

BORDER FLOWS: A Century of the Canadian-American Water Relationship

Edited by Lynne Heasley and Daniel Macfarlane

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Engineering a Treaty: The Negotiation of the Columbia River Treaty of 1961/1964

JEREMY MOUAT

The Columbia River Treaty first came to my attention in the mid-1990s.¹ A regional power utility in British Columbia, West Kootenay Power, had commissioned me to write its centennial history. As I did the research for that book I came to appreciate the treaty's significance. The creation of the Columbia Basin Trust in 1995, with its mandate to return some of the treaty's financial benefits to that part of the province it had affected most, underlined the treaty's continuing relevance in southeastern British Columbia. However, the orthodox view of the treaty—dominated by Neil Swainson's *Conflict over the Columbia*²—seemed unsatisfactory because it appeared to give the treaty an inexorable logic. Swainson's book failed to take seriously other possible outcomes or to do justice to the raucous debate that accompanied the treaty's negotiation and signing. Contemporary accounts of the treaty in newspapers and journal articles contrasted sharply with Swainson's reasoned prose. All of this piqued my interest, but I was working to a deadline and scrambled to finish the "treaty chapter."

Some years later an American colleague encouraged me to give a paper on the treaty, and I began to reexamine the agreement more systematically. I was struck by the fact that the Columbia River had attracted a great deal of attention from American scholars, whose work offered much detail on

the river's history as well as suggesting its important role in the American imagination.³ This led me to question why Canadian scholars were less interested in the river than their American counterparts. I also came to appreciate that this greater American interest had had a very real impact on the Columbia's history. Long before Canadians imagined harnessing the Columbia River's hydroelectric potential, American engineers had devoted thousands of pages to that project—attention that led to a series of dams on the river. Canadian disinterest in the potential benefits of hydroelectricity, as Matthew Evenden has pointed out, reflected an unwillingness on the part of both governments and private industry to take decisive action: "Whereas large U.S. federal projects rose on the Columbia and Tennessee Rivers in the late 1930s with importance for American wartime production, in Canada public and private utilities sought to follow rather than promote demand." This timidity would have important consequences when war came: "Canada's major power systems were in a poor position to meet surges in wartime demand."⁴

Such a perspective sees the Columbia River receiving the same neglect as other rivers in Canada. However, I want to argue that the Columbia River Treaty's convoluted negotiation and the manner in which the treaty came to define the river made the Columbia unique, or, at least in some important respects, unlike many other rivers in Canada and shared trans-border water basins. For example, Canadian interest in developing the Columbia River came long after American facilities had been planned and built along its length south of the border. This meant that any Canadian project would have to accommodate existing American installations on the Columbia. In addition to this constraint, the Canadian position in the treaty negotiations was weakened by significant political differences. As will be seen, the federal government of Prime Minister Louis St. Laurent disagreed with BC Premier W.A.C. Bennett's plans for the Columbia River and prevented him from realizing them. When the Progressive Conservatives assumed power in Ottawa under John Diefenbaker, a very different set of actors assumed key roles, although relations with Premier Bennett did not improve. Personal animosity also affected the work of the International Joint Commission (IJC). The head of the Canadian section of the IJC from 1950 to 1962, General A.G.L. McNaughton, argued powerfully in defence of Canadian interests—a position that was not well received by his American counterpart, Len Jordan.

One consequence of these circumstances was that the “Treaty between Canada and the United States of America relating to Cooperative Development of the Water Resources of the Columbia River Basin”—the treaty’s formal title—was negotiated and signed not once but twice, first in early 1961 and then again in 1964. Much controversy and political squabbling accompanied the treaty’s negotiation, which was why a second signing was necessary. While both the United States and Canada appeared satisfied with the original treaty that President Eisenhower and Prime Minister Diefenbaker signed at the White House in January 1961, British Columbia’s premier made it clear that he found aspects of the treaty objectionable. Without his acquiescence the projects envisioned by the treaty could not proceed. The 1964 revision to the treaty accommodated Bennett’s objections and enabled the construction of the four treaty dams, three in BC and one in Washington State.⁵

The treaty has assumed a new significance as its renegotiation or termination becomes possible. (Article XIX gives either signatory the right to terminate the treaty with ten years’ notice, as of 2014.) The signatories to the treaty showed little concern for the Indigenous peoples of the Columbia Basin or for the environmental impacts of ongoing dam construction and flow regulation. The political landscape has changed fundamentally since then, which will loom large in any substantive renegotiation of the treaty.⁶ This chapter will look backward rather than forward, however, exploring two related questions: Why was the Columbia River Treaty necessary? And why was the negotiation of the treaty and the treaty itself so controversial?



To begin by stating the obvious: the border between Canada and the United States meant that a treaty was necessary. The Columbia River flows from British Columbia through Washington and Oregon before entering the Pacific Ocean. Because the river crosses the border between Canada and the United States, efforts to manage the river required a degree of consensus between the two countries. A legal structure was already in place for achieving this: early in the twentieth century the Boundary Waters Treaty established an institutional framework for managing bodies of water that defined or crossed the border between the two countries, although the plans to “develop” the Columbia came after that treaty was signed, in 1909.

