

third organization was the Interim Coordinating Committee for International Commodity Arrangements (ICCICA), a UN institution administering commodity agreements to which “agriculturalists from all over the world turned their attention . . . in order to address global market conditions” (p. 142) and found common ground. With the gradual disappearance of these agreements, such common ground also dissipated, exacerbating the tensions between developed and developing countries within the GATT/WTO.

Through this history of the treatment of sugar and the resulting tensions in the three postwar institutions, Fakhri provides a good lens into the radical transformation (as opposed to a gradual formation) of world trade regulation in the past sixty years.<sup>16</sup> Most international trade law scholars forget that commodity agreements were once prevalent and designed “to ensure the desired domestic socio-economic conditions in different countries” (p. 149). Hence, such scholars usually ignore the potential of commodity agreements to improve global trade imbalances.

This final case study should be particularly appealing to legal scholars, especially those with an interest in intellectual history, as it provides a description of how embedded liberalism—the need for markets to enjoy social legitimacy—was replaced by free trade as the dominant paradigm of international trade law. In this transformation, the 1977 ISA represents one of the last negotiations between the bloc of developed and developing countries before the major shift in global power that led to the WTO—an institution with limited capacity to address “the twin goals of domestic welfare and international cooperation within the context of different national economy systems”

(p. 207). Of course, today’s WTO is much more concerned with effective governance and sustainable development than during its emergence.<sup>17</sup> But the North-South deadlock continues, and Fakhri sug-

<sup>16</sup> Cf. Joost Pauwelyn, *The Transformation of World Trade*, 104 MICH. L. REV. 1 (2005) (recounting a gradual transformation of the world trade system as the result of GATT’s bidirectional interaction between law and politics).

<sup>17</sup> Greg Shaffer, *How the World Trade Organization Shapes Regulatory Governance*, 9 REG. & GOVERNANCE 1 (2015).

gests that a “way out of the deadlock is to no longer privilege the idea of industry, with its attendant values such as mechanical speed and economic growth, and instead use agriculture as an ideational starting point” (p. 214). This proposal is an interesting idea for academics to explore in future projects.

The limited use of recommendations by the author should be seen in context. Fakhri’s search for a more equitable international trade law sensible to the conditions suffered by the oft-starving men and women who produce our food is an unquestionable plea. This quest certainly requires an understanding of the institutional repertoire of international trade law beyond the WTO and hence showcases the value of Fakhri’s descriptive project. Moreover, it also requires addressing, in a concrete fashion, the role of special interests that benefit from the status quo, such as sugar barons from Florida; Veracruz, Mexico; or Pernambuco, Brazil. More importantly, Fakhri’s refreshing methodology of tracing the history of legal institutions using one commodity should be replicated: it is a welcome move at a time of overabundance of dry legal analysis in the literature of international trade. Fakhri could not have chosen a better product than sugar, as evidenced by the role that the industry continues to play in current trade negotiations. Finally, while the beautiful illustration by Frank Newbould (1887–1951) on the cover of the book—depicting sugarcane harvesting in the West Indies—runs the risk of undermining the true hardship of such work, it is a perfect complement to the timely and multifaceted history provided in the book.<sup>18</sup>

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