

of consumption to environmental impacts; the politics associated with consumption; and the role of public policy in guiding sustainable consumption.

Overall the discussion supports the feelings of many concerned about environmental issues. Technical fixes can make useful contributions, but understanding of social behavior is critical—after all, it is the individuals in society who use the technology. Readers wanting quick answers to the question “how do we make consumption sustainable?” may be disappointed that the answers are not there. This is a book that reports the work of academics, not the actions of activists. Readers who have experience in environmental issues and management may feel that many of the points that have been presented are treading over old ground. For these readers, to dismiss the authors’ work too quickly would be to miss important insights, especially that society is complex, and it is dangerous for us to jump to “solutions” based on our previous experience. This is where “Exploring Sustainable Consumption” is particularly valuable—in identifying many aspects of social and individual behavior that we must consider in planning sustainable consumption approaches. We ignore these aspects to our peril.

References

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- Conca, Ken, Thomas Princen, and Michael Maniates. 2002. *Confronting Consumption*. Cambridge, MA: MIT Press.

Markell, David, and John Knox, eds. 2003. *Greening NAFTA: The North American Commission for Environmental Cooperation*. Palo Alto, CA: Stanford University Press.

Reviewed by Paul Stanton Kibel
Golden Gate University School of Law

In the fall of 1992, the prospects for the United States Congress’ approval of the proposed North American Free Trade Agreement (NAFTA) looked grim. Environmental groups and labor unions were dead-set against the pact and it looked as if NAFTA’s proponents did not have the votes. Enter Bill Clinton, elected United States President in November 1992. As a candidate, and later as President, Clinton declared that he would not support NAFTA unless and until there were meaningful side agreements on the environment and labor. With this gauntlet thrown down, Clinton then began to seek supporters in the environmental and labor camps for his “NAFTA-plus” agenda.

The NAFTA-plus agenda initiated by Clinton led to the negotiation of two new agreements—the North American Agreement on Labor Cooperation (NAALC) and the North American Agreement of Environmental Cooperation (NAAEC). The cornerstone of the NAAEC was the proposed creation of a new

trilateral agency to be headquartered in Montreal, Quebec—the North American Commission for Environmental Cooperation (CEC). Some environmentalists withdrew their opposition to NAFTA so long as NAAEC came with it. Other environmentalists rejected the NAAEC as ineffective green window-dressing to NAFTA. Politically, however, Clinton's NAFTA-plus strategy did the trick. It swung enough environmentalists and labor activists to the pro-NAFTA side to secure approval by the United States Congress in late 1993.

This is the political backdrop for Stanford University Press' new collection of essays, *Greening NAFTA: The North American Commission for Environmental Cooperation*, edited by Professors David Markell (of Florida State University College of Law) and John Knox (of Pennsylvania State University's Dickinson School of Law).

Greening NAFTA consists of 16 essays which are divided into three sections. The first section is entitled *Regional Solutions to Regional Problems*, and reviews the CEC's collaborative efforts to develop tri-national approaches to deal with transnational problems in North America. Greg Block, Director of Programs at the CEC from 1995–2002, begins this section with an account of how the CEC developed its initial work plan. Block's piece is followed by essays on pollutants, biodiversity conservation and transboundary pollution. In this section, we learn that the CEC has made much progress in terms of providing a new forum and serving as a new impetus for information-sharing and better coordination of national environmental programs in Canada, Mexico and the United States.

As Block (p. 35) notes, however, this success also reveals the CEC's hesitancy to insert itself into environmental areas that might be more thorny for North America's national governments:

Early on, the CEC had to come to terms with the fact that avoiding difficult and polemic issues might isolate the institution from the most important regional environmental issues of the day. Put another way, if the CEC were to become more than a mere forum for discussion and coordination—if it sought to do something more than identify some of the driving forces of environmental pressures in the region—then it would have to buckle up for a turbulent ride.

The sections in *Greening NAFTA* that follow suggest that CEC has often been reluctant to take this ride.

In the second section, *on Trade and Environment in North America*, Mary Kelly and Cyrus Reed (of the Texas Center for Policy Studies) and Kevin Gallagher (of Tufts University's Global Development and Environmental Institute) document the CEC's progress in developing analytic models to assess the environmental impacts of North American Trade. This section, however, also suggests that the CEC has yet to play a role in translating this improved assessment into improved North American environmental policy. As Kelly and Reed (p. 109) comment: "The jury is still out on one aspect of the CEC's NAFTA ef-

fects work, however: how can or will the Commission's analyses have policy relevance? That is, can and will the studies be used to influence not only domestic environmental policies but also regional and even global trade policy . . . ?" This point was echoed in the essay by Professor Alejandro Nadal of the Center for Economic Studies at the College of Mexico. Nadal welcomes the CEC's recent decision to prepare a report to examine the effect of North American trade on corn biodiversity in Mexico, but questions whether the CEC's efforts have come too late (p. 168).

