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## Syllabus

### PS536 - GLOBAL ENVIRONMENTAL LAW AND POLICY Spring Semester 2008

North Carolina State University

Time: Tuesday/Thursday 11:45-1:00

Place: Winston 003

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#### INSTRUCTOR

[Dr. Marvin S. Soroos](#)

Professor of Political Science and Public Administration  
Office: Caldwell 207

Phone (with voice mail): 515-3755

E-Mail: [msoroos\(at\)mindspring.com](mailto:msoroos@mindspring.com)

Office: 207 Caldwell Hall

Website: <http://social.chass.ncsu.edu/soroos/>

Office Hours: Tuesdays and Thursdays 10:00-11:30; 4:15-5:00

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#### Texts

Pamela S. Chasek, David L. Downie, and Janet Welsh Brown, *Global Environmental Politics, 4th edition* Westview, 2006

Donald Kennedy and the Editors of *Science, State of the Planet 2006-2007*. Island Press, 2006

J. R. McNeill, *An Environmental History of the Twentieth-Century World*. W. W. Norton, 2000

Additional readings are either accessible on-line either through clickable internet links or through the D.H.Hill Library's [electronic reserves](#).

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#### Overview and Background

PS536 will explore the responses of the international community to environmental problems. Over the past two decades, concerns about the environment have converged on the concept *global change*. In this context, "global change" refers to the tendency for the rapidly expanding and economically developing world population to alter the basic physical and

biological processes of the planet Earth. Of particular concern are changes in the chemistry of the atmosphere that cause acid deposition, depletion of the ozone layer, and climate change. However, numerous other environmental problems demand attention, such as population growth, the spread of deserts, water quality and scarcity, the state of the world's forests, loss of biodiversity, marine pollution, depletion of fisheries, persistent organic pollutants, and disposal of toxic wastes.

A substantial evolution in global environmental governance has occurred since the landmark United Nations Conference on the Human Environment held in Stockholm in 1972. A series of single-theme world conferences, or "global town meetings," discussed specific environmental problems and action plans for addressing them. New international institutions have been created, the most notable being the United Nations Environment Program and the United Nations Commission on Sustainable Development, while previously existing organizations such as the Food and Agriculture Organization, the World Meteorological Organization, the International Maritime Organization, UNESCO, the European Community, and the World Bank have expanded their activities in the environmental realm. Finally, hundreds of international treaties and other international agreements have been concluded on subjects ranging from the marine environment to outer space and from species preservation to protecting the ozone layer.

Political issues inevitably arise from the growing competition among the world populations for the limited resources of the planet. Moreover, environmental degradation has a greater impact on some societies than on others, which accounts for varying degrees of commitment to addressing environmental problems. Finally, conflicts of interest arise over the terms of international cooperation on addressing a wide range of environmental problems. The divisions between the North and South were all too apparent at the Earth Summit in Rio 1992 and the World Summit on Sustainable Development in Johannesburg in 2002, as the less developed countries refused to sacrifice their aspirations for economic development to further the environmental agenda advocated by the rich industrialized nations. The hope for forging a global partnership to preserve the global environment lies in defining and implementing a strategy to achieve "sustainable development."

In the early years of the 21st century, global environmental concerns seem to have receded as a public concern has focused on other issues. The first is the threat of terrorism that was forcibly driven home by the catastrophic events of September 11, 2001 and the geopolitics that followed, including the wars in Afghanistan and Iraq. The second is rise of economic globalism following the collapse of communism and the end of the Cold War, which has increasingly become the focus of political and social protest around the world. Nevertheless, the global environmental predicament that humanity faces continues to deepen in ways that threaten the welfare of peoples throughout the world. In particular, continuing scientific research on global climate change, including prospect of abrupt climatic changes, suggest even more disturbing scenarios for the 21st century. Public concern about environmental problems seems to be on the rise again in United States and elsewhere.

This course draws upon the subfields of international law, international public policy, international organizations and regimes, international negotiation, international politics, and international political economy as they apply to efforts to address global environmental

problems. The first part of the course presents an overview of these subjects that will provide conceptual and analytic tools which will be used in the second part to explore international responses to specific environmental problems.