That is not the whole story, of course. The Columbia River Treaty is part of the much larger narrative of global electrification as well as widespread acceptance of the idea that hydroelectric development was a public good. If dams were to be built on the Columbia River to enable such development, engineers, utilities, and governments had to conceive of the river as an organic machine, to use Richard White's memorable phrase.⁷

The controversy surrounding the treaty arose in part from the changing relationship between the United States and Canada through the 1940s, '50s, and '60s. The two nations had drawn closer during World War II, but the postwar boom led to some tensions—tensions heightened by the 1957 federal election that brought John Diefenbaker and the Progressive Conservatives to power in Ottawa.⁸ By the early 1960s the growing American presence in the country created unease among a significant proportion of the Canadian public. This mood coloured attitudes toward both the treaty negotiations and the treaty itself. In addition, tensions between the provincial and federal governments led to considerable acrimony between members of Diefenbaker's cabinet and BC's Social Credit government.

As these comments suggest, the Columbia River Treaty was a product of its time. It did more than implement a rational development scheme, as its formal title suggested. The "Cooperative Development of the Water Resources of the Columbia River Basin" initiated by the treaty was the culmination of longstanding American plans for the Columbia. Canadians had shown little to no interest in the river, at least in the river conceived as a whole.⁹

Since the 1920s, American engineers had been studying the Columbia River closely. This interest reflected the river's obvious power potential as well as the possibility of irrigation, inherent in a vast river system like the Columbia's. It was also part of a larger strategy initiated by the federal government in the mid-1920s. The American government directed the Army Corps of Engineers (USACE) in 1926 to estimate the cost of surveying the country's navigable rivers "with a view to the formulation of general plans for the most effective improvement of such streams for the purposes of navigation and the prosecution of such improvement in combination with the most efficient development of the potential water power, the control of floods, and the needs of irrigation."¹⁰ These instructions were contained in House Document Number 308; consequently, the reports on the various rivers were known as 308 reports.

The 308 report on the Columbia River appeared in 1934.¹¹ In its nearly two thousand pages, the two-volume study outlined, as its subtitle indicated, “A General Plan for the Improvement of the Columbia River and Minor Tributaries for the Purposes of Navigation and Efficient Development of Its Water Power, the Control of Floods, and the Needs of Irrigation.” Another investigation soon followed, commissioned by the National Resources Committee and undertaken by the Pacific Northwest Regional Planning Commission. This second study dealt “with immediate and urgent problems in the Columbia Basin and particularly with the policies and organization which should be provided for planning, construction, and operation of certain public works in that area.”¹²

These immediate and urgent problems had arisen because the federal government was building major dams on the main stem of the Columbia—the Bonneville and the Grand Coulee—and the former project was nearing completion. After considerable debate, the plans for the Columbia River articulated in the 308 report and specified by the Pacific Northwest Regional Planning Commission culminated in the Bonneville Project Act of 1937. This federal legislation in turn led to the creation of the Bonneville Power Administration (BPA).¹³ (It is worth noting that a quarter century would elapse before a Canadian entity with similar jurisdiction to the BPA emerged to deal with power development on the Canadian section of the Columbia River. By then the Columbia River Treaty had already been signed.)¹⁴ Then in 1943, Congress directed the USACE to review “the 308 Report submitted in 1932 and assess it in the light of the completed dams and the newly formed Bonneville Power Administration.”¹⁵

That report—filling an impressive eight volumes—took five years to prepare. It included a series of appendices, the first of which, Appendix A, bore the title “Columbia River Basin in Canada.” It concluded that coordinated development of the river had to extend to the whole basin; it could not just happen on the American side:

Substantial storage ultimately must be developed in Canada if economic utilization of the Columbia River water resource is to be accomplished. Therefore, provision must be made in the projects now planned so that they may be able to use the added dependable flow from such storage when it becomes available.¹⁶

One final document that should be added to this list of American studies of the Columbia River is a reminder of the larger context in which these documents were undertaken. Not only was this period, from the mid-1940s through to the mid-1960s, one of incredible growth but also one of considerable tension. The long shadow of the Cold War—as well as the conflict that had preceded it—was directly tied to developments along the Columbia.

The ample hydroelectric power produced by dams such as Grand Coulee had enabled remarkable industrial growth in the Pacific Northwest during World War II. Quite apart from the wartime production of ships and aircraft, an energy-intensive aluminum industry had developed. This rapid industrialization did not simply come to a halt with the end of the war. One can argue that a kind of path dependency dictated that growth must follow growth, a trajectory encouraged by Cold War anxieties.¹⁷ Such anxieties underlay the 1952 report of the President's Materials Policy Commission, published with the ringing title "Resources for Freedom," although usually known simply as the Paley report, after the commission's chair. The Paley report included a brief but telling reference to the Columbia River Basin. Under the heading "Untapped Hydro Potential in Canada," the report's authors noted that

A significant part of the potential hydroelectric power development in Canada is on the Columbia River and its tributaries in British Columbia. This can best be developed in cooperation with the United States. . . . Only by coordinating the operations of storage reservoirs with the operations of downstream plants can maximum power production be realized."¹⁸