The second section of *Greening NAFTA* also contains an essay on Chapter 11 of NAFTA by Professor Sanford Gaines of the University of Houston Law Center. Chapter 11, which allows private corporations to seek compensation from national governments for regulations (such as environmental laws) that adversely impact a corporation's investment, has emerged as one of the most controversial aspects of NAFTA. Gaines (p. 185) finds that there is a need to better reconcile Chapter 11 with the NAAEC's environmental objectives: "Despite requests from the environmental community, neither the environmental ministers who constitute the Council of the CEC nor the trade ministers who make up the NAFTA Free Trade Commission have established mechanisms to bridge the gap between environmental cooperation and investor compensation . . ."

The third and final section, *Towards an International Civil Society*, contains essays assessing the extent to which the CEC has provided meaningful opportunities for citizens and non-governmental environmental organizations to participate in North American environmental policymaking. Markell (one of the book's editors) provides a stinging critique of recent actions by the CEC Council (composed of the environmental ministers of Canada, Mexico and the United States) to narrow the scope of the CEC's investigations regarding non-enforcement of environmental laws by national governments. These investigations (technically referred to as factual records) are authorized under Article 14 of the NAAEC when the CEC Council approves a recommendation (for preparation of such an investigation) presented by the CEC Secretariat. A CEC Secretariat recommendation to prepare a factual record is triggered by the filing of a citizen submission with the CEC regarding non-enforcement. Markell alleges that the CEC Council's November 2001 decision to unilaterally narrow the subject matter of four factual records recommended by the CEC Secretariat was more than just bad policy; it was unlawful under the NAAEC. As the former Director of the CEC Submissions on Enforcement Matters Unit, Markell's allegation here carries some weight.

The Article 14 citizen submission-factual record process was also considered in the essay by Professor Kal Raustiala of UCLA Law School. Raustiala (p. 269) observes: "The submissions procedures has been criticized for its weakness, in particular with regard to the outcome: a factual record rather than a legal ruling or even authoritative recommendation...At the moment, however, the United States, Canada and Mexico seem more inclined to weaken the procedure than to strengthen it."

The essay by John Wirth offers an account of the CEC's Joint Public Advisory Committee (JPAC), on which Wirth served from 1994 until his death in 2003. Among other things, Wirth explains the JPAC's steadfast efforts to preserve the integrity of the Article 14 citizen submission-factual record process from encroachment and interference by the national representatives that sit on the CEC Council. JPAC's actions here appear to be an instance where North American environmental policymakers were truly able to look beyond national interests. As Wirth (p. 211) notes: "While we come from three different nations, and have different institutional connections, we serve on the JPAC as individual citizens of the North American continent . . ."

Collectively, *Greening NAFTA* tends to present a distinctly United States' perspective on the CEC, which is to be expected since 13 of the 17 contributing essayists are from the United States. Given the historical circumstances of the CEC's creation, where to a certain extent the United States imposed the NAAEC on Mexico (and to a lesser degree Canada) as the price of NAFTA, the scant presence of Mexican and Canadian voices is one of the book's shortcomings. In this regard, the book does not achieve the diversity of viewpoints found in another recent collection of essays on NAFTA's environmental record, *Greening the America's: NAFTA's Lessons for Hemispheric Trade* (edited by Carolyn Deere and Daniel Esty, MIT Press, 2002).

Notwithstanding this shortcoming, the essays in *Greening NAFTA* provide an intellectually rigorous assessment of the CEC's performance. Taken on the whole, this assessment does not necessarily suggest that the CEC is performing all that well. For those whose expectations of the CEC were modest to begin with, the CEC may be doing fine. For those with greater expectations, however, who looked to the CEC to provide an effective environmental counterpoint to NAFTA, it remains an institution that has so far failed to deliver.

Boyce, James K. 2002. *The Political Economy of the Environment*. Northampton, MA: Edward Elgar

Reviewed by Paul Craig
University of California at Davis

James Boyce's compelling book combines economics, the study of allocation of scarce resources, with equity analysis. Boyce articulates a definite point of view: "If our willingness to abuse the environment is founded on our ability to abuse each other, then we can strengthen the social foundation for environmental protection by acting to reduce the disparities of power and wealth that foster such abuses." Too much wealth in too few hands, he argues, is a bad way to manage the world. We need to respect each other and the environment. "Whether we succeed . . . will depend, in the end, on each of us" (p. 135). Whether you agree with his world view or not—and I agree with it strongly—this is a book you need to understand.

Boyce's framework is that people and the environment are inextricably