

Castle Talks

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“Governance across European borders: conflict or cooperation”

First of all I would like to thank sincerely Birte and her team for the invitation and for the occasion you give me to discuss about governance, border and European Union in front of such an interesting audience

As I give my lecture at the beginning, I have both some advantages and some difficulties. The advantages are clear: few people have spoken before me even if both lectures have already presented a lot of points and important ideas. Some of them are really connected with what I will introduce. As the theme is quite broad, I will normally present some new points; the difficulties come from this broadness:

How can I discuss, even in half an hour, about governance, European Union, borders, conflict and cooperation?

As you may know, I am basically an economist and I have been working in a political sciences department for more than 20 years. My main interests are local policy, local development, governance and territory. These last words are quite complex: I will spend some time during the lecture to define them.

Even if I work “at a local level”, I always take into account the interdependency with the other levels, such as the national, the International and the European levels when borderlands are discussed.

Let’s begin by introducing the plan of this lecture. After some words about the viewpoint I choose for my research, a first section is used to discuss about some concepts and theoretical notions, i.e. proximities, spaces of public policy, territory and governance and about how they are useful to discuss about borders. A second section debates the process of governance at the border according to three embedded scales and the third part discusses about conflict or cooperation, before some concluding remarks.

It will give a broad view with only some cases without detailing European processes.

INTRODUCTION

The way I want to debate about the title of this lecture is the following one. To answer the question “Does the governance create conflict or cooperation?” I will first explain “How to govern at the border? “, why it is so specific and therefore whether it induces cooperation or conflict and which kind of cooperation or conflict.

This lecture will give you, I hope, some keys to understand this governance but will be far from an exhaustive view. Some small examples coming from Interreg programme will be used, especially connected with the health sector. The Interreg programme is a 26 year-old Europe programme developed in order to help borderlands to emerge.

The health sector has been chosen but other sectors such as security or environment could be used.

CONCEPTS

In order to define what I mean by governance I would like first of all to discuss two other concepts: proximity and territory.

On this slide, three different proximities are illustrated. The first one is a geographical proximity; it means to be near in geographical or temporal terms. It is important to note that this proximity does not mean a relationship or a natural cooperation. As given by the stack of shoeboxes, it does not mean there is a connection among the boxes. Another example of such a situation may be given by the case of an apartment block where people are quite closed – in a geographical point of view – but may ignore each other.

The picture of the chart illustrates the organizational proximity: it exists when the way of working, the objectives are similar even if people, sections, communities are far from each other. It is what - normally - exists in a multinational company.

The last picture gives the political divisions of the world, defining constitutions and rules per area. In this context, the institutional proximity defines the regulatory area where the same rules, the same laws are applied.

In border studies, in general, we see that the creation of the border often transforms the geographical or temporal proximity into distance including for instance a waiting time due to a control. The institutional proximity is limited by the perimeter of the State and some organizational proximity may be created among traders or fraudsters for instance ...

Let's turn to the second part of this conceptual section, that is the question of space of the public policy and the territory.

In a State, the public policy is implemented according to the administrative pre-defined areas: when a problem occurs, the discussion of the solution includes the place and the level where the decision will be implemented. Will it be at the municipal, provincial, regional or national level?

Nowadays, several problems require to redefine the perimeter of the implementation. In these cases the demarcation of the adequate space is included in the decision making and create new spaces for public policy.

For instance, an optimal area may be defined according to the problem. It is the case, in Belgium, with the new police zones which have been bounded not at the municipal or the provincial level but after assessing the idealistic perimeter according to the emergency, the equipment, and so on. These police zones aggregate several cities. Emergency zones have been defined according to this "optimal" assessment.

Another space of public policy has been studied by Varone et al. and called "functional regulatory space". The new perimeter is defined by the problem and by the association of all functional operators. Examples of such a space are integrated watershed or river agreements. This kind of space is required to solve the problem but crosses the administrative borders and creates a new space for public policy, as well.

All these examples are ideal-typical since the reality is often a mixed situation, combining functional or optimal area with more or less administrative impacts.