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### Course Objectives

- knowledge of the challenges posed by global environmental problems for international policy makers,
- an understanding of the basics of international law and how it has evolved to address international environmental problems,
- a familiarity the principal international organizations and regimes that have roles in the environmental field,
- an appreciation of the role that nongovernmental organizations and civil society plays in international governance,
- a sensitivity to how economic and political troubles of developing countries are intertwined with environmental imperatives,
- an awareness of the role that the United States has played in international environmental diplomacy, and
- an introduction to the emerging academic field of international environmental law and policy.

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### Seminar Project

Each student taking the course for credit is required to undertake a substantial research project leading to a paper of 15-25 typewritten pages, which is due on or before **Thursday, April 17 at class time. A topic for the seminar paper should be submitted on Tuesday, February 19 and an outline on Thursday, March 20.** No credit will be given for papers of less than 12 pages. Papers will be graded on both content and composition. They should be on one of following types of topics, although alternative types of topics may be undertaken with the approval of the instructor.

(a) Analysis of an *environmental problem and the international response to that problem.* The problem may be global in scope, such as contamination by persistent organic chemicals (POPs), international trade in toxic substances, the decline of whales, the widespread use of drift nets, the spread of deserts, the dying of coral reefs. Alternatively, it may be a regional problem, such as those associated with regional seas (e.g., the Mediterranean, Black, Caspian, or Aral), or international river systems (e.g., the Danube, Nile, or Mekong). Finally, the paper could focus more narrowly on a bilateral problem, such as water or air pollution along the US/Mexican border.

(b) Case study of an *international environmental institution or major international environmental meeting*. The institution may focus largely or exclusively on environmental matters, such as the Intergovernmental Panel on Climate Change or the UN Commission on Sustainable Development. Alternatively, it may be one that has become controversial for the implications of its policies and programs for the environment, such as the World Trade Organization or the World Bank. Meetings could be major world conferences, such as the International Conference on Population and Development (Cairo 2004), the Second UN Conference on Human Settlements (Istanbul, 1996), the World Summit on the Sustainable Development (Johannesburg 2002), or the COPII/MOP2 of the UN Framework Convention on Climate Change (Milan 2003).

(c) Case study of an *international environmental dispute, incident or court case*. Historical examples are the Trail Smelter Case (1941) between the US and Canada, the Torrey Canyon oil tanker accident (1967), the three Cod Wars between Iceland and Britain (1959-1976), the Bhopal disaster in India (1984), or the Chernobyl accident in the USSR (1986). Among more contemporary examples the Gabcikovo Dam Case between Slovakia and Hungary, the Turbot War between Spain and Canada (1995), the tuna-dolphin trade dispute between the US and Mexico, or the dispute between Europe and the United States over exports of hormone treated beef or genetically modified food.

*Generally, speaking the narrower topics work better than broad ones, assuming that sufficient information is available.*

#### *Some Information Sources*

[Google](#) (all purpose search engine)

[Climate Ark Newsfeed](#)

[Lexis-Nexis Academic Universe](#) (an on-line service that can be used to locate newspaper, magazines, and journal articles on any subject, by conducting a keyword search; it is updated daily and contains texts of articles; click on "news"--then "general news")

[IISD \(International Institute for Sustainable Development\) Linkages](#) (a website that can be used to access current and previous issues of *Earth Negotiations Bulletin*, an online newsletter which provides detailed day-to-day coverage of major international negotiating sessions on a variety of environmental problems; also [Linkages Update](#) which has short articles on a wide range of international environmental topics, has brief summaries of past meetings, lists forthcoming meetings, and abstracts of recent literature in the environmental field)

[Encyclopedia of the Earth](#) (a wiki style, but carefully reviewed and edited, on-line encyclopedia on resource and environmental topics. It is still in an early stage of development, so the number of entries is limited.)

[Environmental Treaties and Resource Indicators \(ENTRI\)](#) (a highly useful database of

environmental treaties and ratifications that can manipulated to provide a number of useful types of lists)

[United Nations Environment Program](#) (contains links to websites on a United Nations treaties and other initiatives that address a number of environmental problems, such as climate change, ozone depletion, pesticides, desertification, biodiversity, etc.)

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### Problem Essays

In lieu of in-class examinations, each student will write two essays of 7-10 pages *due at classtime on Tuesday, Feb 26 (classtime) and Thursday, May 1 (5:00 PM)*, which draw upon the course readings and class discussions. The assigned topics will be circulated approximately two weeks before the due dates. Papers may be submitted electronically.

