

Globality and Transnational Policy-Making in Agriculture: Complexity, Contradictions, and Conflict

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**GLOBALIZATION AND AUTONOMY
MONDIALISATION ET AUTONOMIE**



Preface

In this paper, I attempt to take account of the suggestions of numerous globalization theorists that some core concepts need to be reworked as part of the process of developing knowledge of globalization. I introduce the concept of a ‘transnational policy space’ in exchange for more usual political science concepts like ‘multi-level governance’ and ‘policy community’. It is a bit of an experiment and definitely preliminary, but I found the exercise useful. I then seek to show how the concept might work by describing developments in agriculture policy in the postwar period, arguing that such a transnational policy space has gradually emerged in this policy field. I would appreciate any comments members of the Institute on Globalization and the Human Condition and team members of the *Globalization and Autonomy* project might have on this work.

The paper has been through a form of peer review. An earlier version was presented at a conference on “Reconfiguring Authority in the 21st Century” held at the Center for International Studies at the University of Toronto in March 2002, under the able direction of two of the scholars from the *Globalization and Autonomy* team, Edgar Grande and Louis W. Pauly. A revised version was presented at a second conference of this group held at the Technische Universität München in October 2002, again under the able leadership of Professors Grande and Pauly. I am indebted to all the participants at these two conferences for their comments. Professors Grande and Pauly gave me additional constructive feedback, which I used in preparing this version of the paper. They are preparing a volume entitled *Reconstituting Political Authority: Complex Sovereignty and the Foundations of Global Governance* based on the papers at these two conferences.

William D. Coleman
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Complexity, Contradictions, and Conflict

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States and other collective actors are seeking to reconstitute political authority in the 21st Century in part to regulate an ongoing series of globalizing processes. These processes are adding to the spread of globality, consciousness that the world is one place. What is also clear is that attempts to reconstitute authority require states to cooperate with one another in ever increasing ways. The global scope of such cooperation, its regularity, level of institutionalization, and frequency have all contributed to the growth of densely networked transnational policy spaces on an unprecedented scale.

Policies on agriculture and food may not come to mind first as candidates for transnational policy-making. The cultivation of plants and the husbandry of animals are activities firmly rooted in physical places, sculpting landscapes that themselves become central components of local and regional cultures. Similarly, the preparation and presentation of food are deeply tied to local ways of life and become cherished components of many local, regional and national cultures. None the less, basic agricultural commodities have long been traded. With advances in transportation, storage and communications technologies, the value of this trade has risen steadily in the postwar period. When coupled to advances in food processing and preservation, these same technologies have permitted a rapid rise in the trade of prepared and processed foods over the past three decades. As a consequence, local ways of preparing foods and the foods themselves have shifted to accommodate and to indigenize foods from other places around the globe. This movement of plant and animal products has increased the likelihood of the spread of animal diseases and of unsuspected toxins and allergens in processed foods. Finally, the development of genetic engineering has permitted the transfer of basic information codes of living matter not only across physical space, but also from one species type to another. Together these and other developments have pushed states to cooperate with one another on an ever increasing number of agricultural and food policies.

The pushing out of a transnational policy space governing agriculture and food has not led to orderly policy-making or the shared understandings at the global level necessary for regime formation. To the contrary, this space features intense political conflict on an increasing number of fronts. This paper raises the question of whether such conflict may be the norm rather than the exception in transnational policy-making. In the absence of fixed boundaries based on territory, a ready division of internal and external sovereignty, and a state apparatus to exercise that sovereignty while controlling these boundaries, policy-making may be bound to lose some of its predictable, ordered character found at the nation-state level and in some regional political arrangements like the EU.

In order to develop this argument, I begin with some thoughts on the implications of globalization theory for understanding transnational policy-making. I argue that this theory highlights the likelihood of a shifting, unpredictable and disorderly policy space. I then reflect on these theoretical points by describing the development of a transnational policy space in agriculture. I show that this space had largely taken form by the beginning of the Uruguay Round (UR) negotiations in the mid-1980s. I then demonstrate that the conclusion of these negotiations, in tandem with the entry of genetic engineering into the transnational policy space, in the 1990s not only globalized the space further, but added considerably to its complexity, its contradictions, and its conflict. I conclude the paper with some preliminary thoughts on the relationship between the development of such a policy space and the uneven effects of globalizing processes.

Globalization Theory and Transnational Policy-Making

I choose to use the concept of a ‘transnational policy space’ in this paper for several reasons. I begin by accepting that the concept of globalization and its companion term, globality, are helpful for understanding the contemporary context in which public policy is made. When the many definitions of globalization are surveyed, some common properties become evident. First, most definitions emphasize that the separation of space from place is a basic characteristic of modernity. Giddens (1990:18) writes: ‘The advent of modernity increasingly tears space away from place by fostering relations between ‘absent’ others, locationally distant from any given situation of face-to-face interaction. . . . What structures the locale is not simply that what is present on the scene; the ‘visible form’ of the local conceals the distanced relations which determine its nature.’ Spaces in this sense are ‘products’ (Dirlik 2002:18); they are created through particular kinds of ‘work’, in this case, policy-making ‘work’. Spaces also contain ‘locations’ or ‘places’ where people live and work.

Second, individuals and organizations in these spaces are increasingly highly interconnected in complex ways. Some see this phenomenon of ‘complex connectivity’, to use Tomlinson’s (1999:3) term, to be a long-standing historical development. Others accept this position, but argue that new information and communication technologies have created a kind of ‘tipping point’ where this connectivity takes on exceptional density and global extensity. Both groups do agree, however, that these connections create a measure of interdependence in social relations that is unprecedented in history. The combination of connectivity and interdependence, with the separation of space from place, also leads scholars to emphasize the supraterritorial or trans boundary character of many of these social relationships (Scholte 2000). For these reasons as well, globalization scholars often use the metaphor of ‘flows’ of capital, ideas, cultural forms, information and peoples to describe these social relationships. The concept of a *flow* speaks to the idea of movement unconstrained by usual borders.

