

**The WTO Dispute Resolution System's
Threat to Environmental Legislation and
The Emerging Social Movement Response**

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LIST OF ABBREVIATIONS

AGP	Agreement on Government Procurement
CTE	Committee on Trade and the Environment
DAN	Direct Action Network
DRP	dispute resolution process
DSB	Dispute Settlement Body
DSU	Dispute Settlement Understanding
EMO	Environmental Movement Organization
EU	European Union
FTAA	Free Trade Area of the Americas
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
IMF	International Monetary Fund
ISAC	Industry Sector Advisory Committee
ITO	International Trade Organization
MEA	multilateral environmental agreements
MFN	most favored nation
MO	movement organization
NAFTA	North American Free Trade Agreement
NGOs	non-governmental organizations
OECD	Organization for Economic Co-operation and Development
PPM	production and processing methods
SPS	Agreement on Sanitary and Phytosanitary Measures
TBT	Agreement on Technical Barriers to Trade
TNCs	trans-national corporations
TPRB	Trade Policy Review Body
TPRM	Trade Policy Review Mechanism
TREMs	trade related environmental measures
TRIMs	trade related investment measures
TRIPs	Trade-Related Aspects of Intellectual Property
UN	United Nations
URAA	Uruguay Round Agreements
USTR	United States Trade Representative (highest US trade official)
WTO	World Trade Organization

I. Introduction

Topic Description

On November 30, 1999, forty thousand protesters came from around the world to demonstrate against the World Trade Organization's ^(WTO) third round of ministerial meetings held in Seattle.¹ These protesters represent an emerging social movement against corporate economic globalization and the institutions, such as the WTO, which drive the process of trade liberalization.² Among the eight hundred grassroots organizations from over seventy-five different countries that called for resistance to these institutions (Tabb 1), environmental organizations were heavily present. Among the organizations, a group of environmentalists dressed themselves as turtles to represent the WTO ruling against the Endangered Species Act provisions that require shrimpers to equip their nets with turtle excluder devices if they seek to sell shrimp in the United States (Wallach & Sforza 12). For the group of environmentalists, the turtle case represents the larger trend of environmental legislation being overturned by the WTO.

¹ The meeting in Seattle was the third Ministerial Conference of the WTO and the beginning of the ninth round of negotiations in GATT/ WTO history (WTO 2001). Ministerial Conferences occur every two years, whereas "Rounds" are periods of trade negotiations that last several years and focus on specific issues (Cameron 106). See later description of the WTO's founding and structure.

² To give a brief definition, "trade liberalization" is a set of economic policies that seeks to open economic markets through the removal of trade barriers. See background description of neo-liberalism.

The book, Whose Trade Organization? warns that, "After an in-depth analysis of the decisions reached by WTO dispute resolution panels, this book concludes that no democratically achieved environmental, health, food safety or environmental law challenged at the WTO has ever been upheld. All have been declared barriers to trade (Wallach & Sforza 197)." The dispute resolution process found every environmental measure challenged at the WTO to violate various WTO agreements. By declaring environmental laws as barriers to trade, the WTO effectively threatens these domestic laws and causes a major conflict for environmentalists who view legislation as a central component of environmental protection.

The WTO threat to environmental legislation causes many environmentalists to question the dispute resolution process, which is the mechanism that is credited as being the central element in removing barriers and discrimination from international trade (H. Rept. 672). The dispute resolution system is a means of settling conflicts between WTO members.³ When one member brings a case against another, delegates of the General Council appoint a panel of trade experts to consider the case and make a decision (WTO 2001). Decisions made by the dispute panels have the power to overturn national laws through the authorization of trade sanctions against noncompliant members. Therefore, many trade proponents view the dispute settlement process as "the most effective dispute settlement mechanism in the world (OECD 333)." Otto Th. Genée, Deputy Permanent Representative to the WTO of the Netherlands, continues this support of the dispute settlement system by asserting that,

Some people might find it too effective to their liking, especially when they do not agree with the outcome... As the only international organization with a sanction mechanism with real teeth, it attracts interest groups that want to bring their issues to the WTO (OECD 333)...

³ Members of the WTO are nations or "customs territories," such as the European Union (EU), which are areas that have full autonomy over the conduct of their trade policies (WTO 2001).

Trade advocates herald the enforcement power of the dispute settlement process, and often dismiss environmentalists' criticism as bitterness for losing under a supposedly fair system. Meanwhile, several environmentalists accuse the system of being designed so that their environmental legislation will lose. From an environmentalist's perspective, the dispute process is secretive and undemocratic, with an inherent bias toward trade and corporate interests, which is dangerous in light of its ability to extend its influence far beyond trade. The Dispute Resolution System is at once described as the best and worst quality of the WTO for the same reason; it has the teeth to enforce trade agreements by authorizing sanctions.

Because of the potential threat of the WTO dispute resolution system to environmental legislation, this paper discusses the arguments against certain components of the dispute resolution system, and considers the outcomes of several environmental legislation cases overturned by the dispute resolution process. This paper also considers criticisms of environmentalists claiming that the WTO is not participatory and that the WTO lacks transparency in the process of rule-making and dispute settlement (WTO Watch 2001). The restriction of national environmental policy by the dispute resolution system and the exclusion of participation by non-governmental organization's (NGOs) in the WTO both serve as social constraints that prevent environmentalists from seeking change through formal political channels. Consequently, environmentalists formed alliances with other NGOs who share opposition to the WTO, and who oppose the larger process of economic globalization that the WTO represents, in order to develop political tools to effect change outside of mainstream politics. Environmentalists worried about the WTO's threat to environmental legislation engaged already established networks of activists from the preceding decade of mobilization against trade and

economic agreements, such as NAFTA.⁴ Daniel Seligman of the Sierra Club explains, “We have had a well-established collaboration with labor since NAFTA in 1993. What was different in Seattle was that the bonds forged a loose alliance into a popular movement, not an alliance of convenience (WTO Watch 2001).” A wide array of organizations, including environmentalists, labor unions, human rights groups, faith-based groups, health organizations, and so forth, created alliances through their shared opposition to trade liberalization policies, whose power arguably culminates in the enforcement mechanism of the WTO. More than 1,200 organizations from more than 85 countries called for a moratorium on further negotiations that expand the scope and power of the WTO by compiling a “Statement From Members of International Civil Society Opposing A Millennium Round (Chossudovsky 1999).” The resulting activist networks seized upon the social opportunity to protest at the Seattle WTO Ministerial meeting in 1999, utilizing the political tools of grassroots activism, direct action and advanced communication technology.

The protest in Seattle was a political success in that its objective to shut down the WTO meeting was partially completed. Because the protest was partially successful in its objective and successfully mobilized more than 40,000 people, the demonstration effectively publicized opposition of the WTO to the entire world, and informed the public, a majority of which did not even know what the WTO is, about the potential threats that the WTO imposes. One activist proclaims, “Through public relations campaigns and legal challenges, as well as large, visible demonstrations such as the one in Seattle, a protest movement is gaining momentum, challenging the dominance of transnational capital and the agencies that do its bidding (Tabb 2).” In response to exclusion from and social constraints imposed by the WTO, activists created

⁴ The North American Free Trade Agreement (NAFTA) is a regional trade agreement between the United States, Canada, and Mexico that opened the countries' domestic trade markets to each other through neo-liberal economic policies.

opportunities and political solutions that resulted in a collective social movement in Seattle and beyond.

This paper will first illustrate some of the different resources of the social movement against corporate economic globalization, and then will frame the conflict as responding to particular social constraints and opportunities. Sidney Tarrow elaborates on the importance of political opportunities and constraints in a social movement by arguing,

... contentious politics is triggered when changing political opportunities and constraints create incentives for social actors who lack resources on their own. They contend through known repertoires of contention and expand them by creating innovations at their margins. When backed by dense social networks and galvanized by culturally resonant, action-oriented symbols, contentious politics lead to sustained interaction with opponents. The result is the social movement (2).

Using Tarrow's social movement theory, this paper will frame the WTO dispute resolution system's threat to environmental legislation as a perceived injustice, argue that the WTO's exclusion of NGOs is a social constraint, and depict environmentalist alliances with other organizations as an opportunity in efforts against the WTO, such as the protest in Seattle. The demonstration against the WTO in Seattle was a social movement response to create a new opportunity for influence outside of formal political channels.

This paper will discuss the sustainability and future of the social movement against corporate economic globalization near the end, and at the conclusion, will address the feasibility of reversing the WTO dispute resolution system's threat to domestic laws. In light of the dispute resolution system's potential threat to national law, and NGO exclusion from the WTO, this thesis ultimately seeks to show that the social movement against the WTO is an important means to advance environmental interests. This paper argues that many environmentalists participate in the social movement against the WTO, as part of a larger movement against corporate economic globalization, as a result of the threat to environmental legislation imposed by the WTO.

Relevance in Environmental Studies

There are numerous works documenting the trade versus environment perspectives, the WTO, its dispute resolution system and its threat to environmental legislation cases. There are fewer works, however, that frame these issues around the emerging social movement against corporate economic globalization. This paper is an attempt to explain the political process outside of mainstream politics that environmental activists helped to create when their mainstream legal achievements were threatened by the WTO. Moreover, this paper will show how working outside of the political system, through mass mobilization, can be a means to address exclusion from formal political channels.

In research and conducting personal interviews with activists opposed to the WTO, most of the works that evaluated efforts against the WTO as a social movement came from alternative sources that generally hold an environmentalist, or environmentally sympathetic perspective. Meanwhile, most of the more mainstream sources, books and journals, considered in this paper reflected a distinct bias for trade. Despite these biases, this paper will attempt to explain why participating in the social movement against corporate economic globalization seems necessary to environmentalists in order to protect environmental legislation from the threat of the WTO dispute resolution system. The relevance of this paper in environmental studies is its intention to explain the constraints of the WTO dispute resolution process upon environmental legislation, and its support of the growing perception that trade liberalization threatens environmental objectives.

Many view the emerging social movement against the WTO, and against trade liberalization in general, as an invigoration of activism, mobilizing more people, issues and

resources. Even activists marvel at the sheer number of people that participate at demonstrations in this movement and at the network of alliances being formed. William K. Tabb proudly declares, "The still-growing movement in opposition to efforts of institutions such as the WTO to take over the management of the international economy may well be larger than any popular protest movement of the last twenty years or more (1)." A unified movement among a broad spectrum of social actors will appeal to a wider segment of the general public, as opposed to individual particularistic interests, and will therefore advance the causes of all groups involved. The formulation of shared issues through alliances is perhaps the most important aspect of the social movement against corporate economic globalization because it requires an awareness of each organization's particular cause, and a subsequent dialogue between each group. One activist at the Seattle protest in Seattle marveled at the dialogue being generated through alliances at the protest. She reflects,

The issues that brought people together in the first place now stand beside the issues that emerged from the site of convergence itself. After generations of painful and deceiving tactics that divide environmentalists and laborers and students from each other, we found ways to connect our issues. US union members now talk about international environmental standards, and anti-nuclear activists now talk about the downward spiral of wages in this country. On the ground, we saw each other, talked to each other, and washed tear gas out of each others' eyes. Issues we had not spoken about confronted us, and we broke new common ground. After Seattle, we talk about police brutality and the inability of the State to repress dissent. Now we speak about racism within the decision-making structures and how to move beyond oppressive models of organizing. We all speak not only about the issues that got us out on the streets but about the solidarity that kept us there (Guilloud, Voices from the WTO, 7).

On the part of environmentalists participating in the social movement against trade liberalization, they hope that the enthusiasm for this growing movement will spill over from various alliances, whereupon new activists will revitalize the environmental movement. To incorporate activists from such diverse causes as labor, faith-based groups, and human rights organizations into the environmental movement is an exciting possibility. Mobilizing people who have not been involved in environmental issues before effectively diversifies the

environmental movement. Widespread concern for the environment is being inadvertently passed throughout society through shared concern over trade liberalization, while in turn social justice issues filter into the environmental movement. Including social justice issues adds a resonating factor to the environmental movement where the interest of helping people moves beyond the more particular interests of saving forests or species preservation, which have generally been white middle class or elite issues. The potential of the social movement that auspiciously began against the WTO is significant in the field of environmental studies. Not only does the movement against corporate economic globalization oppose the WTO process that threatens environmental legislation, the movement also maintains the possibility to transform and uplift the entire environmental cause.

II. Background

“Free Trade” and the Founding of the WTO

“Free trade” often refers to a set of neo-liberal economic policies that became widespread during the past 25 years.⁵ The central economic principles of neo-liberalism include the rule of the market, cutting public expenditure for social services, deregulation, and privatization (Martinez 2001). Economists designed these principles to gain freedom of movement for capital, goods and services away from government intervention. Trade liberalization incorporates neo-liberal economic policies in order to open economic markets through the removal of trade barriers. Ambitious advocates of “free trade” ultimately want continued liberalization of trade and investment until all developed world economies are “deeply integrated,” meaning that business firms may freely enter all markets, or nations of the world at will and governments intervene only to reinforce the system (Dunkley 11). With the development of trade on a global scale, regional trade agreements serve to open trade and investment internationally through trade liberalization measures.⁶ Advocates of these regional trade agreements argue that these

⁵ “Neo” means new, while “liberalism” implies that the economy should have no controls, including restrictions, barriers, or tariffs. The liberal school of economics began with Adam Smith, an English economist who in 1776 first advocated the abolition of government intervention in economic matters. Economic liberalism prevailed in the U.S. until the Great Depression of the 1930’s when President Roosevelt’s New Deal supported government economic intervention for the common good. However, 25 years ago economic liberalism was revived and returned with the prefix “neo.” Current neo-liberalism is now global because of the rapid globalization of the capitalist economy (Martinez 2001).

⁶ Some of the various regional trade agreements are the European Union (EU) or European Community (EC), European Free Trade Association (EFTA), Central European Free Trade Association (CEFTA), North American Free Trade Agreement (NAFTA), Southern Common Market, EC/Certain Non-European Countries and Territories (PTOM II), Closer Economic Relations Trade Agreement (ANZCERTA),

agreements will produce increased trade and will therefore bring increased prosperity. Trade liberalization supposedly leads to more competition, greater market efficiency, and higher standards of living (Tabb 1), which in turn will supposedly raise labor and environmental standards if the factors of production are priced properly.

Meanwhile, critics of “free trade” contend that neo-liberalism only benefits the wealthy, and actually hurts average citizens, especially the poor. By eliminating government intervention through neo-liberal policies, it is argued that capital is increasingly free to exploit resources and people. In regard to NAFTA, one opponent of free trade claims that, “Neo-liberalism means the neo-colonization of Latin America (Martinez 2001).” Critics worry that dominant economic powers overwhelm and unfairly take advantage of weaker economies through “free trade.” As a result of concern for the effects of neo-liberalism between countries and within civil society, activists have mobilized against specific political agreements that employ neo-liberal policies. Just in North America activists organized mass mobilizations against the regional trade agreements of NAFTA and the formation of the FTAA. These mobilizations will be discussed later in the chapter describing the social movement against corporate economic globalization. The point here is that regional trade agreements are part of the current global effort to liberalize trade.⁷ This paper will focus on the global economic institutions that seek to govern trade, which began with the attempt in 1948 to form an International Trade Organization (ITO).

Believing that high tariffs and other barriers to trade had led to the Great Depression and had contributed to the international instability leading to World War II, the world’s dominant

Caribbean Community and Common Market (CARICOM), and Central American Common Market (CACM) (WTO Watch 2001).

⁷There are four possible channels for trade liberalization: *unilateral*, where one country alone removes protective barriers, *bilateral*, where two countries negotiate mutual protection reductions, *regional*, where

trading nations converged in Havana in 1948 to form an International Trade Organization (ITO) which would impose order on the world trading system (Tabb 1). As an agency of the United Nations (UN), the ITO proposal would have set rules on governing trade, investment, commodity agreements, and services. The United States congress, however, refused to ratify the ITO charter because of the perception that this new institution of global economic governance would threaten national sovereignty and U.S. dominance in world trade (WTO Watch 2001). Even though the U.S. refused to join the ITO, the government now claims that, "Because of its strength as a trading nation and the openness of its market, the United States has long sought to establish an international trading system with a comprehensive set of enforceable rules (H. Rept. 672)." Thus, after the ITO proposal failed, 23 of the 50 nations involved in the ITO negotiations established a multilateral trade agreement, without a charter, to reduce tariffs,⁸ called the General Agreement on Tariffs and Trade (GATT 1947). The leading trading nations agreed to several principles in the GATT intended to foster "free trade" among nations.⁹

The GATT was a trade agreement that was renewed and expanded through negotiating rounds, and also a de facto trade organization that regularly monitored trade practices after the 1980's (WTO Watch 2001). The GATT governed international trade for forty-six years in an informal manner, and sponsored eight negotiating rounds, the last of which was the Uruguay Round. During the Uruguay Round, which lasted from 1986 to 1994, GATT advanced neo-liberalization by further reducing tariffs and non-tariff barriers to trade, and developing agreements beyond manufactured goods to include agricultural trade, services trade, trade-related

countries within a region develop liberalization arrangements, and *multilateral*, where world-wide negotiations occur for liberalization and trading rules (Dunkley 9).

⁸ Tariffs are taxes on imports that inhibit, and if they are high enough, prevent trade (Tabb 1).

⁹ See Appendix A: Major GATT Articles.

investment measures, trade-related intellectual property rights, and textiles (H. Rept. 672). At the conclusion of the Uruguay Round in 1994, the Marrakesh declaration was signed by 123 participating governments to formally establish the World Trade Organization (WTO) as a more permanent international institution to govern trade and replace the GATT.

The Uruguay Round established the World Trade Organization that came into effect on January 1, 1995, replacing and incorporating the General Agreement on Tariffs and Trade (Westin 1). The WTO implements the GATT agreements and represents an attempt to formalize the GATT that possessed no enforcement mechanisms, codified rules, or administrative structure (Esty 245). The WTO gained its authority by having three sets of multilateral trade agreements that have all been ratified by members' parliaments: a renewed "GATT 1994", the General Agreement on Trade in Services (GATS) and on Trade-Related Aspects of Intellectual Property (TRIPs). According to Article II of the Agreement Establishing the World Trade Organization, "The WTO shall provide the common institutional framework for the conduct of trade relations among its Members in matters related to the agreements and associated legal instruments... (WTO 1994)." The WTO, as a world economic institution, is meant to govern trade relations through its Multilateral Trade Agreements.¹⁰ The Multilateral Trade Agreements of the WTO are binding on all WTO members, except for the Plurilateral Trade Agreements. The Plurilateral Trade Agreements are the only agreements that "do not create either obligations or rights for Members that have not accepted them (WTO 1994)." In other words, members voluntarily comply with Plurilateral Trade Agreements, whereas members adopt the other trade agreements in a "single-undertaking." During the GATT, members could sign whichever agreement they chose, but in the WTO no country can opt out of any part of the agreement negotiated (WTO

Watch 2001). The WTO framework utilizes a single-undertaking approach to the results of the Uruguay Round where membership in the WTO requires accepting all of the results of the agreements at once.

Only governments of countries have standing, or the right to participate in WTO proceedings. State or separate customs territories are allowed to become members of the WTO through a process called “accession”. Article XII of the Agreement Establishing the World Trade Organization states,

Any State or separate customs territory possessing full autonomy in the conduct of its external commercial relations and of the other matters provided for in this Agreement and the Multilateral Trade Agreements may accede to this Agreement, on terms to be agreed between it and the WTO. Such accession shall apply to this Agreement and the Multilateral Trade Agreements... Decisions on accession shall be taken by the Ministerial Conference. The Ministerial Conference shall approve the agreement on the terms of accession by a two-thirds majority of the Members of the WTO (WTO 1994).

Countries petition and negotiate membership into the WTO, making specific commitments to abide by the WTO rules. The WTO’s Accession Working Party oversees accession negotiations, and then a vote requiring approval of a two-thirds majority of the Ministerial Conference completes the process of membership into the WTO. However, in some countries the applicant’s legislature needs to ratify the accession agreement (WTO Watch 2001). Most members of the WTO automatically became members under GATT negotiations to establish the WTO. As of November 30, 2001, the WTO has 140 members and 34 observers who must start accession negotiations within 5 years of becoming observers (WTO 2001).

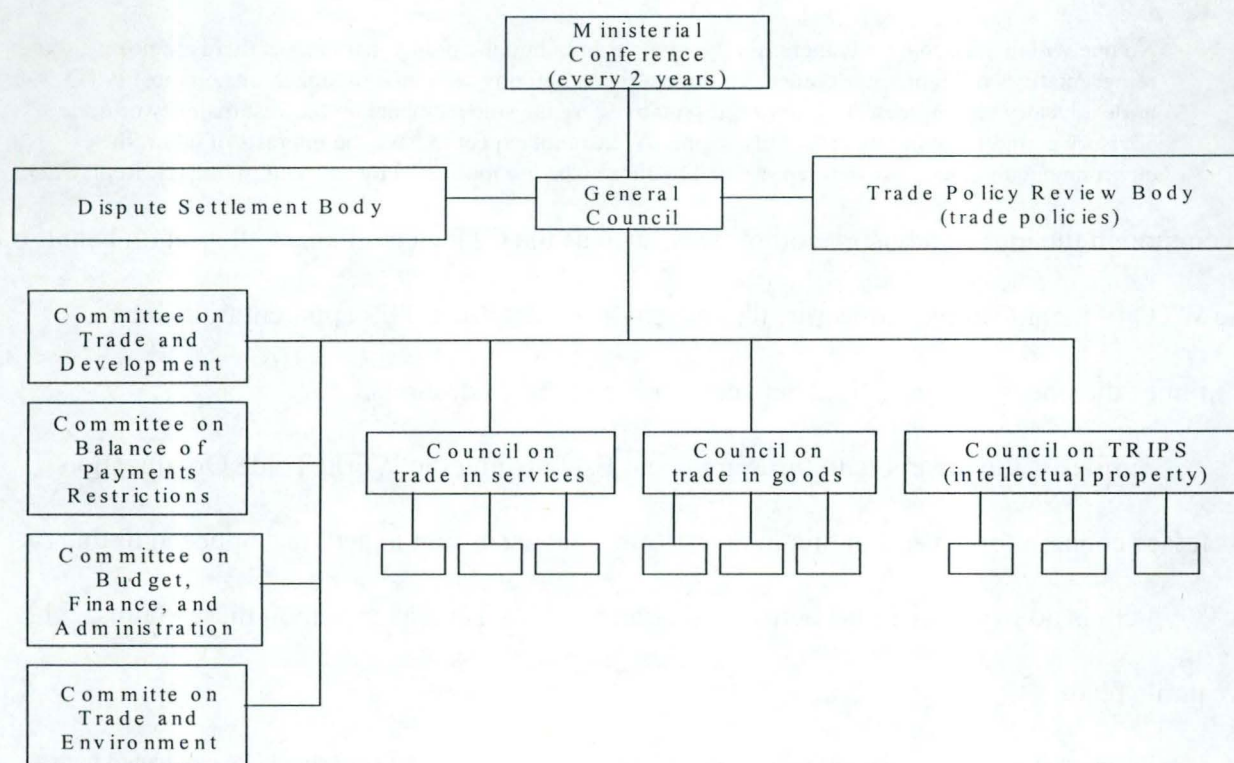
The purpose of the WTO is to provide the institutional framework for the multilateral trading system, which has five functions according to Article III of the Agreement Establishing the World Trade Organization. The WTO implements the Multilateral and Plurilateral Trade Agreements, provides a forum for trade negotiations, administers the Dispute Settlement

¹⁰ See Appendix B: Multilateral Trade Agreements of the WTO.

