Grasping at Political Influence: Transnational Civil Society, Non Governmental Organisations and the Global Trading System

© Chalmers Larose, Ph. D
Post-doctoral fellow
Université du Québec à Montréal
CRIEC, Department of Sociology
C.P. 8888, succursale Centre-Ville
Montréal, Québec H2V 4H3
Tel. (514) 987-3000 poste 3319
chalmersl@sympatico.ca

First Draft

Paper presented to be presented at the Annual Congress of the Canadian Political Science Association (CPSA), Winnipeg, Manitoba, 3-5 June 2004.

Introduction

Since the 1980s, the globalization of capitalism has been at the center of a set of issues that affect the course of world politics. Globalization has meant that people, in general, and NGOs, in particular, have been confronted by new challenges. Through the course of the last two decades, advocates for free trade have led a vigorous campaign, political as well as ideological, in view of ensuring the triumph of free market ideas over radical economic nationalism. This campaign reached its climax after the conclusion of the Uruguay Round negotiations in 1993 and with the creation of the World Trade Organization (WTO)in 1994, which succeeded the defunct General Agreement on Tariffs and Trade (GATT). The creation of the WTO changed dramatically the dynamics of trade negotiations. It resulted hitherto in instilling a global trade liberalisation paradigm inside corporate think tanks, governmental apparatuses, academics and like-minded neo-liberal advocates. Today, for states, free trade agreements have become more or less part and parcel of standard practices.

To a large extent, NGOs have been late comers in the realm of trade politics. It was during the early 1990s that one saw a surge in interest for trade issues among civil society actors. This was particularly so when environmental advocates became increasingly concerned by corporate challenges to regulation of economic activities. Indeed trade issues now account for a very important dimension of NGO activism and has largely contributed to the visibility and the adequacy of those organisations worldwide. As an emerging area of study in international relations, the field of transnational relations provides mixed interpretations with regard to the true political meaning of NGO activism at the international level. The concept of global civil society - which foresees a world of citizens organisations and social movements not only as a counter-power to a world of states but also as agents for domesticating 'the international'- has been sharply criticised for having greatly overestimated the power of civil society actors in world affairs. Cooley and Ron (2002), for example, argue that the global civil society framework does not

adequately address the organizational insecurity, competitive pressures, and fiscal uncertainty that characterize the transnational sector. Equally, Higgott *et al.* (2000) contends that it is naive to universalise the NGO experience on the basis of several success stories for states still propose and dispose of international agreements at their will despite NGO activism. For Clark, Friedman and Hochstetler (1998), one has to look at the quality of access of non governmental organizations and their proximity to global forms of governance in order to properly measure their degree of influence on a given global policy area. This is rarely done by those who discuss the global civil society thesis and must be appropriately assessed in order to fully comprehend the nature of NGOs influence in world politics.

This paper examines the influence of civil society organisations, as exemplified by NGOs, on global policy-making and the rule-making agenda of states. It particularly focuses on the role and influence of NGOs in countering, resisting, formulating and setting the global trade policy agenda. Among other things, the paper attempts to explore the following questions: Have recent waves of transnational civic activism shaped the outcome of trade liberalization initiatives that have been put forward since the advent of economic globalization? Are NGOs agents of transnational civil society or actors in their own right in matters concerning international trade? Given the growing intensity of transnational activism and protest across borders, are NGOs empowered to derail or influence the global trading system that is being put forward under the premises of a neo-liberal free market ideology? Moreover have NGOs' strategies remained uncontaminated by either the power of states or that of markets?

In the recent literature on transnational relations, NGOs' influence has been more generally assumed than thoroughly assessed (Arts 1998: 27). In order to put in perspective the contentious claims underlining an increasing influence of NGOs in international politics, I intend to examine the dynamic between NGOs' increasing transnational activism with their renewed commitment to (re) shape the parameters of global trade. As a much theorised and widely studied concept, influence can be thoroughly understood as "the modification of one actor's behaviour by that of another"

(Cox and Jacobson 1973: p. 3). Influence is also a matter of achieving one's policy goal with regard to a given issue. An actor influences another's behaviour in some particular sphere of activity, or issue area. In other words, a player exercises political influence if his presence, thoughts or actions cause a political decision-maker to meet his interest or objectives. In this sense, in order to determine whether NGOs influence the global trading architecture, it is imperative to consider the extent to which their presence or their actions impact on the outcome of trade negotiations or agreements.

Here I partially follow Bas Arts' logic in defining political influence as "the achievement of (a part of) one's policy goal with regard to an outcome in treaty formation and implementation, which is (at least partly) caused by one's own and intentional intervention in the political arena and process concerned" (1998: 58). However for the purpose of this paper I limit my focus to NGOs' political influence in international trade at the level of treaty formation. In this respect, the paper argues that global policy-making remains a product of interstate bargaining and is nurtured by powerful state-corporate alliances. As agents and "shock troops" of civil society, NGOs operate in a world of states and likewise are absent of the management of the international trade architecture. Nonetheless, I further argue that, through pressure politics, civil society organisations have been very instrumental in, first, raising awareness about the social and environmental impacts of liberalizing trade and, second, in derailing important steps undertaken by free trade proponents at the multilateral as well as bilateral level in order to consolidate free market objectives. These organisations have yet to be integrated as partners inside the negotiating machinery. They are therefore unable to influence effectively the free trade bandwagon. Nor are they able to reaffirm the social prerequisites over the dominant neo-liberal economic paradigm.

The paper begins by addressing the dynamics and potential of transnational civic activism in world politics. Here, I focus mainly on the nature of transnational civil society, the hegemonic role played by non-governmental organisations in the universe of civil society, and the interplay between NGOs and international trade. This will be followed by a look at NGOs' actions that target selected international trade or trade-related

initiatives (e.g. the FTA and NAFTA, the initiative in favour of the OECD Multilateral Agreement on Investment, and the WTO Doha Development trade agenda). Finally, I will draw some critical reflections on the nature of civic organisations' transnational actions with regard to the global free trade enterprise[1].

Transnational civil society, NGOs and international trade: the politics of influence

In recent years, international politics has been submerged by an unprecedented entry of non state actors. Usually called civil society organisations, those new actors embody a set of institutions, organisations and behaviour located between the state, the market and the family and step regularly into the global public sphere. Not only do such actors articulate norms and ideas that are at times at odds with the ones prescribed by established sovereign states, they also address social, economic as well as political issues that are global in their very nature and thus temporarily immune from a single state control. Above all, this *nébuleuse contestataire* (Sommier 2001) bears a pattern of unconventional politics and is engaged in 'transnational contention'. The latter is broadly defined as "the coordinated struggle of actors and organizations from more than one society against a state, international economic actors, or international institutions" (Tarrow 2002: 7).

In contemporary political discourse, civil society emerged as the third sphere of collective life[2]. Cohen and Arato (1992: 18) refer to civil society as a "third realm" differentiated from the economy and the state. White (1994: 379), for instance, conceptualises civil society as "an intermediate associational realm between the family and the state populated by organisations which are separate from the state, enjoy autonomy in relation to the state and are formed voluntarily by members of society to protect or extend their interests or values". From its early conception, the concept has been expressly located within the borders of the territorial state and has come to be linked to the notion of minimizing violence in social relations, to the public use of reason as a way of managing human affairs in place of submission based on fear and insecurity, or ideology and superstition (Kaldor, 2003: 3).

Nowadays, political activism has taken a transnational dimension[3]. Sklair (1995: 4) distinguishes between international and transnational approaches to the global system. This accounts for the difference between state-centric approaches to an international system based on the system of nation-states and transnational approaches to a global system based on global forces and institutions. Although not totally new in the arena of social struggles, transnational activism includes merely a set of contentious interactions between opponents, national or not, using a web of interconnected networks of protestors organized across state borders (Tarrow 1998: 184). For some, transnational social activities have generated a 'global civil society' that is challenging, if not replacing, state power. This so-called global civil society represents in itself a 'third sector', which is in many respects an alternative to both the state-centric international order and the networks of global markets.

Many transnationalists foresee a gradual decline of the nation-state following the globalisation of markets of the 1980s and reify the supremacy of the global over the local (Linklater, 1998; Lipschutz 1992; Smouts and Badie 1994; Badie 1999; Wapner 1995; Price 1998; Matthews 1997; Florini and Simmons 2000). In this line of thinking, transnational civil society has fundamentally an anti-state character. It is the emerging third force in global politics (Florini and Simmons 2000). Therefore there is a tendency to view international activist organizations as political actors acting 'in their own right'. They conquer the global scene and use their power in order to politicize global civil society (Wapner 1995). In addition, global civil society actors are said to engage in practices that can possibly reshape the 'architecture' of international politics by denying the primacy of states or of their sovereign rights (Lipschutz 1992: 390). For Price (1998: 639), transnational civil society not only exists as community of political engagement in world politics but also has a meaningful impact; they act through networks in order to teach governments what is appropriate to pursue in politics.