The state of living and experiencing globalizing processes is often described as ‘globality’. Robertson (1992) has emphasized that this state is one of being increasingly conscious of the world as one, as ‘unicity’. What happens in one part of the world is more likely over time to have an impact on other parts of the world. Appadurai (1996, 2002) elaborates on this point by suggesting that such globality creates new possibilities for the social imagination; in fact, social imagination becomes a social practice and a key component of agency under globalizing conditions.

Accepting the concepts of globalization and globality as helpful has important implications for epistemology. Sociologists like Robertson (1992), Albrow (1997), Beck (2002) and anthropologists like Tsing (2000) and Geertz (2000) have noted that many of the core concepts we use in the social sciences — nation, state, identity, border, citizenship, society — were developed in a time when nation-state borders ‘contained’ most of the relevant activity in politics and policy-making. They suggest that these concepts must be questioned, and perhaps supplemented or replaced, if we wish to understand well social relationships and social actors in the contemporary era. Both Beck’s (2002) call for a ‘cosmopolitan methodology’ and Robertson’s suggestion of looking at a ‘global field’ are helpful here. Beck (2002:92) notes the decoupling of space and politics and the differentiation between sovereignty and autonomy. In referring to the growth of a ‘transnational state’, he points to the need to act transnationally to realize relevant outputs. In this respect, states give up autonomy in order to retain and even expand sovereignty.

Robertson speaks of a global field that includes individuals or ‘selves’, nation-states, the system of states, and humanity. What has developed over time, he suggests, is the gradual differentiation of each of these poles from the other, such that each has its own dynamic. For example, the individual or self comes to define an identity in reference to being a citizen of a nation-state, a world citizen of a system of states, and a human being with something in common such as rights with all other human beings. For Robertson, then, the traditional

concepts of social science must be used relatively, all the while recognizing that differences and consciousness of difference are multiplying apace. In the words of Geertz (2000:235): ‘Resisting the coalescence of the dimensions of political community, keeping the various lines of affinity that turn abstract populations into public actors separate and visible, seems suddenly, once again, conceptually useful, morally imperative, politically realistic.’

The choice of the word ‘space’ then coincides with the epistemological position that borders and boundaries are variable and are being created and recreated in response to globalizing processes. This space is ‘transnational’ because states have come to act more and more in coordinated ways where they yield autonomy and pool sovereignty in order to achieve policy objectives. Grande and Pauly refer to this phenomenon as the ‘transnational cooperation state’, while Cox (1987: 255) refers to the ‘internationalization of the state’. He refers to the emergence of a ‘complex political structure’ that is the counterpart to economic globalization. He adds (1987:258) that this structure ‘appears to be more evolved, more definitive in some of its parts; less formed, more fluid in others; and the connections between the parts are more stable in some cases and more tenuous in others’. Not only states ‘act’ in this transnational space, but also transnational economic actors participating in an increasingly integrated, global capitalist economy and transnational social movements and interest organizations comprising a global civil society (Beck 2002:114ff.).

In choosing to use the concept of a transnational policy space, I continue to stress, however, the importance of places and specific sites of power. What is changing, perhaps, is the multiplication of these sites. Moreover, actions in one place are not necessarily coordinated or consistent with actions in another. In fact, they may contradict one another. Complex connectivity and high interdependence associated with globalization mean that, to use the words of Dirlik (2002:26), we are in a situation ‘where place-based differences . . . are incorporated into the very process of globalization, abolishing the boundary between the external and the internal, bringing differences into the interior of the process of globalization, and presenting the global with all the contradictions of the local.’ As Tsing (2000) cautions, we must avoid making distinctions between global ‘forces’ and local ‘places’. Processes of ‘place-making’ and ‘force-making’ are both local and global.

Finally, I accept the methodological advice of many of these scholars who suggest we come to understand globalization by beginning with problems, particularly bids for power when it comes to policy analysis. Returning once more to Geertz (2000:223): ‘those of us who are committed to sorting through concrete matters so as to develop circumstantial comparisons – specific inquiries into specific differences – may seem naïve, quixotic, dissimulating or behind the times. But if guidelines for navigating in a splintered, disassembled world are to be found, they will have to come from such patient, modest, close-in work. . . . We need to find out how, rather exactly, the land lies.’ Trade in agricultural commodities and foods, particularly as they involve biotechnology, represents one such bid for power and this paper is but one attempt to see how the land lies.

Drawing from Held et al. (1999), we can begin to assess the degree to which globalizing processes produce new global transnational spaces by observing shifts in **extensity**, the degree to which cultural, political and economic activities are ‘stretching’ across new frontiers to encompass the ‘world’; **intensity**, changes in the magnitude and regularity of interconnectedness; and **velocity**, changes in the speed of global interactions and processes. Shifts along these dimensions should lead to increasing **enmeshment**, that is, the level of interdependence of the global and the local (Robertson 1992). In charting the contours of such a space, we must keep in mind that nodes of power congealed in institutions give structure to flows. The contours of the space and the locations where such institutions are constructed and activated are strongly influenced by coalitions of actors, some private and some public (Tsing 2000:330).

Toward a Global Transnational Policy Space, 1947-1986

In the immediate postwar period, there was very little transnational policy space for agriculture. Although international agreements such as the GATT existed, they were full of exemptions for agriculture, permitting national policy-makers to construct policies tailored to domestic political needs only. Relatively closed, often corporatist, policy networks provided the forum for the design and implementation of these policies. Over the course of the three decades following the signing of the GATT, more extensive and intensive contacts developed between national policy-makers, providing the basis for creating a nascent transnational policy space largely limited to developed countries in the OECD. These contacts accelerated in the late 1970s and early 1980s, in particular, when the effects of crises in domestic agricultural economies spilled into the international trading system. In beginning to frame a policy response to the crisis, policy makers drew another set of actors into the space, a nascent transnational epistemic community anchored in the discipline of agricultural economics. The knowledge produced in this epistemic community facilitated the growth of ever more extensive and intense global contacts among policy-makers in the sector. Accordingly, by the mid-1980s, agriculture had reached a position of thin globality, where policy-makers, farm organizations and agribusiness had a deeper consciousness of transworld agriculture.