[Assignment for Problem Essay #1](#)

[Assignment for Problem Essay #2](#)

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### Class Sessions

Regular attendance and participation in class discussions is expected of all students. Assigned readings should be read prior to the class session for which they are assigned.

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### Grades

The course will be graded on an A,B,C,D,F basis. Pluses and minuses will be attached to the letter grade when appropriate, although they may not be calculated into the GPAs of all students. The grades will be based on the seminar paper (40%), the problem essays (50%), and class attendance and participation (10%). The grade scale will be 97-100 (A+), 93-96 (A), 90-92 (A-), 87-89 (B+), 83-86 (B), 80-82 (B-), 77-79 (C+), 73-76 (C), 70-72 (C-). A grade below 60 is failing.

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### Tentative Schedule and Reading Assignments

#### Week 1 (Jan 10) - Course Introduction

McNeill, preface, chs. 1, 2

Donald Kennedy, "Life on a Human Dominated Planet," in Kennedy et al, pp. 5-12

Donald Kennedy, "Preserving the Conditions for Life," in Kennedy et al, pp. 39-48

*Optional websites*

Kenneth Boulding, "[The Economics of the Coming Space Ship Earth.](#)" (1966)  
[Millennium Ecological Assessment](#) (Wikipedia summary and links)  
[Environmental Sustainability Index](#)  
[Environmental Performance Index](#) ([rankings of nations](#))  
[NASA Earth Observatory](#)

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**Week 2 (Jan 15,17) - History of International Environmental Policy** ([outline](#))

Chasek et al, ch. 1

McNeill, ch. 11

*Optional Websites:*

[UN Conference on Environment and Development-1992](#) (collected papers)  
[IISD Portal on the World Summit for Sustainable Development - 2002](#)  
[Earth Summit 2002](#)

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**Week 3 (Jan 22,24) - The Problem of The Commons** ([outline](#))

Garrett Hardin, "The Tragedy of the Commons," in Kennedy et al, pp. 115-125

Soroos, "The Evolution of Global Commons," in Ho-Won Jeong, ed., *Global Environmental Policies: Institutions and Procedures*, Palgrave, 2001, pp. 39-65 ([PS536 electronic reserves](#))

Donald Kennedy, "Managing Our Common Inheritance," in Kennedy et al, pp. 101-114

Herschel Elliott and Richard Lamm, "[A Moral Code for a Finite World.](#)" *Chronicle of Higher Education*, November 15, 2002, pp. B7-B9 (on line)

McNeill, chapter 6 (general background reading)

*Optional Websites*

Wikipedia Encyclopedia, "[The Tragedy of the Commons](#)"  
Encyclopedia of the Earth, "[The Antarctic Treaty System](#)"  
[International Association for the Study of Common Property](#)  
[Garrett Hardin Society](#)  
[Class Game](#)

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**Week 4 (Jan 29, 31) - International Environmental Law - a Crash Course** ([outline](#))

Scott Barrett, "International Environmental Agreements," ch. 6 in *Environment and Statecraft: The Strategy of Environmental Treaty-making*. Oxford University Press, 2003. ([PS536 electronic reserves](#))

Lisa Mastny and Hilary French, "Crimes of (a) Global Nature," *Worldwatch*, Sept.-Oct 2002, 12-23 ([PS536 electronic reserves](#))

Oliver Hauck, "Tales from a Troubled Marriage: Science and Law in Environmental Policy," in Kennedy et al, pp. 183-193

United Nations, [Treaty Reference Guide](#)

[Environmental Treaties and Resource Indicators \(ENTRI\)](#) - (browse ENTRI Table of Contents, on-line)

Karl Inderfurth, "[Washington's Phobia of Global Treaties.](#)" *Christian Science Monitor*, December 24, 2007

*Optional Websites:*

[Fletcher School International Relations Resources](#)

[Fletcher School Multilaterals Project](#)

[ECOLEX-A Gateway to Environmental Law](#)

[American Association of International Law--Guide to Electronic Resources](#)

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**Week 5 (Feb 5, 7) - International Environmental Institutions** ([outline](#))

Chasek et al, ch. 2 (pp. 41-73), ch. 4

Thomas Dietz et al, "The Struggle to Govern the Commons," in Kennedy et al, pp. 126-141

