World Trade Review (2013), 12: 3, 463–485
© *De Souza Farias* doi:10.1017/S1474745613000037 First published online 3 April 2013

Mr GATT: Eric Wyndham White and the quest for trade liberalization

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> I must say I share the view of those who say it is an impossible enterprise, and I must confess, I embarked on it with a considerable amount of trepidation. It was entirely new ground. There is no precedent for an operation so complex or grandiose on which one could work, and therefore, we were breaking new ground.[1]

Introduction

Upon entering the Centre William Rappard, the World Trade Organization (WTO) headquarters in Geneva, you are greeted by the beautiful Delft ceramic panel produced by the Dutch artist Albert Hahn Jr. The work has more than 2,000 tiles which reproduce the preamble to Part XIII of the Treaty of Versailles (which became the International Labour Organization constitution) in several languages. It is a statement of the past, as the same building formerly housed the International Labour Organization. For 30 years the panel was hidden from public view as it was considered inappropriate by the General Agreement on Tariffs and Trade (GATT) Secretariat, the institution that preceded the WTO.[2]

One of the building's biggest rooms is located just behind the panel: the Eric Wyndham White Room, in honor of GATT's first Director General.[3] There is

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I would like to thank Margaret McElligott and Helen Coskeran for the helpful comments and suggestions. I would also like to acknowledge my great debt to Francine McKenzie and the anonymous referee. I am the sole responsible for all errors.

1 Press release given by Mr E. Wyndham White. Executive Secretary of the Preparatory Committee of the United Nations Conference on Trade and Employment, 11 July 1947, Press Release No. 234, gatt.stanford.edu. Last access 2 January 2011.

2 In the heyday of Cold War, the panel was probably considered an expression of the Soviet realism, something at odds with an institution deeply tied to the capitalist order. GATT was not an institution in the formal sense. According to its legal history, a group of countries devised the agreement in order to temporarily protect the Geneva 1947 tariff negotiations until the creation of the International Trade Organization. The Agreement, however, slowly evolved to be a *de facto* institution (Jackson, 1990: 13–17; Irwin *et al.*, 2008: 168–169; Jackson, 1969: 119–122; Patterson, 1992: 7; Dam, 1970: 335).

3 Wyndham White was first selected as the Executive-Secretary for the Interim Commission for the International Trade Organization. In 1957, the title changed to Executive-Secretary to the Contracting

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

nothing covering the room's name or the painting portraying Wyndham White at the entrance. Notwithstanding that, the founding father of the multilateral trading system is rarely remembered, and his achievements seldom celebrated by historians or even by the WTO itself. This situation is startling. Wyndham White was the face and soul of GATT negotiations from 1947 up until 1968. The international press followed his activities, and around the world politicians and government officials praised his achievements. However, since he stepped down from his post in 1968, he received almost no notice. One of the few occasions in which his role was recalled was in 1990, when the Chairman of the Contracting Parties, Ambassador John M. Weekes (Canada), proposed to name the principal conference room at the GATT headquarters as 'Salle Eric Wyndham White'.[4] The initiative faced no opposition. It failed though to engage GATT members in a serious evaluation of Wyndham White's legacy.

Like the decision regarding the Delft panel, this is an appropriate time to unveil the past and try to understand the important role performed by one of the chief international civil servants of the multilateral order in the twentieth century. One reason for us to reconsider is the recent wave of studies rethinking the early years of postwar trade negotiations. These works try to break free from the excessive focus on Anglo-American negotiations of an early generation of scholars and diplomats. They also profit from the availability of new primary sources (Zeiler, 1999; Irwin *et al.*, 2008: 168–169; Capling, 2001, 2000; McKenzie, 2008, 2002; Hart, 1998; Lee, 2001, 1999, 1998; Scott, 2010; Wilkinson and Scott, 2008). The role of the GATT/WTO secretariat and the 'chair' in trade negotiations has been another way to explore these negotiations. High-level international civil servants usually are called to chair multilateral meetings, and the role of Eric Wyndham White in multilateral trade negotiations is relevant to this literature (Yi-chong and Weller, 2004; Nordstrom, 2005; Hudec, 1998). As his role in GATT demonstrantes, particularly in the case of transparency, expertise in managing negotiations can make a difference in multilateral diplomacy, especially when diplomats reach deadlock.

A second reason is the current stalemate in the Doha trade round. After missing several deadlines, maybe it is time to look back at the past in order to understand why the first decades of trade negotiations were so successful. The management of early GATT negotiations can certainly shine new light on the challenges negotiators face today. This article will delve into one particular aspect relevant to current debates about the WTO: the issue of transparency. The decision to focus on this

Parties of GATT and in the 1960s it changed again to Director-General of the Contracting Parties (Jackson, 1969: 148–150).

4 GATT honours its first Director-General. GATT/1497, 13 December 1990; Salle Eric Wyndham White, Draft Decision, Communication from the Chairman,W.46/4, 28 November 1990; Summary record of the second meeting, SR.46/2, 1 February 1991.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

topic is justified by the fact that today it is in the centerpiece of the WTO. Particularly since the Seattle Ministerial Conference (1999), the matter has been on the top of the WTO agenda. For several observers, the legitimacy of trade negotiations results will depend on the level of openness and transparency in the decision-making process (Marceau and Hurley, 2012; Cho, 2005; Esty, 2002; Steger, 2008; Wolfe, 2005). This article will demonstrate how this issue was addressed in the early years of GATT. Bridging past and present might be a good strategy to understand the evolution of the multilateral trading system. Lastly, the organization will celebrate next year the 100th anniversary of Wyndham White's birth. Born on 26 January 1913, he would go on to be the longest serving leader GATT has ever had.

Eric Wyndham White does not have a biography worthy of his legacy. Different scholars, however, have examined and praised his role in specific multilateral trade negotiations. The purpose of this article is not bridge this wide gap. I will examine Eric Wyndham White's activities as Executive Secretary for the London and Geneva preparatory meetings for the United Nations Conference on Trade and Employment, focusing on the field of transparency and NGO participation. Another important objective of this piece is to briefly present Wyndham White's position on multilateral trade negotiations. The narrative will rely mostly on the GATT archive available both at the WTO headquarters (and on its website) and in the Stanford's GATT database.