From Protectionist National Policy Communities to Crisis

Two clauses in the 1947 GATT reinforced strong boundaries associated with national autarky in agriculture. Article XI called for the elimination of quantitative restrictions on imports, but permitted such restrictions for agriculture when they were needed to enforce governmental measures that limit quantities produced or 'remove a temporary surplus of the like domestic product.' Although this derogation was inspired, in part, by Section 22 of the US Agricultural Adjustment Act, it was also inconsistent with the US law. Section 22 permitted the use of import quotas even when there were *no* controls on production. Concerned with this inconsistency, farmers' advocates in the US Congress succeeded in securing the primacy of domestic over international rules by amending the Agricultural Adjustment Act in 1951. The revised legislation stipulated that no trade agreement or other international agreement could be applied in a manner inconsistent with Section 22. Congress went on to impose import quotas on a host of products where there were no supply controls. This violation of GATT rules precipitated a struggle with President Truman and the GATT. The Congress emerged triumphant in this dispute in 1955, when the US secured a broad waiver, with no time limit, from its article XI obligations.

As Josling, Tangemann and Warley (1996:29) observe, the waiver had a 'chilling effect on international trade policy.' They note that 'at a crucial moment in the development of the Agreement, the United States gave primacy to its national agricultural interests over its international trade obligations.' The combination of this waiver and of very few tariffs being bound in agriculture left the door wide open for other states to reinforce the borders around their agricultural economies. For example, the European Economic Community was able to set up its autarkic Common Agricultural Policy with variable import levies.

The second important derogation from international trade discipline in agriculture came in Article XVI (Section B). This part of the treaty prohibited export subsidies for manufactured goods, but made an exception for agricultural and other primary products. In 1955, Article XVI was amended to read that export subsidies were not to be used to gain 'more than an equitable share of world export trade.' The meaning of the term 'an equitable share' was to remain very vague in the ensuing years. When prompted in 1958, the US refused to accept a total ban on export subsidies in agriculture. Accordingly, when the Common Agricultural Policy was conceived in the 1960s, export 'restitutions' joined variable levies as key policy instruments for protecting the common market in agriculture in the European Economic Community.

Under these conditions, agricultural policy-making took place overwhelmingly within states. Various producer organizations also participated through corporatist arrangements in most European countries, Japan, and Australia. Peak associations representing agricultural producers participated directly in the policy formulation process, and more specialized commodity groups usually worked with public officials in implementing policy. Relations between producers and politicians were more pluralist in the US, but an ‘iron triangle’ involving informal coalitions of producers, the US Department of Agriculture (USDA), and the agriculture committees of Congress tended to control the policy process (Hansen 1991). More open pluralism was characteristic of general farm policy-making in Canada, but corporatism also featured in selected sectors where production of commodities was ‘managed’ (Skogstad 1987).

These domestic policy-making boundaries created under the legal exceptions in the GATT regime came under increased economic and political pressure during the 1970s and early 1980s. Problems in international agricultural markets gave rise to expensive pathologies in implementing domestic policies. Grain prices often trigger wider economic changes in agriculture, because they are an input not only for the direct production of human food, but also for livestock raising, whether in the meat or the dairy sectors. At the beginning of the 1970s, grain prices rose as supplies became tight. This combination of economic conditions led to increased trade in agricultural commodities. Supplies rose in the middle of the decade, triggering a decline in prices, only to become short again at the end of the 1970s. Governments increased price supports to encourage production, a step that led, in turn, to falling international prices and rising production surpluses.

This production cycle had several unfortunate consequences. The combination of a growing surplus in the European Community, and an appreciating US dollar, allowed the EC to use export subsidies to dislodge US grain companies from some traditional markets, particularly in the developing world. Consequently, US stocks rose quickly, making more onerous the cost of agricultural policies to domestic consumers and taxpayers. In addition, many economists and finance ministers began to argue that the rising fiscal outlays to the agricultural sector represented a misallocation of resources that undermined overall economic growth. The US responded to these circumstances by introducing the Export Enhancement Programme, a new set of export subsidies designed to recapture market share from the EC. The resulting trade war was not only costly to citizens in both the US and Europe, but also to other grain-exporting countries that were caught in a low price squeeze precipitated by the export subsidies. By 1986, wheat prices had fallen to 1/3 of their 1974 value (Swinbank and Tanner 1996:17). Farmers in Australia, Canada and the US were in difficult financial straits due to the high interest rates they were paying on the large loans they had taken out in order to expand production in the late 1970s and early 1980s. Politically, it gradually became clear that domestic policy problems would require some international policy coordination, if the economic situation were to be stabilized.

An Agricultural Economics Epistemic Community

In company with the increased levels of conflict over removing obstacles to the trade of agricultural commodities, flows in the production of knowledge about agricultural trade were taking on more of a transnational form. Agricultural economics provides the knowledge base for the epistemic community most relevant to agricultural policy. Historically, this discipline had existed outside mainstream economics, often housed with faculties or colleges of agriculture, themselves closely linked to agricultural producers in their particular locale. These local ties helped give the discipline a broader, more interdisciplinary character, and more applied orientation than economics *per se*. Gradually in the US and the Anglo-American countries, however, these characteristics changed over the postwar period as agricultural economics took on the neoclassical, mathematical and more quantitative orientation of standard economics.