The official river studies undertaken by the American government demonstrate its ongoing interest in the Columbia over a number of years. A clear sense of what was needed for optimum use of the Columbia River system emerged from these studies. And in this conception of the river-as-system, the underdevelopment on the Canadian side was a problem, because it prevented maximum efficient use of the river's potential hydroelectric generation.¹⁹

Dams on the Canadian section of the Columbia would solve this "problem." The huge reservoirs created by these dams could hold vast quantities

million: that was the difference Canadian water storage could make. In addition, further advantages could be achieved in terms of the seasonal rhythms of energy consumption. The BPA came to appreciate that its abundant summer energy—when snow melt typically caused the highest flows in the Columbia and when domestic energy use was relatively modest—could be wheeled south to urban centres in California to meet the soaring consumption of air conditioning there.²¹

Events during World War II encouraged a much closer alliance between Canada and the United States, in terms of both a common defence strategy and coordinated war economies. As part of the discussions to achieve the latter, government officials in both countries undertook an inventory of strategic materials, a decade before the Paley report.²² Canadian officials were now well aware of the significance of the American studies of the Columbia. For example, when civil servants in Ottawa compiled a chronology of events relevant to the Columbia River Treaty, the first significant event they listed was the U.S. Congress committee's 1943 resolution asking the USACE to undertake a comprehensive survey of the Columbia.²³ Nor can it have been a coincidence that within a year of that resolution, the American and Canadian governments asked the IJC "to determine whether a greater use than is now being made of the waters of the Columbia River system would be feasible and advantageous. . . . It is desired that the [International Joint] Commission shall determine whether in its judgment further development of the water resources of the river basin would be practicable and in the public interest."²⁴ Given the exhaustive American studies of the Columbia, this exercise had a foregone conclusion. If one looked at American development on the main stem of the Columbia and studied the data from power generation, it was plain that greater use of the waters was feasible. In the first instance, however, the major benefit of this "greater use" would be more efficient generation of power in the American facilities along the main stem of the Columbia.

The IJC responded to the joint American-Canadian request to study the Columbia's further development by establishing the International Columbia River Engineering Board. The board's study of the river turned into a fifteen-year project, with its final report presented to the IJC in 1959.²⁵ In the intervening years, another proposal to develop the Columbia was referred to the IJC. After a devastating Columbia River flood in 1948, the American government proposed an upstream dam on the Kootenay

River, in Libby, Montana, which would help to avert similar flooding in the future. This proposal went to the IJC in early 1951, but the dam—which would flood parts of both Montana and British Columbia—raised some difficult issues. No one questioned the potential benefits of the Libby Dam, but the very prospect of these benefits raised the thorny question of fair compensation. For example, if flooding land in British Columbia gave certain advantages to American residents living downstream, in terms of flood protection and/or energy supply, what formula could be used to determine these downstream benefits? What could be considered reasonable compensation for those who would have lost their homes and even their livelihoods? The issue of downstream benefits would cause much heated discussion during the lengthy negotiations surrounding the development of the Columbia River. In the short term, however, difficulties in resolving the issue led to the shelving of the Libby proposal in 1953.²⁶

The 1909 Boundary Waters Treaty did more than create the IJC as a body to adjudicate issues relating to those waters. It also specified the right of the upstream riparian (literally, the occupant of the riverside) to control the waters of rivers, a clause inserted into the treaty at the insistence of the American negotiators and over the objections of Canada.²⁷ This became significant when General McNaughton, the chair of the Canadian section of the IJC, proposed diverting rivers in the Columbia River Basin before they crossed into the United States.

A number of Americans viewed this possibility with alarm, as such diversions would undermine the American plans for the Columbia, predicated on maximizing upstream storage in Canada and then coordinating that storage with electrical generation in the U.S. system.²⁸ McNaughton's proposal and the American reaction stimulated a flurry of legal papers, debating the finer points of international river law, in particular the meaning of that clause in the Boundary Waters Treaty.²⁹ Part of the problem, however, was not matters of principle but ill will between McNaughton and his counterpart, Len Jordan, chair of the American section of the IJC. Two things smoothed the way through the subsequent impasse: Jordan's departure as American section head and the American side's willingness to accept the principle of downstream benefits.³⁰

The tensions were not restricted to the IJC negotiations, however. The relationship between the provincial government in British Columbia and Canada's federal government in Ottawa was also strained. As with the

tensions at the IJC, those between levels of government reflected matters of principle as well as the politics of personality. The principle was jurisdictional: water resources were (mostly) within provincial jurisdiction. The personality was the larger-than-life W.A.C. Bennett, who with his Social Credit party ruled British Columbia from 1952. Such was the force of Bennett's personality that his views tended to be indistinguishable from those of the provincial government. Bennett's plans and strategies arguably had the greatest impact on the precise terms of the Columbia River Treaty in its final (1964) version. Given the significance of his role, some discussion of his actions is warranted.³¹

Prior to entering politics, Bennett had been a hardware merchant in the BC interior—a background that influenced his politics in several important ways. He was dedicated to the province's growth and worked assiduously to expand the province's infrastructure, notably its roads, railways, and electrical supply. He was particularly anxious to bring the putative benefits of development to the province's interior.³² Bennett was suspicious of the motives and actions of BC's urban business elite and, in keeping with Social Credit ideology, opposed too heavy a reliance on debt financing. Although he declared the province debt-free in the summer of 1959, Bennett (his own minister of finance) had simply changed financing techniques, turning from direct to indirect debt financing. Nonetheless, the move underscored the Bennett government's fundamental aversion to debt.³³

