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Civil Society Engagement in Free Trade Negotiations: CAFTA Opposition Movements in El Salvador

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Abstract

This article analyzes civil society participation in the free trade debate by focusing on networks that opposed the Central American Free Trade Agreement (CAFTA) in El Salvador. Drawing on documents, observations, and semi-structured interviews with civil society leaders, two kinds of opposition coalitions are identified. "Critic negotiators," emphasizing active engagement and policy research, used the limited participation space opened by authorities to push for reform. "Transgressive resisters," repudiating the formal consultation process, deployed confrontational tactics and posed more fundamental challenges. This work uses social movement theory to explore coalition resource mobilization, the role of movement entrepreneurs, strategic decision-making, mechanisms linking local and transnational activists, and the dynamics of intra-movement competition.

Introduction

Over the past decade, activist movements pushed at the gates of economic summits, shadowing trade negotiations, calling for new lending practices, and demanding change. Movement leaders maintained that forceful participation by civil society would make international negotiation processes more consistent with democratic principles and produce better policy results for the society as a whole. As the idea took hold that civil society should engage economic negotiations directly, major international institutions

formalized consultation processes (Clark, Fox and Treakle 2003; Tussie and Tuozzo 2001).

Yet the story of civil society engagement with international economic processes has been a difficult one. Officials in charge often resisted meaningful incorporation of these groups, perceiving them as outsiders and questioning their representativeness. At the same time, activist critics of corporate-led globalization frequently divided in their responses to these openings. For some organization leaders, the invitation to participate in policy discussions with government officials and powerful international institutions represented a valuable achievement and a critical opportunity. For others, such participation led only to cooptation and threatened movement integrity.

To shed light on the ways in which civil society organizations engage transnational economic negotiations and competing approaches emerge, this study examines the relationship between networks opposed to free trade agreements. Focusing on the free trade debate in El Salvador, I draw on documents, participant observation, and semi-structured interviews with civil society leaders involved with the Central American Free Trade Agreement (CAFTA) process.¹ Two distinctive opposition groups are identified, characterized here as the “critic negotiators” and the “transgressive resisters.” “Critic negotiators” emphasized active engagement and used the limited participation space opened up by authorities. While pushing at those margins, these critics accommodated the restrictions imposed by the prevailing system. “Transgressive resisters,” on the other hand, rejected those parameters. Mobilizing for action, repudiating the formal consultation process, and denouncing accommodation as defection, this alliance posed more fundamental challenges to the system. Although the boundary between these two

networks was not absolute, they represented distinctive variants in the push to redefine the free trade debate. “Negotiators” are found to be more prominent in the earlier phases as processes opened and they labored to carve out consultative space. Their political fortunes declined as consultation closed, however, and attention shifted to the more combative “resisters.”

Differences in the amount of change pursued by “reformative” and “transformative” social movements (McAdam and Snow 1997, xix-xx) or in the strategies deployed by “rule-conforming” and “rule-violating” collective actors (Piven and Cloward 1995) frame basic and recurring variations in contentious politics. These categories in part reflect differences in ideological positions, but variation also emerges in movement “design code.” Bennett’s (2005) typologies differentiate between older forms of NGO-centered activism, which were centrally controlled, and new forms of direct activism focused on global social justice using polycentric structures and permanent, de-centered campaigns.

Organizational and ideological dynamics identified in the Salvadoran case are consistent with patterns found elsewhere in the region, including the Summit of the Americas and Free Trade Area of the Americas (FTAA) processes, where transnational civil society networks divided between “insiders” and “outsiders” (Smith and Korzeniewicz 2001; 2007). Tracing the shifting fortunes of these networks for more than a decade, Smith and Korzeniewicz track the gradual disenchantment and displacement of “insiders” and strengthening of “outsiders” as the FTAA process derailed.² Distinctions emerged in their institutional structures, strategies, and collective action repertoires; the fortunes of these increasingly polarized networks were found to rise and fall with

changing combinations of domestic and international political opportunity structures (Smith and Korzeniewicz 2007, 252-55).

This study contributes to a growing literature on civil society and social movements, exploring perceptions of political opportunity configurations and the impact of intra-movement rivalries on organizational dynamics. New research on the transnational politics of civil society maps the rise and fall of competing coalitions, the processes of shifting between national and international negotiations, and the venues in which different kinds of organizations maximize their influence. As international agreements and institutions shifted power from the national to the international and regional levels, civil society networks developed transnational action repertoires and a growing body of exploratory research on international protest politics has emerged (McAdam, Tarrow and Tilly 2001; Tarrow 2005; della Porta and Tarrow 2005; Sikkink 2005; Bennett 2005).

As a relatively new field of inquiry, research on social movement and civil society engagement in regional or international processes tends to be strongly conceptual. Theoretical insights emerge from the exploration of underlying patterns, the identification of critical junctures, and the mapping of rich typologies. Hypothesis testing and rigorous causal analysis, which are so critical in other types of social science research, have not been the centerpiece of social movement theory. In keeping with norms in this field, my study emphasizes conceptual categories based on perceptions of political opportunity configurations and strategic decision-making, rather than causal theory or statistical testing of elaborate models. Other scholars may build on this research, however, to construct testable hypotheses about the circumstances under which opposition coalitions converge/diverge, or succeed/fail. The growing number of cases in Latin America in

which social movements challenged the current wave of market reforms, and the marked variations in outcome (ranging from none to delay, partial change and full stop), invite rigorous comparative research on this question.

Conceptual Discussion

Organized opposition to economic globalization can be differentiated along several dimensions—in the murky territory of social movement versus civil society,³ in the terrain of identity formation versus strategic negotiation, and in the differences between system transformers and system maximizers. Several of these distinctions can be captured by the conceptual categories of “contained” versus “transgressive” politics.

The language of transgression, which presents itself commonly in literary analysis and gender studies, has recently been incorporated into social movement theory, albeit at times in an emaciated way.⁴ Inherent in the concept is the notion of violation.

Transgressors place themselves in opposition to prevailing normative expectations about what is proper or correct behavior, and indeed, in the extreme, about what is morally or ethically “right” (Jenks 2003). They call into question conventional categories and implicit assumptions; they insist on a reconceptualization of existing paradigms. At root they challenge current norms, and, to the extent that norms are codified into law, their challenge may also be to the legal order.

My usage of the contained/transgressive distinction differentiates between collective action that is conducted within the rules of the prevailing system (albeit pushing at and expanding the margins) and that which challenges those rules and focuses on transforming them. *Iniciativa Mesoamericano Comercio, Integración y Desarrollo* (or *Iniciativa CID*) is seen here as an example of “contained” mobilization, in which

marginalized organizations combine to push for redistributive social policy using opportunity structures emerging from a late 20th century domestic and international democracy discourse. The Foro Mesoamericano leadership, in contrast, provides an example of “transgressive” mobilization, which attempts to redefine identities, repudiate conventional political processes (even as it benefits from changing political opportunity structures), embrace civil disobedience (usually nonviolent), and deploy dramatic, emotion-packed symbols of death and rebirth. Transgressive civil society highlights the politics of passion to help overcome accommodationist tendencies and gives elevated status to extreme, transformative visions.

Intra-movement competition between critic negotiators and transgressive resisters can enhance inclusiveness by providing a wider range of organizational options, enrich policy discussion by resisting premature cognitive consensus, and promote accountability through mutual monitoring and specific challenges. At the same time, organizational rivalries may fragment the movement, diffuse its energies, and reduce its ability to promote change (Wiktorowicz 2004). Although oppositional movements may fail to achieve their immediate objectives, sustained activism can have meaningful consequences over the medium and long term.

Civil Society in Postwar El Salvador

Central American civil wars of the 1970s and 1980s demonstrated the growing organizational capacity of popular movements and the urgent need for more inclusive government in this historically authoritarian region (Brockett 2005; Wood 2001). In the peace processes that ended the civil wars of the 1980s, governments were pressured internally and externally to open political processes to greater participation by civil

society (Arnson 1999; Conaway and Martínez 2004). In subsequent negotiations about debt and poverty reduction, and in emergency aid consultations following natural disasters (particularly 1998 Hurricane Mitch), international donor convocations and “Friends” committees routinely required the inclusion of civil society representatives in consultations with regional governments (Gass 2002). During the 1990s, NGOs and popular organizations proliferated in the region, expanding into the opening political space (MacDonald 1997; Howell and Pearce 2001; Sinclair 1995).

The right-wing governments that tended to dominate in Central America were often skeptical of NGOs, viewing them as vehicles for demobilizing revolutionaries or assertive political rivals (Foley 1996; McIlwaine 1998). To the extent that they engaged civil society organizations, Central American presidents tended to privilege the business and private sector organizations where they had their roots.⁵ Non-business or “popular sector” NGO leaders, in turn, often found their governments to be remote--if not adversarial.⁶

In El Salvador, where political parties were highly polarized and the right-wing Alianza Republicana Nacionalista (ARENA) party won consistent victories, government-NGO relations were often distant, particularly under Francisco Flores (1999-2004), ARENA’s third consecutive president.⁷ In the lead up to 2003 CAFTA negotiations, the Salvadoran government worked closely with its traditional partner, the business sector. Private sector leaders created an ad-hoc team, the Oficina de Apoyo al Sector Productivo para las Negociaciones Comerciales (ODASP), to consult with the government negotiators before and during the rounds (Orellana Merlos 2002, 22-24).

