

Are judges on *per curiam* courts ideological? Evidence from the European Court of Justice

Appendices

Table of Contents

[Appendices](#)

1

Robustness Analyses

This supplementary appendix provides robustness checks for the primary analyses in the manuscript. Table [A1](#) and [A2](#) provides evidence that the main results hold both in OLS and logit specifications. Table [A3](#) follows [Garoupa, Gili and Gómez Pomar \(2021\)](#), and models turnover as change in the prime minister – irrespective of whether the prime minister’s political party changed. Tables [A4](#) and [A5](#) models turnover as the absolute change in left-right ideology and EU ideology respectively.

Table A1: Hypothesis 1 Results Logit

	CJEU Agrees with Plaintiff					
	(1)	(2)	(3)	(4)	(5)	(6)
Constant	-0.072 (0.051)		-2.04*** (0.073)	-0.435*** (0.089)	-2.53*** (0.264)	
JR Net Observations	0.878*** (0.213)	0.906*** (0.209)	0.900*** (0.251)	1.00*** (0.276)	0.844*** (0.271)	0.807*** (0.256)
AG for Plaintiff			3.75*** (0.108)		3.25*** (0.117)	3.31*** (0.125)
Commission Observation Plaintiff				2.13*** (0.133)	1.22*** (0.164)	1.22*** (0.168)
Commission Observation Defendant				-1.05*** (0.140)	-1.03*** (0.186)	-1.00*** (0.192)
Commission is Plaintiff				1.81*** (0.116)	0.563 (0.422)	0.638 (0.435)
Commission is Defendant				-0.440*** (0.107)	-0.162 (0.173)	-0.034 (0.167)
Net Observations					0.318*** (0.071)	0.320*** (0.070)
Chamber Size					0.0007 (0.017)	-0.003 (0.019)
Government is Litigant					0.260 (0.173)	0.269 (0.174)
Infringement Case					0.755* (0.396)	0.774* (0.406)
Annulment Case					0.481*** (0.169)	0.438*** (0.166)
Failure to Act Case					-0.299 (0.785)	-0.428 (0.796)
Preliminary Reference Case					0.869*** (0.237)	0.936*** (0.222)
Staff Case					0.155 (0.255)	0.105 (0.251)
Observations	5,434	5,434	5,434	5,434	5,434	5,434
JR fixed effects		✓				✓

Table A2: Hypothesis 2 Results Logit

	CJEU Agrees with Plaintiff					
	(1)	(2)	(3)	(4)	(5)	(6)
Constant	-0.115*		-2.11***	-0.447***	-2.58***	
	(0.059)		(0.088)	(0.083)	(0.271)	
JR Net Observations	1.22***	1.28***	0.971***	1.19***	1.02***	0.985***
	(0.282)	(0.294)	(0.267)	(0.397)	(0.311)	(0.297)
Turnover	0.102	0.185*	0.175*	0.031	0.134	0.077
	(0.093)	(0.108)	(0.102)	(0.080)	(0.082)	(0.108)
JR Net Observations \times Turnover	-0.746*	-0.810**	-0.140	-0.381	-0.348	-0.351
	(0.383)	(0.376)	(0.472)	(0.507)	(0.582)	(0.563)
AG for Plaintiff			3.76***		3.25***	3.31***
			(0.110)		(0.119)	(0.126)
Commission Observation Plaintiff				2.13***	1.21***	1.23***
				(0.133)	(0.162)	(0.167)
Commission Observation Defendant				-1.05***	-1.04***	-0.997***
				(0.140)	(0.186)	(0.193)
Commission is Plaintiff				1.81***	0.566	0.634
				(0.117)	(0.420)	(0.436)
Commission is Defendant				-0.441***	-0.169	-0.032
				(0.107)	(0.170)	(0.166)
Net Observations					0.323***	0.326***
					(0.071)	(0.071)
Chamber Size					5.3×10^{-5}	-0.003
					(0.017)	(0.019)
Government is Litigant					0.265	0.267
					(0.173)	(0.175)
Infringement Case					0.728*	0.769*
					(0.398)	(0.407)
Annulment Case					0.488***	0.434***
					(0.171)	(0.165)
Failure to Act Case					-0.286	-0.436
					(0.798)	(0.809)
Preliminary Reference Case					0.866***	0.931***
					(0.235)	(0.221)
Staff Case					0.151	0.106
					(0.256)	(0.251)
Observations	5,434	5,434	5,434	5,434	5,434	5,434
JR fixed effects		✓				✓