Bennett was keen to see dams on the Canadian portion of the Columbia River. For example, he had welcomed a proposal made in 1954 by the Kaiser Aluminum Corporation, under which the company would build a dam on the Arrow Lakes on the Columbia River, just north of the 49th parallel. This would provide power for Kaiser's operations south of the border, although the company would also return 20 percent of the power generated to the province. Although Bennett enthusiastically supported the scheme, others argued that

it would be economic folly for Canada to accept [the proffered Kaiser deal], since the very cheap power generated downstream in the United States as a result of the Canadian storage would be used by the corporation to manufacture aluminum which, being produced within the protective tariff walls of

the United States, would therefore be highly competitive with the Canadian aluminum manufactured at Kitimat, British Columbia. ... In the broader context of the economy of British Columbia and of Canada as a whole. ... [the Kaiser plan] would expose British Columbia's aluminum industry to damaging competition and would affect Canada's export trade. In this light the price offered by the Kaiser Corporation for the benefits that would be conferred downstream by Canadian storage seemed less than adequate.³⁴

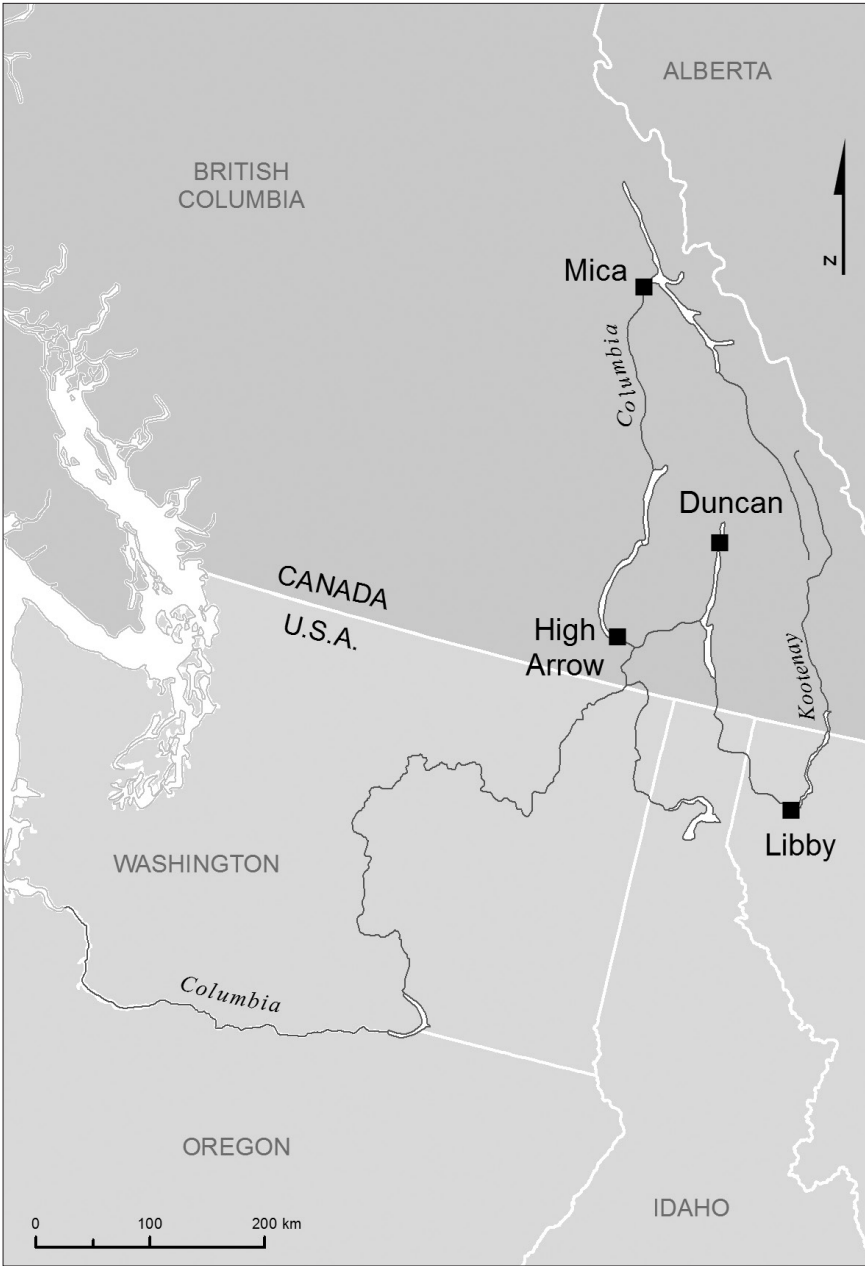
Despite Bennett's enthusiasm, the federal government effectively killed the project when it enacted the International River Improvements Act in the summer of 1955. Under its terms, dams on international rivers—rivers over which the federal government had constitutional authority—required federal approval. However, the failure of the Kaiser proposal did not dampen American interest in development on the Canadian section of the Columbia River.³⁵

