

8 · Citizenship and trade governance in the Americas¹

ROSALBA ICAZA, PETER NEWELL AND
MARCELO SAGUIER

Introduction

The question of who should govern the global economy, how and for whose benefit has once again been projected centre-stage. The financial crisis which intensified during 2008 has been viewed as a direct result of the lack of regulation of the financial sector at the national and international levels. For many, it is indicative of the broader failings of the assumptions that underpin contemporary neoliberalism: that markets self-correct and self-govern; that the wealth they create produces a ‘rising tide that lifts all boats’; and that the appropriate role of the state is a minimalist one as facilitator of markets and enforcer of property rights. Amid dramatic and widespread state-led interventions in the economy in the heartlands of Anglo-American capitalism, including the renationalization of banks and the use of price controls as well as talk of a new global deal aimed at reforming the Bretton Woods institutions, it is not an exaggeration to say that contemporary neoliberalism is in crisis. Though finance has been the main focus of the debate to date, the growth of protectionism as countries seek to protect their industries from bankruptcy also pushes trade into the spotlight. This provides a timely backdrop to the struggles we describe in this chapter, which contest the relationship between state, market and citizen in debates about trade liberalization in Latin America.

Indeed, the social contracts that underpin existing obligations and duties between state, market and civil society have undergone important transformations as a result of the reconstitution of political and social power through globalization (Scholte 2000), producing competing claims about the changing nature of citizenship (Delanty 2000). For some, it is meaningful to talk about the existence of global citizenship as citizens acquire rights to hold foreign governments and firms to account for rights violations. This is true, for example, of panels and bodies set up under the North American Free Trade Agreement (NAFTA), which allow citizens to present evidence against firms from other countries,

in theory allowing for transnational accountabilities and even granting rights that go beyond the state. Beyond the creation of these new global spaces for claim-making, others emphasize that the trans-state articulations of identity and solidarity that express citizenship in the making, ahead of and beyond formal legal recognition of such rights claims, are equally important.

Sceptics, meanwhile, reject the very basis of ideas of global citizenship. Michael Walzer argues:

I am not a citizen of the world [...] I am not even aware that there is a world such that one could be a citizen of it. No one has ever offered me citizenship, or described the naturalisation process, or enlisted me in the world's institutional structures, or given me an account of its decision procedures [...] or provided me with a list of the benefits and obligations of citizenship or shown me the world's calendar and the common celebrations and commemorations of its citizens. (Walzer 1994: 29)

It is against this backdrop that we explore how ideas of citizenship are affected by the project of trade liberalization in the Americas: how trade policy impacts upon citizens' relationship with the state, and the state's ability to realize particular rights. But we also show how struggles over citizenship are being played out not only in a one-way, 'top-down', relationship. New solidarities and expressions of citizenship are also being articulated 'from below' by an increasing array of actors mobilizing simultaneously in multiple governance arenas linking local and global spheres and processes. Such practices often centre on the defence of existing rights as well as on demands for new rights that invoke duty holders within and beyond the state such as transnational corporations (TNCs). Social movements' resistance to neoliberal trade integration projects in the Americas has been associated with the emergence of new political spaces where citizens from across the region come together to protest, mobilize and express their concerns about trade liberalization. Through resistance to neoliberalism, 'old' social identities such as class are articulated alongside 'newer' identities and demands for gender and ecological justice in a common defence of democratic sovereignty.

The key question we address is 'how do changing patterns of power and governance in relation to trade affect the meanings and practices of citizenship in a globalizing world?' The patterns that we explore relate to trade politics and their contestation by the women's, labour and environmental movements in the Americas. The citizenship meanings and practices covered in this chapter emerge through transnational citizen mobilization around the distributional impacts of trade policies on

entitlements and rights, and the procedural aspects associated with citizen participation and representation in trade decision-making processes.

Research for this project was conducted over three years. Workshops were held with trade activists from the region, encouraging participants to define for themselves the relevant questions and topics for discussion within the parameters of the research project.² The idea was to create a safe space for activists to reflect on these themes and on the effectiveness of their strategies in tackling them.

The chapter is structured in the following way. The first section briefly explores the shifting landscape of trade governance in the Americas and reflects on the constraints that recent trade integration processes place on the possibility of a full realization of citizenship rights and entitlements. In the second section, we reflect on the politics of mobilization around trade, asking how this contributes to new expressions of citizenship in the Americas. In particular, we concentrate on the cases of the women's, environmental and labour movements as key social forces in relation to the trade agenda contained in the NAFTA, Free Trade Area of the Americas (FTAA) and Mercado Común del Sur (Mercosur, Common Market of the South) initiatives. Finally, the third section interrogates to what extent new expressions and practices of citizenship emerge from, and at the same reconfigure, the landscape of trade politics in the Americas.

The shifting landscape of trade governance in the Americas: implications for citizenship

The governance of international trade has undergone a considerable transformation. Efforts to consolidate the power of trade institutions brought about the creation of the World Trade Organization (WTO) in 1995. Alongside this, there has also been a resurgence of regionalism in the Americas. A new generation of trade rules led to the creation in the Americas of a series of trade initiatives during the 1990s supported mainly by the US government. These include NAFTA, an incomplete project to create an FTAA and the establishment of bilateral free trade agreements (FTAs) between the USA and Chile, Peru, Colombia and several Central American countries under the Central America Free Trade Agreement – Dominican Republic (CAFTA-DR). These agreements introduce levels of reciprocal commitment that go beyond existing commitments at the multilateral level, including rules on investment protection, competition policy, government procurements, trade facilitation and intellectual property rights. They raise concerns insofar as they restrict the policy autonomy of states to align international trade