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The River Basin in History and Law
By
LUDWIK A. TECLAFF
Pp. xxiv, 228, $8.00 approx.

The River Basin in History makes a valuable contribution to the understanding of river basins in general, and to the effective development of international water resources in particular. It should be must reading for those interested in maximizing the benefits of international streams, whether scholars in academia or treaty negotiators at the international bargaining table.

Professor Teclaff systematically reviews the place of the River Basin from the dawn of history to date. He shows how the river basin has served as a unifying force in history, encouraging political and administrative or commercial areas to coincide with river basin boundaries. But, in spite of the role that river basins played in encouraging the development of basin-wide political or commercial unity, little or no administrative machinery was developed for coordinating the various uses of a river basin in a comprehensive way. The administrative machinery uniformly attempted to deal with single local problems; never was there a real attempt to relate and coordinate the various uses of the river waters. This is a reflection of a past halcyon era in which the demand for water could be easily satisfied without extensive coordination of the various uses.

However, the greater use of water resources resulting from increased population demands and improved technology, gradually has led to an appreciation of the fact that in order for the most efficient use of the waters of the basin to be made, the various uses must be coordinated on a basin-wide scale. As examples of basin-wide development, Professor Teclaff points to the French developments in the Rhone basin, and our own TVA.

But in those river basins which are divided by international boundaries, the progress has been slow indeed. So far, nationalism has not permitted the development of any counterpart to the TVA in the international area. There have been attempts, as professor Teclaff points out, such as the abortive Great Lakes-St. Lawrence River Commission, which never got past the draft treaty stage of 1938, and the David Lilienthal plan for the Indus, which was rejected in the treaty of 1960. The International Joint Commission established by the Boundary Waters Treaty of 1909 between the United States and Canada has important juridical powers to pass on the advis-
ability of water projects, and the International Boundary and Water Commission, established by the 1944 treaty between the United States and Mexico has important investigative and executive and limited planning functions, but in neither case is anybody given the authority and responsibility for planning the river basin as a whole.

Professor Teclaff thoroughly analyzes the post-World War II developments and, unfortunately, has to conclude that the international commissions established in this post-war era differ little from the earlier administrative bodies. He reviews the developments on the Nile, the Niger, and Senegal Rivers, and Lake Shad, as well as the Hindus agreement, and concludes that the Basin Commissions are primarily consultative bodies. “To sum up, it may be said that all these agreements recognize the need for multipurpose development of water and other resources of international basins. But they do not provide a definite plan for such development, and the machinery for future planning that they do provide is rather weak.”

Paradoxically, Professor Teclaff goes on to point out that the concept of basin-wide development is itself becoming outmoded almost before it sees the light of day. He points out that even in national basins, such as the Tennessee Valley, the products of the basin transcend its boundaries, as for example, in the production of hydroelectric power. These developments are making the heretofore avant garde concept of the river basin as an isolated unit of development almost obsolete before it is even adopted by national river basins, not to mention international basins.

Professor Teclaff then discusses such inter-basin proposals as the Southwest Water plan, which would tie in the waters of the lower Colorado River drainage basin with those of Southern and Northern California, and the even more ambitious North American Water and Power Alliance Plan, which would divert large supplies of water from Alaskan and Canadian Rivers (the Yukon, Athabascan, Peace, Fraser, and others) southward into basin after basin all the way into Northern Mexico.

Such talk of regional development plans even before we have been able to implement basin-wide plans might appear to be getting the cart before the horse. But, ironically, one of the by-products of these inter-basin proposals has been that there is now a renewed emphasis on the basin as a unit of water exploitation. Those officials in the Pacific Northwest, who would stand to lose water that was exported out of the basin to destinations hundreds of miles away, now steadfastly talk about the need for Basin development first, rather than regional development.

1. P. 178.
Thus, the ambitious proposals for regional development may, paradoxically, have the effect of pulling the concept of basin-wide development yelling and kicking into the 20th century.

Albert E. Utton*