

though widely used by researchers, these data generally stem from estimates based on engineering models—even, at times, on informed hunches—rather than on direct emissions monitoring. ISO-certified facilities may have adopted internal procedures that enable facility managers to have greater confidence in their estimation techniques, which means less need to “round up” to protect against liability for underreporting. And if certification elicits goodwill from regulators, facilities have less reason to report conservatively.

The authors’ results could just as easily support the view that certified facilities do a better job filing required reports and have fewer tendencies to overstate their reported emissions—instead of actually making the environment cleaner, one of the principal assumptions underlying support for green clubs (pp. 10, 18). The failure to acknowledge such a plausible alternative might not merit mentioning if the authors had consistently tempered their claims. Although generally quite careful, the authors still over-claim in prominent sections of the book. For example, they assert unequivocally that “ISO 14001 induces firms to pollute less and better comply with government regulations” (p. xii; see also pp. 186–8 and the book’s jacket). Not only might the causal account remain open, but the most they show is that industry’s own *self-reported* emissions turn out slightly lower in certified facilities.

That a few claims reach too far should not detract from Prakash and Potoski’s noteworthy contributions to the study of green clubs. But neither should their occasional over-claiming deter others from undertaking future empirical research in this area. Indeed, if the efficacy theory the authors enumerate is correct and clubs’ success depends on demonstrating that members are more than just “greenwashes” (p. 67), scholars have a particularly valuable, ongoing role to play in helping regulators and citizens alike to decide whether green clubs actually provide a credible signal of responsible corporate behavior.

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Unequal Under Law: Race in the War on Drugs. By Doris Marie Provine. Chicago and London: University of Chicago Press, 2007. Pp. viii+207. \$18.00 paper.

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In recent years, a number of scholars have documented the accumulating consequences of America’s decades-long commitment to imprisonment as the primary response to drug offenses. In *Unequal Under Law*, Doris Marie Provine adds to this important literature with her examination of the racialized histories of America’s harsh-

est drug policies. In six engaging and clearly written chapters, Provine uncovers how race and racism shaped America's wars on drugs in the nineteenth and twentieth centuries. From the nation's early wars against alcohol and opiates, when politicians and reformers explicitly identified the racial and ethnic targets of drug legislation, to the "colorblind" rhetoric that supported the introduction and maintenance of some of the harshest drug penalties in American history, Provine highlights how race and racism shape crime and justice policies. The continuing and often unpredictable influence of race on crime policy during the post-civil rights era is a peculiar paradox that Provine interrogates expertly. *Unequal Under Law* explains how race-neutral political and popular discourse, combined with old-time fears about problematic populations, facilitated the introduction of anti-crack legislation. This legislation focused nearly exclusively on arresting and imprisoning black men who sell crack cocaine in poor, urban neighborhoods across the country. *Unequal Under Law* also explains why most efforts to challenge these laws have failed, even as racial disparities in arrests and sentencing persist.

The early chapters of *Unequal Under Law* reveal how racism shaped early wars against alcohol users, "Negro cocaine fiends, Mexican marijuana smokers, and Chinese opium addicts." Provine then turns her analysis to the Anti-Drug Abuse Acts of 1986 and 1988. These acts shifted the focus of federal and local law enforcement agencies toward the arrest and prosecution of small-time crack sellers and users. As a result, "Crack cases soon dominated other types of drug offenses in both state and federal court systems. Almost all of these defendants were African American" (p. 120). *Unequal Under Law* is not a simple analysis of how this legislation was passed. A key contribution of the book is its argument for why these policies continued long after dramatic racial disparities became obvious to policy makers and everyday citizens. Drawing on the arguments of race scholars Winant and Bonilla-Silva, Provine explains that the shift to colorblind rhetoric in the post-civil rights era made it nearly impossible to launch successful legislative or political challenges to these policies.

In Chapter five, cleverly titled "Congress on Crack," for example, Provine explains how race-neutral language obfuscated the underlying racism that motivated harsh anti-crack legislation. In the wake of the social rebellions of the 1960s, Provine explains, crime policy became a way to control "problematic" populations ranging from Nixon's "hippies" to Reagan-era caricatures of "hard-core thugs." The tougher anti-crack legislation of the 1980s, which focused on the arrest and incarceration of low-end urban drug dealers, increased prosecutorial power, seriously limited judicial discretion (a change that has only recently been

addressed by the U.S. Supreme Court), and introduced the now infamous “100:1” penalty ratio for cocaine and crack offenses. While Congress was aware that these shifts would change the complexion of federal and state prisons, “Most states followed the federal example, which has resulted in two decades of racially skewed patterns of arrests, convictions, and sentencing in drug cases, and subsequent disqualification of Black citizens from voting and other benefits of citizenship.” How could such racial disparities persist in a post-civil rights America that is committed to diversity and equality? Provine argues that absent the crude racist language of earlier drug wars, politicians and other “moral entrepreneurs” rely on racially coded references to location and geography to support punitive drug policies. This new racial discourse has made the fight against racially discriminatory criminal justice policies more difficult than ever.

In its introductory pages, *Unequal Under Law* asks if the anti-crack legislation introduced in the late twentieth century will effectively produce an American “racial state” where opportunities are hierarchically organized to benefit some groups at the expense of others (p. 2). The book only hints at the answer to this question as well as another compelling question: “What place will African Americans hold in the American political experiment?” We come closer to an answer to these questions by reading Provine’s book with others that document the economic, civic, and moral consequences of the mass incarceration era, such as Manza and Uggen’s *Locked Out* (2006) and Western’s *Punishment and Inequality in America* (2006). Provine’s smart, engaging, and informative book joins these scholars, among others, in its insightful investigation of how racism has influenced harsh drug legislation over the course of American history. Ultimately, *Unequal Under Law* is an astute account of how political maneuvering and the rhetorical and legislative restrictions of colorblind ideology have led to the “deep entrenchment of [racially discriminatory criminal justice policies] in the American polity.” The book should be required reading for graduate students and upper-level undergraduates who study race, crime, and justice. The book is also accessible to general readers who look at the number of people imprisoned in America and wonder how to best develop a compelling argument for breaking the nation’s addiction to incarceration.

References

- Manza, Jeff, & Christopher Uggen (2006) *Locked Out*. Oxford, United Kingdom: Oxford Univ. Press.
- Western, Bruce (2006) *Punishment and Inequality in America*. New York: Russell Sage Foundation.