I plan on becoming a lawyer, and I have a strong interest in international law and trade which I have developed during my time at OSU. Nearly 2 years ago, I was enrolled in our department’s introductory research course, and the final assignment for the course included an original research proposal. Given my interest, my faculty mentor suggested that I look into the World Trade Organization’s Dispute Settlement Body (DSB). I finished the rough draft proposal for the course, then submitted it to the Wentz Research Grant program. I was awarded the Wentz, and my faculty mentor also encouraged me to apply to present the project at the International Studies Association Annual Conference in San Francisco.

At the time, I was nervous about taking on such a large project as I didn’t know if I would be able to finish such a large undertaking. However, the best way to go about a research project is one small step at a time. I began by using the WTO’s website, as well as the university’s access to JSTOR, Routledge, and other academic web-based journal resources to develop an initial framework for the project. The initial plan was to do a simple examination of whether power (measured using a common political science variable known as the CINC score) determined how the DSB ruled, or whether legal preparedness determined case victory. I was going to use online software to carry out a simple content analysis of DSB case documents. While the project started simple, I quickly found that executing this framework was wrought with challenges and failures that required me to adapt to research realities.

The initial design focusing on an analysis of legal arguments turned out to be problematic. The WTO claimed that the documents regarding DSB processes were all online for
public access, which turned out to only be partially true. The initiation of proceedings were public, however the legal briefs (or actual arguments) are not. This forced my mentor and I back to the literature for a new idea. Finding past research on this topic also proved to be difficult. Despite exhausting the resources available to me through the library and my mentor’s professional resources, we could find no papers who had previously done what we planned on doing. It turned out that though many people have written theoretical papers on the subject of international legal systems and how they may be influenced, no one has actually tested the subject empirically. So, this meant we had to develop our own methodology and variables. Using interlibrary loan, I was able to gain access to prominent literature that I would have otherwise not had access to about country-specific factors that affect outcomes in international courts. The best approach my mentor and I could devise was to measure the strength of the legal argument by the number of laws cited by the prosecution (called the complainant in the WTO), which was available to us in an existing dataset.

A few days before presenting at the International Studies Association Conference, my mentor and I ran the data and found results that were counterintuitive to our initial hypotheses. Although I had predicted that cases with more citations (what I defined as a stronger legal argument) would be more likely to advance to trial, it turned out that those cases were less likely to reach the trial stage of the DSB (called the panel stage). At that moment, my mentor and I realized that I needed to rework the entire theory and lit review sections of the paper. It occurred to us that rather than treating DSB cases as regular court cases, we actually needed to think of them as previous conflict mediation failures. The assembly of a DSB panel follows a 2-stage
process: countries are encouraged to enter bilateral negotiations first inside the offices of the WTO, and only after that fails, does the WTO help form a panel of judges to hear the case. When I realized the entire international law framework I had worked almost a year on didn’t make sense, I was incredibly frustrated. I had spent well over a hundred of hours reading, reviewing, and thinking about this project! However, once I was able to refocus and move on, the library’s online journal access and interlibrary loan resources made the process of adapting my literature review and theory much more manageable. I used the library’s online access to research past work on conflict mediation and bargaining theory. This new framework actually gives the project a better audience, as I am now taking a theory developed in studying third-party mediation in civil and interstate wars and seeing whether the theory developed for these situations also works for understanding the settlement of trade disputes - conflicts of a more non-violent nature. This means that my project will be interesting not just to WTO legal scholars, but to a broad field of researchers interested in conflict mediation more generally. This mediation framework also makes a lot more sense than the legal one, because the WTO was founded after WWII to promote economic interdependence and provide a venue for the resolution of economic disputes to avoid major violent conflict.

Overall, this project has been a journey and incredible learning experience. It has given me great perspective on how difficult the research process really is, and an appreciation of the hard-work faculty do outside the classroom. I better understand how the research process requires an immense amount of creativity, adaptability, and time. Doing this research has also pushed me to be critical of existing literature and norms, be open to new ideas, and better handle
criticism. The process of writing a graduate- (and possibly professional-) level article was one that I did not previously believe I was capable of, but with hard work and a lot of guidance, I have been able to construct a project that I have been proud to present and will be even prouder to send out to a journal for publication.