This shift in the research ethic provided the basis for the development of a transnational policy evaluation framework that could be shared between agricultural economists in the academic world, agricultural economists and mainstream economists in official bureaucracies, advisory councils and semi-public think-tanks, and even economists employed by some producers' interest groups. Further institutionalization of a transnational epistemic community came in June 1980 with the formation of the International Agricultural Trade Research Consortium (IATRC), an informal association of government and university economists interested in agricultural trade. The growth in discussions around this expanding body of knowledge added to the extensity, intensity and velocity of relationships in this transnational policy space.

Accordingly, in company with the nascent globalization of a knowledge framework for policy evaluation, a framework that shared important elements with globalist, neo-liberal frameworks in other policy areas, the sites for agricultural policy-making became more transnational, albeit still largely confined to developed countries. Two distinct, but clearly linked, intergovernmental organizations provided the environment for this change in policy-making: the OECD and the GATT, with the agricultural economics epistemic community featuring prominently in the proceedings of both of these organizations. Perhaps its most crucial contributions came first in the provision of mathematical models that showed the gains to be reaped by all countries, developed and developing, from trade liberalization. Second the epistemic community endorsed and placed on the table a new measure of level of protection originally proposed by Timothy Josling at a meeting of the Food and Agriculture Organization (FAO) of the UN in 1973. The so-called 'production subsidy equivalent' permitted participants in the policy community to lift policy measures out of their highly specific national contexts and place them on a common scale of 'trade-distorting' protectionism. The simple introduction and acceptance of this instrument increased globality by opening the door to seeing better the 'distortions' in world markets.

In summary, by 1986, a transnational policy space had formed, which was increasingly extensive in its global reach. Interactions in the space had become more regularized and institutionalized, providing an element of institutional stability. The velocity of interactions had increased significantly as meetings became more frequent, both in global and regional policy forums. The density of the networks and the flows of expert knowledge had risen dramatically and these became more stable as they were drawn into the OECD and the GATT. Consequently, local agricultural practices and global policy-making were significantly more enmeshed than they had been a short two decades before.

New Flows and Shifting Boundaries: 1986-

Transnational policy spaces functioning under conditions of increasing globalization differ from national policy spaces in the period of nation-state modernity. There is no state exercising some control over flows within a specific territory, the internal and external sovereignty key to managing these flows being now shared and dispersed, and boundaries no longer being necessarily fixed. As Grande (2002) reminds us, space is no longer defined in territorial terms, but functionally. Of course, boundaries continue to exist, but these are porous, open to new flows as interconnections between actors and sites of power are formed and reformed. Moreover, these boundaries are impossible to control as the dialectics of globalizing processes create new social relationships, reconstruct identities, and create new sites of power, while diminishing others. Accordingly, ever-increasing globality as reflected in higher levels of extensity, intensity, and velocity in social and political relationships may add to the instability and conflict in policy-making.

These very tentative hypotheses gain some credibility when examined in the light of developments in the transnational policy space in agriculture since 1986. In this section, I analyze briefly two changes to the space that have stimulated these hypotheses: the institutionalization of policy-making at the World Trade Organization

and the entry of agricultural biotechnology into the space in the 1990s.

The World Trade Organization and Policy-Making in Agriculture.

The Agreement on Agriculture from the Uruguay Round of trade negotiations added to the extensity, intensity and velocity of social relationships in the transnational policy space, perhaps most notably by strengthening connections with developing countries. The negotiation of the Agreement was protracted, politically explosive at times, and ultimately dependent on the reform of the Common Agricultural Policy (Coleman and Tangermann 1999). The final accord focused on three areas — market access, domestic support measures, and the use of export subsidies. Article 17 of the Agreement on Agriculture made provision for the establishment of a Committee on Agriculture at the WTO, while Article 18 laid out its responsibilities. The Committee was to review the progress of member states in the implementation of commitments negotiated under the Uruguay Round reform programme. Members were also enjoined to notify the Committee of any new domestic support policy, or of a modification of an existing policy, for which an exemption from the Agreement was to be claimed. Finally, members were to be provided an opportunity to raise any matter relevant to implementation of commitments under the reform programme, or to bring to the attention of members any policy of another member that it thought required Committee notification.

Sanitary and phytosanitary matters are covered by a separate Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures that sets out a series of core norms and principles for their development. Parallel to the Agriculture Agreement, there is also an SPS Committee, which has similar responsibilities for monitoring the implementation of policy. The Preamble of the SPS Agreement notes the advisability of harmonized SPS measures based on international standards. Three pre-existing international organizations — the Codex Alimentarius Commission (CAC), the Organisation internationale des Épizooties (OIE) and the International Plant Protection Commission (IPPC) – were written into the agreement as recognized standard-setting bodies. The addition of these three sites of authority wove new ties into the policy space between trade policy-makers on the one side and formerly rather autonomous groupings of food scientists, veterinarians, and plant biologists and entomologists on the other.

All of this institutionalization of agricultural policy-making at the WTO signals a ‘thickening’ of globality in agriculture. The creation of active Committees on Agriculture and SPS increased the *extensity* of global relations. In setting up committees open to all 128 members of the WTO, the international policy forum for agricultural trade policy expanded well beyond the OECD and the more elite groupings of the GATT that had dominated the arena prior to the Uruguay Round. With the Committees meeting four times per year at a minimum and with the additional interchanges taking place due to the arrival of the next set of negotiations, the *intensity* of political connections between states rose significantly. With the more extensive use of the Internet by many governments and at the WTO, so too has the *velocity* of interchange increased sharply.

