

5-1-1994

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Suggested Citation

Victor Rosenblum, Afterword: Vision and Progress in International Trade, 14 N. Ill. U. L. Rev. 547 (1994).

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Afterword: Vision and Progress in International Trade

VICTOR G. ROSENBLUM*

Although they have not typically accompanied formulations or declarations of black letter law, human aspirations and visions can serve as foundations and fuels for dynamic legal developments. Chief Justice John Marshall may be said to have juxtaposed the ineffable qualities of dreams with the explicit proclamation of constitutional doctrines as early as 1819 when, in the course of the Supreme Court's historic opinion on federal-state relationships in *McCulloch v. Maryland*,¹ he spun his rationale for enhancing the scope of national power and concomitantly barred individual states from impairing or impeding national policies.

Our fledgling, yet-to-be fully explored and developed land, with its relatively sparse population focused around the east coast was transmuted and magnified into a virtual behemoth by Marshall in order to bolster the doctrine of federalism he propounded. Said the Chief Justice:

Throughout this vast republic from St. Croix to the Gulf of Mexico, from the Atlantic to the Pacific, revenue is to be collected and expended, armies to be marched and supported. The exigencies of the nation may require that the treasure raised in the north should be transported to the south, that raised in the east conveyed to the west, or that this order should be reversed. Is that construction of the Constitution to be preferred which would render these operations difficult, hazardous and expensive?²

Constitutional law became, with Marshall's visionary prose, a prime instrument for serving "the exigencies of the nation."³

Northern Illinois University's International Trade Conference—planned and implemented in a sterling fashion by Professor de Seife—presented and probed visions, accomplishments, frustrations and failures of the past together with analyses of yearnings, churnings, warnings and opportunities for the future. With due regard for—though not subservience to—factors of history, politics, pragmatism,

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1. 17 U.S. 316 (1819).

2. *McCulloch v. Maryland*, 17 U.S. 316 (1819).

3. *Id.*

realism and occasional infusions of idealism and cynicism, participants delineated and dissected experiences and proposals that could propel today's aspirations for a harmonized body of international trade, human rights and environmental law toward practicable fulfillment in a visible, viable future.

The papers and articles that comprise this symposium have conveyed the richness and nuances of the issues, ideas, caveats, and initiatives that pervaded and energized the conference. What they cannot convey through print is the informal, empathetic, cordial and collegial environment provided by Professor de Seife, Dean Alfini, and the law school community that encouraged dialogues rather than debates, and balanced reflections and perspectives rather than one-sided rhetorical flourishes or sound bytes.

The presentations and discussions made clear that there is substantial evidence that confrontational encounters and other centrifugal forces that segregate, isolate and imbue relationships among nations with hostility and fear can be supplanted with harmonization of policies and practices. Consultative settings and resort to and refinement of mediational and arbitrational instruments and techniques for dispute resolution can foster progress in this direction.

Of particular sensitivity and importance are approaches to trade relationships between the diverse groups of developing countries and the developed nations of the world. Attitudes toward linkages of domestic welfare issues with international trade issues will no doubt prove at least as significant as organizational structures and administrative processes for coping with such saliciencies as biodiversity, environmental protection and competitiveness.

That the Conference was especially successful as forum and integrator of trade issues and agendas was a product of the breadth of experience, expertise, insight and imagination of the participants. One could also sense as a "hovering omnipresence" the bona fides of interest in and respect for the essences of aspirations and visions. Juxtaposing tangible with ideational factors in this halcyon setting mapped a feasible route toward a universe that must learn to accord primacy to the exigencies of peaceful, global interaction, survival and nurture.