of the consultation stage. Perhaps not surprisingly, the *Improvements* were thus argued to have revitalized dispute settlement[16], given GATT "teeth,"[17] and encouraged the paneling of disputes more generally.[18]

The data tell a different story. Looking at Table 1, the *Improvements* did not lead to a greater propensity to panel disputes. Overall, panels were requested in less than half of all GATT cases. In fact, rates of paneling before and after the *Improvements* were 43 percent and 45 percent, respectively, a statistically insignificant difference.

Table 1. Patterns of GATT/WTO Dispute Escalation

	Disputes Initiated ...			
Stage of Escalation	**1948-2000**	**1948-1988**	**1989-1994**	**1995-2000**
Initiated ...of which	659	310	122	227
Panel established ...of which	305 (46.3%)	133 (42.9%)	55 (45.1%)	117 (51.5%)
Panel ruling issued ...of which	230 (34.9%)	105 (33.9%)	45 (36.9%)	80 (35.2%)
Appellate ruling issued	—	—	—	60 (26.4%)

Note: Since adjudication in the first years of the GATT relied less on formal panels than on other bodies (e.g., working parties or the entire Council) to issue judgments, the term "panel" above includes those alternative authorities as well. The figures in parentheses reflect the row's percent of the total cases initiated in that period (column). Cases filed after December 31st, 2000 are not included.

Of course, it could be that the *Improvements* induced more early settlement, not more paneling. Here, the logic would be that the right to a panel motivated defendants to plead meritorious cases in consultations. However, recent empirical work

[16] Castel 1989.
[17] Montana i Mora 1993; Young 1995.
[18] Pescatore 1993, 29