Finally, the Committee’s activities signal an increasing *enmeshment* of local agricultural policies with the new global arrangements. On the one side, new domestic policies and amendments to existing policies must all be designed with WTO rules and policy in mind. On the other side, what happens locally becomes of ever more interest globally. In this respect, the WTO rules have become increasingly internalized in domestic policy-making circles. The former Chair of the Agriculture Committee, Nestor Osorio Londoño (1998:4), captured this idea of enmeshment and the resulting globality in a speech to the IATRC in December 1997. ‘As a result, implementation has generally become a more open, ‘hands-on’ process. What goes on in your domestic backyard is increasingly a matter of legitimate interest to your fellow WTO members.’ Londoño (1998:7) added. ‘The basic idea was to enable WTO members to keep a ‘collective eye’ on how commitments were being implemented and to exert peer group pressure at the multilateral level.’ Accordingly, global

suasion was expected to discipline what happened locally. '[I]t was felt as long ago as the pre-Uruguay Round preparatory work, that a regular monitoring or review process would be useful in strengthening the hands of governments in dealing with pressure groups who, in many instances, would be unaccustomed to international constraints on domestic or trade policy options' (Londoño 1998:7).

Two concrete examples illustrate this growing enmeshment and reflexivity of the global and the local. First, a person close to agricultural policy-making circles in India talked about the impact of the actions of the Agriculture and SPS Committees in his own country.¹ He noted that initially India did not attend these meetings, primarily because the government of India had not fully appreciated the potential impacts of the Agreements on domestic policy. 'It took 2 or 3 years for the fact to sink in that now there were certain principles in place which meant that India could not just do what it wanted to do.' He added that as the changes did become better known, political practices changed domestically. 'In the last two to three years, when it comes to major policy decisions, the agriculture ministry is now co-ordinating very closely with the trade ministry. It even has its own WTO staff, who works with the trade ministry. This coordination did not happen before.'

Moreover, domestic policy is now 'seen' differently as the concepts in the Agreement on Agriculture become internalised by domestic officials. My interviewee illustrated this change with the following example. India has a long-standing policy to build up food stocks that might be deployed in case of famine. After a series of bountiful harvests, the accumulated stocks had reached such levels in the late 1990s that storage costs became prohibitive. So the country proposed to sell off some of the stocks to other developing countries at a rather low price. When officials of the agriculture department reported on these actions to trade ministry officials, they were told that such common acts of the past were now constituted as 'export subsidies' under WTO rules. Moreover, the US government had expressed its opposition to the sale at a meeting of the Committee. The official, however, concluded by noting the reflexivity in the process. In response to internalizing the WTO concepts and understanding their implications for Indian agriculture, India has become much more active in the Millennium Round negotiations, either developing its own policy proposals or working more closely with other countries. Almost all observers of the latest trade discussions in agriculture comment on a significant increase in the activity of the developing countries when compared to the last time. Things are much more 'complex', they will add, because agreement between the US and the EU, although still a necessary condition, is no longer a sufficient condition for an overall accord.

A second illustration of reflexivity through enmeshment comes in how states construct 'regions'. Appadurai (2002:8) argues that the capability to imagine regions and worlds is now itself a globalized phenomenon. He adds (2002:12) 'the principal challenge that faces the study of regions is that actors in different regions have elaborate interests and capabilities in constructing world pictures whose very interaction affects global processes.' In a transnational policy space, such regions may be 'non-territorial'. Speaking of non-territorial regions in the world economy, Ruggie (1993:172) introduces the idea of 'a decentered yet integrated space-of-flows, operating in real time, which exists alongside the space-of-places that we call national economies. Such a conception can be extended to policy flows as well. If Appadurai and Ruggie are correct, we might see some new imaginings of non-territorial regional spaces as developing countries build on their deeper knowledge of the Agriculture and SPS agreements gained in the respective WTO communities and propose new policies in the Millennium/Doha round

The behaviour of two countries, Mauritius and Cuba, is suggestive of new imaginings of 'region'. Mauritius submitted its own proposal, joined in with an 'African Group' of 39 states to submit a second, then partnered with Antigua and Barbuda, Barbados, Cuba, Dominica, Grenada, Jamaica, Saint Kitts and Saint Nevis, Saint Vincent and the Grenadines, and Trinidad and Tobago as part of a 'small island developing group', and with

Barbados, Cyprus, El Salvador, Fiji, Malta, Mexico, Saint Lucia, Singapore, and Trinidad and Tobago, the so-called 'non trade concerns' group. Cuba participated in the 'small island developing group' as well, but also a 'developing country' grouping that included Dominican Republic, El Salvador, Haiti, Honduras, India, Kenya, Nicaragua, Nigeria, Pakistan, Sri Lanka, Uganda, and Zimbabwe. No former Eastern Bloc country is a member of either group, but three continents are spanned. Should we see these as 'alliances' commonly found in the first nation-state modernity or as reflexive, new constructions of non-territorial 'regional' spaces in a transnational policy space in the second globalizing modernity?

Agricultural Biotechnology: Expanding the Range of Governance

Castells (1996:30-32) argues that the introduction of information and communication technologies has brought on a technological revolution as important and as fundamental as the industrial revolution in the 18th century. Characteristic of such revolutions is their pervasiveness, that is, their penetration of all domains of human activity. At the core of the current transformation are technologies of information processing and communication. Unlike many analysts, however, Castells includes genetic engineering in this group of core technologies. He sees this activity as focused on the decoding, manipulation and eventual reprogramming of the information codes of living matter. In this respect, genetic engineering is similar to the converging sets of technologies in microelectronics, computing, telecommunications and optoelectronics commonly associated with the 'information technology revolution.'

The advances of biotechnology are inherently globalizing processes. Genetic engineering involves moving the information coded in a given gene or gene sequence from one living organism to another. Unlike past efforts of this kind, recombinant DNA techniques permit this transfer of information to occur outside the bounds of *place*, whether defined as physical location or as species type. A gene can be removed from a living organism found in one physical location in the world and placed in another living organism that would never have had any physical contact with the first. Moreover, the species type of the second organism may be completely different from that of the first. Under these conditions, genetic engineering unleashes information flows in a whole new translocal and trans-species space.

