

Against GATS: the Sense of a Global Struggle

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Abstract

Since the World Trade Organisation (WTO) was constituted in 1995, there has been a constantly increasing number of protests in reaction to the organisation and its numerous agreements. One of the issues that is most condemned by a variety of bodies (social movements, local governments, public universities, etc.) is the inclusion of education in the WTO's General Agreement on Trade in Services (GATS). The GATS stipulates the application of regulations for free trade in the education sector - and all others - and aims to promote the commercialisation of educational services through successive rounds of negotiations. These negotiations take place on an international scale, which means that as we shall see, many of the struggles against them are of a similarly global nature. However, an important set of initiatives for resistance is being developed on a local and state level.

In this article, we shall be looking into the causes and motives for these reactions against the GATS (which can be interpreted as the actual Agreement and its main effects), the main bodies that have risen up against the GATS and the commercialisation of public assets that it involves, and the initiatives for resistance that have taken place. Finally, we will analyse the impact of these initiatives on the process of negotiating the Agreement and the functioning of the WTO itself.

1. REPERTORIES OF MEANING. THE REASONS OF THE STRUGGLE

Any response initiative is based on challenging the dominant ideologies and influencing public opinion, the media and certain elite groups. In many cases, these actions are constructed collectively in platforms for debate. In terms of the struggle against the inclusion of public services in the GATS the process of defining meanings takes place in such stable arenas as Social Forums and Local Authority Forums. It should be said that this process involves the contributions of a highly extensive epistemic community, with the participation, among others, of committed academics and militants dedicated to research. The involvement of these experts is of major assistance in the interpretation of the legal language, so often complex and ambiguous, that predominates in the text of the Agreement, as well as in the analysis of its impacts. Their work contributes to placing certain issues in the public eye, as well as enabling activist nucleuses to know better the opposition, and to guide, legitimise and develop the struggle.

We shall now explore the main repertoires and frames of meaning that have been constructed in opposition to the inclusion of education in the GATS. The analysis of frames of meaning enables us to touch upon the subject of the articulation of the discourse of the protest and the meanings shared by its participants, and also those on which there are divergences. These divergences normally relate to the extent to which the reality is interpreted.

For purposes of the analysis, we distinguish between two dimensions of the frames of meaning, the explicative and the predictive. *Explicative* frames are focused on the identification of a problem and an understanding of it. Sometimes, said explanations aim to convince the public that the adversities are not arbitrary, and injustices are not natural phenomena, but rather that they are the result of the actions of specific agents or a certain system of rules. So, the aim is to identify the causes and factors responsible for a problem, to attribute intention to its actions, and to demonstrate that its particular interests go against common good. Meanwhile, the *forecast* dimension involves those repertoires aimed at possible or desirable social change and which, therefore, reflect upon the effect and *raison d'être* of social mobilisation.

EXPLICATIVE FRAMES

The objective of the GATS, like other WTO agreements, is to promote greater quotas of freedom for trade on a worldwide scale and therefore facilitate the economic activity (foreign investment and export operations) of business groups. Protest initiatives against the GATS consider that the Agreement is, more than anything, there to serve the interests of large multinational firms, many of which, through their pressure groups, have a large capacity for influencing the WTO. Different organisations consider that the synergies between the private business sector and the WTO break the rules of democratic fair play (Rikowski, 2003; Sinclair, 2000).

As for the problem of including the education sector in the GATS, these are some of the most common interpretative repertoires on the tongues of social movements and other agents:

1. Violation of educational sovereignty. As a result of any commitments a government makes under the GATS, Public Administration loses its capacity to control and plan its educational systems. The GATS involves major changes in the regulation of the education sector in such a way that those governments that submit their education sectors to the Agreement lose their sovereignty over the establishment of education policies.

2. Extension of the education market. The GATS promotes the liberalisation of the education sector, the protection of educational activity of business, and the introduction of greater amounts of competition. In this sense, it favours the notion that the Market, rather than the State, should respond to the increasing demand for education.

3. Commercialisation of a social right and educational inequality. The concept of education as a social right is incompatible with the concept of it as a commodity. The GATS aims to subject the supply of education to market rules and free trade. It therefore contributes to students' access to education being conditioned by their purchasing capacity, which has a negative effect on educational equality and equal educational opportunities.

4. *Educational quality.* The GATS does not deal with issues related to the standards of educational quality, meaning it facilitates the presence of suppliers of low quality education, whose activities are based more on generating money than the educational *ethos*. Not only that, according to GATS regulations, certain standards of educational quality could be considered barriers to free trade and should be eliminated.

