary EU law (for example EU Treaty, TFEU or the Charter), as such without case law.
26	Secondary EU law (for example Regulation or Directive), as such without case law.
27	The European Convention of Human Rights as interpreted by the ECtHR.
28	Primary EU law (for example the EU Treaty, TFEU or the Charter) as interpreted by the CJEU.

<i>value</i>	<i>description</i>
29	Secondary EU law (for example Regulation or Directive) as interpreted by the CJEU.
30	<i>Intent overruled:</i> The opinion in the final instance (i) considered legislative intent and (ii) interpreted the law contrary to legislative intent. The type(s) of sources that the actor relied on over legislative intent should be indicated using similar values as above (21–29 replaced by 31–39). The high-level value of 30 is only used if none of those applied or if it was unclear whether the interpretation was based on another legal source.
31, 32...	

### 3.4. Interest affected by precedent

*Introduction:* When it comes to high courts, the most important outcome is the consequences of the judgment as precedent (“prejudikat”). As a precedent, the judgment serves as a model for the interpretation and application of law by other courts, agencies etc. in future, similar cases. This type of long-term impact is distinct from the short-term outcome in terms of relief given to the litigants in the individual dispute (“domslut”) (see Sec. 4).

What is of importance when considering the effect of the precedent is rather what interests may benefit from or be harmed by the holding, i.e. the authoritative interpretation on the question of precedent (“prejudikatfrågan”). Law strikes a balance between different societal interests that high court judgments are capable of shifting.<sup>6</sup> These variables capture both which legally-protected interests were affected by the opinion’s holding and whether these interests were affected positively or negatively.

Coders have considered positively and negatively affected interests independently of each other. This means, *inter alia*, that the coding was not limited to any opposing-interest dichotomies. There may be a different number of positively and negatively affected interests, and the same interest may be both positively and negatively affected by the same opinion. Moreover, for each of the two variables coders could choose any number of interests (which are then comma-separated without any internal order), including none. Thus, it is possible that an opinion only affects interests positively or negatively or affects no interests at all. A common example of the last situation are holdings on procedural issues. Unlike the short-term outcome in the particular dispute (see below Sec. 4.3), the impact of the precedent is only coded for actors in the final instance as the lower courts frequently do not take a (clear) stance on the precedential question.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>interest_positively_affected</b>	str	legally protected societal interests positively affected by the high court opinion’ holding	“300”	handcoded

<sup>6</sup> Precedent-setting can be described as normative development through case law and is, in this regard, similar to normative development through law making.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>interest_negatively_affected</b>	str	legally protected societal interests negatively affected by the high court opinion' holding	"102,305"	handcoded

*Description:* In coding *interest\_positively\_affected* and *interest\_negatively\_affected*, coders followed a three-step procedure:

1. *Identify the holding:* What is the legal rule established by the opinion in the final instance in this case (holding)? Try to formulate the holding as a succinct rule that can be applied in future cases. In making this determination it is irrelevant to what extent the parties in the particular case benefited from the holding, and no comparison to the claims for relief shall be made.
2. *Identify interests:* Which societal interests are impacted by the content of that rule? The second step only apply to the most immediately and obviously affected interests. Coders were instructed to refrain from considering indirectly affected interests and "effect chains". For example, although a holding that benefits the economic interests of commercial actors may by extension lead to increased tax revenues for the state, only the impact of the economic interests of commercial actors shall be considered and coded. In case of doubt, coders were instructed to refrain from coding any interest.
3. *Identify direction:* Are the identified interests positively or negatively affected? This requires identifying a point of comparison against which the opinion in the final instances' holding can be compared. Generally this represents the law as it was prior to the high court's judgment:
  - a. In some instances, this is easy to identify, for example if the opinion in the final instance explicitly overruled its own previous case law.
  - b. If this is not the case, the interpretation of the court below (typically an appellate court) is presumed to correctly reflect an accurate interpretation of the law prior to the high court hearing the case.
  - c. If after considering this it was still uncertain what the rule previously was, coders were instructed to identify different interpretations put forth by various judges in the case at hand and compare the opinion in the final instances' holding to the interpretation that is most different.
  - d. If, in the end, it was impossible to establish any interpretation of the law prior to the high court's judgment, the variables for interests affected were left blank.

*Reliability:* In test coding there was high intercoder reliability for both interests and how they were affected (negatively or positively) when all three coders had provided a value. However, in many cases one coder would not code for any interest, and this resulted in decreased reliability (77.2 % for *interest\_positively\_affected* and 74.6% for *interest\_negatively\_affected*). Debriefing revealed that coders were unsure on the level of certainty needed and how to approach the variable. A special coding workshop was conducted where the process described above was developed and applied. The results of the workshop lead us to be confident in the reliability of the variable, especially for higher-level values (for example 100, 200, 300, and 400).

*Values:* The list of interests is hierarchical. On the higher-level, it consists of four *general interests* (100, 200, 300, and 400) based on the distinction between, first, public and private interests and, second, economic and non-economic interests. For each of these four general interests, we define a number of lower-level *specific interests* (for example the values 101, 201, 301, and 401). We aimed to include the most well-established legally protected interest, but the specific interests list is not exhaustive. Thus, coders were instructed to apply general interests only when no specific interest is applicable. However, coders were also urged to be cautious and in case of doubt opt for the general interest over a specific interest.

<i>value</i>	<i>description</i>
<b>0</b>	<b><i>No interests affected</i></b>
<b>100</b>	<b><i>Public economic interests (in general):</i></b> This general category covers the interests of the “public purse”, namely fiscal interests. “Public” here focuses on public entities on the European, national, regional, or local level. This includes public entities on the level of the national government (“stat” or “myndighet”), council (“landsting”), or municipality (“kommun”). It does not include the economic interests of a government-owned corporations operating in open market (for example SAS and Vattenfall), but does include government-owned corporations that enjoy a special and/or exclusive status (for example Systembolaget and Svenska Spel).
101	<i>Public revenues:</i> Public entities’ ability to act are dependent on their revenues (for example through taxes and fees) and it is assumed that they have an interest in maximizing their control and autonomy over their revenues. <sup>7</sup> Precedent that increases public entities’ revenues is positive; precedent that reduces public entities’ revenues is negative.
102	<i>Public expenses:</i> While public entities will ultimately spend their resources, they are assumed to want to maximize their discretion over spending. Precedent that reduces public entities’ expenses, for example by limiting direct financial aid and benefits (“bidrag”) or a direct-resource-costly non-financial aid (for example supportive social measures (“personligt stöd”), is positive; precedent that increases public entities’ expenses is negative.
<b>200</b>	<b><i>Public non-economic interests (in general):</i></b> The fiscal interests represent the means for public entities to serve the common interests that they were created to serve. This general category covers those public interests. On a most general level, this also includes all private interests. This general category covers interests that benefit all of society or, differently phrased, no specific societal subgroup, such as clean air or a fair and well-functioning judicial system.

