While the ugly and rancorous "fiscal cliff" battle has been playing out in Washington, another negotiation equally critical for America was also being conducted, this one behind closed doors far across the ocean: the impending Trans-Pacific Partnership trade agreement ("TPP"), also known as "NAFTA on steroids." The finalizing of this agreement between 11 nations -- the U.S., Australia, Brunei, Canada, Chile, Mexico, New Zealand, Peru, Singapore, Malaysia and Vietnam (Japan and China may join later) -- has been delayed until spring 2013, thanks in part to Public Citizen leading an international outcry through their Global Trade Watch unit, which has been headed by director Lori Wallach since 1995.

Few can rival Ms. Wallach's expertise on trade agreements and their impact on nations and the larger world community, yet she was not among those invited to participate in these negotiations. Instead, 600 corporate advisors were in Auckland, New Zealand, over 10 days at the beginning of December, fine tuning this latest stealth trade deal during its 12th plus round of negotiations. Even the press was shut out. Clearly, Ron Kirk, the Obama administration's U.S. Trade Representative, is hoping to ram this deal through like other recent trade deals, without transparency or, for that matter, Congressional input.

Among the outrageous sellouts to multi-national corporations in the TPP is a plan to create "extra-judicial 'investor-state' tribunals," which would "... limit how signatory countries may regulate foreign firms operating within their boundaries, with requirements to provide them greater rights than domestic firms" and includes "... a two-track legal system, with foreign firms empowered to skirt domestic courts and laws to directly sue TPP governments in foreign tribunals... (where) they can demand compensation for domestic financial, health, environmental, land use laws and other laws they claim undermine their new TPP privileges."
This agreement would also force member nations to conform domestic laws and regulations to TPP rules. Lori Wallach calls this -- rightfully so -- a "corporate coup d'etat," since the lawyer-judges running the tribunals would be in the employ of the multi-national corporations doing business in these countries, ensuring that their "bottom line" takes precedent over the health and welfare of member nations' citizens.

Other odious aspects of this agreement include:

- allowing drug companies to extend their patents for several years, depriving the needy of affordable, lifesaving drugs while forcing the rest of us to pay still higher prices;
- protections and benefits for corporations that move jobs to other countries;
- limitations on how government can use tax revenues;
- barring of initiatives like "Buy American," which is desperately needed to rebuild our economy and create green jobs;
- requirements that we import food that does not meet our standards of safety, as well as limitations on food labeling;
- rollbacks on regulation of Wall Street, including prohibiting a ban on risky financial services, making a mockery of the already tepid "Too Big to Fail" regulations passed after the 2009 crash;
- allowing Internet policing by service providers and monitoring of individual user activity on a large scale, negatively impacting people's freedom of speech, privacy and right to due process, and killing innovation.

And we won't even get into the provisions slipped into the TPP that gut regulations protecting land, air and water, as well as human and workers' rights -- this crowd hasn't missed a trick. Meanwhile, all of this flim-flam does nothing to address America's trade deficit -- except make it worse.

This is certainly not the complete list of egregious corporate giveaways for this so called "free trade" agreement - which really has little to do with trade and more to do with multi-national corporations being given carte blanche to operate outside of the laws of sovereign nations. Have we learned nothing from NAFTA, which resulted in one million American jobs being lost? And what of the one million Mexican farmers who lost their livelihoods due to NAFTA's mandated agriculture policy changes, and the 2.5 million more livelihoods lost in Mexico when $2 per day wages became too high for corporate America, and those Mexican jobs headed to China, where wages can be as low as $1 per day.

All in all, 26,000 small and medium sized Mexican businesses were lost in the first decade of NAFTA. Indeed, people on both sides of the Mexican-American border saw a decrease in their wages during the first NAFTA/WTO decade. With the resulting vast pool of unemployed people in desperate need of work, sweat shops on the Mexican side of the border were able to reap a harvest and pay as little as $0.60 to $1.00 per hour. It certainly comes as no surprise, therefore, that 1 in 10 Mexican nationals make the dangerous journey to cross the border into the U.S. NAFTA was clearly a major failure of Bill Clinton and his enabler, Rahm Emanuel. The TPP will be an even bigger disaster if it is implemented.
In response to the flood of illegal immigration that has been caused by NAFTA, our so-called "leaders" have done little more than screech about closing our borders or reinstating Dickensian work conditions for immigrant "guest" workers, rather than addressing the root cause of this issue. It would seem obvious that a happy, healthy people that can earn a living and support their families at home would not migrate, yet DC remains willfully myopic on this issue.