5. *Employment rights.* Any liberalisation process (in the education sector too) risks a reduction in the power of trade unions, as well as the introduction of greater quotas of labour deregulation and flexibilisation.

6. *Cultural homogenisation.* The less educational service companies modify their curricular packages, and the less they adapt it to the different realities of international students, the greater their profit rates will be. Moreover, in the international education market, English will become an even more hegemonic language as a result of the national origin of the main suppliers of education, but also because the use of one single language will reduce the costs of the process of producing trans-national education.

7. *Disadvantages for Southern countries.* The effects of the GATS could be more serious in poorer countries. In these countries, due to their lack of competitiveness, the flows of investment and commerce of education are clearly unfavourable. Education centres in Southern countries (both private and public) will not only have very few possibilities for accessing the markets of the North, but may even be displaced by international competition in their own countries.

8. *Brain drain.* The GATS makes it easier for qualified professionals to go and work in other parts of the world. Therefore, the Agreement promotes the ‘brain drain’ phenomenon by which the countries of the South lose cultural capital and high-level human resources.

In many cases, the diagnosis regarding the inclusion of education in the GATS is carried out from profound frames of meaning. In this sense, the diagnosis overlaps with a *master frame of meaning* that suggests that economic globalisation is a central problem. Consequently, the GATS is considered one instrument more for the expansion of capitalism on a global scale and for the institutionalisation of neo-

liberalism. Moreover, different frames of meaning often appear aggregated. Consequently, the GATS is related to such global problems as the commercialisation of social rights and other spheres of life, labour exploitation, privatisation and its social costs, free trade and the North-South economic fracture, etc.

PREDICTIVE FRAMES

On the prediction level, two dominant repertoires are distinguished, one of *partial attribution* and another of a more disruptive nature, or *absolute attribution*. The discourse of partial attribution does not aim to alter the grounds of the Agreement. Proposals that follow this logic are focused on the demand for a moratorium in negotiations until independent and reliable evaluations are made, on the revision and modification of specific articles of the Agreement, on the introduction of better guarantees in the section on Domestic Regulation, on advances in the Safeguard Mechanisms, on more democracy in the negotiation process (more consultation with civil society, publication of the demand and supply lists of member countries, publication of the minutes of negotiation meetings,...), etc.

However, the repertoire for absolute attribution demands that education and other public services be excluded from GATS negotiations. It is proposed that the internationalisation of these services be tackled from a perspective other than the commercial one, and be of a more cultural and cooperative nature. Consequently, there are other platforms that are more adequate than the WTO for dealing with the matter, such as UNESCO itself. This latter repertoire can be associated to a more profound area that considers the problems of the system of free trade in general (and not just the free trade of educational services) and which suggests alternatives to liberal trade theory based, more than anything else, on the people's needs and more solidarity in relationships between nations.

It should be said that one actor could adopt both types of repertoire at the same time. That is because they are not incompatible; it is rather than the absolute attribution repertoire is more ambitious (in terms of the results proposed) than the partial attribution one.

2. MAIN ACTORS ON THE BATTLEFIELD

The positions that are most opposed to the WTO and the GATS can be found in the spheres of organised civilian society. Social movements that criticise the WTO have come together in different campaigns and networks and have channelled their message through a wide range of forms of battle: local and global, confrontational and negotiable, applying political pressure or influencing public opinion, in the street or lobbying. However, social movements do not hegemonise the field of resistance against the GATS. It must be said that other actors, such as local governments, public universities and such international organisations as UNESCO have also expressed their rejection and promoted initiatives aimed at neutralising the effects of the GATS in the fields of education and public services in general.

SOCIAL MOVEMENTS

Civilian society's protests against the WTO and the GATS cannot be understood as the sum of discontinued and unconnected campaigns; and neither can they be considered the configuration of a new thematic movement like the ecologist or pacifist ones. In many cases, the mobilisations are generated by a new political subject that involves different features with respect to preceding movements. We are referring here to the *movement of movements*, a phenomenon of collective action that can be typified as being multidimensional, in the sense that it is the result of the confluence of different agents that had mainly been acting in a disarticulated way; an internal and horizontal way of working typified by operating as a network; being territorially international; generating generally unconventional actions; and offering a radical and global interpretation of the problems being dealt with. The fact that the WTO should be the target of the criticism of so many different sectors has opened up a platform from which many struggles that until then had operated in a fragmented way could be recomposed. These involve the participation of activists from Northern and Southern countries, and such movements as ecologists, squatters, feminists, unemployed workers, agricultural workers, trade unions, international solidarity organisations, indigenous movements, etc.

