



BIG in 2017

**Borders in Globalization:**  
*genesis & current research on  
Canada and the EU /  
Mediterranean region*

by

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# BIG – *in the Grant proposal*

Three fundamental research streams:

- Regional / territorial studies
- Global studies
- Country case studies merging both regional and global studies





# BIG – *in the Grant proposal*

What is it that we do concretely?

- We document carefully across each six areas of research three types of occurrences: *regional bordering, global bordering and both* in a limited number of countries (today we have 20)
- Let me illustrate this in one area only:





# History of ideas on borders – *us & them*

- Humans have fenced themselves from each others for thousands of year.
- Cities and Walls appeared in turn: Mesopotamia; particularly Eridy, Uruk and Ur - about 7500 - 5700 years.
- The Sumerian civilization was made up of walled cities
- Borders appear then ...
- Lesson:
  - Humans associate and dissociate, us and them (slaves) ... we conquer hence our gods are superior
  - Fences and walls are therefore about *inclusion and exclusion*
  - This is a process, may be 12,000 years old





# The first technology: the treaty, the law, the norm



The Stele of Vulture (2600-2350 BC) in Mesopotamia celebrates the victory of the City Lagash over its neighbor Umma. The text tells us the conflict war over a piece of agricultural land located between the two city states. The god of Lagash –Ningirsu- won the war, it says.





# Modern Era: *Law (1)*

- Idea of writing borders in treaties comes from **Hugo Gotius' 1625 'De jure belli ac pacis'** that warring powers are peers when in peace.
- This is then written in the peace of **Westphalia in 1648**
- The Colonization of the 17-19<sup>th</sup> centuries then **generalized** those ideas world-wide, legal borders are enshrined in international treaties.
- Paris 1919 is the most important of those because wide-ranging, and also **generalizing sovereignty** as the right to exercise violence within its own borders.





# Modern Era: *Law (2)*

- Legal systems are organized in large families but are primarily historical/national in Western Europe and then imported from western Europe.
- National legal systems are territorially bound and internationally they are organized in a system of nations that recognize each others as members of the international community (society of nations, united nations)
- Sovereignty is the organizing principle it is based on self determination since the end of the second world war.
- In “*Authority, Territory and Rights*” Saskia Sassen (2006) documents how from an urban political culture there is a process of territorialization of authority and rights. Elias in *Civilizing Process (Über den Prozeß der Zivilisation 1939)* had shown how violence and authority centralized as it civilized.





# BIG in 2017

## *first findings*

- Because of this knowledge, we have to assume that boundaries are the limits of all normative and legal assemblages in western countries; are they?
  - Do we find that regulatory systems stop at the border in Canada?
  - Do we find exceptions?
  - How exceptional are the exceptions?







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## Canada - *first findings*

### **Study #1: Alberta is land locked in North America :**

- Study: Oil sand international supply chain?
  - What is the role of the Canadian border in influencing the supply chain?
  - Alberta imports from three US states 70- 90% of all its manufacturing needs! Texas, Oklahoma and Illinois (2900-3500km away)





# BIG in 2017

## Canada - *first findings*

- **Texas, Oklahoma and Illinois : 70- 90% ALBERTA manufacturing needs!**
  - Logging, mining and construction machinery and equipment
  - Measuring, medical and controlling devices
  - Metal valves and pipe fittings
  - Pumps and compressors
  - Medium and heavy-duty trucks and chassis
  - Rolled steel products including wire
  - Material handling equipment
  - General purpose machinery
  - Agricultural gardening machinery and equipment

**BORDER NO IMPACT ON TRADE – FLOWS DOMINATE**



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## Canada - *first findings*

### STUDY # 2 & 3 & 4 & 5 - Regulatory Contexts:

- Borders In Globalization asks whether **regulatory systems** governing movements of products, services and people ‘straddle’ boundary lines?
- As opposed to being organized **primarily along territorial limits** (Hales, 2016)





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## Canada - *first findings*

- Study on land locked Alberta – particularly *energy products, chemicals, bulk and processed agricultural products* –
- **Are there major shifts in technologies, supply chains (&transportation), and regulatory systems?**
- Context:
  - Market have been contested in North America from both the perspectives of markets and place based politics.
  - The reality is complex variable geometry of market regulatory contexts





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## Canada - *first findings*

### **Study #2 findings: Border limits regulatory coordination**

- Inter-jurisdictional transportation systems include railways, air, truck, marine and pipeline systems and are subject to varied regulatory regimes with separate regulators in each country (US and Canada)
- Trade, Investment and Labour Market Agreements (TILMA) of Alberta and British Columbia now includes Saskatchewan: New West Partnership.
- PNWER the Pacific North West Economic Region's 20 working groups works on 'alignment' of regulations.
- Both Federal government initiated the Regulatory Coordination Council





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## Canada - *first findings*

### **Study #3 findings: Transportation - Regulatory harmonization difficult**

- Canadian provinces leverage their control over public safety, environmental protection and truck transportation regulation and energy infrastructures –
- Proposals for pre-clearance of freight shipments prior to arrival have been frustrated because of legal systems, privileges, and immunities: order rules are not understood the same way despite electronic documentations which affect smaller trucking companies for instance.