I will begin with a short biography up to 1946. Afterwards, I will present what the job of Executive Secretary originally entailed and the impact of Wyndham White's managing style on negotiations. Then, I will narrate how Wyndham White and the Secretariat faced considerable pressure to be more transparent, both in how open negotiations would be for the public and how non-governmental organizations could participate in the proceedings. The focus will be on the period from 1946 to 1947. The reason for this choice is twofold. First, the meetings held in this period sowed the seeds of the multilateral trading system – its rules, practices, and unwritten compromises. Second, this period is rich in documentation; the proceedings were carefully recorded by the United Nations Secretariat.[5] Next, I will examine his views about multilateral trade negotiations and how it affected his direction of GATT. Finally, I will conclude the article by examining how the challenges he faced can improve our understanding of current challenges facing the WTO's Doha trade round.

5 There are 29,297 pages of documents available on the WTO website from the period from 1946 to 1950, while the period from 1951 to 1955 has 11,231 pages. This number is bound to change, however, as the WTO Secretariat uploads more documents.

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Havana Charter for an International Trade Organization. March 24 1948. Reproduced by kind permission of the WTO.

Mr GATT

Like many international civil servants, Eric Wyndham White did not write his memoirs. The best essay about his skills as a mediator is Gilbert Winham's article (1979); the best biography available today is the recent profile written by Francine McKenzie (2012). The most relevant primary sources about his work are the volumes of speeches deposited at the WTO Library. Most of them, however, are dry exercises in presenting an odd institution to puzzled audiences around the world (White, 1967, 1957, 1959, 1960a, 1960b, 1960c, 1962, 1964).[6] The only volume to stand out is the unfinished manuscript organized by Sydney J. Wells. Wells argued that although Wyndham White used a rhetoric of restraint, his speeches and writings provided 'an illuminating commentary upon the course of world economic events since the Second World War' (Wells [1965?]: 2). The following remarks are based almost exclusively on his work. We know that Wyndham White was born in London on 26 January 1913. He studied at the London School of Economics (LSE), where several liberal economists – like Lionel Robbins and Frank Paish – had a great influence on him. The rivalry between the LSE and the University of

6 See also Address by Eric Wyndham White for delivery to the Annecy Rotary Club, 3 May 1949. 3 May 1949, Press Release, UN No. 27.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

Cambridge in the field of economics was in its heyday. The fact that Wyndham White embraced in this early period a more free-trade position did not result entirely from the stern lectures of his professors. The Australian economist E. H. Coombs was also a student at the LSE in this period and was not convinced by the chorus of praise for free trade and unregulated markets. The truth is that in the depths of the depression that swept the world in the 1930s, it was extremely hard to understand the deteriorating economic conditions using classic economic theories. As the economist D. H. Cole stated in 1934:

> Arm-chair economists may continue to dream of the superior advantages of a free trade world; but there is no more chance of their dreams coming true than there is that Europe will return to the localized economic system of the Middle Ages. The old free trade era has definitely gone, and can never be restored. (Cole, 1934: 235)

The age of skepticism, autarky, and protectionism seemed to be the new rule. It was in this environment that Wyndham White got his law degree and started to practice before returning briefly to the London School of Economics as a Lecturer. During this period, he was active in the LSE's Conservative Association (he was encouraged to run as a Conservative candidate in the 1945 election). According to Wells, 'at the time he felt no sense of vocation to a career in an international organization' (Wells [1965?]: 2). His first diplomatic endeavor was an invitation to participate in the British delegation to the 1937 Berlin Conference of the International Chamber of Commerce. The event was held at the Berlin Opera House. The streets were lined with people and soldiers. Inside, Adolf Hitler and Hermann Göring welcomed delegates. The meeting did not have the same profile as the League of Nations, but it presented a comprehensive overview of the dire conditions of the world economy to Wyndham White.

When war broke out in 1939, he worked first at the British Embassy in Washington and between 1945 and 1946 he served as economic counsellor for the British Embassy in Paris. United Nations Secretary General Trigvy Lie invited Wyndham White to act as Executive Secretary to the first session of the Preparatory Committee for the International Conference on Trade and Employment in 1946 (Wells [1965?]: 2–4). There is no detailed information on what triggered his leap from being a diplomatic representative to holding a leadership position in the United Nations secretariat.

Church House

The auditorium of Church House, Westminster, was built in 1940, the same year it was bombed by the Luftwaffe. Prime Minister Winston Churchill was so impressed by the strength of the building that he requested that it house Parliament for the rest of World War II. That was the place where on 15 October 1946 diplomats from 18 countries opened the first preparatory meeting for the United Nations Conference on Trade and Employment – the final Conference was held in Havana from November 1947 to March 1948. Most of the delegates in London probably

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noticed that 100 years ago in that same town the Corn Laws were repealed by the British Parliament, symbolizing the beginning of one of the biggest trade liberalization efforts in Europe.[7] But two world wars and a deep recession had broken down the trading order created after the Corn Laws. The purpose of this meeting, therefore, was to study the *Proposals for Expansion of World Trade and Employment*, a document prepared by the US government that suggested the creation of an International Trade Organization based on set of rules to manage international trade relations. Three other meetings would ensue. The most important for the purpose of this essay is the one held in Geneva from April to October 1947. This meeting had two tasks. The first was to improve the draft for the International Trade Organization. The second was to promote the first round of trade liberalization among the participants of the meeting.

During the first meeting of the London Preparatory Session, A. D. K. Owen, the United Nations Assistant Secretary General for Economic Affairs, informed all delegates that Wyndham White – with the Uruguayan Julio Lacarte – '[would] be responsible for all the secretarial arrangements' for the meeting.[8] What Owen had in mind for the position of Executive Secretary was simple and straightforward: deal with the essential administrative activities. Initially, there was no leeway for direct involvement in the management of the negotiations themselves.

On paper, the secretariat had few substantive responsibilities. Wyndham White's main task 'was to provide the physical arrangements for tariff conferences, to take down and circulate minutes and to provide the necessary documentation for the delegates'. After some years in the role, it was Wyndham White himself who provided one of the best descriptions of his job. It was 'as something that combines the organizer, the secretary, the housekeeper, the politician (or peace-maker) and the globe-trotter'.[9] Indeed, Sydney Wells was one of the early academics to examine the different roles Wyndham White performed as Executive Secretary. The first one was mediation in cases of disagreement between parties. In these cases, Wells highlights the fact that sometimes Wyndham White called some delegates to 'informal talks on matters at issue'. The second role was as an initiator (Wells [1965?]: 6–10). These roles were a product both of his activism and the demands from delegates.