Understanding (DSU) and the Trade Policy Review Mechanism (TPRM), and co-operates with the World Bank and the International Monetary Fund (IMF) to achieve greater coherence in global economic policy (WTO 1994). All of the functions of the WTO serve to facilitate and promote trade among its members. The WTO specifically promotes trade by reducing tariffs, prohibiting import and export bans and quotas, eliminating discrimination against foreign products and services through its most-favored nation (MFN) and national treatment principles, and by eliminating other non-tariff trade barriers. According to the WTO, it accomplishes its trade objectives by “entering into reciprocal and mutually advantageous arrangements directed to the substantial reduction of tariffs and other barriers to trade and to the elimination of discriminatory treatment in international trade relations (WTO 1994).” By lowering tariffs and international barriers to trade, Mr. Archer from the Committee on Ways and Means of the U.S. House of Representatives, claims that the WTO promotes economic growth, trade, real income, savings, investment and consumption (H. Rept. 672). Many advocates of “free trade” perceive the WTO as the institutional framework for economic growth that promotes trade through its careful bureaucratic structure.

Article IV of the Agreement Establishing the World Trade Organization outlines the basic structure of the WTO (see Fig. 1). The WTO has a Ministerial Conference composed of representatives of each member that meets at least once every two years and is responsible for carrying out the general functions of the WTO (WTO 1994). Between meetings of the Ministerial Conference the General Council manages the WTO, which is composed of representatives of all of the members. Members of the General Council comprise the Dispute Settlement Body (DSB) and the Trade Policy Review Body (TPRB) as needed in order to adjudicate trade disputes or review trade policies (WTO 1994). The WTO also has a Secretariat

staff of 500 that provides technical and logistical support to the General Council and to the dispute-settlement process when requested. The Secretariat is headed by a Director-General who is described as the “guardian of the collective interest of the Member States (Hoekman & Kostecki 39).” Three main subsidiary councils operate under the General Council including the Council for Trade in Goods, the Council for Trade in Services, and the Council for Trade-Related Aspects of Intellectual Property Rights (WTO 1994). Below the General Council over 30 councils, committees, working groups and parties exist that deal with particular issues (Hoekman & Kostecki 38). *The Structure of The World Trade Organization*



Committees and Working Parties set up to administer the various arrangements that are covered by GATT, GATS, or TRIPS

Source: WTO

FIGURE 1: WTO Organizational Tree

Among the various committees and groups in the WTO structure, the Committee on Trade and the Environment (CTE) is the most relevant to this paper. The WTO official website states that the CTE's work is based on two principles: the WTO is only competent to deal with trade, it is not an environmental agency, and if the committee does identify environmental problems impacting trade the solutions must uphold the principles of the WTO trading system (WTO 2001). Despite how favorable the CTE may seem by the inclusion of the environment in its title, the CTE dissatisfies most environmentalists because of its reporting status that has no enforcement authority and because of its apparent emphasis of trade. According to Congressman Peter Stark,

No one will dispute that trade increasingly involves broad public policy matters, yet there are no representatives of labor, environment, or human rights non-governmental organizations on most WTO trade advisory committees. Industry representatives are the sole members on the vast majority of trade advisory committees and this is simply wrong. We cannot expect to have the interests of labor, the environment and the oppressed represented by those who are motivated by the bottom line (H. Rept. 672).

Even though the idea of advisory committees, such as the CTE, seem like an attempt on behalf of the WTO to include public concerns, like the environment, the CTE's apparent trade bias continues the uneven playing field between trade and the environment.

Similarly, the preamble to the Agreement Establishing the World Trade Organization professes concern for several public interest issues, but according to activists opposed to the WTO, there is no evidence in the actual operation of the WTO that acts upon these claims. The preamble reads,

Recognizing that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living, ensuring full employment and a large and steadily growing volume of real income and effective demand, and expanding the production of and trade in goods and services, while allowing for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment and to enhance the means for doing so in a manner consistent with their respective needs and concerns at different levels of economic development (WTO 1994).

Meanwhile, the WTO's Trade Policy Review Mechanism (TPRM) does not evaluate the impact of WTO rules on any of the before mentioned objectives except trade. The official WTO website uses the preamble and a few provisions in the WTO's rules, such as GATT Article XX that will be discussed in a later chapter, to deny that commercial interests uniformly take priority over environmental protection in the WTO. Yet, the perception that the WTO has a concrete business bias contributes to growing resentment of the WTO.

Critics of the WTO and "Free Trade"

Among the various critics of the WTO, environmentalist critics denounce the WTO decision at the first meeting in Singapore in 1996 establishing that labor and environmental protection are not trade matters, and should not be considered by the WTO (Tabb 1). The WTO justifies its narrow focus on trade by claiming that it is not its job to set the international rules for environmental protection; that is the task of environmental agencies and conventions (WTO 2001). This justification is ostensibly true, but slanted nonetheless because no other international organization has the enforcement power of the WTO, which is the only organization authorized to use trade sanctions against nonconforming members. William K. Tabb explains, "This division between the powerful institutions... which deal with the money, and the powerless organizations (which address the concerns that are important to the vast majority of the world's denizens), permits the 'agendas of giant corporations to be carried out... (1)." When other inter-governmental organizations attempt to incorporate the powerful incentive of economics as leverage into their policies they potentially violate the WTO's jurisdiction. Moreover, the WTO

arguably needs representatives of environmental interests because it has the power to affect and even alter environmental policy. As soon as members formally commit to the WTO trade agreements they bind their state and local governments to the WTO as well, and subject their domestic laws to trade challenges. It is the established role of international trade law to constrain domestic laws (OECD 295). This dynamic combined with the narrow trade focus of the WTO causes many critics to charge that the WTO is an undemocratic legal authority. One critic summarizes these anti-WTO sentiments when he asserts, "...the World Trade Organization is one of the least democratic institutions that exist on the planet. It is attempting to create a world where the corporations have unlimited powers – a world where the most basic protections on health, safety, environment, workers rights, quality of life, can be removed as "barriers to free trade" (Richmond 1)."

As innocuous as having a global institution that governs trade seems, the WTO elicits intense resentment because of its ability to over-ride democratically achieved national laws in the interest of trade. The WTO achieves its power to influence domestic laws through its dispute resolution system that enforces the Multilateral Trade Agreements. Even though the WTO, nor its dispute settlement panels, can not strictly enforce changes in national laws (H. Rept. 672), it does authorize sanctions against losing members in disputes that effectively induces countries to change challenged laws. The WTO threat to domestic law consequently threatens government's ability to enact the will of the people through laws that could possibly violate WTO rules. This dynamic leads to the perception that the WTO threatens national democracy.

Not only does the WTO potentially threaten national democracy, some critics accuse the very institution of the WTO as being undemocratic. Decisions in the WTO are made through

consensus, a seemingly democratic system of decision-making. Article IX of the Agreement Establishing the World Trade Organization decrees,

The WTO shall continue the practice of decision-making by consensus followed under GATT 1947. Except as otherwise provided, where a decision cannot be arrived at by consensus, the matter at issue shall be decided by voting. At meetings of the Ministerial Conference and the General Council, each Member of the WTO shall have one vote... Decisions of the Ministerial Conference and the General Council shall be taken by a majority of the votes cast (WTO 1994)...

Yet, some critics of the WTO claim that developing countries are often left out of the consensus building process, while there has never been a general WTO vote. Developed countries, such as the United States, oppose the general WTO vote because developing and transition countries comprise nearly three-quarters of the WTO membership (WTO Watch 2001). Voting democratically would guarantee that developing countries would dominate decisions. Critics accuse that the consensus system allows negotiations to occur between the economically powerful members before the General Council or Ministerial Conference reaches a consensus. At a press conference in Seattle in 1999, former U.S. Trade Representative Charlene Barshefsky confirms critics' fear of "consensus" in the WTO by describing the dynamics of the decision-making system. She admits, "The process...was a rather exclusionary one. All meetings were held between 20 and 30 key countries... and that meant 100 countries, 100 were never in the room... [This] led to an extraordinarily bad feeling that they were left out of the process and that the results even at Singapore had been dictated to them by the 25 or 30 privileged countries who were in the room (Bello 1999)."

Some WTO critics believe that the "Quad" countries conduct most of the WTO negotiations: the United States, European Union (EU), Japan, and Canada. Developing countries often lack staff, capacity, and financial resources to participate fully in negotiations, which means that rich countries could dominate decision-making by default. The United States has over 250

trade negotiators while 30 of the WTO members could not even afford to base a single negotiator in Geneva, where the WTO is located back in 1999 (CorpWatch 1999). However, the difference in resources between developing countries and the “Quad” does not explain why informal negotiations would occur in exclusive “green rooms.” The “green room” forum is meant to encourage informal discussions to break deadlocks in negotiations, but they often result in the exclusion of developing countries. In a letter sent by 11 countries to the WTO Chair criticizing the green room process, Martin Khor, Director of the Third World Network accuses,

What has been going on in Seattle is a scandal. Developing countries that form more than two-thirds of the membership of the WTO are being coerced and stampeded by the major powers, especially the host country the US, to agree to a Declaration to which they were given very little opportunity to draft or consider... Most of the important negotiations have taken place in “green room” meetings where only a few countries are invited. Most of the developing country members of the WTO have not been able to participate. Even if a country is invited to a meeting on a particular issue, it may not be a participant in other issues. Many developing countries were not invited to any meeting on any issue at all... Efficiency may suffer. Arbitrary exclusion is not an option (Khor 1999).

Mr. Khor confirms critics’ belief that developing countries are excluded from the negotiating process and indirectly supports the claim that the WTO is undemocratic.

Even though the WTO may be undemocratic in its operations and may threaten national democracies through its power to affect domestic laws, democratically achieved governments choose to be in the WTO and have the option of withdrawing. On November 29, 1994 the United States House of Representatives approved the Uruguay Round Agreements (URAA), which contains section 125(b) that establishes a procedure where the United States Congress may withdraw its approval of the WTO Agreement.

Sections 124-125 of the URAA require the President to submit a special report on U.S. participation in the WTO every five years from the date the United States first joined the WTO. Following receipt of the report, any member of either the House or Senate may introduce a joint resolution to withdraw Congressional approval of the WTO Agreement. Congress then has 90 session days from receipt of the report to act on the resolution... (H. Rept. 672).

There has already been a proposal to withdraw the approval of the United States from the WTO, joint resolution (H.J. Res. 90), but was not passed as a result of adverse report (H. Rept. 672) on

June, 12, 2000. The question then emerges why democratic governments continue to support the WTO that has the potential to threaten national laws.

Some critics of the WTO argue that government support of the WTO derives from corporate interests that unfairly influence governments to advocate trade policy. In the same adverse report that unanimously decided not to withdraw the United States from the WTO, Congressman Pete Stark warns,

I have many concerns with the WTO and the way in which the U.S. Trade Representative (USTR) measures the benefits of U.S. membership in the Organization. The lack of leadership from our Administration in the WTO has allowed transnational organizations to dictate U.S. trade policy while consumer protections, labor, environment and human rights have not been considered relevant issues in the world body. The Executive Branch has fought fervently for intellectual property rights but lacks the same zeal when it comes to the survival of the species (H. Rept. 672).

Several activists contend that governments give sweeping rights to multinational corporations because of heavy influence from corporate lobbyists. In democratic governments, where interest groups compete for government support, money can equal power and therefore dominate politics. Professor Michael Dreiling asserts that the corporate interest group is even more influential than typical interest groups by writing, "far from the standard depiction of competing interest group alliances in government, the corporate mobilizations over neoliberal trade agendas appear as a unified class faction (Dreiling 152)." In order to understand the fundamental criticisms of the WTO specifically, and "free trade" in general, it is necessary to understand the growing suspicion that corporate interests are directly responsible for the process of trade liberalization. One critic of the WTO claims that, "For the WTO, deregulation (and greater freedom for transnational capital to do what it wants, where and when it wants) is the sole agenda... The WTO is a forum for trade rights of capital on terms negotiated by the agencies of governments that represent the interests of capital. No other rights count (Tabb 2)." This perspective supposes that corporate interests drive the WTO, and resents the WTO's narrow focus on trade.

There is an uneven playing field between environmental lobbies, whose most substantial resource is the mobilization of people and public support, and industry lobbies of chemical manufacturers, oil companies, agribusiness, timber interests, and their PACs. “Corporations finance a lobby that is willing to spend almost unlimited time and money combating a process – environmental regulation – they claim costs them \$125 billion a year [and]... industry spends roughly ten times more than the environmental movement in dollars and lobbyists (Dowie 85).” Money simply has undue influence gaining political access, skewing the democratic competition of interests in the overwhelming favor of big business. Thus, several activists believe that governments, whether democratic or not, bring the interests of big business to the WTO and therefore, the WTO represents the global enforcement of corporate interests.

The WTO openly and adamantly admits that governing trade is its sole objective, and increased trade significantly benefits corporate profits. There is no dispute over the claim that business interests influence the WTO. In a candid moment, Otto Th. Genée, Deputy Permanent Representative to the WTO admits, “Trade negotiators are simply human beings, who have received instructions and are influenced by interest groups... In the end, all trade negotiators and all WTO members will negotiate in the WTO as true mercantilists: no concession will be given without something in return (OECD 333).” Knowing that the predominant interest group influencing the WTO is business, or more specifically multinational corporations, the question for critics of the WTO becomes how much influence corporations have and how to prove it.

Even though the influence of corporations in the WTO is often speculative, the multinational corporation connection to the WTO is evident just looking at the backgrounds of the Director-Generals of the GATT and WTO.

TABLE 1: Director-Generals of the GATT/ WTO

Director-General	Organization: Years in Office	Background
Sir Eric Wyndham White	GATT: 1948-1968	British Treasury, UNRRA, Emergency Economic Committee for Europe, Preparatory Committee for the International Trade Organization, Havana Conference.
Olivier Long	GATT: 1968-1980	Swiss Federal Political Department and Division of Commerce, Swiss Legation in Washington, European Free Trade Association, Swiss Ambassador to UK.
Arthur Dunkel	GATT: 1980-1993	Nestle, International Chamber of Commerce, WTO dispute panelist.
Peter Sutherland	GATT/ WTO: 1993-1995	Attorney General of Ireland, Member of the Council of State, European Commissioner, chairman or director of Allied Irish Banks, BP Amoco, and Goldman Sachs.
Renato Ruggiero	WTO: 1995-1999	Italian diplomat, Italian Director-General of Economic Affairs, Secretary-General of the Ministry of Foreign Affairs, Minister for Foreign Trade, director of FIAT, Kissinger Associates, Booz Allen, and other Italian and European corporations.
Michael Moore	WTO: 1999-present	Former New Zealand Minister of Overseas Trade and Marketing, Minister of Tourism, Sport and Recreation (1984-1987), minister of Foreign Affairs (1990), Deputy Minister of Finance (1988-1990), and Prime Minister.

Source: George Draffan, The Corporate Consensus: A Guide to the Institutions of Global Power, (Fossil, OR: Blue Mountains Biodiversity Project, October 2000) p. 86.

Former Director-Generals: Arthur Dunkel, Peter Sutherland, and Renato Ruggiero all had substantial affiliations with several multinational corporations. While this fact does not automatically prove culpability for corporate bias, it does indicate the prevalent connection between multinational corporations and the WTO. Most WTO officials have backgrounds linked to multinational corporations, which is an amplified example of the interchange between domestic government officials and corporate executives. In the U.S. members of advisory commissions are often former or future government officials, while former corporate executives

commonly head regulatory agencies (Draffan 15). The personal connection between corporations and government raises suspicion of a larger network of corporate power.

Professor Michael Dreiling explains the connection between corporations and government policy-making using the NAFTA conflict as his primary example in his book, Solidarity and Contention: The Politics of Security and Sustainability in the NAFTA Conflict.

He writes,

That corporate elite are considered to act independently of the governmental institutions associated with making and enforcing trade policy is not supported on empirical grounds. Corporate leaders are clearly linked to the policy apparatus associated with international trade... Corporate leaders tied to both class-integrating institutions and policy making bodies are more ready and able to initiate and sustain counter-movement activities against challengers to the establishment. These same corporate leaders are also sustaining political unity based on established connections and interests that appear to transcend the individual firm. In short, corporate political solidarity is closely coupled to the political institutions associated with policy making (139).

Accordingly, economic and legal mechanisms of modern politics can all work collectively and synergistically in the corporate interest. Several economic and political forums exist where corporate elites converge with government officials to develop trade policy. At gatherings, such as The Transatlantic Business Dialogue, the Trilateral Commission, or the annual power gatherings in Davos, Switzerland, corporate representatives and government officials develop positions that global institutions then adopt. Some critics of corporate power allege that by the time the WTO meets to consider a topic policies have already been worked over at meetings attended by Wall Street bankers, the heads of the World's largest business conglomerates, and the representatives of powerful global business lobbies (Chossudovsky 1999).¹¹ Corporate executives and government officials interface regularly in numerous international venues as well

¹¹ Global business lobbies include the International Chamber of Commerce (ICC), the Trans Atlantic Business Dialogue (TABD) (which brings together the leaders of the largest Western business conglomerates, politicians and WTO officials annually), the United States Council for International Business (USCIB), the Davos World Economic Forum, and the Institute of International Finance representing the World's largest banks and financial institutions. Other organizations that play an important role in developing policy include the Trilateral Commission, the Bilderbergs and the Council on Foreign Relations (Chossudovsky 1999)."

as at closed sessions of the IMF, World Bank and WTO. This elite circle of global trade policy-makers may not have outright plans to restrain civil society, but policies that are formed from sheer business interests do dramatically affect the entire world. The IMF, World Bank, and WTO all have jurisdiction across the globe and the power to influence domestic government policy. Some critics believe that the institutionalization of corporate power is exemplified in the structural adjustment programs of the World Bank and International Monetary Fund, and in recent free trade agreements, which have culminated in the creation of the World Trade Organization (Draffan 30-31).

The IMF and World Bank, which are referred to as the Bretton Woods institutions, and the WTO are regarded as the three pillars of the international economic order. The institutions are all very interdependent, even though each organization has a clear mandate. The World Bank mobilizes resources in support of large-scale development programs, the IMF has the mandate to provide short-term financing to countries that confront macroeconomic imbalances, and the WTO provides a mechanism to induce countries to adopt non-discriminatory trade policies and reduce their barriers to trade (Hoekman & Kostecki 51). As a result of accepting agreements of the IMF, World Bank, and WTO, many countries have adopted neo-liberal policies that liberalize trade, deregulate capital movements, privatize state public utilities, dismantle social programs and provide national treatment to foreign investors in goods, services, banking and procurement. The combination of these neo-liberal policies became referred to as “structural adjustment” programs, because they involve a “free trade” economic ideology aimed toward economic stabilization and structural reforms. The World Bank and the IMF tie their loans to structural adjustment programs, which channel more of the debtor country’s financial and productive

resources toward debt repayment (Draffan 26). “The average developing nation’s debt payments were a third of its gross national products ... by 1991, a quarter of the World Bank’s total lending was tied to structural adjustment in 54 nations... and by the mid-1990’s, more than a hundred countries and 80 percent of the world’s population had been structurally adjusted (Draffan 26).” The IMF and World Bank introduced structural adjustment programs to individual nations as a requirement for loans, while international trade treaties, such as NAFTA in 1994, the GATT Uruguay Round in 1995, and the multilateral agreements under the WTO since 1995 have codified the elements of structural adjustment into international law. This simplified arrangement constitutes the larger framework under which “free trade” and trade liberalization operate globally.

Critics of “free trade” oppose the institutionalization of trade liberalization for several reasons. George Draffan summarizes the arguments against trade liberalization when he writes, “Trade agreements have “liberalized markets” and “opened economies” by abolishing tariffs which protected domestic industries, removing financial controls which protected the public, and nullifying national and local environmental, health, and safety laws which protected people (26).” Privatization of state public utilities, the dismantlement of social programs, and the threat to domestic law from international trade laws all perceivably endanger public welfare. Meanwhile, eliminating tariffs, which diminishes customs revenues, and removing import quotas, reduces protection of local industries. This dynamic opens domestic economies to cheap imports from multinational corporations, and causes Michel Chossudovsky to declare, “National producers are brutally displaced and destroyed; countries are casually re-colonized... (1999).” Some critics of “free trade,” such as Chossudovsky, maintain concern that the major world economic powers impose their preferences on trade negotiations and that Western creditors control the vote of

developing countries' delegations in negotiations via the World Bank and IMF structural adjustment programs. These critics perceive this dynamic as a form of economic colonization where developing countries are trapped into accepting "free trade" policies. Whether the participation of developing countries in the trade liberalization process is coerced or voluntary, or a combination of each, is under current debate between free trade proponents and free trade critics. However, sovereign nations do have the option of withdrawing from the global economic institutions that govern trade, including the WTO. Yet, withdrawal from the IMF, World Bank, and WTO would isolate a country economically, which is not perhaps a feasible option for individual developing nations facing job scarcity in an increasingly global economy.

Proponents argue that "free trade" has public support because governments support trade liberalization, while critics emphasize public opposition to "free trade" manifest in the growing resistance of non-governmental organizations (NGOs). The latter position infers that governments are not representing the true will of the people; rather, government officials adhere to the will of transnational corporations. William K. Tabb summarizes this basic belief when he writes,

What the popular movements object to... is that the rulers now make the rules, and that the rest of us are forced to obey them. The challenge is in fact to the entire framework of trade, which the WTO portrays as maximizing self-interest through economic exchange; it is, in fact, a trade regime which maximizes the interests of the giant corporations. It does so by eliminating state-imposed barriers that now, to a limited extent, restrain the TNCs (3).

The current struggles against the IMF, World Bank, WTO, and other institutions, agreements, and policies that advance "free trade" are part of a larger movement against corporate economic globalization. A wide range of NGOs and individuals, such as environmentalists, labor unions, consumer advocates, and so forth find that the agents of trade liberalization violate their particular and collective interests, and overwhelmingly object to the idea that governments are

representing corporate interests instead of the will of the people. As a result, a formidable social movement against the “free trade” regime has emerged, which will be discussed in a later chapter. The point here is that advocates of “free trade” emphasize the fact that governments ratified various trade liberalization agreements, while critics of “free trade” emphasize the potential threat of “free trade” to national laws and democracy in general. For the purpose of this paper, the entire debate over trade liberalization contributes to the existing conflict between trade advocates and environmentalists.

Trade vs. Environment Conflict

Environmental critics of “free trade” come from a wide variety of organizations, such as conservationist, preservationist, anti-toxic, and environmental justice groups, communities, and cultures, such as eco-feminism, indigenous ecology, deep ecology, wise use, and so on. However, certain environmental groups are more supportive of mainstream trade policy than other environmental groups who vehemently oppose the current process of trade liberalization. The environmental organization’s degree of support or opposition to “free trade” is largely dependent upon their base of support, the principal tactics that they employ, whether they are concerned with issues of social inequality, and the level of challenge they are willing to pose to the current status quo.

Major conservationist and preservationist organizations, such as the Audubon Society, the Environmental Defense Fund, the National Wildlife Federation, and the Sierra Club, are all close

to the national policy-making apparatus in Washington, D.C., and focus less on issues of social inequality and injustice than on matters of resource management and preservation (Dreiling 20).