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## Canada - *first findings*

### **Study #4: Agrifood sector – open to the world**

- Strict Japanese, Korean and Taiwanese regulatory standards in Canadian meat packing plant
- European Union restriction and tracing on agrifood containing GMOs
- North American restaurant chains restrictions on potato processor, and growers, and antibiotics on animals
- Expand markets and including niche producers
- Canadian Food Agency and US Department of Agriculture align all regulations
- **Develop a common perimeter: no borders**





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## Canada - *first findings*

### Study #5 : Electricity, pipelines, food processing (Bartlett, Hale 2016)

- **Electricity** transmission systems are by far, the most far reaching coordination of operational systems across North America – with provincial/state legislative authorization and regulatory oversight through a single agency (NERC and its regional EROs)
- **Pipeline** regulation is primarily national and contested regionally and locally – politically sensitive to local green politics, concerns with climate changes/intense contestation
- **Food** processing is organized by reciprocal regulatory systems – nearly integrated but for meat, dairy products and shellfish







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## *first findings: Morocco*

- European Neighborhood Partnership (2005)
- Set up for five year, renewed for five from 2013 to 2017
- The document precisely details all the areas of cooperation set in the 1996 cooperation agreement and state what new financial agreement re. ENP
- It also respect the partnership framework established by the ‘advanced status,’ which was the answer to King Mohammed VI, whom in 1999 had asked France to review the partnership with Morocco for an association ‘*that would be better than an association ... but less than membership*’ (Paris, 1999)
- ***Advanced Status*** sets up the strategic framework for Morocco on political-strategic, economic, social and sectorial issues, including EU security and defense policies.





# BIG in 2017

## *first findings: Morocco*

- It also respect the partnership framework established by the ‘advanced status,’ which was the answer to King Mohammed VI, whom in 1999 had asked France to review the partnership with Morocco for an association ‘*that would be better than an association ... but less than membership*’ (Paris, 1999): ***Advanced Status***
- Hypothesis: Morocco entered into a partnership that lead to fulfilling a number of ‘Acquis,’ which today add to many other processes of cooperation in place including the *Barcelona process, the Dialogue 5+5 and the Union for the Mediterranean.*
- Leads to more democratisation and policy parallelism
- Access to EU markets impacts Morocco in return with reforms, democratisation, and rule of law
- What we are witnessing is a progressive ***normative convergence between Morocco and the EU member states*** thanks to its Advanced Status.





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## *first findings: Morocco*

- Regulatory convergence:
  - Access to the EU market has a price:
  - Three core sectors: Banking, procurement contracts, and industrial and technical norms and regulations.
  - Then: alignments of legislations and norms for capital movements and payments, health standards, industrial and private property rights, policy of competition, consumption protections, sustainable development, ... dialogue regarding human rights, the establishment of a Moroccan/EU parliament commission, assistance for local elections with a quota (12% women elected /versus 0.58%). Business, trade relations, 58% of all exports to the EU, the creation of a Development Bank. Information exchanges on immigration, legal and illegal, Morocco Spain issues, drug trafficking, membership European Convention of cyber-crimes, European council cooperation on the training of Judges.
  - For 2014-17 EU funding for Morocco stands at 890 million euros (up 15%) focus on equitable access to social services, democratic governance and rule of law, and, mobility, employment and growth.





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## *first findings*

### Implications:

- **Legal and regulatory systems are organizing along functional line – not territorial entities – straddling international boundaries**
  - Challenges to sovereignties?
  - Straddle borders - borders vacillate and disappear in certain market flows.
- **However - variable geometry of regulatory systems:**
  - Communities (politics of place) influence & constrain what Federal States can do.
  - Flows/supply chains: the functional logics is uniquely about economies of scales and efficiencies (that is to provide a service at the lowest possible costs)
  - Isomorphism: cognitive convergence in legislative systems, regulatory systems thus cognitive systems ..





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## *first findings*

**Scholars in each BIG partner country have to ask:**

- How clusters & supply chains affect border?
- Borders of supply chains organized?
- What variable geometry? What governance for what supply chain?



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**Thank you !**

**Questions?**

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