

IS SPOTLIGHTING ENOUGH? ENVIRONMENTAL NGOs AND THE COMMISSION FOR ENVIRONMENTAL COOPERATION

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INTRODUCTION

The mainstreaming of environmentalism into the public consciousness is now an accepted part of policymaking in North America (Adams 2005: 2-3). In fact, Rosenbaum—in the sixth edition of his book *Environmental Politics and Policy*—argues that “the environmental movement has been largely responsible for a remarkable growth in public environmental consciousness and acceptance of environmental protection as an essential public policy” (2005:51). These carefully crafted words not only provide the basis for deeply engrained convictions concerning the state of the environment in today’s policy world, they frame a linkage between the public, the environment as a policy issue, and policymaking in general. Other scholars have enhanced this framing by illustrating the importance of public participation to effective environmental policymaking (Close and Mintz 2005: 624; Dobson and Bell 2006: 6). For instance, Torgerson and

Paehlke simply, but powerfully, state that “[t]he chances for effective environmental protection [are] clearly enhanced by public involvement” (2005: 4). In the same straight-forward vein, MacKinnon comments that “...involving the public helps make decisions more legitimate and sustainable, leading to better policy outcomes” (2005: 2) and Parikh and Troell posit that “[e]ngaging the public in environmental decision-making...often improves the quality of the environmental outcomes of those decisions” (2003: 3). Moreover, these scholars (and others) often embed their discussions of public participation within the context of interest groups or non-governmental organizations (NGOs). It is the purpose of this paper to investigate the linkage of public participation—especially as carried out through the context of environmental non-governmental organizations (ENGOS)—to successful policymaking through a critical analysis of the Commission for Environmental Cooperation (CEC) as it attempts to implement its stated mission.

The CEC was created under the auspices of the 1993 North American Agreement on Environmental Cooperation (NAAEC), a separate agreement between Canada, Mexico, and the United States stemming from concern for the environment in the context of the 1994 North American Free Trade Agreement (NAFTA). The CEC works through three major entities: (1) the Council, which is the governing body of the CEC and composed of the highest-ranking environmen-

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tal authorities from Canada, the United States, and Mexico; (2) the Secretariat, which is located in Montreal and implements the annual work program by providing administrative, technical and operational support to the Council; and (3) the Joint Public Advisory Committee (JPAC), which advises the Council on any matters pertinent to the scope of NAAEC and is composed of five citizens from each of the three countries. At the time of its inception, NAFTA was considered one of the “greenest” multilateral trade agreements ever concluded because of its heavy emphasis on environmental considerations through the NAAEC and the specific creation of the CEC (Mol 2001: 125-126).

As described in one of its first publications, the CEC’s mission is quite straightforward: “The CEC facilitates cooperation and public participation to foster conservation, protection and enhancement of the North American environment, in the context of increasing economic, trade and social links among Canada, Mexico and the United States” (CEC 1997). The CEC has been portrayed as the first international organization created to link public participation in environmental policymaking directly to trade and economic integration (DiMento 2003: 120; Knox and Markell 2003: 2) and has been described as “innovative...allowing citizens to directly access and participate in the Commission’s decision-making processes” (Parikh and Troell 2003: 4). Moreover, the CEC is described as an international model because of “its provisions for public participation and for the unprecedented commitment by the three governments to account internationally for enforcement of their environmental laws” (TRAC 2004: ix). Essentially, the CEC guidelines set up a public policymaking process that goes beyond participation by the three countries, allowing individual citizens to make submissions directly to the commission (Mol 2001: 128).

In brief, the articles that define the governance of the CEC set out a process where any “non-governmental organization or person established or residing in [Canada, Mexico, or the United States] may make a submission” asserting that one of the countries is “failing to effectively enforce its environmental laws” (CEC 2002: 11-13). [A non-governmental organization is defined as a “scientific, professional, business, non-profit, or public interest organization or association which is neither affiliated with, nor under the direction of a government” (CEC 2002: 57).] Based on such a submission, “the CEC is empowered, within certain limits, to investigate a party’s diligence

in enforcing domestic environmental legislation” (Johnson and Beaulieu 1996: 153). While the CEC is powerless to enforce laws or impose punishment, it does have the ability—through the citizen submission process—to spotlight problems in each country and bring specific environmental issues to the attention of governments, industry, and the public at large.

It is this emphasis on public participation delineated in the CEC’s mission and inherent in the citizen submission process that serves as the centerpiece of our study. We explore the contention that the CEC and JPAC are “committed to ensuring transparent delivery of information to and from the public, with a goal of ensuring that the interests of all stakeholders, including nongovernmental organizations...are represented” (Garver 2006: 10). However, our study goes beyond the investigation of the CEC’s effectiveness in carrying out its public participation mission. Another goal of this paper is to shed light on Canada–United States environmental policymaking.¹ We argue that because Canada and the United States approach environmental policymaking (especially at the international and regional levels) from a divergent set of premises, Canadian and American ENGOs will perceive the effectiveness of the CEC in complying with its stated mission in entirely different ways. Essentially, we hypothesize that the way Canada and the United States approach environmental policymaking affects how they approach participation in the CEC. Accordingly, there will be substantial differences in the way these two countries’ ENGOs perceive the effectiveness of the CEC in completing its mission.

I. THE PROMISE AND THE REALITY

With respect to providing an outlet for trilateral public participation in environmental governance, the promise of the CEC is immense. The establishment of the CEC was even said to have “brought a revolution to North American governance” (Kirton 2006: 125). Not only were the guidelines of the CEC negotiated under the auspices of domestic environmental agencies (Hamilton 1997: 1), they were viewed as a mandate to foster public participation at every level of decision-making (Silva 1996: 1). The CEC’s power was to reside in its capacity to publicize environmental mismanagement—to serve as a “spotlight” on public authorities that fail to enforce their environmental laws properly (Johnson and Beaulieu 1996: 166).

There was to be a new openness, with a system that allowed for substantial ENGO involvement (Johnson and Beaulieu 1996: 136). As Silva so optimistically asserted, the CEC was to be “within reach of anyone on the North American Continent and the world” (1996: 8).

The question becomes: how has the promise of the CEC translated into reality? As will be seen, the fact that the CEC does not possess enforcement capabilities greatly reduces its policymaking authority. In fact, it appears that the CEC completes much of its work in anonymity. Even those who are uniquely aware of its efforts rate the CEC’s ability to influence environmental policy as weak. However, we are getting ahead of the story. To begin, we look at three recent studies of the CEC that evaluate the effectiveness of the CEC. As noted below, the CEC has both enormous potential and substantial limitations.

The first study we examined was a formal assessment completed by the Ten-year Review and Assessment Committee (TRAC) to the Council of the CEC, titled *Ten Years of North American Environmental Cooperation*. This assessment report was authored by six individuals: Pierre-Marc Johnson and Robert Page of Canada, Jennifer A. Haverkamp and John F. Mizroch of the United States, and Daniel Basurto and Blanca Torres of Mexico. The report was published in June 2004 and offered both an assessment of the CEC and recommendations for the future. The authors of this assessment began their work by asking a series of questions, one of which was: “Has the CEC facilitated greater public involvement in North American environmental management?” (TRAC 2004: 1). In answering this question, the authors of this report concluded that “most observers give the CEC high marks overall for public participation” (TRAC 2004: 39). Furthermore, the authors asserted that senior officials of all three countries considered “public engagement to be one of CEC’s strengths” (TRAC 2004: 39).