As a core technology in the information communications revolution, genetic engineering began to be studied in relation to plant and animal development in the late 1970s and early 1980s. Since that time, questions regarding the proper use and diffusion of agricultural biotechnology have gradually entered transnational agricultural policy space along two paths. First, some fear that novel traits from GM crops will escape to wild species, leading to the development of herbicide tolerant weeds or pesticide resistant insects and in the longer term, to a reduction in biological diversity. The unpredictable and perhaps irreparable nature of the effects of such gene interaction on biodiversity contributes to such unease. Second, an increasing number of individuals and organizations worry that foods with GM components may contain higher levels of toxins or allergens that may become a significant threat to human health over time.

Approvals were given for the commercialization of several genetically modified plant varieties by the US and Canadian governments in the early 1990s. The four most widely planted GM crops – soybeans, maize, canola and cotton – are highly traded. In addition, the first three of these provide basic components to a large number of processed foods. Soybeans and maize are also widely sold for animal feed. Concerns over biological diversity and food safety related to the international trade of genetically modified agricultural commodities and processed foods became more pronounced in the policy space after the first genetically modified soybeans entered the EU market from the US in 1996.

The introduction of economic, knowledge production, bioprospecting and political flows related to biotechnology has reconfigured, in turn, the transnational policy space for agriculture. They have fostered the creation of new networks between formerly more isolated sites of power and authority, bringing much more to the fore areas of the contradictions between their core principles and norms. They have also encouraged in their wake the active participation of new sets of transnational non-state actors ranging from corporations to ecological and peasants' social movements.

The reconfigured policy space features four interlocking nodes of power and policy activity: trade, food security, intellectual property, and conservation and sustainability of biological diversity (Coleman and Gabler 2002). The following discussion highlights how the latter three nodes relate to that of international trade already described above.

Food Security

The Rome Declaration on World Food Security (FAO and UNDP, 1996a:3) provides a summary statement of the focus of a food security node in the policy space. 'Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life.' The concept of food security includes both physical and economic access to sufficient food and ensuring the availability of food that is safe and nutritious. The Food and Agriculture Organization (FAO) of the UN is the principal organizing site, having promoted the general principles of food security and their associated norms. It has also drawn a linkage between food security and biotechnology. In a Statement on Biotechnology issued in January 1999, the FAO recognized this technology to be a powerful tool for the sustainable development of agriculture. It noted the potential of genetic engineering for increasing productivity, whether through furnishing higher yields on marginal lands, providing healthier plant material, or improving food quality. Finally, the FAO acknowledged concerns about the potential risks to human health and the environment from biotechnological products intended for agricultural and food use. It advocated a rigorous system of risk assessment based upon a 'science-based evaluation system that would objectively determine the benefits and risks of each individual GMO' (FAO, 2000:2).

Four institutional families operating under the FAO umbrella have an actual or potential role as sites of authority in the international governance of agricultural biotechnology. As noted above, three of these are tied directly to the WTO: the International Plant Protection Convention (IPPC), the Office International des Épizooties, and the Codex Alimentarius Commission (CAC). The fourth is the Commission on Plant Genetic Resources (CPGR) and its Global System for the Conservation and Utilization of Plant Genetic Resources. The latter constitutes a potential pole for opposition to sites of authority for intellectual property protection outlined below.

The CPGR was formed following agreement in 1983 on an International Undertaking on Plant Genetic Resources. The Undertaking was conceived with the purpose of ensuring that plant genetic resources (PGRs) of economic and/or social interest for agriculture be explored, preserved, evaluated and made available for plant breeding and scientific purposes. Such resources, it was stated, belong to the public domain as 'a common heritage of mankind' and should be available without restriction anchored this agreement. The definition of PGRs in Article 2 of the Undertaking is sufficiently broad to include new products of biotechnology as well as farmers' varieties and wild species. Annexes to the Undertaking adopted in 1989 and 1991 added the concept of *farmers' rights* and subjected the common heritage norm to the principle of the sovereign rights of nation-states to govern their PGRs. The 1996 Leipzig Declaration (FAO and UNDP, 1996b) on conservation and sustainable use of PGRs stressed that world food security would require integrated approaches that would

combine the best of traditional knowledge of plant varieties and of plant breeding with new technologies.

Intellectual Property Protection

The rise in economic importance of plant and animal biotechnology also gave increased significance to policy questions related to intellectual property rights and to sites of authority for building agreement on a transnational intellectual property protection framework. Such a framework began to develop with the drafting of the Paris Convention for the Protection of Industrial Property in 1883. Including its seven revisions up until 1979, this formal agreement, along with the 1970 Patent Cooperation Treaty (PCT), sets out an international system to coordinate the granting of IPRs among states. These specific principles and norms became the responsibility of the UN World Intellectual Property Organization (WIPO), established in 1968. WIPO has set up a Committee of Experts on Biotechnological Inventions and Industrial Property and a Working Group on Biotechnology to begin to frame policy proposals.

Intellectual property was tied in more directly with the trade regime with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) of the WTO. TRIPS is based on the norm that the measures adopted by contracting parties to enforce intellectual property rights (IPRs) should not themselves unnecessarily restrict trade. Article 8 makes provision for members to adopt measures to protect human health and nutrition consistent with the SPS Agreement. It also permits members to exclude from its 20 year patent protection term those inventions that (among other things) are a threat to human, animal or plant life or health. Article 27(3) allows members to exclude from patentability plants and animals (other than micro-organisms) and essentially biological processes for the production of plants or animals (other than non-biological or micro-biological processes). In these cases, members must provide for an effective *sui generis* system of protection for new plant varieties. The International Convention for the Protection of New Varieties of Plants (1961, 1972, 1978, and 1991) under the auspices of the International Union for the Protection of New Plant Varieties (UPOV) offers one alternative, so called *sui generis*, framework. Presumably, any request for exclusion from patentability of a GMO under Article 27(3) based on a threat to life or health would be subject to submission of relevant scientific evidence. If accepted, the state's way is open for adoption of a legitimate SPS measure. Responsibility for overseeing the implementation of the policies rests with the Council on TRIPS, a standing committee of the WTO.

