

*Smelter Smoke in North America:
The Politics of Transborder Pollution*

John D. Wirth

Lawrence: University Press of Kansas, 2000.
264 pp. Illus., maps. US\$35 cloth.

By Jeremy Mouat
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JOHN Wirth's book on cross-border pollution compares the controversy surrounding the Trail smelter (1925-41) with a similar dispute involving smelter pollution along the American-Mexican border in the 1980s. The first three chapters examine events in Trail, followed by three of the events further south, on the Arizona-Mexico border. In the seventh and final chapter, Wirth argues that the second dispute shows that a growing awareness of the "continental commons" is emerging, although he feels that the mining industry has always operated in continental terms. Only recently – spurred in part by new regulatory regimes and trading agreements that are integrating the continent – have governments begun to follow industry and to think in similar terms.

The book's chapters on Trail provide interesting detail on the famous "smoke case" that ran from the late 1920s through to 1941, although James Allum's unpublished dissertation remains the best account.¹ Farmers in Washington State, with the support of the American government, sought compensation for damage to their land and crops caused by sulphur dioxide from the Trail smelter, which tended to drift down the Columbia River

valley and across the 49th parallel. Cominco, the Canadian Pacific Railway (CPR) subsidiary that owned the smelter, accepted responsibility for the pollution and remained willing to provide compensation, although it disputed the amount of compensation that it should pay and maintained its right to continue operations, despite the adverse impact on the valley environment. While the two sides – with the assistance of their respective governments – argued before the International Joint Commission (IJC) and, later, before a tribunal appointed by the IJC, Cominco worked to contain the pollution by implementing a control regime to recover the sulphur dioxide before it went up the smelter stack. The company's efforts were reasonably effective, and by the 1940s it had considerably reduced the amount of sulphur dioxide going up the stack.

Cominco was also successful with its litigation. As Wirth chronicles, the IJC tribunal accepted the company's argument that its smoke control regime was adequate by the late 1930s and that the smelter emissions were no longer causing damage to plants. Wirth goes into some detail to draw out the essential point of contention between the competing experts that the two sides employed. This concerned the validity of the notion of invisible injury. Scientists with the United States Department of Agriculture, following

¹ James Robert Allum, "Smoke across the Border: The Environmental Politics of the Trail Smelter Investigation" (PhD diss., Queen's University, 1995).

earlier German studies on the impact of air pollution, argued that sulphur dioxide from the Trail smelter had both an immediate and obvious impact as well as a more subtle ("invisible") one. Cominco's experts – ironically, the company's star expert was himself an American – rejected this notion and persuaded the tribunal to do so as well.

Wirth's analysis is not always clear – and not always clearly written – but some intriguing detail does emerge. American smelters as well as the United States Bureau of Mines knew that if the farmers were successful with their suit against Cominco, then other suits would inevitably follow. They threw their support behind Cominco, a point Wirth notes (40-1) but subsequently downplays; instead, he tends to characterize the two sides in rather stark and nationalistic terms (the aggrieved American farmers seeking justice from the well connected Canadian company). Nor does he provide much context: the detail is minutely observed, but the larger picture is often obscured.

The focus of the book is implicitly American: "the border" is the American border, north and south. Other borders – such as those within the United States – are largely ignored, although it is instructive to compare these international pollution cases with similar instances of pollution within the United States. Washington farmers had far more success in calling Cominco to account than have American citizens when challenging domestic polluters. Consider the Trail plant's closest neighbour in northern Idaho, for example: the Bunker Hill smelter polluted the region from 1917 to 1981, turning the bottom of Lake Coeur d'Alene – according to a 1992 report by the United States Geological Survey – into "the world's

most heavy metal-contaminated site." But by then the smelter owners had shifted their assets offshore and filed for bankruptcy, leaving the American government to clean up the mess. While in operation, the smelter had been responsible for "the highest levels of sulphur dioxide gas recorded in the United States."² Only in 1998 did the United States Environmental Protection Agency enact regulations that would crack down on cross-border pollution from coal-fired power plants in the American Midwest, which were responsible for smog in New England and elsewhere (a move fought bitterly by utility and coal companies). Canada has been grappling with similar issues recently, as the federal government attempts to persuade the provinces to adopt Canada-wide standards for air quality.

Overall the book relies on extensive research, although Wirth occasionally makes some surprising gaffes. In the space of one page (117), for example, he: manages to give Cominco's *eminence grise*, Selwyn Blaylock, a new first name (George); wrongly attributes Blaylock's grudging union recognition to the Congress of Industrial Organizations (CIO) instead of to PC 1003; mistakenly calls the Industrial Workers of the World the International Workers of the World; dates the founding of the United Mineworkers from the 1914 Ludlow Massacre (a quarter of a century late); and misleads his readers with a garbled account of labour relations in the mining industry during the 1980s and 1990s.

A more fundamental problem is the adequacy of the book's central comparison. The two case studies do not

² Carlos Schwantes, *The Pacific Northwest: An Interpretive History* (Lincoln and London: University of Nebraska Press, 1996), pp. 483-4.

pass the basic test for any meaningful comparison – that of commensurability. Granted, both involve cross-border pollution by smelters, but I find it hard to accept that a case from the Depression can be compared in such close detail with one from the 1980s. Nor does it seem possible to discuss either case without paying careful attention to power. In a book largely concerned with judicial and political decision making, *Smelter Smoke's* failure to examine authority and power in any detail is curious. To imagine – as the author does – that successive American governments treat Canadian or Mexican governments as equals in any but the strictly technical and formal sense is naive. However, this as-

sumed equality informs the book's argument about the emergence of the "continental commons," where jurisdictions happily cooperate in North American harmony. There is evidence of cross-border cooperation, if only at the level of publicizing our continentalist future: the dust jacket solemnly records that the book was "published with the assistance of the Government of Canada."

As an enthusiast for comparative history, mining history, and cross-border issues, I looked forward to reading this book. It proved a disappointing read: implicitly nationalistic in its approach, often naive in its analysis, and unconvincing in its prognosis concerning the brave new continentalist world ahead.

*A Young Man's Benefit:
The Independent Order of Odd Fellows and Sickness
Insurance in the United States and Canada, 1860-1929*

George Emery and J.C. Herbert Emery

Montreal and Kingston: McGill-Queen's University Press, 1999.
184 pp. Illus. \$39.95 cloth.

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FATHER and son researchers historian George Emery and economist J.C. Herbert Emery have produced a clearly written book for a limited audience. The book is based on extensive research into the archives of six Independent Order of Odd Fellows (IOOF) grand lodges in Canada and the United States. The Emerys subject their data to the analysis of their respective disciplines "to discover when and why the IOOF ceased to be an important source of sickness

insurance" (3). They conclude that "a change in the character of the membership" (115) led to the benefit being abolished in 1925. They also note that the factors that led the IOOF to make this decision were among the reasons why the United States and Canada did not enact compulsory sickness insurance in the decade after the First World War.

An examination of the reasons why North America's interest in sickness insurance declined while Germany's