TABLE 2: Forms of Environmentalism

Environmentalism	Principal Tactics	Principal Goals	Organizational Forms	Levels of Social Inclusion	Challenge to Status Quo
Conservationism	Policy Advisory and Public Relations	Natural Resource Management	Autocratic	Professional, white male leadership	Largely System-Supportive
Preservationism	Lobby and Litigate	Wildlife Preservation; Quality of Life Amenities	Autocratic, some Formally Democratic	Professional, white male leadership	Largely System-Supportive
Anti-Toxics/ Anti-Nuclear	Direct Action, civil disobedience, Litigation, Public Education	Limit, or Eliminate Toxic Effluents from Production and Consumption Activities; protect public health	Between Formally Democratic and Participatory; responsive to grassroots	Diverse, through large white middle class constituency in some MO	Challenges local & national authority; sometimes militantly
Environmental Justice	Direct Action, civil disobedience; Litigation, Public Education	Challenge environmental racism, racism, and poverty; protect public health & future generations	Between Formally Democratic and Participatory; responsive to grassroots	Close-link to leaders of Civil Rights MOs, diverse grassroots.	Challenges local, national authority; sometimes militantly; anti-racist.

Source: Table adopted from Michael Dreiling, Solidarity and Contention: The Politics of Security and Sustainability in the NAFTA Conflict, (New York & London: Garland Publishing, Inc., 2001) p. 23.

Because preservationist and conservationist organizations have a largely homogenous membership and close working-relationship with the national political elite, a necessary dynamic associated with their conventional tactics of lobbying and litigation, they are less likely to challenge the current status quo (Dreiling 22). “Conservationists do not question the dominant values of society; rather, they seek to preserve what they believe is a threatened part of that social system (Dalton 47).” Also, the support base of conservationist groups is generally largely

dependent upon grants and foundations within the status quo, leaving challenges to the elite as compromising and unlikely tactics. The political strategy and tactics of environmental organizations often reflect the interests and ideology of those funding the organization (Dreiling & Wolf 42). In an interview with Karen Coulter, she illustrates this point by claiming,

Look at the Nature Conservancy, Environmental Defense Fund, etc. They have a pattern of giving from the top-down – in other words, most of their funding comes from wealthy elite, whereas most grassroots groups funding comes from working class, regular people – that influences a great deal what their policies are – and how easily they are co-opted – because they hob-nob with these big corporate people. There's always an attempt to co-opt those bigger organizations and to make it look like environmentalists support [corporate policy] (2001).

Professors Dreiling and Wolf directly correlated the funding source of an environmental organization to its support of NAFTA in a study depicting environmental movement organizations' reliance on support from members, and ties of each EMO to executive cabinets and major corporations. They concluded that,

We see that an EMOs ideology and source of material support correlate with their political behavior over NAFTA. The less inclusive identities of conservation groups are also less dependent on their members for financial support. Furthermore, they consistently have corporate representatives sitting on their board. These EMOs also have ties to Washington elites via the respective presidential administrations, a further reflection of their proximity to the status quo policy apparatus. These groups are the most likely to favor NAFTA and offered support instrumental to NAFTA's passage (47).

In contrast, anti-toxics and environmental justice organizations, such as Greenpeace, Clean Water Action, and the Citizen's Clearinghouse for Hazardous Waste are much more reliant upon membership funds, and thus are more inclined to utilize direct action tactics, less organizationally centralized and ideologically closer to issues of social inequality (Dreiling 20). Being local, democratic, more inclusive, and relying on member commitment as opposed to relying upon grants and foundation money, means that anti-toxics and environmental justice organizations are more likely to challenge the governing elite over issues (Dreiling 22), such as national trade policy. Indeed, Professor Dreiling asserts, "... the receptivity of a group's ideology to the environmental justice critique (EJC) suggests a stronger inclination towards

actively opposing NAFTA (Dreiling 51).” However, some preservationist groups that were more inclusive, had no tie to elites and were mostly dependent upon members for support formed some of the strongest critics of NAFTA and were at the forefront of a broad coalition challenging neo-liberalism (Dreiling & Wolf 49). Therefore, environmental organizations that ultimately rely more on grassroots mobilization and are not dependent upon elites are more likely to actively oppose governments’ pursuit of “free trade” than other organizations that employ more conventional tactics inside of the formal political process. Knowing which environmental organizations are more likely to oppose “free trade” helps in understanding who environmentalists are participating in the emerging social movement against corporate economic globalization, and which environmental groups had a pre-existing perspective that challenged trade liberalization already.

Proponents of the “free trade” and environment perspectives clash on several levels, sparking a controversial debate over the relationship between trade and the environment. According to environmental activists opposed to “free trade”, trade liberalization threatens environmental objectives in three fundamental ways. Trade liberalization exacerbates already rapid environmental degradation, induces countries to lower environmental standards to attract foreign investment into “pollution havens,” and established the WTO dispute settlement system to favor trade interests over environmental protection (Neumayer 139). Since trade generally uses the environment as a resource, an increase in trade and abuse of resources by industries will arguably result in resource depletion and waste production. Meanwhile, several environmentalists fear that current trade liberalization policies encourage less developed countries to deregulate their environments creating a “race to the bottom,” where corporations seek locations in the least regulated countries. Pollution havens result when states intentionally

maintain lower environmental standards to attract investment, whereupon countries suffer competitively if they adopt stricter environmental policies. If trade liberalization results in more environmental degradation and compels countries to lower their environmental standards for an economic advantage, environmentalists believe that independent nations should be able to establish environmental laws against the environmentally onerous effects of trade, even if they interfere with trade interests (Neumayer 144).

While many environmentalists accuse supporters of “free trade” as having a bias for trade, several trade advocates simultaneously allege that environmentalists are too narrowly focused upon environmental protection. These “free trade” advocates emphasize developing countries’ feeling that environmental objectives interfere with their economic growth, as poverty alleviation and economic development take priority over environmental protection for many developing countries (Neumayer 153). However, the assertion that developing countries do not share First World environmental interests is inaccurate because environmental values tend to follow group rather than national lines so that while Third World governments and elites favor development over the environment, numerous individuals and NGOs favor the reverse (Dunkley 200). The development of a vast environmental movement in developing countries corresponds to environmentalist struggles against governments in the First World. On the part of trade advocates, several trade proponents that do consider environmental issues in the developing world suggest that economic growth, driven by trade, can be part of the environmental solution. Some ‘free trade’ advocates believe that once developing countries are economically secure they can then invest resources into environmental objectives. They support the Environmental Kuznets Curve (EKC); an observation where pollution increases at the early stages in a country’s development but decreases after a certain income level has been reached (WTO 2001). Increased

trade can theoretically uplift developing nations so that they can afford to implement environmental objectives and in this manner, several “free trade” advocates claim that neo-liberalization can actually help environmentalism. In order for this scenario to be realized, these proponents of trade liberalization believe that trade should be unfettered, and oppose trade restrictions in environmental policy.

Other proponents of “free trade” do not even consider environmental issues as important and suspect environmentalism to be a guise for protectionism altogether. William H. Lash III, an aggressive trade proponent, suspects that “environmentalism is becoming the latest in a series of protectionist barriers designed to stymie hopes of an open-market regime (Lash 1).”

Protectionism in trade liberalization is the discrimination between foreign and domestic goods, services, or suppliers (OECD 297), which results in favoritism for domestic trade. Most environmentalists would argue that their primary motive is to protect the deteriorating environment and that they hold no intentional motive to sabotage trade for their nation’s individual economic benefit. They would point out that any law involving trade is potentially protectionist and open to abuse (Gopinath 2000). However, there is substantial concern from several trade advocates that environmentalism in particular is mere protectionism, and that environmental barriers unfairly restrict their market access to other countries.

The trade versus environment conflict is an ideological struggle in many respects. While the predominant trade perspective perceives unilateral environmental measures as protectionist and as barriers for economic growth, the prevailing environmental perspective sees no harm in restricting trade for environmental objectives. United Steelworker president and environmentalist ally, George Becker publicly supports protectionism. He poses the question, “What is protection? We want to protect our families, our jobs and our standards. We will fight

vigorously to protect what we value in this country (Gopinath 2000).” His position is the direct opposite of “free trade” advocates whose goal of trade liberalization involves the eradication of protectionism. The different perspectives depend upon a fundamental value for either trade or the environment. This fundamental value causes the debate between trade and the environment to be irreconcilable in several ways. Many environmentalists will not hypothetically compromise their objectives in the interest of trade, while many trade advocates will not adjust their trade policies in the interest of the environment, or even accept environmental legislation that includes trade restrictions.

Because advocates and policy-makers of trade liberalization fundamentally oppose most trade restrictions, these proponents of “free trade” have established trade agreements that can be used to override trade restrictions in environmental agreements and legislation. Several environmentalists feared that trade agreements will undermine domestic environmental regulations, compromise national sovereignty, exert pressure to harmonize environmental regulation with trading partners, and undermine established international environmental agreements (OECD 26). After the 1991 GATT panel on tuna ruled that a country could not ban imports outside its territory for environmental reasons (Board on Agriculture and Natural Resources 180), environmentalist fears were realized. Subsequently, these environmentalists criticized that trade always superseded environmental interests in the GATT, and continues to supersede environmental concerns in the dispute resolution system of the WTO. Afterwards, many environmentalists heightened their distrust of trade liberalization and policy at the threat to environmental legislation, and began forming opposition to the process of “free trade.” According to several environmentalists, the major critique of trade liberalization is that, “In every case brought before it to date, the WTO has ruled in favour of corporate interest, striking down

national and sub-national legislation protecting the environment and public health at every turn (Retallack 1997).” With the establishment of the WTO, the predominant trade perspective prevails as trade agreements uniformly override environmental legislation, particularly through the dispute resolution process, which is meant to enforce those trade agreements. The WTO created so many conditions for unilateral environmental regulation to fulfill that it would be quite difficult to pass the dispute resolution’s intense scrutiny (Dunkley 150).

"No man should be a judge in his own cause because his interest would certainly bias his judgment and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time."

- James Madison

III. The WTO Dispute Resolution Process

The dispute settlement system within the WTO has become the "linchpin," and enforcement mechanism for the rules of the WTO's binding agreements (Westin 1). The WTO dispute resolution system enforces the rules of the WTO's multilateral trade agreements through the hearing of disputes and through the ability to authorize trade sanctions against members who are ruled against in specific trade disputes. If a dispute panel finds a law to be in violation of the WTO rules, it recommends that the law be changed. Generally, countries abide by this recommendation. However, if they do not, the WTO can authorize trade sanctions against the offending country. The effectiveness of the dispute system exists because unlike the GATT, WTO panel decisions have self-executing enforcement and do not require unanimous consent for adoption nor for approval of trade sanctions (Wallach & Sforza 195).

Dispute settlement panels make rulings based on interpretations of the multilateral agreements that result in binding decisions. Although the rulings are not binding beyond the particular dispute, each dispute settlement report contributes to the collection of interpretations that subsequent dispute resolution panels turn to for advice. The repeated process of rulings in the dispute settlement system helps define WTO rules, much like the judicial branch of democratic governments interprets legislative laws. International trade liberalization agreements often have the character of incomplete contracts where they anticipate, or require future

specification (Trachtman 295). This aspect of the dispute settlement system limits the ability of states to predict the outcome of challenges to domestic environmental regulation and raises concern among critics that the interpretation process under the dispute resolution context can lead to future delineations (Trachtman 295). Skewed rulings, however, are an inherent danger in the judicial process and WTO advocates argue that overall, a highly structured dispute settlement process strengthens the rule of law. WTO advocates maintain that the dispute settlement process makes international economic relations more secure, predictable and fair in that nations cannot willfully violate trade agreements without the possibility of punishment. A rule-based system, where members subscribe to common rules, does provide the world trading system consistency, and supposedly reduces the risk that bilateral trade disputes will spill over into political or military conflict (WTO Watch 2001).

The main argument in favor of the WTO's dispute resolution process is that it channels disputes into a multilateral forum and away from arbitrary unilateral action. Moreover, an impartial dispute settlement process based on the rule of law is, in theory, a fair and effective structure for international trade. The multilateral aspect of the WTO gives countries hope that the dispute settlement process can help create fair international trade by obligating all countries to respect the laws they agree to. However, many critics of the WTO point out that the poorer nations will be reluctant to mount challenges against the more powerful countries, fearing retaliation in the form of non-tariff barriers, reduced market access, and more stringent IMF/World Bank structural adjustment programs (WTO Watch 2001). Poor countries are at a disadvantage in the legal proceedings of the WTO because they are less likely to challenge or enforce judgments against more economically powerful nations. Developing countries constitute three-quarters of the WTO membership but have made only one-fifth of the complaints

to the Dispute Settlement Body (DSB), while the United States has filed nearly 30% of all cases, and won 90% of them (CorpWatch 1999). The disparity in this statistic is partly explained by the fact that a threat of sanctions against a developing country could devastate a poor economy, whereas potential dispute settlement action against powerful economies, such as the United States, is less threatening because they simply have more economic leverage. The United States, represented by the USTR in the WTO, has actually been the most active user of the dispute settlement procedures, initiating more than 35 complaints against 22 different governments from 1995 to 1998 alone (Cong. Rec. 1998).

The USTR is proud of the United States' record using the dispute settlement process considering that the United States insisted on a strong, binding and expeditious dispute settlement system in the WTO during the original negotiations. Former General Counsel, Susan G. Esserman of the United States Trade Representative (USTR) publicly declared at a congressional hearing,

We have invoked the WTO's new dispute settlement system far more than any other government, accounting for well over a third of all proceedings initiated since the WTO was established. Most importantly, however, with 18 successful challenges to date, the United States has also reaped more benefits from WTO dispute settlement than any other country (Cong. Rec. 1998).

Mrs. Esserman continued to praise the WTO dispute settlement system by testifying that,

This dispute settlement system has proven valuable not only in terms of achieving tangible gains for American companies and workers in specific cases, but also as a deterrent. Our trading partners know that this mechanism is ready and available to us if they are not fulfilling their obligations (Cong. Rec. 1998)

Not only does the United States frequently use the full dispute resolution process to achieve their agenda, the U.S. also uses the mechanism as a threatening deterrent. In several cases the mere threat of WTO action against domestic legislation causes scared or economically poor governments to amend their national regulations in order to conform to foreign trade demands

and avoid expensive dispute settlement procedures. In the same congressional hearing as mentioned above, Mrs. Esserman maintains that,

The most efficient use of dispute settlement is when the threat of a panel or the mere filing of a complaint leads to early settlement. When our trading partners know that the WTO rules provide strong enforcement... we don't have to go all the way to the panel process to achieve the results that our exporters want (Cong. Rec. 1998).

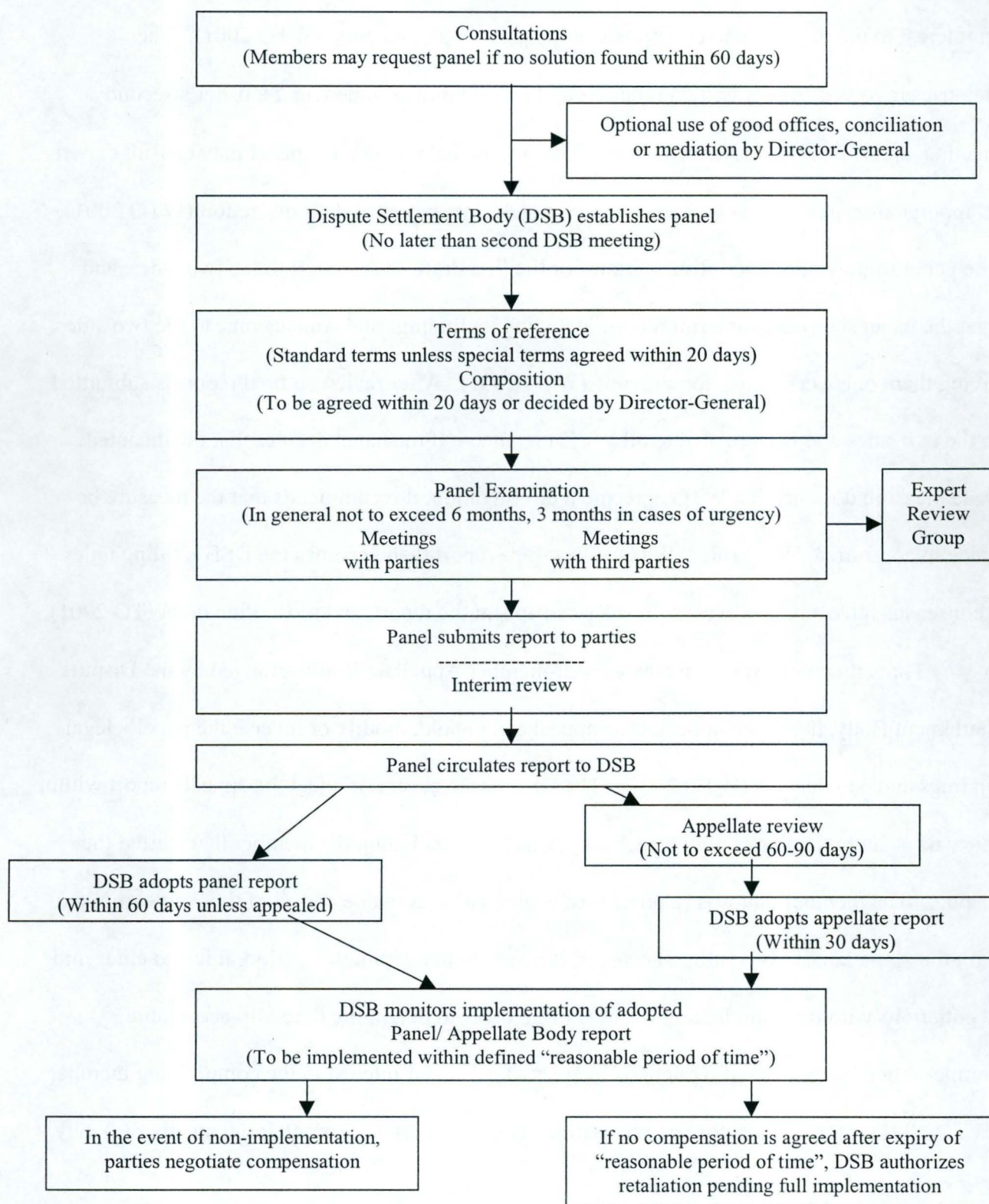
The threat of litigation has led to satisfactory outcomes for the United States under the dispute consultation procedures, without even invoking the formal panel process.

The U.S. is not isolated in its preference to bypass the formal dispute resolution procedures. According to the official WTO website, the WTO encourages consultations above the dispute resolution legal proceedings. "The priority is to settle disputes, through consultations if possible. By July 2000, 32 out of 203 cases had been settled out of court, without going through the full panel process (WTO 2001)." The WTO may simply desire fewer formal proceedings, but several critics of the WTO worry that powerful nations now have the ability to alter foreign laws with the mere threat of WTO action, meaning that disputed legislation cases do not even have to go through the dispute resolution system to be overturned. The effective threat of WTO action is perceivably dangerous because there is more potential for powerful economies to manipulate the domestic laws of weaker nations without official oversight by an accountable body. If developing countries are susceptible to the mere threats of WTO action and corporate interests disproportionately affect government policy, then corporations could in effect upset domestic laws. Paul Richmond of the Seattle Chapter of the National Lawyers Guild relates this concern when he writes, "What this means in practice is that any international corporation that was prohibited from doing what might be reasonably considered a hazardous practice anywhere on the planet, need only find the government of one country to come forward and present a complaint on their behalf (Richmond 4)."

The Dispute Settlement Understanding

The Dispute Settlement Understanding (DSU) outlines and provides the legal authority of the dispute resolution system under the WTO. The DSU revised the dispute settlement mechanism under the old GATT 1947 and previous understandings in order to strengthen the judicial character of the dispute resolution system. Panel reports are adopted by the WTO as binding on the disputants unless rejected by a consensus of the Dispute Settlement Body of the WTO, according to Article 16.4 and 17.14 of the DSU. Because panel rulings are adopted virtually automatically, since it requires a consensus to reject them, this quasi-automatic adoption of the reports means a significant legalization and quasi-judicialization of the dispute settlement process in the WTO (Petersmann 64). This is in sharp contrast to the old GATT dispute settlement procedure where a single member, including the one complained against, could block adoption of any panel report. According to Article 4.7 of the DSU, if consultation and mediation fail to resolve disputes about rights or obligations under the international trading regime, then complaining WTO members may request the establishment of a panel to review the matter and determine whether a violation has occurred.

The first stage of dispute settlement procedures is consultations and mediation. If consultations fail, the complaining country can ask for a panel to be appointed (WTO 2001), instigating the second stage of the dispute settlement procedures. Before the first hearing each side in the dispute presents its case in writing to the panel. Then, at the first hearing, the complaining country, the responding country, and other members that have announced they have

Figure 2: WTO Dispute Settlement Procedure

Source: Figure adopted from Ernst-Ulrich Petersmann, ed., *International Trade Law and the GATT/ WTO Dispute Settlement System*, (London, UK: Kluwer Law International Ltd., 1997) p. 62.

an interest in the dispute, make their case at the panel's first meeting (WTO 2001). The countries involved submit written rebuttals and present oral argument at the panel's second meeting, and if one side raises scientific or other technical matters, the panel may consult experts or appoint an expert review group to prepare an advisory report at their discretion (WTO 2001). The panel submits the descriptive sections, or the first draft, of its report to the two sides, and then the panel submits an interim report, including its findings and conclusions, to the two sides, giving them one week to ask for a review (WTO 2001). After review, a final report is submitted to the two sides and is circulated to all WTO members. If the panel decides that the disputed trade measure does break a WTO agreement or obligation, it recommends that the measure be made to conform to WTO rules (WTO 2001). The report then becomes the DSB's ruling unless a consensus rejects it, however, both sides can appeal the report, and most often do (WTO 2001).

Three members of a permanent seven-member Appellate Body, arranged by the Dispute Settlement Body, hear each appeal. The appeal can uphold, modify or reverse the panel's legal findings and conclusions (WTO 2001). The DSB has to accept or reject the appeals report within thirty days, and rejection is only possible by consensus, including the member that started the dispute. The member that was ruled against is given a "reasonable period of time" to comply with the Appellate Body's ruling, however, if it fails to act within this period, it has to enter into negotiations with the complaining member (s) in order to determine mutually-acceptable compensation, such as tariff reductions in areas of particular interest to the complaining member (WTO 2001). If no satisfactory compensation is agreed upon, the complaining member (s) may

ask the DSB for permission to impose limited trade sanctions, or suspend concessions or obligations, against the member that was ruled against.¹²

Trade sanctions, however, are just a financial penalty implemented in order to encourage a specific result since retaliation in sanctions, or even mutually agreed compensation between disputing parties, are only temporary measures available when the panel rulings are not implemented (WTO 2001). Dispute resolution panels have the power to authorize trade sanctions against nations that do not comply with panel rulings, with the purpose being to coerce nations into compliance of rulings that may require the adjustment of domestic laws. The WTO even says, “the priority... is for the losing “defendant” to bring its policy into line with the ruling or recommendations. The dispute settlement agreement stresses “prompt compliance with recommendations or rulings of the DSB is essential in order to ensure effective resolution of disputes to the benefit of all Members (WTO 2001).” This means that the WTO ultimately requires countries to amend domestic laws that are ruled against.

