

## THE WILLING WORLD

In this time of unwillingness, the right kinds of global solutions are needed now more than ever. Climate change is here and intensifying. Anxieties over economic globalization grip many in the fear of change. While these fearful have turned inward into unwillingness, the world's willing are working harder than ever for international and other cooperative solutions. James Bacchus explains why most of the solutions we need must be found in local and regional partnerships of the willing that can be scaled up and linked up worldwide. This can be achieved only within new and enhanced enabling frameworks of global and other international rules that are upheld through the international rule of law. To succeed, these rules and frameworks must for the first time see and treat economy and environment as one. *The Willing World* explains how best we can build the right legal structure to attain our global goals – and summon and inspire the willingness needed to do it.

JAMES BACCHUS was a founding member and twice the chairman of the Appellate Body of the World Trade Organization – the chief judge on the highest court of international trade. He is Distinguished University Professor of Global Affairs and Director of the Center for Global Economic and Environmental Opportunity of the University of Central Florida. He is the author of *Trade and Freedom* (2004) and has written and spoken extensively on global governance in leading publications and on prominent platforms worldwide. For decades, he has been an advocate of freer trade and investment, and, starting with his service as a Member of the Congress of the United States before becoming a judge, he has long also been engaged in efforts to forestall climate change and further global sustainable development.

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James Bacchus  
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# The Willing World

SHAPING AND SHARING A SUSTAINABLE  
GLOBAL PROSPERITY

**JAMES BACCHUS**  
University of Central Florida



**CAMBRIDGE**  
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## Preface

I am one of the willing.

All over the earth there are others who are also willing and trying to do their part and their best to find the right ways to help make life better for billions of people on our imperiled planet. The willing are fighting famine in Africa, furthering the flow of freshwater in the Andes, battling back against the rising seas on the small islands of the South Pacific, urging use of renewable energy in the cities of Europe and the United States, struggling against smog and air pollution in China, and sheltering endangered sea turtles on the beaches while preserving the coasts of my home state of Florida. And, in every part of the world, the willing are convening in meeting after meeting, conference after conference, year after year, to try to find and fashion the necessary legal architecture for the international institutions needed to achieve worldwide what they describe as “sustainable development.”

Many of these gatherings of the willing center on the connections between the economy and the environment. In particular, my own work in many of these sessions has shown me firsthand the truth in the telling assertion by my insightful friend David G. Victor that, in considering and confronting these connections, the advocates of trade and the champions of the environment are on “two different planets.” Not only do the “two different planets” of trade and environment have two entirely different ways of looking at the world, they also have two different languages. Even on those rare occasions when the two do try to communicate, there is usually little mutual understanding.

Unlike most among the willing, I am from both of these “two different planets.” Because I speak the languages of both “planets” (and because I know the meanings of the arcane acronyms of both), I have found myself, more than once, explaining and translating one to the other. I share the fundamental ambitions of each of these “two different planets,” and the fact that I am someone from both of them has helped me to have a better understanding of both. This, I have found, has often helped me foster communication between the two. I hope it will help me in

speaking to both about the inseparability of economy and environment in offering the suggestions in this book.

Concerted and collaborative action is much needed now by the willing aimed at discerning how, together, we can help forge an urgently needed consensus for the world. The consensus we seek must be made and manifested through much more international cooperation. This enhanced international cooperation must create effective frameworks of agreed rules for enabling global sustainable development. This book is one small contribution of mine toward that end. As will be seen in the pages that follow, I am a believer in learning by doing. Publicly and privately, I have had the good fortune in my life of serving others at every level of global governance, ranging from the innovative grassroots of the world up to the global pinnacles of public responsibility. The observations and recommendations in this book are a distillation of much I have learned – by doing – along the way about the economy, the environment, the connections between the two, and, most of all, the current necessity to unite the two in trying to build a consensus for sustainable development.

As will be seen, too, in what follows, I am also a firm believer in the value of beginning by identifying premises. While a judge on the Appellate Body of the World Trade Organization, my first question of the disputing countries appearing in an oral hearing was always, “What is the measure before us?” In other words: What is our subject? And, given our subject, what are our assumptions about it? What are our definitions? What are our philosophical foundations? If we know – and if we can agree – on the answers to these threshold questions, then we have a much better chance of building a consensus.

Moreover, as will be seen, I am a believer in experience. What have we already done on which we can build now in doing all we still hope to do? How did we get to where we are now? And what have those who have preceded us said they were doing and why? In other words, what were their premises? In my experience, rarely is anything so new in the world that we cannot benefit from a lot that has been said and done previously. Past experience can be instructive in understanding and dealing with a new challenge. This seems to me to be true even of so novel and unprecedented a global challenge as ours today in confronting and combating climate change as part of attaining sustainable development.

So I have divided all that follows into three parts. Part I begins with the premises of the willing – with what we hope to do. Part II continues with our experiences – with what we have done so far. Part III concludes with what, as I see it, we all must do together now. It concludes with my many specific suggestions, based on these premises and on these experiences, for the best approaches for building a global consensus for securing sustainable development. In other words, this book is about how all of us must learn by doing if we are to shape and share a sustainable global prosperity.

As will soon become clear, I believe as well that trade, investment, and other forms of economic globalization have been and can be enormously beneficial. But

I also believe that, like so much else we do in the world, how beneficial additional globalization turns out to be for all of us will depend on how we go about doing it. This said, however, if you are looking for a book that will focus solely and comprehensively on explaining and defending all the many reasons why trade- and investment-led economic globalization is good for the world, this is not that book. I have addressed that topic in my previous book, *Trade and Freedom*.<sup>2</sup>

Likewise, if you are looking for a book that will explain and elaborate in technical detail all the scientific reasons why climate change is real and why we frail and feckless human beings are causing it – if you are looking for a point-by-point scientific refutation of the denials of the reality of manmade climate change – this is also not that book. On the inescapable reality of manmade climate change, I urge you to read and consider the views of the overwhelming global consensus of climate scientists in the latest reports of the United Nations Intergovernmental Panel on Climate Change. All that follows in this book takes it as a given that those climate scientists are correct in concluding that our striving and struggling species is now facing significant and accelerating climate change of our own making.

But if you are looking instead for a book that acknowledges the reality of climate change and accepts the fact that we are causing it – and if you are looking also for a book that suggests to practical decisionmakers everywhere in the world some practical ways of confronting this fact that will help all of us in the world both survive and prosper through global sustainable development – if you are looking for a book that suggests how we should proceed from where we are now to where we hope to go economically and environmentally – then please read on.

What follows is akin to a “how-to” book for enhancing global economic and environmental governance. It is suggestive, not definitive. There are many sustainability issues I do not address and many desirable legal and other reforms I support but do not discuss. The specific suggestions in Part III are included because of my hope that highlighting them here will help the willing everywhere in the world in their continuing efforts to shape a sustainable global development in which we all can share. This is a book that offers not the magic wand of one technocratic “top-down” solution from the top of the world, but instead ardent support for an innovative “bottom-up” approach that can enable us to find the many partial solutions that can rise up and be scaled up from the grassroots of the world, and that can add up over time to the one global solution we all need.

This is a book about how to grow and govern the global economy in ways that will work economically and environmentally through sustainable development.

I am one of the willing, and what follows is what I see as our best way forward to the willing world.

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