A last space is concerned with what we call a territory. In this case, the perimeter is not defined according to a problem to be solved but is delimited according to a community and a collective project. The word

“territory” is here concerned with a social construct. The borders of a regional natural park, in Belgium or in France, are delimited according to natural conditions but they also integrate communities, cities, villages which share the same vision. The optimal and the FRS differ according to the problem, the territory defines an integrated and collectively defined area.

If we connect these other kinds of spaces for public policy with the problem of borderlands, it is quite easy to understand that a political border is far from demarcating the optimal, the functional or the territorial adequate limit.

Let’s check quickly the Belgium map of the natural parks. All but two are borderlands. We may assume that the political border does not stop the ecological requests: to protect a river in Belgium requires to include the French or the German parts.

In all these cases, a new way of governing is required. Indeed, several cities, several operators are associated in order to solve together the problem or to develop a collective project.

It is one of the reason why the word of governance has emerged.

New spaces of public policy but also highly complex and highly interdependent situations prevent a classical regulation. New operators intervene, multi-scalar processes are required; political scientists speak about “do it yourself” regulation or tinkering since public authorities have to invent new rules, new processes of decision making. I would like to emphasize that a process of governance is not a new process. It exists for instance where the State is not present, like in some African or rural borderlands. At the border public or private actors from one side are not in position to dictate the rules to the others even if local authorities depend on each central State. In Europe, administrative plus optimal plus functional spaces and territory all co-exist.

HOW TO GOVERN

A first situation is quite simple: by definition two borderlands are contiguous, near to each other and some daily rules are created due to the geographical proximity, a common way of life, language or history, the existence of mixed families, and so far. The marketplaces connect both places and people, ...

Let’s say some words about “inertia”. As it exists inside the country, people, institutions, organisations may be closed but no exchanges will be developed, as shown previously by the stack of shoeboxes.

The national integrity means that the rules are strictly applied to the limited perimeter of the State. An homogenous system of rules, regulations and laws are applied to the whole country. What happens inside the country is done by the government, since it is included in a hierarchical and national system. The neighbors become foreign people and what is related to the other country a problem for the Minister of Foreign Affairs or Foreign Trade.

These first two cases may exist simultaneously.

The situation evolves when decentralization is applied in the country. It will recreate some kinds of geographical proximity, especially for dealing with local problems, even if both systems are constrained by their national system. Some arrangements may emerge.

And these arrangements may even be amplified if supranational integration exists, as it is the case in European Union. And we see new spaces for public policy emerge: transport or health zones, European regional parks, crossborder metropolitan areas...

In these cases, highly complex sets of rules are combined and a process of governance appears.

Let's take an example coming from the health sector to illustrate this

Let's imagine an emergency situation. It seems normal that the ambulance can cross the borderline in order to care the person, at the other side. But in reality, it is nearly impossible since the ambulances are located in one country and part of a national or regional unique system.

What happens in reality in such occasions? I was told that medical doctors use their own car to drive the patient until the hospital or the medical centre.

Interreg, the European program which has been developed for 26 years to help borderlands to develop consists of a kind of "lab" in order to recreate adequate environment for such "obvious" situation and to let the ambulance cross the border

However, it is far from being so easy. Indeed, the use of the ambulance means the use of specific protocols, the driver's insurance and protection, the patient's reimbursement for the medical costs and so for. All of this is precisely detailed inside a national system and the cross-border situation enlightens how different it may be. As given in different cases, even the medical definitions may differ from one to the other side. The word "hospital" is defined differently in Belgium and in France. Therefore, even if some kind of organizational proximity may be found inside the health sector, the institutional distance created by the national systems tends to exacerbate the differences.

Therefore, when borders are opened, new spaces of public policy and new opportunities appear for solving the problems but new rules and regulations have to emerge to make decision and to implement it in a common way. They are intrinsically embedded in the national systems. The result is a local governance process based on the local realities, the national systems and the European opportunity.

