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The 2004 International Law Review Symposium on the Free Trade Area of the Americas: Implications of a Hemispheric Marketplace

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THE 2004 INTERNATIONAL LAW REVIEW SYMPOSIUM ON THE
FREE TRADE AREA OF THE AMERICAS: IMPLICATIONS OF A
HEMISPHERIC MARKETPLACE

INTRODUCTORY REMARKS

Thomas M. Haney†

I want to welcome you all to this opening session of the symposium on the “Free Trade Area of the Americas: The Implications of a Hemispheric Marketplace.”

This is the second in a series of annual symposia sponsored by our *International Law Review*, the purpose of which is to provide an academic forum for scholars, public officials and others to discuss a major issue in the international arena. The students once again have assembled a remarkable group of speakers and other participants who will spend tonight and tomorrow engaging in what I hope and expect will be a spirited discussion of this year’s topic, the proposed Free Trade Area of the Americas.

The New World, the Western Hemisphere, has a unique history, and the United States has played a variety of roles over the centuries in that history. From the earliest days of our country, the United States has expressed interest in its hemispheric neighbors - although that interest has not been consistently sustained, nor has it always been benevolent.

I remember the promise of the Latin America Free Trade Association that was launched in 1960, and the excitement generated by President John F. Kennedy’s proclamation of an Alliance for Progress - the *Alianza para el Progreso*. On officially announcing the Alliance in 1961, President Kennedy said, “Our unfulfilled task is to demonstrate to the entire world that man’s unsatisfied aspiration for economic progress and social justice can best be achieved by free men working within a framework of democratic institutions.” Those words may still have some relevance to the project under discussion tonight.

I also remember how, not long after President Kennedy’s death, the optimism of those days faded. The Latin American Free Trade Association never fulfilled its promise of economically tying the countries of the region together. The establishment of the Castro government in Cuba and the military interventions throughout Latin America in the 1970’s and ‘80’s dampened the enthusiasm of

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the United States for hemispheric projects, and the Cold War turned our interests elsewhere.

The restoration of democracy throughout the region by the 1990's and the introduction of free market economics within the hemisphere rekindled ideas of and hopes for cooperation among the nations of the Americas. The United States underwent its first experiment with economic integration with the emergence of NAFTA, the North American Free Trade Agreement, in 1993 - an experiment that remains controversial to this day, as we recently saw as we celebrated - or lamented - its 10th anniversary.

From the first Summit of the Americas in 1994 in Miami, the United States has enthusiastically proclaimed the concept of free trade from the Arctic Circle to Tierra del Fuego - although its commitment to real free trade remains somewhat doubtful. Nonetheless, the United States continues to pursue free trade opportunities within the hemisphere.

Our School of Law established ties with a law faculty in Santiago, Chile, and last year some of the faculty accompanied a number of our law students on a study tour to Chile. While there, they were treated to a continual stream of information, mostly but not entirely favorable, about the United States - Chile Free Trade Agreement which had just been negotiated and which was ratified by our Senate and signed by our President later that year.

Newspapers have given decent coverage - for a story on economics - to the recently-concluded free trade agreement between the United States and the principal nations of Central America. And it seems clear that the United States remains intent on pursuing other opportunities for free trade in the Americas.

By far the most ambitious of these projects is the proposal for a Free Trade Area of the Americas. For the past decade, this plan has been moving, mostly forward, on a variety of planes. But, as the recent Special Summit of the Americas in Monterrey, Mexico has demonstrated, the path toward concluding the Free Trade Area of the Americas is by no means certain or smooth. Critics of United States policies and plans - both in this country and elsewhere in Latin America, notably Brazil - have called into question whether this ambitious project can be brought to completion.

I expect that our speakers tonight and tomorrow will provide us all with many different perspectives and conclusions on that issue.

I would now like to introduce Professor Margaret Moses, who will proceed with the program. Thanks again for being with us for this exciting symposium.

Thomas M. Haney
February 5, 2004