To a certain extent, the 1990s have given a new impetus to transnational activism. Indeed, the 1997 Nobel Peace Prize was awarded to a coalition of NGOs for their participation in the campaign to ban landmines. Likewise the defeat of the OECD

Multilateral Agreement on Investment (MAI) in 1998 was largely viewed as being orchestrated by transnational NGOs. NGOs have also had their share of input in the climate talks that led to the adoption of the Kyoto Protocol in December 1997. One can also recall such path-breaking initiatives, like the Greenpeace International and the Rainbow Warrior Campaigns in the mid-1980s which forced the French authorities in Tahiti to allow the docking of Greenpeace ships for preventing nuclear testing and the 1990s boycotts of rainforest timber, organised globally by groups like Friends of the Earth. In addition, it is also undeniable that pacifist NGOs, geared toward the defence of moral and civic rights, have intensely lobbied for the adoption of a nuclear test ban treaty in 1996.

For some, the examples above are evidence that NGOs are able to push around even the largest governments (Matthews 1997). To the extent that national governments are now haring powers with businesses, with international organizations, and with a multitude of citizens, groups, global civil society advocates contend that the steady concentration of power in the hands of states that began in 1648 with the Peace of Westphalia may be over. Borrowing from the cosmopolitan as well the Kantian school of thought, transnationalists such as Linklater (1998: 114) suggest that the nation-state is being replaced by a post-Westphalian state whose primary function is to mediate between the different political loyalties, identities and authorities that have become inescapable in the modern world[4].

The nature of NGOs

Today the status of the so-called non-governmental organisations in world affairs is well established and has been adequately appreciated[5]. NGOs are usually described as "the shock troops of civil society"[6]. Increasingly it seems that NGOs have become visible actors in world politics and have injected unexpected voices into international discourse about numerous problems of global scope (Gordenker and Weiss 1996: 17). This newfound voice was made possible by numerous political events. These include the end of the Cold War and the decline of the Soviet Empire that saw the breakdown of

ideological and social orthodoxy that divided the world in two antagonistic extremes; the information and communication revolution that gave rise to new technologies and tools for information exchange, increasing NGOs capacity to collect, collate, select, and publicise information on a variety of specialised issues; and finally the enhanced capacities of NGOs in terms of resources as well as knowledge and expertise.

Put simply, NGOs are intermediary organisations that provide links between state and market, and between local and global levels. In the course of history, NGOs have, among other things, mobilised around such diverse issues as the protection of the environment, conservation of natural resources, atrocities of war, human rights abuses, growing inequality and poverty in the world. These issues have provided those organisations with tremendous visibility and have given them a voice in public affairs[7]. If we look at figures, we can see that the growth of NGOs has been very important in recent years. Today, more than 2,000 NGOs have consultative status with the UN Economic and Social Council, and about 1,400 with the UN Department of Information[8]. It is also assumed that NGOs have the power of autonomous moral choice and moral action (Keane, 2003). Opinion polls tend to indicate far stronger support for NGOs like the World Wide Life Fund for Nature and Amnesty International than for governments, big business and media[9].

Keck and Sikkink (1997) have found that the behaviour of NGOs is invariably normative, prescriptive, increasingly internationalised, highly politicised and at times very effective. Thus NGOs can be sites of both resistance to, and strategies for, the mitigation and modification of the policy process (Higgott 1999, 2000). Transnational NGOS slightly differ from the kind of things that domestic social movements do. Of course, they lobby, meet at international conferences, assemble and distribute information and provide assistance to members and third parties (Keck and Sikkink 1998). But they equally have transnational goals, operations, or connections, and maintain active contacts with the UN system (Gordenker and Weiss, p. 20). At the global UN conferences, NGOs used their own ‘independent influence’ to affect sovereign legitimation processes from the outside and thus “attempt to occupy a role as legitimators of state sovereignty in their own right”

(Hosthetler, p. 613). That civil society organisations, spearheaded by non-governmental organisations, have been able to push some issues within the complex web of global governance remains an empirically observable fact. However, it has not yet been systematically demonstrated the extent to which the agendas pursued by NGOs have actually influenced the outcome of international negotiations related to the governance of international trade.

Global Free Trade initiatives and NGOs: Issues and Actors

At the turn of the 1980s, most of the industrialised western capitalist economies were caught into a profound recession. This crisis – labelled as the crisis of the Keynesian economic paradigm - showed, among other things, a slow-down in productivity growth among major advanced capitalist countries, a decline of the profit rate in trade as well as in the manufacturing sector, an increase in the inflation rate, a deterioration of the terms of trade added to a rise of the international debt of the least developed countries. As it has become the epicentre of economic policy-making following World War II, the Keynesian orthodoxy established the primacy of a Fordist mode of accumulation as industrial paradigm, and a regulation system for the productive forces organised around Taylorist principles[10].

Keynesianism sought to create a sustainable equilibrium between a liberal world market and the domestic responsibilities of states[11]. For Keynesians, international trade was essential to the pursuit of full employment, the preservation of private enterprise and the development of an international security system. This world order, as it was perceived, fell under the hegemonic leadership of the United States which acted as global stabilizer. Hence the creation of the International Monetary Fund (IMF) and the World Bank in conjunction with the Bretton Woods Agreements, were seen as a way to institutionalize macro-economic coordination among the capitalist economies, to manage monetary stability and the hegemony of the dollar as well as to administer international assistance. The actual creation of the GATT (General Agreement on Tariffs and Trade) in 1947 also

added to international measures assembled in order to reduce market barriers and promote free movement of goods.

According to Cohey and Aronson (1993:15), the post-war free trade regime was a "political invention" orchestrated by such capitalist powers as the United States and Great Britain in order to establish new parameters for international exchanges. This trade regime was later conceptualized by Ruggie (1982) as "embedded liberalism". It was so appreciated because it maintained an interventionist role for the state and worked out a compromise between domestic autonomy and international norms. Gilpin noted that this economic era which ran from the end of World War II until the 1980s was "one of the most remarkable in human history" (1987: 341).

Therefore during early 1980s, in order to tackle the recessionist and inflationist spiral which hammered the world economy after the Golden Age, neo-classical economists pleaded in favour of a paradigm shift and retreated from the Keynesian "Grand Compromise". Instead it was proposed a return to a new form of economic liberalism that embodied the pre-eminence of a self-regulated market based on, among other things, the free movement of goods, capital and investments. As a policy response to the crisis, this new economic, and no less ideological, discourse - better known as 'neo-liberalism' - emphasized the virtues of eliminating trade barriers as well as deregulating economic activities, and re-affirmed market forces predicaments over state interventionism in the functioning of the economy. In other words, as Chandhoke (2002) argued, the ability of the market to regulate itself, as well as to provide for both growth and well-being, was thus legitimized. The state had to be rolled back both to encourage the unhindered flow of capital and to enable the market to display its dynamics. Freer trade was altogether defended by corporations, governments and neo-liberal think tanks as a recipe for increasing global trade surpluses and world growth and for alleviating poverty. However the anticipated and celebrated virtues of free trade kept civil society organizations in a splendid skepticism.

Indeed, throughout the course of history, trade has had a complex relationship with civil society. In 1773, British colonists in America dumped British tea into the Boston Harbour to protest British tea tariffs (Aaronson 2001: 2). European anti-slavery activists were also very active during that period in protesting the legal importation of slaves. But it was after the publication of David Ricardo's *The Principles of Political Economy and Taxation* in 1821, which paved the way for the theory of comparative advantage[12], that civil society actors entered the sphere of trade activism per se. During the nineteenth century *Pax Britannica*, civil society groups manifested in Britain against the Corn Laws, which imposed a tax on food grain imports into Britain[13]. However, as Graham (2000) acknowledges, the contemporary history of NGO involvement in the world of multilateral commercial law, and the negotiating processes by which this law is created, is very short. Up until the early 1980s, consumer and environmental organizations did not actively organize against trade agreements. Modern trade activism is indeed essentially linked to the skyrocketing increase in global capital and trade flows. Social activists entered the stage and started to pay closer attention to the social and environmental repercussions of trade liberalization initiatives as well as issues concerning economic restructuring, privatization and deregulation. With the surge in information and communication technologies in the course of the 1980s, a new environment provided to social activists the necessary tools for sustaining networks, engaging in strategic alliances, and exchanging information about social and economic issues.