<sup>7</sup> For example, while not every public entity prefers higher taxes, they all prefer to have the power to decide over fiscal matters and if it has implemented a tax or fee it is presumed to have an interest in it remaining in place.

<i>value</i>	<i>description</i>
201	<i>Societal planning</i> : Precedent that enhances the ability to regulate transport and other forms of communication or the use of land and buildings for the common good, for example infrastructure (“infrastruktur”), land use (“markanvändning”), shoreland protection (“strandskydd”), and urban planning (“stadsplanering”), is positive; precedent that hinders it, for example by prioritizing the free market or property owners, is negative.
202	<i>Environment</i> : Precedent that enhances and/or protects the environment, for example through emission control (“utsläppsbekämpning”) or environmental product requirements (“miljöproduktkrav”) is positive; precedent that undermines the protection of the environment is negative.
203	<i>Crime prevention</i> : Precedent that increase criminal liability, for example by expanding the criminalized area, reduce the scope of defenses, or subjective <i>mens rea</i> (“uppsåt”), or increase criminal punishment and other consequences of crimes, for example duty to compensate victims’ damages of crimes, are positive; precedent that does the opposite is negative.
204	<i>Public health and safety</i> : One of the core functions of the state is to protect the territory and the physical well-being of its citizens. Precedent that enhances public health or safety, for example by enhancing public entities’ ability to avoid or combat foreign states, terrorism, natural disasters, or pandemics, is positive; precedent that undermines public health or safety, or limits public power to enhance it, is negative.
205	<i>Public morality</i> : Precedent that prevents or makes more difficult or less attractive immoral behavior is positive; precedent that does the opposite or grants behavior an amoral status is negative. For example, precedent that make it harder to act in ways that are considered immoral, such as expressing offensive ideas in public spaces, but have not been criminalized, is positive; precedent that does the opposite is negative.
300	<b><i>Private economic interests (in general)</i></b> : This general category covers all private interests that are economic in nature with a focus on property, including real property (“fast egendom”), intellectual property (“immaterialrätt”), and other types of property (“lös egendom”). This includes, for example, the ability to buy, sell, and hold property, remain control and autonomy over property rights, the ability to receive incomes, and to avoid expenditures. “Private” in this context includes all non-public entities, i.e. physical and legal persons, regardless of whether they are profit-driven. <sup>8</sup> These non-public entities are generally assumed to be interested in maximizing the value of, income from, and autonomy over their property.

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<sup>8</sup> For example, non-profit organizations (“ideell förening”) have economic interests, such as avoiding tax expenditures.

<i>value</i>	<i>description</i>
301	<i>Non-commercial owners' control over property:</i> The concept of property is inseparable from ownership rights. This includes the interest of private actors who own property to, entirely or partially, hold, use, and dispose of that property. It is assumed that property owners seek to maximize control and autonomy over their property. Precedent that increases this control and autonomy is positive; precedent that reduces control and autonomy, for example through expropriation, forced transfer of license or by making use subject to permission, is negative. Note that this variable does not include shareholders' interests in legal persons.
302	<i>Shareholders' interests:</i> A special type of property interest is the interest of those who own, totally or partially, a legal person (shareholders). Precedent that increases their control over the legal person, for example vis-à-vis corporate management, increases their access to its assets, or limits their responsibilities for its obligations is positive; precedent that does the opposite is negative.
303	<i>Protecting renters:</i> The law recognizes individuals that rent their home as a particularly sensitive group worthy of special protection. Precedent that increases their protection (for example precedent which make it more difficult to remove them or lose their rental rights, that maintains or reduces the rent, or increases the standard that landlords must provide) is positive; precedent that does the opposite is negative.
304	<i>Protecting consumers:</i> The law recognizes consumers, individuals buying goods or services from commercial actors, as a particularly sensitive group worthy of special protection. Precedent that increases their protection, for example precedent that makes it easier for them to leave a contractual relationship, that gives them stronger or more accessible remedies, or increases the standard that the commercial actor must meet, is positive; precedent that does the opposite is negative.
305	<i>Protecting employees:</i> The law recognizes that the interests of employees and employers are frequently at odds. Precedent that improve employment conditions, for example increased salaries, reduced work time, safer work environment, or gives them, individually or through trade unions ("fackföreningar"), more influence over work conditions, are positive; precedent that does the opposite are negative.
306	<i>Compensating crime victims:</i> While the law generally seeks to provide compensation for those who are unjustly injured, victims of crime are recognized as especially needing and deserving compensation. Precedent that increases crime victim's economic compensation or makes it easier to receive compensation is positive; precedent that does the opposite is negative.