Menial tasks have great impact on negotiations, despite what outside observers might think. Wyndham White's administrative work was essential to the progress of the meeting. Without tight schedules, short agendas, accurate simultaneous interpretation, and the availability of documents, the meeting could not have

7 This is a highly debated topic (Schonhardt-Bailey, 2006: 9–11; Bernstein, 2008: 312–314; Bairoch, 1989: 3; Lazer, 1999: 482; Accominotti and Flandreau, 2008: 158; Lampe, 2009: 1033; Iliasu, 1971: 67; Gomes, 2003: 253–255).

8 Verbatim report of the first plenary meeting held at Church House, Westminster on Tuesday, 15 October 1946, E/PC/T/PV/1.

9 Address by Eric Wyndham White for delivery to the Annecy Rotary Club, 3 May 1949. 3 May 1949, Press Release, UN No. 27, WTO Library.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

achieved meaningful results. He was the one responsible for managing all these matters and much more. Sometimes, menial activities opened a venue for strategic decisions. As he was the person responsible for defining schedules, Wyndham White had the opportunity to shape how the decision-making process evolved. He was particularly responsive to the fact that developing countries lacked adequate representation to participate in the concurrent meetings of several committees. To settle this grievance, at least at the beginning of the Conference, he succeeded in approving a schedule in which committee meetings would be opened in succession. For this plan to work properly, each meeting could last no longer than 45 minutes. There was no time for long speeches and discussions, and delegates were supposed to be pragmatic in dealing with an objective agenda. When he received complaints, Wyndham White stated that to avoid scheduling conflicts, delegates could begin meetings earlier and work during lunch.[10] This is a precedent for the way he helped to create the pragmatic and businesslike culture of GATT negotiations in the future – and for his critics, informal and opaque.

Before the election of committee chairmen, Wyndham White filled the role. His performance demonstrated his methods and his relentless will to drive delegates down a path of efficiency. He gave instructions for the secretariat to 'not in any sense . . . spare the delegates but to keep them hard at work – if necessary even late into the night'.[11] From the beginning, he tried to expand his role in the organization of the meeting. After offering a proposal on meeting schedules, he stated that 'if comments are not received from any delegation by the dead-line, their acquiescence in the arrangements will be assumed'.[12] Despite the gains in efficiency, this precedent had great effect on developing countries. Without having an approriate number of delegates to keep abreast of all negotiations, this arrangement would preclude their participation.

Despite having multiple administrative tasks to take care of, being the person responsible for managing the Conference gave Wyndham White a broader knowledge of what each committee discussed. Chairs and delegates alike were usually too compartmentalized in their own committees, sub-committees, and working groups to be abreast of the global evolution of discussions and the interconnectivity of issues. Delegates usually summoned him in the course of meetings to promote linkages between articles and clauses they discussed separately. One of these cases was in the discussions of Committee II of the

10 Verbatim report of the third plenary meeting held at Church House, Westminster on Tuesday, 17 October 1946, E/PC/T/PV/3.

11 Verbatim report of the first meeting of Committee I, 18 October 1946, E/PC/T/C.1/PV/1. The purpose of Committee I was to discuss the topic of employment, economic activity, and industrial development.

12 Executive Secretary's note on committee meetings, 21 October 1946, E/PC/T/INF/3.Add1; verbatim report of the second meeting of Joint Committee on Industrial Development held in The Hoare Memorial Hall, Church House, Westminster, 26 October 1946, E/PC/T/C.I & II/PV/2.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

London meeting – responsible for the topic of general commercial policy (the articles that would later integrate the text of the General Agreement on Tariffs and Trade). A British delegate was shocked about the number of waivers and escape clauses in the draft under negotiation. H. B. McKinnon, from the Canadian delegation, agreed saying that they had 'almost reached the point when [they] may have a chapter on escape clauses'. Both wanted to form a general estimate of them before deciding about particular ones. The committee faced a problem, as no one had a general picture of what was going on. The solution was to draw the attention of Wyndham White to the matter.[13]

At the end of the London meeting, Wyndham White performed an important activity that would bring many opportunities for his display of leadership in the future. In the process of writing the final committee reports, delegates faced the dilemma of attributing to particular countries the viewpoints expressed in the proceedings. This would certainly be a problem if the document was released to the press. Wyndham White seized the opportunity to suggest that the secretariat prepare for publication an edited version without attributions for distribution to the public. This might be another menial job, but deciding what would publicly be proclaimed as the result of the conference and also the general points of views of the participants was an important task. It set the record for the future.[14]

Transparency

One of the first administrative issues delegates confronted was the revision of the Rules of Procedures (E/PC/T/2). Based on the rules of procedure of the Economic and Social Council (ECOSOC), it originally stated that committee meetings should be held in public unless the Preparatory Committee decided that 'exceptional circumstances' required them to be private. The matter of transparency had great impact on the decision-making process. It was clear during negotiations who would lose and win, which sector would face more domestic competition and which one would have better opportunities abroad. Without the dark veil of secrecy, most losers would strive against the success of trade meetings and very likely derail the whole effort; increasing the participation of interest groups would also create the possibility that they use the multilateral level after losing domestic battles. That is why several delegations wanted adjustments in the rules of procedures. During the discussions, Clair Wilcox, the head of the US delegation, argued that all committee sessions should be private. Canadian, French, and Belgian delegates supported Wilcox. A. D. K. Owen was at the meeting. He argued, 'if the Conference was to succeed, the Press and public opinion must be kept well-informed. The nations of the world ought to know of the work that was being done by their delegates.'

13 See, for instance, verbatim report of the ninth meeting of the Procedures Sub-Committee of Committee II, 9 November 1946, E/PC/T/C.II/PRO/PV/9.