The second study was completed by Pooja Seth Parikh and Jessica Troell of the Environmental Law Institute at the request of JPAC. Their research included reviewing four factual records (SEM-99-002, Migratory Birds; SEM 97-006, Oldman River II; SEM-98-004, BC Mining; and SEM-00-004, BC Logging) and interviewing the authors of these four submissions, academic experts, and other individuals with knowledge of the submissions process and its history.² Parikh and Troell concluded that the citizen submission process has prompted enforcement efforts, spotlighted problems,

and generated publicity and information about government policies (2003: 16). Their findings specifically refer to the citizen submission process as useful, but also question whether the process is as effective as it could be. Their report's most substantial criticism is that the Council's oversight in setting the bar for what information is sufficient to move the process undercuts the independence of the Secretariat and hence, hurts the credibility of the CEC (Parikh and Troell 2003: 18). In essence, the authors of this report argue that the "Council's [interference] with the Secretariat's fact-finding process by deciding where to shine the spotlight, undermine[s] the independence of the Secretariat and the ability of the process to enhance transparent and accountable governance practices" (Parikh and Troell 2003: 25). Parikh and Troell make it very clear that they view this interference by the Council as detracting from one of the fundamental objectives of the NAAEC—enhancing public participation in environmental decision-making (2003: 23). The authors suggest that while the Council's actions may be consistent with the letter of its resolutions, it appears that their actions "violate the object and purpose or 'spirit' of these documents" (Parikh and Troell 2003: iv). The final words of the Environmental Law Institute report are quite condemning:

The Council's behavior is inconsistent with [their written record of commitment] and appears to retract its commitment to public participation and transparency. This, in turn, contravenes the object and purpose of the NAAEC and has undermined the Council's credibility with the public (Parikh and Troell 2003: 39).

The third study was completed by John Kirton and Sarah Richardson (See Kirton 2006 and Kirton and Richardson 2006). The results of this study portray the CEC as fostering a North American community of governments and as a mechanism for promoting sustainable development (Kirton and Richardson 2006: 19). Moreover, the CEC's citizen submission process is deemed as a success not only because it is frequently used, but because it is regularly used by ENGOs to push their concerns for environmental quality (Kirton and Richardson 2006: 16). Furthermore, in making their recommendations, Kirton and Richardson specifically speak to the value of the citizen submission process in enabling individual citizens and groups to have direct access to an international center whose mission is to protect and enhance the North American environment (2006: 31).

They give the CEC credit for creating a forum that facilitates citizen input at a high level and allows for an “easier, freer-thinking exchange of ideas” within a neutral, third party setting (Kirton 2006: 141). Kirton also emphasizes the importance of the CEC acting as a “roving spotlight” empowered with independent investigative powers (2006: 138). In the end, Kirton argues that the CEC has worked very well for Canada and Canadians (2006: 152).

There exists considerable support for the views (both positive and negative) of the CEC presented above. It has been posited that the CEC has generated cooperative activity and facilitated environmental problem-solving among state and local governments and allowed for considerable ENGO involvement (DiMento 2003: 126). The CEC has been praised for “promoting cooperation and facilitating public involvement” (Kennedy 2005: 1), creating a “vital forum where the issues can be studied and evaluated” (Block 2003: 26), and providing “unprecedented opportunities for participation by civil society at the international level” (Knox and Markell 2003: 2). In broad sweeping terms the CEC is viewed as facilitating “the emergence of a continental policy network” (Winfield 2003: 50), increasing North American cooperation on environmental areas (Kelly and Reed 2003: 101), and providing “extraordinary progress in addressing environmental issues that until recently had little or no resonance....” (Wirth 2003: 211).

The focus the CEC puts on “spotlighting” information (Markell 2003: 274) has been particularly well received. In this regard the CEC has been praised for illuminating North American trade and environmental linkages (Kelly and Reed 2003: 101) and establishing successful mechanisms for the public to participate in the decision-making process through both access to and dissemination of information (McRae 2003: 246). Perhaps Glicksman puts this best: “The CEC has probably been most successful to date in accumulating information that is vital to narrowing the information gaps that present obstacles to effective biodiversity protection” (2003: 75).

These seemingly ringing endorsements of the CEC come with some very pointed criticisms. For one, it has been well documented that support and interest from United States ENGOs has declined precipitously over time, due in part to the perception that the CEC has little impact and the view that the citizens’ submission process (a key component to getting public participation) has been severely weakened (TRAC 2004: 40). It has been estimated that the public

participation process set forth by the CEC has had “a modest but positive environmental impact” (TRAC 2004: 46) and that the submission process set up to ensure environmental enforcement has been much less effective than had been originally hoped (Kirton and Richardson 2006: 17). Glicksman contends that the CEC is an organization with “limited authority” (2003: 75) and Knox asks why the CEC has “failed to fulfill its specific mandates on transboundary environmental harm” (2003: 83). Other scholars have also been critical of the CEC in some fashion, claiming that the CEC “has largely failed to create an environmental voice within the NAFTA institutions” (Knox and Markell 2003: 310). Along these same lines, Block proclaims that one of the failures of the CEC is its “inability to produce a comprehensive assessment of NAFTA’s impact on the environment” (2003: 34).

Furthermore, while the CEC has been viewed as being successful in some areas (e.g., conservation issues), it has also been viewed as having a poor record on environmental standards, enforcement, and pollution prevention (Mol 2001: 128). In some cases, the work of the CEC has simply been labeled as ineffective and limited.

[The CEC] has not achieved anything even approaching even-handed enforcement of comparable environmental regulations across North America. The result has been a selective (and mercifully limited) environmental race to the bottom led by such jurisdictions as Louisiana and Texas (for the petrochemical industry), Mexico (largely through ineffective enforcement), British Columbia (for the forest industry), and Ontario (since 1995, for any and all industries) (Paehlke 2003: 213).

In short, the CEC is perceived as effectively powerless because “decision-making authority remains in the hands of national governments operating within the closed world of diplomacy” (Paehlke 2003: 215). The CEC is also viewed as weak because of its inherent structure. Along these lines, the CEC is thought of as operating in a trilateral institutional framework where the critical issues are actually set within an alternatively overlapping and distinct set of regional problems (VanNijnatten 2004a: 32). Part of the ineffectiveness of the CEC is traced to the fact that its annual budget has remained fixed at \$9 million per year since its inception, with each country contributing \$3 million annually (CEC 2006: 1; Vaughan 2004: 19). As will be noted later in this paper—delineated in the analyses of our

survey results—the CEC’s weaknesses portrayed by these earlier studies are readily apparent to the leadership of environmental groups in both Canada and the United States.