The Dispute Settlement Body

Settling disputes is the responsibility of the Dispute Settlement Body, or another function of the General Council. The Dispute Settlement Body is the only authority that establishes panels of “experts” to consider cases, and to accept or reject the panels’ findings or the results of an appeal. Officially, the dispute resolution panels are helping the Dispute Settlement Body

¹² For example, the United States imposed trade sanctions against the EU in excess of \$120 million because the EU has not repealed its ban on imports of hormone-treated beef after losing a dispute resolution proceeding.

make rulings or recommendations, however, because panel reports can only be rejected by consensus in the DSB, its conclusions are difficult to overturn (WTO 2001). The DSB monitors the implementation of the rulings and recommendations of the panels, and has the power to authorize retaliation when a country does not comply with a ruling (WTO 2001).

Several critics of the WTO question the qualifications for persons from the WTO appointed to the dispute resolution panels that require panelists to have served on a previous panel, served as a representative of the council or committee of any covered agreement, or in the secretariat, taught or published on international trade law or policy, or served as a senior trade policy official of a member (WTO 9). Only the defending country in a particular dispute can block the creation of a panel once, but when the Dispute Settlement Body meets for a second time, the appointment of a panelist can no longer be blocked, unless there is a consensus against appointing the panel in the entire DSB (WTO 2001). As for the members of the Appellate Body, they have four-year terms and have to be individuals with recognized standing in the field of law and international trade, and not be affiliated with any government (WTO 2001). Consequently, these panels are generally composed of trade officials that may lack vital expertise in areas, such as environmental issues, involved in the disputes. The panelists may seek outside expertise at their own discretion, such as expert review groups, but are by no means required to do so, and are therefore allowed to retain their potential trade bias. U.S. trade representatives even recognize critics' claim that the dispute panelists cannot impartially address issues that conflict with free trade because the WTO is dedicated to reducing trade barriers (Westin 4). Past dispute resolution panels, which many critics accuse of being bias, have overturned several environmental legislation cases.

For several environmentalists, the major issues of contention with the WTO are the trade bias of the dispute resolution panels, and the secrecy and exclusion that attends the process.

Outside parties cannot observe or participate in WTO proceedings, WTO members do not generally make public their submissions to panels, and transcripts are not publicly available (Westin 4).¹³ Appendix 3 of the Working Procedures of the DSU reads,

The panel shall meet in closed session. The parties to the dispute, and interested parties, shall be present at the meetings only when invited by the panel to appear before it... The deliberations of the panel and the documents submitted to it shall be kept confidential... where a party to a dispute submits a confidential version of its written submissions to the panel, it shall also, upon request of a Member, provide a non-confidential summary of the information contained in its submissions that could be disclosed to the public.

Eventually WTO decisions, panel findings, and other major documents of the WTO bodies are published in a series entitled *Basic Instruments and Selected Documents* (BISD) edited by the WTO Secretariat in Geneva (Hoekman & Kostecki 43). However, the secrecy during the dispute resolution process is intended to maintain the strict government-to-government character of the WTO that supposedly maintains clarity of purpose with the absence of domestic pressure groups, but receives criticism as a result of its exclusive nature.

The secrecy, lack of transparency and NGO exclusion in the dispute resolution panels undermines the legitimacy of the WTO in the opinion of many critics. There is a perception that as long as civil society is completely excluded from participating in the dispute resolution system, only insiders make and judge the rules in their own favor in the WTO. Considering that this new form of world government has the power to affect domestic laws, many critics consider it a threat that limits national sovereignty and local democracy. Paul Richmond asserts, "The only outcome of such a process, implemented by such individuals, can be the denigration of

¹³ An appellate body in the shrimp-turtle case ruled that dispute panels are allowed to take into account statements from NGO's, called "amicus curiae briefs," that are not part of one party's solicited submission (WTO, 1998b, paragraph 108), but the panels consider these, or not, at their own discretion.

human and environmental rights and the assertion of the primacy of money and objects. The record of the WTO has borne this out: since its creation, every environmental or safety-related law reviewed by the WTO has been ruled WTO-illegal (Richmond 4).”

Trade Agreements Used in Panel Decisions

Considering the power of the WTO’s dispute resolution process to influence the demise of domestic laws, the rules by which the panels base their decisions become a major point of interest for the public. The dispute panels’ findings have to be based on the trade agreements cited (WTO 2001). Among the many trade agreements used in dispute settlement procedures, this paper will consider the Agreement on Technical Barriers to Trade (TBT), Production and Processing Methods (PPMs), Agreement on Sanitary and Phytosanitary Measures (SPS), GATT Article XX, and how they all have been interpreted by dispute resolution panels in the evaluation of domestic environmental laws. Various components of each of these agreements have all been applied in rulings against several environmental legislation cases, and consequently, concerned environmentalists hold numerous objections to the interpretations of these agreements, and to the overall organization that created both the agreements and the interpretations, the WTO.

The GATT-1994 Agreement on Technical Barriers to Trade (TBT) aims to ensure that mandatory technical regulations, voluntary standards, and testing and certification of products do not constitute “unnecessary” barriers to trade (Hoekman & Kostecki 115). It establishes guidelines that govern technical regulations so that “unnecessary obstacles” to trade are not applied in national regulations (Sands 688). The TBT has three major parts: dealing with the

adoption of technical regulations and standards in member countries, provisions dealing with conformity assessment, testing, and certification, and transparency provisions (Hoekman & Kostecki 115). “The basic rule is that central government bodies do not discriminate and write technical regulations that are no more trade-restrictive than is necessary to meet their legitimate objectives (Hoekman & Kostecki 115).” When the TBT is referred to in dispute panels debating environmental cases, the issue that is most typically under speculation is whether the environmental measure is “least trade restrictive” or if the trade restriction is “necessary” in order to achieve the same environmental objective. The subjective use of the term, “necessary” in the TBT concerns many environmentalists, especially considering the lack of environmental experts in the dispute resolution process who would be able to defend a necessary interpretation. Anything trade restrictive could be perceived as “unnecessary” in the opinion of aggressive “free trade” advocates, and the TBT agreement, interpreted through the dispute resolution process, effectively threatens environmental regulations whose trade restrictions may be interpreted as “unnecessary.”

The term “PPMs” refers to Processes and Production Methods, and in the trade and environment context, the main PPMS issue is whether or not governments should be able to restrict trade in products based on their processes and production methods (OECD 7). Environmentalists concerned with this issue fear that trade rules pertaining to PPMs will not allow countries to restrict imports of products based on how they are produced, even though PPMs can cause severe environmental degradation. Environmental motivations for using PPM-based trade measures in domestic legislation can be aimed at protecting a domestic environment of the importing country, shared environments of both importing and exporting countries, or a foreign environment of the exporting country (OECD 14), by restricting imports of products that

cause environmental degradation through their production. PPMs-based environmental measures are most often used in cases of degradation to living resources, particularly migratory and endangered species, and less frequently used in cases of trans-boundary and global pollution (OECD 14).¹⁴ Currently, trade rules generally allow countries to restrict imports of products when they do not comply with national standards specified for the *physical* characteristics of these products, but trade rules are interpreted in most circumstances as not allowing countries to restrict imports of products based on how they are *produced* (OECD 7). Dispute resolution panels considering PPMs have generally abided by this standard, which causes major concern for environmental advocates pursuing the elimination of environmentally onerous production practices through legislation.

Sanitary and phytosanitary procedures have been established by many countries to protect their agricultural economy and natural environment from direct food risks, and the introduction and damage caused by exotic organisms by limiting the entry of foreign pests and diseases in their respective countries (Board on Agriculture and Natural Resources 52). The WTO's Sanitary and Phytosanitary Agreement (SPS) sets limits on these domestic laws designed to protect plants, animals, and people to ensure that they are not intentionally used to protect domestic industries and interests (Board on Agriculture and Natural Resources 180). "The agreement's central purpose is to promote international trade by limiting the use of SPS measures as disguised barriers to trade (Board on Agriculture and Natural Resources 121)." The agreement emphasizes that WTO members have the right to impose SPS measures as necessary "for the protection of human, animal or plant life or health (Articles 2.1 and 2.2)," but members may not arbitrarily or unjustifiably discriminate between members; nor may members use SPS measures

¹⁴ For example, the United States restricted imported tuna that did not protect against dolphin casualties

as disguised barriers to trade (Article 2.3). When the SPS agreement is applied in dispute resolution proceedings, panels usually end up interpreting the rather general terms: “arbitrarily” and “unjustifiably,” which is an issue that many environmental advocates regard as subject to a trade bias.

Another environmentalist concern regarding the SPS agreement regards provisions that desire “harmonization,” which replaces national standards for health and safety with international standards. The preamble to the agreement reads,

Desiring to further the use of harmonized sanitary and phytosanitary measures between Members, on the basis of international standards, guidelines and recommendations developed by the relevant international organizations... Members shall base their sanitary and phytosanitary measures on international standards, guidelines or recommendations... (Article 3.1)

Concerned environmentalists fear that harmonization may have the effect of lowering national standards where countries adopted more rigorous protection, resulting in a downward harmonization of national regulations (Wallach & Sforza 72). However, the SPS agreement permits that countries may introduce measures that are stricter than international standards “if there is a scientific justification...(Board on Agriculture and Natural Resources 122).” The effect of these SPS agreement provisions that prefer international standards in dispute resolution proceedings has been trying to prove scientific justification for domestic sanitary and phytosanitary standards. This is a particularly difficult dynamic considering that many sanitary, phytosanitary, and environmental measures are based upon the *precautionary principle*.

Governments use the *precautionary principle* in order to protect the public and environment from suspected health risks in the absence of scientific certainty. Several dispute resolution panels have reversed the *precautionary principle* by requiring scientific evidence and declaring

through its harvesting process, in the Marine Mammal Protection Act.

measures found to have “insufficient” scientific evidence to be WTO illegal (Wallach & Sforza 54).

The last WTO clause frequently used in dispute resolution panels deciding environmental cases, that this paper considers, is GATT Article XX. Article XX is a list of general exceptions to WTO obligations that include measures “necessary to protect human, animal or plant life or health,” and measures “relating to the conservation of exhaustible natural resources (Esty 48).” Past dispute panels interpreted the term “necessary” in the measure to mean that there must be no other alternative regulation options that would be consistent with the GATT available to the country, in order for the Article XX exception to apply. Therefore, to date “no WTO member has been successfully able to invoke Article XX for environmental reasons to justify exceptions to the basic GATT/ WTO principles, raising the question whether the test imposed by the Article is too severe (Petersmann 327).” Some environmentalists might also argue that the dispute panels are biased in their interpretations of the rules in the agreements that “free trade” advocates constructed, and if so, the dispute resolution system is designed so that challenged environmental legislation will lose.

IV. Environmental Legislation Cases

Trade Restrictions in Environmental Law

Trade restrictions are often used in environmental legislation to promote global environmental protection because they are effective mechanisms that employ the powerful incentive of economics. Environmental policy-makers use domestic trade regulations in order to protect wildlife, protect the environment of the importing state from harmful organisms and products, and to protect the global commons (Sands 685). More specifically, Trade Related Environmental Measures (TREM)s have been used to discourage exploitation of natural resources and environmentally harmful production processes, to induce producers to internalize environmental costs, to prevent states from gaining a competitive advantage by avoiding environmental expenses, and to prevent the migration of industries into pollution havens (Ewing & Tarasofsky 5). TREMs may regulate trade directly harmful to the environment or may be used to influence other states to change their environmental behavior. International environmental protection laws that may or may not include trade restrictions are multilateral and are called Multilateral Environmental Agreements (MEAs). In contrast, national environmental protection laws that include an international trade restriction are referred to as unilateral environmental measures (Sands 687) because they are undertaken by a single nation and affect more nations than the original nation that established the law.

Several unilateral environmental laws intentionally limit international trade in order to protect domestic environments, and thereby gain the antagonism of trade advocates whose purpose is to eliminate the protection of domestic trading markets. However, in some cases, stringent environmental regulation is only possible if it uses trade restrictions where trade is the direct cause of environmental degradation. At the first meeting of the Committee on Trade and Environment (CTE) in Singapore, WTO ministers even admitted, "Trade measures based on specifically agreed-upon provisions can be needed in certain cases to achieve the environmental objectives of an MEA, particularly where trade is related directly to the source of an environmental problem (Ewing & Tarasofsky 19)." Yet, the WTO website emphasizes that trade restrictions are not the only actions available to environmental policy, and suggests the alternatives of helping countries acquire environmentally-friendly technology; giving them financial assistance, or providing training (2001). The WTO claims that there are always viable non-trade methods for influencing other countries, such as green labeling, consumer boycotts and NGO lobbying, but several environmentalists argue that these methods might be too slow for emergencies and the suggestion constitutes passing responsibility to under-resourced groups (Dunkley 2000). The adamancy in which the WTO suggests an alternative to trade restrictions conforms to "free trade" advocates basic beliefs that trade barriers are poor environmental policy (WTO 2001). Trade restrictions in environmental policy face fierce opposition from "free trade" proponents who maintain that there should be no barriers to trade, and suspect environmental motives to be pretexts for protectionism.

Indeed, with the establishment of the WTO dispute resolution system, "free trade" proponents now have an effective mechanism to challenge, and often even overturn,

environmental policy that includes trade restrictions. Several environmental cases were effectively challenged and overturned as a result of losing at a WTO dispute resolution panel.

Environmental Cases Affected by WTO Dispute Resolution Decisions

As a result of being challenged by WTO members at the WTO dispute resolution process, several environmental cases have been affected based upon WTO rulings that declared the measures were WTO illegal. The WTO panels based their illegal rulings upon three essential WTO trade agreements: the TBT, SPS, and PPM's, and two principles: Article XX and the precautionary principle. Even though every decision by the dispute panels in these cases emphasized that they did not decide against protection of the domestic environment, but against the effects of environmental regulation on imports of trading partners (Neumayer 145), the environmental measures were effectively threatened or weakened. The dispute resolution process weakened or overturned environmental legislation in all of the three environmental areas where unilateral environmental measures are typically employed: to protect wildlife, protect the environment of the importing state from harmful organisms and products, and to protect the global commons (Sands 685).

After a WTO dispute resolution panel ruled against U.S. Endangered Species Act Provisions that protected endangered turtle populations by requiring shrimpers to use turtle excluder devices in order to sell shrimp in the United States, the U.S. changed its guidelines allowing imported shrimp from countries that do not have turtle conservation requirements

(Westin 3).¹⁵ Similarly, after Mexico threatened WTO action on the 1991 GATT case involving dolphin-safe tuna provisions in the Marine Mammal Protection Act, the Clinton administration pushed amendments through Congress that weakened the provisions and that ultimately allowed tuna into the U.S. that is not dolphin-safe (Wallach & Sforza 25).¹⁶ The fundamental question to be decided in the WTO panels, both in the turtle and dolphin cases, was whether the U.S. had the right to invoke Article XX (b) of the GATT to regulate production methods outside its own jurisdiction (Neumayer 147). The GATT panel ruled in the dolphin case that “a country can effectively control the production or consumption of an exhaustible natural resource only to the extent that the production or consumption is under its jurisdiction (GATT 1993),” while the final appellate body decision in October 1998 regarding the turtle case ruled that the ban amounted to an “unjustifiable discrimination between countries where the same conditions prevail (Neumayer 148).” Environmental measures aimed at extrajurisdictional protection have been declared illegal when challenged at the WTO dispute resolution process.

The WTO also jeopardized environmental legislation cases aimed at protecting the global commons in regard to fuel emissions. The WTO declared that Japan's attempt to meet commitments on climate change, under the Kyoto Treaty, a multilateral environmental agreement, was WTO illegal after a U.S. and EU threat of WTO action against Japan's new fuel efficiency rules (Wallach & Sforza 12). In another fuel-related case, Venezuela and Brazil effectively challenged U.S. Clean Air Act regulations through the WTO that eventually

¹⁵ See Eric Neumayer, “Trade and Environment: A Critical Assessment and Some Suggestions for Reconciliation,” *Journal of Environment & Development*, Vol. 9, No. 2 (Sage Publications: June 2000, 138-159), for summary of the turtle case.

¹⁶ See Henry Wong, “The Crumbling of a Fragile Alliance: the Latest Chapter in the Tuna-Dolphin Conflict” *Global Environment and Trade Study (GETS)*, <<http://www.wtowatch.org/library/admin/u>>, for summary of the dolphin case, or Christopher Joyner and Zachary Tyler, “Marine Conservation versus International Free Trade: Reconciling Dolphins with Tuna and Sea Turtles with Shrimp,” *Ocean Development & International Law* 31, no. ½ (2000): 127-150, for summaries of both turtle and dolphin cases.

weakened regulations limiting gasoline contaminants that cause air pollution in the U.S. (Wallach & Sforza 12).¹⁷ In the *United States – Standards for Reformulated and Conventional Gasoline* case, a dispute resolution panel agreed with Venezuela and Brazil that U.S. regulations specifying the content of “reformulate gasoline” violated Article III, the national treatment obligation of GATT, because they forced foreign refiners to use a less favorable method in determining the quality of gasoline sold in the United States than allowed for domestic refiners (Ewing & Tarasofsky 10). Later, the Appellate Body ultimately concluded that the U.S. Clean Air regulations violated the requirements of the Article XX exception because the U.S. failed to explore alternatives with the governments of Venezuela and Brazil and to take the costs of foreign refiners into account in devising its regulations.

WTO action has also weakened environmental measures aimed at protecting the environment of the importing state from harmful organisms and products in several cases, including the U.S. invasive species containment of Asian Longhorned Beetles case, a case concerning a Japanese regulation that required exporters of various fruits and nuts to prove fumigation for codling moths, and an Australian quarantine on raw salmon case that protected domestic salmon stocks.¹⁸ From 1975 Australia had a regulation that required heat treatment for all imports of fresh or frozen salmon from regions where fish might become infected with 24 fishborne diseases. After Canada challenged Australia’s regulation, a WTO panel and Appellate Body ruled against the Australian measure because the ban on imports of fresh and frozen salmon was found to be based on an inadequate assessment of risks, to be a disguised restriction

¹⁷ See Kenneth P. Ewing & Richard G. Tarasofsky, *The “Trade & Environment” Agenda: Survey of Major Issues and Proposals: From Marrakesh to Singapore*, Environmental Policy and Law Paper No. 33 IUCN – Environmental Law Centre, 1997, for summaries of fuel-related cases.

on trade, and that the SPS measure required by Australia was more trade restrictive than necessary and thus violated Article 5.6 of the SPS Agreement (Board on Agriculture and Natural Resources 146-147). This last finding is particularly controversial considering varying interpretations of the word “necessary,” where several environmentalists fear that the WTO deems all trade restrictions as unnecessary.

In several cases the mere threat of WTO action against domestic environmental legislation intimidated governments to amend their national regulations in order to conform to foreign trade demands and avoid expensive dispute settlement procedures. The threat of WTO action has already weakened a EU toxic waste reduction policy, a EU proposed ban on cruel steel jaw leg-hold traps,¹⁹ and a EU proposed ban on beef artificially treated with hormones.²⁰ All three of these proposed environmental regulations employed the *precautionary principle* in order to avoid uncertain risks, however, the WTO has turned this principle around requiring risk assessment analysis; comprehensive proof of a risk before preventative action is permissible under the WTO.

Another likely WTO threat from the U.S. is against EU eco-labeling programs to declare them as illegal trade barriers. However, EU opposition resulted in current deadlock regarding the issue (Wallach & Sforza 12). Eco-labels enable consumers to differentiate between environmentally friendly products that they support and products with objectionable production methods that harm the environment. Disallowing eco-labels and effectively disguising the

¹⁸ See Board on Agriculture and Natural Resources, Incorporating Science, Economics, and Sociology in Developing Sanitary and Phytosanitary Standards in International Trade (Washington, D.C.: National Academy Press, 2000), for summaries of all three cases.

¹⁹ See Lori Wallach and Michelle Sforza, Whose Trade Organization? (Washington D.C.: Public Citizen, 1999), for summaries of toxic waste and cruel trap cases.

²⁰ See Patti Goldman and Martin Wagner, “The Case for Rethinking the WTO: The Full Story Behind the WTO’s Environment and Health Cases,” Earthjustice Legal Defense Fund, November 1999, for summary of beef case.

difference between products threatens the very idea of conscious consumerism, a central principle for many environmentalists. Considering the threats to several environmentalist principles and legislative objectives, the WTO dispute resolution system elicits an intense environmentalist response.

V. The Social Movement Response

Contentious politics occurs when ordinary people, often in league with more influential citizens, join forces in confrontations with elites, authorities, and opponents. Such confrontations go back to the dawn of history, but mounting, coordinating, and sustaining them against powerful opponents are the unique contribution of the social movement – an invention of the modern age and an accompaniment to the rise of the modern state. [Sidney Tarrow], argues in his book, [Power in Movement: Social Movements and Contentious Politics, Second Edition], that contentious politics is triggered when changing political opportunities and constraints create incentives for social actors who lack resources on their own. They contend through know repertoires of contention and expand them by creating innovations at their margins. When backed by dense social networks and galvanized by culturally resonant, action-oriented symbols, contentious politics lead to sustained interaction with opponents. The result is the social movement (Tarrow 2).

In describing how changing political opportunities and constraints triggers social movements, Sydney Tarrow provides a framework for understanding how environmentalists responded to the WTO's threat to their environmental legislation. The dispute resolution system's repeated panel decisions against environmental legislation, combined with NGO exclusion from participating in the political process that made the panel decisions, can be perceived as social constraints. Meanwhile, the previous decade of conflict against neo-liberalism, the resources of grassroots activism, innovations in direct action, technology, established network alliances, and a WTO ministerial meeting scheduled in the Pacific Northwest, all helped create social opportunities for numerous activists against the WTO, and sustained interaction against "free trade" advocates in the social movement against corporate economic globalization.

Exclusion from Political Processes

A culturally resonant symbol within the social movement against corporate economic globalization, with the WTO at its center, is the perceived violations of globalization to democracy. The perceived threat to democracy and national sovereignty can even be considered the driving reason for mobilization against the WTO. The very word “democracy” is an emotionally charged political concept that when absent, implies injustice in the minds of most Western citizens. Consequently, the violation of democracy is a violation of a widely held value, identifying which is part of the first stage in the “Eight Stages of the Process of Social Movement Success,” by Bill Moyer,²¹ and inspires intense animosity in ordinary citizens and activists dedicated to work against perceived injustice. Activists use language, such as “governments not allowed to ‘interfere’ with trade...[or] governments prevented from carrying out the will of their electorate to act in a socially responsible manner (CorpWatch 1999),” to depict a violation against democracy and thus, gain public support for their cause. Professor of economics, Michael Chossudovsky uses the image of totalitarianism to provoke fear of the WTO. He alleges,

The WTO was put in place following the signing of a “technical agreement” negotiated behind closed doors by bureaucrats... a “totalitarian” intergovernmental body has been casually installed in Geneva, empowered under international law with the mandate to “police” country level economic and social policies, derogating the sovereign rights of national governments (1999).

Regardless of whether the WTO acts like a totalitarian institution, the depiction of the WTO as a violation of democracy is an effective way to frame concern about the WTO’s threat to national law.