Contesting the FTA and NAFTA

To a certain extent, it is worth noting that the events surrounding the conclusion of the Canada-US Free Trade Agreement (FTA) in 1989 marked the inception of modern trade activism in the universe of social protest in advanced capitalist States. When the Canadian government, in the mid-1980s, proposed to liberalize trade with the United States, the decision sparked lots of controversies within Canadian society, much less so across the southern frontier[14]. Canadian activists groups, such as women, human rights groups and other citizen protest circles, voiced their immediate concerns with regard to the neo-liberal path taken by the Tory government. The most virulent reaction was heard however from labour organisations. Labour, headed by the Canadian Labour Congress

(CTC) put emphasis on the fact that free trade with the United States was part of a neo-liberal corporate offensive and therefore would lead to a significant loss of jobs in the short term and to an imminent sovereignty deficit[15]. The anti-free trade camp grew rapidly and included such like-minded actors as the Council of Canadians and the National Action Committee for the Status of Women. This culminated to the creation of the Action Canada Network whose aim was to forge consensus among social groups, establish mobilizing strategies and coordinate the Canadian anti-free trade campaign[16].

As for environmental NGOs, they entered the anti-free trade locomotive in North America as late comers. The structural links between trade and the environment were not yet fully documented and assessed, and environmentalists did not have the necessary expertise and know-how to explore such complex and highly technical issues. Though the spread of a global environmental consciousness tend to stimulate the attachment to ecological values, the nexus between global commercial activities and their concrete environmental repercussions did not otherwise constitute a systematic concern for environmental advocates from both side of the border[17]. Whereas in Canada a few environmental researchers and activists, such as Steven Shrybman and Michelle Swenarchuk from the Canadian Environmental Law Association, kept a certain level of interest in the trade debate, American environmentalists remained passive, indifferent and much less preoccupied[18].

However, by the time that the proposal for negotiating the North American Free Trade Agreement (NAFTA) was launched in the early 1990s, social actors - including environmental advocates - were more familiar with the dynamics of the corporate-led trade liberalization offensive. Two major factors cleared the hurdles for that newfound interest and commitment. First, in 1987 the World Commission on the Environment, chaired by Norwegian Prime Minister Gro Harlem Brundtland, issued a report entitled *Our Common Future* that called for reconciling economic growth with policies sustaining the environment. Consumer, civic and environmental activists around the developed world began to look more closely at trade agreements and their effects on the environment. Environmental issues then became a hot political issue as Americans and Canadians debated expanding the FTA to Mexico (Aaronson 2001: 116).

Second, in 1991, a dispute settlement panel of the then General Agreement on Tariffs and Trade (GATT) sided with the government of Mexico in a dispute between Mexico and the US. The dispute was over a ban adopted by the US on tuna fishing in accordance with the 1972 Marine Mammal Protection Act. The United States banned imports of Mexican tuna because Mexico had not taken steps to reduce the number of Eastern Pacific Tropical dolphins killed each year due to tuna fishing. Mexico appealed the case to the General Agreement on Tariffs and Trade (GATT), where the panel ruled in its favor. That GATT panel held that the US law violated GATT Article III on national treatment. Environmentalists were "outraged by the panel decision, which they saw as placing the goal of free trade over that of saving the environment" (Graham 2000: 35).

Mounted social mobilization against NAFTA, convened by institutionalised NGOs as well as diverse civil society actors, started to spread across North American societies. For example, in late 1991, an international meeting was held in Zacatecas, Mexico between civil society representatives of the three countries in order to discuss the social dimensions of trade liberalization. The participants adopted the *Zacatecas Declaration* condemning NAFTA and proposing to replace it by a continental development pact[19]. Many observers are of the view that the debate over NAFTA was a catalyst for the formation of unprecedented alliances, cross-border coalitions and transnational networks among previously disconnected individuals and groups in North America (Ronfeldt and Thorup 1994: 21). A significant number of domestic interests groups met with their direct counterparts in the NAFTA countries. New strategies aiming at cross-border organizing and talks included, among other things, such themes as transnational organizing, transnational solidarity/networking, tri-national exchanges, transnational collective bargaining and transnational political bargaining.

The concerted social opposition to NAFTA resulted in the adoption of side agreements relating to the environment (NAAEC) and labour standards (NAALC)[20]. Nonetheless these side agreements failed to take into account the basic grievances of the sectors involved and lacked the adequate and necessary enforcement mechanisms. These

instruments were largely interpreted as a 'concession' and a 'diversion' from part of free trade opponents to corporate interests as well as a retreat made by the opposing squads. In 1 January 1994, the day NAFTA came into force, the *Ejercicio Zapatista de Liberacion Nacional* (EZLN), under the leadership of Subcomandante Marcos, occupied several villages in the South East Mexican State of Chiapas. The Zapatistas wanted to draw attention to the feared exploitation of the population through the NAFTA pact and wanted to set a signal against the global economic trading order.

In any case, it is fair to say that, as noted by Aaronson, NAFTA critics have gotten more people to talk about trade policy, even though "issues of sovereignty, human rights, and the environment were not the central issue of the 1993 NAFTA" (2000: 138). Environmentalists as well as labour organisations were very disappointed of the NAFTA outcome and their confidence and effervescence of the start rapidly shifted into a "siege mentality" (Ferretti 1997), a feeling of growing powerlessness and disinterest in the process. In contrast, the FTA and NAFTA episode set the tone for wider civil society mobilization around trade or trade-related liberalization issues. It put on the social agenda the imperative for transnationalizing citizen action against corporate rule and the necessity for des-embedding national social struggles by addressing global concerns in transnational terms. This line of thinking became evident in the approach adopted by anti-free trade activists, especially when it became apparent that the process of globalizing free trade was making an irreversible offensive with the birth of the World Trade Organization (WTO).

Globalizing the (anti) free trade uprising: the MAI, the Doha Development Agenda and beyond

Born in 1995, the central aim of the World Trade Organization (WTO) is to "deal with the global rules of trade between nations"[21]. Its main function remains to "ensure that trade flows as smoothly, predictably and freely as possible". The WTO succeeded to the General Agreement on Tariffs and Trade (GATT) which was born in the aftermath of the Second World War[22]. The representatives of the countries that signed the GATT Charter in 1947 had one overall objective in mind: to prevent a repetition of the trade policies that

had been pursued with disastrous results during the interwar period (Nicolaides 1994: 230). All agreed on the need for some sort of stable system of multilateral rules and norms to reduce to a minimum "the arbitrariness and unpredictability of national trade policies" (Stubbs and Underhill 1994: 154). However, as far as liberalizing trade was concerned, the GATT system has been paralyzed because it was not an international organization *per se* and the contracting parties have not been able to agree on the issues that needed to be given priority[23].

The first incidence of a mobilized opposition presence of NGOs at a GATT meeting occurred during the Uruguay Round process. At the GATT World Trade talks in Brussels on 3 December 1990, protesters organized a parallel conference titled "GATTastrophe". Over 10,000 farmers from Europe as well as delegations from USA, Japan, and South Korea participated in the demonstration[24]. With the creation of the WTO, organized NGO opposition to global trade liberalization accelerated and started to pay closer attention to the functioning of international economic institutions and to voice their concerns with regard to the nature of the world trade governance system. Deslauriers and Kotschwar observes that "while trade policy has always been of interests to domestic groups and coalitions…..NGOs and civil society groups of various stripes and colors now claim an expertise on and an interest in trade and the shaping of the international trading system" (2003: 37). NGOs have thus become involved in all fronts of the market opening debate including the trade-related initiative known as the Multilateral Agreement on Investment (MAI). As NGOs were gaining in strength, breadth and knowledge about the economics and politics of trade as well as the social and environmental impacts of globalization at large, the OECD proposition for the adoption of the MAI surfaced. This new issue on the agenda of free traders brought to social actors the long-time sought momentum that was needed in order to galvanize the anti-globalisation grassroots movement already in motion, amplify their worldwide networking connections, and refine their repertoire of mobilization.