Perhaps predictably, CAFTA enthusiasm was strongest within the internationalized segments of the business sector that had long lobbied to lift restrictions on trade and investment. The American Chamber of Commerce of El Salvador (AMCHAM), an affiliate of the US Chamber of Commerce representing around 100 US businesses in El Salvador, was particularly notable for its support (AMCHAM 2004; Huezco 2004). As a representative of US corporations that would gain easier access to both US and Salvadoran markets along with a host of trade-related measures (government procurement access, intellectual property guarantees, etc.), this organization lent considerable weight and resources to the effort. Regional AMCHAMs worked closely with the Bush administration, which was stung by delays in negotiation of the Free Trade Area of the Americas (FTAA) and eagerly embraced subregional FTAs as a mechanism to advance trade and investment ties.

The Salvadoran business federation ANEP shared this enthusiasm, citing the need to move beyond the temporary, unilateral opening provided by Caribbean Basin Initiative and Generalized System of Preferences to guarantee enduring access to the US market. At its February 2002 Executive Board meeting, ANEP gave “complete support to the initiation of the negotiations” (ANEP 2003). The association created the Consejo Empresarial Nacional para las Negociaciones Comerciales to facilitate business oversight of the process, its commitment tempered only modestly by the cross-sectoral nature of Salvador’s business alliance.⁸

Other voices were not so sanguine. CAFTA critics in El Salvador emerged principally from two coalitions: the coalition organized by Iniciativa CID and the alliances mobilized around the Foro Mesoamericano. Personal interviews with 22 CID and Foro

leaders in El Salvador in 2004 and 2005, combined with direct observation and document analysis, shed light on the overlap as well as the distinctions emerging in these two networks. (See Methodology Note at the end).

Variants of Opposition

1. Critic negotiators

Iniciativa CID emerged as a new voice in these negotiations, combining active participation with policy proposals and promoting innovative cross-regional lobbying. Pointedly, leaders of the Iniciativa CID coalition did not object in principle to the idea of free trade, even with an economic behemoth like the United States (Rubio 2004). In contrast with full-throated opponents who viewed the debate in more starkly ideological terms, CID affiliates approached the process tactically, even offering the prospect of conditional approval if the negotiations incorporated proposals addressing conditions in Central America. As CID representatives noted in a letter to leaders of the Salvadoran national assembly, "...a good commercial treaty with the United States could represent an opportunity for the development of our economy" (Iniciativa CID 2003b). The question was how to obtain a "good" agreement.

Given this mixed orientation and willingness to engage, CID activists in El Salvador played a series of roles in the CAFTA negotiation and ratification processes. They built a network with various NGOs, pursuing breadth across the region and depth in local affiliates; conducted research to identify impacts on vulnerable sectors; developed proposals for amendments and additions to the agreement; pushed for and participated actively in the "side room" process during the negotiation rounds; lobbied official and unofficial decision makers; and, in an effort to influence public opinion, disseminated

information at public forums, through their website, and in the local press. After the negotiations were complete and the measure moved to the legislature for ratification, they pursued a legislative lobbying strategy attempting to slow the pace of passage and push for the inclusion of compensatory measures.

Leadership was provided from the outset by a Salvadoran research center, the Fundación Nacional para el Desarrollo (FUNDE). Founded as part of the organizational reconfiguration emerging from demobilization/reinsertion in the 1992 peace process, FUNDE had developed a reputation for professionalism. Its organizers gained experience working cross-nationally as part of an international network of research centers participating in the Structural Adjustment Participation Review Initiative (SAPRIN) with sponsorship of the World Bank (SAPRIN 2000). By the end of the 1990s, as structural adjustment policies seemed to triumph, FUNDE refocused to take on an emerging issue—the contested arena of free trade (Rubio 2004).

Trade policy work was launched at FUNDE in 2000 when a team of researchers began analyzing the emerging FTA agreement between the “northern triangle” (Guatemala, Honduras and El Salvador) and Mexico (Góchez, Lara and Tolentino 2003: 99-104). FUNDE researchers criticized the insularity of that negotiation process, and they called on the Salvadoran Ministry of Economy for the systematic release of information. The FUNDE team’s critical analysis raised tough questions about the impact and advisability of the Mexico agreement for those whose livelihoods were most precarious. Their campaign targeted the national legislature, which only narrowly approved the measure in December 2000.⁹

As preliminary discussion about a FTA with the US began to take shape, FUNDE leaders broadened and deepened their organizational effort. Building on cross-national connections developed in regional civil society gatherings, FUNDE played a central role in advocating a Central America-wide negotiating strategy. This alliance crystallized around the hub of FUNDE in El Salvador, Consejo de Investigaciones para el Desarrollo de Centroamérica (CIDECA) in Guatemala, and Centro Humboldt in Nicaragua.¹⁰

In addition to building a cross-regional network, FUNDE deepened its organizational base domestically. As an applied research center served by a well-trained technical staff, FUNDE was vulnerable to the standard criticism of NGOs—i.e., that their claims to represent civil society were suspect due to their small size, capital city base, foreign financing and elite credentials (Clark 2001). Since FUNDE's ability to represent civil society was obviously limited, the CID Initiative leaders worked to incorporate a broader series of like-minded organizations into their network.

Though muted now through time, civil war-era connections endured through shared Farabundo Martí Liberación Nacional (FMLN) affiliations of some FUNDE staff and leaders of other social organizations. Newer linkages layered onto these historical alliances through FUNDE's many research and development projects, including the SAPRIN analysis. Under contract with a range of foundations, FUNDE staff members had worked with local organizations in capacity building and service delivery through the 1990s. This network of contacts with other NGOs and membership groups helped them identify allies eager to engage the issues raised by CAFTA. In the end, CID mobilized 17 local affiliates in El Salvador, mostly NGOs but with a sprinkling of membership-based organizations.

Financial backing from a range of international development organizations allowed CID representatives to push for participation in the nine rounds of negotiation that officially constituted the 2003 CAFTA drafting process.¹¹ Pre-round consultations in 2002 had focused on the business sector, and Salvadoran participation in CAFTA's early rounds was heavily inflected by that alliance. Business sector representatives attended the negotiation rounds, receiving daily briefings and holding further consultations in a side room ("cuarto adjunto").¹² CID representatives inserted themselves into the process by attending the January 2003 opening round in Costa Rica and, throughout the early rounds, used their presence to push for wider openings to civil society (conventionally defined in El Salvador as separate from the business sector) (Henríquez 2003). Given the developing pattern of civil society engagement with trade negotiations elsewhere in the region, the international legitimacy of a US-Central America trade agreement would be shaded by the credibility of a civil society incorporation mechanism.¹³

Pressured by emerging coalitions of activists, including some who had greater access to their governments than the Salvadorans, and by international actors, including the technical committee advising the process, Central American governments accommodated some formal participation demands. The government of El Salvador set up a Citizen Participation Program housed in the Ministry of Economy alongside the negotiator team. With funding provided by the Inter-American Development Bank, this office arranged presentations about the negotiations for a range of social actors, designed a website with information about the process, and kept tally of the contacts made with civil society (Citizen Participation Program 2004). The Ministry report on the participation process detailed a long list of 394 *consultas* and *charlas* with different organizations and sectors

(Ministerio de Economía 2004, 2-18). In spite of claims of inclusiveness, these sessions were largely directed to the private sector; 74% (292) involved business organizations while only 12% (46) involved other sectors of civil society.¹⁴

In addition to their eager participation in the modest spaces opened for formal consultation, CID leaders drew on their organizations' research and policy expertise. Teams conducted studies on the most controversial aspects of the agreement, including labor rights, environmental implications, sensitive agriculture products, and the special concerns of small and medium sized businesses. Troubled by the common complaint that critics were only nay-sayers incapable of offering alternative recommendations, CID leaders set to work on proposals. By the second round of the negotiations, they presented a series of recommendations on ways to remove sensitive products from the tariff reduction schedule, strengthen labor and environmental protections, increase democratic participation in the negotiation, and address related immigration issues (Iniciativa CID 2003c). By July 2003, CID's Working Group on Agriculture offered its own agricultural and livestock proposal.¹⁵

Eight months into the CAFTA negotiations, as the text of the agreement began to take shape and CID representatives became increasingly persuaded that their concerns would not be addressed, CID formally called for a moratorium. Careful to explain that this was not a call to terminate the negotiation process, CID proclamations urged negotiators to suspend the talks and rethink the procedures incorporated into the forced march 12-month calendar and a prefabricated negotiation process that used the US-Chilean FTA as a model. A moratorium, CID documents claimed, would permit Central American countries to step back from the frenetic negotiations, complete research on socio-

economic impacts of various concessions, allow Central American legislatures to define a baseline of institutional and economic conditions needed for a successful free trade transition (as had the US Congress during its 2002 Trade Promotion Authority debate), set up a more participatory process through a civic forum, and coordinate a regional (as opposed to national) negotiation strategy (Iniciativa CID 2003b, 2003d).