²¹ See Appendix C: The “Eight Stages of the Process of Social Movement Success,” by Bill Moyer

Because WTO dispute settlement decisions can threaten national laws and have far-reaching effects beyond the realm of trade, several activists object to NGO exclusion from the WTO process, which is therefore perceivably undemocratic. The United States Trade Representation (USTR) decrees that international organizations, non-governmental organizations, local governments, and private persons have no right to participate in WTO proceedings or to submit or receive documents unless they are “recognized” third parties in the case (Westin 4). In order to become a “recognized” participant in the WTO, interested parties would have to become part of a member nation’s government delegation. The rationale behind excluding everyone except government delegations to negotiate behind closed doors is that negotiators cannot please everyone and it is a country’s government that decides the outcome of the often conflicting demands of its different interest groups (OECD 333). However, among the many critics of this policy, environmentalists fear that environmental interests, much less actual persons with an environmental perspective, are unwelcome in the USTR, which represents the U.S. government and industry in the WTO.

The very fact that the USTR represents the U.S. in the WTO causes many environmentalists to question the sincerity of USTR efforts in defending environmental laws at the dispute resolution panels. The USTR has been developed under the executive branch of government to advance business interests and does not represent other domestic interests in trade policy in any substantial way. Business links in the USTR are often clear-cut. Several USTR delegation leaders at the Uruguay Round negotiations were business representatives or had strong business ties, one being from the giant food TNC, Cargill, and another one-time delegate, Carla Hills, being associated with the tobacco industry (Dunkley 228). According to Dunkley, “U.S. business groups were active in initiating the [Uruguay] Round, were often formally consulted

during the negotiations and were generally happy with the Round's outcomes (228).” Similarly, according to Mohau Pheko of the African Delegation to the WTO, corporations in the United States overtly exercise influence in the WTO by paying \$250,000 to have four representatives in the U.S. trade delegation (Richmond 46). This specific statistic however, is a claim that is difficult to substantiate. The U.S. Trade Representative does not exactly advertise positions available on their delegations to the WTO for a particular price tag, meaning that corporations somehow gain influence in trade matters through political processes.

The U.S. government appoints formal advisory committees to the USTR that are dominated by corporations and industry associations. The Trade Act of 1974 created the Industry Sector Advisory Committees (ISACs) that formally advise the USTR. Members of the ISACs are appointed by the U.S. Secretary of Commerce and the USTR, and represent corporations and associations in aerospace, chemicals, electronics, lumber, construction, and other industries (Draffan 15). Even though formal advisory committees exist, most corporations and industry associations gain most of their influence through informal relationships with government where their advice is unofficial. These informal relationships are generally difficult to document. Yet, the United States Council on International Business, which includes a membership of over three hundred transnational corporations, law firms, and business associations, informally influenced negotiators to formulate the WTO agreements on Trade in Services (GATS) and on Trade Related Investment Measures (TRIMs). Corporations benefit substantially from these agreements because they widen business opportunities for multinational firms around the world in both services and investment. It is of no surprise that corporations desire to influence policies that profit their interests. It is, however, more alarming to many activists that corporations are openly, actively and exclusively involved in many of the policy-making processes that directly

benefit them; there might be a conflict of interest. By including transnational corporations in WTO negotiations, critics of the WTO claim that, "The rich and the powerful set the rules and the rules, not surprisingly, favor the rich and powerful (Tabb 1)."

Domestic trade and industry interests, that the USTR represents, may already conflict with existing environmental legislation threatened by the WTO, raising suspicion of the USTR's defense of and position on environmental law cases. The official position of the USTR is that "challenges against the U.S. practices have had limited impact to date... the changes to U.S. policy in response to these [17] cases have been relatively minor... the outcomes of all except one have had limited or no commercial effect... [and] WTO rulings to date against U.S. environmental measures have not weakened U.S. environmental protections (Westin 2)." The USTR's focus on trade is clear in its emphasis on commercial effects. Because the USTR represents the U.S. government in the WTO, several environmentalists claim that environmental interests are excluded from the WTO, and therefore, environmentalists are constrained from formal political participation. Consequently, environmentalists looked outside of the formal political process in order to have their voices and concerns about the WTO heard.

Social Opportunities & Political Tools

In their concern for trade liberalization's effects upon the environment combined with their exclusion from the organizations that institute global trade policy, such as the WTO, many environmentalists seized upon the social opportunity to form alliances with labor unions, teamsters, human rights organizations, anti-sweatshop campaigns, academics, faith-based groups, anarchists, farmers and a plethora of individuals who all share opposition to corporate economic globalization. The sustained coalescence and progression of these alliances, combined with the political tools of grassroots activism, direct action, and advanced communication technology within the pre-existing resources of the environmental movement, created large demonstrations, public relations campaigns and legal challenges against trade liberalization. The convergence of social opportunities and political tools was a rational response to closed political channels.

According to Sydney Tarrow,

People engage in contentious politics when patterns of political opportunities and constraints change and then, by strategically employing a repertoire of collective action, create new opportunities, which are used by others in widening cycles of contention. When their struggles revolve around broad cleavages in society, when they bring people together around inherited cultural symbols, and when they can build on or construct dense social networks and connective structures, then these episodes of contention result in sustained interactions with opponents – specifically, in social movements (19).

The collective and continuing effort against trade liberalization comprises a greater social movement that pivots around the changing formal political structure, but ultimately demands government officials to hear public outcry against corporate economic globalization and the institutions that drive the process.

When the formal political system is open to NGO participation, the environmental movement more frequently employs professional technical tools, such as the burgeoning implementation of environmental legislation in the U.S. during the 70's, to affect societal

change. In contrast, when the formal political system constrains NGO participation, the environmental movement often shifts to tools outside of the formal system, such as grassroots mobilization, which tactically make sense.²² As the institutionalization of “free trade” policy progressed during the last two decades of the 21st century, and simultaneously constrained NGO participation in trade policy that increasingly affected environmental interests, the environmental movement focused on the tactics and resources in grassroots mobilization.

The 90’s were a decade of grassroots mobilization, and in effect conflict, against neo-liberal globalization, the most publicized event being the mass demonstration against the WTO in Seattle at the end of the decade in 1999. In an interview with Jim Jontz, of the American Lands Alliance and Alliance for Sustainable Jobs and the Environment, he described how the social movement had been growing for some time. In his words, the initial seeds of the emerging social movement against corporate economic globalization began in opposition to presidential fast track authority in the early 90’s, which he argued could be traced back even further. Then people started thinking increasingly about economic globalization; how it affected them, and subsequently mobilized during the struggle against NAFTA in 1993-1994, when the WTO was approved at the end of the Uruguay Round in 1995, again in opposition to fast track in 1997-1998, at the WTO ministerial meeting in Seattle in 1999, at the IMF/ World Bank meeting in Washington D.C. in 1999, at the FTAA meeting in Quebec City in 2001, and so on. “The media

²² This is generally true of the overall movement, but specifically depends upon the environmental movement organization’s (EMOs) orientation. According to Professor Dreiling, “EMOs that are highly member dependent, for example, are expected to react differently to movement opportunities than those dependent on institutional sources of funding. EMOs with a high dependency on their membership for resources will stress mobilization tactics that rely on those member resources; they are likely to be very grassroots centered... this provides a greater propensity to act contentiously and engage in innovative tactical activities when threats to the environment arise. In contrast, EMOs that rely on outside allies or resource-rich organizations will tend to adopt mobilization tactics and organizational structures amenable to the interests of their resource partners. They will consequently possess leadership structures and organizational headquarters that facilitate working with their elite partners (Dreiling & Wolf 41).”

missed the fact that concern/ opposition at local, national and international bases had been growing for years. It got on the screen at Seattle, but it didn't just happen overnight (Jontz 2001)."

One of the organizations that Mr. Jontz is affiliated with, the Alliance for Sustainable Jobs and the Environment (ASJE), a well-developed coalition between labor unions and environmentalists opposed to trade liberalization, illustrates the build-up of the movement given that the ASJE existed well before the WTO protest in Seattle. The alliance began to form around shared opposition to NAFTA. "The NAFTA, like its successors the Multilateral Agreement on Investment and the World Trade Organization, came to symbolize a corporate project that threatened to undermine the capacity of domestic movement organizations to influence domestic social and environmental goals and state policy (Dreiling 70)."

Mr. Jontz himself was involved in opposition to NAFTA as the director of the Citizens Trade Campaign, a farmer-labor-environmentalist-church-and consumer-based coalition against NAFTA. He was involved with "free trade" issues even before NAFTA as a representative in the U.S. congress in the late 80's opposing structural adjustment policies being developed and subsequent third world debt. However, he claims, "I initially got involved in trade/ economic globalization issues because of what was happening to soybean farmers in Indiana, where I quickly learned that these issues affected lots of things that I cared about: the environment, workers, and human rights among them... but my initial involvement started in agriculture (Jontz 2001)." All three interviews conducted for research in this paper were with people who participated in the decade of conflict against corporate economic globalization prior to, and

including the protest in Seattle.²³ Barbara Dudley worked for an organization that organized against GATT in the late 80's, which had been alerted by Europeans of the impending Uruguay Round, was the national director of Greenpeace USA that was involved in the fight against NAFTA, and when she left Greenpeace in 1997, worked on fast track/ WTO issues in the AFL-CIO. She currently teaches political science at Portland State University, where she teaches courses about the WTO, and is affiliated with the National Lawyers Guild, the steelworkers union in the AFL-CIO and the Alliance for Sustainable Jobs and the Environment. Mrs. Dudley and Mr. Jontz represent several activists involved in opposition against different aspects of "free trade" for well over a decade. In contrast, the third interview of Karen Coulter, co-director of the Blue Mountain Biodiversity Project and involved in the Program on Corporations, Law & Democracy, revealed that she wanted to spend time on "ending corporate rule directly" for a while, but primarily as a forest activist, for many years she did not get involved. She "really got involved" in opposition to trade liberalization policies as a result of involvement with grassroots organizations that do face-to-face organizing: such as Public Citizen, which researches and publicizes trade policy, the International Forum on Globalization (IFG), which recruits activists and "did serious education, disseminating information and planning for the ministerial meeting," and the Ruckus Society that held a training camp for activists before the WTO ministerial meeting in Seattle. The backgrounds of all three activists interviewed reflect the fact that the social movement that led to the WTO protest in Seattle was a gradual development and relied heavily upon the political opportunity of grassroots activism.

²³ See Appendix D: Interview Questions.

Grassroots activism and direct action are both political tools and resources that the environmental movement often draws from when conventional channels of participation are constrained.

The repertoire of contention offers 3 basic types of collective action: violence, disruption, and convention. They combine in different degrees the properties of challenge, uncertainty, and solidarity... convention has the advantage of building on routines that people understand and that elites will accept or even facilitate. This is the source of its numerical predominance in the repertoire, but also of its institutionalization and lack of excitement... disruption breaks with routine, startles bystanders, and leaves elites disoriented, at least for a time. Disruption is the source of much of the innovation in the repertoire and of the power in movement, but it is unstable and easily produces violence or becomes routinized into convention (Tarrow 104).

As conventional means of participation to affect trade policy are closed, organizations like the Ruckus Society, Public Citizen and IFG have been instrumental in recruiting grassroots activism to disrupt trade liberalization. Other organizations, such as the Direct Action Network (DAN), learned and applied the lessons of the last twenty years of non-violent direct action, and created powerful, successful, and life-changing actions in the face of enormous odds (Starhawk, Voices from the WTO, 48). The tactics eventually used in the WTO protest in Seattle in 1999 drew upon the social opportunities of direct action developed over the past decade of conflict against trade liberalization, such as NAFTA, and even over the last century. Professor Michael Dreiling explains,

Many of the strategies employed at the WTO protest... were developed over the course of the last 100 years of movement mobilization... For example, the International Forum on Globalization, which organized the main WTO teach-in prior to the Tuesday protests, was developed out of the NAFTA-campaigns; the traveling caravans preceding the event were used extensively throughout the NAFTA debate as well; internet and e-mail networking expanded dramatically with the NAFTA-campaign, and even more with challenge to the Multilateral Agreement on Investment in 1997-1998. Dating even further back, the Tuesday mass marches in Seattle followed a history of mass marches as a tactic for well over a century; and the direct action of the International Longshore and Warehouse Union, which shutdown all west coast ports on Nov. 29, 1999, followed the strike repertoire for over a century; the disruption of transport and communication has been used by labor, civil rights, student and peace movements; and the destruction of corporate property has been used by numerous militant movements throughout American history, including the Boston Tea Party... (Dreiling 156-157)

But, what is direct action? "Direct action is not just a tactic. A direct action is when individuals affirm their capacity to take control of their lives and participate in social life without

the mediation of bureaucrats, legislation, or others... (Guilloud, Voices from the WTO 46).” As a simple example, prior to the WTO protest in 1999, French citizens demonstrated at a McDonald’s restaurant in construction and began a public debate on the IMF and industrial production of food on the street (Guilloud, Voices from the WTO 46). Sydney Tarrow describes the effectiveness of disruptive tactics in a movement, such as this, when he writes,

Disruption... is the concrete performance of a movement’s determination. By sitting, standing, or moving together aggressively in public space, demonstrators signal their identity and reinforce their solidarity. At the same time, disruption obstructs the routine activities of opponents, bystanders, or authorities and forces them to attend to protesters’ demands. Finally, disruption broadens the circle of conflict. By blocking traffic or interrupting public business, protesters inconvenience bystanders, pose a risk to law and order, and draw authorities into a private conflict (96).

Direct action also thrives on innovation at its margins and creativity in order to build a repertoire and resource base for subsequent actions. As an example of an innovative direct action, the director of the IMF was ambushed and pied by the Biotic Baking Brigade (BBB), which specializes in throwing cream pies at corporate officials (Guilloud, Voices from the WTO 46).

Creative actions, such as the BBB, are examples of the movement mounting contentious challenges through disruptive direct action against elites and authorities, in a public nature (Tarrow 5). However, the most frequent and popular tactic in direct action has become protest demonstrations, as evident in the decade of conflict against corporate economic globalization.

The mass demonstrations against meetings of the NAFTA, the WTO, IMF/ World Bank, FTAA, and so on, have been the most visible, and arguably popular, tactics used in the movement by the sheer number of participants involved. “... The demonstration began as a disruptive direct action that was eventually institutionalized... From the unruly movement of protesters from one place to another, the protest demonstration has become the major nonelectoral expression of civil politics (Tarrow 100).” In the global movement against corporate economic globalization, mass

mobilization to demonstrate around the globe has become possible through the mass deployment of material resources and the use of advanced communication technology.

Just as the advancement of communication technology enabled corporate economic globalization to spread, enabling the global transfer of electronic money in a matter of seconds, global communication enabled disparate movements and organizations to converge, share resources and plan collective mobilization, like mass demonstrations, against the institutions behind trade liberalization. "Together, print and association made it possible for people in widely scattered towns and regions to know of one another's actions and join across wide social and geographic divides in national social movements (Tarrow 44)." With the worldwide expansion, or globalization of print and association, organizations from different countries, even continents, were able to join across numerous cultural, philosophical, and physical divides in recognition of their shared grievances as a result of trade liberalization, in order to develop an international social movement.

Organizers... have been quick to take advantage of the same advances in communication and fund raising as more conventional political and interest groups... through computerized direct mailing lists, and more recently with the fax, the camcorder, and the use of the internet. As a result of these and other changes, organizers can now mount and coordinate collective action across a broad sweep of territory in competition with parties, interest groups, and governments (Tarrow 132).

Indeed, just as Tarrow explains, the emerging social movement against corporate economic globalization has effectively utilized direct mailing lists to raise funds, the internet, camcorder and fax to circulate rapidly changing information and last minute call to actions, and cell phones to coordinate efforts in the midst of direct actions. By communicating information about what they do, movements create opportunities for their own supporters and others by diffusing collective action, presenting the possibility of coalitions, and by creating political space for kindred movements and counter-movements (Tarrow 72). Therefore, the use of technological

resources is also an opportunity for the movement to build coalitional campaigns and connective structures among larger numbers of people to allow the movement to be diffused to new audiences (Tarrow 52). Ultimately, the use of advanced technology informs and reinforces established networks in the movement, and creates instantaneous and direct opportunities to establish new alliances.

The resource needs of movements impel them to establish alliances with other organizations to pool sufficient resources for survival and to facilitate political opportunities (Dalton 7), both tangible (money, personnel, equipment, etc.) and intangible (strategic know-how, experience, leadership, etc.) (Dreiling 12). As a result of the decade of conflict against corporate economic globalization during the 90's, there was already an established network of organizations combining resources and working together against trade liberalization before the WTO protest in Seattle in 1999. In his book, Solidarity and Contention: The Politics of Security and Sustainability in the NAFTA Conflict, Professor Michael Dreiling describes how alliances born out of the anti-NAFTA struggle carried over to the WTO protest in Seattle,

Organizations with diverse backgrounds representing distinct and sometimes conflicting social constituencies proved central to the formation of the anti-NAFTA alliances. Each movement sector that participated in building the alliances and in mobilizing opposition to NAFTA brought unique resources from their respective social support base. Together, movement activists pooled resources, formulated goals and movement frames and fashioned an intermovement mobilization strategy that relied heavily on a loose coordination of organizations and communities across sometimes disparate movements – a remarkable achievement indeed. Thus, the historical record of the 1990s makes clear that in order to understand intermovement cooperation, and particularly that between labor and environmentalists, or between “Teamsters and Turtles” as the popular banner at the WTO protests read, we need to examine the alliances that were established, and since endured, in the NAFTA-fight. What happened in Seattle, WA in Nov. of 1999, for example, was made possible by the creation of new political opportunities by an incipient fair trade movement less than a decade earlier in the NAFTA conflict (Dreiling 4-5).

Professor Dreiling provides an example of a continuing alliance network structure from the anti-NAFTA struggle in this Fair Trade Mobilization figure:

Creating alliances is an enormous social opportunity for the movement against trade liberalization, in terms of both gaining resources and broadening public support. Therefore, when environmentalists looked outside of the formal political process to respond to the WTO dispute resolution system's threat to their environmental legislation, they simply joined and expanded the pre-existing alliance network formed over a decade ago against "free trade," of which some coalitions already involved several environmental organizations. Then, the entire expanding alliance network seized upon the great social opportunity to protest the WTO ministerial meeting in 1999, which made the great mistake of meeting in Seattle, Washington, the home turf for many activists in the United States.

The Battle in Seattle 1999

One of the greatest social opportunities for the emerging movement against corporate economic globalization was the location of the WTO ministerial meeting of 1999 in Seattle, Washington. As an "upscale and expensive playground for the newly rich (Levi & Olson 324)," housing the corporate giants, Boeing and Microsoft, the city of Seattle was eager to host the third WTO ministerial meeting. Because the meeting was in the United States, there was a clear right to protest the WTO meeting, the governing law in the U.S. regarding free speech during large demonstrations being *Collins v. Jordan*. The law established that entities such as the city of Seattle have an obligation to maintain channels for protest to be heard by their intended audience, and this law had been cited to the police both verbally and in written communication by members

of the National Lawyers Guild Seattle Chapter months before the WTO ministerial meeting in Seattle (Richmond 17). Notification that the event was being hosted in Seattle, and the right to protest it, were given far in advance, and consequently leading activists throughout North America seized upon the great social opportunity to mobilize and demonstrate against the WTO meeting in Seattle.

As early as April, organized labor promised to deliver 50-100,000 people. The stories of the upcoming demonstration appeared in the most official news organs that exist in the United States including The Wall Street Journal and The New York Times. Many began to predict that this would be the protest of the century... Activists held training workshops in "direct action." These workshops were well publicized with articles appearing in major news organs. The activists communicated with each other over the Internet, and set up web sites. These web sites were open to all and read by many. Captain Jim Pugel of the Seattle Police Department makes reference to monitoring these sites often and early in his reports. Since Pugel was one of the officers in charge, clearly the [Seattle Police Department] SPD was aware of this buildup (Richmond 9)."

Organizers of the WTO protest in Seattle effectively utilized the social opportunity of advanced communication technology to recruit as many protesters as possible, and to prepare as many protest participants as possible in effective direct action.

As Sidney Tarrow observes, "...when collective action does break out, it turns from a trickle into a torrent as people learn for the first time that others like themselves have taken to the streets (Tarrow 82)," the protest in Seattle quickly turned into a massive demonstration with over 40,000 participants representing hundreds of different organizations.²⁴ The variety of participants at the Seattle protest was said to result in a good picture of the widespread impacts of world trade (EcoWorld 2000). Several environmentalists dressed up in turtle costumes to represent the WTO dispute resolution system's threat to their environmental legislation. Indigenous rights groups and people from faith-based organizations formed prayer circles. Youths representing the Hip-Hop culture rapped in the streets to demonstrate against the

corporatization of culture, while numerous students, academics, and Seattle residents marched in the streets carrying colorful banners and even pulling parade floats with giant cartoon puppets representing caricatured aspects of corporate greed. Labor unions alone mobilized 23,000 people in Seattle and shutdown the whole western coast with a work stoppage from Vancouver to San Diego during the Seattle meetings. As one protest participant marveled,

We have people working together who have never even been in the same room before; except maybe to yell at one another. Substantial differences were transcended in order to build the Seattle coalition. I think the WTO has pushed globalization in so many directions that it has touched just about everyone. And, suddenly, everyone recognized that this threat was bigger than their differences. A lot of these groups have come to respect one another and to see that they can work together on an ongoing basis (Nichols 2000).

Indeed, protesters from various organizations who had never worked together before developed coalitions and were able to partially shutdown the WTO ministerial meeting in Seattle through their collective action and effective direct action tactics. Several of these tactics were used globally, from Athens, Turkey, Seoul, Pakistan, and other cities across the U.S., to the UK, prior to the demonstration in Seattle and simultaneously, in solidarity with the Seattle protest.²⁵

At the actual demonstration in Seattle, even though there were thousands of protesters representing hundreds of different organizations: labor, environmental, anarchist, students, women, anti-sweatshop, etc., this alone did not comprise the effectiveness of the protest. According to one protester, “What made it powerful was that it was pretty understood this was not going to be a passive, stand in the street and give speeches, appeal to the masters, kinda demo. It was well understood by all that it was going to be about disrupting the conference – and that is a big step for the American movement (Zaslav, Voices from the WTO 53).”

Organizations, like the Direct Action Network (DAN) drew from the rich history of social

²⁴ See Appendix E: Guide to the Seattle Meltdown: A Compendium of Activists at the WTO Ministerial, for a list and short description of 49 organizations that participated, and in most cases, were instrumental in recruiting support for the demonstration against the WTO in Seattle.

opportunities in direct action, such as the anti-NAFTA struggle, and conducted extensive trainings before the Seattle event to prepare participants in direct action tactics. Thousands of people were given non-violence training – a three-hour course that combined the history and philosophy of non-violence with real life practice through role plays in staying calm, using non-violent tactics, responding to brutality, and making decisions together (Starhawk, Voices from the WTO 47). Weeks of legal training prepared non-violent protesters to participate in jail preparation, solidarity strategies and tactics. Protesters wrote phone numbers of the DAN legal team on their arms, anticipating arrest, and if arrested, people refused to give their names in order to pressure authorities to keep the groups together, provide medical assistance, and allow legal consultation (Voices from the WTO 48). While many protesters in Seattle did not participate in these trainings, a nucleus of groups existed who took first aid trainings, trainings in blockade tactics, street theatre, meeting facilitation, and other skills, were prepared to face police brutality and could provide a core of resistance and strength (Starhawk, Voices from the WTO 47).

