

# Generalizable Precedents at the Appellate Body of the World Trade Organization: An Empirical Examination of the Busch-Pelc Conjecture

Kazutaka Takechi  
Faculty of Economics  
Hosei University

## Abstract

This study investigates whether court decisions that incorporate strong sentiments are less likely to be cited in subsequent cases due to the low generalizability conjectured by Busch and Pelc (2019). The empirical analysis reveals that decisions made by the Appellate Body at the World Trade Organization, featuring both positive and negative language, tend to be cited more frequently. This finding remains robust even after controlling for time effects, novelty of issues, judicial activities of reports, outcome of judgment, and political characteristics of the disputes. This suggests that international courts may rely not only on the content of legal decisions but also on the strong sentiments of previous decisions to support their judgments.

Key Words: Precedent; Sentiment; World Trade Organization

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