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- 307 *Preventing economic discrimination:* A distinguishable interest under the overarching aim of abolishing discrimination is ensuring that individuals are treated equally in situations with economic consequences, for example when they act as actual or prospective employees, renters, consumers, or recipients of public benefits. Precedent that strengthens the protection against discrimination by preventing or compensation for discrimination, for example a wider scope of protection, stronger procedures, or increased compensation, is positive; precedent that does the opposite is negative. This interest focuses on preventing unequal treatment and includes discrimination on all grounds.
- 308 *Helping the sick or disabled:* The law recognizes that individuals that are temporarily or permanently sick or disabled have special needs. Precedent that increases the special rights of the sick or disabled, for example right to caretakers or legal guardians (“godmanskap”, “förvaltarskap”) or special assistance or equipment (“LSS”), is positive; precedent that does the opposite is negative.
- 309 *Commercial sales of goods and services:* This captures the interests of physical or legal persons engaged in commerce by selling goods or services to other businesses or consumers, including for example landlords, but excluding other economic functions, for example private entities such as employers. They are assumed to have an interest in maximizing profit, maximizing autonomy over their business, and minimizing their financial risks. Precedent that (potentially) increase their profit, for example by reducing costs or increasing profits, or autonomy over how they conduct business, for example deregulation of production standards, marketing, or selling conditions, or reduce their risks are positive; precedent that does the opposite is negative.
- 310 *Commercial purchases of goods and services:* This captures the interests of physical or legal persons engaged in commerce by buying goods or services from other business or individuals, including for example landlords but excluding other economic functions. Buyers are assumed to have an interest in minimizing their financial risks. Precedent that increases buyers’ rights vis á vis sellers is positive, for example extending the area for which the seller can be held liable, or delaying the transition of risk to the buyer; precedent that does the opposite is negative.
- 311 *Employers:* Employers are commercial providers of goods and services and are therefore interested in maximizing profit, maximizing autonomy over their business, and minimizing risk even in relation to their employees. Precedent that reduces their employee expenditures or increases employee productivity, for example lower wages and social fees or lower requirement for work safety and holidays, that increase their autonomy (“leda och fördela arbetet”), for example by reducing employees’ influence over work conditions, or reduces their risks or responsibilities for employees, for example making it easier to fire employees or reduced responsibility for sick or parental leave, is positive; precedent that does the opposite is negative.



<i>value</i>	<i>description</i>
312	<i>Creditors' interests ("borgenär")</i> : The ability to incur and collect debt is fundamental to private economic dealings. To provide a well-functioning system for debt, the law seeks to balance the interests of creditors ("borgenärer"), debtors ("gäldenärer"), and guarantors ("borgensmän"). These groups share an interest in minimizing their risks and maximizing their economic return, but it is essentially a zero-sum game. Precedent that increases creditors' revenues, for example through higher interest, the value of the debt, for example through the debtor's bankruptcy, or reduces their risk, for example by increasing their ability to collect their debt, procedurally or through better security, is positive; precedent that does the opposite is negative.
313	<i>Debtors' interests ("gäldenär")</i> : See description above 312. Precedent that decreases debtors' costs, for example through lower interest, debt, for example through bankruptcy ("konkurs") or debt write-off ("skuldavskrivning"), or obligations, for example by extending securities or loss of guarantor, is positive; precedent that does the opposite is negative.
314	<i>Guarantors' interests ("borgensman")</i> : See description above 312. Precedent that decreases guarantors' obligations for debt is positive, for example by finding the obligation an unreasonable burden due to circumstances affecting the guarantor; precedent that does the opposite is negative.
315	<i>Contractual stability</i> : One of the fundamental functions of a legal order is to uphold and enforce contractual obligations ( <i>pacta sunt servanda</i> ). Precedent that strengthens contractual obligations or contractual parties' ability to enforce contractual obligations is positive; precedent that weaken contractual obligations, for example by modifying obligations ("jämkning") or setting obligations aside, or the ability to enforce obligations is negative.
316	<i>Just compensation in personal relationships</i> : While in a relationship, individuals may make decisions and take actions that harm their individual economic interests, for example dividing labor along traditional gender lines. There is an interest in compensating the economically-harmed party, especially after the relationship ends, for example through property division ("bodelning"), economic support ("underhåll"), and common ownership ("samägarande"). Precedent that increases compensation to the economically weaker party is positive; precedent that does the opposite is negative.
400	<b><i>Private non-economic interests (in general)</i></b> : This general category covers all non-economical private interests, in particular interests unrelated to property and income. See also above 300.
401	<i>Avoiding criminal liability and punishment</i> : Whether they are guilty or not, individuals have an interest in avoiding criminal punishment. Precedent that decreases criminal liability, for example by reducing the criminalized area, subjective <i>mens rea</i> ("uppsåt"), or expanding the scope of defenses, decreases punishment, or other consequences are positive; precedent that does the opposite is negative. Note that consequences here include economic consequences, such as criminal fines and duty to compensate victims' damages.

<i>value</i>	<i>description</i>
402	<i>Satisfying crime victims:</i> It is assumed that victims of crime, in addition to economic compensation (see above 306), have an interest in seeing preparators convicted and punished. This interest is essentially the inversed of the criminally accused's (see above 401): precedent that increase criminal liability or punishment are here positive; precedent that decreases criminal liability or punishment is here negative. Note that this focuses on the interests of individuals that are direct victims of crime and does not, for example, include an expansion of criminal liability for tax fraud.
403	<i>Ability to parent:</i> Parents and prospective parents are assumed to value parenthood and interest in power and autonomy in how to raise their children. Precedent that makes it easier to become a parent, for example through adoption, insemination, or surrogacy, to remain a parent, for example by restricting the government's ability to remove a child from its parents, or increases parents' ability to make independent decisions for and regarding their children is positive; precedent that does the opposite is negative.
404	<i>Migrants' protection:</i> Migrants are assumed to have an interest in entering, remaining, working, and living in Sweden. Precedent that strengthens their rights or their ability to enforce their rights, for example by making it easier to attain Swedish citizenship, extending visa periods, granting work permits, or allowing family reunification, is positive; precedent that does the opposite is negative.
405	<i>Children's autonomy:</i> Precedent that increase children's power over their own situation, for example by putting greater weight to the child's opinion and wishes in custody-battles, is positive; precedent that does the opposite is negative.
406	<i>Preventing non-economic discrimination:</i> Outside of the economic sphere (see above 307), individuals have an interest in being treated equally and not being discriminated against, for example when it comes to education. Precedent that strengthens the protection against discrimination by preventing or compensating for discrimination, for example by extending the scope of protection, stronger procedures, or increased compensation, is positive; precedent that does the opposite is negative. This interest focuses on preventing unequal treatment and includes discrimination on all grounds.
407	<i>Encouraging public debate:</i> The right to freedom of speech constitutes a prerequisite for a vital public debate. Thus, as members of society individuals are assumed to have an interest in being able to express their opinions freely. Precedent that strengthens the freedom to express one's opinions publicly, for example by allowing speech that may be considered offensive or immoral, is positive; precedent that does the opposite is negative.
408	<i>Protecting privacy:</i> Individuals have an interest in protecting their privacy, such as protecting their personal information, reputation, and dignity. Precedent that strengthens individuals' protection of privacy, for example expanding the criminalized area for defamation or the protection of personal information through confidentiality, is positive; precedent that does the opposite is negative.

