

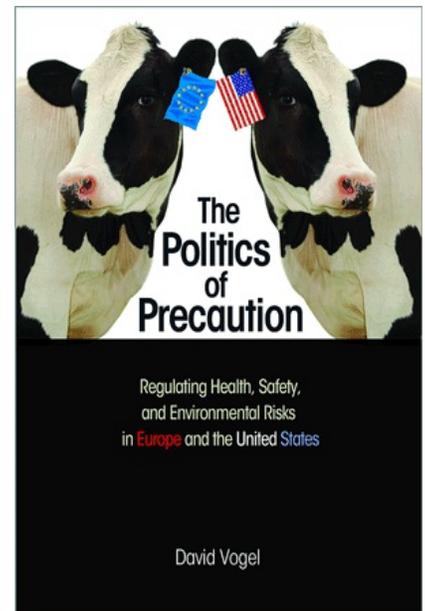
Book Review: The Politics of Precaution: Regulating Health, Safety, and Environmental Risks in Europe and the United States

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***The Politics of Precaution** examines the politics of consumer and environmental risk regulation in the United States and Europe over the last five decades, explaining why America and Europe have often regulated a wide range of similar risks differently. It finds that between 1960 and 1990, American health, safety, and environmental regulations were more stringent, risk averse, comprehensive, and innovative than those adopted in Europe. But since around 1990, the book shows, global regulatory leadership has shifted to Europe. What explains this striking reversal? **Natalie Beinisch** finds out.*

The Politics of Precaution: Regulating Health, Safety, and Environmental Risks in Europe and the United States. David Vogel. April 2012.

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It is generally taken for granted that Europe is a global leader in respect to environmental, health and safety regulation, while the United States is a laggard. In his work *The Politics of Precaution: Regulating Health, Safety, and Environmental Risks in Europe and the United States*, Berkeley Professor [David Vogel](#) deftly demonstrates that this is not an historical truth.

Only in the late 1990s did the European Union begin to assume a leadership role in promoting more stringent approaches towards risk regulation, while the United States had been playing this role since the early years of the same decade. This role reversal is so dramatic that in the past two decades not only has the United States failed to lead in many policy areas, it has become resistant to precautionary approaches to risk regulation. The main question that this book addresses is why these transatlantic policy reversals have taken place.

Vogel's answer is that a combination of changes in public demand for regulation and the desire of policy makers to meet demand with a supply of more stringent policies explains such a significant continental shift. The body of evidence used to build this narrative plays out in a series of cases on the evolution of food safety, air pollution, chemical and consumer safety policy in Europe and the United States over the past half century. These cases, although well researched and engaging to read, did not consistently influence this reviewer that public opinion and policy preferences are satisfying explanations of policy change.

Vogel's account of the development of food safety regulation in the United States and Europe convincingly demonstrates how food safety scares have been essential shapers of policy change. After a domestic environmental group published a report exaggerating the risks of the use of the [chemical Alar when growing apples](#), news of its findings mobilized the American public yet it did little to affect consumer opinion in Europe, where the story failed to resonate as a policy failure. The transatlantic shift occurred in the 1990s as a result of the BSE (mad cow) crisis, which created distrust of local regulators in Europe. Subsequently, fear of public reaction drove European policymakers to behave more cautiously than the Americans in approving new technologies such as genetically modified foods. The subsequent cases are nevertheless less convincing.

Increased regulation on air pollution is also a result of public concerns about the environment in the United States which emerged in the 1970s but reached a zenith on Earth Day in 1990. However, since Earth Day environmental concerns have become gradually less salient in the United States. Whereas according to a poll taken in 1970, pollution was considered to be the "most serious problem" facing American communities, a 2005 World Opinion Survey found that only 2 per cent of Americans believed global warming to be among the most important issues affecting the United States. This change of public attitudes is reflected in the behaviour of politicians. Interestingly, George Bush Senior had begun his presidency as proponent of stronger environmental regulation, but switched positions in 1992, threatening to boycott the 1992 Rio Earth Summit. Presidential opposition to environmental treaties continued to 2007 when the popular documentary [An Inconvenient Truth](#) put environmental politics back on the agenda.

Nevertheless, while politicians were clearly guided by changes in public opinion, the story of air pollution appears messier than that of food safety. For example, Vogel underplays the role of business lobbies, whom he recognizes as instrumental in resisting environmental regulation. He also underlines that the 1990s gave way to political divides between the Democrats and the Republicans which played a role in climate change politics but the reasons why Republicans and Democrats adopted different policy preferences when they had earlier converged is in this chapter unexplained. It is also interesting that in spite of opposition to increased standards on air pollution at the federal level, a number of American states, most importantly California, have adopted standards on vehicle and greenhouse gas emissions which are more stringent than those in Europe. The discontinuity between state-level and national level approaches to policy-making again does not fit obviously within Vogel's explanatory framework.

What is more, the European transition towards more climate-friendly policy seems to be a direct result of Germany's efforts to work through the EU to increase emissions standards. In this context, it is more curious why Germany was able to ratchet up environmental standards in the EU while California was not as influential in the American context.

The cases of chemicals and consumer safety are likewise fraught with complexity. Under-pinning the evolution of chemical safety regulation is a transition in Europe towards a risk-regulation regime which supports the precautionary principle and one in the United States which favours of cost-benefit analysis. While this can be described as a shift in policy-making preferences, it is unclear how it evolved or how it relates to public opinion. Moreover, the case of consumer safety in pharmaceuticals provides an example of policy convergence between the United States and Europe and one in which standards relaxed towards the end of the 1990s. It is also not evident whether AIDS activists, the main catalyst behind reforms in the United States should be considered a distinct lobby group or influencing public opinion.

Many of these issues are addressed in the book's two final chapters, which focus firstly on why public opinion changes and how this has impacted upon the preferences of policy makers, and secondly looks at the evolution of American and European law and politics. Questions raised around how public opinion and policy preferences should be defined and measured in vastly diverse settings are left outstanding, which lead the

reader to conclude that these variables work well as organizing principles for narrative purposes but less well as an explanatory framework. Overall, *The Politics of Precaution* was an engaging and well researched work which raises fascinating questions about comparative policy change, however this reader would take its explanation for these changes with a grain of salt.

Natalie Beinisch is a PhD Candidate at the London School of Economics and runs the Academic Network at the United Nations Principles for Responsible Investment. Her research area is transnational regulation. She is particularly interested in understanding how labour is regulated by systems of industry self-regulation and what influences their institutional design. Her dissertation focuses on two cases in the chocolate and toy industries. Natalie's professional career has centred on talent development beginning with executive leadership at Duke Corporate Education and more recently to research oriented careers. She is currently based in London, having worked in Canada, Japan and Singapore. [Read more reviews by Natalie.](#)

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