The moratorium call failed to slow the process, however, and a draft treaty was signed on schedule in December 2003. As the terms of the agreement were made public, CID staff members evaluated the final results (Tolentino 2004; Iniciativa CID 2004a.) Concluding that gains were targeted to very small sectors (a modest increase in the US quota for sugar producers, minor increases in flexible sourcing for the textile industry), the CID assessment for El Salvador identified lost opportunities and disadvantages, although it fell short of an overt denunciation.

CAFTA was formally signed by the Central American and US government representatives in May 2004. When I interviewed 14 CID representatives about their views on CAFTA two months afterwards, they overwhelmingly offered a critical evaluation. The most common response, classified as “on balance, negative,” (79%) emphasized an array of problems associated with the draft agreement, although it did not entail rejection of free trade agreements in principle. Unlike their more militant brethren, CID respondents identified possible gains (technology, transition assistance, leverage for immigration agreements, Central American unity) that could emerge from a free trade agreement under carefully negotiated conditions, but which unfortunately had failed to materialize. A small number, categorized as “on balance, positive,” though far from enthusiastic, even viewed CAFTA as acceptable.

When asked about their views on legislative ratification of the agreement, 29% of the Salvador's CID leaders expressed outright opposition, a mark of their frustration with a failed negotiation. More commonly, however, CID supporters held on to a wisp of their earlier optimism ("It could be good, but not as it is"), calling for renegotiation rather than outright rejection. Although claiming that Salvadoran negotiators had too readily capitulated to US demands without sufficient attention to local consequences, most (57%) CID affiliates thought a FTA might merit ratification if negotiation teams went back to the drawing board and more fully addressed issues of asymmetries, food security and adequate transition support. This scenario was so unlikely that their position amounted to a rejection, but CID leaders were understandably reluctant to cut their losses. Two respondents (14%) were willing to accept the treaty with only the light "adjustments" proposed by US Democratic presidential candidate John Kerry—stronger sanctions for labor rights violations and measures to prevent environmental exploitation for trade advantage—rather than full scale renegotiation. These reforms that were not the centerpiece of the CID critique, however, and most CID leaders continued the call for renegotiation.

After the CAFTA negotiation was complete, Oxfam America, an important funder of the CID Initiative, commissioned an evaluation of CID's work. Acknowledging that CID participants were unable to change the form or pace of the negotiations, this assessment praised their success in identifying new methods of influencing policy debates and breaking through the stagnant polarization characteristic of Salvadoran politics. "Project results," in which participation changes the results of the project, were distinguished from "process results," in which participation teaches participants new skills, introduces new

angles and themes into an internal discussion, or builds functional and personal relationships with counterparts in the private sector and government (Díaz Barrera 2004, 14). Although weak in the former, CID's participation in the CAFTA negotiation was found to be a success in the latter. With an emphasis on long-term goals of learning about international economic negotiation, identifying possible future alliance partners, enhancing policy development capabilities, and building visibility and credibility, the Oxfam evaluation praised CID's work in spite of the minimal impact it had on the text of the agreement.

When interviewed in July-August 2004, CID leaders themselves generally expressed disappointment with the process. They divided, however, on the best way to understand the results of their work. Half (50%) described the outcome bitterly as an unadulterated failure that had been disillusioning. As one respondent concluded, the process was "horrible, ugly, uncomfortable. It wasn't worth it" (CONAES 2004). In a nuanced variation, however, 43%, while agreeing that civil society had no meaningful access or impact, still mentioned indirect or long-term gains from the process. Much in the spirit of the Oxfam evaluation, this group emphasized the learning associated with participation—i.e., their greater ability to frame and defend proposals, their increased knowledge about how a trade negotiation process works, a better sense of where their concerns converged with those of other sectors, and practical experience in building and maintaining cross-national alliances with Central American counterparts. One observer noted: "As processes mature, there will be benefits from CID participation. As training it will be worth it in time, but it has a cost now" (FUNDE 2004). For this group,

participation was a failure, but not an unmitigated one. They did not view their engagement with regret.

Following their August 2003 call for a moratorium, CID leaders generally retreated from the process. The leadership returned with a final push in the subsequent legislative ratification debate. Fissures in the dominant coalition were targeted in hopes of securing tacit adjustments or complementary legislation to redress deficiencies. Although the formally anti-CAFTA FMLN held a plurality of seats (31 out of 84) in the Legislative Assembly, the alliance between ARENA and the Partido de Conciliación Nacional (PCN), at times reinforced with Partido Demócrata Cristiana (PDC) support, allowed ARENA to consistently hold sway over major legislative outcomes. With a fine-toothed analysis of sectoral interests and alliances, CID strategists lobbied PCN deputies to encourage a defection (Rubio 2004).¹⁶

When the Salvadoran ratification process came to a head, CID leaders issued one final statement: "...with the current contents negotiated in CAFTA, and under the current circumstances, CAFTA should not be ratified by our Legislative Assembly" (CID 2004b). In spite of the opposition's efforts, CAFTA was approved by a 49-35 vote on December 17, 2004 (more on this process below).

2. Transgressive resisters

The main alternative to the CID Initiative was constructed by the local Foro Mesoamericano coalition. A collective action mechanism rotating through the region, the Foro Mesoamericano was a recurring expression of resistance. Viewing CAFTA as an unmitigated source of loss and destruction, Foro leaders in El Salvador used a series of tactics to express opposition to CAFTA, including highway and border crossing

blockades, authorized and unauthorized marches tinged with transgressive acts, and a physical takeover of legislative chambers.

Foro Mesoamericano began in May 2001 in Tapachula, Mexico, inspired in part by the Ejército Zapatista de Liberación Nacional (EZLN) *encuentro* process.¹⁷ Gathering together the regional threads of the economic globalization critique, Foro organizers pursued what Tarrow (2005, 120-24) has labeled an “upward scale shift,” explicitly moving beyond specific local issues to mobilize around shared challenges affecting a cross-national region.

Unlike the World Social Forum, which initially met only in its inaugural setting, the Foro Mesoamericano was envisioned from the outset as a rotating gathering. A constantly changing locale allowed the network to strengthen local affiliates sequentially and to portion out the burden and rewards of organizing among a short list of those equipped for this undertaking (Bendaña 2003).¹⁸ The agendas of the meeting, designed largely by the local coordinators with varying degrees of input from regional partners, were both fixed and fluid; the central critique of neoliberal economic transition was an invariant, defining feature, but dimensions of analysis expanded in response to prevailing issues of the moment (privatization, the regional infrastructure development project Plan Puebla-Panamá, CAFTA) and the central concerns of an expanding pool of participants (indigenous, women, young people). Over time the core forum became encased in a series of pre- and post-conference gatherings on additional and overlapping themes.¹⁹

As the Foro process became better consolidated and communications within the anti-neoliberalism movement moved beyond insider networks, visibility increased and attendance grew. Beginning with an estimated 250 participants in May 2001, reported

attendance climbed to around 800 in Xelajú, Guatemala in November 2001, 864 at the 2002 Foro in Managua, and 1,495 at the 2003 Foro in Tegucigalpa.²⁰ When the Foro gathering rotated to San Salvador in July 2004, registration rose to 1,747 (V Foro Opening Session 2004). Attentive to the issues of gender equality, 2004 Foro organizers proudly announced that 43.5% of the participants were women, up from 34% in 2003 (V Foro Closing Session 2004; Comité Organizador del IV Foro 2004, 125).

The Foro “brokerage” function deepened as its leaders worked to link actors from different sites of contention (McAdams, Tarrow and Tilly 2001, 26). In a process defined as a “frame bridging” by Snow and Benford (1988), organizers worked to connect the national and sectoral components of their movement to a preexisting resistance framework. The celebration of indigenous dress and dance in opening ceremonies and evening retreats, for example, provided not simply a pleasurable nod to the exotica of the neighborhood but implicitly attached the Foro movement to this cultural lodestone of anti-colonial resistance and shared history. The potency of the frequently used image of *maíz* or the waving of machetes during culminating protest marches blended the movement with themes of peasant identity and rural resistance. CAFTA became a “condensing symbol” (Tarrow 2005, 73) that melded a cluster of concerns around a single image.

The 2004 Foro Mesoamericano gathering was organized by two Salvadoran coalitions—the Movimiento Popular de Resistencia-12 de octubre (MPR12) and the Red Sinti Techán (RST).²¹ The MPR12 was the larger collectivity, involving a number of mass membership organizations.²² A “network of networks,” the MPR12 emerged from an earlier Foro Mesoamericano meeting in 2002, which concluded with a call to stage

simultaneous road-blockages throughout the region on October 12, a day that had become a symbol of anti-colonialism and resistance. Closing down nodal points emblematic of economic integration (including the Panamerican Highway and four border-crossings) on that date in 2002, the MPR12's action was the first anti-CAFTA mobilization by Salvadoran "transgressive resisters." (Rodríguez 2003; Mejía and Cruz 2002).