## 4. opinions\_on\_claims

This dataset contains one observation per opinion and claim. The concept of an opinion was explained in Sec. 3, and we here focus on claims. In precedent-setting courts, such as Swedish high courts, the meaning of “outcome” is ambiguous. One type of important outcome is the precedential outcome, i.e. the authoritative interpretation on the question of precedent (“long-term outcome”). As described in Sec 3.4, we capture that type of outcome through the legally-protected societal interests positively and negatively affected by the holding.

By comparison, this dataset seeks to capture the outcome in the individual dispute to the involved parties (“short-term outcome”). We capture this relative to the parties’ claims for relief (“yrkande”), i.e. whether the judge(s) wanted to grant, partially grant, or deny a claim for relief. In measuring this, we focus exclusively on how a judge or group of judges ruled or wanted to rule in the individual dispute (“domslut”), ignoring the reasoning (“domskäl”) or how the judgment may affect similar future disputes or administrative practice (“prejudikat”).

We use the parties’ claims in the first instance as a consistent reference point. What relief Swedish courts are capable of granting is in most cases limited to what the parties’ pleaded in the first instance. This includes in particular and primarily the relief sought by the applicant when initiating the case, but can also e.g. include counterclaims by the respondent. This is a consistent reference point against which we measure whether different opinions granted or wanted to grant the relief sought by the party fully, partially, or not at all. By being a constant reference point, it has the added value of allowing comparison of opinions in different instances.

It happens that an opinion does not (completely or partially) rule on a claim, i.e. that the “domslut” does not provide an outcome. This most often means that the holding in the majority opinion in the instance below stands and is then coded as such. It may however be that the court finds that it lacks jurisdiction or that only some claims, e.g. interest on damages or litigation costs, were appealed or granted leave. In such cases, actor outcome for claims not considered is coded as “not applicable”.

### 4.1. Identifiers

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>ooc_id</b>	int	opinion-on-claim identifier	“65”	generated

*Description:* A unique identifier for each opinion on a claim.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>opinion_id</b>	int	opinion identifier	“42”	generated

*Description:* See above under *Opinions*, Sec. 3.1.

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>case_num</b>	str	deciding high court’s case number	“T4816-12”	scraped

*Description:* See above under *Cases*, Sec. 2.1.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>claim_id</b>	int	claim identifier	“42”	generated

*Description:* A unique identifier for each claim that is the same across all instances and opinions.

## 4.2. Claim description

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>claim_side</b>	int	side that brought the claim	“1”	scraped

*Description:* Identifies which side in the dispute that brought the claim for relief, i.e. the claimant. The variable refers to the litigant side as they appeared in the first instance and presented in the cases dataset, see Sec. 2.4. Using this variable and matching against the variables *applicant\_class* and *respondent\_class* in cases data, it is possible to calculate the classes of the claimants and the opposing side.

<i>value</i>	<i>description</i>
0	Unknown or uncertain.
1	The applicant(s) in the first instance.
2	The respondent(s) in the first instance.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>claim_class</b>	int	claim class	“1”	scraped

*Description:* Describes the type of claim by relief sought. Note that because of their difference in nature, the classes of claims are distinguished when it comes to claim information (*claim\_money* and *claim\_other* respectively) and claim outcome (*outcome\_money* and *outcome\_other* respectively).

<i>value</i>	<i>description</i>
0	Unknown or uncertain.
1	A monetary claim, namely a claim capable of being expressed as an amount written in numbers, such as a single payment of damages, a monthly amount of child support, or a fine.
2	Any other (i.e. non-monetary) claim.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>claim_money</b>	int	party's claim for monetary damages	"100000"	handcoded

*Description:* The amount contained in the claim for relief where applicable, for example a single payment of damages, a monthly amount of child support, or the amount of a fine sought. Only used for monetary claims (see *claim\_class*).

*Reliability:* Reliability issues in test coding were exclusively due to some cases involving a monetary claim and another type of claim, for example damages in criminal cases. This issue was resolved by allowing coders to add claims and claim types as needed. In light of this, we consider the variable highly reliable.

*Values:* An amount without decimals or thousand separators in Swedish kronor (approximate equivalent of foreign currency on coding day).

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>claim_other</b>	str	party's claim for relief	"murder"	handcoded

*Description:* This variable describes a non-monetary claim. This includes, for example, claims for a specific performance ("fullgörelsetalan") other than payment of money, declaratory claim ("fastställsetalan"), and criminal liability. Only used for non-monetary claims (see *claim\_class*).

*Reliability:* See above *claim\_money*.

*Values:* The list of possible values is open-ended but we seek to be as brief as possible while providing sufficient information. For criminal charges this would be the name of the crime for which criminal liability is sought, for example "murder". For other cases it may for example be "better right to property".

### 4.3. Opinion outcome relative to claim

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>outcome_money</b>	str	preferred outcome in case of monetary damages expressed by opinion	"5000"	handcoded

*Description:* Represents the monetary relief that the judge or group of judges co-authoring an opinion wanted to grant the claimant. Only used for monetary claims (see *claim\_class*).

*Reliability:* Test coding revealed high intercoder reliability but for two issues with coder input: some cases involve multiple claims and coder input was not saved correctly unless in a specific format. These issues have been resolved by allowing coders to add claims as needed and coders being able to insert data in any format (see also above *claim\_money*). In light of this, we consider the variable highly reliable.

*Values:* Generally, the same as *claim\_money* (see above Sec. 4.2). This should be "0" if the claimant sought an amount and the actor did not want to award any amount. However, if the actor did not rule on the claimants' main claim this is signified by the value "NA".

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>outcome_other</b>	int	preferred outcome relative to the applicants claim for relief expressed by opinion	“2”	handcoded

*Description:* The relief that the judge or group of judges co-authoring an opinion wanted to grant the claimant relative to the non-monetary relief sought. Only used for non-monetary claims (see *claim\_class*). See values below, regarding to what extent the applicants claim was granted.

<i>value</i>	<i>description</i>
0	Not applicable, typically because the opinion did not provide a ruling on the claim.
1	Outcome entirely against claimant, for example “käromålet ogillas”.
2	Outcome partial success for claimant, for example a conviction for a crime that is less severe than the one charged, for example “manslaughter” rather than “murder”.
3	Outcome total success for claimant, in other words the claim was granted in full.
9	No clear outcome.

