

Foreword

Since 1923, The American Law Institute, a private organization with more than 4,200 lawyers, judges, and professors as members, has sought to influence American and transnational law by recommending principles and rules that contribute to social and economic progress. The law of world trade, still in an early stage of development, will benefit from analysis by distinguished experts. For that reason, the ALI has sponsored books describing and constructively criticizing all the important decisions rendered by the Appellate Body of the World Trade Organization since 2001. This volume, the sixth in our series, considers decisions issued in 2008.

The subjects of the legal disputes discussed in this year's volume seem abstruse and sometimes amusing: bananas, Thai shrimp, upland cotton, and so forth. But an economically integrated world must have coherent, predictable, and fair rules governing trade. In just its second decade, the WTO has made progress, but its work can only be helped by careful study.

The six volumes analyzing WTO decisions are only one part of the ALI's effort to contribute to the law of world trade. In 2008, we published *The Genesis of the GATT*, by Professors Douglas A. Irwin, Petros C. Mavroidis, and Alan O. Sykes. Teams are now at work on two volumes that we expect to publish in 2011: one on the treatment of border instruments in the GATT and one on the National Treatment provision of Article III of the GATT. For The American Law Institute, it is an innovation to have our effort led by two non-Americans, Professor Henrik Horn of the University of Stockholm and Professor Petros Mavroidis of the University of Neuchatel and Columbia University in New York. It is also new for us to publish work, all portions of which are the product of cooperation between professors of trade economics and professors of trade law.

We appreciate the assistance of the experts who met in Geneva to discuss earlier drafts of this work and of other experts who have sent helpful comments to the authors. We are even more indebted to Professors Horn and Mavroidis for their high-quality leadership and to the authors they persuaded to contribute to this book. Finally, we thank the Jan Wallander and Tom Hedelius Foundation and the Milton and Miriam Handler Foundation for financial support that makes this important work possible.

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