

VISITING SAT PAL KHATTAR PROFESSORIAL LECTURE

TRADE UNILATERALISM, FROM AMERICAN EXCEPTIONALISM TO AMERICA FIRST

Professor Julian Arato

Professor of Law, University of Michigan

Chairperson: Professor Tan Cheng Han, S.C.
Chief Strategy Officer, NUS Law

MONDAY, 9 MARCH 2026

5.30 PM - 7.00 PM

YALE-NUS COLLEGE HALL, UNIVERSITY TOWN (KENT RIDGE CAMPUS)

SYNOPSIS

The "America First" trade agenda is often portrayed as a volte face in American foreign policy – a whiplash from an ethos of free trade and rules-based multilateralism to an ideology of nationalistic protectionism. This narrative should be reconsidered.

It is true that the United States long championed trade multilateralism, from the formation of the GATT (1947), to the reformation of the WTO (1994), through the Obama years. Yet it has all along insisted on maintaining and deploying a range of legal options to act unilaterally within the system. It has done so through unilateral trade remedies (anti-dumping and countervailing duties); through the procedures of multilateral dispute settlement; and through national security exceptions. Moreover, the United States has tended to invoke these rights aggressively, often as a smokescreen for outright protectionism. This history of intra-systemic law-bending paved the way for the extra-systemic lawlessness of our current moment.

This lecture will trace the unilateral streak in U.S. trade policy across three periods: (1) the long post-war period from 1947–2016, characterized by both the United States' genuine multilateralism and an undercurrent of "American exceptionalism" in trade; (2) a transitional period from 2016–2024, marked by the United States' increasingly aggressive recourse to (arguably) legal unilateralism and its crippling of multilateral dispute settlement; and (3) the eruption of "America First," from 2025 on. It makes the case that the continuities in American trade policy from 1947 to the present are as important to understanding our moment as the ruptures. Picking up the pieces will require confronting not only the nihilism of America First, but the more deeply ingrained ideology of American exceptionalism.

ABOUT THE SPEAKER



Julian Arato is a Professor of Law at the University of Michigan. His scholarly expertise spans the areas of public international law, international trade, international investment law and arbitration, contracts, and corporations.

Professor Arato is an author of *International Law: Cases and Materials*, 8th ed. (2024) (with Damrosch and Murphy). He is also an author of *International Trade Law Through the Cases* (2025 edn) (with Weiler, Cho, and Claussen). His article "The Private Law Critique of International Investment Law" won the 2019 Francis Deák Prize for best article by a younger author published in the *American Journal of International Law*, as well as the inaugural ICCA—Guillermo Aguilar-Alvarez Memorial Prize.

Professor Arato is a member of the board of editors of the *American Journal of International Law*, a member of the executive board of the *European Journal of International Law*, and an editor of the *EJIL:Talk!* Blog (www.ejiltalk.org/).

PROGRAMME

5.00pm: Registration
5.30pm: Lecture by Professor Julian Arato
6.30pm: Q&A Session
7.00pm: Dinner Reception

REGISTRATION

There is no registration fee for this lecture. Visit <https://bit.ly/48kMfnB> or Scan the QR Code to register.

Closing Date: 2 March 2026, 5.00PM
Contact: law.events@nus.edu.sg



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Public CPD Point: 1
Practice Area: International Law
Training Level: Foundation

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