In order to understand the dimension of movements against the WTO and the GATS they can be located on the time scale in the *cycle of protest* that began in the mid-

1990s and during which the "movement of movements" was configured. Moreover, the struggle of anti-WTO/GATS movements was intensified as a result of *precipitating factors* (those which create a feeling of urgency and accelerate mobilisations in favour of the action in such a way that they develop into massive, plural events) such as the Ministerial Conferences (MC) of the WTO. In the counter-summits that were held on occasion of the MCs, it can clearly be seen how multidimensional and plural the characteristic collective action of the current cycle of protest is. This recomposition of struggles is also typically of a territorially international nature. So, campaigns against the WTO and the GATS perceive the scenario for the fight as being the whole planet, because in order to influence an agent that operates globally, the response also needs to take place on a similarly global scale.

The first of the social movements' main acts of protest against the WTO goes back to the month of May 1998 in Geneva, where the organisation was holding its second MC. However, the movement against the WTO did not attract much media attention until the Seattle MC, held in November 1999. Between 50,000 and 80,000 people took part in protests those days against the WTO, known as 'The Battle of Seattle', which contributed to the non-establishment of an ambitious round of WTO negotiations that were to be called the 'Millennium Round'. In the Cancun counter-summit, on occasion of the 5th MC, 980 organisations came together (242 more than in Seattle) from 83 different countries. The Cancun MC made it clear just how global the fight against the WTO was when the acts of protest were reproduced in more than one hundred countries around the world.

Meanwhile, reactions of social movements to the GATS go back to the Uruguay Round when certain voices opposed the commercialisation of services that this round was advocating. However, it was not until the year 2000 (when the first round of negotiations of the GATS was implemented, called *GATS2000*) that the first initiatives for opposition and mobilisation against the Agreement emerged with any major continuity or resonance. From then on, different campaigns would emerge, some of which were based around the different sectors affected by the GATS. Of these, education has been one those to play a more central role. As a result of that, the threats that the GATS implies for educational issues have made their way into the

discourse and agendas of pro-public education movements, as shown by the final declarations of recent editions of the World Education Forum and other Social Forums.

Specifically, the organisations that most actively take part in campaigns against the inclusion of education in the GATS are teachers unions, student movements and non-governmental organisations with a critical view of North-South relations.

OTHER ACTORS IN THE STRUGGLE

Studies of social struggles tend to be focused on the activist field. However, it has to be considered that the struggles (although to a different extent) are also developed from more formalised institutions. The inclusion of education in the GATS has generated reactions from other actors, which include the following:

a) Public universities: Many universities, rather than opposing the internationalisation of education (which they consider a constituent practice of the university system) oppose the commercial approach to the internationalisation of education promoted by the GATS. For this and other reasons, they have publicly displayed their rejection of the GATS on several occasions. For example, in 2001, different associations of public universities, along with other organisations, signed an agreement that said:

"Higher education exists to serve the public interest and is not a "commodity" (...). Our member institutions are committed to reducing obstacles to internationalisation of higher education using conventions and agreements outside of a trade policy regime. This commitment includes, but is not limited to, improving communications, expanding the exchange of information, and developing agreements concerning higher education institutions, programs, degrees or qualifications and quality reviewing practices (...) authority to regulate higher education must remain in the hands of competent bodies as designated by any given country (...) Nothing in international trade agreements should restrict or limit this authority in any way" .

The reactions in the university sector have been especially intense in the Latin American region. At the 3rd Cumbre Iberoamericana de Rectores de Universidades Públicas (Iberian-American Summit of Public University Rectors - Porto Alegre,

April 2002) the Carta de Porto Alegre was signed in which the rectors expressed their "profound concern about the policies promoted by the WTO, which seem to favour the international commercialisation of education services, as if they were common commodities". This same repudiation of the GATS was expressed in the XXXIII Plenario de Rectores of the Asociación de Universidades del Grupo de Montevideo, which involves the participation of universities in the countries of the Southern Cone of Latin America. Meanwhile, such universities as Lima and El Salvador have also issued similar declarations to their governments.