The MPR12 played a central role in mobilizing Foro attendance and participation in anti-CAFTA demonstrations. The country where the Foro took place traditionally provided a substantial portion of the participants. Since headcount normally affects movement credibility, the MPR12's organizational reach provided an important element in the Foro Mesoamericano's bid for recognition.

Red Sinti Techán was a loose network that pulled together a cluster of well-organized, professional NGOs committed to the cause of fundamental structural change. Although the Red Sinti Techán could not claim a broad membership base, it provided thick links to the broader "altermundista" movement.²³ These ties reinforced the principles and guidelines emerging within the hemispheric Alianza Social Continental, the region's most significant resistance network. Such connections can diminish local movement autonomy by imposing the discipline of a region-wide framework, but they also infuse local processes with continent-wide learning, helping to build more coherent transnational processes.

The central purpose of the Foro was to contribute to the "articulation of a Mesoamerican social movement for the struggle against neoliberal policies and to propose alternatives to the capitalist system" as well as "to strengthen the resistance processes for the Mesoamerican peoples of an anticapitalist, antipatriarchal and

multicultural character” (Information packet 2004). Calling the Mesoamericano region an “Area of Humanitarian Disaster,” the final 2004 declaration promised collective opposition to CAFTA, the FTAA, PPP and other forms of “institutionalized violence expressed in feminicides, ethocides, genocides and violence against young people” (*Declaración del V Foro Mesoamericano*, 2004).

The MPR12’s evaluation of CAFTA, which was distributed at the meeting, criticized former President Francisco Flores for falsely claiming that the agreement would create 100,000 jobs and absorb all the new entrants into the labor market (MPR 12 2004a). Participants were reminded that Economy Minister Miguel Lacayo had made similar claims in 2001 about Salvador’s FTA with Mexico; the Salvadoran government had also proclaimed that dollarization of the economy would bring an abundance of foreign investment and new jobs. Just as those promises had proved false, so the claims of general benefit from the FTA were also denounced as illusory. MPR12 activists warned of an inundation of US goods, the ruin of local small and medium-sized producers, a collapse of basic grains production, deepening fiscal crisis, and further massive emigration. Only sectors dominated by transnational corporations were expected to benefit.

Sectors of civil society that wanted to reform CAFTA, according to this perspective, were engaged in self-deception. As Red Sinti Techán leader Raúl Moreno (2003, 89) concluded:

“Since CAFTA is determined by and has been constructed from and for the interests of transnational capital, it is not realistic to think that attaching labor or environmental clauses to the treaty could change its logic and its corporate slant. The inclusion of

clauses only tries to imprint a “human face” on the treaty, when its content is incompatible with a focus on human rights. Therefore, it is not possible to reform CAFTA.”

CAFTA opponents were called to reject free trade through acts of resistance. Social mobilization was defended as an effective strategy, with recent victories celebrated in the water privatization “war” in Bolivia, the opposition to privatization of telecommunications and electricity in Costa Rica, the campaign against the privatization of health care and social security in El Salvador, and the halt to construction of an airport mega-project on peasant land in San Salvador Atenco, México (Moreno 2003, 90). These successful confrontations demonstrated that neoliberalism could be stopped—but only with forceful and sustained mass mobilization.

Unlike their CID counterpart, the “transgressive resisters” emphatically rejected the narrow political space opened for civil society participation in CAFTA negotiations. Foro leaders refused to solicit access to the negotiation “side room” or attend any government-sponsored information sessions about the process. Arguing that such actions would only be used to legitimize an illegitimate process, their strategy instead was one of public confrontation. During the 3rd round of negotiations, held in San Salvador (March 31-April 4), opponents mounted a “No FTA” march that reportedly culminated in a mortar firing on anti-riot troops and a demonstration on the outskirts of the conference hotel (Rivas 2003). Marches continued episodically through 2003-2004 accompanying negotiation rounds in the region. The July 2004 Salvadoran Foro gathering concluded with a protest march that stopped traffic along a principle artery in San Salvador, as

student activists painted the by-ways and US fast food restaurants with “No CAFTA” graffiti.

When interviewed in July-August 2004, Salvadoran Foro leaders were emphatic in their denunciation of CAFTA. (See table 1). In contrast with CID leaders, who typically offered a negative appraisal that weighed gains against losses, Foro leaders saw the agreement more starkly. Whereas 79% of CID leaders embraced an “on balance, negative” evaluation, only 37.5% of Foro leaders took that position, and none assessed the agreement positively, even in a qualified way. Almost two-thirds (62.5%) described the agreement in entirely negative terms. For this group, the accord was an expression of imperialism. Describing it as “an instrument of annexation” (Red Sinti Techán 2004) and a “coup de grace” (CONFRAS 2004), they emphasized its destructive impact on local cultures and ways of life.

Table 1: Salvadoran Civil Society Opposition Leaders’ Views of CAFTA
(Percent of responses)

SECTOR	Positive	On balance, positive	On balance, negative	Negative
CID (N=14)	0	14%	79%	7%
V Foro (N=8)	0	0	37.5	62.5

These assessments informed the respondents’ perspectives on legislative ratification. (See table 2). Salvador’s Foro organizers overwhelmingly opposed the legislative endorsement that would put the agreement into effect; all but one (87.5%) called for the legislature to bluntly reject the measure. Believing that CAFTA was an assault on

sovereignty that advanced the interests of transnational capital at the expense of the people, they demanded a full stop. In contrast with CID leaders who generally called for renegotiation (57%), only 12.5% of Foro organizers viewed that option hopefully, and none would accept CAFTA with only minor adjustments in the labor and environmental provisions.

Table 2: Salvadoran Civil Society Opposition Leaders' Preferred Legislative Action on CAFTA
(Percent of responses)

SECTOR	Approve	Approve with Minor Modifications	Renegotiate	Reject
CID (N=14)	0	14%	57%	29%
V Foro (N=8)	0	0	12.5	87.5

When asked to reflect on the role of civil society in the CAFTA negotiations, Foro respondents took a uniformly negative position. (See table 3). In their view, civil society participation, whether by CID in its collaborative style or even their own protests and days of action, had secured nothing of substance in the accord. In contrast with CID organizers, who split on the issue, with half mentioning indirect or long-term organizational gains in knowledge, technical skill, and alliance-building, 100% of Foro respondents viewed the effort as an unstaunched failure. The results of the negotiation, they argued, vindicated their rejection of the process. CID leaders were at best guilty of “the sin of naivete” (Las Dignas 2004). Over-eager to be seen as players, they “fell into

the trap” (CORDES 2004) and were now tarnished by their willingness to lend legitimacy to this process.

Table 3: Salvadoran Civil Society Opposition Leaders’ Assessments of Civil Society Participation in CAFTA Negotiations
(Percent of responses)

SECTOR	Positive	On balance, positive	On balance, negative	Negative
CID (N=14)	7%	43%	0%	50%
V Foro (N=8)	0	0	0	100

Foro leaders worked to disentangle their agenda from the reach of political parties, which were viewed with skepticism as even the FMLN negotiated away what movement activists regarded as core principles. Instead of thinking in terms of electoral coalitions or lobbying for legislative votes, emphasis was placed on the mobilization of street-level opposition. Although calling for the legislature to reject the agreement, they designed no lobbying strategy to promote that result. Perhaps better recognizing the futility of such a move than CID organizers, the resisters selected the tact of extra-legal confrontation and high-profile political theater.

Within a week of President Bush’s November 2004 re-election, Salvadoran President “Tony” Saca formally presented CAFTA to Salvador’s legislative assembly and urged speedy ratification. The legislature’s CAFTA monitoring committee, headed by FMLN deputy Hugo Martínez, which had called for public hearings and an independent impact appraisal, was quickly dissolved by majority vote. Responsibility for the measure was

handed to the Foreign Relations Committee, presided over by Carmen Elena Calderón Sol de Escalón, long-term ARENA legislative leader and sister of former ARENA president Armando Calderón Sol. As impediments to swift passage melted away, “transgressive resisters” acted. Arriving in small groups early in the morning on December 16, 2004, MRP12 activists physically took over the legislative chambers.

These tactics accelerated the ratification process. Clearing out protesters and establishing tight security measures, legislative leaders opened the day’s session in the late afternoon. Reportedly fearing an imminent anti-CAFTA mass mobilization (Calderón Sol de Escalón 2005), they introduced CAFTA to the agenda at 3:00AM and had it approved before closing the session eight hours later. In an overnight process that truncated public hearings, violated institutional procedures, and precluded meaningful legislative debate, El Salvador became the first country to ratify CAFTA (Spalding 2006).

Outcomes and Conclusions

Postwar formal democratization altered political opportunity structures in El Salvador, making it possible for civil society organizations and social movements to operate more freely. Organizational opportunities expanded in the 1990s, supported by international allies and donors who valued civil society’s contributions to a democratic public culture and efficient service delivery. New groups layered onto old, replacing, reinforcing, and reconfiguring the organizational landscape. Many of these organizations focused on the social consequences of the ARENA government’s rapidly unfolding market reforms.