II. ENVIRONMENTAL ORGANIZATIONS

Our study is designed to bring about a more systematic and comprehensive analysis of the scope and effectiveness of public participation as a key element in the CEC’s charge to foster protection of the North American environment. We survey a broad spectrum of ENGOs in Canada and the United States to determine their perceptions of the effectiveness of the CEC in meeting its mission with respect to public participation. In this regard, we chose to survey ENGOs from every province in Canada and every state in the United States. (See the “Methods and Survey Questionnaire” section for specific details of the selection process.) The purpose of surveying such a wide geographic array of groups was to look for interest in and knowledge of the CEC beyond the ENGOs that had previously petitioned the CEC (i.e., formally made submissions to the CEC). While we included the ENGOs that had petitioned the CEC in our survey, our emphasis was on evaluating the reach of the CEC across the entirety of both Canada and the United States. As noted in the introduction, one of the major emphases of the CEC’s mission is to connect to citizens (including ENGOs) in a way that enhances their efforts of public involvement in the submission process. Simply put, we wanted to measure the breadth of the CEC’s reach.³

ENGOs were chosen as the unit of analysis because they are direct participants in the CEC implementation process and because these non-governmental organizations play an important role in shaping and influencing public policymaking (Rosenbaum 2005: 36; Paehlke 2005: 36). Over the past several decades, ENGOs have emerged as important and valuable participants in global environmental governance (Clapp 2005: 280; Steel and Lovrich 2006: 2). Their participation in environmental policymaking is deemed as crucial to the development of regulatory regimes, especially when viewed from the perspective of transboundary governance (Alper and Salazar 2005: 25). Moreover, ENGOs are viewed as promoting environmental cooperation by providing opportunities for cross-border community building that goes “beyond the narrow and often polarizing sphere of economic linkages” (Conca et al. 2005: 150). As McKenzie points out, “environmental non-governmental organizations are the

most visible players in environmental politics both in Canada and around the world" (2002: 71).

The proliferation of ENGOs over the past several decades has altered the landscape of environmental policymaking, as they have played an essential role in the process of legitimizing multilateral negotiations (Eckersley 2004: 217). The increased recognition and participation of ENGOs has led directly to an increased integration of economics and environmental measures at the international level (Clapp 2005: 271). Seen in this light, ENGOs are given substantial credit for linking constituencies across borders around ecological interdependencies and for building a "foundation of trust and implicit cooperation" (Conca et al. 2005: 150). In short, ENGOs are now "providing a new international forum to engage domestic government officials and to highlight concerns about domestic governance" (Markell 2003: 274).

ENGOs have always been at the forefront of environmental reform and were instrumental in securing a major role in the political process that surrounded NAFTA and establishment of the NAAEC and CEC (Knox and Markell 2003: 1; Mol 2001: 130-131). As acknowledged by Mol,

Environmental reform is coming about in the interplay between economic markets and actors on the one hand, and (organized) citizen-consumers and political institutions seeking to condition them on the other. Such interplay allows environmental considerations, requirements and interests to slowly but increasingly become institutionalized in the economic domain (2001: 209).

More to the point, with respect to the CEC, ENGOs are now being credited with triggering improvements in both domestic and environmental governance (Markell 2003: 274; Vogel 2006: 356).

Because one of the major goals of our research is to offer a comparative Canada–United States analysis, it is important to note that basic differences exist in the structure and role of environmental interest groups in Canada and the United States. Hoberg contends that ENGOs play an even more important role in the United States than in Canada because the United States institutional process gives them a larger number of access points, especially with regard to the legal system (2002: 177). In addition, United States ENGOs draw from a much wider base of population and financial support that allows them "much more formidable analytical capacities than their

Canadian counterparts" (Hoberg 2002: 177). That said, it is also clear that ENGOs in both Canada and the United States are well established, respected, sophisticated, and politically astute (Bosso and Guber 2003: 94; Lantis 2005: 405; McKenzie 2002: 73). Furthermore, Canadian and United States ENGOs have a solid track record of collaboration around certain environmental issues (e.g., land use and wilderness issues) related to transboundary conservation initiatives (Alper and Salazar 2005: 26).

III. CANADA-UNITED STATES DIVERGENCE

Some argue that Canada and the United States are interdependent, "their pasts and futures woven together inextricably and inevitably" (Hillmer 2005). However, others argue that Canada follows a path determinedly different from that of the United States (Struck 2006: 18). Certainly with respect to international environmental policymaking, Canada and the United States appear to take substantially different approaches. The United States is universally acknowledged as "the defining feature of world affairs" (Mandelbaum 2006: B4) and is explicitly described as "the crusading hegemon" (Clarkson and Banda 2004: 313) displaying "increasingly muscular American unilateralism" (Andresen 2005: 285; Conca and Dabelko 2004: 4). In this situation, United States environmental leadership is portrayed as obstructionist, showing a blatant disregard for international law. As such it is not credible (Vogler and Bretherton 2006: 9).

Canada, on the other hand, appears committed to following a path firmly grounded in multilateral institutions (Alper and Biette 2003: 2; Hawes 2004: 595; Mason 2005: 21; Pettigrew 2005: i) that are based on attitudes fostered by a process that encourages negotiation and compromise (Richter 2005: 473-74). In an official sense, *Canada's International Policy Statement* provides the current thinking on multilateralism: "Canada has always contributed to and benefited from multilateralism. We believe strongly in finding cooperative solutions. But we also recognize that we must be ready to change with the times where we can, especially where multilateral institutions are acting too slowly or are not up to the task" (Martin 2005a: 5). Put bluntly by Michael Adams, "Canada strives to be an upstanding citizen of the world while the United States has, under George W. Bush, reaffirmed its commitment to brash unilateralism" (2003:1). Furthermore, in the big picture, it must be understood that Canada is the weaker state, opposite the United States, which is the most

powerful country in the world (Bernard 2005:4; Burney 2005:1). Put another way, Canadians must accept the fact that there is the United States, and then there is everyone else (Axworthy 2006: 1). We cannot yet determine whether or how the Stephen Harper Conservative government will change Canada's commitment to multilateralism and its relationship with the United States.

With regard to environmental policymaking specifically, the United States administration is characterized as "the leading point of resistance" (Paehlke 2003: 269), insistent on dismantling environmental protections (Schrecker 2005: 129). In this regard, the United States has dismissed the Kyoto accord on international warming, the biological weapons convention, and the United Nations agreement on small arms trafficking (Thompson 2003: 8; Vig and Faure 2004: 2). Clarkson and Banda document the recent emergence of a United States-centered bilateralism that minimizes the prospects for any type of continental convergence occurring in North America (2004: 337-339). Furthermore, Segal claims that North American integration has not, and never will be, a central element of the United States domestic debate (2004: 2).

