
SUMMARIES

BORDERS

MICHEL FOUCHER

Borders: Rejection, Attachment, Obsession

The return of borders can only come as a surprise for those who had confused the lesser visibility of these sovereign boundaries and their disappearance in a world completely globalized under the influence of the economy. The border marks the necessary boundary between “within” and “without”, which is the basis of any collective political consciousness. And it is the responsibility of the government to “regulate confines” so as to establish civilized relationships with other nations. 185

SABINE DULLIN

The Reawakening of Internal Borders

The article analyses the reawakening of state’s internal borders as so many political levers. It first questions the too simplistic opposition between imperial borders and the borders of the nation-state by showing that the construction of the latter has been characterised by multiple joints. It then asks whether one should be nationalist to fight for secession or refuse to be so to accept to live together in a multinational state. Finally, looking between past and future, it asks why internal borders, which are relics of the past, are being acclaimed today in order to rebuild a grassroots democracy.

JEAN-MARC SOREL

Border Law: A 3D Panorama

Border law is not a uniform legal system. In a synoptic view, it can be declined in three dimensions, literally as it is a volume and not a plane, and figuratively because it shows a great *diversity* in its original meaning and its determinant, a *derogatory* character in relation to

international common law, and a multiplicity of *disputes*. Far from following a sociological evolution that would attenuate its rigidity, in international law border law remains a sign of exception.

CATHERINE WIHTOL DE WENDEN

Borders, Nationalism and Political Identity

The issue of demarcation has served to reinforce the thesis of the sovereignty of the nation-state. Together with geographical boundaries, national identity helps to construct a history that is different within and without the borders, and to introduce a differentiated treatment for those who are considered as not being part of the common nation. Borders are being reintroduced between the states of Europe together with other factors of exclusion such as citizenship law in a context where borders are dramatized to foster identity.

FRANÇOIS ALABRUNE

France's Borders

France's land borders, primarily its metropolitan borders, are the result of an age-long political process which developed in various stages and sometimes led to original solutions. The boundaries of France's maritime domain, whose importance lay mainly in their overseas dimension, are the result of a unilateral approach often completed with the negotiation of agreements and guided by the law of the sea.

MYRIAM BENLOLO CARABOT

The Transformation

of the Notion of Borders within the European Union

The European Union has an ambivalent relationship with borders. Within the "area without internal borders", the Union does not use the border to limit its jurisdiction, like the nation-state, but to justify it. It is in fact the crossing of the border which allows the realisation of the said space. The progressive and uncertain formalisation of a "territory" of the Union signals an evolution that is important yet ambivalent regarding the conception of the border which is emerging within this singular legal system.

PASCAL LAMY

The New Borders of the Economy

In the economic order, older borders are disappearing. But new obstacles to exchange are emerging which will be more difficult to reduce,

while a politically-motivated step backwards remain possible, albeit unlikely.

BÉATRICE GIBLIN

Balance of Forces and Border Conflicts

Border conflicts do not aim only to establish a boundary for national sovereignty resulting from a balance of forces eventually acknowledged by the various protagonists. Charged with being the cause of numerous border conflicts, colonial borderlines have changed very little since decolonization. Borders have played a major role in the management of conflicts (civil wars, ethnic or religious disputes) that involve numerous transnational actors.

EL MOUHOUB MOUHOUD

187

The Visible and Invisible Borders of International Migrations

Since the closure of work migration in 1974, the costs of emigration have been borne by the migrants themselves. These excessive costs together with the restrictive and selective policies of the host countries explain why, nowadays, the people who manage to migrate do not come from poor countries and are much more qualified. Yet, migrations paradoxically favour the commercial exchanges and the development of the countries of origin.

ALEXANDRA NOVOSSELOFF

Walls of Separation: An Accumulation of Contradictions

The multiplication of walls of separation since the end of the Cold War symbolises fractures and resistance to globalization. As opposed to the notion of border acknowledged by both sides, walls are by their very essence unilateral acts. They are not only signs of impotence but also additional factors of destabilization. They therefore cannot represent a genuine answer to contemporary crises and threats.

CHRONICLES

KIBESSOUN PIERRE CLAVER MILLOGO

The International Criminal Court: A Controversial Jurisdiction?

PIERRE ASTIÉ, DOMINIQUE BREILLAT
AND CÉLINE LAGEOT
Foreign Chronicles
(October 1st – December 31th, 2017)

JEAN GICQUEL AND JEAN-ÉRIC GICQUEL
French Constitutional Chronicle
(October 1st – December 31th, 2017)