As the CAFTA negotiations took center stage, organizational differences widened in discursive, ideological, tactical, and even interpersonal terms;²⁴ intra-movement

bifurcation stood exposed. One coalition, building on a network of policy-oriented research centers and service-delivery NGOs with a reputation for professionalism and connections to international lenders, focused on expanding the participatory spaces within the evolving political system. The other coalition, working with rights-oriented activists, student protesters, and social movements, some of which emerged during the war years, repudiated these constrained efforts and looked toward system transformation.

Critical of the system but believing in the possibility of reform, the CID coalition emphasized a “politics of expertise” (Smith and Korzeniewicz 2007, 252). It prioritized knowledge acquisition and generation; active participation in officially designated spaces; policy recommendations framed with reference to the dominant discourse; confidence-building relationships with political adversaries; public dissemination of information through largely mainstream media outlets; and finely-tuned legislative lobbying strategies. By focusing on strategies of opposition that emphasized a civil society discourse, system maximization, and long-term learning, CID leaders positioned themselves as “insiders” searching for the outer boundaries of reform.

Foro Mesoamericano leaders, in contrast, deployed social movement discourse seeking fundamental change through mass mobilization and the motif of transnational resistance to the capitalist system. With an organizational “design code” that was less-centralized and more fluid than that of its counterpart (Bennett 2005), the Foro promoted a participatory process to mobilize allies around an on-going social justice campaign. Convinced that the political and economic systems were fundamentally destructive of the interests of the majority, the Foro Mesoamericano leadership explicitly rejected participation in official processes, “realistic” policy proposals, and fraternizing with the

opposition. They emphasized confrontational politics designed to disrupt daily routines, often at the margins of the law, and emancipatory popular education techniques, including high-profile theatre that broke through their invisibility in the mainstream press.

CID leaders imagined the political opportunity configuration to be opening, both domestically and at the level of the international trade negotiation, and they used their resources to advance that process. Foro leaders, in contrast, imagined those same processes to be closed, less emphatically perhaps than they had been in the past, but still unresponsive to public pressure. These differences should remind scholars to attend to the role of perception as they analyze shifting political opportunity configurations. To some degree, these differences in perception reflect real constraints on the level of access that reformist coalitions may obtain relative to transgressive activists. But they also reflect different calculations about how far a political opening might extend—a calculation that is difficult to make when change is underway and past experience may be an imperfect guide.

In the end, the traditional insularity of trade negotiation processes held sway, ejecting the “critic negotiators” and leaving resisters to drive the opposition.²⁵ As ideological and tactical tensions riddled these movements, a campaign of mutual “decertification” (McAdam, Tarrow and Tilly 2001, 121-22) and “discrediting” (Wiktorowicz 2004, 164-68) emerged. Competition for financial resources, often from the same international funders, tightened the rivalry. Conscious “boundary framing,” where “strategies of polarization accentuate differences and draw sharp ingroup/outgroup distinctions” (Wiktorowicz 2004, 165), heightened coalitional differences. Their divergent goals,

prospect appraisals, and international alliances created fault lines between these two movements; in brittle terrain, these divisions hardened.

Social movements obviously respond to dynamic forces and shift across time (Edelman 1999; McAdam, Tarrow and Tilly 2001). My intention is not to reify a typology or essentialize particular actors. Many of those interviewed for this study experienced dramatically varied forms of engagement during different moments in Salvador's turbulent history—within the country or in exile; in shifting political parties, mass organizations, or revolutionary movements; within or in opposition to the government. Changing political opportunity configurations during post-war reconstruction and electoral adjustment weakened parts of civil society as they strengthened others, modifying trajectories and reframing debates. Although the emphasis in this study on understanding recent forms of opposition draws us away from a longer-term historical narrative, the durability of the contemporary delineation should not be overstated.

Furthermore, attention to the adversarial dimensions of the relationship should not obfuscate complementarities. In spite of their differences, each of these coalitions at times extracted gains from the activities of the other. Although it is difficult to document “opportunity spirals” (Sikkink 2005, 154) associated with the actions of rivals, the transgressors' forceful street protests in San Salvador during the third round of negotiations may have encouraged officials to open the consultative process more fully to the tamer representatives of civil society in order to tap down charges of exclusivity and enhance international legitimacy. In the same vein, CID team research on the special vulnerabilities of peasant producers and small and medium-sized businesses helped to

“normalize” aspects of the resisters’ critique by providing evidence that their claims were not simply inflammatory discourse.

Hemmed in by a pro-market ARENA government now in its fourth consecutive term, an unsympathetic national media, a business elite bent on economic globalization, and a divided society in which neither the FMLN nor confrontational street politics enjoyed majority support, CAFTA opponents in El Salvador—whether “critic negotiators” or “transgressive resisters”—were unable to prevent ratification.²⁶ Given the ARENA party’s long alignment with the United States, forceful commitment to market reform, economic dependence on trade and migration, and lock on national power, a CAFTA defeat would have been highly unlikely. But the depth and persistence of the opposition’s critique may have played a role in the steady erosion of public enthusiasm for the measure. Even as more signatory states proceeded through ratification and the agreement advanced toward implementation, public opinion data in El Salvador reveals slowly gathering skepticism about CAFTA’s social impact.²⁷

As the Salvadoran government mounted a full-scale pro-CAFTA campaign during the 2003 negotiations, the public had tended to respond positively. According to the Instituto Universitario de Opinión Pública (IUDOP), 43% of respondents believed that free trade agreements would help combat poverty when polled in 2003. (See table 4). Repeating the question a year later, IUDOP found this sentiment had declined; only 37% were so optimistic. In contrast, belief that these agreements would generate more poverty had increased 10 percentage points, rising from 28% in 2003 to 38% in 2004. By the end of 2004, as the Salvadoran legislature moved to ratify CAFTA, positive and negative assessments of the poverty impact split evenly in the polls.

Surveyed again at the end of 2005 and 2006, and asked specifically about CAFTA, respondents demonstrated still deepening skepticism. In the 2006 poll, only 24.5% said CAFTA would help to combat poverty whereas 50% thought it would generate more. When asked to name the primary beneficiary of CAFTA, respondents overwhelmingly identified elites (33% “the rich” and 24% “big business”). “Everyone” came in sixth with a modest 5% of the total (IUDOP 2006, 8).

Table 4: Salvadoran Public Opinion on Free Trade Agreements (% Agreeing)

	2003	2004	2005*	2006*
FTAs help combat poverty	43%	37%	29%	24.5%
FTAs generate more poverty	28	38	43	50
FTAs do not affect poverty	19	22	25	23
Don't know, no response	10	3	3	3

*Surveys in 2005 and 2006 referred specifically to CAFTA.

Source: IUDOP (2003, 31; 2004, 28; 2005, 21; 2006, 8)

This reversal of support levels between 2003-2006 suggests that the medium term impact of oppositional forces may be more significant than the short term. Although unable to halt the policy process, enduring activist mobilization and on-going dissemination of information may play a role in the development of a more critical public perspective over time.

In many ways, both segments of the opposition embraced an essentially long-term strategy. As CAFTA for them was only an element of a larger problematic, and its immediate defeat in El Salvador was best a long shot, both “critic negotiators” and

“transgressive resisters” trained their eyes on the future. CID leaders, working to build technical expertise in trade negotiation and skills in lobbying beyond natural allies, geared up for other economic policy debates, including the subsequent Central America-European Union trade negotiations. Although thinly connected to grassroots organizations in El Salvador and heavily focused on elite-level negotiations, this coalition developed a political dexterity that could be useful if the political system continues to open. Resisters, on the other hand, frustrated by a peace process that failed to deliver and a consolidated economic model that concentrated wealth, had little hope for the “splinters of benefit” (Moreno 2003, 89) that political gamesmanship might offer. Captive to an ideological orientation and international alliances that removed them from the give and take of political negotiation, Foro leaders were entrenched in a strategy of resistance. Prospects for achieving their larger political objectives would have to await transformative political change.

The Salvadoran case locates a series of factors that support civil society mobilization but also weaken the opposition and reduce its ability to influence the outcome, at least in the short run. Features that counter the movement include the presence of a consolidated, pro-market political elite, organized into a durable electoral coalition, schooled in defensive cohesion in the wake of a nationally defining revolutionary struggle. Close affinity with and economic dependence on the United States further encourage elites to deepen and formalize economic integration. The eagerness with which the Bush administration prioritized and pursued this reform, its insistence on using the US-Chilean FTA text as the model, and the accelerated pace of the negotiation, all reduced the prospects for inclusive negotiation, in spite of the formal consultative process. These and

other factors tended to fragment civil society, ultimately displacing critics who were disposed to dialogue and negotiation, and fueling unsuccessful transgressive resistance.

This analysis suggests that under other circumstances—perhaps when the government is less cohesive, market convictions are less pervasive, susceptibility to pressure from external actors less pronounced, or United States officials less focused on achieving a particular result—civil society critics may organize more effectively to promote dialogue or challenge specific corporate-led market initiatives. A larger theoretical study, building on longer-term analysis or detailed case material from a variety of Latin American countries, would allow us to explore these variations more systematically.