When it came time for the actual protest in Seattle, the participants were organized into small groups called affinity groups. Each group was empowered to make its own decisions around how it would participate in the blockade: doing street theatre, locking themselves to structures, carrying banners and giant puppets, or simply linking arms and non-violently blocking delegates. Within each group, there were individuals prepared to risk arrest, support others in jail, or trained in first aid (Starhawk, Voices from the WTO 47). Starhawk explains the overall tactics used in Seattle to blockade WTO representatives from attending meetings when she writes,

²⁵ See Appendix F: An International N30 Round Up: The Most Brilliant Subversive Coup of Modern Times, for a list of other actions globally prior to, and in solidarity with the WTO protest in Seattle.

Affinity groups were organized into clusters. The area around the Convention Center was broken down into thirteen sections, and affinity groups and clusters committed to hold particular sections. Also, some groups were 'flying groups' – free to move to wherever they were most needed. All of this was co-ordinated at Spokescouncil meetings, where affinity groups each sent a representative who was empowered to speak for the group. In practice, this form of organization meant that groups could move and react with great flexibility during the blockade. If a call went out for more people at a certain location, an affinity group could assess the numbers holding the line where they were and choose whether or not to move. When faced with tear gas, pepper spray, rubber bullets, and horses, groups and individuals could assess their own ability to withstand the brutality. As a result blockade lines held in the face of incredible police violence. When one group of people was finally swept away by gas and clubs, another would move in to take their place. Yet there was also room for those of us... to hold lines in areas that were relatively peaceful, to interact and dialogue with the delegates we turned back, and to support the labor march that brought tens of thousands through the area at midday (Starhawk, Voices from the WTO 47).

The well organized non-violent direct action tactics that Starhawk describes above effectively blocked several WTO delegates from attending meetings in Seattle and effectively shut down the entire first day of WTO meetings, delaying the start of the sessions by over a day, intensifying pressure on negotiations and “injecting a sense of watchfulness and public drama absent in previous WTO meetings (Sinclair 2000).” Protesters across several separate movements came together, and through their successful mobilization attracted people off of the Seattle streets, average citizens, who participated in the protest fully, even being tear gassed like the rest of the activists. One protester claims, “It is a really good indication of broad public support when a movement attracts people off of the street (Coulter 2001),” and the Seattle protest did just that.

The protest outside of the WTO meetings also successfully affected the inside of the meetings. Most notably when trade ministers from Asia, Africa, Latin America and the Caribbean refused to provide support to a consensus since they had been excluded from the negotiations being undertaken in the “green room” process behind closed doors (Shiva 2000). African delegates to the WTO even booed Charlene Barshefsky, former head of the U.S. Trade Representative, and said to her, “You don’t even have support from your own people (Sousa, Voices from the WTO 11).” All of these tactics, confrontations and successes at the Seattle WTO protest were caught on tape, broadcast, publicized in the media, and activists themselves

seized upon the opportunity to utilize advanced communication technology to “globalize” awareness of the Seattle protest, and the emerging movement against corporate economic globalization. As one protester claims, “Seattle holds the distinction as the first global protest to utilize computer technology to globally distribute information. Through the Direct Action Network, the Independent Media Center formed. An army of independent journalists, photographers, videographers, artists and writers documented each action, confrontation and demonstration throughout the weeks in Seattle (Lojowsky, Voices from the WTO 16).”

The media provides a mainstream audience for activists to get their message across that they would not necessarily have access to on their own. There was considerable mainstream media coverage of the WTO protest in Seattle, which did heighten the global awareness of the movement, but the media was far from neutral in their coverage of the WTO demonstration. “When protests escalate, the media will continue to offer coverage, but are quick to give priority to their violent or bizarre aspects... the media accentuate the militant strains found in any collection of activists, providing incentives for disruptive or violent elements in otherwise peaceful movements (Tarrow 116).” The mainstream media broadcasting the Seattle protest may have simply wanted to sell more newspapers or attract more viewers, thus explaining their central focus on a few isolated cases of corporate property damage by groups of “black-block anarchists from Eugene,” but George Draffan outlines a more likely explanation. He alleges, “as media ownership has become concentrated in fewer and fewer corporations,²⁶ its own vested role in corporate power has increased (Draffan 10).” As an example, in the Latin American Edition

²⁶ Through mergers, the media has been concentrated down to a handful of mega-corporations, including News Corporation, Viacom, Time Warner, Newhouse, General Electric, Westinghouse, Disney, Gannett, Knight-Ridder, Bertelsmann, and Elsevier. The media industry now ranks among the leading lobbyists of the U.S. Congress. Between 1996 and 1998, media corporations and associations spent \$111 million lobbying Congress (Draffan 10).

issue of *Time* magazine that covered the WTO protest in Seattle across the front page, a large anarchist symbol was at the head of the protest article in the magazine, sensationalizing the presence of anarchists and violence. Meanwhile, a blatant editorial by Michael Kinsley, strategically positioned as the last piece of reading that the audience reads in the same magazine, reasons that the protesters are simply “against trade” and ends, “But really, the WTO is O.K. Do the math. Or take it on faith.”²⁷ The magazine’s coverage of the Seattle protest reflects and represents that mainstream media might hold a distinct trade bias, but despite this, global mainstream awareness of the Seattle WTO protest was spread, and specific concerns about the WTO institution, including concerns about the dispute resolution system, were heard.

“Largely due to the protests and the police overreaction to them, “WTO” is for the first time a household term in much of the world (Sinclair 2000).” The mainstream media coverage of the actual concerns and reasons protesters were demonstrating, albeit limited, created global awareness of the WTO as a worldwide institution with economic governing authority to a majority of the public that had never even heard of the WTO before.

At the start of 1999, few Americans could even identify the WTO... yet, despite a serious lack of media attention to trade issues, polls show that Americans are increasingly ill at ease with free trade policies that boost corporate profits while cutting wages, ending farm subsidies, and deregulating environmental and consumer protections. A USA Today/ CNN/ Gallup survey conducted on the eve of the WTO session found that 59 percent of Americans surveyed thought that free trade as it is currently practiced hurts American workers, while only 35 percent felt it helped (Nichols 2000).

Even outside of the formal political process, environmentalists and their allies wielded considerable influence in the public's opinion of the WTO, and thereby raised their message successfully to government officials. The Seattle protest informed average citizens of the potential threats to democracy that the WTO poses through well-developed arguments and even began to change public opinion over the ramifications of “free trade”. However, another element

²⁷ Micheal Kinsley, *Time: Latin American Edition*, “The Mystical Power of Free Trade: Some people find it hard to

was equally important in capturing the attention and support of the public; the police brutality to the protesters in Seattle and the state's attempt to repress a largely peaceful protest in a democratic nation. In an interview, Barbara Dudley argued that the images of police brutality were, in a certain way, an opportunity for the movement. She says, "Frankly, the Seattle police made it for us, on some level, their Gestapo-like behavior to stop a protest against a really unpopular organization. And Clinton's own ambivalence, waffling back and forth right in the middle of the [WTO protest] just fueled the fire. Events created quite an opportunity for the left (Dudley 2001)." Filling the jails to capacity and gaining public sympathy for protesters are effective forms of expanding public support, and because of this, non-violent civil disobedience has become a major political weapon in the armory of contention (Tarrow 84).

The government, both local and national, tried to illegally ban the Seattle protest, raising public sympathy and suspicion of what the government was trying to prevent. Seattle mayor Paul Schell ordered a curfew and state of civil emergency, while an unconstitutional No-Protest Zone was declared, accessible only to WTO delegates and business owners. Two hundred additional police persons and three hundred National Guardsmen were ordered into Seattle by Governor Gary Locke, and by an executive order, gas masks were made illegal. Police shot tear gas, directly pepper sprayed individuals, and used rubber bullets and concussion grenades at the non-violent protesters. The use of these weapons was supposedly justified by the outbreak of vandalism, which according to the protesters, the media sensationalized and disproportionately broadcast in its coverage. However, the police were accused by numerous protesters of making the initial violent assault before the isolated acts of deliberate vandalism by so-called anarchists,

and this is important to consider, since the city's justification for police violence was "to control the violent protesters (Lojowsky, Voices from the WTO 15)."

As the state responded to the Seattle protest with severe repression and violence, it set up a cycle of contention where initially, the state overreacts to protest, repressing non-violence poorly and ineffectively, which provokes further protest, but as the state gains more knowledge of the protests and its tactics, it creates a spiral of terror and counter-terror (Tarrow 13). On the part of protesters at the WTO ministerial meeting in Seattle, they perceive Seattle as the first step in a larger movement against corporate economic globalization and the global institutions of economic power that drive the process. In an article entitled, "Now What, Seattle Is Just a Start," John Nichols writes,

We've... scored a historic victory. But we have to make sure that Seattle is not the end of anything; Seattle needs to be seen as the next step... on a very long road... everything that happened in Seattle has to be seen as a prelude to a much larger, much more effective movement to change trade and economic policy in the U.S. and around the world... Even before the WTO summit was done, organizers were asking one another how this coalition could next be put to use...

But can this emerging social movement even sustain mobilization against corporate economic globalization and can the coalitions be maintained?

"The conditions necessary to produce a sustained social movement that is, at once, integrated within several societies, unified in its goals and organization, and capable of mounting contention against a variety of targets are hard to fulfill (Tarrow 185)."

Sustained Mobilization

The WTO protest in Seattle was seen by many as the fourth stage in social movement success; the trigger event of dramatic nonviolent action that showed the public that the conditions and policies of the WTO violate widely-held values, and where the emerging social movement against corporate economic globalization rapidly "takes-off."²⁸ After the protest in Seattle, the question became whether the emerging movement would fall into stage five: the perception of failure where goals are unachieved and power-holders are unchanged, or advance into stage six by earning the majority of public opinion, showing how trade policies affect all sectors of society, seeing the problem put on the political agenda, and by mobilizing new "trigger" events.²⁹ The mass demonstrations following the Seattle WTO protest in 1999: in April of 2000, 30,000 protested in Washington D.C. against the IMF and World Bank, in Los Angeles at the democratic national convention, and in Quebec City against the formation of the Free Trade Area of the Americas (FTAA), and so on, can all be considered new "trigger" events, and all indicate that sustained mobilization within the anti-corporate globalization movement continues to occur.

The success of these events following the WTO protest in Seattle was partially indicated by the relocation of many of them to remote locations. For example, in May of 2000, the Asian Development Bank shifted the location of its 33rd annual meeting from the easily accessible location of Seattle to Honolulu, which was disrupted by 5,000 protesters anyway, and in

²⁸ See Appendix C: Eight Stages of the Process of Social Movement Success by Bill Moyers, 1991.

September of 2000, 10,000 protested the World Bank and IMF summit meeting at a remote castle in Prague (*Inner City Press* 13). After the success of the WTO protest in Seattle, the WTO even moved its subsequent ministerial meeting far from protester accessibility, to the remote location of Qatar where potential protesters had difficulty obtaining visas to enter the country. In several locations where the institutions and organizations that further corporate economic globalization met, the cities hosting the events attempted to avoid or officially barred protesters, indicating the degree to which demonstration tactics are feared, or succeeded. The meeting of the World Economic Forum in Davos, Switzerland officially barred protesters, while a twelve-foot four-mile "security perimeter," or wall, physically prevented protesters to enter the inner city of Quebec City where the meeting of the FTAA in April of 2001 took place (*Inner City Press* 2). Increasingly, state repression escalated as demonstrations continued to develop. As Sydney Tarrow explains,

...Through disruption, movements attempt to keep authorities off balance, but this can seldom be sustained for very long, especially when police are determined and elites united. Each invention of a new tactic is ultimately met by new police tactics. Short of violence, organizers soon run out of ways to challenge authorities, embolden supporters, and keep the public interested and amused (98).

From completely banning demonstrating altogether, to stealing puppets before the actual event, like the Philadelphia police did (Beck 5), governments are trying to prevent the success of the emerging social movement against corporate economic globalization by suppressing mass demonstrations.

Yet, in an interview with Karen Coulter, she argued for the need of the movement not to be merely a sequence of large demonstrations by asserting that,

The worst part of the WTO protest in Seattle was people assuming that was an absolute victory afterwards, I don't agree, I think that it was a very important stepping-stone... but, the WTO is still going-on. It was very significant that we shut down the meeting, but we have to look at it as an on-going process. There is

²⁹ See Appendix C: Eight Stages of the Process of Social Movement Success, for more elements of stages five and six.

too much focus on just the next mass demonstration, the next time that the IMF/ World Bank comes to town; people need to look more at what happens between these protests (Coulter 2001).

Activists, however, do not simply wait until the next global institution of economic power has a meeting in their local vicinity. Organizers spend vast resources mobilizing activists around the world to the various planned demonstrations, monitor government activity through dense communication technology, and plan innovative direct action through grassroots activism. Even so, some believe that the emerging movement against “free trade” began to splinter at the Democratic convention in Los Angeles where there were “no coalitions left; just a series of autonomous groups that had their own issues brought on to the streets, and labor was on the inside of the meeting, not outside participating in the demonstration (Dudley 2001).” According to Dudley, the worst aspect of the mass demonstrations was the lack of follow-up, of coalitions being unnourished and going their separate ways. Therein lies a central issue in the sustainability of the emerging social movement against continued trade liberalization: the formulation of often differing goals within the network of coalitions in the movement.

Whether or not the larger issues against corporate economic globalization constitute a sustainable social movement is under current debate, especially since all of the participating organizations do not have a concise collective objective. “Movements are seldom unified, their demands are often imprecise and utopian – and may be aimed more at mobilizing internal militants than at convincing opponents. “Success,” for some movements, may consist more in establishing a collective identity than in achieving policy success (Tarrow 162).” Participants in the movement against the WTO have formed a common identity from shared opposition to a particular institution, as opposed to forming an identity by having the same interests in the same issues. The variety of issues represented by participants in the new social movement are perhaps too varied to confine into a single identity, other than to identify them by their shared interest of

opposition. "It is participants' recognition of their common interests that translates the potential for a movement into action (Tarrow 6)." This dynamic is a strength in the emerging social movement against corporate economic globalization because it attracts more participants from a more diverse group of issues. However, the very multitude of issues does multiply the number of objectives in the movement, leaving a concise goal of the collective group of participants to be a near impossibility. "Achievement and maintenance of universalistic interests are not easy. As coalitions represent a greater diversity of people and groups, the universalistic interests that bind their members together conflict with a greater range of particularistic claims (Levi & Olson 312)."

Even activist goals for the highly objected WTO vary. Labor groups generally call for labor provisions to be included in the WTO. George Becker, of the AFL-CIO economic committee insists, "If we are going to have a world institution that will supersede our laws, it must have provisions on labor or environment (Gopinath 2000)." More mainstream environmental groups, such as the World Wildlife Fund (WWF), similarly call for "environmental reform of the WTO [to] be a central part of the forthcoming negotiations (WWF 1999)." Meanwhile, some activists would simply like to see the WTO shrunk down to where all that they talk about is tariffs (Coulter 2001), or radically cutting down the power of the institution and reducing it to simply another institution in a pluralistic world trading system with multiple systems of governance. "[What] international civil society should aim at is not to reform the WTO but, through a combination of passive and active measures, to radically reduce its power and to make it simply another international institution with and being checked by other international organizations, agreements, and regional groupings (Bello 2001)." A sample alternative would be to revert back to the more pluralistic world system of the GATT framework,

that was limited in its power in liberalizing world trade, whose dispute settlement system was flexible, and still managed to expand world trade 17-fold between 1948 and 1997 (Bello 2001). Activists that advocate returning to the GATT system argue that expanding world trade does not rely upon the continuance of the WTO institution. Still other radical activists agree that the WTO is not necessary, but want to move away from globalization of trade altogether and shift back to localizing economies (Coulter 2001). Michael Chossudovsky, professor of economics at the University of Ottawa, wants to dismantle the WTO completely and calls for “disarming this economic system and dismantling its institutions (1999).” There are distinct differences between activists and within the broader coalitions over movement goals, preferred policies and strategies. There were those who wanted representation within the WTO and those who wanted it disbanded, those who preferred legal mobilization, those who advocated civil disobedience, and those who opted for property damage (Levi & Olson 325). In an interview with Barbara Dudley in 2001, she laments,

There are diverging views between what we ought to do to make the situation better. Whether we're out to fix the WTO or whether we're out to kill the WTO. Whether we're for free trade, or against free trade... There are serious differences between the labor movement, environmental movement, church movement, consumer movement... and we don't know how to debate yet. We have not yet figured out how to build a real political movement. Social movement maybe, can you get a lot of people angry, Yes!

Political goals and strategies, however, often vary within social movements and some suggest that not having a coherent set of goals is beneficial.

It is more important to build a social movement correctly than to have “correct” analysis or a correct set of demands. Organizing opposition to corporate sponsored globalization “from the bottom up” is the right approach. Organizing all constituencies negatively affected to fight for their own interests while they learn why their own success necessarily hinges on the successes of other constituencies against whom global corporations will constantly pit them is the right approach. Incorporating first world constituencies together with third world constituencies in the campaign against the global “race to the bottom” is the right approach. Basing the movement on grassroots organizations, unions, and independent institutes and coalitions rather than principally on politicians and governments is the right approach. Adopting the “Lilliput strategy,” where each constituency struggles to tie its own string to contain the “Gulliver” of global capital knowing (correctly) how weak and vulnerable that single string is without the added strength of tens of thousands of similar strings around the globe, is the right approach (Hahnel, *Going to Greet the WTO in Seattle* 2001).

Even though a universal goal of reform or framework for an alternative to the WTO does not exist, a general sense of solidarity does exist, which allows disparate groups to determine for themselves how best to “tie its own string to contain Gulliver,” and is arguably more important than having a “top-down” approach to the movement where all of the coalitions have the same agenda. Overall, a sense of solidarity in the shared opposition to corporate economic globalization is what holds the network of coalitions together. “Solidarity depends on a complex and long-term understanding of interests in which members of one union come to believe in the link between their situation and that of others. “An injury to one is an injury to all,” the slogan of the International Longshore and Warehouse Union (ILWU), epitomizes such a belief (Levi & Olson 313).” As “free trade” increasingly affects different groups of people, and perceivably violates widely held beliefs in democracy, common goals in the movement are actually emerging, albeit vague. Common goals could be returning to local control over decision-making, creating more democratic participation in decision-making at the local level that cannot be over-ruled by international organizations (Coulter 2001), and “to turn the rules of globalization and free trade around, and make trade subservient to higher values of the protection of the earth and peoples livelihoods (Shiva 2000).” The uniting causes of restraining trade liberalization and saving democracy seem to be the common threads that unite the various groups within the movement, and therefore, they create solidarity.

First, we are united by our love for democracy. The power of environmentalists, trade unionists, and family farmers all rests in the power of organized people. The power of corporations rests in the power of money to influence the small handful at the top. Our alliance will stick together because our individual movements believe in, in fact depend on, democracy. If we do not stick together, democracy itself may die. And that would suit the corporate elites just fine (Pope, *Alliance for Sustainable Jobs and the Environment*, 7).

More common goals could eventually evolve, but they are not formulated yet, and maybe they do not need to be formulated yet in order to have an inclusive, grassroots, and ultimately successful

“right approach” to this emerging movement against corporate economic globalization. The goals of restraining trade liberalization and saving democracy are big enough on their own, and have yet to be realized as the global institutions and organizations of corporate power continue in their drive for “free trade” away from public accountability.

The success, or future of the social movement against corporate economic globalization depends upon if the movement can convince the large majority of the population to demand for public accountability and to ultimately oppose current trade policies, whereupon many power-holders will theoretically change the policies and create new laws because it is a greater social cost to continue the old policies than create change.³⁰ Already many activists in the movement claim to have increasing support from the public. Karen Coulter claims, “I can talk about ending corporate rule to anybody – taxi driver in San Diego, somebody working in a café, you name it, and they all get it. I think that it’s because it’s become so obvious... Some people are really waking up (2001).” Expanding public support for the emerging movement against corporate economic globalization is already affecting the political arena as well. California State Senator Tom Hayden, claims that politically, “I don’t care if local officials are liberal or conservative or whatever, they don’t like being told by some agency in Geneva what laws they can pass. And I think that as people become aware of what’s at stake, you’ll see some genuine activism around this issue (Nichols 2000).”

Already power-holders are trying to make minimal reforms, while the movement demands greater social change. “In damage-containment mode after the collapse of the Seattle Ministerial, [USTR] Barchefsky, WTO Director General Mike Moore, and other rich country representatives have spoken about the need for WTO “reform”. But none have declared any

intention of pushing for a one-country/ one-vote majority decision-making system or a voting system weighted by population size (Bello 2001).” Meanwhile, organizations, such as the International Forum on Globalization (IFG), are launching new projects to encourage the movement to create broad social change by putting strategic priority on “challenging corporate rule.” The IFG prepared a set of working instruments and tools, called the 5 – D’s, for social movements to use in developing their own analyses and strategies for tackling systems of corporate economic globalization in their own countries and regions including: defining corporate rule, dissecting corporate rule, denouncing corporate rule, disrupting corporate rule, and dismantling corporate rule (Clarke 2001).

Movement activists demand fundamental social change, the recognition of new identities, entry into the Polity, the destruction of their enemies, or the overthrow of a social order – seldom “reform...” Nevertheless... the structure of politics through which claims are processed in democratic states forces them into a common crucible from which cycles of reform are the most likely outcome (Tarrow 161).

Even if broad social change does not result in the future from the social movement against corporate economic globalization, but cycles of reform do result, then even some reform is more desirable than no change at all. Who knows, maybe the WTO, and its dispute resolution system that threatens environmental legislation, will be one of the first institutions reformed, and then the movement, and environmentalists that participated in the movement, will have successfully created opportunities for change outside of the formal political process. Ultimately, however, according to Sydney Tarrow, nobody knows the future of a social movement, not even the movement itself.

Internally, movements are affected by the fact that the same political opportunities that have created them and diffuse their influence also affect others – either complimentary, competing, or hostile. Particularly if collective action succeeds, these opportunities produce broader cycles of contention that spread from movement activists to those they oppose, to ordinary interest groups and political parties, and inevitably, to the state. As a result of this dynamic of diffusion and creation, movements succeed or fail as the result of forces outside their control (Tarrow 23).

³⁰ See Appendix C: Eight Stages of the Process of Social Movement Success, stage 7.

VI. Conclusion

In an interview with Barbara Dudley, who participated in the anti-corporate globalization movement for well over a decade, she succinctly describes what she believed led to the WTO protest in Seattle. She claims,

Prominence of location in the United States provided an opportunity. Opposition from the left had been building since the beginning days of GATT. From 1987-1989 labor and environmentalists began talking around NAFTA. By the time of the Seattle meeting, we already had 5 years of WTO reality. There had been a series of rulings/ activities on the part of the WTO that [established] that this was not a benign force. There was a lot of food for fueling a protest; people knew what they were protesting against...