However, it should be said that another set of universities, both public and private, see more opportunities than threats in the GATS. That is the case with the universities grouped in the Universitats 21 consortium. This consortium's objective is to "provide its members with a significant role in the global commercialisation of HE" as "in an international business environment in which an increasingly lucrative global educational market is being developed, a strong, high profile international network of universities has better commercial possibilities".

b) Local governments: A significant number of regional and municipal governments, above all in Northern countries, have also expressed their rejection to GATS. In this case, the response has been triggered by the fact that the GATS stands for an international legal framework to which all local government service policies must be subordinated. In article I of the GATS it is emphasised that the Agreement is applied to the measures adopted by member countries that affect the commercialisation of services "including those measures adopted by the local governments of member countries" (WTO 1994). The local governments' disagreement is increased by not being able to formally participate in the negotiation of the Agreement. This question is yet another indicator that the decentralisation of the management of certain services has not been accompanied, on the scale, by cession of political sovereignty.

Left wing local governments consider that another of the main risks of the GATS is that it causes difficulties in the implementation of policies for promoting citizen welfare. With respect to this question, in the declaration of the Assembly of European Regions (AER) of November 2004 it is stated that negotiation of the GATS should consider "the established values and standards of the European Union, such as human rights, in particular workers' and children's rights, and social and environmental

standards, as the Assembly of European Regions does not share the principle of total submission to the global logic of unregulated competition and free trade".

c) United Nations: Different UN bodies have publicly expressed their concern with respect to the GATS. Such is the case with the High Commissioner for Human Rights who warns that the Agreement could be incompatible with the application of policies that promote Human Rights (HCHR 2003). In the field of education, criticisms of the GATS have been channelled through UNESCO. Members of their staff have repeatedly expressed their concern about the commercialisation of education promoted by the GATS. These include the role played by Marco Antonio Dias, the former director of the Higher Education Division of UNESCO, who has become one of the main analysts of the negative effects of the GATS on education systems.

It is important to state that, since it was created, UNESCO has played a gradually lesser role in the governing of global education. This organisation, which works on a very limited budget, finds itself under the shadow of the World Bank (which uses its credits to hegemonise educational cooperation in Southern countries) and the OECD (which is the main educational forum in developed countries). The recent insertion of education into the WTO's system of regulations through GATS has worsened this tendency as it makes it difficult for UNESCO to adopt a major role in matters of the internationalisation of education services. However, UNESCO has reacted to a certain extent, and is promoting (as we shall see in the next point) certain initiatives to make a stand against what the WTO aims to impose upon the fields of education and culture.

3: REPERTORIES FOR ACTION

The activity of the main critics of the GATS has been manifested in a number of initiatives. Opting for one type of action or another can be a response to ideological or strategic criteria. Also, the type of institution promoting the initiative can widen or limit the scope for action.

a) Direct action. Direct action is a public action, normally collective and planned, which aims to achieve an immediate objective. Direct action, as it takes place in a public arena, is especially efficient for visualising a problem and transmitting a series of concerns and demands to public opinion. This type of action tends to be performed

by social movements and can come on different levels of conventionality; in other words, it can be more conventional (protest marches, concentrations, etc) or less (occupying spaces, interrupting the flow of traffic, etc). More conventional actions need to get a lot of participants together in order to make enough impact. Meanwhile, less conventional ones, as they are more novel expressions and often more forceful, need less participation in order to achieve certain results.

Both types of action have appeared in the struggles against the WTO. However, a large sector of movements has opted for more destructive and less conventional ones. This question is clearly illustrated by reviewing the actions that took place during the Cancun Conference. In the mobilisations of those days thousands of people tried to interrupt the summit by blocking the ways into the Palacio de Congressos; the metal barrier that protected the Palace was pulled down by protestors, large multinational department stores were ransacked; groups of farmers blocked the routes of trucks transporting the merchandise of major companies in the food sector; activists from the USA and Argentina hung for 24 hours off a crane located in front of the 'Palacio de Congressos' and unfolded a banner saying "que se vayan todos" (everybody go home!); others stripped off naked on Cancun beach and used their bodies to write the words "NO WTO"; the *Greenpeace* boat blocked the exit of a trade ship carrying transgenic products in Veracruz port; etc. Also, in Cancun the division was broken between what are usually considered the *inside* and *outside* struggles as a sector of NGOs accredited to the Conference promoted actions within the actual 'Palacio de Congressos', such as the common exhibition of banners during meetings and press conferences.

