now agreed to hear a final appeal from the appellate court judgment. If the Supreme Court reverses its decision, it is possible that a new WTO action will be commenced against the Massachusetts scheme.

Even if the Massachusetts law violated some provisions of the GPA, it might still have been justified under the exceptions provision of the Agreement, which allows measures that are, inter alia, necessary for reasons of public order. This concept, which is based on the idea of ordre public in private international law, relates to the fundamental public policies of a society, and not merely order in the sense of civil peace and public security. McCrudden has suggested that public order should be interpreted to include the emerging international public policy of human rights.

The GPA will surely be subject to review by the membership of the WTO in the coming years. In addition, procurement rules with respect to services are being negotiated. These will provide opportunities to further develop the position that human rights-based procurement conditions are consistent with WTO law. It is anomalous and unjustifiable that WTO regulations should force a country to provide better treatment to foreign bidders than to domestic enterprises, prohibiting it from imposing on the former human rights-based requirements that it routinely imposes on the latter.

Professor Robert L. Howse came to Michigan from the Faculty of Law at the University of Toronto, where he was a faculty member from 1990 to 1999. A world-renowned authority on international trade law, Professor Howse received his B.A. in philosophy and political science with high distinction, as well as an LL.B., with honors, from the University of Toronto. He also holds an LL.M. from Harvard Law School and has traveled and studied Russian in the former Soviet Union. Professor Howse has been a visiting professor at Harvard Law School and taught in the Academy of European Law, European University Institute, Florence. He is a frequent consultant or adviser to government agencies and international organizations such as the OECD, and has undertaken studies for, among others, the Ontario Law Reform Commission and the Law Commission of Canada.

Professor Howse's research has concerned a wide range of issues in international law, and legal and political philosophy, but his emphasis has been on international trade and related regulatory issues. He is the author, co-author, or editor of five books: Trade and Transitions; Economic Union, Social Justice, and Constitutional Reform; The Regulation of International Trade; Yugoslavia the Former and Future; and The World Trading System. He also is the co-translator of Alexander Kojève's Outline for a Phenomenology of Right, and has published many scholarly articles and book chapters on topics as varied as NAFTA, whistleblowing, industrial policy, food inspection, income tax harmonization, and ethnic accommodation. He is currently working with Kalypso Nicolaidis on a book about U.S. and European Union federalism and legitimacy; the project is co-sponsored by the Kennedy School of Government Visions of Governance Project and Notre Europe. He also is working with Brian Langille on a Ford Foundation-sponsored examination of globalization and labor rights.