Conservation and Sustainable Use of Biological Diversity

The third additional node of political import in the policy space is built around the principles to conserve and sustainably use biological diversity as a means to ensure an environmentally sustainable world economy. The most important, legally binding agreements in this evolving policy framework that have become part of the agricultural policy space are the 1992 Convention on Biological Diversity (CBD) and the 2000 Cartagena Biosafety Protocol (BSP). The CBD set up five interrelated international institutions: the Conference of Parties (COP), the Subsidiary Body on Scientific, Technical and Technological Advice, a Secretariat, a Financial Mechanism and a Clearing House Mechanism. The Protocol adds a Biosafety Clearing House to these institutions. The CBD establishes duties for states to conserve the biological components of the earth's ecosystems and to use genetic resources sustainably to meet food security, health and other needs of a growing world population (CBD, 1992: Preamble). The Protocol sets out procedures to protect states' environments from risks posed by the transboundary transport of living GMOs, including GM agricultural commodities and seeds.

Several aspects of these agreements have become crucial parts of the transnational policy space and provide key sites for organizing against the rules embedded in the WTO. The CBD creates duties for states to

prevent environmental harm within *and beyond* their jurisdictions (CBD, 1992:Article 3; UNCED, 1992:Principle 2), and corresponding rights to regulate and control cross-border movements that could be environmentally harmful, including the diffusion of GMOs (CBD, 1992:Article 8). In the area of intellectual property, states are enjoined to share the benefits arising out of the utilization of plant genetic *resources*, ‘... including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, [including biotechnology]...and by appropriate funding’ (CBD, 1992:Article 1). The special needs and environmental situations of developing countries, often centres of origin, are seen as key to ensuring equity and fairness in the sharing of benefits, access to, and transfer of biological resources available (CBD, 1992:Article 20.5). Besides compensation to state holders of biodiversity, parties are encouraged to distribute any gains arising from the use of PGRs and associated traditional knowledge to indigenous peoples and local farmers in recognition of their unique rights and contributions (CBD, 1992: Article 8j).

In the face of scientific uncertainty about risks to the environment, the CBD and the Protocol provide an additional counter power to the WTO institutions by invoking the norm of precaution as a means to permit states to take regulatory action to avoid potential harm (Cameron, 1999:241). Specific applications of precaution, as incorporated in the CBD and BSP (CBD, 2000:Preamble and Article 10.6), include duties placed on states to carry out impact and risk assessments of the potentially adverse effects of GMOs on the environment and to follow Advanced Informed Agreement (AIA) procedures in their transboundary movement. Living GMOs are not to be imported into a country without its AIA, which is independent of the risk assessment and authorization for release in the exporting country.

Global Conflict Over Rules

When the principles and norms underlying these various international institutions and the ties between them are examined, it is clear that they are unlikely to coalesce into a single global governance regime (Coleman and Gabler 2002). The previous discussion suggests that the transnational policy space features two foci for policy-making. The first is centred on the international trade system and includes the WTO, food security organizations like the CAC and IPPC, and intellectual property rules found in TRIPS and the agreements overseen by WIPO and UPOV. The second clusters around the Convention on Biological Diversity, its associated Biosafety Protocol, an International Undertaking revised in 2001 and the CPGR. Behind this competition lie power blocs led by the US, the EU and by developing countries.

Conflict between these two nodes of governance is rampant, with three areas of incompatibility and dispute being particularly crucial:²

- The use of precaution or strict science-based risk analysis in determining food safety.
- The flexibility of IPRs in accommodating claims for benefits from the use of PGRs.
- The relationship between liberalized trading rules and trade measures adopted in pursuit of biodiversity objectives under relevant multilateral environmental agreements (MEAs) like the CBD.

In summary, the emergent transnational policy space in agriculture has quickly come to feature a complex, if not chaotic, politics. The porous boundaries of the space undermine attempts to close off more focused and limited areas of policy where some of the arguing and truth-seeking preparatory for the agreement on principles, norms, rules and procedures necessary for regime formation might be possible. Attempts by the US government to give priority to the WTO and its linked international organizations have yet to succeed. Even if the EU were to join with the US in giving ultimate priority to the international trading system rules, it is unclear whether different groupings of developing countries would cooperate. What is more, the presence of alterna-

tive nodes of power and authority such as the CBD will continue to provide a focus for non-state actors seeking a counter power.

Conclusion: Asymmetries of Power in the Policy Space

All of the discussions and analyses of globalizing processes stress their uneven effects. In closing this discussion of the development of a transnational policy space in agriculture, it is important to note how some of this unevenness contributes to important asymmetries of power within that space. First, the growing importance of expert technical knowledge disfavours some developing countries. Expert knowledge can become an exclusionary device; only those who have the ‘credentials’, who can ‘talk the talk’ are assumed to be relevant for policy-making. When one is dealing with the technical complexity involving tariff quotas for market access, measuring likely costs of export subsidies, or assessing and measuring the trade-distorting aspects of domestic programs, one needs considerable technical expertise in agricultural economics and international law. When one is dealing with assessing the potential impacts of genetically modified organisms on the health and safety of humans and animals and on biological diversity in the wild, one requires considerable expertise from a range of disciplines in the physical and life sciences. The resources needed to engage such experts are much more readily available in developed countries. Moreover, these countries already have a tradition of thinking and working this way. Key concepts like aggregate measure of support, risk assessment, and risk management are part of the systems of government in developed countries, but less familiar in the much more poorly resourced bureaucracies of developing countries.