NGOs and the MAI

The negotiations on the Multilateral Agreement on Investment within the Organization for Economic Cooperation and Development (OECD) can be cited as a prime case of world-wide NGO mobilization against a trade-related initiative. They brought to the collective memory "large-scale, street fighting opposition to a multilateral commercial agreement" (Graham, 2000: 8). Indeed, in 1995 the OECD issued a ministerial declaration that specifically called for "the immediate start of negotiations aimed at reaching a Multilateral Agreement on Investment by the Ministerial meeting of 1997". The official mandate for these negotiations was, among other things, to "provide a broad multilateral framework for international investment with high standards for the liberalization of investment regimes and investment protection with effective dispute settlement procedures"[25]. In fact, the MAI sought to apply to investors the principle of national treatment by asking the contracting parties to give foreign investors the same benefits conferred to national investors. The initiative also purported to establish in the area of investment the non-discrimination clause which requires countries to apply the same treatment to all foreign investors. In addition, the agreement proposed to grant governments as well as enterprises and foreign investors the right to appeal decisions taken by governments with regard to the regulation of foreign investments.

The proposed MAI negotiations turned to represent an opportunity for NGOs to challenge both the state-centric structure of global governance and the attempt by corporate interests to further commodify all spheres of social life. Most of the Western NGOs, led by Multinational Monitor, quickly established a nexus between free trade and global investment deregulation as enshrined in the OECD draft proposal. They did so by virtue of the result of a dispute brought against the government of Canada by Ethyl Corporation, a US firm, under the investor-to-state dispute settlement procedures of NAFTA chapter 11[26]. By all accounts, three years after the conclusion of the much contested NAFTA, the latter's approach to investor rights and remedies had become the foundation for the OECD investment package and the bases for negotiations of the Multilateral Agreement on Investment (MAI). The Ethyl case highlighted the fact that environmentally motivated law or regulation could be challenged in court by investors under NAFTA chapter 11 and

that the state could not act freely according to its will in order to protect nature and citizens.

Hence, by 1997 demonstrations and rallies in major European cities became a ritual. On 12 February 1998, an international coalition of NGOs launched an unprecedented campaign against the MAI, stating that "the MAI would give corporations unprecedented power to directly challenge government's environmental, health, labor and other safeguards" (Joint NGO statement: 1998)[27]. Beginning in the summer of 1998, representatives of some NGOs posted themselves regularly near the OECD's offices in Paris, where they beat on drums and chanted anti-MAI mantras (Graham 2000: 40). Despite insistence by the negotiating parties that the MAI failed for reasons of "irreconcilable disagreements" among the participating actors, interested observers attributed the 'defeat' of the MAI in the fall of 1998 to mounted NGO criticisms and strategic pressures. According to trade activist Jason Potts of the International Institute for Sustainable Development (IISD):

> NGOs played a major role in defeating the MAI. In fact, the latter fell apart because of NGOs. That is maybe one of the first examples of NGO pressure actually having an effective impact on trade policy although in that case it was just on and off; it did not really end up being a productive result. It was just a blocking mechanism like a boycott"[28].

Nevertheless, the retreat of the MAI proposal provided NGO actors with the necessary momentum in their quest for challenging corporate globalization and the hidden fallacy of global free trade. If the pressure exercised on the MAI revealed the confrontational stance portrayed by these organisations, their actions at the WTO ministerial meeting in Seattle in 1999 will raise quite a number of questions with regard to their status as agents of a burgeoning transnational civil society and their capacity to effectively influence the global trade architecture.

The Battle of Seattle

After meeting in Singapour in 1996 and in Geneva in 1998, the WTO ministers of trade met again from 30 November to 3 December 1999, in Seattle, for a crucial ministerial meeting dedicated to the further reduction of trade barriers as well as the consolidation and the expansion of the trade liberalization agenda. Some trade activists mirrored the Seattle *rendezvous* as part of their continued assault against corporate globalization after the stunning defeat of the OECD-led MAI one year earlier. A two-tier strategy was put forward by diverse institutionalized NGOs. On the one hand, they decided to participate in streets mobilization and denunciation with fellow anti-globalization activists. And, on the other hand, they followed an 'open door policy' that aimed at voicing their concerns and those of developing countries within the more formal and official circles in and around Seattle. Thus, on the eve of the WTO meeting, on 29 November 1999, a cohort of institutionalized NGOs decided to take part in the *Seattle Symposium on International Trade Issues in the First Decades of the Next Century*, that was held at the Seattle Convention Center[29].

However, in Seattle the dialectics of confrontation quickly prevailed over the dialectics of cooperation. Demonstrations, rallies, heavy clashes in the streets between protesters and the police forces helped installing an unworkable atmosphere which eventually contributed to disturb and disrupt the course of the Third WTO ministerial meeting. In addition, the participating States failed to agree on an agenda for the negotiation round about the further opening of trade borders. Once again, NGOs and diverse civil society actors were able to show their capacity to vigorously express their discontent and even derail trade initiatives that were initiated by states and corporations. That epic clash between pro and anti corporate liberalizers energized trade critics and became a rallying symbol in view of the more turbulent years to come. It galvanized the critics of economic neo-liberalism and showed the internal discrepancies of the corporate-government alliance.

On the road to Cancun

After the Seattle failure, WTO officials launched a new round of multilateral trade negotiations. This new round took place in November, 2001, in the occasion of the

WTO's 4th Ministerial Conference in Doha (Qatar). At that meeting, most of the participating countries resolved to pay a closer attention to the concerns of developing countries as well as emerging economies, especially in the areas of manufactured goods, agricultural subsidies, and intellectual property rights. During the Doha meeting, the ministers decided to take up a broad range of issues known as the *Doha Development Agenda*. The latter was so labeled because of the strong emphasis on development issues that were incorporated into decisions made in Doha and the willingness shown by developed countries towards integrating developing countries into the international liberal trade system. The ministers convened to meet again for a fifth ministerial meeting in Cancún, Mexico, in September 2003, in order to take stock of progress made in the negotiations, and to discuss ways of moving forward the Doha Development Agenda. However, in an unpredictable move during the course of 2002, the European Union decided to reopen the Doha agenda of negotiations in order to include some issues related to investments and competition, issues that were previously paralyzed during the ill-fated MAI episode. Viewed from Europe, it was indeed time to write the "rules for globalization". Better known as the "Singapour issues" - for they were vaguely introduced during the 1st ministerial Conference held in Singapour in 1996 - those issues are perennially opposed by developing countries. They include four areas: trade and investment, trade and competition policy, government procurement, and trade facilitation.

Following in the footprints of Seattle and in conjunction with numerous anti-globalization protests held in Quebec City, Genoa, New York, Washington, Belo Horizonte etc., Cancun welcomed a massive contingent of angry anti-trade activists for the fifth WTO Ministerial meeting, held from 10-14 November 2003. However, in Cancun it was obvious that NGOs were way more trade savvy than they have been in the past; they have become very educated on trade issues and trade itself has become a magnet for attention and research. According to Jason Potts, "NGOs have also become far more astute on this issue whereas before it was just more a response mechanism from their part. In Cancun, they took those feelings and tried to integrate them more concretely into the trading system" (Interview, 2004).

The Cancun talks reached a deadlock when some delegates from Africa, the Caribbean and Asia (the ACP countries), backed by the Group of 21[30], walked out, accusing wealthy nations of failing to offer sufficient compromises on agriculture and of wanting instead to settle the Singapour issues. Poorest nations pointed fingers at the United States and Europe in particular for both were not generous enough on reducing their agriculture subsidies, on helping poor African countries dependent on cotton, or on understanding their difficulties in taking on such complex trade responsibilities as investment. In this respect, the Cancun fiasco was later termed as "the biggest setbacks for free trade in decades" (Zacharia: 2003)[31].

Although there was no formal agreement between NGOs and developing countries, expert NGOs from the North and trade officials from the South converged in their reading of the Cancun trade talks in terms of strategies and rhetoric. The prime example was offered by Oxfam International, the international relief and development agency who is often labeled as "an emerging counter-power" (Arteta: 2003)[32]. Oxfam was in direct dialogue with some of the developing countries, giving advice and perspectives that were very influential in the decisions made by those countries. Intense lobbying efforts came also from such influential NGOs as Public Citizen from the US, Greenpeace International, Third World Network, Focus on the Global South, and the French-born organization ATTAC[33]. Not only that these NGOs assisted developing countries in their technical assessment of the trade deal proposed at Cancun but they also had their say in the final political maneuvering and decision-making process that led to the remarkable collapse of the Doha Development Agenda in Cancun[34]. In his final press conference, the Brazilian trade minister, Celso Amorin, head of the G-21, thanked "civil society actors for their great support". And many developing countries, Cambodia in particular, did express their appreciation for the technical input of Oxfam experts in helping them unpacking the neo-liberal free trade package and the Doha agenda.