14 Heads of delegations, third meeting, confidential documents, 2 November 1946, E/PC/T/DEL/4.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

Delegates from Cuba and India supported Owen's position. The Norwegian delegate suggested deleting the words 'exceptional circumstances' from the rules. The proposal was voted and adopted. The available documents do not reveal Wyndham White's personal position. Nonetheless, this was the moment when the first step was taken to create a working environment different from the United Nations in terms of transparency; trade talks would be more secretive. It is important to remember that this course was taken as a consequence of the initiative of delegates from developed countries in spite of resistance from the United Nations secretariat.[15] Also significant is the fact that discussions about transparency at that time were not the same as the current debates. Indeed, few people could imagine at that time that a temporary agreement would endure almost 40 years and would regulate such arcane and intrusive issues such as trade related aspects of intellectual property rights and trade in services. As a consequence, at the beginning of GATT only a limited number of firms and organized interest groups were aware of (or interested in) the nature, scope, and potential consequences of postwar trade negotiations.

The decision on the rules of procedures did not end the discussion about transparency. A London newspaper managed to print in its pages a confidential document that the UK delegation submitted to the Conference. The British government did not accuse anyone of a role in the leak, but in the discussion a British delegate suggested two possible explanations. The first was the access of unauthorized persons to the meetings. The second was the fact that delegates sometimes left documents on the table before leaving the rooms. In the two cases, it was a subtle remark that tainted the professionalism of the Secretariat. Wyndham White first had to defend the Secretariat policy that forbade, 'in conversation with the press, to attribute statements to any delegate or view to any delegation, or to make any restricted document available for the press except with leave of the delegation concerned'. For him, 'secrecy had become correspondingly more difficult to maintain' with a large number of copies of restricted documents and, in the end, it 'depended upon the personal care of delegates'.[16] This case would reinforce his careful quest to confine the decision-making process on contentious issues in an environment of secrecy. It also demonstrates how Wyndham White already regarded as difficult the attempt to completely barricade the negotiations in order to prevent leaks. In the following year during the Geneva negotiations he would worry about the security of the rooms and the adequate protection of secret documents.[17]

15 Suggested rules of procedure of the Preparatory Committee of the International Conference on Trade and Employment, 12 October 1946, E/PC/T/2; Summary record of meetings, Preparatory Committee First Session, 16 October 1946, E/PC/T/EC/1.

16 Heads of delegations, third meeting, Confidential documents, 2 November 1946, E/PC/T/DEL/4.

17 Chairman's Committee (heads of delegations), Summary record of the first meeting, 12 April 1947, E/PC/T/Del/19.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

Whether international agencies and non-governmental organizations could attend meetings was also discussed. From the beginning of his activities as Executive Secretary, Wyndham White had to take into account the existence of international agencies with mandates that affected international trade negotiations – the Food and Agriculture Organization, the International Labour Organization, the International Bank for Reconstruction and Development, and the International Monetary Fund. In London, he defended the participation of these organizations as observers in the process.[18] In this case, he was able to rely on the formative years of United Nations practice.

The case of non-governmental organizations (NGOs), however, was different. It is not possible to know from the available documents how many NGOs had an interest in the trade talks and approched the United Nations Secretariat to follow the meetings. We know, however, that Rule 46 in the rules of procedure for the London meeting stated that all committees could consult only with the World Federation of Trade Unions (WFTU), the International Cooperative Alliance, the American Federation of Labour, and the International Chamber of Commerce (ICC).[19] These organizations were not averse to the agenda of trade negotiations, but they had different ideas about what features a trade charter had to have. The ICC, for instance, wanted to secure free trade provisions, while the WFTU desired more provisions in the chapter on employment; all four organizations wanted to influence the outcome of the negotiations (Sutherland *et al*., 2004: 41; Wang, 2009: 269).[20] The rules of procedure left unanswered, however, what exactly the process of consultation involved. Representatives from the four organizations hoped at least to attend committee sessions. They would be bitterly disappointed. The Secretariat believed that they could not attend those meetings as observers. The only thing they could do was submit their views in writing and, if specific committees allowed, they could be invited to present their ideas.

There are several cases in which the Secretariat received letters from the four organizations and forwarded them to delegates. Chairmen usually appraised the contribution and reminded delegates to comment on them in the course of meetings.[21] Soon, however, the ICC and the WFTU began to push for more participation. In Committee IV (Intergovernmental Commodity Arrangements), the

18 Heads of delegation, fourth meeting, 7 November 1946, E/PC/T/DEL/5.

19 Rules of procedure of the Preparatory Committee of the International Conference on Trade and Employment, 16 October 1946, E/PC/T/2/Rev. 1. The International Chamber of Commerce submitted dozens of documents from 1946 to 1951 and their proactive role in this period deserves a proper study.

20 Draft Resolution adopted for submission to the Council of the ICC (3 and 4 December 1946) (submitted by the International Chamber of Commerce), 13 November 1946, E/PC/T/C.I/16; Report from the International Chamber of Commerce, 14 April 1947, E/PC/T/44. The ICC would have great involvement in GATT negotiations in the early 1950s, specially in the field of customs formalities and customs treatment of samples and advertising material.

21 See, for instance, Verbatim report of the first meeting of Committee III, 18 October 1946, E/PC/T/C.III/PV/1.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

British diplomat J. R. C. Helmore, as chair of the meeting, received a letter from the ICC asking to attend meetings. For Helmore, having representatives from non-governmental organizations attending meetings as observers was inconvenient. For him, discussion needed to be frank and free. The presence of outsiders could prevent this kind of trust. However, Helmore also thought the ICC could state their views and ask questions during a special session held for that specific purpose. Afterwards, two representatives from the ICC managed to attend a meeting of Committee IV and read a prepared text.[22]

From the beginning, Wyndham White saw a profitable venue for cooperation with the ICC. On 23 October 1946 he invited the organization to submit papers on several issues under discussion in London. The ICC submitted some documents and letters, but they still wanted to take part as observers in the private meetings of committees – a move Wyndham White blocked.[23] The WFTU complained that the arrangements suggested by the Preparatory Committee were inadequate. An Australian diplomat received their complaint and forwarded it to Wyndham White. After discussing the issue with several members, delegates agreed to allow the representative of the organization to make a speech in a plenary session.[24]

