TRANSNATIONAL ADVOCACY NETWORKS AND ‘POLICYMAKING FROM BELOW’ AS THE NEW WAVE OF SOCIAL CHANGE: THE EXPERIENCES OF NAFTA AND CAFTA

(Katherine Scrivener - Canada)
Transnational Advocacy Networks and ‘Policymaking from Below’ as the new wave of Social Change: The experiences of NAFTA and CAFTA

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Abstract

In the arena of global policymaking, governments are currently facing a multitude of global pressures and newly influential actors who, in today’s globalized world, have novel and ever-changing roles over the decisions that governments make regarding policies, standards, and regulations that directly influence human welfare and prosperity. This article will demonstrate the conflicting waves of influence within the realm of international trade in North and Central America. They will be labeled i) ‘policymaking from above,’ which represents the over-arching power of the World Trade Organization (WTO) and its aligned free trade agreements of NAFTA and CAFTA and ii) the newly emergent powers of global civil society and Transnational Advocacy Networks (TANs) from both developed and developing countries, and their force of ‘policymaking from below’ aimed at promoting human justice. As a result of these dual forces, the governing body is increasingly in a state of flux when considering its policymaking options. This article will discuss the changing of rhetoric within NAFTA meetings and hesitance of Costa Rica to ratify CAFTA, both cited as proof that civil society and TANs can halt and influence decision-making.
NAFTA & Labour Issues in Mexico

NAFTA was inaugurated in 1994 with the hopes that the ideals of free market ideology would trickle down economic benefits to all participants and that their quality of life indicators would subsequently improve. However, statistics show that as trade has increased in North America, economic and social inequalities between and within all three countries have amplified due to their skewed terms of trade, especially in terms of agricultural and labour standards. These inequities have spawned a large-scale labour movement, especially out of trailing Mexico. In fact, labour activists in Mexico have gone beyond local protests and networking (as seen in the Zapatista Movement protesting NAFTA, 1994). The new phenomenon is that they are now networking across borders and have teamed up with other fellow North American citizens in order to work in conjunction to influence the policymaking in their fight against unfair terms of trade and meager labour rights. Canadian activists have been known to share with their Mexican counterparts their own experiences regarding free trade, and suggest that they follow the successful guidelines of their coalition and network-building tactics through local councils, lobbying and social movements (Ayres 1998).

The three governments of NAFTA are feeling tremendous pressure from several TANs, including the International Labour Rights Forum (ILRF), to adjust their policies that negatively impact the economic and social welfare of vulnerable workers in all countries. The ILRF is a global network of labour activists that has an extensive online website with several articles on global labour rights and a blog for global citizens to connect and share information and knowledge. It has outlined several economic and social policy changes, such as the request that the three governments agree to equal and fair terms regarding labour standards for all, which directly affect Mexican citizens’ social well-being. Although these objectives have yet to be fully achieved, at least the language at the free trade meetings is leaning towards more socially-equitable policies and outcomes.

Many feminist transnational labour movements have stemmed out of the NAFTA debate as well, as social movements from below learn to join forces with other social activists across borders. One Mexican woman NGO activist has highlighted quite effectively how several aspects of globalization, such as increased communication across borders, can be elemental in bringing together the ‘voices of the masses’ in order to influence upper policymaking:
I think that women have been able to establish strong links with women’s organizations on the other side, in the USA and Canada to start understanding how this process of globalization is working and to see how NAFTA is not good for us. I think this is an advantage of globalization, to break this primary level of solidarity to go into another level of solidarity with women of the empire, I think this has been an advantage given by the globalization framework (Dominguez 2002).

This highlights the importance of transnational alliances, especially during the still-present neoliberal agenda that has alienated the concepts of partnership and teamwork, even when they are needed most to achieve social solidarity and development. The organization of women’s groups, at both the grassroots level and through transnational networking, has been one of the “new social movement phenomena in which the role of human agency to resist global restructuring is most significant” (Ibid 2002). Marchand (1995) uses the term ‘boomerang effect’ to display how these types of networks are affecting the sovereignty of the nation-state by blurring the boundaries between a state’s interactions with its own national citizens and the “recourse both citizens and states have to the international system to influence state behavior.” TANs attempt to mobilize information, usually on the internet, to attract more social advocates across borders and use this force to influence policy outcomes in their respective governments in a team-like fashion.