Although most of the NGOs welcomed the failure of the Cancun trade talks, there were less triumphant sentiments, in sharp contrast to the 1999 epic moment of Seattle. The most jubilant statement came from Public citizen who viewed in the Cancun demise a

"reminiscence of Seattle", and claimed that it was a "victory for global civil society and developing countries". Whereas the organization Food First was quick in calling the collapse of Cancun as the "victory of the people", Oxfam indicated that it took "no delight in this failure", calling it a "missed opportunity". In a statement, the agency said that "rich countries over-played their hand and misjudged the strength of feeling and unity of the developing world who want to make trade fair and have a stake in global prosperity". Oxfam's campaigns director, Adrian Lovett, noted that in Cancun there was "an incredible sense of unity among developing countries" but that "the responsibility for the collapse of the summit lies mostly with the USA and the European Union (EU) who failed to deliver on their commitment to put development at the heart of the WTO talks"[35].

Ronnie Hall of Friends of the Earth International equally stated that "despite intense pressure from the business lobbies, and bullying by the European Union and the US, developing countries have stood their ground…This is a great development for people, small businesses and the protection of the environment". A statement from the Africa Trade Network pointed to an ever-growing sense of ambivalence with regard to the future of multilateral trade talks: "The collapse of the Ministerial, following from that of Seattle for similar reasons, should serve notice to the rich and powerful countries of the international trade system that the time is running out for their narrow interests on the rest of the world. It should signal the beginning of a new way of interaction in international affairs based on a relationship of genuine and mutual respect"[36].

NGOs and the global trading system: When success differs from outcome

From what has been explored up to now, it has become apparent that NGOs, from their actions and mobilizing initiatives launched against such trade liberalization framework as the FTA, NAFTA, the MAI and the WTO Doha Development Agenda, have played a major role in defining the terms of the global free trade debate. Have they been successful

in changing the opponents' views and behaviour, particularly those of corporations and governments?

As it has been indicated above, the anti-FTA social opposition remained heavily stamped by labor activism and colored with a Canadian ink. Absent from the picture were many of the so-called new social movements, particularly the environmental organizations which were not yet in line with the implications of the free trade initiatives. NGOs political strategies relied heavily on their support for left-leaning politicians engaged in electoral politics. Unable to act in an autonomous way, their strategy was directed toward the New Democratic Party (NDP), which made a remarkable turn out in its favor during the 1988 "free trade election" in Canada. Nevertheless the Canada-Us free trade agreement, in its letter as it was in its spirit, became a done deal after the pro free trade Tory government captured the no return electoral mandate.

To a certain extent, during the years of the NAFTA debate, NGOs – in particular labor and environmental ones- have been able to raise social awareness across North America with regard to the nature of the corporate free trade agenda. They have also been very successful in denouncing the human tragedy that was taking place in the *maquiladoras* along the US-Mexican border and in accompanying the social awakening of the Mexican poor. However the controversial side agreements that accompanied the adoption of NAFTA were born in a particular political climate – the electoral atmosphere in the United States in 1992. These side agreements were not included in the main body of the trade agreement. NGOs' concerns with regard to the unjust nature of free trade remained altogether unanswered. Somewhat disappointed and disenchanted, neither labour organisations nor environmental NGOs applauded the turn of events and the content of the side agreements.

With the retreat of the Multilateral Agreement on Investment (MAI) in the fall of 1998, anti-free trade activists reached a paramount success. For it was an outstanding case where opposition pressure exercised from the outside-in was actually able to influence negotiators locked inside the walls. As it appears from a distance, the anti-MAI

movement was not a strategy of gaining influence by shaping the undesired proposal but rather one of defying and derailing an unsatisfying process. In this sense, the MAI opposition stands as a clear statement made by NGOs in relation to their capacity to manufacture resistance to the corporate-led free trade architecture. The same strategy carried them to the battle of Seattle with a much more aggressive and widespread result. However, issues concerning the way of managing international trade in a changing world, and that of ensuring an alternative path to the current model of global governance with effective civil society inclusion, still remained in a stalemate.

It is thus imperative to take into account this kind of ambiguity with regard to success and outcome if one has to properly assess the political influence of NGOs in global trade policy. In the case of the Cancun deadlock, although the talks failed to deliver on its promises, NGOs were very reluctant in assuming the full political dividends and many NGOs were not at ease when they were targeted as the 'Cancun killer'. As noted by Jason Potts:

> NGOs were happy with the Cancun outcome because developing countries stood up for their rights. But they were not happy that it came to that. I think they realised afterwards that this was really bad because nobody is going anywhere and that is the big problem. What is next is the big question. I suspect it is going to lead to more bilateralism…. And I don't think it is a good thing. That is also a way of saying that NGOs might have failed in Cancun because to the extent that they did have an effect, they have now instilled a situation which is even less favourable to developing countries (Interview 2004).

In addition, many NGO trade critics, far from downplaying the importance of the WTO as the institutional Mecca for multilateral trade issues, actually saw the turn of events in Cancun as reinforcing the viability of having an international trade institution capable of countering the trend toward unilateralism, bilateralism and protectionism. In a somewhat resilient discursive tone, Justine Lesage from Oxfam-Quebec conferred a positive reading to the steps made in Cancun and the future of the WTO in managing international trade activities among nations:

> What is positive is that negotiations continue and that it is not the end. Many groups were happy about the Cancun failure and praised for the end of the WTO. On our side, we expected in vain strong commitments from the US and the European Union. In turn, we are happy to know that the negotiations will continue and that this may end up to a better

> result in a future meeting. At the same time, we believe that the negotiations should remain in the framework of the WTO. It is better to have an agreement that is not so satisfying than not to have an agreement at all. We don't want to enter a circle of bilateralism that will be very damaging for the weakest countries (Interview 2004).

However, most of the institutionalized NGOs are of the view that the question of achievement remains inescapable from the long-term goal of reducing the North-South divide. It is widely accepted that for developing countries to attend their goals under the current free trade agenda, developed countries must first agree to establish new WTO agreements on a range of new issues that would eviscerate poor countries' ability to develop (Public Citizen: 2003)[37]. This is not an attempt to concede that in the course of the NGOs anti corporate free trade activism successes have remained empty. The greatest achievement so far, reminds Jo Dufay of Greenpeace Canada, has been the establishment of connections between the trade liberalization model and the impacts on the lives of ordinary people and the planet[38]. For her, achievement is measured by the public awareness that has emboldened developing nations who consider some aspects of trade liberalization as unacceptable. And the successes may still remain palpable through limiting the ambitions of some agreements, curtailing the State and corporate-led agendas.

Conclusion

To sum up, as evident from the numerous experiences provided so far in the course of this study, the globalisation era has established NGOs as global players and agents of a burgeoning transnational civil society. In numeric terms, NGOs' transnational activities have increased exponentially in international relations. Through successive waves of mobilisation, such non-state actors have been able to raise awareness about the rule-making agenda of nations in some important issue-areas. Advocacy NGOs, for example, have entered in consultative dialogue with such willing international institutions as the World Bank; they have played a major role in international conferences convened by the United Nations, and are increasingly engaged in partnership with quite a number of regional organisations. They are acknowledged and often consulted by international

financial institutions, such as the World Bank Group and the International Fund (IMF), in a wide range of policy fields, notably development, relief, environment, and human rights (Nelson 2001). As it has also been demonstrated, NGOs have not been able to exert regulatory influence in the World Trade Organization and regional trade organisations.

Indeed, more than ever before the impact of the World Trade Organisation is being felt directly as the new foundation for international economics (Cameron and Campbell 2002: 23). Given its central position in governing the global trading architecture, the WTO remains the central target of NGOs in their quest to refocus the global economy on poverty alleviation, bridge the North-South divide, and foster alternative trade and economic recipes. As a consensus-based organisation with diverse membership, consisting of representatives largely from national trade ministries, and a national mandate of trade liberalization, the WTO has not yet managed to build up institutional mechanisms for a concrete participation of non-state actors in the global trade governance machinery.

In fact, the very nature of international trade policy has not changed since the inception of the WTO and the new pattern of mobilisation endorsed by civil society actors. As we argued, global policy-making still remains a product of interstate bargaining and is nurtured by powerful state- corporate alliances. Transnational social actors may be fugitive of the states but they are still captive of a state-centric model of power arrangements that underpin the architecture of global governance. Such actors work within inherited structures of power that they may modify or alter but seldom transform (Chandhoke 2002). As stated by Edwards: “Global institutions are still prisoners of a state-based system of international negotiation and find it exceptionally difficult to open up to non-state participation at any meaningful level” (2001, p. 1). As shock troops of civil society, NGOs operate in a world of states and are still kept away from the management of the international trade architecture.