The Columbia was not the only river in which Bennett was interested. He was also anxious to see projects go ahead along the Peace River. In 1956 a Swedish industrialist, Axel Wenner-Gren, became interested in the possibilities of northern British Columbia and was assured of provincial government support. Two years later, Wenner-Gren formed the Peace River Power Development Company to inaugurate a large hydroelectric development in northeastern BC.³⁶ However, the company soon encountered a major stumbling block. The vast hydroelectric potential of the northern river system could only be realized if the company could find a guaranteed market for the considerable energy that it hoped to generate. Long-term energy contracts had to be in place—tangible evidence for would-be investors of the plan's financial feasibility—if the company hoped to raise the capital necessary for construction. The private utility, BC Electric, along with its parent company, the BC Power Corporation, was the province's leading energy company and thus the obvious customer for Peace River power. Although quite interested in the Peace River project (and represented on the board of the Peace River Power Development Company), BC Electric had plans in place for the future. When pushed by Bennett, the company flatly refused to sign any long-term contract to purchase Peace River power. But the premier was not easily dissuaded from his plans for

northern development. Increasingly he had come to see the Peace River power project as key to his government's development strategy. The project dovetailed perfectly with his vision of the province's future as well as providing a lever with which to apply pressure on the federal and U.S. governments as the Columbia River talks continued.³⁷ Bennett invented what he would call his "two river policy," that is, a commitment to develop both the Columbia and the Peace.

As Bennett pursued his plans for Peace River development, the federal government became more interested in pushing ahead with Columbia River development. Part of the reason was the election of a new government in Ottawa. The federal Liberals—who had been in power for over twenty years—were defeated and the federal Conservatives under John Diefenbaker came to power. The Conservatives were keen to push ahead with Columbia River development, and Diefenbaker's first Throne Speech, in October 1957, underlined the new government's commitment to the project. Although the pace of discussions on the Columbia accelerated, this does not appear to have been a direct consequence of increased political pressure but rather to have been due to the fact that the American section finally accepted the principle of downstream benefits. When this concession was made in late January 1959, the American and Canadian governments asked the IJC to determine how to apportion those benefits.³⁸ In March of the same year the International Columbia River Engineering Board produced its long-awaited report, *Water Resources of the Columbia River Basin: Report to the International Joint Commission*, and at the end of the year the IJC submitted its report, *Principles for Determining and Apportioning Benefits from Cooperative Use of Storage of Waters and Electrical Interconnection within the Columbia River System*, to the Canadian and American governments. The stage was set for the formal negotiation of the Columbia River Treaty.

On January 25, 1960, Prime Minister Diefenbaker announced in the House of Commons that "negotiations between Canada and the United States for the co-operative development of the Columbia River system are to commence in Ottawa on Thursday, 11 February."³⁹ In just under a year, on January 17, 1961, Diefenbaker and Eisenhower formally signed the treaty. Never one for understatement, Diefenbaker proclaimed his hope that "in the years ahead this day will be looked back on as one that represents the greatest advance that has ever been made in international relations



6.2: The four treaty dams on the Columbia River. Map by Jason Glatz.

between countries.”⁴⁰ This turned out to be wishful thinking. For the next three years, the treaty—and indeed the larger issue of Canadian-American relations—provoked bitter public controversy in Canada.

The negotiators of the Columbia River Treaty had the International Columbia River Engineering Board’s *Water Resources of the Columbia River Basin* report to assist them in their discussions. This very extensive report outlined three possible development schemes, two of which proposed diverting the headwaters of the Kootenay River north into the Columbia (the Copper Creek diversion and the Dorr diversion), and a third that instead proposed constructing the Libby Dam farther south on the Kootenay River, with no diversion of its waters into the Columbia. The negotiators ultimately settled on a scheme that would involve no diversion of the Kootenay, but included construction of the Libby Dam as well as three dams in Canada. These were to be built at Mica, Duncan Lake, and—most controversially—a High Dam for the Arrow lakes. The provisions in the treaty signed on January 17, 1961, were criticized for several reasons. The treaty’s fundamental flaw was Premier Bennett’s refusal to accept its terms.

Diefenbaker signed the Columbia River Treaty in the final days of the Eisenhower administration, likely to avoid having to deal with the newly elected president, John F. Kennedy.⁴¹ Premier Bennett had conveyed his misgivings about the treaty to Ottawa prior to this staged event, yet the federal government assumed that it had the province’s support. Cabinet ministers and senior civil servants from British Columbia who had participated in the Canada-BC Policy Liaison Committee had not objected to the terms of the treaty.⁴² Bennett, however, was concerned about the financing of the treaty dams and just days before the formal treaty signing he conveyed these concerns to Donald Fleming, the federal minister of finance. Fleming’s reply to Bennett suggests his consternation:

The Treaty with the United States, as you are aware, has now been signed by the Prime Minister of Canada and the President of the United States of America. The negotiations and the signing of the Treaty were both carried through with the full knowledge and approval of your Government at every stage. The only occasion on which doubt ever arose as to the readiness of British Columbia to carry out the Columbia River Treaty as negotiated was on the occasion of the reference made by you

last December to the British Columbia Energy Board of certain questions involving a comparison of engineering and economic aspects of the Columbia and Peace River projects. At the meeting of the Policy Liaison Committee early in January our representatives expressed their concern that this might involve doubt and delay on the part of British Columbia in proceeding with the Columbia River development. Your representatives on the Committee assured us that this was not the case, and that on the contrary the reference was designed to hasten the taking of effective action by British Columbia under the proposed Treaty. On the basis of these assurances, the Treaty negotiations were concluded and the Treaty was signed, as above stated, with the full knowledge and approval of your Government.