As far as we can see, direct actions against the WTO are characterised by disruptions and confrontations with authority. However, specific campaigns against the GATS rather than direct actions used to be expressed through other repertoires such as political pressure and monitoring.

b) Political and legal pressure. The WTO itself recognises that "the leaders of civilian society can be quite efficient (...) when it comes to exerting influence on governments to change position" (WTO 2004). Many of the campaigns against the GATS are focussed this way, in that they aim to influence the results of negotiations by exerting political pressure, providing technical knowledge to delegations (above all to

Southern countries) or advising them on the most appropriate decisions to make. To do this, experts from civilian society organisations meet with members of different delegations from the south, and write and publish reports on the impact of the liberalisation of trade, organise public meetings, etc. However, it should be mentioned that it is not only trade unions and human right organisations that exert pressure on delegations. 'Civilian society' of business origin also does so through its pressure groups, and with many more resources than the former. It is illustrative that in the Cancun MC one hundred lobbyists from humanitarian organisations had to counter the work of 700 lobbyists from the trans-national companies that attended the Conference.

Political pressure is not only exerted by experts. It can also be popularised through such initiatives as the signing of statements or mass mailing and e-mailing for transmitting certain demands. So, in reference to the GATS different statements have circulated that express the main concerns and proposals with respect to the Agreement. These statements are aimed both at WTO delegations and the governments of member countries (ministry of trade, ministry of education, etc.).

Public universities have also been highly active when it comes to exerting political pressure. Different universities and university associations have aimed demands at their governments for them not to liberalise the education sector in their GATS negotiations. For example, in the Carta de Porto Alegre, Iberian and American rectors insist that their governments "do not subscribe any commitment on educational matters to the framework of the GATS or the WTO".

The same thing occurs with many local governments through the constitution of what are known as "GATS free zones". This initiative consists of local governments declaring in a symbolical way, "GATS free zones" by passing municipal motions. These motions can be presented by social movements in the area or directly by parliamentary groups that form the local council. In different countries, this initiative has managed to generate public debate into the GATS, but most of all it is a measure for pressurising governmental authorities to take a direct part in the negotiations of the Agreement. For the moment, this proposal and other similar ones have proliferated in Northern countries.

COUNTRY	GATS FREE ZONES AND OTHER MOTIONS	SMs IMPLIED
France	600 local governments have demanded more transparency in the negotiations and a moratorium in the GATS. Some have declared <i>GATS-free zones</i> , among these the city of Paris.	ATTAC-France
Belgium	171 Flemish communities have signed motions against the GATS and water supply services.	11.11.11
Switzerland	Geneva and Lausanne are GATS free zones. The governments of 15 cantons and 25 communities have presented different motions regarding GATS.	Attac-Switzerland
United Kingdom	26 local governments have signed motions in which they express their concern about the effects of the Agreement	Union and NGO campaigns such as World Development Movement
Austria	280 declarations regarding GATS made by municipalities, including Vienna. These declarations reject greater liberalisation of quotas for public services and insist on an immediate moratorium in the negotiations	Stop GATS Campaign
Italy	The provinces of Genoa and Ferrara, as well as such communities as Turin have passed motions against the GATS.	NGO platform and Italian trade unions
Canada	Declaration by the <i>Federation of Canadian Municipalities</i> (represents some 1000 cities) which is strictly opposed to municipal services being included in the agreement.	Council of Canadians Attac-Quebec

COUNTRY	GATS FREE ZONES AND OTHER MOTIONS	SMs IMPLIED
Australia	Declaration by the <i>Australian Local Government Association</i> (represents 700 local governments) that demands that certain service be excluded from the GATS.	Australian Services Union (ASU)
New Zealand	Declaration by the <i>Local Government New Zealand</i> federation that represents the 86 local authorities in the country.	Arena
India	200 <i>Panchayat</i> (local governments) demand of the government a moratorium in negotiations until they have evaluated the impact of the agreement.	Equations, Manthan and Global South
Spain	Declaration against GATS by the Andalusian parliament. City council s in Andalusia, Extremadura and the Basque Country have declared themselves GATS Free Zones.	Attac

Source: (Sussex 2005b)

c) Public information and monitoring. Different civilian society and local government organisations (such as the AER) focus their work on monitoring GATS negotiations. These organisations monitor the process of negotiating and publishing related information through press releases, internet distribution lists, web sites, news bulletins, etc. Some of the subjects that receive the greatest attention are progress of agreements in different sectors, corporations that exert pressure in different WTO decision making arenas, bullying to the delegations of Southern countries, changes that are introduced to different matters of the text of the GATS that are left open (methodology of negotiation, Domestic Regulation, Safeguard Mechanisms); the public declarations of the delegations of member countries or of the WTO staff, etc. With respect to the education sector, it is of particular importance the monitoring

undertaken by *Education International*, which is published in the "GATS Update" and "TradEducation News" bulletins.