Allowing these organizations to present papers and sometimes deliver speeches did not appease the complaints. The WFTU and the ICC representatives complained in Geneva about the inadequate facilities for consultation at the London meeting.[25] Wyndham White's position on this matter is complex. He knew that delegations could not spend all their time barricaded inside closed rooms. It was necessary, in his opinion, to give the impression that meetings were open and inclusive. His idea was to create two environments. The first would be created for public relations purposes, in which delegates would express their opinions for the press and observers. It was also in this place that non-governmental organizations

22 The ICC representatives argued that the subject of International Commodity Agreements were riddled with difficulties. They were particularly sensitive to the issue of buffer stocks and private commodity agreements. Their main argument was that instability in the primary products sector in the period reflected monetary and trade disorders. If these problems could be minimised or eliminated, the need for commodity agreements would also be reduced. Statement presented by International Chamber of Commerce to representatives of Committee IV on Tuesday, 19 November 1946, E/PC/T/C.IV/17. We know from the available documents that the WFTU sent a letter, but it is not possible to know its content. See document E/PC/T/C.IV/3.

23 Preparatory Committee of the International Conference on Trade and Employment, 8 November 1946, E/PC/T/9. In this document, the secretariat printed extracts from the suggestions given by the ICC. The organization argued that their suggestions had great legitimacy because it reproduced the consensus from delegates of industry, finance, and trade from 21 countries. They proposed the reduction of tariffs either by negotiation or unilateral action, abolition of quantitative restrictions, the use of the most-favoured-nation clause in all trade treaties, and the acceptance of international arbitration or conciliation in trade conflicts.

24 Relations of the Preparatory Committee with the World Federation of Trade Unions (Note by the Secretariat), 21 November 1946, E/PC/T/DEL/13.

25 Chairman's Committee (heads of delegations). Summary record of the second meeting, 12 April 1947, C/PC/T/Del.21.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

would act. The other setting was where the real negotiation took place – as he said, 'the working machinery of the conference would, of course, be established in closed sessions'.[26] The separate environments meant dissociation between participation and influence, spotlight, and shadows; like most political intercourses, it tried to convey the idea of transparency and broad consultations, when in fact a small group wielded power in the diplomatic engagement.[27]

This duality was not a direct creation of his activities, but he understood that this was necessary to reach agreement on contentious trade questions. Yet, it did not mean he was averse to transparency. He asked for reclassification of some documents 'in order to facilitate public reporting of the Conference'.[28] He tried to prod some members to let non-governmental organizations attend specific closed meetings as observers.[29] He also attempted to expand the number of non-governmental agencies that could be consulted.[30] Wyndham White's stance reflected a wider ambivalence about non-governmental participation among delegates. If demands from these organizations were accepted, most believed they would stand at the same level as delegates from member countries and, as we saw above, preclude the frank exchange of ideas.[31]

Despite his efforts, Wyndham White failed to satisfy the NGOs in London. In Geneva in 1947, Wyndham White came up with an idea on how to integrate the interests of these organizations into the work of the Preparatory Committee. He suggested instructing all sub-committees to 'take into account the suggestions which have been put forward by the non-governmental organizations' in their work. Wyndham White also wanted the negotiators to prepare responses on how the suggestions were (or were not) incorporated in negotiations. He intended to appease the NGOs by claiming that their 'views were being seriously considered in the framework of general discussion'. Several delegations – like South Africa and Norway – refused to reply to the NGOs.[32]

26 Chairman's Committee (heads of delegations). Summary record of the first meeting, 12 April 1947, E/PC/T/Del/19.

27 During the early years this groups comprised the United States, the United Kingdom, Canada, Australia, and France. With the creation of the European Economic Community in the late 1950s, the dynamic changed and this coterie became more Atlantic. About the evolution of GATT during Wyndham White's period ahead of the organization, see Evans, 1971; Gardner, 1956; Kock, 1969; McKenzie, 2010; McKenzie, 2008; Preeg, 1970; Zeiler, 1999.

28 Chairman's Committee (heads of delegations), Summary record of the first meeting, 12 April 1947, E/PC/T/Del/19.

29 Chairman's Committee (heads of delegations), Summary record of the fourth meeting, 3 May 1947, C/PC/T/Del.28.

30 Verbatim report, first meeting of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, 10 April 1947, E/PC/T/PV2/1.

31 Chairman's Committee (heads of delegations), summary record of the third meeting, 23 April 1947, C/PC/T/Del.23.

32 Twentieth meeting in Executive Session, 7 July 1947, E/PC/T/EC/PV.2/20.

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The initiative did not satisfy critics. In a new effort to placate them, the heads of delegations and Wyndham White created a Consultative Committee, which would receive oral and written communications from selected non-governmental organizations.[33] This was a bold idea and a serious effort to introduce NGOs into the negotiating process. By creating an institutional arrangement apart from the real negotiations, but counting with diplomats and NGOs representatives, he managed to bridge the distance between secrecy and transparency. Several meetings of the Consultative Committee were held and high-level diplomats often participated. But it is hard to gauge the real impact of these efforts. In one of the meetings, ICC representatives defended, among other things, revisions in the chapter about Commodity Agreements. They were worried about the impact those agreements could have in international trade and suggested several modifications in the draft under negotiation. The committee members replied to their grievances, assuring them that their demands had already been taken into account. Indeed, the next draft of the chapter had many modifications that brought the text nearer to some of the ICC demands. The changes, however, were made before the presentation of the ICC and were introduced by developed countries in order to improve the precision of the chapter. There is no evidence the ICC demands were the reason for the alterations.[34] It seems, therefore, that despite being a noteworthy exercise in consultation, the engagement also had relevance in the game of dissimulation.

Even after the Havana Conference, the issue of non-governmental organizations was debated. In the second meeting of the Interim Commission for the International Trade Organization, Wyndham White suggested some practical arrangements about how to deal with NGOs. For him the ITO needed to use the ECOSOC list of non-governmental organizations to adopt a list of 'consultants'. The consultants would send observers to annual meetings of the ITO and they would have the right to propose items for the agenda (in this case the Executive Board would have the final decision). They would not be able to read restricted documents and all papers submitted by them would be distributed at the discretion of the Director General.[35]

The peacemeal approach to trade liberalization

Wyndham White's activities on the issue of transparency and NGO participation during the preparatory meetings are certainly relevant, but they do not inform us about how he reacted to the essence of the negotiations. His role as Executive

33 Chairman's Committee (heads of delegations), summary record of the fourth meeting, 3 May 1947, C/PC/T/Del.28. See, for example, Non-Governmental Organizations, 4 July 1947, E/PC/T/129.