In the light of these circumstances, for you to write as you now have, expressing doubts as to the feasibility of the Columbia River development “from engineering and financial standpoints,” is a most extraordinary development, and must necessarily raise again our doubts as to British Columbia’s intentions which we had thought were set at rest by the assurances of the British Columbia members of the Policy Liaison Committee. I do hope that we will not now be met by delaying action on the part of British Columbia.⁴³

A shrewd political strategist, Bennett had won a significant advantage in the ongoing debate over the Columbia. He knew that the signatures of the Canadian prime minister and the U.S. president on the treaty would amount to very little if his government refused to accept its conditions. The federal government could negotiate any treaty it liked, but no dams could be built on BC’s rivers without the approval of the provincial government. Following the treaty’s signing, the U.S. Senate quickly ratified the treaty, with only one vote opposing it.⁴⁴ Approval of the treaty in Canada would take far longer and prove much more contentious.

Bennett’s next move caught everyone by surprise (including members of his cabinet). In one of his most controversial and unexpected acts, the premier announced in the provincial legislature on August 1, 1961, that he intended to take over both BC Electric and Wenner-Gren’s Peace River Power Development Company and to subsequently create the provincially

owned electrical utility BC Hydro. This move meant that he could control the long-term energy contracts in the province. Thus, Bennett could ensure that both the Columbia and the Peace developments could proceed simultaneously—his own “two river policy.”

Controversy raged over the government takeover of BC Electric, but Bennett continued to participate in the Columbia River negotiations. He had no objections to a Columbia River treaty; in fact, it was essential to his two river policy. His concern was with the treaty’s bearing on his overall energy strategy: he wanted to ensure that it did not hinder the development of the Peace. In particular, Bennett was anxious that any power entitlements to emerge from the treaty’s downstream benefits would be sold south of the border. This was essential if Peace River power was to have a market in the province, although it ran counter to the federal government’s view, which was that it made more sense to receive power rather than money for the downstream benefits.⁴⁵ Bennett was also concerned with the treaty’s financial arrangements, that is, how much money was to flow into his government’s purse. As far as Bennett was concerned, any money earned by BC’s rivers belonged to the province. Not only did he expect the money from the sale of the Columbia’s downstream benefits, he also had definite ideas about the price. The instability of the federal government helped Bennett to achieve most of what he was after.

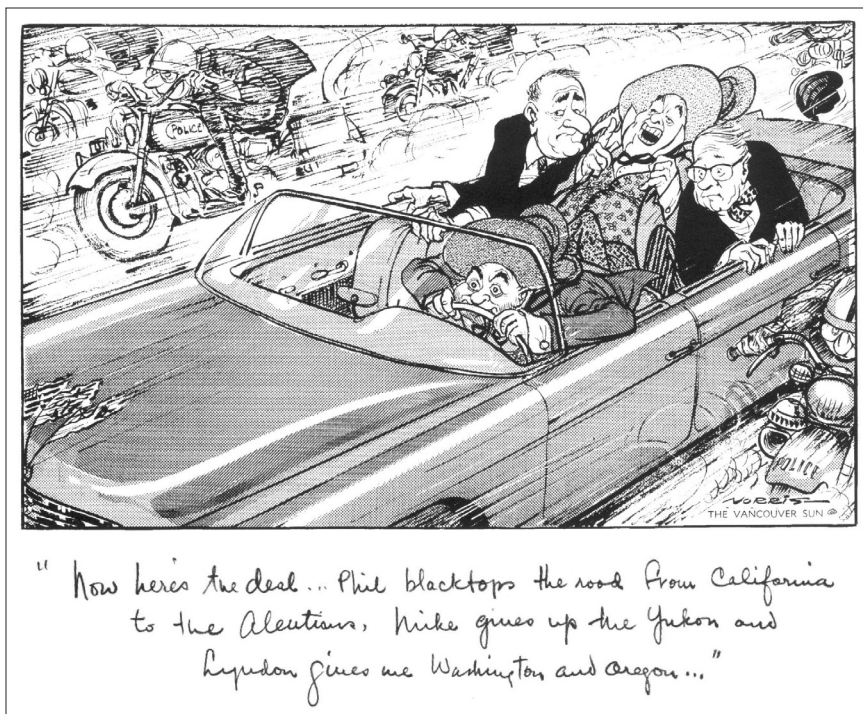
Bennett’s relationship with the federal government became quite stormy in the wake of his refusal to accept the treaty. The two cabinet ministers in the federal government who were considered BC representatives—Davie Fulton and Howard Green—became particularly hostile toward Bennett.⁴⁶ When Bennett gave a widely publicized speech in Prince George in September 1961, which was highly critical of the treaty, Davie Fulton replied in a speech of his own a week later.⁴⁷ Two months later, Fulton was in Prince George himself and gave an equally controversial speech, linking Bennett’s actions to comments reportedly made by the U.S. secretary of state, Stewart Udall. These speeches were becoming major news stories. For example, the *New York Times* carried a story on Fulton’s speech, reprinting his allegations.⁴⁸