This blatant rejection of multilateralism by the United States—viewed by many as "casting a pall over the prospects for ambitious multilateral environmental diplomacy" (Conca and Dabelko 2004: 6)—runs directly counter to Canada's vocal and enthusiastic support for such a rule-based international system (Thompson 2003: 11). Canada remains committed to a multilateral view of the world, taking special pride in its multicultural society and viewing itself as "a microcosm of the whole world" (Cox 2005: 10), with a strong multilateral heritage based on multilateral rule-making and institution-building (Hart 2004: 22). Canadians continue to cling to a strategy of hopefulness, "increasingly reaching across borders to network with allies, to lobby governments and corporations that have dealings with the Canadian government, and to bring external pressures to bear on the Canadian government" (Conca and Dabelko 2004: 67). They put their faith in the commonly accepted belief that "the degree of global interdependence is now such that even superpowers need the cooperation of other states in the longer run" (Eckersley 2004: 253). Moreover, Canadians—as a whole and through Environment Canada—frequently define environmentalism in terms of environmental citizenship where emphasis is put on responsibilities as residents of planet earth (Szerszynski 2006: 75). In essence,

Canadian efforts toward multilateralism and inclusiveness serve as a sharp contrast to the growing unilateralism and ever present exceptionalism of the United States (Alm and Burkhart 2006a).

The differences between Canada and the United States with respect to environmental policymaking—characterized by a marked divergence in international and domestic policy priorities—have been documented in earlier studies (See Martin 2005: 1; Russell 2005: 1; and VanNijnatten 2004b: 650). At this level of comparison, Canadians are viewed as more socially liberal, skeptical of traditional authority, and supportive of cooperative approaches, while Americans are viewed as more socially conservative, deferential to authority at the national level, and inclined toward a survival of the fittest view of the world (Barry 2005: 216). Other studies show that Americans are viewed as being violent, disorderly, and venal while Canadians are viewed as being tolerant, peaceful, multicultural, and morally superior (Hillmer 2006: A10). These ideas are encompassed by the fact that Americans remain substantially ambivalent towards Canada while Canadians continue to push the United States to recognize the uniqueness of the Canada–United States relationship (Alm and Burkhart 2006b).

It has also been argued that Canadians are becoming markedly different from Americans, due to differences in founding values, historical experiences, and political institutions, and that in fact, these different experiences have a greater effect on Canadian contemporary values than even the forces of globalization (Adams 2003: 143). Burney argues that it is always in Canada's best interest to keep the United States engaged in preserving and protecting international institutions (2005: 6). In the end, Canadians do recognize that without United States participation, multilateral institutions would not be effective (Richter 2005: 474) and that their most important relationship is the one with the United States (Martin 2005b).

On a more personal note, the authors of this manuscript have been investigating the Canada–United States dichotomy with regard to environmental issues for nearly two decades and have published numerous studies in this regard.⁴ Specifically, nearly 200 interviews and over 500 returned surveys have been successfully completed since the summer of 1989 concerning the beliefs and attitudes of Canadian and Americans regarding cross-border environmental issues. Respondents included congressional and parliamentary staff members, industry and business executives, researchers and scien-

tists, and members of ENGOs. The results of these studies have consistently shown that while there are many similarities between Canadians and Americans regarding the environment, there also exist substantial differences in perceptions that have stood the test of time. One such difference is that Canadians are more apt to view their environmental problems in conjunction with their neighbor to the south and Americans are more apt to view their environmental problems solely in the context of their own country. In this same light, Canadians view the border with extreme importance, seeing problems as transboundary in nature and combined efforts as the way to approach and solve environmental problems. On the other hand, Americans view the border as less important and see environmental problem solving in more of a domestic, rather than cross-border, context. Simply put, Canadians have a much higher regard for transboundary relations and bilateral environmental agreements than do their American counterparts.

Our goal, then, is to explore not only the large philosophical differences between Canada and United States environmental policy making as highlighted elsewhere in this paper, but to also investigate the current state of perceptions between members of ENGOs on each side of the border. We want to see what similarities and differences exist between Canadians and Americans regarding the CEC and its mission.

IV. METHODS AND SURVEY QUESTIONNAIRE

As noted in the introduction, the goal of this research project is two-fold: (1) to evaluate the effectiveness of the CEC in completing its mission, especially as it relates to public participation and ENGOs; and (2) to compare and contrast the perceptions of Canadian ENGOs and their counterparts in the United States with respect to environmental policymaking and the effectiveness of the CEC in accomplishing its mission. To help us accomplish these goals, we used surveys and interviews to obtain first-hand information about the CEC. We surveyed members of Canadian (n=100) and American (n=100) ENGOs—including those that had petitioned the CEC—in the fall of 2006. We selected respondents from those ENGOs that have petitioned the CEC over the past several years and from a listing of ENGOs provided by the *National Wildlife Federation Conservation Directory* and *The Environmental Resource Handbook*. We wanted a broad representation of environmental groups across all regions of

Canada and the United States, as well as groups centered in the nations' capitals. With this in mind, we surveyed mainstream environmental groups from every state and every province.

The survey questionnaire (see appendix) was designed to test empirically the effectiveness of the CEC in completing its mission and to shed light on the Canada–United States environmental relationship as perceived from the ranks of environmental interest groups with respect to an important linkage formally established by NAFTA and the environmental side agreements. We had an overall return rate of 41.5 percent (83 / 200), with the return rate for Canadians at 37 percent and Americans at 46 percent. We also conducted interviews with six Canadian and United States government officials, five leaders of ENGOs, and two environmental academics / research scientists as well as with five members of the CEC staff. The interviews helped to confirm some of the trends that we observed in the survey results, and provide a richness of content as well.

Our overall results, as displayed in the tables, include ENGOs that have previously petitioned the CEC. As described earlier in this document, the purpose of our research was to go beyond just those ENGOs that had petitioned the CEC. Of those ENGOs surveyed, we had six (of 17) Canadian and four (of 14) United States ENGOs that had petitioned the CEC return surveys. While disappointed with the response rate, we nevertheless considered their impact on our results. Because of the small numbers, we decided to include their numbers in the totals of all the responses (as displayed in the tables) rather than provide separate results. It also is important to point out that the magnitude and direction of those ENGOs that petitioned the CEC reflect the general trends of those ENGOs that did not petition the CEC. However, whenever these two groups differed (in substance or direction) we noted that in the discussion.

RESULTS

The initial questions of our survey questionnaire focused on whether ENGOs were familiar with the CEC, and if so, how frequently they followed the proceedings of the CEC. Tables 1 and 2 clearly illustrate that a substantial majority of respondents were not familiar with the CEC (66.3%) and that only a small percentage of those who were aware of the CEC frequently followed its proceedings (18.5%).⁵ In short, our survey results indicate that the CEC has a long way to go gain the attention of most ENGOs in both Canada

and the United States. A Canadian ENGO leader said, “It’s a matter of resources: ENGOS do not have enough to be consistent players.” An American ENGO head added, “It doesn’t mean there’s no interest in the CEC...but there are no resources to be engaged with it.” An interesting comparative note from the results listed in Tables 1 and 2 is that while a larger percentage of Canadian ENGOS than United States ENGOS (40.5% to 28.3%) said they were familiar with the CEC, a much higher percentage of United States respondents than Canadian respondents who were familiar with the CEC (30.8% to 7.1%) said they “frequently” followed the proceedings of the CEC. Again, this finding may well be an illustration of the lack of resources available to Canadian ENGOS. Reflecting on this point, a Canadian ENGO member stated “ENGOS are too dependent on Environment Canada for funding...The ENGOS are often put in the position of pushing for governmental environmental initiatives against business and industry. Environment Canada can also use the ENGOS as a counterweight.”