d) Creation of global legal frameworks. The struggle against the agreements for free trade can also involve the legal environment. In this sense, some organisations claim that the Universal Declaration of Human Rights, Civil and Political Rights pacts, Economic, Social and Cultural pacts and other international human rights and environmental agreements are imperative regulations that cannot be violated by agreements for free trade like GATS . But many governments constantly violate the cited Declarations and Agreements, and mechanisms to ensure compliance with their content are non-existent or inefficient. However, most free trade agreements and the WTO itself contain mechanisms to ensure that members comply with the acquired commitments. If they do not respect them they face major economic and commercial sanctions.

In the field of education, UNESCO (in the Quality Guarantee section of the Higher Education Division) along with the OECD, trade union organisations and university centres, are promoting an initiative that, if consolidated, may put a stop to some of the negative effects of the commercialisation of education sanctioned by the WTO. We are referring to a project called "Guidelines for the evaluation of quality in the internationalisation of educational services". This initiative aims to make it difficult to commercialise low quality educational services, which tends to have a greater affect on the populations of Southern countries, where the mechanisms for the evaluation of quality do not tend to be so developed (Malo 2003). Although this not an especially radical initiative, the project is being sabotaged by the countries that have adopted a more commercial focus in the internationalisation of their educational services as they consider that the Guidelines might affect the profit rates of their education industries.

Another recent UNESCO initiative, the 'Convention on the protection and promotion of cultural expressions', could also clash with the economic interests of the major powers and with GATS logic. This convention stipulates, in an implicit way, that trade agreements should be subordinated to the protection of cultural diversity, while WTO regulations stipulate that the free market should regulate this issue, like so many others. Countries like the USA and Israel voted against the Convention because they

consider that the protection of certain cultural expressions could lead to protectionism and unfair competition.

4. THE IMPACT OF MOBILISATION. THE PERFORMANCES OF THE STRUGGLE

In analysing the performance of the campaigns against the GATS and the WTO we can differentiate between the impact on public policies and symbolical impact. Impact on policies can be *substantive* (when it affects the result of the political decision making process) or *procedural* (when the impact refers to the facilitation of new administrative processes or the creation of new and stable arenas and mechanisms for participation). Meanwhile, *symbolical* impact refers to changes to social or individual systems of values, attitudes, opinions and behaviours, along with the formation of new collective identities (Gomà, Ibarra et al. 2002). In this sense, social movements (as well as other actors) are characterised as being agents for influence and persuasion that aim to challenge the dominant interpretations of various aspects of reality (Sabucedo et al, 1998).

a) Substantive impact. On a *substantive* level, campaigns against the WTO have contributed to the way this organisation's agenda has taken more consideration of the needs of developed countries (although this impact often appears more in the rhetorical field than in the *real politik*). They have also contributed to making it more difficult for the negotiations to progress and the failure of the Ministerial Conferences like Seattle and Cancun. However, it also has to be said that the blocking of negotiations and the continued failure of the Conferences responds largely to internal discrepancies between the members of the WTO itself. The Central-Periphery perspective seems very useful for understanding these discrepancies, as (to put it very briefly) Northern countries aim for Southern countries to liberalise their services and adopt agreements to guarantee the investments of their countries, while the countries of the South aim for the North to open their agricultural markets and, some of them (as India), aim to establish agreements on issues regarding the trade of "natural persons". But neither of the two blocks is making moves in these areas of negotiation. It would seem that they are stuck in a kind of Catch 22 situation that is paralysing any progress of the Round.

Despite the undisputable weight of factors that are extrinsic to the struggles, the activity of movements has to be contemplated in an analysis of WTO negotiations. For example, in the Seattle MC, the social mobilisation was unexpected, disruptive and forceful. A huge amount of uncertainty among the delegations attending the Conference was generated in the street, which damaged the secretive and anonymous nature that characterised WTO negotiations. Joseph Stiglitz and other authors consider that the Battle of Seattle "was a shock" and provoked an intense soul-searching among the WTO staff and delegations (Stiglitz 2002; Wilkinson 2002). At the same time, the political and legal pressure exerted by many humanitarian organisations is a resource that is highly valued by some delegations in countries of the South.