All of our trade deals -- starting with NAFTA -- must be overhauled. In '08, both Hillary Clinton and Barack Obama agreed that NAFTA was a mistake, and then-candidate Obama promised to overhaul America's trade policies. Instead, President Obama championed NAFTA-like deals with Korea, Colombia and Panama in his first term, each of which had been initiated during the Bush years. Clearly, the only beneficiaries of these deals are the 1 percent, who continue to reap the rewards of massive globalization and corporate takeovers of natural and human resources at the expense of the People, with the aid of compliant and bought-off governments. Countries like Panama and Colombia want and need partnerships with us, so why aren't we leading and creating real trade agreements that will create jobs, boost wages and better the lives of Americans, while also creating better lives for the people in those countries with which we partner?

There is much evidence of the failures of these trade deals and why they must be changed. Immigration from Mexico rose from 3.9 million in 1992 to 11.2 million in 2010 -- mostly in the form of undocumented immigrants -- and since NAFTA was implemented, America's trade deficit has risen from $100 billion to $700 billion. A sobering article by Angela Bradbery that appeared in the November/December 2012 issue of the Public Citizen News entitled 2011 Free Trade Deals Haven't Lived Up To Obama's Promises paints a bleak picture regarding our president's position on these agreements. During the first presidential debate in 2012, Mr. Obama expressed his support of NAFTA-style deals with South Korea, Panama and Colombia, despite strong opposition from Congressional Democrats.

Mr. Obama stated that "... they are helping us to double our exports and sell more American products around the world" -- an overstatement at the very least, if not completely untrue. The reality is that exports to Korea have declined, while imports from Korea and Columbia have soared. Lori Wallach noted in the article: "(T)he corporate donors to both parties love these deals because they provide new investor protections to offshore jobs and rights and to import products that do not meet our safety standards."

At least some in Congress seem to have gotten the message: in 2011, two-thirds of House Democrats opposed the Korea Free Trade Agreement ("KORUS"), and 82 percent opposed the Colombia Free Trade Agreement, the largest percentage ever to vote against a Democratic president on trade pacts. Unfortunately, both agreements passed, despite staunch Democratic opposition.
So have the actual results of these agreements met the expectations of those Congress members who supported them? Of course not: in 2012, exports of American-made goods to Korea declined by 9 percent, at a cost of $1.2 billion in comparison to the same months in 2011, while exports to Colombia since implementation of that agreement have barely moved. In 2012, the combined trade deficits with Korea and Colombia soared 29 percent above the deficit in the same months of 2011, while U.S. auto exports to Korea have dropped by 7 percent, at a cost of $26 million in the first few months since KORUS was implemented, resulting in a net job loss of over 15,000. Meanwhile, car and auto parts imports from Korea have risen $1.8 billion above 2011 levels, a 25 percent increase, and our deficit with Korea on car and auto parts imports has ballooned to $7.9 billion, a 28 percent rise over the same period in 2011.

In Colombia, labor protections were supposed to improve as a part of that agreement, yet Colombia remains one of the deadliest countries in the world to be a union member. In 2012 alone, 35 "unionistas" were killed, joining over 2,000 others murdered over the past 25 years. As for Panama, it remains little more than a thriving tax haven for off-shoring corporate earnings, with even better opportunities to hide money than the Cayman Islands.

This is by no means a complete rundown on the trade agreements that do not create jobs in America -- frankly, one should even hesitate to call them "trade" agreements, unless referring to the trade of national sovereignty and the health, environmental and economic welfare of people for corporate profits. More information can be found on this issue at the think tank Demos, The American Prospect, the Nation magazine and Truthout.

-- with Jonathan Stone