Table 1. Are you familiar with the CEC and its mission?

	Canada	US	Total
Yes	40.5%	28.3%	33.7%
No	59.5%	71.7%	66.3%
N	37	46	83

Table 2. How frequently do you follow the proceedings of the CEC?

	Canada	US	Total
Seldom	92.9%	69.2%	81.5%
Frequently	7.1%	30.8%	18.5%
N	14	13	27

Table 3 summarizes the results of the survey questions for those ENGOs who answered that they were familiar with the CEC and its mission. In first looking at the percentages of Canada and the United States combined, one notices that there is high agreement on five of the questions and low agreement on twelve of the questions. Respondents supported the notions that the CEC promotes dialogue and information exchange (57.6%), provides objective reporting on the North American environment (57.7%), promotes transparency with respect to environmental issues (48.3%), contributes to a greater mutual appreciation of the nature of the environmental problems each country faces (65.3%), and fosters a network of relationships at the sub-national and cross-border regional level (46.2%). A Canadian government official noted that, “[The CEC] forces people to talk. That is the key to the CEC’s success.” Another Canadian government official said, “I look at the CEC stuff to educate myself. I consider myself a generalist and I use CEC information just like I get information from Environment Canada and U.S. Environmental Protection Agency [EPA]...as a way to learn about issues.”

Respondents did not support the views that the CEC represents a broad and balanced engagement with the business community (23.1%), indigenous peoples (16.0%), academics (19.2%), and community-based interests (23.1%). Respondents from those ENGOs that had petitioned the CEC did differ on several of these outcomes, presenting more positive views. In this regard, United States petitioning ENGOs supported the idea that the CEC represents engagement with the business community (100%) and with indigenous peoples (50%), while petitioning ENGOs from both countries had a much higher percent (than non-petitioning ENGOs) supporting the idea that the CEC represents engagement with academics (Canada: 50%; U.S.: 50%) and community-based interests (Canada: 50%; U.S.: 50%).

Respondents also did not support the ideas that the CEC’s citizens’ submission process is effective (10.7%) {one ENGO member said “all you get is a factual finding and there is no real chance for follow-up, but...that is a structural design”}, that the presence of the CEC ensures that the North American environment is better off (27.5%), the CEC’s budget is satisfactory to complete its mission (3.8%), the CEC is guided by an influential Secretariat (15.3%), the CEC fosters cultural sensitivity with respect to the implementation of environmental justice (23.1%), the CEC proves a “safe harbor” forum

to discuss environmental issues (26.9%), the CEC benefits all countries equally (12.0%), and that the CEC produces results and information that are utilized by the United States Environmental Protection Agency (20.0%).

Table 3. Surveyed ENGOs' Agreement to Statements (Percentage in Agreement)

	Canada Agree	U.S. Agree	Total Agree
1. CEC involves the public in research work	14.3%	50.0%	30.8%
2. CEC promotes dialogue and information exchange	42.9%	75.0%	57.6%
3. CEC promotes citizen engagement	31.3%	46.2%	37.9%
4. CEC represents engagement with the business community	7.1%	41.7%	23.1%
5. CEC represents engagement with indigenous peoples	15.4%	16.7%	16.0%
6. CEC represents engagement with academics	14.3%	25.0%	19.2%
7. CEC represents engagement with community-based interests	21.4%	25.0%	23.1%
8. CEC represents engagement with environmental NGOs	37.5%	30.8%	34.4%
9. CEC provides objective reporting on North American environment	57.1%	58.4%	57.7%
10. CEC promotes transparency of environmental issues	50.0%	46.2%	48.3%
11. CEC's citizens' submission process is effective	13.3%	7.7%	10.7%
12. CEC ensures the North American environment is better off	18.8%	38.5%	27.5%
13. CEC website provides useful information	30.8%	41.6%	36.0%
14. CEC's budget is satisfactory for mission	0.0%	8.3%	3.8%
15. CEC is guided by an influential Secretariat	14.3%	16.6%	15.3%
16. CEC fosters cultural sensitivity	7.1%	41.7%	23.1%
17. CEC helps to create regional environmental consciousness	37.5%	38.5%	37.9%
18. CEC increases government accountability	50.0%	25.0%	38.5%
19. CEC provides a safe forum to discuss environmental issues	28.6%	25.0%	26.9%

20.	CEC contributes to appreciation of environmental problems	57.1%	75.0%	65.3%
21.	CEC fosters relationships on Canada–U.S. border	50.0%	41.6%	46.2%
22.	CEC facilitates cooperation between Canada and the U.S.	31.3%	30.8%	31.0%
23.	CEC is more greatly influenced by U.S. than Canada	31.3%	30.8%	31.0%
24.	CEC agenda benefits all member countries equally	0.0%	25.0%	12.0%
25.	CEC is hindered by the bilateral nature of environmental issues	57.2%	25.0%	34.6%
26.	CEC produces information utilized by Environment Canada.	35.7%	25.0%	30.8%
27.	CEC produces information utilized by the US EPA.	7.7%	33.3%	20.0%

The results show similar perceptions for Canadian and United States respondents on several of the survey questions. Solid majorities of Canadian (57.1%) and United States (58.4%) respondents agreed that the CEC provides objective reporting on the North American environment. One Canadian government official said “even if the information reflects negatively on one of the parties...the CEC is seen as [a] credible [source of information]”, while near majorities of Canadian (50.0%) and United States (46.2%) respondents agreed that the CEC promotes transparency with respect to environmental issues. Few Canadian (15.4%) and United States (16.7%) respondents agreed that the CEC represents a broad and balanced engagement with indigenous peoples, or that the CEC is guided by an influential Secretariat (Canada 14.3%; US 16.6%). There was also weak support from both the United States and Canadian respondents for the belief that the CEC represents a broad and balanced engagement with community-based interests (Canada 21.4%; U.S. 25.0%), the CEC helps create a sense of regional environmental consciousness (Canada 37.5%; U.S. 38.5%), the CEC provides a “safe harbor” forum to discuss environmental issues (Canada 28.6%; U.S. 25.0%), the CEC facilitates more fluid environmental cooperation between Canada and the United States (Canada 31.3%;

U.S. 30.8%), or that the CEC is more greatly influenced by the United States than Canada (Canada 31.3%; U.S. 30.8%).

The ENGOs that had petitioned the CEC differed on only a few items. First, a much higher percentage of United States than Canadian ENGOs supported the idea that the CEC represents engagement with indigenous peoples (50% to 0%). Second, a much higher percentage of Canadian than United States ENGOs supported the idea that the CEC facilitates more fluid environmental cooperation between Canada and the United States (Canada 40%; U.S. 0%) and the idea that the CEC is more greatly influenced by the United States than Canada (Canada 20% U.S. 0%).