Meanwhile, campaigns against the inclusion of education and other 'sensitive' sectors in the GATS have also performed very well. For example, faced by the pressures of civilian society, the European Community issued a report that guarantees that commitments would not be established for education, health and cultural services in the present GATS round of negotiations. A similar effect was achieved by the main teaching unions of Brazil and Argentina when the ministers for education of those countries signed a declaration in which they agreed not to liberalise the education sector and, even more relevantly, to "actively prevent education from being negotiated as part of the GATS framework".

b) Procedural impact. In its beginnings, the WTO aimed to stay fairly anonymous to avoid providing resources to public information and, therefore, to be more effective (Jiménez, 2004). But as the protest has intensified, this organisation has had to respond to criticism of its lack of transparency and to adopt new dispositions regarding relationships with civil society (Scholte 2000). Some of these dispositions include: delegations being able to meet "in a constructive way" with NGOs; NGOs being able to attend MCs and to publish position papers on the WTO website; access to documents that are not restricted and to information by means of an electronic bulletin; the possibility to take part in different forums - virtual forums, lunchtime dialogues, workshops, public symposiums, etc. (WTO 1996; WTO 2001). However, the WTO considers that, despite the demands for it to become even more transparent, it can do no more because that would affect the confidentiality and effectiveness of negotiations. It also states that only 'responsible' NGOs that aim to make a

'productive contribution' can access the channels for participation, in such a way that it will make no concessions to "groups whose specific objective is to undermine or destroy the WTO in its current form" (WTO 2004).

On a procedural level, many civilian society organisations have recently concentrated their efforts on a reactive campaign that involves avoiding modifications to the methodology for negotiating the GATS as proposed by the EU. The EU, along with other developed countries, proposes that the GATS negotiation process should be less flexible and that countries are obliged to liberalise a minimum number of sub-sectors of services at each Round (EC 2005). As well as civil society, many delegations from Southern countries have expressed their rejection of this proposal because most of them, due to strategic or ideological reasons, do not wish to liberalise their services - either voluntarily or forced.

c) The symbolical impact. Symbolical incidence is a recurring objective of campaigns against the WTO and GATS. This objective can be achieved through direct action. For such a purpose, the Battle of Seattle was especially effective. An example of this is the fact that after the first day of mobilisations, one media company stated that "the population went to bed one night not knowing that there was a thing called WTO and woke up the next full of curiosity to find out about the subject" (Barlow and Clark 2000). So, as a result of the mobilisations in Seattle, the WTO suddenly shot into public awareness. The collective actions of social movements put a devastating finish to the anonymity of the organisation.

In reference to the struggles against the GATS, "GATS Free Zones", as a result of the political debate they generate, have become an especially adequate initiative for drawing public attention to a generally little known matter. Some organisations, in turn, have designed educational and leisure materials to explain what the GATS is and what it implies in an amenable manner.

Finally, we should mention the fact that the WTO actively participates in the duel of ideas in which certain sectors have come to challenge. The WTO's anti-poverty and anti-development rhetoric can be understood in the context of this duel - and its legitimacy crisis. Meanwhile, the WTO (through the *Division of Information and Relation with the Media*) uses a large amount of resources for persuading public

opinion of "the advantages of free trade" (OMC 2000; WTO 2004). The WTO staff also aim to respond to criticism of the GATS in a document titled *GATS: Facts and Fiction*. The aim of this document consists of "debunking the myths and falsehoods surrounding the GATS" (WTO 2001).

5. CONCLUSION

The WTO is one of the multilateral organisations that is most criticised by the global civil society, as well as other agents. One of the main criticisms of this organisation is its aim to apply free trade regulations, through the GATS, to education and other (public) services. Different actors perceive multiple risks in the liberalisation and commercialisation of education services. Consequently, a wide range of repertoires of action has been promoted to resist and to promote alternatives to the liberal policies promoted by the WTO in the field of education. Although a thorough analysis of the impact of these struggles is extremely complex, we could consider that in case that these struggles did not occur, the liberalisation of education and other public services would have made far more progress than it has.

Notes

1 It needs to be noted that GATS does not single out education: it is merely one of the services captured in its wide mandate. The GATS is, along with the GATT (General Agreement on Tariffs and Trade) and the TRIPS (Agreement on Trade-Related Aspects of Intellectual Property Rights), one of the main WTO agreements.

2 When tackling this subject it should be considered that general campaigns against the WTO, of their many demands, contemplate the problems of commercialising education and other public services. However, campaigns against the inclusion of education in the GATS make up just one small part of the full spectrum of the struggle.

3 Some events that have recently taken place on the subject are the "GATS and Education" seminar organised by Education International at the UNESCO headquarters (Paris, April 2005) and the European Convention of Local Governments "Against the GATS, for the promotion of public services" (Liege, October 2005).