BIBLIOGRAPHY

- Alba V., Carlos and Gustavo Vega C. 2002. Trade Advisory Mechanisms in Mexico. In “The Trade Policy-Making Process, Level One of the Two Level Game: Country Studies in the Western Hemisphere.” *INTAL-ITD-STA Occasional Paper*. InterAmerican Development Bank, Munk Center for International Studies, and Inter-American Dialogue. #13, March: 55-65.
- AMCHAM. 2004. Official. Author interview. San Salvador, July 29.
- Arnson, Cynthia J., ed. 1999. *Comparative Peace Processes in Latin America*. Washington, D.C.: Woodrow Wilson Center Press and Stanford: Stanford University Press.
- Asociación de Medianos y Pequeños Empresarios Salvadoreños (AMPES). 2003. *Resultados del Foro: Perspectivas para la pequeña y mediana empresa en su inserción en los TLC*. San Salvador, El Salvador. Unpublished report. September 3.

- Asociación Nacional de la Empresa Privada (ANEP). 2003. *Documento Tratado de Libre Comercio*. <<http://www.anep.org.sv/Documentos/cafta-oportunidad.htm>> (21 September 2004).
- Bendaña, Alejandro. 2003. Director, Centro de Estudios Internacionales (CEI). Author interview. Managua, Nicaragua, July 18.
- Bennett, W. Lance. 2005. Social Movements Beyond Borders: Understanding Two Eras of Transnational Activism. In della Porta and Tarrow 2005. 203-226.
- Bloque Popular Centroamericano, Alliance for Responsible Trade, and Alianza Social Continental. 2004. *Por Qué Decimos No al TLC: Análisis Crítico del Texto Oficial*. San Salvador, El Salvador: Editorial Maya.
- Brockett, Charles D. 2005. *Political Movements and Violence in Central America*. Cambridge: Cambridge University Press.
- Calderón Sol de Escalón, Carmen Elena. 2005. Deputy, Asamblea Legislativa de El Salvador. Author interview. San Salvador, November 29.
- Castillo, Mike and Selvin Espinoza. 2005. "Un muerto y 10 heridos dejan protestas contra el TLC," *Prensa Libre* [Guatemala], March 16.
- Citizen Participation Program. 2004. Trade Policy Office, Ministry of Economy. Official. Author interview. San Salvador, July 27.
- Clark, Dana, Jonathan Fox and Kay Treakle, eds. 2003. *Demanding Accountability: Civil Society Claims and the World Bank Inspection Panel*. Lanham: Rowman and Littlefield.
- Clark, John D. 2001. Ethical Globalization: The Dilemmas and Challenges of Internationalizing Civil Society. In *Global Citizen Action*, eds. Michael Edwards and

John Gaventa. Boulder: Lynne Rienner. 17-28.

Comité Organizador del IV Foro Mesoamericano por la Autodeterminación y Resistencia de los Pueblos. 2004. *Memoria, IV Foro Mesoamericano por la Autodeterminación y Resistencia de los Pueblos*. Tegucigalpa, Honduras: Editorial Guaymuras.

CONAES. 2004. Representative. Author interview. San Salvador, July 17.

CONFRAS. 2004. Representative. Author interview. San Salvador, July 30.

Conoway, Camille Pampell and Salomé Martínez. 2004. *Adding Value: Women's Contributions to Reintegration and Reconstruction in El Salvador*. Washington, D.C.: Women Waging Peace Policy Commission.

CORDES. 2004. Representative. Author interview. San Salvador. July 30.

Declaración del Foro de Información, Análisis y Propuestas, El Pueblo es Primero Frente a la Globalización. 2001. Tapachula, Chiapas. May 12.

<<http://www.foromesoamericano.org>> (15 August 2004).

Declaración del Foro. 2001. Xelajú, Guatemala. November.

<<http://www.foromesoamericano.org>> (15 August 2004).

Declaración Política del III Foro Mesoamericano 2002. Managua. July 18.

<<http://www.foromesoamericano.org>> (15 August 2004).

Declaración del V Foro Mesoamericano. 2004. San Salvador, July 21 (unpublished document.)

della Porta, Donatella and Sidney Tarrow, eds. 2005. *Transnational Protest and Global Activism*. Lanham: Rowman and Littlefield.

Díaz Barrera, Alfredo. 2004. *Informe de Evaluación: Iniciativa Mesoamericana*

- Comercio Integración y Desarrollo CID*. Encargo de Oxfam América, El Salvador. Unpublished report (May).
- Edelman, Marc. 1999. *Peasants Against Globalization: Rural Social Movements in Costa Rica*. Stanford: Stanford University Press.
- Federación Centroamericana de Cámaras Agropecuarias y Agroindustriales (FECAGRO). 2003. *Planteamiento de FECAGRO ante el TLC USA y Posición sobre la Armonización Arancelaria Centroamericana*. April. (unpublished document).
- Foley, Michael W. 1996. "Laying the Groundwork: The Struggle for Civil Society In El Salvador." *Journal of Interamerican Studies and World Affairs* 38, #1 (Spring): 67-104.
- FSC. 2004. Representatives. Author interview. San Salvador. August 3.
- FTAA-Committee of Government Representatives on the Participation of Civil Society. 2003. *Best Practices and Illustrative Examples of Consultations with Civil Society at the National/Regional Level* (November 16).
<http://www.ftaa-alca.org/SPCOMM/SOC/cs24rl_e.asp> (26 August 2004).
- FUNDE. 2004. Representative. Author interview. San Salvador, July 16.
- Gass, Vicki. 2002. *Democratizing Development: Lessons from Hurricane Mitch Reconstruction*. Washington, D.C.: WOLA.
- Góchez, Roberto, Edgar Lara and José Angel Tolentino. 2003. *El Libre Comercio Ahora: Visión Crítica del Tratado de Libre Comercio entre México y el Triángulo Norte Centroamericano*. San Salvador: FUNDE.
- Henríquez, José Luis. 2003. Sociedad civil pide más participación en la negociación.

- El Diario de Hoy*. San Salvador, April 1.
- Howell, Jude and Jenny Pearce. 2001. *Civil Society and Development: A Critical Exploration*. Boulder: Lynne Rienner.
- Huezo, David R. 2004. Mensaje de la Presidencia. *Business* (AMCHAM El Salvador) Primera edición: 9.
- Information packet. 2004. V Foro Mesoamericano. San Salvador. 19-21 July.
- Iniciativa CID. 2002? *Campaña Regional en Torno al Tratado de Libre Comercio entre los Estados Unidos y Centro America en le Marco de la Iniciativa Mesoamericana CID*. <<http://www.iniciativacid.org/filer/estrategia.pdf>> (7 August 2006).
- 2003a. La Iniciativa CID Participa en Reunión de Ministros de Agricultura de Centroamérica con La Federación Centroamericana de Cámaras Agropecuarias y Agroindustriales, FECAGRO. *ObservAcción* #2 (April).
- 2003b. Letter to the Junta Directiva de la Asamblea Legislativa. August 28.
- 2003c. *Segundo Avance: Propuesta Regional ante la Negociación de un TLC entre los Estados Unidos y Centroamérica*. San Salvador: n.p.
- 2003d. Solicitamos una Moratoria a las Negociaciones del TLC con Estados Unidos. *ObservAcción* #4 (July).
- 2003e. *Tercer Avance: Propuesta Regional Laboral y Agrícola ante la Negociación del TLC entre los Estados Unidos y Centroamérica*. San Salvador: n.p.
- 2003f. *Organizaciones Campaña TLC EEUU/CA*. <<http://www.iniciativacid.org/organizacionescampanatlc.asp>> (8 October 2003).
- 2004a. Análisis Premilinar de Posibles Impactos del CAFTA: Una Aproximación

- para El Salvador. *ObservAcción* #5 (May).
- , 2004b. La Iniciativa CID Frente a la Ratificación del TLC con Estados Unidos, [press release] December 8, 2004.
- <<http://www.iniciativacid.org/filer/lainiciativacidfrentealaratificaciondeltlcconestadosunidos.doc>> (7 August 2006).
- Instituto Universitario de Opinión Pública (IUDOP). 2003. Encuesta de evaluación del año 2003: Consulta de Opinión Pública de Noviembre-Diciembre de 2003. *Serie de Informes* #102. (December).
- , 2004. Encuesta de evaluación del año 2004: Consulta de Opinión Pública de Noviembre de 2004. *Serie de informes* #107 (December).
- , 2005. Encuesta de evaluación del año 2005: Consulta de Opinión Pública de Noviembre de 2005. *Serie de informes* #109 (December).
- , 2006. Evaluación del país a finales del 2006 y perspectivas para 2007. *Boletín de prensa*, Año XXI, No. 3.
- Jenks, Chris. 2003. *Transgression*. London: Routledge.
- Kampwirth, Karen. 2003. Arnoldo Alemán Takes on the NGOs: Antifeminism and the New Populism in Nicaragua. *Latin American Politics and Society* 45, #2 (Summer): 133-158.
- Las Dignas. 2004. Representative. Author interview. San Salvador. July 27.
- MacDonald, Laura. 1997. *Supporting Civil Society: The Political Role of Non-Governmental Organizations in Central America*. London: Macmillan.
- McAdam, Doug and David A. Snow, eds. 1997. *Social Movements*. Los Angeles: Roxbury Publishing.

