

CONSENT AND TRADE

In a time of changing trade norms, when free trade seems to be giving way to new kinds of nationalism, some fundamental questions about trade are still not being asked. Is trade consensual or coercive? Is “free trade” as currently practiced really free? If not, what difference can trade law make in addressing economically oppressive practices that nationalistic trade policies cannot? In this book Frank J. Garcia offers an examination of trade law’s roots in consensual exchange, highlighting the central role of consent in differentiating trade from legally facilitated coercion, exploitation or predation. The book revisits the premise of consensual exchange that underlies the rhetoric of “free trade,” and then examines the social and political conditions that are a necessary part of a more genuine trade law system, in service of the idea that recovering consent in trade law can promote human flourishing on a global scale.

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TRADING FREELY IN A GLOBAL MARKET

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For Joseph Vining, James J. White and
James Boyd White,
for teaching us what a warm, intelligent, vigorous love
of the Law looks like,
and for all my teachers.

Where there is voluntary agreement, there is justice.

Plato, *Symposium*

...justice will take us millions of intricate moves

William Stafford, “Thinking for Berky”

CONTENTS

Acknowledgments *page* ix

 Introduction 1

1 Consent and Trade 16

2 Consent, Oppression and Contemporary
 Trade Agreements. 52

3 (Re)Building Trade Agreements 108

4 Consensual Trade and the Twenty-First-Century
 Global Economy. 168

 Conclusion 209

Index. 219

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