*Optional Websites:*

[United Nations](#)

[International Organizations and NGOs](#)

[Group of 77](#)

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**Week 6 (Feb 12, 14) Environmental Movements and Nongovernmental Organizations** ([outline](#))

Chasek et al, ch. 2 (pp. 73-95)

Jules Pretty, "Social Capital and the Collective Management of Resources," in Kennedy et al, 141-148

Wikipedia Encyclopedia, "[Greenpeace](#)"

["Japanese Whalers, Green Peace in Ocean Battle,"](#) *Reuters*, December 22, 2005

["Evangelical Leaders Join Global Warming Initiative,"](#) *New York Times*, February 8, 2006

Statement of Initiative

*Optional Websites:*

Sarah Mazur, [Environmental NGOs: An Information Database](#)  
[saveourenvironment.org](#) (coalition of 21 environmental NGOs)

[World Public Opinion.org](#)

Michael Schellenberger and Michael Nordhaus, "[Death of the Environmental Movement](#)"

[The Breakthrough Institute](#)

**Week 7 (Feb 19, 21) - Global Population Problems and Policy** ([outline](#)) ([optional articles](#))

**Submit term paper topic at class on February 19**

Joel E. Cohen, "Human Population: the Next Half Century," in Kennedy et al, pp. 13-21

Population Reference Bureau, "[What is Overpopulation](#)"

Nicholas Eberstadt, "[The Population Implosion,](#)" *Foreign Policy*, No. 123, 2001, pp. 42-53

Phillip Longman, "[The Return of Patriarchy,](#)" *Foreign Policy*, No. 153, March/April 2006, pp. 56-65

Lincoln C. Chen, et al, "Women, Politics and Global Management: The Cairo Conference," *Environment*, Vol. 37, No. 1, Jan/Feb 1995, pp. 5-9, 31-33 ([electronic reserves for PS536 #12](#))

Population Reference Bureau, [World Population Data Sheet 2007](#)- (browse on line)

Ann Hwang, "Exportable Righteousness, Expendable Women," *World Watch*, January/February 2002, pp. 24-31 ([PS536 electronic reserves #3](#))



McNeill, chapter 9 (on urbanization)

*Optional Websites:*

[National Ecological Footprints](#)   [Ecological Footprint Quiz](#)   [World Consumption Cartogram](#)  
 IIASA, [Chinese Population Trends](#)   [\(Animation\)](#)  
[United Nations Population Division](#)  
[United Nations Population Fund](#)  
[United Nations Population Information Network \(POPIN\)](#)  
[United States Census Bureau-International Population Center](#)  
[International Planned Parenthood Federation](#)  
[Negative Population Growth](#) (an NGO---statistics on US population growth)

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**Week 8 (Feb 26, 28) - The Atmosphere, Transboundary Pollution and the LRTAP Regime**  
[\(outline\)](#)   [\(optional articles\)](#)

**Problem Essay #1 Due at Classtime**

McNeill, , chs. 3-4

Marvin S. Soroos, "[Preserving the Atmosphere as a Global Commons](#)," *Environment*, Vol. 40, No. 2, March 1998, 8-13, 32-35 ([PS536 electronic reserves](#))

Chasek et al, ch. 3 (pp. 97-106)

Swedish NGO Secretariat on Acid Rain, "[Acidification](#)" and "[The LRTAP Convention](#)" (browse on-line)

Hajime Akimoto, "Global Air Quality and Pollution," in Kennedy et al, pp. 79-87

Jacques Leslie, "[The Last Empire: Can the World Survive China's Headlong Rush to Emulate the American Way of Life](#)," *Mother Jones*, Vol. 33, No. 1, January/February, 2008, pp. 29-39, 83-85.