- McAdam, Doug, Sidney Tarrow and Charles Tilly. 2001. *Dynamics of Contention*. Cambridge: Cambridge University Press.
- McIlwaine, Cathy. 1998. Contesting Civil Society: Reflections from El Salvador. *Third World Quarterly* 19, #4: 651-672.
- Mejía, Amílcar and Ruth Melany Cruz. 2002. "Bloquean paso en carreteras." *El Diario de Hoy*. San Salvador, October 13.
- Memoria, III Foro Mesoamericano, Frente al Plan Puebla Panamá: El Movimiento Mesoamericano por la Integración Popular*. 2002. Managua: n.p.
- Ministerio de Economía. 2004. *Participación Ciudadana: Transparencia en las Negociaciones del Tratado de Libre Comercio entre Centroamérica y Estados Unidos*. San Salvador: República de El Salvador en la América Central.
- Moreno, Raúl. 2003. *The Free Trade Agreement Between the United States and Central America: Economic and Social Impact*.
<<http://www.afsc.org/latinamerica/PDF/Raulmorenoenglish.pdf>> (4 August 2004).
- MPR12. 2004a. *Balance de la "negociación" del TLC entre Estados Unidos y Centroamérica en El Salvador: pocos ganadores y muchos perdedores*. Unpublished manuscript.
- 2004b. Coordinator. Author interview. San Salvador, July 26.
- Orellana Merlos, Carlos. 2002. *Un Tratado de Libre Comercio Centroamericano-Estados Unidos: Principales Aspectos de Interés para El Salvador*. San Salvador, El Salvador: FUSADES.
- Piven, Frances Fox and Richard A. Cloward. 1995. Collective Protest: A Critique of Resource-Mobilization Theory. In *Social Movements: Critiques, Concepts, Case-*

- Studies*. ed. Stanford M. Lyman. New York: New York University. 137-67.
- Red Sinti Techán. 2004. Coordinator. Author interview. San Salvador. August 2.
- Rivas, Verónica. 2003. Manifestantes atacan a policías. *El Diario de Hoy*. San Salvador, April 3.
- Rodríguez, Hector [interview with Diego Murcia]. 2003. Movimiento Popular de Resistencia 12 de octubre, no somos apéndice del FMLN. *Elfaro.net*. San Salvador, April 7.
- Rubio, Roberto. 2004. FUNDE Executive Director. Author interview. San Salvador, July 16.
- SAPRIN. 2000. *Resultados de la Investigación: El Impacto de los Programas de Ajuste Estructural y Estabilización Económica en El Salvador*. December
<http://www.saprin.org/elsalvador/research/els_cover_index.html> (30 September 2004).
- Sikkink, Kathryn. 2005. Patterns of Dynamic Multilevel Governance and the Insider-Outsider Coalition. In della Porta and Tarrow. 2005.151-174.
- Sinclair, Minor, ed. 1995. *The New Politics of Survival: Grassroots Movements in Central America*. New York: Monthly Review.
- Smith, William C. and Roberto Patricio Korzeniewicz. 2001. Protest and Collaboration: Transnational Civil Society Networks and the Politics of Summitry and Free Trade in the Americas. *The North-South Agenda Papers*, #51 (September).
- . 2007. “‘Insiders,’ ‘Outsiders’ and the Transnational Politics of Civil Society in the Americas.” In *Governing the Americas: Regional Institutions at the Crossroads*. eds. Gordon Mace, Jean-Philippe Thérien, and Paul Haslam. Boulder,

- Colo.: Lynne Rienner Publishers: 151-72.
- Snow, David and Robert Benford. 1988. Ideology, Frame Resonance, and Participant Mobilization. In *From Structure to Action: Social Movement Participation Across Cultures*. eds. Bert Klandermans, Hanspeter Kriesi, and Sidney Tarrow. Greenwich, CT: JAI. 197-217.
- Spalding, Rose J. 2006. Free Trade and Democratic Processes: A Comparative Analysis of CAFTA Negotiation and Ratification in El Salvador and Costa Rica. Paper presented at XXVI International Congress of the Latin American Studies Association, San Juan, Puerto Rico, March 15-18.
- Tarrow, Sidney. 1998. *Power in Movement: Social Movements and Contentious Politics*. Cambridge: Cambridge University Press.
- , 2005. *The New Transnational Activism*. Cambridge: Cambridge University Press.
- Tolentino, José Angel. 2004. *Análisis preliminar de resultados del sector agropecuario salvadoreño en las negociaciones del tratado de libre comercio con los Estados Unidos: Documento de Trabajo*. San Salvador: FUNDE.
- Towers, Marcia and Silvia Borzutzky. 2004. The Socioeconomic Implications of Dollarization in El Salvador. *Latin American Politics and Society* 46, #3 (Fall): 29-54.
- Tussie, Diana and María Fernanda Tuozzo. 2001. Opportunities and Constraints for Civil Society Participation in Multilateral Lending Operations: Lessons from Latin America. In *Global Citizen Action*. eds. Michael Edwards and John Gaventi. Boulder: Lynne Rienner. 105-120.
- Wiktorowicz, Quintan. 2004. Framing Jihad: Intramovement Framing Contests and al-

Queda's Struggle for Sacred Authority. In *Popular Intellectuals and Social Movements* eds. Michael Baud and Rosanne Rutten. Cambridge: Cambridge University. 159-178.

Wood, Elisabeth J. 2003. *Insurgent Collective Action and Civil War in El Salvador*. Cambridge: Cambridge University Press.

V Foro Opening Session. 2004. V Foro Mesoamericano. Author notes. San Salvador, July 19.

V Foro Closing Session. 2004. V Foro Mesoamericano. Author notes. San Salvador, July 21.

METHODOLOGY NOTE

To avoid over-emphasizing the views of a few official spokespeople, this interview pool included representatives of approximately four-fifths of the organizations affiliated with these networks and all organizations identified as "most important" by others in their cluster. With the exception of lead coalition spokespeople and public officials, respondents are identified by organizational affiliation only.

The interview questionnaire included both open and closed-ended questions. Interviewees were asked about organization history, network affiliations, and their specific views on CAFTA negotiations. The "positive" or "negative" classification of their views on CAFTA was determined by their answers to closed-ended questions. Open-ended questions allowed respondents to qualify their views; qualifications were coded by the author to produce the final categorization of the response.

Interviews were conducted with representatives of 14 of CID's 17 affiliates, including at least one group in each of CID's five work teams. In addition to the leadership of the central coordinating organization, the Fundación Nacional para el Desarrollo (FUNDE), representatives of the following organizations were interviewed: Small and medium-sized business team--Consejo Nacional de Empresarios Salvadoreños (CONAES), Federación Nacional de la Pequeña Empresa de El Salvador (FENAPES), Federación Independiente de Microempresarios Salvadoreños (FIMES); Labor team--Instituto de Estudios de la Mujer "Norma Virginia Guirola de Herrera" (CEMUJER), Centro de Estudios del Trabajador (CENTRA), Movimiento Salvadoreño de Mujeres (MSM), Organización de Mujeres Salvadoreñas (ORMUSA), and Comisión Intersindical; Agriculture team--Asociación para la Salud y el Servicio Social Intercomunal en El Salvador (APSIÉS) and Fundación para la Formación de Dirigentes (FUNDACAMPO); Environment team--(ASDEMA); and Democracy team--Coordinadora Nacional de Mujeres Salvadoreñas (CONAMUS) and Fundación Salvadoreña para la Promoción Social y el Desarrollo Económico (FUNSALPRODESE).

For the Foro Mesoamericano movement, interviews were conducted with the representatives of 8 organizations in either the Red Sinti Techán or the Movimiento Popular de Resistencia-12 de octubre (MPR12), the two national networks that coordinated El Salvador's representation in the Foro Mesoamericano. Red Sinti Techán representatives were drawn from the Centro para la Defensa del Consumidor-CDC (consumer protection), Las Dignas (feminist organization), and Unidad Ecológica Salvadoreña-UNES (environmental organization). MPR12 representatives were selected from the leadership of the Foro de la Sociedad Civil-FSC (civil society), Asociación para

la Cooperación y el Desarrollo Comunal de El Salvador-CORDES (community development), Confederación de Federaciones de la Reforma Agraria Salvadoreña-CONFRAS (rural cooperatives), Coordinadora Sindical de Trabajadoras y Trabajadores de El Salvador-CSTS (labor), and a large FSC affiliate, the Asociación de Comunidades Rurales para el Desarrollo de El Salvador (CRIPDES) (repopulated communities).