As it has been highlighted, successive waves of transnational civic activism have targeted the global trading system but have not substantially impacted on treaty formation related

to trade negotiations. The NAFTA side agreements, as we have shown, were invented as a parallel route for appeasing environmentalists and labour activists' concerns not as a meaningful response to the issue of integrating and compacting trade with environmental shortcomings and core labour standards. NGOs have subsequently shown their capacity to derail selected trade or trade-related negotiating processes in targeted institutional forums, as the fall out of the MAI, and the Seattle and Cancun processes have amply demonstrated. Among the constraining factors that seriously impact on the ability of NGOs to gain influential access inside global trade institutions and within the free trade negotiating apparatuses, it is worth noting the following: the escalating power of transnational corporations, the pre-eminent role of dominant states in the structure of governance, and the complexities brought by the formation of trade negotiating blocks. In addition, and no less important, NGOs have yet to resolve some internal impediments related to issues of representation, accountability, legitimacy, transparency and the growing asymmetry of global civic networks. All these combined factors may play a role in NGOs' absence in formal representative structures in matters concerning trade and in the growing democratic deficit embodied in the processes of global governance.

Therefore, it is imperative to exercise a fair amount of caution when it comes to universalize the idea that global civil society can institutionalize normative structures that bypass the state-corporation conglomerate in the globalization era. The experiences of transnational activism in the area of international trade have highlighted the peculiar nature of the global trading infrastructure as a political target. Transnational contention related to trade uncovers the necessity for activists and analysts alike to contemplate the transnational factor in its minimal version, bearing in mind that successes at a particular juncture may not at times be synonymous of influence and achievement in a long-wave historical social struggle. It is worth acknowledging, however, that the trend toward transnational mobilizing practices, led by transnational NGOs and a growing web of national civic actors, has become an irreversible process that is now part of world history in the making. As this study suggests, States no longer absorb the overall amplitude of the global public sphere. Thus the prospect to see transnational civic actors acting as

carrier of public grievances, as well as counter-power to dominant anti-ethical forces at the global level, remain open-ended.

BIBLIOGRAPHY

Aaronson, A. S. *Taking Trade to the streets: The Lost History of Public Efforts to Shape Globalization*, Ann Harbour: The University of Michigan Press, 2001.

Arteta, S. "Les ONG au service des pays du Sud : Comment Céline a monté le front du refus", *Le Nouvel Observateur*, 18 September 2003, No 2028, http://www.nouvelobs.com/artciles/p2028/a215511.html.

Arts, B. *The Political Influence of Global NGOs: Case Studies on the Climate Change and Biodiversity Conventions*, Utrecht: International Books, 1998.

Audley, J. J. *Green Politics and Global Trade: NAFTA and the Future of Environmental Politics*, Washington: Georgetown University Press, 1997.

Badie, B. *Un monde sans souveraineté. Les États entre ruse et responsabilité***,** Paris, Éditions Fayard, 1999.

Becker, E. "Poorer Countries Pull Out of Talks over World Trade" *New York Times*, September 15, 2003.

Blyer, P. "Coalitions of Social Movements as Agencies for Social Change: The Action Canada Network" in William K. Carroll (ed.) *Organizing Dissent: Contemporary Social Movements in Theory and Practice*. Toronto: Garmond Press, 1992.

Cameron, J. and Campbell, K. "A Reluctant Global Policy-Maker" in Richard E. Steinberg (eds.) *The Greening of World Trade Law: international trade organizations and environmental issues*, Maryland: Rowman & Littlefield Publishers Inc, 2002.

Canadian Labor Congress, *Social Dimensions of North American Economic Integration: Impacts on Working People and Emerging Economic Responses*. Report prepared for the Human Resource Development Department, Ottawa, 1996.

Canadian Labor Congress, "Submission to the Parliament Joint Special Committee on International Relations of Canada concerning Bilateral Trade with the United States", Ottawa, 18 July 1985.

Canadian Labor Congress, *Social Dimensions of North American Economic Integration: Impacts on Working People and Emerging Economic Responses*, Report prepared for the Human Resource Development Department, Ottawa, 1996.

Caramel, L. "L'ampleur des désaccords Nord-Sud met l'OMC en échec : L'influence grandissante des ONG anti-OMC" *Le Monde*, 16 September 2003.

Chandhoke, N. “The Limits of Global Civil Society” in *Global Civil Society Yearbook 2002*, London School of Economics: The Center for the Study of Global Governance, 2002.

Cohen, J. L. and Arato, A. *Civil Society and Political Theor*y, Cambridge: MIT Press, 1992.

Cooley, A. and Ron J. « The NGO Scramble: Organizational Insecurity and the Political Economy of Transnational Action » *International Security* Vol. 27, No 1 (Summer 2002), pp. 5-39.

Cowhey, P. F. and Jonathan D. A. *Managing the World Economy: The Consequences of Corporate Alliance,* Washington D.C.: Council of Foreign Relations Press, 1993.

Cox, R. and H. Jacobson (eds.) *The Anatomy of Influence*, New Haven: Yale University Press, 1973.

Deslauriers, J. and Kotschwar B. “After Seattle: How NGOs Are Transforming the Global Trade and Finance Agenda” in Jonathan P. Doh and Hidy Teegen (eds.) *Globalization and NGOs: Transforming Business, Government, and Society*, London: Praeger, 2003, p. 35-64.

Edwards, M. “NGOs Rights and Responsibilities: A New Deal for Global Governance”, *The Foreign Policy Center*, 2000.

Edwards, M. « Introduction » in Michael Edwards and John Gaventa (eds.) *Global Citizen Action,* Boulder: Lynne Rienner Publishers, 2001, p. 1-17.

Florini, A. M. and Simmons P. J. “What the World Needs to Know”, in A. M. Florini and P. J. Simmons (eds.), *The Third Force: The Rise of Transnational Civil Society,* Washington: Carnegie Endowment for International Peace, 2000.

Fulcher, J. “Globalization, the nation-state and global society”, *The Sociological Review,* vol. 48, no. 4, p. 522-543, 2000.

Gilpin, R., *The Political Economy of International Relations*. Princeton: Princeton University Press, 1987.

Gordenker, L. and Thomas G. W. “Pluralizing Global Governance: Analytical Approaches and Dimensions” in Gordenker and Weiss (eds.) *NGOs, the UN and Global Governance*, London: Lynne Rienner Publishers, 1996, p. 17-47.

Graham, E. M. *Fighting the Wrong Enemy: Antiglobal Activists and Multinational Enterprises*, Washington, D.C.: Institute for International Economics, 2000.

Glyn, A. Hughes, A. Lipietz, A. and Singh, A. "The Rise and Fall of the Golden Age" in Stephen A. Marglin and Juliet B. Shor (eds.) *The Golden Age of Capitalism: Reinterpreting the Postwar Experience*. Oxford: University Press, 1990.

Higgot, R., Underhill, G. R. Bieler, A. (eds.) *Non-state Actors and Authority in the Global System*, London: Routledge, 2000.

Higgot, R. "Coming to Terms with Globalisation: Non State Actors and Agenda for Justice and Governance in the Next Century", GHC Working Paper 99/3 1, McMaster University.

Hoghstetler, K., Clark A-M and Friedman E. J. "Sovereignty in the Balance: Claims and Bargains at the UN Conferences on the Environment, Human Rights, and Women" *International Studies Quarterly* (2000) 44, 591-614.

Holzapfel, M. and König, K. "A History of the Anti-Globalisation Protests", *Eurozine*, http://www.eurozine.com/article/2002-04-05-holzapfel-en.html

Jackson, J. *The World Trading System*, Cambridge: MIT Press, 1989.

Kaldor, M. ***Global Civil Society: An answer to War***, London: Polity Press, 2003.

Keane, J. *Global Civil Society?* Cambridge: Cambridge University Press, 2003.

Kearney, M. (1995) "The Local and the Global: The Anthropology of Globalization and Transnationalism" *Annual Review of Anthropology,* no. 24, p. 547-65.

Keck, M. E. and Sikkink, K. *Activists beyond Borders: Advocacy Networks in International Politics,* Ithaca: Cornell University Press, 1998.

Linklater, A. « Citizenship and Sovereignty in the Post-Westphalian European State » in Daniele Archibugi, David Held and Martin Köhler (eds.) *Re-imagining Political Community*, Stanford: Stanford University Press, 1998.

Lipschutz, R. D. "Reconstructing World Politics: The Emergence of Global Civil Society", *Millennium Journal of International Studies,* vol. 21, no. 3, 1992, p. 389-420.

Larose, C. "Militantisme transnational: Syndicats et écologistes devant les accords de libre-échange en Amérique du Nord", Ph. D dissertation, Université de Montréal, 2000.