Despite the apparent agreement on many of the questions, Canadian and United States respondents disagreed on the majority of survey questions. Canadian respondents were likelier to believe that the CEC represents a broad and balanced engagement with ENGOs (Canada 37.5%; U.S. 30.8%), the CEC's citizens' submission process is effective (Canada 13.3%; U.S. 7.7%) {one Canadian government official called the process "useful" because "the factual record is known and is an independent and unique source of information to the public"}, the CEC increases government accountability regarding the enforcement of environmental laws (Canada 50.0%; U.S. 25.0%), the CEC fosters a network of relationships at the sub-national and cross-border regional level (Canada 50.0%; U.S. 41.6%), the CEC is hindered by the bilateral nature of most environmental issues (Canada 57.2%; U.S. 25.0%), and that the CEC produces results and information that are utilized by Environment Canada (Canada 37.5%; U.S. 25.0%).

On the other hand, there were many more questions where United States respondents projected a much higher level of support than did Canadians. United States respondents were likelier to believe that the CEC involves the public in its research (Canada 14.3%; U.S. 50.0%) For instance, one Canadian research scientist suggested that "if there is no economic linkage to environmental protection, then the CEC seems to be uninterested in [the environmental issue]." United States respondents also were likelier to agree that the CEC promotes dialogue and information exchange (Canada 42.9%; U.S. 75.0%), the CEC promotes citizen engagement on environmental issues (Canada 31.3%; U.S. 46.2%), the CEC represents a broad and balanced engagement with the business community (Canada 7.1%; U.S. 41.7%) and with academics (Canada 14.3%; U.S.

25.0%), the presence of the CEC ensures that the North American natural environment is better off (Canada 18.8%; U.S. 38.5%), the CEC website is a vital source of useful information (Canada 30.8%; U.S. 41.6%), the CEC's budget is satisfactory to complete its mission (Canada 0.0%; U.S. 8.3%), the CEC fosters cultural sensitivity with respect to the implementation of environmental justice (Canada 7.1%; U.S. 41.7%), the CEC contributes to a greater mutual appreciation of the nature of environmental problems (Canada 57.1%; U.S. 75.0%), the CEC agenda benefits all member countries equally (Canada 0.0%; U.S. 25.0%), and that the CEC produces results and information that are utilized by the U.S. EPA (Canada 7.7%; U.S. 33.3%).

Respondents from those ENGOs that had petitioned the CEC did differ on several of the outcomes listed immediately above. Canadian, rather than United States, ENGOs petitioning the CEC had much higher percentages supporting the ideas that the presence of the CEC ensures that the North American natural environment is better off (Canada 20.0%; U.S. 0%), the CEC agenda benefits all member countries equally (Canada 25.0%; U.S. 0%), and the CEC produces results and information that are utilized by the U.S. EPA (Canada 25.0%; U.S. 0%).

It should be noted that there were four survey questions where the "Do Not Know" responses were greater than or equal to 50 percent: the CEC's budget is satisfactory to complete its mission (61.5%), the CEC is guided by an influential Secretariat (53.8%), and the CEC produces results and information that are utilized by Environment Canada (50.0%) and the U.S. EPA (52%).

V. FINDINGS AND ANALYSIS

As expected, Canadian ENGOs are more aware of the CEC than their United States counterparts. This finding falls in line with much of the previous research that shows Canadians pay more attention to border issues and multilateral organizations than Americans do. Surprisingly though, while there was a much higher percentage of Canadian ENGOs who were aware of the CEC and its mission, of those ENGOs who were aware of the work of the CEC, the United States ENGOs had a much higher rate (three times larger than Canadian ENGOs) of frequently following the CEC. This finding, however, was not surprising to many of those we interviewed. It was explained by United States ENGOs' structural and institutional advantages over their Canadian counterparts. Essentially, as pointed

out earlier, United States ENGOs are more apt to have greater resources (more money, more members, a larger number of professional staff members) than Canadian ENGOs. Furthermore, the United States political system has many more points of access for environmental groups and a system that encourages participation through judicial avenues, all of which lead to greater ENGO influence in the policymaking process. In addition, many of the Canadian ENGOs are one or two person operations that focus almost exclusively on local issues, with little time or resources to extend their operations to the international level.

The higher level of participation by United States ENGOs is borne out in the majority of the survey results. Paying more attention to the CEC runs parallel to the way Canadians and United States ENGOs view the CEC. By large majorities, United States ENGOs see the positive side of the CEC. They perceive the CEC as involving the public, promoting dialogue and information exchange, encouraging citizen engagement (including the business community) and contributing to a greater appreciation of environmental problems at substantially higher levels than Canadian ENGOs. In only five areas (out of 27) did Canadian ENGOs have substantially higher levels of support for the CEC than United States ENGOs. Canadian ENGOs saw the CEC in a more positive light than United States ENGOs when it came to engaging ENGOs, increasing government accountability, fostering border relations with the United States, producing information utilized by Environment Canada, and viewing the bilateral nature of environmental issues as hindering the CEC process. All of these findings fall in line with conventional wisdom associated with the Canada–United States relationship as a whole. In the past (and over time), Canadians have been perceived as viewing environmental problems as bilateral in nature, paying more attention to border issues, and having more faith in multilateral processes.

It is also important to note that Canada and United States ENGOs were aligned on only one-third (9 of 27) of the questions. The most important of the perceptions they agreed upon were faith in the CEC as an objective purveyor of information, the CEC's transparency, and the weakness of the Secretariat. Still, on two-thirds of the survey questions, there were substantial differences between Canadians and Americans. The most surprising of these were the Canadians' perception of the CEC's inability to foster cultural sensitivity and to engage the business community to ensure that the North

American environment is better off, and the utter lack of faith in the CEC to involve the public in a free and flowing dialogue that promotes citizen engagement. In this regard, compared to United States ENGOs, Canadians see the CEC as a weak organization that is not fulfilling some of the basic tenets of its mission.

Another finding of this study is that for both Canada and the United States, there was little difference in the perceptions of the ENGOs that had petitioned the CEC and those that did not. With few exceptions (as noted in the results), the direction was the same and substantive differences were small between petitioning and non-petitioning ENGOs. Overall, this is a surprising finding, as one would think that those ENGOs that had a higher level of contact with the CEC would hold different views than those with little or no contact. [The fact that we had a small sample size could also be a reason why we were not able to detect a large number of differences.] Despite this overall trend, there did exist some differences of note. Petitioning ENGOs from both countries had a much higher level of support (than non-petitioning ENGOs) for the idea that the CEC regularly engages with academics and community-based interests. This makes sense in that those ENGOs petitioning the CEC would have a much higher level of interaction with academics and community-based interests as they pursued support for their grievances. Furthermore, it was not surprising, given the history of the Canada–United States asymmetric relationship, that among petitioning ENGOs, it was the Canadians who had a greater faith in the CEC’s ability to facilitate environmental cooperation. Again, ENGOs that petitioned the CEC would be expected to have stronger beliefs in the CEC’s ability to influence the policymaking process, or they would not invest in the submission process in the first place.