34 Non-Governmental Organizations, meeting of the Consultative Committee with the representatives of the International Chamber of Commerce held on Friday, 18 July 1947, E/PC/T/131; Progress report from opening of the Conference on 10 April 1947 to date, 28 July 1947, Press Release No. 262; Report of Legal Drafting Committee on Chapter VII, 4 August 1947, E/PC/T/147.

35 Working paper for Sub-Committee III on Administration, 2 September 1948, ICITO/EC.2/SC.3/5.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

Secretary, and the demands of neutrality placed upon him, precludes us from having a better understanding of his beliefs about the substantive aspects of multilateral trade negotiations. There are several documents, however, that convey his ideas about the matter.

Wyndham White always associated trade liberalization with peace. This was not just a fortuitous belief. GATT activities were generally technical, dull, and monotonous, and it was hard to see in its daily activities a deeper significance to people around the world. That is why, specially in the early years ahead of GATT, he associated his activities with the global quest for world peace – he believed that 'if we face up to economic problems of the world and tackle them energically, we can create conditions of well-being and prosperity in which alone is there any hope of attaining the prize of enduring peace' (Wells [1965?]: 26). The policy he found most approriate to tackle these problems was deeply tied to a specific view of history. He repeatedly stated that interwar protectionism and bilateralism had great impact on political conflicts. The lesson was 'the fundamental importance of combating economic isolationism' with 'economic and social institutions directed towards this end' (Wells [1965?]: 97).

Tariff negotiations are certainly one of the most important issues he commented on. In Geneva, an original and experimental approach was created – several countries simultaneously negotiated bilateral trade agreements that were later generalized by the most-favored-nation clause. During the conference Wyndham White informed some journalists that a lot of people would have said: 'it is a fine idea, but it is unrealizable, and anyway, it is not very practical to expect people, a good many of whom are confronted with acute and fundamental post-war reconstruction problems, really to settle down to do business seriously about tariff negotiations'. He was not among the skeptics, but before the meeting, he had serious doubts about the prospects of the meeting: 'I must say I share the view of those who say it is an impossible enterprise, and I must confess, I embarked on it with a considerable amount of trepidation. It was entirely new ground. There is no precedent for an operation so complex or grandiose on which one could work, and therefore, we were breaking new ground.' Such a formidable task demanded a cautious programme, described by him as being 'very tentative, extremely ambitious, and tinged with optimism'. He did not sweeten the bitter pill for journalists. Stating that participants faced a strenuous job, he said: 'there would be no great virtue in negotiations which were smooth and simple. The virtue is in concluding negotiations which are difficult.'[36]

Wyndham White's depiction of the work as 'very tentative, extremely ambitious, and tinged with optimism' describes perfectly GATT negotiations during the

36 Press Conference given by Mr. E. Wyndham White, Executive Secretary of the Preparatory Committee of the United Nations Conference on Trade and Employment on Friday, 11 July 1947, Press Release No. 234.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

1950s.[37] The challenging objective of freeing international trade during a period of serious trade imbalances was a task that could only be faced with optimism in order to succeed. He gave a more precise meaning to these words in an article published in August 1947. In it, he acknowledged that the lofty dreams of free trade contrasted strongly with the chaos in international economic relations during the 1940s. The Draft Charter negotiated in Geneva was supposed to be applied, therefore, 'in normal world conditions'. To adapt high-minded principles to reality, negotiators created a series of escape clauses. He defended them, because to put your 'head in the clouds of unreality might well be the quickest way to kill the ideal trading conditions' for which all countries were striving.[38] In what ways did this belief shape Wyndham White's cautious strategy for directing multilateral trade negotiations in the future?

First, Wyndham White supported what can be described as a 'piecemeal approach' to trade liberalization. It is not clear today how far this approach was the result of diplomatic engagement, economic conditions or his own initiatives, but he certainly managed to shape the way it was applied. Diplomats, chairs, and the GATT secretariat would use the strategy until the Uruguay Round (1986–1994), when the creation of the 'single undertaking' circumvented the possibility of deeply unbalanced results across issue areas. Wyndham White's realism about the limits of trade negotiations stemmed from a keen perception that the clash of interests was so high in certain areas that they could derail the whole effort. Unfortunately, contentious topics would have to have permissive rules in order to safeguard victories on a greater number of issues. Having a strict and across-the-board engagement on everything would only bring frustration – they were in the 'clouds of unreality', as he said. The rationale behind this strategy is that partial victories could appease protectionist forces and create an environment of economic growth, which would promote the assault on the neglected areas later on.

In the beginning, this strategy brought fast and significant results to negotiators. One of the main examples is the connection between monetary imbalances and trade liberalization. The relationship was clear enough to him already in Havana: 'Is it worth creating a new international agency whose success in reducing barriers to trade can be completely frustrated if purchasing power is not fairly distributed amongst the nations interchanging their goods?'

37 Press Conference given by Mr. E. Wyndham White, Executive Secretary of the Preparatory Committee of the United Nations Conference on Trade and Employment on Friday, 11 July 1947, Press Release No. 234.

38 Prospect for ITO by Eric Wyndham-White, 25 August 1947, Press Release No. 302. In 1954 he said: 'The objective of the GATT is that quantitative restrictions shall be dismantled as rapidly as possible after the financial difficulties giving rise to them are overcome. If this objective can best be achieved by giving a period of grace to enable the countries experiencing so-called "hard-core" problems to make necessary adjustments to enable them to get rid of restrictions, then this seems a better method of proceeding' (Wells [1965?]: 104).