A federal election in June 1962 ended Diefenbaker’s majority in the House of Commons, putting the federal government in a much weaker position in its dispute with British Columbia. Diefenbaker decided to reverse the longstanding federal prohibition on the export of electrical power, a

key BC demand in its argument with Ottawa. Diefenbaker also demoted Davie Fulton, removing him from the justice portfolio. In response, Fulton decided to quit federal politics and return to British Columbia, where he took charge of the provincial Conservative party and led it in an electoral battle against Bennett's Social Credit government.⁴⁹ The federal Liberals seized on the growing weakness of the Diefenbaker government, pressing it on the Columbia River Treaty. When Fulton announced he was leaving federal politics in late 1962, for example, Liberal leader Lester B. Pearson tried unsuccessfully to force a special debate on the treaty in the House of Commons.⁵⁰

In late December 1962, American officials made another offer to Canada, intended to move the treaty process forward. Several weeks later, in a report entitled "Memorandum on Implications of Treaty Delay," senior federal civil servants in Ottawa urged the government to act, warning that, in their view, "failure to ratify the Columbia River Treaty in the near future would not only involve the loss of the downstream benefits, which are a major and very economic resource in themselves, but could also mean the loss of the immense renewable resource that the Treaty makes economically feasible on the Columbia River in Canada."⁵¹ At precisely the same time, a widely circulated report appeared in a Vancouver newspaper, arguing in favour of the treaty.⁵² Momentum seemed to be building behind the treaty talks. The federal minister of justice, Donald Fleming, continued to work with Premier Bennett in hopes of resolving the latter's misgivings but the Diefenbaker cabinet could not come to any agreement on the issue.⁵³

A second federal election, in the spring of 1963, saw the end of Diefenbaker's Conservative government. Pearson and the Liberals formed a minority government, one that was to prove a good deal more durable than Diefenbaker's. Unlike their predecessors, the Liberals had little interest in continuing what they regarded as a pointless fight with the BC government, and Pearson was committed to improving relations with the United States. Shortly after taking office, Pearson and key federal officials met with President Kennedy and others in Hyannis Port, with Canada's ratification of the Columbia River Treaty assuming a prominent role in their discussions.⁵⁴ Two months later, in July 1963, the public announcement came that Ottawa had come to terms with British Columbia. Bennett had got what he wanted.⁵⁵



6.3 Cartoon of Lyndon Johnson, W.A.C. Bennett, and Lester B. Pearson, published in the *Vancouver Sun* on September 16, 1964. Reproduced with permission of Stephen Norris.

In September 1963, Bennett and his Social Credit government were reelected in British Columbia. Bennett confidently began serious discussions with the new federal government in Ottawa over possible changes to the Columbia River Treaty. Soon talks were underway with the Americans as well. The Canadian side was led by Paul Martin, Pearson's minister of external affairs and a skilled negotiator, who worked closely with several senior BC cabinet ministers.⁵⁶ The result of these discussions was a protocol—in effect, a revised treaty—signed early in 1964 by Prime Minister Pearson and President Lyndon Johnson, with the enthusiastic support of Bennett and his government.

The treaty's signing meant that the province would receive cash for the downstream benefits—at least, the first thirty years' worth of those

benefits. This amounted to nearly \$255 million, money that would be used to pay for the construction of the three treaty dams in British Columbia. It was good news for the American side as well: not only could the river now be managed as a unit, as the several studies had suggested, but also the treaty dams meant an impressive increase in potential water storage and, with that increase, a more efficient use of the main stem's many turbines. Additionally, the long sought after Libby Dam would be built in Montana and the Pacific Intertie would be built down to Los Angeles, carrying much of the power that would have gone north to Canada had the downstream benefit not been sold.⁵⁷

With an election a couple of months away, President Johnson was happy to travel north in September 1964 for a ceremonial event at the Peace Arch, on the border between Seattle and Vancouver, where he handed over a replica cheque to the Canadian side. In an ensuing newspaper cartoon (Figure 6.3) a limousine is being driven at speed by Phil Gaglardi, Bennett's minister of highways and a man famous for the number of speeding tickets that he accumulated while in office (hence his nickname, "Flying Phil"). The signatories to the treaty—the U.S. president and the Canadian prime minister—sit on either side of Premier Bennett in the back of the limousine. LBJ and Pearson hang on for dear life while Bennett expansively outlines his future plans. The view of the treaty implicit in the cartoon—that is, Bennett in charge and expansively waxing on about future plans—is deeply flawed. Bennett was far more a political opportunist than he was a dynamic visionary. His willingness to cut a deal with the Kaiser company for a dam on the Columbia in 1954 indicates just how limited his vision of development was, to say nothing of his encouragement of Werner-Gren's plans in the North; his refusal to agree to the original terms of the 1961 treaty was duplicitous; and as Charles Luce recalled, Bennett tried to cut a deal with the BPA without the knowledge or consent of the federal government.⁵⁸