V. CONCLUSION

Public participation remains an important goal of the CEC. There has been no running from this objective by any entities involved with the CEC. All elements of the CEC—the Council, the Secretariat and JPAC—continue to promote public participation not only in their rhetoric, but in their written resolutions. The CEC consistently pushes the ideal of citizen participation as a key to its success. That said, the incorporation of meaningful public participation into the CEC’s processes leaves a lot to be desired. While our survey and interview results validated the importance that spotlight-

ing plays in putting and keeping environmental issues on the trilateral agenda, the citizen submission process has not met the high expectations of public participation that were put forth at the CEC's inception. In the words of one Canadian government official, "The political reality is that we do environmental policy focused on the border and the United States. It is bilateral in nature. There is a question as to what role the CEC plays. It is just not on our radar." Citizen engagement as represented by ENGOs on a meaningful level appears to still be more promise than reality.

The CEC receives high praise for the transparency of its processes. ENGOs in both Canada and the United States regularly use the citizen submission process. But our results clearly indicate that most ENGOs on both sides of the border lack knowledge of the CEC and its mission. Furthermore, the small percentage of ENGOs who are aware of the CEC follow the CEC's daily operations infrequently. In this respect, our research shows little support for the CEC's ability to generate or facilitate participation from ENGOs. Of course, much of the blame for this lack of participation can be laid at the feet of the ENGOs themselves, most of whom appear firmly planted in their relatively small worlds where they do not have the time, money, or resources to pursue issues at the national, regional, or international levels. Still, with the prominence of engaging ENGOs as one of its primary goals, the CEC needs to do much more to bring ENGOs into their sphere of operation and enhance public participation. For instance, according to a Canadian ENGO member, the CEC can "have a one-day workshop that is targeted toward the environmental movement in Canada. The CEC can instruct and demonstrate how the ENGOs can participate. It would allow for further ENGO networking." Another Canadian ENGO member suggested "some mechanism to cover not only their expenses—but also their time and preparation time. Some ENGOs do not see any benefit to participating in terms of pushing the policy agendas of their perspective countries."

Two ways the CEC can move in this direction were highlighted in our survey and interview results. First, the CEC should work much harder to ensure the independence of the Secretariat, especially as it pertains to the citizen submission process. But this is a two-way street, for as one CEC official noted, "Governments are involved in basic risk management....The SEM [Submissions on Enforcement Matters] complicates governments' lives." While most respondents

rated the CEC and Secretariat very high for their transparency and ability to promote dialogue and information exchange, most also faulted the Secretariat for being weak. Such a small percentage of ENGOs view the Secretariat as influential that it calls into question the ability of the Secretariat to produce meaningful results. If the perception of the Secretariat remains one of being ineffective, ENGOs may be less willing to pay attention or to join the process. The weakening of the Secretariat appears to be a long term development in international environmental policy in the Americas. A CEC official said "The post-NAFTA agreements that the United States has entered into have environmental chapters that do not have a Secretariat for administrative management. This appears to be a trend to make the environmental legal aspect of international treaties fall to governments and independent bodies."

Second, the CEC (especially the Secretariat) needs more money and more resources to do its job. Less than five percent of the respondents viewed the CEC's budget as satisfactory to complete its mission. This should not be surprising as the overall budget of the CEC has not changed since it first came into being over a decade ago. Certainly the lack of funding hurts the CEC's ability to move forward. Even officials within the CEC agree with this perception of lack of funding. A CEC official said, "The budget has remained at \$9 million [since the inception of the CEC] and the CEC accomplishes a lot given this budget." In a similar vein, suggested another CEC official, "the only limits to the CEC are its creativity and imagination. There is no point in dreaming of more money because it won't happen." If the perception is that the CEC does not have the resources to complete its mission and has a less than effective or influential Secretariat (as suggested above), ENGOs have little incentive to pay attention to what the CEC is doing or says it can do. What the CEC has been doing thus far in reaching ENGOs is simply not working. It will be very difficult for the CEC to increase its visibility with ENGOs if it does not receive the additional resources needed to complete such a task.

In short, it appears that the CEC will never directly or significantly influence the national environmental agendas of Canada or the United States. Even so, we believe that the CEC can still provide meaningful input into the environmental policymaking processes of both countries. It does so by spotlighting environmental problems and providing an outlet for ENGOs to publicize their grievances.

While the power of spotlighting should not be underestimated, neither should the fact that the CEC—as it stands now—has a long way to go to reach its goals and the promise of its mission.

Our work also suggests that there are major differences between how Canadian and United States ENGOs perceive the CEC and its mission. Members of Canadian ENGOs are more aware of border issues than their United States counterparts, as represented by knowledge of cross-border institutions like the CEC. The surprising finding from our survey results was the fact that it was United States ENGOs who followed the operations of the CEC at a more frequent level; at least that was the case for those ENGOs that were aware of the CEC and its mission in the first place. On the other hand, maybe this finding should not surprise. Because United States ENGOs have greater resources, they have the time and ability to participate at a higher level than their Canadian counterparts. Moreover, as pointed out earlier, the United States is a much friendlier place for interest groups, allowing many more points of access. The institutional setting in the United States might just provide more incentives for ENGOs to participate and hence, the participation in the CEC's citizen submission process is just one more aspect of United States ENGOs simply being more active overall in the policymaking process.

A final finding from our research is that we observed little or no influence on the perceptions toward the CEC caused by divergence in Canadian and United States approaches to international environmental policy making. While there clearly is that divergence of approaches between Canadian and United States environmental policy making at the international level, there also may be an element of realism to the mutual Canadian and United States viewpoints on the CEC. As a Canadian government official posited, "The CEC is yet another forum among many for facilitating environmental cooperation. These fora exist out of necessity and provide value-added product to Canada-US relations." Along this same line of thought, another Canadian government official remarked, "The CEC does add to the discussion. It is one more notch of pressure. But it is not effective. Really, the CEC does not do anything policy-wise." In the end, it is evident that the CEC simply does not inspire passionate responses among the ENGOs. It is thought of as a competent intergovernmental organization, with great but to this point unrealized potential.

NOTES

¹ Mexico is an important and critical part of the mission of the CEC. However, it is the Canada–United States relationship that is the sole focus of this paper.

² A factual record is prepared by the Secretariat of the CEC and summarizes the allegations and facts involving a submission (petition) to the CEC asserting that one of the NAAEC countries (Canada, Mexico, United States) is failing to enforce its environmental laws. In basic terms, a factual record contains a summary of the submission that initiated the process, a summary of the response by the party concerned, a summary of any other relevant factual information, and the facts presented by the Secretariat with respect to the matters raised in the submission. For a detailed description of the process that surrounds development of a factual record, see Pierre-Marc Johnson and Andre Beaulieu, *The Environment and NAFTA*, Island Press, Washington, D.C., 1996, pp. 152-160.

³ As will be illustrated in our results, we discovered—through both our surveys and interviews—that many ENGOs lack the resources, financial and otherwise, to participate in issues beyond their narrowly defined agendas set in their specific geographic locations. This result does shed light on the idea that any interested party (including the CEC) that would like to bring ENGOs into their sphere of influence had better consider both the narrow scope of the ENGOs' missions and their lack of resources.

