

## **The International Joint Commission, Sustainability, and Great Lakes Water: A Historical Appraisal**

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This paper provides a historical background of the evolution of transboundary water governance, sustainability, and policy issues in the Great Lakes-St. Lawrence basin over the course of the 20<sup>th</sup> century. Canadian-American water governance and environmental diplomacy issues in the basin center on water quantity, water quality, and biomass issues – this study will focus primarily, though not exclusively, on water quantity and International Joint Commission (IJC) governance. In order to make contemporary policy decisions involving the Great Lakes, we need a fuller understanding of policy choices in the past, particularly when it comes to decisions about sustainability.

Great Lakes governance is, on the one hand, difficult and fragmented because of the various jurisdictions (i.e., national, provincial/state, local/municipal, basin). The primary governance form has been the International Joint Commission, which was created by the 1909 Boundary Waters Treaty. The International Joint Commission has provided a unique means of addressing transboundary problems and adjudicating between various interests. In fact, a comparison of the IJC's first century of operation shows that its behaviour, role, and function has changed significantly over time, not only in general but in relation to governance of the Great Lakes-St. Lawrence basin. The history of the IJC reveals an initial half-century of mixed results, followed by a period from the 1940s to the 1960s of partisan politics resulting in large-scale endeavours with dubious environmental impacts, followed by a period of more noticeable success which continues to the present.

During the first half of its existence the IJC was generally concerned with apportioning water resources. These included water levels and diversions in and out of the Great Lakes, which stemmed from canals and navigation improvements, hydro-electric developments, remedial works, and consumptive uses. However, as scientists discovered in the post-Second World period, natural supply and fluctuations were actually the largest determinant of changing Great Lakes water levels, though this has been exacerbated by climate change lately, and this paper also tracks evolving scientific understanding of natural causes.

During its initial period of focusing on apportioning water resources, the IJC did not operate efficiently, at least not compared to its later record, as on some occasions it split along national lines or failed to make timely recommendations. A number of large-scale endeavours, such as the St. Lawrence Seaway and Power Project, characterized the two post-war decades. During this postwar period the commission supported or influenced activities that tended to be unsustainable and ecologically harmful. Growing