

impact of a proposed antidumping action is more fully aired in the determination process.

More could be written, but the above should be sufficient to indicate many of the ways by which piece-meal reform could make antidumping procedures less arbitrary and trade and investment distorting. Considerable negotiating effort and coalition building will be required to achieve credible results. Nonetheless, the reform approach is appropriate and necessary.

But here we reach an interesting stage in the present discussion. There is a case to be made that in principle we should rely more on respective national competition regimes, including the development of some common, internationally binding guidelines, to govern corporate behaviour, at least within the North American free trade context. But I do not propose to engage in this debate in this Paper. Rather, I intend to explore the antidumping-competition linkage from another angle: can we avoid eventual international antitrust rule-making even if we wanted to?

If antidumping negotiations are engaged (in the first instance, either bilaterally or through the NAFTA) and considerable progress eventually is made, does this mean that, over the longer term, supplier access problems (e.g., Canadian exporters into the U.S. market) will necessarily be lessened? I believe that this conclusion may underestimate the creativity of special interest groups and the legal profession (not to mention some honourable members of the trade policy community). As antidumping rules are gradually tightened, protectionists may well search out new instruments not yet subject to binding international disciplines and seek to recast these as tools for import harassment. Could they capture competition policy in this way? Perhaps - as I plan to explore in the following section.

4. And On The Other Hand

The impact of Canada's competition policy since the implementation of the 1986 Act is properly balanced. It does a good job of underpinning the operation of a dynamic market place and cannot be considered burdensome on Canadian business nor ineffective in its defence of the broad interests of consumers. Although somewhat more focussed on the use of per se illegality and more likely to fall back on a populist "big is bad" tradition (including the continuing prominence given to the numerically-based concept of market share), the practice of competition law in the U.S. has also evolved over recent years in ways that more fully recognize the