

And, perhaps uncomfortably for those within the trade policy community, the possibility that policy may change due to the consultations must also be countenanced – and that trade rules may at times have to defer to other imperatives.³⁴

Some Tentative Conclusions

Overall, given the information revolution and the evolution of a more democratic means of policy formulation in many countries around the world, increased involvement of CSOs will be a fact. And there will be difficulties: the rough and tumble tactics of some CSOs will not be comfortable for some politicians and particularly for their officials; expectations might be raised by the very fact of consultations that no government will be able to meet; and the process of negotiations might well be slowed down because of the need for, or expectation of, consultations.

Moreover, given the complexity and inexact nature of the social sciences, uncertainty about the appropriate policy to adopt in a given situation will never be entirely removed. In such circumstances, governments must lead, notwithstanding the fact that not all will agree. But equally clearly, it is best if governments lead after having benefited from a comprehensive debate in which all views are put on the table.³⁵

³⁴ Michael Trebilcock and Julie Soloway make the case for "substantial deference" of WTO rules in certain cases. See M. Trebilcock and J. Soloway, *op. cit.* Dan Ciuriak generalizes this idea to instances where vital interests and social values are at play. See D. Ciuriak, "The 'Trade and...' Agenda: Are We at a Crossroads?" *op. cit.*

³⁵ A comment from Steve Charnovitz, a noted environmental lawyer, underscores this point most aptly: "Just as national democracy entails participation and debate at the domestic level, so too does democratic global governance entail participation by transnational NGOs. Politicians should act and decide as a result of listening to a vigorous debate. It is illusionary to think that governance can be improved by having the decisionmakers of today rule out options for the people of the future."