Losson, C. "Oxfam: Force de frappe solidaire", *Libération*, 20 January, 2004.

Mann, H. and Moltke, K. v. "Protecting Investor Rights and the Public Good: Assessing NAFTA's Chapter 11", Background Paper to the 2002 ILSD Tri-National Policy Workshops, Mexico City, March 13; Ottawa, March 18; and Washington (at the Institute for International Economics), April 11*http://www.iisd.org/trade/ILSDWorkshop*.

Mann, H. and Moltke, K. v. *NAFTA's Chapter 11 and the Environment: Addressing the Impacts of the Investor-State Process on the Environment*, International Institute for Sustainable Development (ISSD), Working Paper, 1999.

Matthews, J. T. « Power Shift », *Foreign Affairs* January/February 1997, p. 50-66.

Nelson, P. "Information, Location, and Legitimation: The Changing Bases of Civil Society Involvement in International Economic Policy", p. 59-72, 2000.

Nicolaides, P. "The Changing GATT System and the Uruguay Round Negotiations" in Richard Stubbs and Geoffrey R. D. Underhill (eds.) *Political Economy and the Changing Global Order*, Toronto: McClelland and Stewart, 1994, p. 230-245.

Pacha, M. K. and D. L. Blaney, "Elusive Paradise: The Promise and Peril of Global Civil Society", *Alternatives,* vol. 23, p. 417-450, 1998.

Price, Richard "Reversing the Gun Sights: Transnational Civil Society Targets Landmines", *International Organization* 52, No. 3, Summer 1998, pp. 613-644.

Public Citizen, "Defining Success at the 5th WTO Ministerial in Cancun". Available at: http://www.citizen.org/trade/wto/Qatar/cancun/articles.cfm?ID=10413

Red Mexicana de Accion Frente al Libre Comercio, "Joint Declaration of Zacatecas" in *Memorias de Zacatecas*, RMALC, México D.F., 1991.

Ronfeldt, D. and Thorup, C. L. "NGOs, Civil Society Networks and the Future of North America" in Rod Dobell and Michael Neufeld (eds.) *Transborder Citizens: Networks and Institutions in North America.* British Colombia: Oolichan Books, North American Institute, 1994.

Ruggie, J. G., "International Regimes, Transactions, and Change: Embedded Liberalism in the Postwar Economic Order." *International Organization* Vol. 36 (1982), p. 379-415.

Said Y. and Desai, M. "Trade and Global Civil Society: The Anti-Capitalist Movement Revisited" in Mary Kaldor, Helmut Anheier and Marlies Glasius (eds.) *Global Civil Society 2003*, Oxford: Oxford University Press, 2003.

Scholte, J. A. "Global Civil Society" in Ngaire Woods (ed.) *The Political Economy of Globalisation*, New York, St Martin's Press, 2000.

Shrybman, S. "Selling the Environment Short: An Environmental Assessment of the First Two Years of Free Trade between Canada and the United States" in *Paying the Price: How Free Trade is Hurting the Environment, Regional Development and Canadian and Mexican Workers*. Ottawa: Canadian Center for Policy Alternatives, 1991.

Sklair, L. *The Transnational Capitalist Class*, London: Blackwell Publishers, 2000.

Sklair, L. *Sociology of the Global System*, Second edition, Baltimore: The John Hopkins University Press, 1995.

Smouts, M. C. and Badie B. *Le Retournement du Monde : Sociologie de la scène internationale*, Paris, Dalloz, Fondation Nationale des Sciences Politiques, 1994.

Stubbs, R. and Underhill G. R. D. "Global Issues in Historical Perspective" in Richard Stubbs and Geoffrey R. D. Underhill (eds.) *Political Economy and the Changing Global Order*, Toronto: McClelland and Stewart, 1994, p. 145-162.

SustainAbility, *The 21st Century NGO: In the Market for Change, SustainAbility*, Second Edition, 2003.

Sustainable Development, "Summary Report of the Seattle Symposium on International Trade Issues in the First Decade of the Next Century", *Sustainable Development*, vol. 34, No 1, 1 December 1999.

Tarrow, S. (2002) "The New Transnational Contention: Organizations, Coalitions, Mechanisms", paper presented at the Annual Congress of the American Association of Political Science (APSA), Chicago, 1 September.

Tarrow, S. *Power in Movement: Social Movements and Contentious Politics*, Second Edition, Cambridge, Cambridge University Press, 1998.

Wapner, P. "Politics beyond the State: Environmental Activism and World Civic Politics", *World Politics,* vol. 47, 1995, p. 311-340.

White, G. "Civil Society, Democratization and Development: Clearing the Analytical Ground". *Democratization,* vol. 1, p. 375–90.

Zakaria, F. "And Now Global Booby Prizes", *Newsweek*, September 29, 2003.

Endnotes

[1] . The interviews reproduced in this article were conducted in the course of the years 1997, 1998 and 2004. They feature prominent actors from labour, environment, and development organisations who work in the area of trade activism. Some of these interviews were registered during my doctoral field research in the United States, Canada and Mexico.

[2] . According to the Center for Civil Society, London School of Economics, Civil Society is the set of institutions, organizations and behaviour situated between the state, the market and the family. Specifically, this includes voluntary and non-governmental organizations of many different kinds, philanthropic institutions, social and political movements, other forms of social participation and engagement and the values and cultural patterns associated with them.

[3] . For the purpose of this study, I will use the term 'international' to account for relations between state actors as well as actions that are undertaken by intergovernmental institutions as a creation of interstate cooperation. The term 'transnational best capture the movement of non-state actors, regardless of their origins, that cross state borders in order to establish links and connections with counterparts abroad. As for the term 'global', it is used to foresee the possibility or the actuality of a borderless world dominated by, but not exclusive to, global actors whose aim is the creation of a globalised and interconnected society. On this particular distinction, see Sklair (1995, 2000) and Kearney (1995).

[4] . For a critical assessment of the global civil society thesis, see Pacha and Blaney (1998); Scholte (2000); Fulcher (2000).

[5] . As it turns out, a non-governmental organisation can be defined as any organisation which is not established by a government. Conversely an international non governmental organisation is "any international organization which is not established by intergovernmental agreements" (Feld and Jordan, 1983, p. 227). Further, NGOs are pressure groups that have the capacity or desire to influence the course of international relations (Thompson-Feraru, 1974: 32-33). A global NGO is defined as a promotional pressure group which seeks to influence political decision-making on certain issues at global level (Arts, p. 50).

[6] . On this characterization, see SustainAbility (2003). Likewise, Edwards (2000) argues by providing this illustrative metaphor: "If civil society were an iceberg, then NGOs would be among the more noticeable of the peaks above the waterline, leaving the great bulk of community groups, informal associations, political parties and social networks sitting silently (but not passively) below".

[7] . NGOs confirmed their status as political actors during the United Nations Conference on the Environment and Development (The Earth Summit) in Rio de Janeiro, Brazil, in 1992, when about 2,400 representatives of these organisations came to play an important role in the final deliberations.

[8] . In 2001, the Union of International Associations, based in Geneva, included 68,000 NGOs in its database. In addition, it is estimated that the Fourth World Conference on Women, held in Beijing in 1995, was attended by almost 35, 000 non governmental organisations.

[9] . *Financial Times* (London), 12 December 2000. Quoted in Keane 2003: p. 57.

[10] . Frederick Taylor wrote *The Principles of Scientific Management* in 1911. These principles became known as Taylorism and have been a significant part of organizations for a major segment of the 20th century. For Taylor, the principal object of management should be to secure maximum prosperity for the employer, coupled with maximum prosperity for the employee.

[11] . For a full account on the Keynesian era, known as the capitalist "Grand Boom", see the historical economic perspective given by Andrew Glyn, Alan Hughes, Alain Lipietz, and Ajit Singh (1990).

[12] . Essentially, this theory states that a country gains from trade by (1) specializing its production in goods and services that are less expensive for it to produce, compared to its trading partner, and (2) exporting some of those items in exchange for imports of good and services that its trading partner can produce less expensively. In Ricardo's most cited example, if two countries – England and Portugal – are capable of producing two commodities – wine and cloth – then each should specialise in producing, and exporting to the other country that commodity which it can produce more cheaply, even if it could produce both commodities more cheaply than the other country. By that specialisation, both countries will benefit from the optimal use of resources.

[13] . The Anti Corn Law League represents the first civil society movement on a trade issue. Through the Anti-Corn Law League, civil society actors were able to raise money and set up machinery across England and Wales to increase voter registration, which then enabled them to get MPs s elected who would vote down the Corn Caws. On this particular issue and for an account on the history of trade activism, see Yahia Said and Meghnad Desai (2003).