## 5. references

This dataset contains one observation per reference to a source. It identifies which legal sources and which types of legal sources were referred to in each high court judgment and by a Justice or a group of Justices co-authoring an opinion (see Sec. 3). It can, for example, be used to study references over time and compare references between opinions.

### 5.1. Identifiers

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>reference_id</b>	int	unique identifier for each reference	“14”	generated

*Description:* A unique identifier for each reference to a source.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>case_num</b>	str	deciding high court’s case number	“T4816-12”	scraped

*Description:* See above under *cases*, Sec. 2.1.

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>Source</i>
<b>opinion_id</b>	int	opinion identifier	“42”	generated

*Description:* See above under *opinions*, Sec. 3.1.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>paragraph_id</b>	int	paragraph number in judgment	“12”	scraped

*Description:* The number of the paragraph of the judgment text in which the reference appears. See also *start\_paragraph\_id* and *stop\_paragraph\_id* in Sec. 3.1. Can for example be used to identify sources cited in close textual proximity and to track references between paragraphs.

### 5.2. Sources and arguments

*Introduction:* The source and argument variables contain information about the sources that the judge or group of judges refer to in their opinion. This includes most obviously legal sources, but also (depending on one’s definition of legal sources) some other sources. One paragraph may include references to multiple sources of the same type.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>reference</b>	str	name of the source referenced	“BrB”	confirmed

*Description:* This variable contains the name of the legal source referred to by the court, for example “sekretesslagen (2009:400)”. To identify what type of legal source the reference represents, see *reference\_class* and *reference\_subclass* below.

*Reliability:* Very high (97–99%), scraped without any problem.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>reference_class</b>	str	The overarching category to which the legal source or argument belongs	“statue”	confirmed

*Description:* This variable identifies the overarching category to which the referenced source belongs, for example, whether the referenced source is a statue, case or other.

*Reliability:* Very high (97–99%), scraped without any problem.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>reference_subclass</b>	str	A specific category of legal or other source to which the reference belongs	“echr”	generated

*Description:* This variable relates to and provides a more specific value in relation to *reference\_class*. Whereas *reference\_class* provides a description of the generalized type of sources to which the reference belongs, for example “case”, the variable *reference\_subclass* provides a more detailed description of the specific type of source to which the reference belongs, for example “cjeu”.

*Description of chart:* Since the variables *reference\_class* and *reference\_subclass*, and values under each variable, are somewhat interconnected, the chart below includes both variables and their respective values as they relate to each other.

<b>reference_class</b> and <i>reference_subclass</i>	<i>description of values</i>
<b>statue</b>	Reference to written, general and in Sweden directly applicable legal acts.
<i>const</i>	Swedish constitution: The Instrument of Government, The Act of Succession, The Freedom of the Press Act. For example, “RF”.
<i>code</i>	Swedish legislation expressed in codes, for example “brottsbalken (BrB)”, “äktenskapsbalken (ÄktB)”, “miljöbalken (MB)”.
<i>act</i>	Swedish legislation expressed in acts, for example “konkurslagen (1987:672)”, “narkotikastrafflagen (1968:64)”.
<i>eu_primary</i>	Primary EU law, for example “art. 254 FEUF”, “art. 5 FEU”, “art. 12 EEG”, “art. 25 EG”.
<i>eu_charter</i>	Charter of Fundamental Rights of the European Union, for example “art. 8 eu charter”.



<b>reference_class and reference_subclass</b>	<i>description of values</i>
<i>eu_secondary</i>	Secondary EU law, directives and regulations. For example, “31999L0199”. The CELEX format consists of ”3[year][ L R D][number as four digits]”, where L = Directive, R = Regulation, and D = Decision. Thus, “31999L0199” means Directive 2019/199 and “32001R0001” means Regulation 2001/1.
<i>echr</i>	European Convention on Human rights, for example “art. 6 EKMR”.
<i>int</i>	Swedish regulations that relate to the incorporation of international treaties, for example “SÖ 1972:41”
<b>prep</b>	Reference to Swedish preparatory work.
<i>prop</i>	Government bill (“proposition”), for example “Prop. 1998:98”.
<i>ds</i>	Ministry Publications Series (“Departementsserien”), for example “Ds. 2007:12”.
<i>sou</i>	Swedish Government Official Reports (“Statens offentliga utredningar”), for example “SOU 2004:40”.
<i>committee</i>	Committee report (“betänkande”), for example “bet. 1993/94:KU” and “LU 1975/76:33”
<i>nja_ii</i>	Nytt Juridisk Arkiv section II, for example “NJA II 1989 s. 34”.
<i>rskr</i>	Written communication from the Riksdag (“Riksdagsskrivelse”), for example “rskr 1980/81:257”.
<b>case</b>	Reference to case law.
<i>hd</i>	Case law from the Supreme court (HD), for example “NJA 2014 s. 34” or, if not yet published, “HD T 543-20”.
<i>hfd</i>	Case law from the Supreme administrative court (HFD), for example “RÅ 1995 ref. 25”, “HFD 2016 ref. 59”.
<i>ad</i>	Case law from the Labour court (Arbetsdomstolen), for example “AD 2006 nr. 123”.
<i>rh</i>	Case law from the appellate courts (hovrätter), for example “RH 2008:45”.
<i>md</i>	Case law from the Land and Environment court (mark- och miljödomstolen), for example “MD 2006:26”.

<b>reference_class and reference_subclass</b>	<i>description of values</i>
<i>mod</i>	Case law from the Land and Environment court of appeal (mark- och miljööverdomstolen), for example “MÖD 2005:29”.
<i>mig</i>	Case law from the Supreme migration court (migrationsöverdomstolen), for example “MIG 2020:7”.
<i>jo</i>	Decisions from Justitieombudsmannen, for example “JO 1995/96 s. 49”.
<i>cjeu</i>	Case law from the Court of Justice of the European Union, for example “620014CJ0106”. (The CELEX format consists of ”6[year][ CJ T][number padded with zeros to four digits]”, where CJ = judgment by the Court of Justice and T = judgment by the General Court. Thus, “62004CJ0106” means the CJEU’s judgment in Case C-106/04).
<i>ecthr</i>	Case law from the European Court of Human Rights, for example “Johansson mot Sverige” or “Johansson v. Sweden”.
<b><i>other</i></b>	In addition to central legal sources, captured in the above variables, the courts refer to a number of other types of sources. These sources, such as literature, common practice, are too diverse to give an exact reference. The variable <i>other</i> thus seek to capture the fact that the court referred to other material than strictly legal sources.
<i>literature</i>	Academic literature, for example books, articles, statute commentaries, and practice guides (“doktrin”).
<i>agency</i>	Non-legally binding sources originating from administrative agencies, for example agency-issued guidelines, public information and other “soft law”.
<i>common_practice</i>	Common practice in the field, for example “standardavtal”, “sedvänja”, and “branchpraxis”, excluding if it was incorporated by the parties as contract terms.
<i>international</i>	Sweden’s international commitments that are not directly applicable and invocable as Swedish law, for example non-incorporated international conventions (“folkrätt”).
<i>non_binding</i>	Legal sources that are not binding in Sweden, for example foreign national law, international agreements to which Sweden is not a party, model codes (for example “PECL”) and transnational rules.