This research also draws on the author's field notes from the three-day regional meeting of the V Foro Mesoamericano in San Salvador, July 19-21, 2004 and additional interviews with Salvadoran government officials and legislators in 2004 and 2005 and with Nicaraguan organizers in 2003 and 2006.

NOTES

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¹ With the addition of the Dominican Republic in August 2004, the agreement officially became DR-CAFTA. Colloquially, it is often still referred to as CAFTA in both the US and Central America.

² My use of the "critic negotiator" category roughly parallels Smith and Kororzeniewicz's "insider" designation; my "transgressive resister" category is similar to their subcategory of "rejectionist outsiders" who, under the leadership of the Alianza Social Continental, boycotted official and semi-official consultation processes (2001 28).

³ Although civil society organizations and social movements may share characteristics, social movements are normally found to differ from other forms of “contentious politics” by the density of the networks they develop, the social solidarities and sense of common purpose they inspire, their use of “culturally resonant, action-oriented symbols,” and the durability of their confrontational interactions with the elites (Tarrow 1998, pp. 2, 4).

⁴ As deployed in McAdam, Tarrow and Tilly (2001), for example, the distinction between “contained” versus “transgressive” social movements refers to whether the movement is drawn from “previously established” groups using conventional strategies or “newly self-identified” groups using an innovative repertoire of tactics (pp. 7-8). That distinction would seem to lend itself to labels like “pre-existing” versus “novel” rather than “contained” versus “transgressive.” By common understanding, the trope of transgression carries more emphatic meanings than simply “new” or “different.”

⁵ Nicaraguan President Enrique Bolaños (2001-2006) was a long-term leader of the national business peak association the Consejo Superior de la Empresa Privada (COSEP), and Salvadoran President “Tony” Saca (2004-2009) presided over that country’s business peak association Asociación Nacional de la Empresa Privada (ANEP) immediately prior to assuming the executive office.

⁶ Former Nicaraguan President Arnoldo Alemán (1996-2001), for example, made a failed bid to appropriate NGO funding by requiring that foreign donor support be funneled through the national treasury. Although the move was quickly rescinded in the face of hearty domestic and international protest, it illustrated the tensions between the government and the NGO community (Kampwirth 2003).

⁷ Although Flores decreed the creation of a Comisión de Participación de la Sociedad Civil in 1999 as part of the international donor's Consultative Group process after Hurricane Mitch, he never activated it, in spite of international pressure (Gass 2002, 27). Flores' disinclination for consultation is also seen in the 2000 dollarization decision, which was announced in November 2000, approved by the legislature after only one week, and launched in January 2001, 39 days after his initial announcement (Towers and Borzutzky 2004).

⁸The free trade agreements (FTAs) signed with Mexico and Chile had differentiated impacts on Salvadoran business, and a potential agreement with the US raised concern in vulnerable sectors. Business chambers like Cámara Agropecuaria y Agroindustrial de El Salvador (CAMAGRO), which represented a range of agricultural producers, and the Asociación de Medianos y Pequeños Empresarios Salvadoreños (AMPES), representing the small and medium-sized enterprises, recognized their vulnerability to US exporters (especially given the hefty US agricultural subsidy in the Bush administration's 2002 Farm Bill). CAMAGRO worked with similarly situated agricultural chambers in Central America to develop a proposal for "special and differentiated treatment" to defend their interests (FECAGRO 2003). AMPES convened a conference in September 2003 to air its concerns and call for additional technical training and credit to meet CAFTA challenges (AMPES 2003). In spite of these concerns, neither broke ranks with the official business sector support for CAFTA.

⁹ The measure was narrowly approved with support from 45 of the 84 deputies. According to Góche et al (2003, 101), "...this was the first commercial accord that had

any level (minimal) of legislative debate since the previous ones were signed without having been studied.”

¹⁰ Affiliates were subsequently identified in Costa Rica and Honduras to complete the formal inclusion of networks in all five Central American countries. For a full list of CID affiliates, see *Iniciativa CID* (2003f).

¹¹ International funders included the Ford Foundation, NOVIB Holland, Oxfam America, Oxfam Great Britain, Diakonia Sweden, MS Denmark, CARE, Catholic Relief Services, UNDP, the Heinrich Böll Foundation, and Project Counseling Service (*Iniciativa CID* 2002; *Iniciativa CID* 2003e, Forward).

¹² The private sector “side room” process was initiated by Mexican business representatives during the NAFTA negotiations in 1991 (Alba and Vega 2002, 60-64).

¹³ The FTAA process, more than ten years in the making and heavily contested by activists, had prompted its framers to build in layers of buffering through civil society consultation processes (Smith and Korzeniewicz 2007; FTAA-Committee of Government Representatives on the Participation of Civil Society 2003). This precedent furthered the expectation of consultation in subsequent regional trade negotiations.

¹⁴ The business sector figure included presentations to ODASP (41), business chambers and sectors (200), individual companies (44) and other business commissions (listed under “other”) (7). The other civil society organizations included *Iniciativa CID* (16), academic institutions (29), and Catholic Relief Services (1). The remaining 14% (56) were largely workshops with different government ministries and agencies. In addition, the Citizen Participation Program reported 104 meetings with credentialed participants in

the side rooms during the negotiation rounds and 42 other seminars organized by ministry staff (Ministerio de Economía 2004, 18-30).

¹⁵ The Salvadoran Minister of Agriculture invited CID representatives to attend the Fifth Meeting of Central American Agriculture Ministers in Comalapa, El Salvador on April 27, 2003. CID leaders found that their agricultural concerns had much in common with those presented by the regional agricultural business chamber FECAGRO (Iniciativa CID 2003a, 2003d; FECAGRO 2003).

¹⁶ Public opinion poll data confirmed weaker support for CAFTA among PCN adherents. The 2005 poll by IUDOP (2005, 21) found, among respondents who identified with a political party, only 24% of PCN adherents thought CAFTA would help combat poverty vs. 51% of ARENA supporters.

¹⁷ Zapatista leaders and allies had convened international gatherings in Chiapas (1996) and Spain (1997), designed to construct an international network of resistance.

¹⁸ CEI was an organizational sponsor of the 2002 Foro Mesoamericano held in Managua and a coordinator of the Nicaraguan delegation to the 2004 Foro in San Salvador.

¹⁹ The 2004 Foro Mesoamericano in San Salvador on July 19-21 was interlaced with eight formal companion gatherings, each focused a different topic--women, peasants, young people, biodiversity, dams, labor unions, popular education and community.

²⁰ *Declaración del Foro de Información, Análisis y Propuestas 2001; Declaración del Foro 2001; Declaración Política del III Foro Mesoamericano 2002; Memoria, III Foro 2002 (appendix); Comité Organizador del IV Foro Mesoamericano 2004, 125; and Information Packet 2004.*

²¹ V Foro sponsors included Oxfam, Pan para el Mundo, NOVIB, Share, and Desarrollo y Paz (Canada) (MPR12 2004a).

²² CRIPDES, a MPR12 affiliate, worked in 300 communities repopulated by returning refugees during the 1980s and claimed to represent over 100,000 people (MPR12 2004b).

CONFRAS, which represented agrarian reform cooperatives forged during and after the war, claimed 11,500 direct and 75,000 indirect associates (CONFRAS 2004).

Nonetheless, MPR12 affiliates had generally lost members in the preceding five years.

The FSC, which claimed over 70 affiliated organizations when it emerged, fueled by international donor support for civil society participation in Post-Mitch and post-earthquake aid deliberations, reported only 10 affiliates in July 2004 (FSC 2004).

Disillusionment about the lack of government compliance with agreements, the defection of women's organizations claiming inadequate representation, the unwillingness of the Flores administration to consult with civil society, the withering of donor financial support, and the generally dispiriting consequences of economic duress were all cited by FSC organizers as factors contributing to the network's decline.

²³ RST coordinator Raúl Moreno was an active participant in the Alianza Social Continental, which actively sponsored his research and publications. See Moreno (2003); Bloque Popular Centroamericano et al (2004).

²⁴ Raúl Moreno of Red Sinti Techán previously worked under Roberto Rubio at FUNDE, and their parting was conflictual. Interpersonal tensions layered into other the areas of difference to exacerbate divisions.

²⁵ Comparative studies of the impact of social movements on international agreements note the particular resistance of trade negotiations to civil society inclusion. Smith and

Korzeniewicz (forthcoming 2007) compare the Summit of the Americas process, where “insiders” had some impact, with the FTAA track, which was “shaped by the dominant logic of exclusion” (p. 263). della Porta and Tarrow (2005, 6) also note the difference between arenas governed by internationally established norms, such as human rights, and those directed by “internationally hegemonic discourse,” such as market liberalization, where activists have had less influence.

²⁶ Saca won the 2004 presidential election handily in the first round with 58% of the vote against 36% for second-place rival, long-term FMLN leader Schafik Handal.

²⁷ CAFTA was ratified in five more countries in 2005, in spite of five days of protests that left 1 dead and 10 wounded in Guatemala (Castillo and Espinoza 2005). Implementation began in El Salvador in April 2006. As of January 2007, only Costa Rica had not ratified the agreement.