4 Some of the research groups that work on the activist line of research in relation to the GATS are *GATSWATCH*, the *Polaris Institute*, *Education International*, and the *GENIE network*.

5 The frames of meaning are filters through which we interpret reality, perceive opportunities, and represent behaviours.

6 The deep frames of meaning are those that represent a global analysis of social structure and are therefore characterised by the extent of the reality to which they are referring.

7 These critical repertoires can be found in such works as (Frase and O'Sullivan; Nunn 1999; Worth 2000; Barblan 2002; Kelk and Worth 2002; Knight 2002; Robertson, *et al.* 2002; Rodrigues Dias 2002b; Aboites 2003; Caplan 2003; Ginsburg, Espinoza *et al.* 2003; IE 2003; Kelsey 2003; Rikowski 2003; Robertson and Dale 2003; Schugurensky and Davidson-Harden 2003; García-Guadilla 2003c; Altbach 2004; Feldfeber and Saforcada 2005).

8 This section is based on such statements and public declarations as “Stop the GATS attack” (www.gatswatch.org/StopGATS.html), “Take GATS out of education” (www.gatswatch.org/educationoutofgats), “Stop the GATS power game” (www.tradeobservatory.org/library.cfm?refID=73165), “Call to participate in the General States of local governments against the GATS” (http://www.eg-contre-agcs.org/article.php3?id_article=33).

9 As reflected in some of the statements analysed.

10 Tarrow defines the cycle of protest as a phase of intensifying conflicts and confrontation in the social system. Any cycle of protest is characterised by the rapid diffusion of collective action from more mobilised sectors to less mobilised ones (Tarrow 1994).

11 The Ministerial Conference is the main decision making body of the WTO. They are held at least every two years.

12 This idea is reflected, for example, in the document “Call for mobilization toward the WTO meeting in Cancun 2003” (www.movsoc.org).

13 Observatorio Social de América Latina (<http://osal.clacso.org>).

14 Round of negotiations held between 1988 and 1994 that resolved the constitution of the WTO.

15 According to the Final Charter of the 2nd edition of the World Forum on Education (Porto Alegre, July 2004) one of the priorities of the agenda of pro-public education movements should consist of “rejecting any national or international agreement that promotes the commercialisation of education, knowledge, science and technology, especially in relation to the WTO’s framework”.

16 Including *Education International*, an international confederation of trade unions involving 248 unions operating in 166 countries (www.ei-ie.org).

17 *Universitas 21*, quoted in (Schugurensky and Davidson-Harden 2003)

18 Pieces of the minute of the assembly can be found in (Sussex 2005).

19 Some of his studies in relation to this subject: (Rodrigues Dias 2002; Rodrigues Dias 2002b).

20 With respect to the education sector, one of the latest lobby meetings was organised in Geneva by *Education International* (IE 2005).

21 See footnote 8.

22 On this subject see also (Jawara and Kwa 2004).

23 Remember that the GATS is an incomplete text (Nielson 2003).

24 For example, in article 103 of the Charter of the UN it states that “In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail” (Teitelbaum 2004).

25 *La Vanguardia*, 21/10/2005.

26 For example, at the Doha MC, Haiti could not send one delegate while the USA had more than three hundred. Many Southern delegations have not permanent offices in Geneva and have not the capacity to promote procedures in the Organ for Solution of Differences (IATP 2003; Kapoor 2004).

27 *Bridges Weekly Trade News* 7 (4), February 6, 2003.

28 *Clarín*, 10/11/04 and (IE-AL 2004).

29 For example, in the “Strategy Meeting for Social Movements against the WTO” (Mexico City, November, 2002) one of the main axes of action was defined as “winning the support of public opinion against the WTO through mass information campaigns and education”.

30 Some of these resources (dynamics, puzzles, card games) can be found on the *Polaris Institute* website (www.polarisinstitute.org) and on the *Public Services International* website (www.psiru.org/educindexnew.asp). *WTO-Poly* was also created to raise awareness of the WTO; it emulates sarcastically the popular Monopoly board game (www.wtopoly.de).

31 An example of this is the name of the present round of negotiations, the “Development Round”, which was promoted after the “Millennium Round” was frustrated in Seattle. See also some of the General Secretary’s speeches: “Lamy says that commerce is the missing piece in the jigsaw puzzle of development”, “Lamy: Commerce is a “fundamental instrument” in the fight against poverty” (www.wto.org).

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