<b>reference_class and reference_subclass</b>	<i>description of values</i>
<b><i>principle</i></b>	Courts frequently refer to general principles and each area of law has its own general principles. Sometimes the principle follows directly from or has been codified in a statute, but sometimes it is an, at least partially, unwritten and independent source of law. <sup>9</sup> Of particular interest to the relationship between courts and political institutions are courts use of constitutional principles, namely principles that apply to and typically target political institutions.
<i>state_liability</i>	States obligation to repair damages, see the Francovich-principle.
<i>primacy</i>	The primacy of EU law (“företrädesprincipen”).
<i>legality</i>	Legality (“legalitetsprincipen”), including, for example, <i>nulla poena sine lege</i> , non-retroactivity, legal certainty, protection of legitimate expectation.
<i>proportionality</i>	Proportionality (“proportionalitet”).
<i>subsidiarity</i>	Subsidiarity (“subsidiaritet”).
<i>municipal_autonomy</i>	Municipal autonomy (“kommunaltsjälvbestämnade”). Municipal autonomy in Sweden refers to the degree of self-governance that is granted to the municipalities. In Sweden, municipalities are responsible for a wide range of local government functions, for example, education, social welfare, public transportation, and land-use planning. Municipalities in Sweden have a high degree of autonomy and are able to make many decisions independently, without interference from the central government. This is reflected in the Swedish Constitution, which states that “municipalities shall be self-governing in local matters.”
<i>equal_treatment</i>	Equal treatment (“likabehandling” and “likhetsprincipen”) and non-discrimination (“icke-diskriminering”).
<i>judicial_protection</i>	Effective judicial protection (“effektivt domstolsskydd”).

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<sup>9</sup> Difficult border-line cases arise from principles induced from written rules and/contrary partially codified principles.

## 6. appointments

This dataset contains one observation per appointment of a high court justice and identifies, for example, the appointing cabinet, how long the appointment lasted, and the appointed justices' professional background. Note that the same individual may have been appointed multiple times (see also *Error! Reference source not found.*).

### 6.1. Identifiers

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>appointment_id</b>	int	appointment identifier	"42"	generated

*Description:* A unique identifier for each individual appointment of a high court Justice. This identifier is unique to each appointment, hence if the same person has been appointed multiple times to the high courts, for example first as an ordinary Justice and later as president, that person will have multiple observations in the dataset, each one with a unique *appointment\_id*.

<i>name</i>	<i>type</i>	<i>Description</i>	<i>Example</i>	<i>source</i>
<b>judge_id</b>	int	judge identifier	"540"	generated

*Description:* A unique identifier for each individual that has served as a high court Justice. This remains the same for all that individual's appointments.

### 6.2. Appointment information

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>institution_name</b>	str	name of court that appointee was appointed to	"Högsta domstolen"	handcoded

*Description:* A unique identifier for the court.

*Values:* "Högsta domstolen" for the Supreme Court and "Högsta förvaltningsdomstolen" for the Supreme Administrative Court.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>position_president</b>	int	position as court president	"1"	handcoded

*Description:* Identifies whether the appointee was appointed to serve as the president of the high court in question. This dummy variable signifies whether the appointment concerned serving as the president (1) or not (0). Notice that Supreme Court and Supreme Administrative Court received their first formal presidents in 1948 and 1972 respectively.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>position_chamber_chair</b>	int	position as chamber chair	“1”	handcoded

*Description:* Identifies whether the appointee was appointed to serve as chamber chair (“avdelningsordförande”) in the high court in question. This dummy variable signifies whether the appointment concerned serving as chamber chair (1) or not (0).

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>open_call_number</b>	str	open call identifier	“86-2012”	handcoded

*Description:* Starting in 2011, all high court appointments are filled through open calls. The variable contains the identifier of the open call with Domstolsverket. Conversely, where the value is “0”, the appointment was filled by the appointing government without an open call.

### 6.3. Appointing government

Following the introduction of parliamentarism in Sweden in the 1910s, it is both meaningful and valuable to consider the ideological leanings of the governments that appoint high court Justices. We use cabinet data from the ParlGov database<sup>10</sup> to identify, across multiple dimensions, the ideology of the government and the prime minister which appointed Justices from 1913 onward.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>appointing_cabinet_id</b>	int	cabinet identifier	“1149”	generated

*Description:* ParlGov’s identifier for the appointing cabinet. If it was not possible to identify the appointing cabinet, this is expressed with the value “9999”.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>appointing_cabinet_name</b>	str	cabinet name	“Lofven I”	generated

*Description:* ParlGov’s name for the appointing cabinet. If it was not possible to identify the name of the appointing cabinet, this is expressed with the value “NA”.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>appointment_date</b>	date	date of appointment decision	“1984-06-30”	handcoded

*Description:* The date that the government made the appointment, in the format YYYY-MM-DD. In some cases, the exact date was readily available from reliable sources, such as government press

<sup>10</sup> Holger Döring and Philip Manow, Parliaments and governments database (ParlGov): Information on parties, elections and cabinets in modern democracies (version 14 September 2021). Available at “<http://www.parlgov.org>”.

releases or Svensk Juristtidning (SvJT). Where it was not possible to find the date of appointment, this is expressed with the value “NA”.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>period_start_year</b>	int	year of taking up appointment	“1984”	handcoded

*Description:* The year that the appointee assumed the position. Note that this is not necessarily the same year that the appointee joined the high court(s) since the person may have been reappointed (see also *Error! Reference source not found.*).

