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**Abstract**

**What is the WTO *for*? Ideology and the pursuit of sustainability**

This paper engages with the inherent contingency and contestability of the ideological assumptions which have driven WTO decision-making. Through the lens of the principle of sustainable development, the plurality of values affected by WTO decision-making are exposed. The principle of sustainable development links the pursuit of economic, social and environmental interests, notwithstanding their frequent pursuit through specialist legal orders. It requires a balancing of interests; no single pillar takes automatic priority. In addition to carrying global force, through international commitment, these interests manifest themselves and vary according to local culture. Thus the pressures pertaining to the realisation of sustainable development are both top down and ‘bottom-up’. The binding dispute settlement procedure of the WTO means it occupies a unique space in this context, particularly as regards the adjudication of the line to be drawn between economic and non-economic interests. Yet the WTO Institutions reflect the agenda of the WTO, and work within a particular context: they have a limited mandate which is vulnerable to pre-conceptions and assumptions which inevitably impact upon its decision-making.

The WTO’s potential normative force regarding the balance between economic liberalisation and non-economic concerns means that failure to recognise and confront the underlying agenda, the preconceptions brought to the interpretation and application of WTO rules (and consequently their inter-action with other regimes) permits an unbalanced development of the law which does a disservice to the will of the international community as expressed in the commitment to sustainable development, as well as in numerous human rights and environmental treaties.

This raises a number of issues explored within this paper:

1. What is the purpose of ‘economic liberalisation’? The WTO preamble refers explicitly to the ‘objective of sustainable development’, but does not explain the nature of that objective, or even whether it is a WTO objective as opposed to a general international objective. Identification of the purpose of economic liberalisation is central to recognising, unpacking, and confronting the pre-conceptions driving decision-making by the WTO institutions and also to establishing certainty and legitimacy in the line drawn.
2. Accountability and legitimacy of the WTO and its decision-making are tied to its institutional framework which is relatively weak, particularly in terms of engaging with contemporary (non-economic) concerns, and its specific (limited) agenda. These are ill-suited to engaging with the inter-action between different legal orders and prima facie conflicting contemporary values and commitments.
3. The WTO is essentially a treaty based organisation of international law, established by state consent, operating a state centred regime. Yet there is a question as to the relevance of this state centred organisation in light of both its own apparent decision-making disfunctionality (e.g. Doha Deadlock) and also emerging international and trans-national regulatory developments and market influence itself.
4. What is (or should be) the role of the WTO?

It is not certain that these issues can be resolved for the WTO, but it is certain that without addressing them, the WTO is likely to become increasingly marginalised, and questions regarding its legitimacy and relevance will intensify. This paper explores these issues and in doing so examines the applicability of key contemporary narratives of public administration.