Table A3: Hypothesis 2 Results Prime Minister Turnover

	CJEU Agrees with Plaintiff					
	(1)	(2)	(3)	(4)	(5)	(6)
Constant	0.460*** (0.017)		0.095*** (0.009)	0.381*** (0.017)	0.063** (0.029)	
JR Net Observations	0.279*** (0.046)	0.290*** (0.045)	0.123*** (0.033)	0.121** (0.051)	0.072** (0.034)	0.070** (0.033)
PM Turnover	0.032 (0.021)	0.061** (0.024)	0.032*** (0.011)	0.016 (0.013)	0.024*** (0.007)	0.014 (0.008)
JR Net Observations × PM Turnover	-0.115* (0.067)	-0.126* (0.064)	-0.035 (0.043)	0.024 (0.060)	0.005 (0.047)	0.009 (0.046)
AG for Plaintiff			0.729*** (0.013)		0.593*** (0.019)	0.594*** (0.019)
Commission Observation Plaintiff				0.449*** (0.025)	0.156*** (0.021)	0.155*** (0.022)
Commission Observation Defendant				-0.205*** (0.027)	-0.130*** (0.023)	-0.126*** (0.023)
Commission is Plaintiff				0.406*** (0.024)	0.102* (0.058)	0.106* (0.057)
Commission is Defendant				-0.098*** (0.024)	-0.022 (0.020)	-0.009 (0.018)
Net Observations					0.027*** (0.006)	0.028*** (0.006)
Chamber Size					-7.26×10^{-5} (0.002)	-4.74×10^{-5} (0.002)
Government is Litigant					0.030* (0.017)	0.030* (0.018)
Infringement Case					0.098* (0.055)	0.099* (0.055)
Annulment Case					0.060*** (0.020)	0.054*** (0.020)
Failure to Act Case					-0.022 (0.062)	-0.033 (0.060)
Preliminary Reference Case					0.115*** (0.028)	0.120*** (0.026)
Staff Case					0.018 (0.030)	0.012 (0.029)
Observations	5,434	5,434	5,434	5,434	5,434	5,434
JR fixed effects		✓				✓

Standard errors clustered by JR are in parentheses *p<0.1; **p<0.05; ***p<0.01

Table A4: Hypothesis 2 Results Change in Left-Right Ideology

	CJEU Agrees with Plaintiff					
	(1)	(2)	(3)	(4)	(5)	(6)
Constant	0.478*** (0.014)		0.112*** (0.008)	0.398*** (0.021)	0.081** (0.031)	
JR Net Observations	0.252*** (0.051)	0.256*** (0.049)	0.093*** (0.025)	0.148*** (0.048)	0.070** (0.027)	0.071*** (0.026)
Difference Ideology	-0.001 (0.009)	0.013* (0.008)	0.002 (0.004)	-0.006 (0.005)	0.0009 (0.004)	0.0005 (0.004)
JR Net Observations × Difference Ideology	-0.079*** (0.022)	-0.081*** (0.021)	-0.006 (0.021)	-0.020 (0.025)	0.0010 (0.022)	0.0009 (0.022)
AG for Plaintiff			0.727*** (0.014)		0.590*** (0.021)	0.592*** (0.021)
Commission Observation Plaintiff				0.445*** (0.026)	0.154*** (0.024)	0.154*** (0.024)
Commission Observation Defendant				-0.210*** (0.028)	-0.136*** (0.024)	-0.131*** (0.025)
Commission is Plaintiff				0.401*** (0.027)	0.083 (0.062)	0.093 (0.062)
Commission is Defendant				-0.101*** (0.025)	-0.022 (0.022)	-0.009 (0.020)
Net Observations					0.028*** (0.007)	0.029*** (0.007)
Chamber Size					0.0003 (0.002)	-4.74 × 10 ⁻⁵ (0.002)
Government is Litigant					0.025 (0.019)	0.026 (0.019)
Infringement Case					0.116* (0.061)	0.112* (0.062)
Annulment Case					0.061*** (0.022)	0.051** (0.022)
Failure to Act Case					-0.036 (0.065)	-0.050 (0.064)
Preliminary Reference Case					0.114*** (0.032)	0.117*** (0.029)
Staff Case					0.015 (0.032)	0.006 (0.031)
Observations	4,987	4,987	4,987	4,987	4,987	4,987
JR fixed effects		✓				✓

Standard errors clustered by JR are in parentheses *p<0.1; **p<0.05; ***p<0.01

Table A5: Hypothesis 2 Results Change in EU Ideology

	CJEU Agrees with Plaintiff					
	(1)	(2)	(3)	(4)	(5)	(6)
Constant	0.475*** (0.015)		0.108*** (0.009)	0.372*** (0.019)	0.065** (0.030)	
JR Net Observations	0.216*** (0.045)	0.219*** (0.044)	0.107*** (0.027)	0.157*** (0.044)	0.090*** (0.029)	0.091*** (0.028)
Difference EU Ideology	0.005 (0.007)	0.018*** (0.004)	0.008 (0.005)	0.003 (0.003)	0.008** (0.003)	0.007** (0.003)
JR Net Observations × Difference EU Ideology	-0.059** (0.023)	-0.060** (0.022)	-0.039*** (0.007)	-0.049*** (0.014)	-0.038*** (0.008)	-0.039*** (0.008)
AG for Plaintiff			0.732*** (0.016)		0.595*** (0.024)	0.596*** (0.025)
Commission Observation Plaintiff				0.475*** (0.021)	0.172*** (0.022)	0.173*** (0.022)
Commission Observation Defendant				-0.185*** (0.025)	-0.116*** (0.024)	-0.110*** (0.024)
Commission is Plaintiff				0.417*** (0.029)	0.093 (0.070)	0.098 (0.070)
Commission is Defendant				-0.081*** (0.024)	-0.004 (0.022)	0.005 (0.020)
Net Observations					0.028*** (0.008)	0.028*** (0.008)
Chamber Size					-0.0008 (0.002)	-0.001 (0.002)
Government is Litigant					0.011 (0.017)	0.012 (0.017)
Infringement Case					0.138** (0.063)	0.133** (0.064)
Annulment Case					0.063*** (0.023)	0.053** (0.022)
Failure to Act Case					-0.029 (0.079)	-0.050 (0.078)
Preliminary Reference Case					0.119*** (0.033)	0.113*** (0.034)
Staff Case					0.018 (0.034)	0.006 (0.034)
Observations	4,379	4,379	4,379	4,379	4,379	4,379
JR fixed effects		✓				✓

Standard errors clustered by JR are in parentheses *p<0.1; **p<0.05; ***p<0.01