*Optional Websites:*

[Encyclopedia of the Atmosphere](#)  
 Encyclopedia of the Earth, "[Air Quality in Mega-Cities](#)"  
[Convention on Long-range Transboundary Air Pollution](#)  
[EPA Acid Rain Program](#)

[Swedish NGO Secretariat on Acid Rain Carlines](#) (emission and fuel efficiency standards for autos around the world)

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**Week 9 (March 11, 13) - The Ozone Depletion Regime** [\(outline\)](#) [\(optional articles\)](#)

Chasek et al, ch. 3 (pp. 106-115)

EPA, ["On the Trail of Missing Ozone"](#) (cartoon)

UNEP, [Twenty Questions and Answers about the Ozone Layer-2006 Update](#) (browse on line)

UNEP, [Backgrounder: Basic Facts and Data on the Science and Politics of Ozone Protection, 2005](#) (browse on line)

["Cool Rooms in Asia Warming the Planet,"](#) *International Herald Tribune*, February 22, 2007

*Optional Websites:*

[Ozone Quiz](#)

[Ozone Science Crossword Puzzle](#)

[UNEP's Ozone Secretariat](#)

[US EPA Ozone Depletion Website](#)

[The Ozone Hole Tour](#)

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**Week 10 (March 18, 20) - The Climate Change Regime (Scientific Issues)** [\(outline\)](#) [\(optional articles\)](#)

**Submit outline of term paper at class on March 20**

Thomas Karl and Keven Trenberth, "Modern Global Climate Change," in Kennedy et al, pp. 88-98

Union on Concerned Scientists, ["Global Warming Science"](#) (browse website)

Naomi Oreskes, ["The Scientific Consensus on Climate Change,"](#) *Science*, December 3, 2004, p. 1686

Donald Kennedy, ["Climate Change and Climate Science,"](#) *Science*, June 11, 2004, p 1565.

Spencer Weart, ["The Discovery of Rapid Climate Change,"](#) *Physics Today*, Vol. 56 (8), August 2003 ([on-line](#))

["In Wake of Latest Climate Report, Calls Mount for Global Response,"](#) *Christian Science Monitor*, February 5, 2007

["New Climate Report Too Rosy, Experts Say,"](#) Washington Post, January 29, 2007

UNEP, [Fact Sheet: Climate Change at a Glance](#), 2007 (highly recommended for a good summary of climate change issues)

*Optional Websites:*

[IPCC, "Climate Change 2007: The Synthesis Report,"](#) (Summary for Policymakers)

[Climate Change Newsfeed](#) (extensive compendium of newspaper articles on climate change)

[National Snow and Ice Data Center](#)

[World Meteorological Organization](#) (news releases)

*New Scientist Environment*, ["Climate Change: A Guide for the Perplexed"](#)

[Climate Change Information Service](#) (extensive compendium of recent newspaper articles)

[Christian Science Monitor, Climate Change website](#)

[Stern Review Report on the Economics of Climate Change \(2006\)](#)

[Summary of Conclusions](#)

[EPA Global Warming Site](#) (check for a good summary of impacts of global warming)

American Institute of Physics, [The Discovery of Global Warming](#)

AAAS, [Climate Change Resources](#), [Statement on Climate Change, 2006](#)

[Climate Action Network](#)

[RealClimate](#) (focuses on scientific issues)

[Cool Heads Coalition](#) (skeptical website)

[Global Warming Information Center \(National Center for Policy Research\)](#) (skeptical perspective)

[World Climate Report](#) (skeptical perspective)

**Week 11 (March 25, 27) - The Climate Change Regime (UNFCCC and the Kyoto Protocol)**  
([outline](#)) ([optional articles](#))

Chasek et al, ch. 3 (pp. 115-128)

Hasselmann et al, "The Challenge of Long-Term Climate Change," in Kennedy et al, pp. 172-178

Robert T. Watson, "Climate Change: the Political Situation," pp. 179-182

Swedish NGO Secretariat, ["Fact Sheet---Kyoto Protocol"](#)

Marvin S. Soroos, "Science and International Climate Change Policy," in Neil E. Harrison and Gary C. Bryner (eds.), *Science and Politics in the International Environment*. Rowman & Littlefield, 2004, pp. 83-108 ([PS536 electronic reserves](#))

Ross Gelbspan, ["Two Paths for the Planet,"](#) *The American Prospect*, July/August 2007, pp. 45-48.