There is now an alliance between Common Frontiers Canada and the Red Mexicana de Acción Frente al Libre Comercio, who have joined forces to tackle the unfair terms of free trade in North America. According to the RMALC website, Canadian and Mexican advocacy groups have been developing initiatives for exchanging cross-border perspectives, which has heightened their capacity for influence. This cross-border alliance met at the Mexican forum on renegotiating NAFTA on August 6, 2006 in Mexico City. Common Frontiers Canada coordinator Rick Arnold and several of his fellow activists attended the forum called, ‘Evaluation and Proposals for the Renegotiation of NAFTA,’ which was attended by over 1,200 people from all three countries (Eaton 2008). These types of forums have brought tremendous media coverage and widespread awareness. Although these initiatives have not brought concrete policy change yet, at least the rhetoric is slowly changing as TANs gain momentum and begin to significantly challenge policymaking ‘from below.’

In conclusion regarding the effectiveness of TANs in impacting social and trade policies, only incremental progress has occurred, but there is potential for profound gains. NAFTA’s trade
policies are put forward by the WTO, but each of the three countries is allowed to implement its own particular labour and human welfare standards in its own territory. However, TANs are in favour of international enforcement standards that have a “social democratic economic philosophy and cosmopolitan approach to human rights” (O’Brien 137 in Yeates). In other words, they demand that certain human rights be upheld and argue that labour is not a commodity but is composed of human beings and that the ethical components of having uneven labour standards do transcend state borders (Ibid 137). Although no profound changes towards policymaking have been made, the newness of these forces from below must be emphasized. It must be seen as ‘progress’ that TANs are changing the subjects of NAFTA meetings as they gain influence and demand equitable economic and social welfare. These voices from below are increasing in volume and are getting much harder to ignore.

CAFTA & Indigenous Rights in Costa Rica

CAFTA, composed of the Central American countries, the Dominican Republic and the U.S. was inaugurated in 2004. The last four years have seen similar issues in human welfare infringements that NAFTA has seen throughout its longer history. The most profound violation of human welfare has been the impact of free trade on indigenous rights. Consequently, the domestic governments of CAFTA have been met with a wide force of opposition by the TANs. Costa Rica was an interesting part of the puzzle because although they agreed to join CAFTA, it took four long years to finally ratify it. Although Costa Rica finally approved CAFTA in January 2009, they were particularly influenced by the counter-forces of TANs and civil society and hesitated to join the agreement.

Parallel to NAFTA, CAFTA members are also encouraged to drop tariffs and reduce government spending, creating a double burden on Central Americans and Dominicans. They cannot compete against American goods nor can they fend for themselves as the government pulls out of social programs. Moreover, CAFTA makes Costa Ricans even more vulnerable to indigenous rights discrimination as they have to deal with bio-piracy and the loss of their indigenous medicines and know-how under the trade provisions. As a result of these burdens, Costa Rica in particular has been monumental in its listening to the voices from below. Although Costa Rica signed onto CAFTA very recently, it is clear that the influence of transnational civil society was partially responsible for the long stall. It will be argued that these baby steps demonstrate the potential that TANs have in influencing policymaking.
TANs have taken centre stage in the last four years since the implementation of CAFTA. One of the most influential networks has been ‘Women against CAFTA.’ Their website connects activists throughout Central and Latin America with the sharing of knowledge, ideas and support within the blog. Once again a feminist transnational advocacy network takes full force. This is crucial considering that women are disproportionately hurt by free trade policies and carry most of the burden when social programs and social spending are cut. According to one Costa Rican woman activist, CAFTA “endangers our social [welfare], which, although far from perfect, has allowed us to survive” (Mujeres del NO 2007). According to her, “we need to agree on the model of society we want for Costa Rica. As feminists we will fight for that model not to be based on the unrecognized or ill-paid labour of poor women, without forgetting that that kind of exploitation is framed under the context of discrimination and subordination of all women” (Ibid 2007) she said, referring to the united force that women across Central America have constructed to influence regional policymaking from below.

One of the most harmful discriminatory trade policies created by the WTO in 1994 was the agreement on Trade-Related Intellectual Property Rights, which attempts to impose a single global law on the business of knowledge protection, benefitting pharmaceutical companies that wish to safeguard their medicines. Unfortunately, in Central America they have infringed on the local medicines and indigenous health practices and have patented them as their own. Central American countries see foreign transnational corporations take their traditional knowledge and native plants without compensation as a form of piracy–hence the term “bio-piracy” (Stiglitz 2006). In order to stand up against these global policies, activists found it more effective to sneak up from below–by creating partnerships and establishing a transnational network–in order to challenge their own particular country’s decision-making. In this specific case, this approach was temporarily successful, and indigenous policies and social outcomes were taken as priority over the ratification of the agreement and subsequent obligation to TRIPs. In fact, in September of 2008, Costa Rica’s “highest court overturned an intellectual property law [demanded] for the enactment of the US-CAFTA” (Intercontinental Cry 2008). Even though Costa Rica just solidified their commitments to CAFTA, TANs do cite the stall as a major victory and find it an inspiration to keep networking and forging new partnerships throughout the world to enact local, regional and global social change.
References