⁴ See Alm and Burkhardt, 2006. "Differences That Matter: Canada, the United States and Environmental Policymaking." *Ameriquests*, Volume 3, Number 1; Alm and Burkhardt, 2006. "Canada and the United States: Approaches to Global Environmental Policymaking." *International Journal of Canadian Studies*, Number 31, pp. 261-279; Alm and Parker, 2005. "Borderland Patterns of Scientific Identity: Canada, the United States and Acid Rain." *Journal of Borderlands Studies*, Volume 19, Number 2, Fall, pp. 121-134 (2004); Alm, 2004. "Science and Policy: The View from the World of Scientists." *Journal of Environmental Systems*, Volume 29, Number 4, pp. 299-310 (2002-2003); Alm, 2000. *Crossing Borders, Crossing Boundaries: The Role of Scientists in the U.S.-Canadian Acid Rain Debate*. Westport, CT: Praeger; Alm and Simon. "Natural Scientists, Social Scientists, and the Environment: A

Cross-Border Analysis." *Journal of Borderlands Studies*, Vol. 15, No. 2, pp. 57-74; Alm, 1999. "Scientists and Environmental Policy: A Canadian-U.S. Perspective." *Canadian-American Public Policy*, No. 37, pp. 1-39, February; Alm, 1999. "Scientists, Politics, and Environmental Policy Making: The United States-Canadian Acid Rain Debate." In *Handbook of Global Environmental Policy and Administration*, pp. 579-595, edited by Brent Steel and Dennis Soden. New York: Marcel Dekker; Alm, 1998. "Lost Credibility?: Scientists, Advocacy, and Acid Rain." *Journal of Environmental Systems*, Vol. 26, No. 3, pp. 249-263; Alm, 1997. "Scientists and Acid Rain Policy in Canada and the United States." *Science, Technology, and Human Values*, Vol. 22, No. 3, pp. 349-368, Summer; Alm and Simon, 1995. "Policy Windows and Two Level Games: Explaining the Passage of Acid Rain Legislation in the Clean Air Act of 1990." *Government and Policy*, Vol. 13, pp. 459-478; Alm, 1995. "Policy Elite Perceptions: Canada, the United States and Acid Rain." *The Journal of Environmental Systems*, Vol. 23, No. 1, pp. 97-108; Alm, 1994. "Acid Rain and the Key Factors of Issue Maintenance." *The Environmental Professional*, Vol. 16, No. 3, pp. 254-261; Alm, 1993. "The Long Road toward Influence: Canada As An American Interest Group." *Journal of Borderlands Studies*, Vol. 8, pp. 13-32; Alm and Davis, 1993. "Agenda Setting and Acid Precipitation in the United States." *Environmental Management*, Vol. 17, No. 6, pp. 807-816; Alm, 1990. "Across Borders: International Influences." Spring: 59-79. "On Domestic Agenda Setting." *Journal of Borderlands Studies*, Vol. 5 (Fall), 21-38; Alm, 1990. "The United States-Canadian Acid Rain Debate: The Science-Politics Linkage." *American Review of Canadian Studies*, Vol. 20, No. 1, pp. 59-79.

⁵ Crosstabs were chosen as the way to present our results. The preferred method of statistical significance using crosstabs is Chi-Square. For our results, the Minimum Expected Counts for the Chi-Square procedure did not meet the criteria for use of statistical significance analysis (See Norusis, Marija J., *SPSS Guide to Data Analysis*, Prentice Hall, Upper Saddle River, N.J., 2000); hence we did not present those levels. We focused our analysis instead on the substantive differences as presented by the percentages. Since we used a controlled sample (selecting all ENGOs that had petitioned the CEC as well as a random selection of ENGOs from each state and province), we can apply our generalizations only to that sampled group. However, we believe the sample we used is representative of ENGOs across Canada and the United States.

APPENDIX

Commission for Environmental Cooperation (CEC) Survey

PART I: Please answer the following questions by marking the appropriate boxes.

Q1a. Are you familiar with the CEC and its mission? Yes No

If you answered “NO” to #1, return the survey as is; if you answered “YES” to #1, please continue.

Q2a. How frequently do you follow the proceedings of the CEC?
Frequently Seldom

PART II: Please circle the number that best applies to your perception of the following statements on a 5 to 0 scale with 5=strongly agree; 4=agree; 3=neutral; 2=disagree; 1=strongly disagree; and 0=do not know.

1. The CEC involves the public in its research work.

5

4

3

2

1

0

strongly agree

agree

neutral

disagree

strongly disagree

do not know
2. The CEC promotes dialogue and information exchange.

5

4

3

2

1

0

strongly agree

agree

neutral

disagree

strongly disagree

do not know
3. The CEC promotes citizen engagement on environmental issues.

5

4

3

2

1

0

strongly agree

agree

neutral

disagree

strongly disagree

do not know
4. The CEC represents a broad and balanced engagement with the business community.

5

4

3

2

1

0

strongly agree

agree

neutral

disagree

strongly disagree

do not know
5. The CEC represents a broad and balanced engagement with indigenous peoples.

5

4

3

2

1

0

strongly agree

agree

neutral

disagree

strongly disagree

do not know
6. The CEC represents a broad and balanced engagement with academics.

5

4

3

2

1

0

strongly agree

agree

neutral

disagree

strongly disagree

do not know

7. The CEC represents a broad and bananced engagement with commu-
nity-based interests.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

8. The CEC represents a broad and balanced engagement with environ-
mental NGOs.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

9. The CEC provides objective reporting on the North American envi-
ronment.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

10. The CEC promotes transparency with respect to environmental
issues.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

11. The CEC’s citizens’ submission process is effective.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

12. The presence of the CEC ensures that theNorth American natural
environment is better off.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

13. The CEC website is a vital source of useful information.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

14. The CEC’s budget is satisfactory to complete its mission.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

15. The CEC is guided by an influential Secretariat.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

16. The CEC fosters sensitivity with respect to the implementation of
environmental justice.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

17. The CEC helps to create a sense of regional environmental conscious-
ness.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

18. The CEC increases government accountability regarding the enforcement of environmental laws.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

19. The CEC provides a “safe harbor” forum to discuss environmental issues.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

20. The CEC contributes to a greater mutual appreciation of the nature of the environmental problems each country faces.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

21. The CEC fosters a network of relationships at the sub-national and cross-border regional level on both sides of the Canada-United States border.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

22. The CEC facilitates more fluid environmental cooperation between Canada and the United States.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

23. The CEC is more greatly influenced by the United States than Canada.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

24. The CEC agenda benefits all member countries equally.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

25. The CEC is hindered by the bilateral nature of most environmental issues.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

26. The CEC produces results and information that are utilized by Environment Canada.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

27. The CEC produces results and information that are utilized by the US EPA.

5	4	3	2	1	0
strongly agree	agree	neutral	disagree	strongly disagree	do not know

PART III: Please provide any additional comments. Use back page if necessary.

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