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he asked.[39] The challenge was daunting in 1947, when the British government made the pound a non-convertible currency and several European countries applied more strict quantitative restrictions. His answer to that question was to follow the matter closely, reduce the scope of action, and give flexibility to rules with the expectation that time would allow all economies affected by trade restrictions to recover. In 1954, 16 of 20 developed countries argued they had balance of payment problems in order to apply quantitative restrictions in their foreign trade. At the end of 1957, the balance of payments situation was much better, but 14 industrialized countries still used quantitative restrictions.[40] In due time, however, all developed countries reduced significantly their restrictions. Other areas were not as lucky. Trade liberalization in agriculture was relegated to a secondary place during Wyndham White's tenure as Executive Secretary and later as Director General of GATT. We can see now that the 'piecemeal approach' brought many victories, but created an unbalanced framework in which several areas lagged far behind in terms of precision in legal commitments, scope in negotiation engagements, and depth in trade liberalization.

Another way Wyndham White's pragmatism shaped his strategies ahead of GATT is the cautious pace at which the organization promoted trade liberalization. Wyndham White's responsibility was to persuade the GATT contracting parties to abide by the rules and bind themselves in new agreements. In several instances, though, he acquiesced to trade restrictions even if he deeply desagreed about them – the American waiver in agriculture, the European regionalism, developing countries' restrictions in foreign trade, and state-trading in Communist contracting parties.[41] It might seem odd that an organization designed to increase free trade would act in such a way. But these countries faced fierce domestic opposition to GATT's agenda and GATT's own success only increased these

39 Prospect for ITO by Eric Wyndham-White, 25 August, 1947, Press Release No. 302.

40 Quantitative import and export restrictions. Note by the Executive Secretary on the statements submitted by contracting parties in response to GATT/CP/93, 20 October 1951; Summary record of the eighth meeting, SR.10/8, 11 November 1955; Summary record of the seventeenth meeting, SR.12/17, 29 November 1957 (Hudec, 1987: 25; Kock, 1969: 168; Eglin, 1987: 10).

41 About the state-trading case, see (McKenzie, 2008: 100–104). About Wyndham White's reaction to the European Economic Community, see (McKenzie, 2010: 229–237 and 243). About the American waiver he said in 1955: 'This case ... emphasizes the difficulty of reconciling the necessities of agricultural protection with the requirements of a sound international trade policy, but again I do not think it is an argument for suggesting that agricultural policy must be excluded from the purview of international trade rules ... It is clear that the policy of the Contracting Parties will be to consider these problems as they may arise on a case-by-case basis and to give such flexibility to the rules of the Agreement as will command the collective support of the member governments in each case' (Wells [1965?], 105). About agriculture, he said 'Even the firmest opponents of agricultural protectionism have been prepared to recognize the political realities of the situation. There has been no expectation that through international discussion agreement could be arrived at leading to a wholesale abandonment of agricultural protectionism' (Wells [1965?]: 226).

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obstacles. A harder stance aimed at enforcing all rules across the board would be equivalent to putting your 'head in the clouds of unreality' and could possibly derail the whole initiative.

Conclusion

In recent years, several international institutions have directed attention to their historical legacies.[42] The method usually involves connecting international civil servants and academics in order to frame the impact of international diplomacy on everyday life (Sluga, 2011: 220). The World Trade Organization could reap significant gains if it directed more attention to the matter. The staggering increase in the flow of goods and services across borders in the last six decades is one of the greatest achievements of mankind. Most of this outcome resulted from technological advances, but GATT's activities certainly played a role.[43] It is against this backdrop that Wyndham White's efforts must be further examined. After all, according to his own words, the purpose of multilateral trade negotiations was 'that ordinary people all over the world shall be able to trade with each other, to exchange with each other the products of their own industry, with the minimum of restrictions and barriers'.[44]

This essay did not aim to give a thorough analysis of Wyndham White's years ahead of the GATT. This is a task for other historians. The objective here was to present some aspects of his activities in multilateral trade negotiations that might be useful to the Doha Round.

First, his tactics for meetings are insightful. He had a preference for tight schedules and short and focused agendas. During the 1950s, this was relatively easy. Most delegates knew each other from recurrent meetings, GATT's mandate was mostly limited to tariffs in industrial products, and decisions reached in Geneva were rarely discussed outside expert circles. These norms evolved during his tenure in the organization. In one of his last speeches as head of GATT, he detected 'a serious deterioration in the work of the GATT due to the proliferation

42 The International Labour Organization gathered several interviews for their Oral Archives and published one book in their 'Century Project'. The International Monetary Fund decided in 1965 to commission a history of the institution. Since then the organization released several volumes. In 2001, they released a volume dedicated to the 1980s (Boughton, 2001; Horsefield, 1969; de Vries *et al.*, 1969). The United Nations started its Intellectual History Project in 1999 and until 2010 it conducted dozens of oral history interviews. They also published 17 books. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) started its History Project in 2005. They convened several conferences about its history and published a book in 2007. In 2005, the World Health Organization started an Oral History project in order to build up the organization's collective memory.

43 If and how the GATT system promoted international trade has being a highly debated topic in the last years (Rose, 2004a, 2004b; Tomz *et al.*, 2007; Goldstein *et al.*, 2007; Subramanian and Wei, 2007).

44 Address by Eric Wyndham White for delivery to the Annecy Rotary Club, 3 May 1949. 3 May 1949, Press Release UN No. 27.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

of meetings to an extent that it became beyond the competence of even well-equipped governments to deal sensibly and effectively with the business before them'.[45] This situation has worsened considerably since then. The WTO has a complex and extensive mandate, and having more than 150 members does not make things easier. Working in smaller groups with key participants would certainly be one of the best ways to cope with this reality, but nowadays complaints about legitimacy in the negotiating process cannot be downplayed.

This leads to the second aspect. Multilateral trade negotiations were dominated by a small group of specialists that met mostly behind close doors to hammer out important decisions. The press rarely followed closely the intricacies of this process. Today, important WTO meetings attract the attention of press, NGOs, and politicians from all over the world. These outside observers call for transparency and, in particular, for participation and influence. This is a problem Wyndham White confronted at the 1946 Preparatory Meeting in London. At that time, only a handful of NGOs could hope to participate. But their quest for a greater role in negotiations clashed with the preferences of delegates and, sometimes, the United Nations secretariat. Wyndham White knew that decisions reached in private were better in terms of commitments, but they suffered in terms of legitimacy. That is why he supported a two-track system. The public would be involved in the first track whereas the second track took place behind closed doors and would be the place where decisions would actually be made. It did not mean that public participation was a sideshow or could be disregarded; on the contrary, Wyndham White viewed their contribution as relevant to the work of delegates. Today he would be surprised to know how much the WTO has evolved in this matter. Particularly after the 1999 Seattle Ministerial Meeting, the organization has opened its doors, holding public forums in its headquarters, receiving amicus curiae in dispute settlement cases, and even giving credentials to NGOs to participate in some meetings. These efforts sometimes overburden delegates, but they are a sharp contrast with the early days of GATT. Unfortunately for the organization, it is still not considered to be enough. The reason is the fact that a two-track system is still in place and even delegates from big developing countries are sometimes left out of the real decision-making process. Bridging these two domains is one of the biggest tasks the organization faces nowadays.