On the part of numerous environmentalists, they initially participated at the WTO demonstration in Seattle to directly protest the dispute resolution process ruling every environmental measure challenged at the WTO to violate various WTO agreements, they consequently wore turtle costumes at the Seattle WTO protest. By declaring environmental laws that include trade restrictions as barriers to trade, the WTO effectively threatened these domestic laws and caused a major conflict for environmentalists who view legislation as a central component of environmental protection; an environmental movement tactic used when the formal political process is more open to NGO participation in policy-making. The restriction of national environmental policy by the dispute resolution system and the exclusion of participation by NGO's in the WTO both served as social constraints that prevented environmentalists from seeking change through formal political channels. Responding rationally to the changing political structure, environmentalists looked outside of mainstream politics and formed alliances with other NGO's who share opposition to the WTO, and who oppose the larger process of economic globalization that the WTO represents, in order to develop political tools to affect

change. Environmentalists concerned about the WTO threat engaged already established networks of activists from the preceding decade of mobilization against trade and economic agreements, such as NAFTA, to develop a political solution to formal exclusion using the tools of non-violent direct action and advanced communication technology. Non-violent direct action is a political process outside of mainstream politics that environmental activists effectively utilized when their mainstream legal achievements were threatened by the WTO. Therefore, working outside of the political system, through mass mobilization, can be a means to address exclusion from formal political channels. In short, environmentalists and their allies ultimately helped form a political solution to institutional exclusion from the WTO.

The WTO dispute resolution system's threat to environmental legislation is a perceived injustice, the WTO's exclusion of NGO's is a social constraint, while environmentalist alliances with other organizations is a political opportunity to mobilize resources that environmental organizations singularly do not have. The demonstration against the WTO in Seattle was a social movement response and opportunity for environmental activists to create an entirely new opportunity for influence outside of formal political channels. This paper ultimately argues that environmentalists participate in the social movement against the WTO, as part of a larger movement against corporate economic globalization, as a result of the threat to environmental legislation imposed by the WTO dispute resolution system.

Whether or not environmentalists participating in the social movement against corporate economic globalization can eventually overturn the dispute resolution process of the WTO largely depends upon the overall success of the entire movement. Although considerable talk about "reform" of the DRP resulted from the successful WTO demonstration in Seattle, several WTO critics have pointed out that no matter how legitimate a judicial system is, if it only

upholds and enforces unjust laws, it is still a bad system. Barbara Dudley affirms, "They are applying a law that is bad... No matter how good your judges are, how good the judicial process is, if the law is bad that they are applying, there's not much [changing the judicial process] does for you (2001)." In an interview with Jim Jontz, he agrees,

[The DRP] is part of a broader institution, and the whole institution is based on resolving disputes in a way that serves the interests of commerce, and that is what they are going to do, that is what they are set-up to do. The whole system is set-up with certain assumptions. I don't agree with the assumptions. I don't agree with the rules. So there's no way that the DRP will produce results that I find satisfactory cause I can't blame the umpire... I don't think that changing the DRP by itself gets at the underlying problems of the WTO (2001).

So, in order to get to the underlying problems of the WTO, to effectively prevent environmental legislation from being threatened by the WTO, environmentalists need to challenge the fundamentally biased trade laws, the people who establish these laws, the international organizations that enforce these laws, and the political structures and processes that allow these laws to exist in the first place. Whether they knew it or not when they began participating in the social movement against corporate economic globalization, environmentalists are perhaps helping to create the only viable means to meaningfully affect the WTO dispute resolution process, by challenging the whole "free trade" regime.

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Appendix A: Major GATT Articles

I	General MFN requirement.
II	Tariff schedules and bindings.
III	National treatment.
V	Freedom of transit of goods.
VI	Allows anti-dumping and countervailing duties. Superseded by the GATT-1994 Agreement on Anti-dumping, and the Agreement on Subsidies and Countervailing Duties.
VII	Requires that valuation for customs purposes be based on a good's 'actual' value; superseded by the GATT-1994 Agreement on the Implementation of Article VII.
VIII	Requires that fees connected with import or export formalities be cost-based.
IX	Reaffirms MFN for labeling Requirements and calls for co-operation to prevent abuse of trade names.
X	Obligation to publish trade laws and regulations; complemented by the WTO's Trade Policy Review Mechanism and various notification requirements.
XI	Requires the general elimination of quantitative restrictions.
XII	Allows for trade restrictions to safeguard the balance of payments.
XIII	Requires that quotas be administered in a non-discriminatory manner.
XVI	Establishes GATT-1947 rules on subsidies: complemented in GATT-1994 by the Agreement on Subsidies and Countervailing Measures.
XVII	Requires that state-trading enterprises follow MFN.
XVIII	Allows developing countries to restrict trade to promote infant industries, protect the balance of payments, or maintain a certain level of reserves.
XIX	Allows for emergency action to restrict imports of particular products. Superseded by GATT-1994 Agreement on Safeguards.
XX	Sets out general exceptions to the disciplines of the GATT.
XXI	Allows for national security exceptions.
XXII	Provides for consultations between parties that have a trade dispute; necessary condition for invoking Article XXIII.
XXIII	GATT's dispute-settlement provision, allowing parties to address actions that are perceived to nullify or impair a concession. Complemented by the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes.
XXIV	Sets out the conditions under which the formation of free-trade areas or customs unions is permitted.
XXVIII	Allows for renegotiation of tariff concessions; modification of schedules.
XXVIIIbis	Calls for periodic MTNs.
XXXIII	Allows for accession.
Part IV	Calls for more favorable and differential treatment of developing countries.

Source: Bernard M. Hoekman, and Michel M. Kostecki, The Political Economy of the World Trading System: From GATT to WTO (Oxford: Oxford University Press, 1995) Annex 5.

Appendix B: Multilateral Trade Agreements of the WTO

Multilateral Agreements on Trade in Goods:

General Agreement on Tariffs and Trade 1994	GATT
Agreement on Agriculture	
Agreement on the Application of Sanitary and Phytosanitary Measures	SPS
Agreement on Textiles and Clothing	
Agreement on Technical Barriers to Trade	TBT
Agreement on Trade-Related Investment Measures	TRIMs
Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994	
Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994	
Agreement on Preshipment Inspection	
Agreement on Rules of Origin	
Agreement on Import Licensing Procedures	
Agreement on Subsidies and Countervailing Measures	
Agreement on Safeguards	

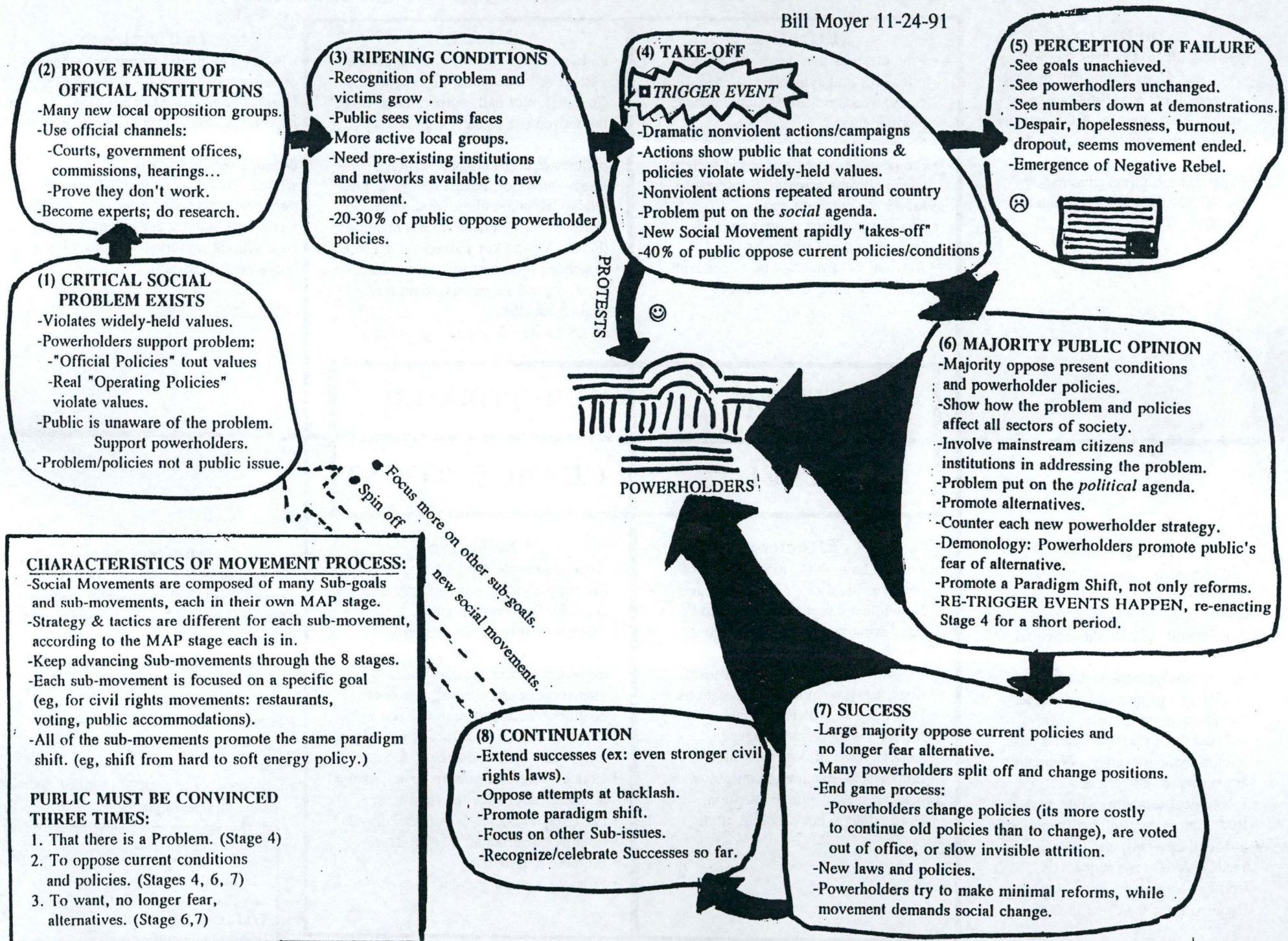
Plurilateral Trade Agreements:

Agreement on Trade in Civil Aircraft	
Agreement on Government Procurement	
International Dairy Agreement	
International Bovine Meat Agreement	
General Agreement on Trade in Services and Annexes	GATs
Agreement on Trade-Related Aspects of Intellectual Property Rights	TRIPs
Understanding on Rules and Procedures Governing the Settlement of Disputes Dispute Settlement Understanding	DSU
Trade Policy Review Mechanism	TPRM

Source: WTO. "Agreement Establishing The World Trade Organization," 1994.
<<http://www.wto.org>>

EIGHT STAGES OF THE PROCESS OF SOCIAL MOVEMENT SUCCESS

Bill Moyer 11-24-91



FOUR ROLES OF SOCIAL MOVEMENTS By Bill Moyer, April 7, 1999

Ineffective • Naive Citizen: Believes the "Official Policies." Does not realize that the powerholders & institutions serve special elite interests at the expense of the majority and the common good - or - • Super-patriot: Gives automatic obedience to powerholders and the country	Effective • Promotes positive American values, principles and symbols, e.g., democracy, freedom, justice, nonviolence. • Normal citizen • Grounded in the center of society. • Promotes active citizen-based society where citizens act with disinterest to assure the common good. • The active citizen is the source of legitimate political power. • Acts on "confirmatory bias" concept. • Examples: King & Mandela	Effective • Parliamentary: Use official mainstream system & institutions, e.g., courts, Congress, city hall, corporations to get the movement's goals, values, alternatives adopted into official laws, policies & conventional wisdom. • Use a variety of means: lobbying, lawsuits, referenda, rallies, candidates, etc • Professional Opposition Organizations (POOs) are the key movement agencies. • Watchdog successes to assure enforcement, expand successes, & protect against backlash. • POOs nurture & support grassroots	Ineffective • POOs: Dominator/patriarchal model of organizational structure & leadership. Organizational maintenance over movement needs. Dominator style undermines movement democracy and disempowers grassroots. • POO "Realistic Politics"; Promotes minor reforms rather than social change. • POO cooptation: Staff identify more with official powerholders than with movement grassroots.
	CITIZEN	REFORMER	
Ineffective • Authoritarian Anti-Authoritarian • Anti-American, anti-authority, anti-organization structures & rules. • Self-identify as militant radical, a lonely voice on society's fringe. • Any means necessary: disruptive tactics & violence to property & people. • Tactics without realistic strategy. • Isolated from grassroots mass-base. • Victim behavior: angry, dogmatic, aggressive & powerless. • Ideological totalism; holds absolute, truth and moral, political superiority. • Strident, arrogant; ego-centric; Self needs before movement needs • Irony of Negative Rebel: Negative Rebel similar to Agent Provocateur.	Effective • Protest: Say, "NO" to violations of positive, widely-held human values. • Nonviolent direct action & attitude, demonstrations, rallies & marches, including civil disobedience. • Target: Powerholders & their institutions, eg, government, corporations. • Puts issue & policies in public spotlight & on societ's agenda. • Actions have strategy & tactics • Empowered, exciting, courageous, risky, center of public attention. • Hold relative, not absolute, truth	Effective • Organize People Power & the Engaged Citizenry creating participatory democracy for the common good; • Educate & involve the majority of citizens & whole society on the issue. • Involve pre-existing mass-based grassroots organizations, networks, coalitions & activists on the issue. • Promote strategies & tactics for waging long-term social movement & Stage 6. • Create & support grassroots activism & organizations for the long-term. • Put issue on society's <i>political</i> agenda. • Counter powerholder new strategies • Promote alternatives. • Promote a paradigm shift	Ineffective • Too Utopian: promote visions of perfectionistic alternatives in isolation from practical political & social action. • Promote only minor reforms. • Movement leadership & organizations based on patriarchy & control, rather than participatory democracy. • Tunnel vision: advocate single issue • Ignore <i>personal</i> issues and needs of activists. • Unconnected to social & political social change and paradigm shift. Bill Moyer Social Movement Empowerment Project 723 Shrader Street San Francisco, CA 94117 Tel/Fax: (415) 387 3361 Email: bmoyer@igc.org
	REBEL	CHANGE AGENT	

Undergraduate Thesis Interview Questions

1. Do I have your permission to use the information from this interview in my undergraduate thesis? Would you like this interview to be confidential, and if so, would you prefer if I use an alias in my thesis?
2. What organization are you currently affiliated with and how/ why did your concern about corporate economic globalization develop?
3. How did you find out about the WTO?
4. Would you describe the current system of global economic institutions as a recent audacious development of corporate dominance, or as a mere extension of capitalism, or both?
5. Were you at the WTO protest in Seattle? How did you find out about the WTO protest in Seattle or did you help mobilize people to the Seattle demonstration in any way?
 - if so, what do you think were the best and worst elements of the mass demonstration?
6. Would you characterize the Seattle protest as part of a larger social movement? and if so, what would you label this emerging movement?
 - ie. against corporate economic globalization, or mobilization for global economic justice
7. What do you think led to the Seattle protest? Why do you think it happened this way?... for example, the social networks established after efforts against NAFTA, group alliances across diverse causes, the location of the WTO meeting in the Northwest, histories of protest in the labor and environmental movements, etc.?
 - (social and political opportunities...)
8. Do you think that exclusion of all NGO's from the WTO affected the action in Seattle?
 - (social and political constraints...)
9. What do you think of the WTO's dispute resolution process?
10. Do you think that there are any common goals in this emerging social movement and can they be sustained? What is your vision for this social movement?

**Guide to the Seattle Meltdown:
A Compendium of Activists at the WTO Ministerial**

"Many of the groups that helped organize the anti-WTO victories in Seattle are already preparing for days of protest, education, training, and direct action during the week of April 9-16 in Washington. The week begins on Sunday, April 9th with a Jubilee 2000/USA mobilization for cancellation of the debts of African, Latin American, Asia-Pacific, and Caribbean countries, and continuing with teach-ins and trainings on the global economy. It will culminate with a massive rally at IMF Headquarters on Sunday, April 16th 2000."

- 50 Years is Enough web site

"Leaders of the peaceful demonstrations have lashed out at the anarchists, accusing them of undermining their anti-globalism message by breaking windows and destroying property. The anarchists in turn accused the Seattle protesters of protecting the same private-property interests that the WTO represents."

- The Los Angeles Times

"...the coalition [of labor, environmental and human rights groups that took to the streets in Seattle to protest the WTO] said that they will flood over 100 key congressional offices with phone calls and letters and march on Washington this Spring to prevent passage of NTR for China."

- National Journal's Congress Daily

1) Abya Yala Fund

ayf.nativeweb.org/contents.htm

Alicia Canaviri, President-, Nilo Cayuqueo, Director

"Fosters greater self-reliance by indigenous peoples through support of struggles to protect homelands, natural environment and human rights, to improve health care, to address domestic legislation and international laws, to obtain access to communications media to improve the conditions and status of women, to increase economic security, and to revitalize cultural and spiritual traditions. "The group's focus is on providing training, grants and technical assistance for self-development projects that originate in, and are controlled by, indigenous communities and organizations in Central and South America - not on anti-WTO advocacy. The web site provides links to the sites of other indigenous groups as well as sites about anti-globalization and ending corporate Governance.

2) A SEED

www.antenna.nl/aseed/contact.html

Action for Solidarity, Equality, Environment and Development. "A global and diverse action network focusing on a broad range of issues, A SEED plays a critical role in involving young people in the struggles against ecological destruction and social injustice." They

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advocate the use of public opposition to stop the WTO in the same manner that it was used to block the "... the corporate-driven MAI [multilateral agreement on investment] agreement." The web site presents many campaigns and publications and links to other activist organizations. The group claims that more than 700 organizations worldwide have signed its on-line petition against the WTO and are associated with www.oneworld.net.

3) AFL-CIO

www.aflcio.org/home.htm

John Sweeney, President; Linda Chavez-Thompson, Exec. Vice-President

"A voluntary federation of 68 national and international labor unions that include 13 million working women and men and which espouses a strong political voice for improving the lives of working families." The web site contains plenty of information about the WTO, including a blueprint for reforming it. The group plans to keep pressure on Congress and the government against the WTO, the Caribbean Basin Initiative, and normalized trade relations (NTR) with China. The group is large, very well organized, and headquartered in DC. The web site provides many links to the sites of other labor unions, organizations, constituency groups, the government, and media. Issues of interest to the group include: environmental protection, debt relief, poverty alleviation, and investment policy reforms.

4) Alliance for Sustainable Jobs and the Environment

Tracy Katelman (activist, also part of the Trees Foundation)

5) Amazon Watch

www.amazonwatch.org

Lucy Braham, WTO contact; Mark Westlund, U'wa defense working group contact

"Works with indigenous and environmental organizations in the Amazon Basin to defend the environment and advance indigenous peoples' rights in the face of large-scale industrial development (oil and gas pipelines, power lines, roads, and other mega-projects)." The group is currently focusing on Venezuela, Bolivia/Brazil (against the Overseas Private Investment Corporation), and Colombia. It is a major opponent of Occidental Petroleum's drilling on "U'wa traditional land," and on that issue are very vocal and organized.

6) Anarchist Action Collective

Marshall Kirkpatrick, contact

Based out of Eugene, Oregon, the anarchists state, "Fight back and don't get caught ...sacking the WTO is just a start."

7) Black Army Faction and Black Clad Messengers

John Zerzan, contact

Another militant anarchist group based out of Eugene, Oregon. The group advocates property destruction (against private property) and some of its members were responsible for much of the damage in Seattle. Zerzan has authored and edited books and essays promoting "anarcho-primitivism." He has also participated in speeches, lectures, radio talk shows and 60 Minutes.

8) Chinese Activist Groups

Wei Jingsheng, leading Chinese democracy activist and Fellow at Columbia University's Center for the Study of Human Rights. Wei says that, "WTO entry for China will either re-enforce the existing system of manipulation and corruption, or result in chaos, providing no one with a safe, sound, or fair environment for trade."

9) Christian Aid

www.christian-aid.org.uk

Alex Milner (spokeswoman)

41WW4

EWWIN

An organization of British and Irish churches, engaged in relief work in more than 60 countries to improve lives and tackle the causes of poverty and injustice". It consists of 3,500 committees around the UK and Ireland. They have links to church groups, and organizations associated with the environment, free trade, and free speech.

10) CISPES

www.cispes.org

Jili Dowling, New York contact

Committee In Solidarity With the People of El Salvador. "This year we have committed to raising \$50,000 of material aid to help build a stronger labor movement and to organize maquila workers in El Salvador. For two years, CISPES has funded the monthly salaries of FMLAR organizers in communities with minimal resources. This material aid contributed to the party's electoral breakthrough in 1997.- the FMLN won the elections in seven of the eight municipalities where the grassroots organizers were funded" This group appears very large, as it has a monthly newsletter and offices across the U.S.. in addition to being affiliated with many other activist groups.

11) Citizens Trade Campaign

Scott Nova, Director

This umbrella coalition is targeting 100 legislators, focusing on two key issues: 1) Opposition to permanent NTR; and 2) A campaign to "fix or nix" the WTO. It supports an annual review of NTR status for China.

12) Consumers International

www.consumersinternational.org

Julian Edwards, Director General

"A global federation consisting of some 250 consumer organizations in 111 countries sent over 30 delegates from all over the world to Seattle. They call for a review of the existing agreements and their implementation before the WTO undertakes rapid liberalization. They support the continuation of attempts to resolve trade policy issues in Geneva but insist they must be met by improved transparency in the operation of the WTO and involvement in civil society. Edwards was one of the few NGO leaders asked to speak at the Ministerial." The web site contains trade briefing papers and extensive campaign information. The group regularly monitors various governments' positions regarding the WTO. The group is based out of London and sponsors the annual World Consumers Rights Day on March 1-5.

13) Direct Action Network

www.agitprop.org/artandrevolution/wto/dan/html

Hillary McQuie, contact

"A network of local grassroots organizations and street theater groups who are mobilizing communities to creatively resist the WTO and corporate globalization. Want a new world of free and ecological society based on mutual aid and voluntary cooperation to replace the current social order."

The network appears very organized. For example, it sold "Resist the WTO" paraphernalia and even offered maps of downtown Seattle last November-The group cosponsored the Seattle protests with Global Exchange, RAN, Ruckus Society, Project Underground, National Lawyers Guild, Mexico Solidarity Project, 50 Years is Enough, CISPES, Green Party (Seattle), Earth First (Seattle), and many more. The site provides links to many web sites.

14) Earth Justice Legal Defense Fund

www.earthjustice.org

Patti Goldman, lawyer

HWW5

HWWIH

"The law firm for the environment " A 501 (c) (3) organization established in 1971, it has represented more than 500 clients (national and international) at no cost, many of which are listed in this document. The group is currently representing the Sierra Club against the WTO for not protecting the sea turtle. It also represents Public Citizen in support of the EU's right to ban the import of meat containing potentially harmful additives. 'Me group has an office in Washington, DC

15) 50 Years is Enough

www.50years.org

Njoki Njoroge Njeheu, Director

"US Network for Global Economic Justice is a coalition of 205 grassroots faith-based, policy, women's, social and economic justice, youth, solidarity, labor, and development organizations dedicated to the profound transformation of the World Bank and the IMF."

Based in Washington, DC, the group organized the IMF demonstration in September 1999. The group does not seem very large, but it does receive some press coverage and collaborates with other activists. Njeheu was a participant at the follow-up seminar in Washington, DC last December on where the activists can go with the Seattle momentum.