If I come back to my ambulance, at some European borders, multi-scala process has been developed and various instruments used according to the specific borderlands: local conventions have been signed among hospitals or even among the countries in order to reorganize the emergency system and make legal the intervention of an ambulance at the other side of the border.

CONFLICT / COOPERATION

We could think that the common sense means higher and higher cooperation among local operators and authorities, fighting against the "abnormal" national systems. It would create an optimal decision and build the European ideal.

Of course it is far from being the reality. First of all, to think beyond the border means to have another point of view and every change is hard to implement. In addition to this "simple" change, it is clear that, as explained in the case of the ambulance, one specific change will create induced effects and lead to additional changes, which can constrain any initial enthusiasm. The initial change may be induced by convinced operators or authorities but all the other consequences will be concerned with other services, other departments and the enthusiasm may quickly be reduced!

Beyond the question of change, the question of perception and representations is crucial when we discuss about such cross-bordering innovations. A work applied to Franco-Belgian students, as some of you are, has shown that, even in an open space as the one that the Franco-Belgian borderlands shape and in an open environment as the one developed by the European Union, young people still see the border as a guarantee for safety, needed to protect people, ... It has been done before the terrorist attacks and we can now imagine the answers. Therefore the perception of a “better world” inside the national perimeter may be an important limit for any cross-bordering project; coming from operators, associations or political or public authorities.

Other problems able to create conflictual situations come from the delays: in a short term view, cross-bordering cooperation creates a lot of difficulties and constraints. To make a decision, several authorities need to get a common way of speaking (let's us remember ourselves the question of the glossary), to compare their norms, their objectives but also their competencies and their resources.

Linked with that, the question of the location of the benefits of any project is always questionable. Recently, when new interreg projects have been discussed some months ago, I have been told that one of the Franco-Belgian partner has replied: “I may understand : the French medical center is now open to Belgian patients and it is a good news, but what is the real benefit for my Belgian province and the Belgian health sector?” In addition to that, if we analyse the actors(view, we see that local authorities may resist according to electoral legitimacy , capacities or even ideological opinion. For the national authorities, national interests and preferences often emerge.

In order to discuss the conflictual aspects of such a cross-bordering governance , I briefly propose an analysis grid my Colleague Sebastien Pradella and I have just discussed.

This grid is not a set of instructions; it is based on Le Galès's work on urban governance plus some neo-institutional view and may be used in order to better understand social and institutional process at the border.

A first dimension of this grid may be related to the concept of organizational proximity: a similar political or social organization, the existence of similar institutions, with similar weights and functions, a similar social structure are all positive factors for encouraging a common work and cooperation. Partners from one side of the border prefer to work with their colleagues; if an important asymmetry exists, it can reduce the motivation to work together and then conflictual situation.

A second dimension is based on the way of solving problems and refers to the normative framework operators will use. Do they have common norms? Do they have common ideology? Such an analysis goes beyond the speeches. Either these may hide deep differences or a common vision may be transformed into a narrative explaining “hard work for crossing the borders”.

Thirdly, the question of coalition and institutionalization emerges. Indeed, local authorities, private operators require repetitive procedures, constant ways of working: here we speak about institution in a wide view, but it includes of course EGCT and other official cross-bordering groupings. As we speak about governance, such institutions are not completely stable and may evolve according to the leaders' opinion or priority for example or according to foreign insecurity!

A fourth dimension is connected with the results such a process of governance may induce. It is not a question of economic balance but both sides of the border need to legitimate the decisions. A positive feedback can then be pushed up if innovations are created and new capacities emerge from the process.

Finally, the process of governance does not start with a white paper: a long term view is required both in terms of national framework and of cross-bordering heritage, both in terms of institutional distance and territorial proximity.

Ok it is now time for concluding.

CONCLUSION

I must admit I have tried to open some doors, maybe I did not really answer the question but I hope these words could help you to catch the complexity of any process of governance at the border.

Both conflict and cooperation, both limits, constraints and advantages emerge with cross-bordering process.

If we work on cross-bordering projects, we can't use a classical model of government but governance is a collective process, embedded and multiscale, quite unstable, a permanently ongoing construct.

Thanks