McNeill, ch. 10

*Optional Websites:*

*The Times (UK)*, ["Green Hits: the 20 Most Read Climate Change Articles This Year"](#) (Some interesting articles)

UNEP, ["Understanding Climate Change: A Beginner's Guide to the UN Framework Convention and Its Kyoto Protocol"](#)

Earth Negotiations Bulletin, ["Summary of the Bali Conference \(2007\)"](#), see in particular pp. 18-21

[US \(White House\) Policy on Climate Change](#)

[Official UN Framework Convention on Climate Change Website](#)

[International Energy Agency](#)

[IISD Linkages-Framework Convention on Climate Change](#)

[Program on International Policy Attitudes--Global Warming](#)

[Large Cities Climate Leadership Group](#)

League of Conservation Voters, ["Voter Guide on Presidential Candidate Climate Change Positions"](#)

**Week 12 (April 1, 3) - The Law of the Sea** ([outline](#)) ([optional articles](#))

Martin Glassner and Chuck Fahrer, "The Law of the Sea," ch. 31 in *Political Geography*, 3rd edition, Wiley, 2004 ([electronic reserves](#))

Martin Glassner and Chuck Fahrer, "The Political Geography of the Sea," ch. 32 in *Political Geography*, 3rd edition, Wiley, 2004 ([electronic reserves](#))

McNeill, ch 5 (general background reading)

*Optional Websites:*

UN Division for Ocean Affairs, ["UN Convention on the Law of the Sea: A Historical Perspective"](#) (brief explanations

of the provisions of the 1982 Convention on the Law of the Sea)

[Oceans and Law of the Sea](#) (main United Nations LOS website)

[Text of the UN Convention on the Law of the Sea](#)  
Wikipedia Encyclopedia, ["UN Convention on the Law of the Sea"](#)  
[UN Atlas of the Oceans](#)  
[Global Oceans Policy \(IISD\)](#)  
[International Maritime Organization](#)  
Pew Oceans Commission report [America's Living Oceans](#)

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**Week 13 (April 8, 10) - Conserving Fisheries, Wildlife, and Biodiversity** ([outline](#)) ([optional articles](#))

Martin Jenkins, "Prospects for Biodiversity," in Kennedy et al, pp. 22-27

Daniel Pauley et al, "World Fisheries: the Next 50 Years," in Kennedy et al, pp. 29-36

Chasek et al, ch.3 (pp. 143-195)

McNeil, ch. 7, ch 8 (pp. 229-52, 262-66)

Soroos, "The Turbot War: Resolution of an International Fishery Dispute," in Nils Petter Gleditsch, ed., *Conflict and the Environment*. Kluwer Academic Publishers, pp. 235-252. ([PS336 electronic reserves](#))

*Optional Websites:*

[FAO Fisheries Department](#)  
Earth Portal, [Transboundary Protected Areas](#)  
[Code of Conduct for Responsible Fisheries](#) (1995) ([full text](#))  
UNEP, [In Dead Water](#), 2008 (report on the impact of climate change and overfishing on the oceans fishing grounds)  
[Global Biodiversity Outlook](#) (see chapters 1 and 2)  
World Commission on Forests and Sustainable Development, [Our Forests, Our Future](#)  
(Summary Report)  
[King of Sushi](#), CBS 60 Minutes Report (video)

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**Week 14 (April 15, 17) - Presentation of Seminar Papers**

**Tuesday, April 15**

Iovu, UNEP and CSD  
Lou, Functions of the IPCC  
Griffith, Chernobyl Case Study

Hardison, Chernobyl's Effect on International law  
Behringer, US/EU Debate over GMOs

**Thursday, April 17: Guest, Dr. Elena Nikitina, Russian Academy of Sciences  
and member of the IPCC  
(catered lunch to follow)**

**Seminar Paper Due at Classtime on April 17**

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**Week 15 (April 22, 24) - Presentation of Seminar Papers**

**Tuesday, April 22**

Galvin, TRAFFIC/Biodiversity  
Peacock, Shrimp Turtle Case  
Stewart, Whales  
Oruma, Biodiversity in Sub-Saharan Africa  
Bernard, Haryana Case Study: Sustainable Forestry

**Thursday, April 24**

Davasthali, Plastic Pollution in Oceans  
Pyles, Pollution in the Mediterranean Sea  
Scott, Desertification: the International Response  
Gross, Desertification in Ghana  
Porter, Environmental Issues in Ghana

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**Problem Essay #2 Due Thursday, May 1, by 5:00 PM**

**Miscellaneous Articles that May be of Interest**

Bill McKibben, "[Reversal of Fortune](#)," *Mother Jones*, March/April 2007