The challenges of today's protectionism are enormous and there is no easy roadmap for handling them. With the decrease in trade tariffs, the WTO will have increasingly to dwell inside state borders.[46] It is a challenging task that will demand decades of studies, negotiation, and implementation. The Doha

45 Summary record of the sixth meeting, 20 November 1967, SR.24/6.

46 A good review of these challenges is the World Trade Report, published by the World Trade Organization. This issue focused on non-tariff measures (2012: 36–223).

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

Round was designed to address these concerns, but it reached gridlock in 2008 and there is no evidence negotiators will overcome this in the near future. One of the complaints about the difficulties pinpoints the fact that the agenda is too big to be handled by a large organization like the WTO. Some indicate the best strategy is to engage in bilateral or regional trade agreements; others suggest the reduction of issues on the table. Critics question whether such an objective is even feasible and also whether an approach based on the single undertaking strategy is suitable to the task.

Wyndham White's experience can certainly help reframe this situation. First, in his time, several people already argued that multilateral trade negotiations were an 'impossible enterprise'. It was certainly not easy to dismantle trade barriers after World War II and the long wave of protectionism in the 1930s. But Wyndham White delved into the task. For him, the work of the GATT had to be 'ambitious and exhaustive'.[47] But despite aiming at broad objectives, Wyndham White was a pragmatist and worked within the limits of the possible. From 1947 to 1968, GATT negotiations evolved in areas on which most developed countries agreed. Disputed issues were left behind. This promoted a great wave of trade liberalization in industrial goods, but also created an unbalanced framework. Much of WTO's efforts in the last two decades were directed towards correcting this problem. Concluding a 'mini-package' in the Doha Round might be the easy way out, but would certainly be a missed opportunity to level the playing field across issue areas.

Trade liberalization is not an easy task. While it opens domestic markets to competition, it also creates in the domestic realm tough opposition to trade liberalization. This usually comes from potential (or real) losers of the process, i.e. people who will lose their jobs or have less income after imports start flowing in under the new framework. When he wrote his classic oeuvre, Adam Smith warned his readers about the perils of sudden moves in trade liberalization (Gomes, 2003: 35; Smith, 2007 [1776]: 301–302; Buchan, 2006: 109; Hont, 2005: 99). He was well aware that complete freedom was the goal, but the economic impacts of prompt liberalization could lead to significant setbacks. For him, the best route was small and tentatives steps in that direction.

When Eric Wyndham White started his activities in trade negotiations, he faced the same dilemma. But from the beginning it was clear that a swift quest for trade liberalization was not possible; in the 1950s, almost all contracting parties wanted to scale back on bound commitments. Facing several waiver requests, Wyndham White had to follow the tide. He had limited leeway, as the survival of GATT demanded flexibility. The result was a 'two steps forward, one step backward' approach. He accepted the US waiver on agriculture, the Treaty of Rome, the Long Term Agreement on Textile and Clothing, and developing countries' demands for

47 Summary record of the nineteenth meeting, 12 December 1967, SR.24/19.

https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press

relative reciprocity. While accepting the detours as a political reality, he never forgot to look at the light of free trade in the deep end of the protectionist dark tunnel. Like a good policy entrepreneur, in these dire times, he worked hard to set the stage for further advances, when good economic and political conditions would enable him again to lead another trade liberalization effort. Considering the current stalemate in the Doha Round and the world economic crisis, we should consider if a temporary step backward might provide the necessary space for faster recovery in beleaguered economies – particularly in the developed world. As Wyndham White's approach to trade liberalization demonstrates, sometimes the route with many detours is the only one available.

In examining Wyndham White's activities ahead of the early GATT negotiations it is impossible not to note how different the institutional environment was if we compare to the current Doha Round. Nowadays the WTO is the only game in town. The institution is criticized but there is no serious challenge to its primacy in trade regulation. From the 1940s to 1970s, however, the GATT Secretariat had continuously to defend its turf from the interference of other multilateral arrangements. Notwithstanding this victory, nowadays the biggest menace is an increasing web of preferential trade arrangements. They reduce the effectivity and reach of the most favoured nation principle and increase the bureaucracy in the management of foreign trade – a situation the economist Jagdish Bhagwati called 'spaghetti bowl'. Regionalism already existed during Wyndham White's period; but, as Bhagwati explains, the architects of GATT 'would be aghast today at the wild horses and rogue elephants' that have marched through the door that allowed these arrangements to exist (Bhagwati, 2002: 112).

When Wyndham White's ended his term ahead of GATT an important transition had happened in trade negotiations. In the first five trade rounds, negotiations delegates had few tools to assess what would be the consequences of their decisions. At the end of the Kennedy Round (1964–1967) representatives of interest groups in Washington, DC started to use computers in order to influence the government (Dryden, 1995: 118}). In the Tokyo Round (1973–1979), tariff schedules and trade data were stored for the first time in computers. Now it was possible to envisage the impact of negotiations almost in real time. Victoria and Gerard Curzon were afraid that the use of advanced quantitative methods would end the uncertainty in negotiations and, as a consequence, preclude the politics of multilateral trade liberalization (Curzon and Curzon, 1976: 187). Their apprehension was unfounded. There are many variables to disturb the clear assessment of trade concessions. And that is another dynamic Wyndham White did not have to deal with. He worked in the stable environment of the Bretton Woods system and without facing problems such as the oil shocks, the debt crisis, and currency misalignments. Despite the differences, he would probably feel proud of how his successors manoeuvred the GATT/WTO system with a 'very tentative, extremely ambitions and ting with optimism' strategy.

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https://doi.org/10.1017/S1474745613000037 Published online by Cambridge University Press