The following example illustrates how this imbalance works. In the Committee on Agriculture, member states have the right to bring to the agenda issues related to the programs of other member states. That is, they might challenge whether a given program or programs actually fit the criteria laid out in the Agreement. To make such a challenge, a state needs not only the technical expertise in agricultural economics and trade rules to assess another state’s program structure and its effects, but also it must have sufficient expert personnel that it can afford to devote its scarce resources to this task. In an interview with a developing country representative, he said when questions are raised in the Committee ‘usually the respondent is a developing country, but on the front side you rarely see developing countries. Why? Is it because of the lack of resources? It’s definitely not because of a lack of concern.’³

I assessed this observation more systematically by examining all of the cases raised at the Committee on Agriculture where one country sought a review of another country’s policy. The results are contained in Table 1. They confirm definitively the observation made by my interviewee. Developed countries initiated 130 of the 145 reviews, with the USA alone responsible for 88 of these. Only developing countries in the Cairns Group initiated reviews and these accounted for a small 10 per cent of the total. In the initial stages of the Committee’s activity, developed countries were interrogating other developed countries often; by the last stage, the targets for reviews were primarily in the two categories less-developed developing countries.

This problem extends beyond the Agriculture Committee to the SPS one. A person at the WTO Secretariat who works with this committee spoke about developing countries and their role at the Committee and at Codex: ‘when you’re trying to find really world class experts, in some countries they don’t exist. And so it’s very difficult to have the expertise needed. And this is a more serious problem than whether they are actually at a meeting. Can they constructively participate at a meeting?’⁴ The respondent added a related point. ‘And the other concern with setting standards is even if they are there and setting standards, what happens when they are finished? You know, can they actually make use of these standards when they get back to the domestic level? That is much more problematic as well.’ In an interview with the representative of Pakistan who

Table 1: Initiators and Respondents of Program Reviews at the Committee on Agriculture, 1996-2000

	Developed	(USA)	Cairns Group Developing ¹	Relatively Self Sufficient ²	NFIDC ³
Year 2000					
Initiator	17	(8)	1	0	0
Respondent	1		2	9	6
Year 1999					
Initiator	17	(9)	0	0	0
Respondent	1		1	6	10
Year 1998					
Initiator	17	(10)	3	0	0
Respondent	7		1	8	4
Year 1997					
Initiator	46	(39)	6	0	0
Respondent	21		6	12	13
Year 1996					
Initiator	33	(22)	5	0	0
Respondent	15		9	9	5
Total Initiators	130	(88)	15	0	0
Total Respondents	45		19	44	38

1. Developing countries in the Cairns Group include Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Fiji, Guatemala, Indonesia, Malaysia, Paraguay, Philippines, South Africa, Thailand and Uruguay.

2. Includes Panama, Korea, Turkey, Poland, Rumania, Slovak Republic, Hungary, El Salvador, Ecuador

3. Composed of the 48 least-developed developing countries as recognized the UN Economic and Social Council plus Barbados, Côte d'Ivoire, Dominican Republic, Egypt, Honduras, Jamaica, Kenya, Mauritius, Morocco, Peru, Saint Lucia, Sénégal, Sri Lanka, Trinidad and Tobago, Tunisia, and Venezuela.

attended the SPS committee, he threw up his hands and said. 'We' re reactive. All we can do is react in an unprepared way. I have to cover five or six committees by myself. The Americans have 10 persons doing what I am doing.'⁵

A second problem arises out of the long-term effects of the agreement. A representative from India noted that during the Uruguay Round, developed countries had promised that developing countries would gain some 600 billion dollars worth of additional exports from the UR Agreement. This economic breakthrough has not occurred. What is more, even with the UR Agreement, there remains a huge disparity between the amount of money spent by the US and the EU on support for farmers and that spent by developing countries. As another developing country respondent said, using Kenya as an example, this financial support creates a 'production

crisis'. With the arrival of subsidised commodities or processed foods from developed countries, the 'likelihood of a farmer producing what he does now goes down and more widely the production of the broader agriculture sector goes down and thus the chances of further investment in this sector gets reduced. These kinds of trade distorting policies are impacting on domestic production systems in countries.' Speaking of India, another respondent noted that 700 million of India's 900 million people are dependent on the agricultural sector. Even without the problems arising from subsidies in the developed countries, with the increased openings to international competition, India's production system could change drastically leading to a large reduction of those employed in agriculture. 'If trade impacts negatively on the livelihood of this huge population dependent on the sector without providing appropriate safety nets, then it's a major threat.'

Third, both of these contributors to asymmetries of power – lack of technical expertise, vulnerable domestic production systems – are compounded when it comes to agricultural biotechnology. The ranges of technical knowledge needed expand to include intellectual property law, microbiology, risk assessment for human and animal health and safety, assessment of impact of dispersion of GMOs on biological diversity in the environment and so on. Because much of the technology is controlled by a relatively small number of transnational, primarily US, corporations, it is largely unavailable to poorer developing countries. When it is available, they need to accept the technology on terms set by these corporations. Given the emphasis in development of the technology on improving productivity and efficiency of agricultural production, it may hasten further the demise of traditional production systems. It may also have a detrimental effect on the wealth of genetic resources and biological diversity in developing countries.

In summary, the political globalization of agricultural policy-making and the development of a global transnational policy space do not appear to have lessened asymmetries of power in this sector. What appears to be happening is that these developments have made long-standing asymmetries more transparent and more open to view. Some would add that those asymmetries have deepened, reflecting a transfer of wealth from the more marginal farmers in the developing world to the 'industrial' farmers and agribusiness corporations in the developed countries.

NOTES

¹ Confidential interview, Geneva, June 2001.

² These areas of dispute are described more fully in Coleman and Gabler (2002).

³ Confidential interview, developing country delegation, Geneva, June 2001.

⁴ Confidential interview, WTO Secretariat, Geneva, June 2001

⁵ Confidential interview, Permanent Representative of the Islamic Republic of Pakistan, June 2001.

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Institute on Globalization and the HUMAN CONDITION

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To assist scholars at McMaster and elsewhere to clarify and refine their research on globalization in preparation for eventual publication.

“Globality and Transnational Policy-Making in Agriculture: Complexity, Contradictions, and Conflict”

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