## 6.4. Appointment ending

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>period_end_year</b>	int	year of leaving position	“1984”	handcoded

*Description:* The year that the appointee left the appointed position. Note that this does not necessarily mean that the Justice left the high court(s) since the person may, for example, have been reappointment as court president. See also *reason\_leaving*.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>period_end_date</b>	date	date of leaving position	“1984-06-30”	handcoded

*Description:* The date that the appointee left the appointed position, in the format YYYY-MM-DD. This is in many cases difficult to ascertain and the variable has many missing values. When it was not possible to find the date of leaving the appointment this is expressed with the value “NA”.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>reason_leaving</b>	int	reason leaving position	“1”	handcoded

*Description:* This variable captures the reason why the appointee left the position in question.

<i>value</i>	<i>description</i>
0	Unknown
<b>100</b>	<b>Not leaving for other work</b>
101	(Age) retirement
102	Illness/Death
103	End of appointment period (1789–1809)

<i>value</i>	<i>description</i>
<b>200</b>	<b>Private practice</b>
201	Law firm partner
202	Other law practice
203	CEO, business
204	Commercial organization (for example interest group)
<b>300</b>	<b>Other judicial office</b>
	<i>High court positions</i>
301	(Other) position within the Supreme Court
302	(Other) position within the Supreme Administrative Court
303	President, Market Court ("marknadsdomstolen")
304	President, Labor Court ("arbetsdomstolen")
310	<i>International Courts</i>
312	Court of Justice of the European Union
313	European Court of Human Rights
313	Other international court
320	<i>Appellate courts</i>
321	President, Svea hovrätt
322	President, other appellate court (HovR)
323	Judge, appellate court (HovR)
324	President, administrative appellate court (KamR)
325	Judge, administrative appellate court (KamR)
330	<i>First instance courts</i>
331	President, trial court (TR)

<i>value</i>	<i>description</i>
332	Judge, trial court (TR)
333	President, administrative trial court (FR)
334	Judge, administrative trial court (FR)
399	Other judicial office
<b>400</b>	<b>Other public service</b>
401	Chancellor of Justice (JK)
402	Parliamentary Ombudsman (JO)
403	Head of agency (Generaldirektör) or counsel (råd, nämnd etc.)
404	Law-drafting board (lagberedningen)
405	Governor (Landshövding)
406	Professor
407	Bank of Sweden (Riksbanken)
408	Ministry position (any)
409	Municipality position (any)
410	Prosecutor general (riksåklagare)
<b>500</b>	<b>Political office</b>
501	Cabinet minister (statsråd)
502	Speaker of parliament
503	Member of parliament
<b>600</b>	<b>Other</b>
601	Public investigation, legislative work
602	International (non-court) organizations
603	NGO (non-profit)



<i>value</i>	<i>description</i>
<b>999</b>	<b>Still serving</b>

## 6.5. Personal information

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>last_name</b>	str	appointee's last name	“Renfors”	handcoded

*Description:* The surname of the appointee.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>first_name</b>	str	appointee's first name	“Cecilia”	handcoded

*Description:* The first name of the appointee.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>middle_name</b>	str	appointee's middle name	“M.”	handcoded

*Description:* The middle name or middle initial of the appointee.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>previous_appointments</b>	int	number of previous appointments	“1”	handcoded

*Description:* The variable describes how many times the appointee has been appointed as a high court Justice prior to the current appointment, if any. Note that the fact that an appointee has been previously appointed does not necessarily mean that the Justice has left the high court(s) in between. For example, when a sitting high court Justice is appointed president of the court, this is considered a reappointment.

*Values:* The value is the number of previous appointments, hence “0” signifies that the Justice has not been appointed previously, “1” signifies that the Justice has been appointed once before, “2” signifies that the Justice has been appointed twice before, and so on.

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>female</b>	int	whether appointee is female	“1”	handcoded

*Description:* This dummy variable signifies whether the appointee is female (1) or not (0).

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>birth_year</b>	int	appointee's birth year	"1961"	handcoded

*Description:* This variable identifies what year the appointee was born.

## 6.6. Education

<i>name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>degree_year</b>	int	year of appointee's law degree	"1986"	handcoded

*Description:* This variable identifies what year the appointee earned their law degree. If the coders were not able to find the year the appointee earned their law degree, this is signified with the value "NA".

<i>Name</i>	<i>type</i>	<i>description</i>	<i>example</i>	<i>source</i>
<b>degree_university</b>	str	university from which the appointee received law degree	"SU"	handcoded

*Description:* This variable identifies what university the appointee studied at and earned their law degree from. If the coders were not able to find at what university the appointee earned their law degree, this is signified with the value "NA".

<i>value</i>	<i>description</i>
LU	Lund University
SU	Stockholm University
UU	Uppsala University
ÅU	Åbo University

## 6.7. Pre-appointment professional background

### Positions held

We have manually coded the professional background of all judges prior to joining the high court. In doing so we recognized six career tracks: (i) academic and higher education ("acad\_"), (ii) ministerial ("dept\_"), (iii) judicial ("ct\_"), (iv) private practice ("priv\_"), (v) politics ("pol\_"), and (vi) other public service ("publ\_"). Within each of these six career tracks, we identify a number of distinct professional positions, see chart below.

<i>name</i>	<i>type</i>	<i>description</i>	<i>source</i>
<b>acad_lic</b>	int	Licentiate degree in law or specific legal subject, such as civil law or EU law.	handcoded
<b>acad_doctor</b>	int	Refers exclusively to a doctoral degree in law or a specific legal subject, such as civil law or EU law.  If an actor has acted as an honorary doctorate, or earned a doctoral degree in another subject than law before being appointed as a high court justice this is <i>not</i> included under this value.	handcoded
<b>acad_lekt</b>	int	Refers exclusively to a permanent lecturer position in law, or a specific legal subject, such as civil law or EU law.  If an actor has acted as adjunct lecturer, guest teacher, or the like, before being appointed as a high court justice this is <i>not</i> included under this value.	handcoded
<b>acad_docent</b>	int	Associate professor in law or other specific legal subject, such as civil law or EU law.	handcoded
<b>acad_prof</b>	int	Refers exclusively to permanent professors in law or specific legal subjects, such as civil law or EU law.  If an actor has acted as a guest professor, adjunct professor, or the like, before being appointed as a high court justice this is <i>not</i> included under this value.	handcoded
<b>dep_spec</b>	int	Specialist at a government ministry or in the Prime Minister's Office. This includes the titles of subject matter expert ("ämnessakkunnig") and legal expert ("rättssakkunnig").	handcoded
<b>dep_hand</b>	int	Case officer (a civil servant without personnel responsibility, ("handläggare")) at a government ministry or in the Prime Minister's Office. This includes titles such as senior administrative officer ("departementssekreterare"), deputy assistant undersecretary ("kansliråd"), and subject matter advisor ("ämnesråd").	handcoded
<b>dep_rad</b>	int	Deputy director-general ("departementsråd") at a government ministry or in the Prime Minister's Office, i.e., head of a unit within a ministry.	handcoded