[14] . For a complete review of anti-free trade activism in North America, refer to Chalmers Larose (2000).

[15] . Canadian Labor Congress, "Submission to the Parliament Joint Special Committee on International Relations of Canada concerning bilateral trade with the United States", Ottawa, 18 July 1985. See also, Canadian Labor Congress, *Social Dimensions of North American Economic Integration: Impacts on Working People and Emerging Economic Responses*, Report prepared for the Human Resource Development Department, Ottawa, 1996.

[16] . On the Action Canada Network, see Blyer (1992).

[17] . Interview with Janine Ferreti, former executive director of Pollution Probe, and former director general of the NAFTA Commission on Environmental Cooperation, Montreal, 10 April 1997.

[18] . Interview with John Audley, former Sierra Club environmental and trade consultant, and former trade and environmental coordinator for National Wildlife Federation (NWF). Washington D.C., 21 January 1998. For an in-depth account of environmental politics during the FTA and NAFTA years, see Audley (1997). On the same issue, see also Shrybman (1991).

[19] . See "Joint Declaration of Zacatecas" in *Memorias de Zacatecas*, RMALC, México D.F., 1991.

[20] . These side agreements were respectively: the North American Agreement on Labour Cooperation and the North American Agreement on Environmental Cooperation.

[21] .See WTO website at: http://www.wto.org/english/thewto_e/whatis_e/whatis_e.htm

[22] . In fact, the GATT Charter was taken as a temporary substitute for the failed 1948 Havana Charter which proposed the creation of an International Trade Organisation (ITO). The Havana Charter never received the necessary ratification from the American Congress, and therefore the trade pillar of the Bretton-Woods institutions was abandoned from the start The Americans then turned to the interim GATT of 1947, which contained the essential rules of the failed ITO. For further details and in-depth analysis of this issue, see Stubbs and Underhill (1994:155) and also Nicolaides (1994). For a full account of the world trading system under the GATT, see Jackson (1989).

[23] . The system that led to the creation of the WTO was developed through a series of trade negotiations, or rounds. The first rounds (Kennedy Round, 1963-67; Tokyo Round, 1974-79) dealt mainly with tariff reductions but later negotiations included other areas such as anti-dumping, non-tariff barriers, dispute settlement, agriculture, and services. The last round - the 1986-94 Uruguay Round - was launched by the Declaration of Punta Del Este of September 20, 1986 and was overall conceived as a means of stopping the rising tide of protectionism. The Final Act of the Uruguay Round was signed in Marrakech, Morocco, on 15 April 1994 and took effect in January 1995 by the establishment of the WTO in Geneva, Switzerland.

[24] . In Argentina, as well as in Japan and in Switzerland, thousand of farmers equally took to the streets. Again, on November 1993, many rice farmers protested in Seoul against the opening of the South Korean rice market. Even with the near completion of the Uruguay Round in December 1993, thousand of students and farmers took to the streets in Asia (more than 150,000 Indians protested in New Dehli for two days against the GATT agreement) in order to protest against the planned liberalization of global market. In Geneva, Greenpeace participated in a demonstration which recalled the promises of the "Environment and Development Summit" made by the world leaders in Rio de Janeiro in June 1992. Hence for long-time observers, it did not come as much a surprise that the subsequent WTO ministerial meetings have encountered massive and open street demonstrations since its very inception in 1995. For a full chronology of events surrounding the GATT-WTO process, refer to Holzapfel and König "A History of the Anti-Globalisation Protests", *Eurozine*, http://www.eurozine.com/article/2002-04-05-holzapfel-en.html

[25] . OECD ministerial declaration, 1995. Cited in Graham (2000: 23).

[26] . Chapter 11 of the NAFTA provides a predictable framework for investment that offers protection for US, Canadian, and Mexican investors. The article offers a guarantee that no party shall indirectly nationalize or expropriate an investment of another party on its territory or take a measure "tantamount to nationalization or expropriation of an investment…" For a comprehensive account of NAFTA chapter 11, see Howard Mann and Konrad von Moltke "Protecting Investor Rights and the Public Good: Assessing NAFTA's Chapter 11", Background Paper to the 2002 ILSD Tri-National Policy Workshops, Mexico City, March 13; Ottawa, March 18; and Washington (at the Institute for International Economics), April 11 *http://www.iisd.org/trade/ILSDWorkshop*. For more on the full breadth of Chapter 11 of NAFTA, see Howard Mann and Konrad von Moltke (1999).

[27] . The Statement was issued by Sierra Club, Public Citizen and Friends of the Earth and signed by more than 600 non governmental organisations from 67 countries. For details, see "Joint NGO Statement on the Multilateral Agreement on Investment", Washington D.C., 12 February 1998.

[28] . Jason Potts, International Institute for Sustainable Development (IISD), interview with the author, Montreal, 5 March 2004.

[29] . Among the participants, there were representatives of WTO member States, intergovernmental organizations, non governmental organizations, and journalists. NGO entities included, among others, the Congress of South African Trade Unions, Consumers International, Third World Network, Association of European NGOs on Agriculture, Commerce, Environment and Development, Doctors Without Borders, The International Federation of Pharmaceutical Manufacturers Associations, National Wildlife Federation, International Food Policy Research Institute, Greenpeace International, Coalition of NGOs for International Cooperation for Development, etc. For details, see "Summary Report of the Seattle Symposium on International Trade Issues in the First Decade of the Next Century", *Sustainable Development*, vol. 34, No 1, 1 December 1999.

[30] . The Group of 21 included most of the major emerging countries from the South, especially Brazil, Venezuela, India, South Africa, China, Egypt, Pakistan, Thailand, the Philippines and so on. For a detailed account of the reasons that led to the Cancun deadlock, see Elizabeth Becker "Poorer Countries Pull out of Talks over World Trade" New York Times, September 15, 2003.

[31] . Fareed Zakaria "And Now Global Booby Prizes", *Newsweek*, September 29, 2003.

[32] . According to the French Magazine Le Nouvel Observateur, non governmental organisations (Oxfam in particular) conducted a true "guerrilla war" in order to unite poor countries against Europe and the United States. The magazine highlights the work of Oxfam lobbyist Céline Charveriat, who was instrumental in building the "refusal front" leading to the breakdown of the talks. For further details, see Stephane Arteta "Les ONG au service des pays du Sud : Comment Céline a monté le front du refus", *Le Nouvel*

Observateur, 18 September 2003, No 2028, http://www.nouvelobs.com/artciles/p2028/a215511.html. For a detailed feature of OXFAM as an emerging counter power, see Christian Losson "Oxfam: Force de frappe solidaire", *Libération*, 20 January, 2004.

[33] . ATTAC is the acronym for the Association for the taxation of financial transactions for the benefit of the people. The international ATTAC Movement was created at an international meeting in Paris, on December 11-12, 1998. It defines itself as an "international movement for democratic control of financial markets and their institutions".

[34] . During the full five days of the Summit, NGOs gathered within the network "Our world is not for sale" and lobbied each and every delegation from the South. According to the French news paper Le Monde, they (Lori Wallach of Public Citizen, Walden Bello of Third World Network, and others) specifically advised some developing countries to reject the draft proposal by stating "No, its no! Reject the text!". On this particular issue and for a full account of the North South divide in Cancun, see Laurence Caramel "L'ampleur des désaccords Nord-Sud met l'OMC en échec : L'influence grandissante des ONG anti-OMC" *Le Monde*, 16 September 2003.

[35] . See full interview in "the WTO and global trade after Cancun", interview conducted by Alina Rocha Menocal, http//www.oxfam.org.uk/what_we_do/issues/tarde/interview_alovett.htm. This position is also reflected in the stance taken by Justine Lesage, communication director for Oxfam Quebec, in an interview conducted by the author. Lesage cautiously pointed to the fact that the failure of the Cancun talks was more a matter of developing countries objecting to trade agreements that would put them in a more vulnerable and dependent situation. "They have decided to no longer let countries walked on their feet", she says. Interview with Justine Lesage, communication director of Oxfam Quebec, realised in Montreal, on 16 February 2004.

[36] . Africa Trade Network, "Statement on the Collapse of the 5th Ministerial Conference of the WTO," Cancun, Mexico, 16 September 2003.

[37] . Public Citizen, "Defining Success at the 5th WTO Ministerial in Cancun". Available at: http://www.citizen.org/trade/wto/Qatar/cancun/articles.cfm?ID=10413

[38] . Jo Dufay, written interview with the author, 10 March 2004.