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Foreword

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FOREWORD

History will remember the conclusion of 2008 as the beginning of a severe economic downturn that has affected every corner of the globe. Here in the United States, banks and automakers have received massive bailouts to avoid further problems. Unemployment has reached its highest rate since the 1940s. Homeowners are losing their homes at unprecedented rates. The federal government is pumping hundreds of billions of dollars into the economy with the hope that the money will stimulate spending and allow Americans to pull themselves out of what appears to be a serious recession. At the moment no one really knows when the situation will improve.

What is clear, however, is that the U.S. economic troubles reach well beyond our borders. Along the same vein, economic issues in other regions of the world can, more than ever before, have profound effects on the United States. In a world that grows smaller by the day, thanks to constantly evolving technologies, the economic isolationism that once held influence in the United States and other parts of the world no longer seems feasible. This issue of the *Public Law Review*, based upon our April 2008 symposium titled, “The Changing Tide of Trade: The Social, Political and Environmental Implications of Regional Trade Agreements,” addresses the increasing influence and frequency in recent decades of regional trade agreements, which provide ways for nations to create stronger bonds while addressing common issues regarding economic stability, national security, cultural differences and environmental issues, among others. The articles in this issue cover a broad range of topics within this growing area of law and provide valuable insights into what the future might hold for regional trade agreements.

Professor Raj Bhala suggests that equal human dignity, as opposed to economics, should ideally provide the starting point for countries entering into free trade negotiations. Professor Bhala uses philosophical, religious and legalistic perspectives to construct a framework demonstrating what such a shift toward equal human dignity as a negotiating norm would look like.

Professor Karen Bravo addresses the link between trade liberalization and labor liberalization. After presenting a summary of how parties have generally given labor liberalization little consideration when negotiating free trade agreements, Professor Bravo offers some insight into the potential for increased attention to labor liberalization in the future.

Professor David Gantz addresses questions regarding the future of trade liberalization in the United States. While the United States has supported

regional trade agreements in recent decades, Professor Gantz points to several developments in the past few years that could indicate a shift in U.S. international trade policy. The article also addresses the potential impact that the election of Barack Obama could have on this area of law.

Professor C. O'Neal Taylor argues that regionalism serves as a second-best solution for the trade issues of developing countries. Professor Taylor uses the U.S. approach to negotiating free trade agreements with developing nations as a framework through which to address how such negotiations could be adjusted to maximize fairness and efficiency for all parties.

Professor Chris Wold analyzes the effectiveness of incorporating environmental provisions into free trade agreements, focusing on the impact the North American Agreement on Environmental Cooperation (NAAEC) had on the North American Free Trade Agreement (NAFTA). Professor Wold looks at both the successes and failures of the NAAEC and offers thoughts on strengthening the link between international trade and the environment.

Professor Sanford Gaines also addresses the link between international trade and the environment. Professor Gaines' article sets up an analytic framework for approaching the trade-environment link and then analyzes how negotiators can maximize the positive aspects of regional trade agreements while minimizing the potential negative effects.

Professor Chi Carmody offers some insights regarding the World Trade Organization's transparency mechanism and its effectiveness in providing accurate assessments of the amount of trade taking place through regional trade agreements.

Professor Jorge Pérez provides a South American perspective for the issue and argues that the decline of commercial multilateralism in South America is providing traditionally dominant nations with an opportunity to reassess the criteria they rely on in negotiating free trade agreements with developing nations.

The *St. Louis University Public Law Review* would like to thank all of the people who helped in publishing this issue. First of all, thank you to each of the authors for sharing your insights and talents for the symposium issue. Next, we would like to thank the *Public Law Review* board and staff for their efforts throughout the publication process. We would also like to express our gratitude to Professor Matthew Bodie for his guidance as our advisor. Finally, thank you to Susie Lee and Lauren Rose for your constant attention and assistance. Without your help along the way, this issue would not have reached the finish line.

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