<i>name</i>	<i>type</i>	<i>description</i>	<i>source</i>
<b>dep_chef</b>	int	Executive officer at a government ministry or in the Prime Minister’s Office. For example, permanent undersecretary of state (“expeditionschef”), head of administration (“förvaltningschef”), head of legal department (“rättschef”), financial counselor (“finansråd”).	handcoded
<b>ct_edu</b>	int	The person has undergone, and completed, training to become a judge, for example deputy judge (“assessor”) or assistant judge (“fiscal”). This entails further training than serving as a clerk at a district court (“tingsnotarie”).	handcoded
<b>ct_tr</b>	int	The person has served as a judge at a district court.  This category is distinct from ct_edu, therefore if a person has served and handled cases at a district court as part of their training to become a judge it is <i>not</i> coded as ct_tr.	handcoded
<b>ct_fr</b>	int	The person has served as a judge at an administrative court.  This category is distinct from ct_edu, therefore if a person has served and handled cases at an administrative court as part of their training to become a judge it is <i>not</i> coded as ct_fr.	handcoded
<b>ct_hovr</b>	int	The person has served as a judge at an appellate court.  This category is distinct from ct_edu, therefore if a person has served and handled cases at an appellate court as part of their training to become a judge it is <i>not</i> coded as ct_hovr.	handcoded
<b>ct_kamr</b>	int	The person has served as a judge at an administrative court of appeal.  This category is distinct from ct_edu, therefore if a person has served and handled cases at an administrative court of appeal as part of their training to become a judge it is <i>not</i> coded as ct_kamr.	handcoded
<b>ct_int</b>	int	The person has served as a judge at an international court. For example, serving as a judge on the CJEU, European Court of Human Rights, ICC.	handcoded

<i>name</i>	<i>type</i>	<i>description</i>	<i>source</i>
<b>ct_other</b>	int	The person has served as a judge at some other court than ct_tr, ct_fr, ct_hovr, ct_kamr or ct_int. This includes, for example the Swedish Labor Court, the Migration Court of Appeal and Supreme Administrative Court.	handcoded
<b>ct_clerk</b>	int	The person has served as a clerk (“föredragande Justitiesekreterare”) in the high courts.	handcoded
<b>priv_assoc</b>	int	The person has served as a legal associate (“biträdande jurist”) at a law firm.	handcoded
<b>priv_adv</b>	int	The person has earned the protected title of attorney, in other words the person is a full member of the bar (“advokatsamfundet”)	handcoded
<b>priv_corp</b>	int	The person has served as a corporate lawyer (“bolagsjurist”).	handcoded
<b>pol_empl</b>	int	The person has been politically employed in the government office (“regeringskansliet”). For example, undersecretary of State (“statssekreterare”), undersecretary of state for foreign affairs (“kabinettssekreterare”), political advisor (“politiskt sakkunniga”) or press secretary (“pressekreterare”).	handcoded
<b>pol_other</b>	int	The person has had some type of partisan assignment, other than being a member of parliament or a cabinet minister.	handcoded
<b>pol_parl</b>	int	The person as served as a member of parliament.	handcoded
<b>pol_min</b>	int	The person has served as a cabinet minister (“statsråd”) (with or without a “portfolio”) in the government.	handcoded
<b>publ_amb</b>	int	The person has served as ambassador or Consul General to another country or organization, or in any case held the title of ambassador.	handcoded
<b>publ_agency</b>	int	The person has served at another agency than the government.	handcoded

<i>name</i>	<i>type</i>	<i>description</i>	<i>source</i>
<b>publ_omb</b>	int	The person has served as an ombudsman. For example, parliamentary ombudsman (JO), discrimination ombudsman (DO), or Chancellor of Justice (JK).	handcoded
<b>publ_pros</b>	int	The person has served as a prosecutor. For example, prosecutor, chief public prosecutor, public prosecutor or Prosecutor General.	handcoded
<b>publ_int</b>	int	The person has had assignments on behalf of Sweden for international organizations, such as the UN, EU, Council of Europe, OSCE. International assignments for Sweden include acting as a representative for Sweden as the UN Commission in Human Rights, being a member of the Council of Europe's Commission on Human Rights. It does not, however, include serving at an international organization as a judge, see ct_int.	handcoded

### Integer value of held position(s)

For each of the positions accounted for above, we have assigned an integer value that represents whether the judge held the position in question before joining the court and, if so, the order in time of the position relative to the other coded positions. The highest value represents the last coded position held before joining the court, see below.

<i>value</i>	<i>description</i>
0	Position not held.
1	First position held.
2	Second position held.
3	Third position held.
...	...

### 6.8. Other variables

<i>name</i>	<i>type</i>	<i>description</i>	<i>source</i>
<b>just_dep</b>	int	The person has been employed at the Ministry of Justice ("Justitiedepartementet") (1) or not (0).	handcoded

<b>fin_dep</b>	int	The person has been employed at the Ministry of Finance (“Finansdepartementet”) (1) or not (0).	handcoded
<b>other_dep</b>	int	The person has been employed at another ministry than fin_dep and just_dep (1) or not (0).	handcoded
<b>prep_one</b>	int	The person has participated in at least one Swedish Government Official Report (SOU) (1) or not (0).	handcoded
<b>prep_multi</b>	int	The person has participated in more than five Swedish Government Official Reports (SOU) (1) or not (0).	handcoded
<b>honor_doc</b>	int	The person has earned an honorary doctorate in law or a specific legal subject (juris doctor honoris causa) (1) or not (0).	handcoded

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