

Paradigm Wars:

Indigenous Peoples' Resistance to Globalization



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Excerpts from
***Paradigm Wars :
Indigenous Peoples'
Resistance to
Globalization***

Edited by Victoria Tauli-
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People-Eugene**

Stan Taylor, Lawyer and
Professor of Political Science
at Lane Community College,
and Gordon Lafer,
Associate Professor at the
University of Oregon, present

"Global Economics and the Threat to Democracy"

Stan Taylor will speak
about the global economic
structures established at
Bretton Woods in 1944, the
transformation of these
structures into instruments of
finance capital in the 1970's,
and the attack on the ability of
government to legislate on
behalf of their citizens.

Gordon Lafer will speak
about Free Trade Agreements
and will focus particularly on
investor-state dispute
resolution rights.

The **World Trade Organization** was
created in 1995 by national govern-ments to
establish a legally binding frame-work of rules
for global commerce that all 148 Member
Nations were obliged to follow. Local and
national governments could still pass their own
laws, but now were required to conform their
laws to the WTO or else they could suffer
major trade penalties...

The WTO essentially functions as if it
were a world government, which was clearly
among the intentions of its first Director
General, Renato Ruggero, who termed it
"global government for the new millennium."
It passes laws that all of its members are
obliged to follow, it settles disputes in its own
courts that Member Nations cannot override,
and it has major enforcement powers,
primarily financial...

Under WTO rules (which comprise
some thirty separate agreements), *sub-federal*
governments such as local, state, provincial,
and tribal governments are also subordinated,
i.e., restricted from exercising full autonomy
over their own jurisdictions, including on tax
policy, food safety measures, and natural
resource management.

These are several agreements :

The General Agreement on Tariffs and Trade (GATT)

Established in 1947 after the Bretton
Woods meetings (which created the World
Bank and International Monetary Fund),
GATT sets out the core principles of free trade.
For almost fifty years these rules were
voluntary until the creation of the WTO, with
enforcement powers over Member Nations.

The following are some of the GATT's
core principles:

Article 1 - "Most Favored Nation" and *Article
III - "National Treatment"* :

both these articles have similar intentions.

The first requires that all member
governments treat goods imported from one
WTO Member Nation "no less favorably" than
goods imported from any other Member
Nation. This effectively makes it impossible
for governments to restrict imports from
countries on moral or ethical grounds such as
horrendous human rights or labor standards, or
environmental records, or environmental
records, or that are dealing in illicit trade....

Article III requires governments to
treat all imported goods "no less favorably"
than locally produced goods. Free trade
advocates claim this article prevents
"discrimination," which is a lofty-sounding
ideal, but that is definitely not the point. The
real purpose of Article III is to prevent any
government from favoring or protecting its
own local industries, or farmers or cultures
that might be otherwise overwhelmed by
globe-spanning corporations bringing vast
amounts of cheap imports that make local or
indigenous economies non-viable.

Foreign businesses and banks may
buy-up local producers or local banks and
literally take-over the economy of smaller,
weaker nations. These rules also prevent
countries from protecting jobs or local natural
resources from accelerated exploita-tion, or
local communities from being absorbed in the
global economic juggernaut as many
agricultural communities already have been.

Article XX - General Exceptions:
makes governments meet certain conditions
and proofs if they are going to protect plant,
animal, or human health. While free trade
advocates says this provides "flexibility" for
governments to exercise their sovereignty, it
puts an onus on countries seeking to protect
resources to "prove" that laws protecting clean
air, endangered species, local culture, food

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wethepeopleeugene.org

This book originally was published to demonstrate the violent clash between indigenous peoples and the neoliberal global economy.

"...With the advent of the modern version of global economics, characterized by new technologies and, most importantly, new globalized rules of trade and investment - created and powerfully enforced by the WTO, the World Bank, and the IMF among other institutions - resource lands are being opened to assault by giant global investors and developers at far greater speed, and with far fewer legal obstacles than ever before. This has left poor countries & indigenous peoples ever-more vulnerable, though they are strongly resisting."

excerpts from:

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**A Special Report of the
International Forum on
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Where the WTO grants multinationals these powers in the global economy, corporate personhood allows big business to claim strikingly similar powers over US residents.

To find out more about a local movement to end corporate personhood, call us (541) 255-2946 or visit us at wethepeopleeugene.org

safety, and other public goods should not be overturned by the WTO.

Together, these principles break down the barriers separating the global, national, and local economies, effectively forcing all producers large and small large and small and wherever on earth they are located, into the same hyper-competitive market. It also sets off a final frenzy to control and develop the last remnants of the earth's natural resources, suddenly opened up for global corporate access. The net result is that nearly all goods...are forced into a new commodification process, and a global market controlled by a few transnational corporations global bureaucracies.

The Agreement on Sanitary and Phyto-Sanitary Measures (SPS)

"SPS" restricts what governments can do to protect food safety and to prevent the entry of harmful and invasive species or diseases inside their borders-"bioinvasion."

The U.S. and other big food exporters use the SPS rules to prevent other nations from regulating (even by simply requesting consumer information labels) the import of genetically engineered organisms, which may threaten native biodiversity and ecosystem balance with genetic pollution.

The Agreement on Subsidies and Countervailing Measures (SCM)

"SCM" outlines what kind of subsidies governments are allowed to give to companies. WTO rules are supposed to be based on the *theory* of free trade, which includes the principle that governments may not subsidize private corporations. While the WTO has detailed rules banning subsidies, they are filled with loopholes that actually

allow big subsidies for global corporations, but not for local or small producers.

The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)

"TRIPS" lays down explicit requirements for the kind of patent regiments nations must use to protect intellectual property, such as inventions and technological innovations. It also explicitly allows the patenting-illegal claim of ownership- of plants, animals, and microorganisms but does not require that patent applications declare the source of the genetic resources, which increasingly come from indigenous lands.

Under TRIPs rules, biotechnology companies, particularly seed and drug companies, can privatize genetic resources by obtaining patents which allow them to legally exercise exclusive control over marketing the claim to material; this has been a major blow to local *usufruct* rights - where communities, notably in India, have traditionally been recognized as collective owners of local resources and innovations-and of rights to the global commons.

Peoples' movements that have become increasingly effective at using local and national governments to regulate corporate behavior now must face the fact that corporations have created a powerful new global arena for rule making. Indigenous rights organizations and trade activist groups must now unite to change these rules and to subordinate trade considerations to the inherent rights of native peoples to sovereignty and self-determination.

For more info, visit IFG.org or pick up a copy of *Paradigm Wars*!!