16) FOCUS on the Global South

www.focusweb.org

Walden Bello, Executive Director; Aileen Kwa, WTO contact

"A program of progressive development policy research and practice, dedicated to regional and global policy analysis, micro-macro linking and advocacy work FOCUS works with NGOs and people's organizations in Asia Pacific and other regions." The group has a small staff, but has many other sister organizations such as Third World Network. Bello has authored many books and is often published in international newspapers. The organization is based out of the Philippines.

17) French Peasants Confederation

Jose Bove, Leader

Bove is a French goat farmer who tore up a McDonald's restaurant with a tractor to protest U.S. trade sanctions on Roquefort cheese. His group claims to have 40,000 members.

18) Friends of the Earth

www.foe.org

Brent Blackwelder, President; Andrea Durbin, Director, international programs

"... a national environmental organization dedicated to preserving the health and diversity of the planet for future generations. The largest international environmental network in the world with affiliates in 63 countries ... are already planning for the longer term [beyond Seattle]."

The group has endorsed Bill Bradley for President. It states that it is not opposed to the idea of WTO, but believes the rules need to be changed (i.e. more environmental standards). The group also believes in maintaining tariffs on forest products and is against biotechnology and OPIC.

19) Global Exchange

www.globalexchange.org

Kevin Danahar, Co-Founder; Medea Benjamin, Co-Founder

"A non-profit research, education, and action center dedicated to promoting people-to-people ties around the world. Working with Fair Traders across North America and throughout the world to increase awareness of Fair Trade issues and to translate that awareness into consumer activism in the global marketplace. Part of the Fair Trade

HIWWC

HIWWC

Federation, an association of producers, wholesalers, and retailers, that is launching a major consumer education campaign in the U.S. The challenge is to make fair trade and corporate globalization an issue in electoral campaigns, especially in the upcoming presidential race. Another goal is to block congressional approval of China's entry into the WTO." The group advocates normal relations with Cuba, and is critical of the IMF, World Bank, NAFTA, MAI, the African Growth and Opportunity Act, and the WTO. The group appears very well organized and its web site contains many links to other organizations.

20) Greenpeace

www.greenpeace.org

Kristen Engberg, Executive Director

This group has offices in more than 40 countries and claims to have more than 2.4 million supporters worldwide. Its web site contains links to numerous environmental organizations. Among the group's major issues are:

Bio-diversity of oceans and forests, climate change, nuclear power, toxic pollution, genetic engineering and ocean dumping.

21) Humane Society

www.hsus.org

Patricia Forkan, Executive Director

This group plans to begin an effort to collect 2001 signatures by the end of 2001 calling on all governments to stop the WTO from interfering with national environmental and health safety laws. Its web site offers educational publications, public-awareness campaigns, and activist alerts. It is an international and well-known group with headquarters in DC. Among its major issues are: Dolphin and sea turtle conservation laws and hormone-treated beef.

22) Indigenous Environmental Network www.alphacdc.com/ien/subject.html

Tom Goldtooth, coordinator

"Coalition of grassroots Native organizations provides national, regional, local, advocacy on indigenous grassroots and tribal issues concerning environmental protection, natural resource management, and environmental health issues. Speak for themselves and are not represented by environmental groups. Indigenous environmentalists have received a mixed response on the federal level." The coalition is in contact with the media and appears well organized. It has a U'wa Defense Working Group Action Alert on its web site, as well as links to many other WTO protest groups and indigenous groups. Its WTO link is: www.alphacdc.com/ien/intellectual_property.html#letters.

23) Indigenous Peoples' Network for Policy Research and Education

Victoria Tauli-Corpuz, Philippines

24) Institute for Local Self-Reliance

www.ilsr.org

Neil Seldman, President; David Morris, Vice President

"Since 1974, ILSR has been dedicated to helping a broad range of citizens - including grassroots community groups, government leaders, and business entrepreneurs - develop and implement environmentally sound economic development strategies. Through research, policy initiatives, coalition building, and technical assistance, they lay the groundwork for developing humanity-scaled, sustainable economic systems." Morris is the author of many publications and has a regular column in the St. Paul Pioneer Press. The group's national headquarters is in DC.

25) IAMAW

www.iamaw.org

R.Thomas Buffenbarger, International President

41 WW7

8 WW11

International Association of Machinists and Aerospace Workers. Professes the need to incorporate internationally recognized labor standards into the rules of the WTO. The IAM will lead the fight for fair trade that includes basic, fundamental human and labor rights. " IMAW is a large union with more than 535,000 members in the U.S., Canada, Puerto Rico, Guam, and the Panama Canal Zone. It has recently merged with UAW and USWA and is affiliated with many other organizations such as: AFL-CIO, Canadian Labour Congress, Railway Labor Executives' Association, International Labor Organization, International Metalworkers Federation, and International Transport Workers' Federation. The organization has its headquarters in Washington, DC The IAM cable TV network has, "... more than 60 cable TV public access channels airing the 10-part series Working in America. The latest to join the IAM network is the Prince Georges County Cable TV System in Largo, Maryland".

26) International Brotherhood of Teamsters

www.teamster.org

James P. Hoffa, President

This organization is one of the largest labor unions, with 1.4 million members in the U.S. and Canada. It is committed to defeating MFN and is planning to lobby Congress and the government extensively against the WTO. The organization is headquartered in Washington, DC

27) ICFTU

www.icftu.org

Bill Jordan, General Secretary

The International Confederation of Free Trade Unions, "has 214 affiliated organizations in 143 countries, cooperates with the International Labor Organization and the UN, in addition to having contacts with the WTO, World Bank and IMF". Some of the organization's issues are: Employment and international labor standards, tackling the multinationals, trade union rights, equality, race and migrants, trade union organization and recruitment. The organization offered a 30-page WTO strategy on its web site.

28) International Forum on Globalization

Jerry Mander, Director; Victor Mcnotti, Dir. Environment Program

"Founded in 1994 of over sixty activists, scholars, economists, researchers, and writers formed to stimulate new thinking, joint activity, and public education in response to economic globalization Most of us view the process of globalization as the most extreme restructuring of the planet's social, economic and political arrangements since the Industrial Revolution, bringing with it profound effects on human life and the natural world " The group believes the WTO is "... one of the world's most powerful, secretive, undemocratic and dangerous bodies that weakens democracy". The group's web site offers publications and teach-ins against the WTO and has links to the sites of many other activists groups listed here.

29) NO2WTO

www.infoshop.org/no2wto.html

An apparently well-organized anonymous group of radical anarchists opposed to the WTO and capitalism. It organized a massive demonstration in Seattle last November and coordinated many other activists around the world during the same time. The group's various corporate targets include: Bank of America, U.S. Bancorp, Key Bank and Washington Mutual Bank, Old Navy, Banana Republic and the GAP, NikeTown and Levi's, McDonald's, Starbucks, Warner Bros., Planet Hollywood, and Fidelity Investments ("...major investment in Occidental Petroleum, the bane of the U'wa tribe in Colombia"). They are now planning a four-day worldwide general strike against capitalism on May 1, 2000 to be held across the city of London.

30) National Labor Committee

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FWW 11

www.nlcnet.org

Charles Kemaghan, Executive Director

"A human rights advocacy group, dedicated to promoting and defending the rights of workers. Through establishing long standing working relationships with non-governmental, human rights, labor and religious organizations, primarily in Latin America, the NLC puts a human face on the global economy. The NLC educates and actively involves the public in actions aimed at ending labor abuses, improving living conditions for workers and their families and promoting the concept of a living wage and true independent monitoring." The group targets large corporations such as The Gap, Nike, Liz Claiborne, Wal-Mart, etc. "A crowded cluttered bunch of offices in the Garment District consisting of 6 people, direct a militant, low-budget, much-criticized campaign against the use of sweatshop War by large companies." -The New York Times

31) National Lawyer's Guild

www.nlg.org

Steve Goldberg, Chair, International Committee

"An association dedicated to the need for basic change in the structure of our political and economic system. Aim to bring together all those who recognize the importance of safeguarding the rights of workers, women, farmers, and minority groups." The group provided legal materials to the WTO activists in Seattle last November. Its web site has links to the government, legal groups and associations.

32) Oxfam International

www.oxfam.org

Penny Fowler, member

"An international group of 11 autonomous non-governmental organizations sharing the commitment of working for an end to the waste and injustice of poverty as well as debt relief Works primarily through local organizations in more than 100 countries. The WTO needs radical institutional reforms in order to remain credible as a multilateral organization" The group has a small staff of four in Washington, DC that lobbies international institutions and claims to have influenced House Banking Committee Chair Jim Leach and Congressman John LaFalce.

33) People for Free Trade

www.fairtrade.asn.au

Jeremy Simer, contact

"A voluntary net-work of individual people, churches and other organizations in Victoria and Tasmania committed to fair trade with producers of goods, through the support of education and alternative trade." This group is very interested in selling tea and coffee in Sri Lanka and Papua New Guinea. It has links to other fair trade advocacy organizations.

34) People's Decade for Human Rights Education

www.pdhre.org

Malina Mehra, Director; Peter Leuprecht, President; Shulamith Koenig, Founder

"Develop and advance pedagogics for human rights education relevant to people's daily lives in the context of their struggles for social and economic justice and democracy." This group is pivotal in lobbying the United Nations and has many influential endorsers and advisors, including former President Jimmy Carter.

35) Peoples' Global Action

"A gathering of peoples' movements fighting corporate globalization."

This group organized a caravan of about two dozen international activists to protest the WTO in Seattle.

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36) Project Underground

www.moles.org/

Danny Kennedy, Director, Steve Kretzmann, Oil Campaigner

This is a non-profit organization in Berkeley, CA that supports communities "threatened" by the mineral industries. "Working at the nexus of the environmental, human rights, and indigenous movements, they are redefining proactive public interest solidarity work for the 21st century." The group was contracted to work in defense of the U'wa Indians against Occidental Petroleum. Colleague and fellow activist, Terry Freitas, was murdered by Colombian rebels. The group appears to be very well organized and respected. It has been described by The Financial Times as "a pressure group." Its web site offers many links to sites of activists, companies, governments and associations.

37) Public Citizen's Global Trade Watch

www.tradewatch.org

Joan Claybrook, President; Lori Wallach, Director; Ralph Nader, Founder

"Fights for international trade and investment policies promoting government and corporate accountability, consumer health and safety, and environmental protection through research lobbying, public education and the media." Among the group's issues are: The WTO, Fast Track, AGOA, CBI, NAFTA, China and MAI.

38) Rainforest Action Network

www.ran.org

Randy Hayes, President and Founder

"Works to protect the Earth's rainforests and support the rights of their inhabitants through education, grassroots organizing, and non-violent direct action." The group claims to have 25,000 active members working with environmental and human rights groups in 60 countries. This group is working to stop "destructive" fossil fuel development by Shell Oil on U'wa homeland in Colombia.

39) Ruckus Society

www.ruckus.org

John Sellers, Director, Han Shan, WTO coordinator

"A non-profit California corporation organized in 1995 to provide training in the skills of non-violent civil disobedience and direct action to help environmental and human rights organizations achieve their goals- "The group's action-camp cosponsors include: International Campaign for Tibet, Project Underground, RAN, RFK Center, Friends of the Earth and Native Forest Network. The society does not necessarily advocate issues, it provides training and support to those who do. Ruckus activities have been covered and featured by media worldwide.

40) Sheet Metal Workers Union

www.smwia.org/html/organization.html

Michael J. Sullivan, President; Vincent A. Panvini, Director of Government Affairs

The union consists of 140,000 members in 200 affiliated local unions in the U.S. and Canada. The headquarters are in Washington, DC

41) Sierra Club

www.sierraclub.org

Carl Pope, Executive Director

The group's stated mission: "To explore, enjoy, and protect the wild places of the earth, to practice and promote the responsible use of the earth's ecosystems and resources, to educate and enlist humanity to protect and restore the quality of the natural and human environments." The group's web site contains a "Vote Watch", newsletters, daily updates,

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PWWIN

and a magazine.

42) Sierra Club's Responsible Trade Program
www.sierraclub.org/trade
 Dan Seligman, Director

This group's issues include: Forests, invasive species, rainforests, sea turtles, food safety, no NAFTA or MAI for Africa. It is located in Washington, DC and its officials have testified before Congress. Its web site features many books and links to many organizations listed in this document, in addition to: www.jimhightower.com (a progressive populist radio commentator), www.rtk.net/preamble (The Preamble Center) and mai.flora.org.

43) Southwest Network for Environmental and Economic Justice
 Richard Moore, contact

This group represents low-income, rural minorities. "Objects to the sweeping powers of the WTO to over-ride the laws of nations, states, and tribes." The group states that it wants fair trade and "... a WTO with principles."

44) Third World Network
www.southside.org.sg/souths/twn/twn
 Martin Khor, Director

"An independent non-profit international network of organizations and individuals involved in issues relating to development, the Third World and North-South issues. They represents southern interests and perspectives at international forum such as the UN conferences and processes." The group's issues include: The WTO, UTNCTAD, biotechnology, biodiversity, the environment, human rights, gender issues, health, agriculture, UN/peace and security, economics, and third world resurgence.

45) UNITE
www.uniteunion.org
 Ann Hoffman, Legislative Director Chris Chafe, Political Action contact Union of Needle Traders, Industrial and Textile Employees.

"Has fought aggressively for workers' rights, against sweatshops, and against corporate greed " This union represents workers in the U.S., Canada and Puerto Rico. UNITE is against the WTO and has started telephoning members of Congress opposing permanent NTR status for China, and CBI (has said it will try to "kill" the bill in 2000). The web site has links to the AFL-CIO and Congressional sites. The union appears very organized and offers extensive information on how workers can mobilize to lobby Congress.

46) United Automobile Workers
www.uaw.org
 Steve Yokich, President

This group states that it stands for justice for working people. It has an extensive web site devoted to contacting members of Congress. The union has joined forces with the Steelworkers and Machinists unions. It is against MAI, the WTO and MFN.

47) United Farmworkers of America
www.ufw.org/ufw/
 Rudy Arredondo, Manager in Washington, DC

This group advocates "... bringing justice to farm workers". The group seems to be relatively organized. Its web site provides information on how to lobby Congress as well as many links to labor unions, the government, media, contract companies and Hispanic groups.

48) United Steelworkers of America

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www.uswa.org

George Becker, President

"Represents over 700, 000 workers in the U.S. and Canada. One of the most diversified and effective unions in the nation." The union states that it will continue to challenge the WTO and supports an annual review of NTR status for China instead of a permanent one. It has recently merged with IAM and UAW. Its web site includes information on how to contact members of Congress.

49) United Students Against Sweatshops

home.sprintmail.com/~jeffnkari/USAS/

Eric Brakken, organizer

"An international coalition devoted to stopping sweatshop labor. Demand that their universities take responsibility for the conditions under which their licensed apparel is made by adopting Codes of Conduct to regulate the behavior of their manufacturers." The group works to raise awareness about sweatshops on college campuses across the U.S.

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AN INTERNATIONAL N30 ROUND UP

THE MOST BRILLIANT SUBVERSIVE COUP OF MODERN TIMES

BY OSHAN ANAND

May, 1968, Paris: Worker-student uprising brings France (and the world) to the brink of revolution. "Rejecting all morality and legal restraint these cynics do not hesitate to advocate the abolition of work, total subversion, and a permanent worldwide proletarian revolution with unrestrained pleasure as its only goal," judge condemning French students.

May, 1998, London: Thirty years later. Reclaim the Streets (RTS) sends out a call for a global street party in order to create a "web of resistance stretching across the world" during the G8 meeting (annual meeting of the world's eight most powerful nations) in Birmingham, UK. On May 16, cities across the globe party against power and profit.

June 18, 1999, worldwide: A call from London RTS sparks riots, street parties, direct action and creative protest around the world. Grassroots movements in over 30 countries on all continents work together against the global capitalist system (see *EFJ*, August-September, 1999).

Mid-September, 1999, near Seattle: A radical group drafts a call for "a global day of action, resistance, and carnival against the global capitalist system" during the World Trade Organization (WTO) Ministerial in Seattle on November 30. The intended common theme of N30 is that "the capitalist system, based on the exploitation of people, societies and the environment for the profit of a few, is the prime cause of present social and ecological troubles."

November 4-December 3, Toronto to Seattle: An international, cross-country caravan stops in dozens of cities and towns, meeting with activists across the country, and working to raise awareness about the dangers the WTO poses to democracy, social justice and human rights. The caravan ends in Seattle joining the massive protest against the WTO.

November 16, Geneva: Twenty-seven people occupy the WTO headquarters. One group occupies the main hall and chains themselves to the main stair leading to Director-General Michael Moore's office with a banner saying "No Commerce, No Organization: Self-management!" Another occupies the roof of the building and deploys two huge banners saying: "WTO kills people—Kill the WTO!" and "Moore aux tyrans." (This is a pun in French meaning "death to the tyrants" and "Moore belongs to the tyrants.")

November 19, Athens: Ten thousand people protest a wide range of issues including world trade during a visit by Clinton. Retreating protesters smash scores of shop windows, firebomb more than a dozen banks and set fire to kiosks and trash cans, cutting a mile-long swath of destruction through a fashionable shopping district.

November 22-29, Turkey: Peasants, environmentalists, trade unionists and others begin a nine-day march in Corlu (northwest Turkey). They march over 2,000 miles, ending at the capital Ankara on November 30. Visiting 18 localities, the protestors make press declarations and hold meetings to explain the attack on humanity and our planet by global capitalism.

November 26, New York: A large crowd gathers erecting a two-story tripod for a street party against the WTO bringing traffic to a standstill in Times Square on one of the busiest shopping days of the year.

November 27:

- **Washington DC:** Activists occupy the offices of US trade representative Charlene Barshefsky demanding "essential medications for all nations." The TRIPs Agreement advocated by the WTO would make it difficult or impossible for poor nations to afford, for example, medicines for the treatment of HIV/AIDS.

- **Prague:** Several actions at supermarkets including distribution of free food by Food Not Bombs, distribution of leaflets about WTO and globaliza-

- **Seoul:** Three thousand workers, students and activists rally against the WTO.

- **Geneva:** Two thousand farmers and 3,000 city dwellers march and rally against the WTO.

November 27-28, France: Seventy-five thousand people in 80 different cities in France take to the streets protesting the dictatorship of the market and the WTO. Meanwhile, Jose Bove and other members of the French Peasant's Federation protest with hundreds of others at a McDonald's in Seattle.

November 29-December 1, New Delhi (India): Five hundred women and men from the Maheshwar area of the Narmada Valley arrive in New Delhi in order to participate in a three-day Dharna (sit-in) at Raj Ghat. Their actions targets the Narmada Dam and the WTO regime.

November 30-December 3, worldwide: A group calling itself the "electrohippies" organize a "virtual sit-in" of the WTO's special conference website restricting the WTO from spreading its global corporate agenda. Organizers say "The whole event has been about a hundred times bigger than we thought it would ever be."



One less London cop car

November 30:

- **France:** Eight hundred miners clash with cops, ransacking a tax office and burning cars in two towns in eastern France. Thirty people chain themselves to the doors of the Dijon Chamber of Commerce and a nearby bank. In Toulouse, people hang big anti-WTO cardboard on the main street, with anti-capitalist Santas giving rotten capitalist fruits to Toulouse's people. Some 5,000 more people also protest in other French cities.

- **India:** Several thousand farmers from all the districts of Karnataka march to Gandhi's statue in Bangalore. Representatives from KRRS (farmer's organization), trade unions and others address the crowd on globalization, the WTO and Monsanto corporation. Meanwhile in Anjar (Narmada Valley), there is an anti-WTO demonstration with bullock-carts. More than 1,000 people from around 60 villages participate in the colorful procession, protesting against the anti-human agreements and institutions that are pushing India and the rest of the world into the destructive process of capitalist globalization.

- **Australia:** Activists protest against the WTO outside the Brisbane Stock Exchange. The Melbourne offices of public relations firm Burson-Marsteller are occupied, linking the spin doctors of consumerism with the neoliberal agenda of the WTO.

- **Portugal:** About 300 march through the streets of Lisbon with giant puppets, blocking traffic. During different stops there is firebreathing, street theater and both the city Christmas tree and a McDonald's are covered with graffiti.

- **Philippines:** Militants from a group calling itself the Proletarian Revolutionary Army shatter the windows and metal facade of Shell's multi-story, glass-fronted headquarters in the financial area of Manila.

a rocket propelled grenade from a passing van. Around 8,000 left-wing union members and activists rally at the US embassy and near the presidential palace in Manila against Philippine membership in the WTO. Thousands of people also attend rallies in the cities of Bacolod and Iloilo in the central Philippines. Filipinos are also in the thick of the "Battle of Seattle." Thirty Filipinos are slightly injured including University of the Philippines professor, Walden Bello, when police attack protesters.

- **Pakistan:** More than 8,000 people demonstrate against the WTO in the city of Muzaffer Ghar.

- **UK:** Actions in a half dozen cities take place. In London people distribute leaflets and stickers designed to raise awareness against capitalism and the WTO. Students picket a bank to highlight globalization-induced student loan debt. Nigerians and British environmentalists hold a street theatre "People's Court." A rally at Euston Station draws nearly 2,000 people to support public transportation workers and to highlight the links between the free trade agenda of the WTO and the privatization of public transport in UK. Afterwards, protestors make an attempt to block a busy intersection, but confrontations with the police result in an overturned burning police van, 38 arrests and several casualties. A pirate radio station replaces a yuppie one on 106.9 FM across London until it is shutdown.

- **Netherlands:** Police and press gather while over 100 activists unfurl banners in the departure hall and demand free flights to Seattle so they can protest against the WTO. Three airline companies, which have a presence in the Amsterdam airport, are sponsoring the WTO summit.

- **Italy:** A direct action group occupies the headquarters of the "National Committee for Biosafety" in Rome, hanging banners against GMOs and the WTO. A permanent information tent is set up in a central square of Milan to educate the citizens about the WTO, the Narmada and Iloitz Dams, the prison camps for migrants, etc.

- **US:** WTO demonstrations occur in cities across the US including Boston, Atlanta, Chapel Hill, North Carolina, Morgantown, West Virginia and, of course, Seattle. Over 9,000 longshoremen in the West Coast were on strike closing down much of the commerce for the day.

- **Canada:** Actions take place in Winnipeg, British Columbia, Toronto, Ottawa and Edmonton.

- **Germany:** In Berlin a parade points out the consequences of globalization at local level, with mock slogans and fake banners crying for more order, more security and more police. Slide shows project on building walls. In Tuebingen 20 people perform street theatre in a shopping area and drop banners saying "Globalize Solidarity not the Economy."

December 2, worldwide: As over 2,000 demonstrate outside of a jail in Seattle where protestors are held, people around the world show solidarity. Some solidarity actions include protestors in Manila trying to force their way into the US Embassy and dozens demonstrating in front of the American consulate in Amsterdam.

December 12, worldwide: Around 500 striking college students in Mexico City demonstrate at the US embassy. After speeches, a clash between riot police and students brings 98 arrests, 10 injured students and six injured policemen. The FZLN sends a press release out expressing their solidarity with the students and condemning police brutality.

(This is but a brief overview of what happened worldwide in response to the WTO. Take a look at www.n30.org for updates and more information about the global day of action.)

May 1, 2000, global revolution: The growing nature of international solidarity and protest is inspiring, and we can expect it to grow and become more powerful and creative. Everyone should take part in the next Global Day of Action: Mayday, 2000. See



Greetings are exchanged in London.