Not everyone was pleased with the treaty's ratification. Popular media—newspapers, magazines, radio, and TV—had followed the story from the mid-1950s, with much of the coverage questioning the benefits that the treaty would bring to Canada. Many came to regard the treaty as a sellout to American interests, a view reflecting the growing public concern over the American presence in Canada. The report of the 1957 Royal Commission on Canada's Economic Prospects catalogued the growing dominance

of the Canadian economy by the United States, adding considerable weight to such attitudes.⁵⁹ Four years later—in 1961, the year that the Columbia River Treaty was signed—anti-Americanism was palpable in Canada. For example, when Harvard University Press published Hugh Aitken's *American Capital and Canadian Resources* that year, it was noted on the book's dust jacket that "many Canadian industries are virtually controlled by the United States. This fact . . . has led to considerable resentment in Canada."⁶⁰ A report commissioned by the Canadian and American governments, detailing "Principles for Partnership" between them, was greeted with outrage in Canada when it appeared in 1965.⁶¹ This was the context in which Canadians examined the Columbia River Treaty.

Opposition to the treaty came from many quarters, although it was nearly unanimous in the Kootenays. That region would feel its impact most heavily, in the short as well as the long term, with the most obvious—and controversial—result being the plan to flood the Arrow Valley. Richie Deane, an electrical engineer first with West Kootenay Power and then with Cominco, led a spirited attack against what would be the cause of this flooding: the High Arrow dam. Deane presented a thoughtful critique to the House of Commons's External Affairs Committee when it considered the final version of the treaty in the spring of 1964. Deane was only one of the indignant witnesses who spoke at these perfunctory hearings, where various concerned citizens registered their opposition to the treaty.⁶² By that time, however, the negotiations were effectively over; the federal government was unwilling to alter the terms of a document that had been so long in the making. Kootenay residents were left with no choice but to live with the treaty's consequences, even though their views had rarely been taken into account during the lengthy process that culminated in the final agreement of 1964.⁶³ Only the lone voice of Bert Herridge, the region's member of Parliament in the House of Commons, reminded the federal government of the extent of local opposition to the treaty. Since the creation of the Columbia Basin Trust, some of the financial benefits that the province derived from the treaty are now being returned to the people living in the region.⁶⁴



In 1974, various participants in the negotiation of the Columbia River Treaty spoke publicly about that experience at Simon Fraser University, as part of an interdisciplinary course in Canadian-American relations. Their presentations, noted the course's coordinator, "were greeted [by students] with a very mixed reception ranging from howls of derision to lavish praise."⁶⁵ The following year, CBC Television broadcast a documentary on the treaty, "The Reckoning." Its partisan nationalist account also provoked a passionate response, particularly from Hugh Keenleyside and Ray Wiliston, who threatened the CBC with legal proceedings.⁶⁶ Since then, tensions have subsided and few remain interested in the treaty itself.⁶⁷

Fifty years after the event, a triumphalist narrative has come to describe the treaty, seeing it as the best possible outcome and as benefitting both countries—a moment when self-interest was set aside in the interest of mutual benefit. In a similar vein, commemorative events held in 2009 around the centenary of the Boundary Waters Treaty characterized that treaty and the work of the IJC as examples of the amicable relations and effective dispute resolutions that two good neighbours had developed.⁶⁸ Science too has been coopted, reflected in the ongoing work of the IJC-sponsored Transboundary Hydrographic Data Harmonization Task Force.⁶⁹ While the amicable relationship between Canada and the United States is unquestionably a positive development, airbrushing some difficult questions from the historical account serves no useful purpose.

The signing of the treaty meant that other options were no longer possible. Arguably the most significant such option was the creation of a national electric grid within Canada, a key feature of the national development program articulated by the Diefenbaker government.⁷⁰ As its advocates noted, sound reasons existed for establishing such a grid, although the more limited goals of some provincial governments—notably British Columbia—raised obstacles that ultimately ended any hope for such a national project.⁷¹ Indeed one could argue that the Columbia River Treaty contributed to the erosion of the idea of a centralized state structure in Canada. Ironically, the BC government began to advocate for a national grid in February 2016, in part to justify its commitment to further hydro-electric development on the Peace River.

The treaty undermined the pursuit of economic development tied to cheap power, such as that pursued in Quebec and Ontario with their public utilities. It was also at odds with the more general assumptions that

informed the postwar province-building projects in Alberta and Saskatchewan.⁷² Such strategies took a more rational approach to the provincial state and how best to promote its growth. Bennett's plan of development, by contrast, was simply to encourage dam construction. Apart from the considerable environmental damage done to the Athabasca-Peace watershed and the impact of the Bennett Dam on First Nations in British Columbia and Alberta, Bennett's two river policy achieved very little beyond stimulating pulp mill construction in northeastern British Columbia.⁷³ This was a far more modest achievement than the benefits Bennett had claimed for the policy. By contrast, the treaty ensured that American industry in the Pacific Northwest would continue to receive cheap Columbia River power.⁷⁴

Notes

- 1 I'd like to thank several people and organizations for their help with this chapter. I am grateful to Bill Lang at Portland State University for encouraging me to revisit the history of the Columbia River Treaty; to Heather Marshall for the editorial scrutiny; to Stephen Norris for permission to reproduce the cartoon of W.A.C. Bennett; to the U.S. Army Corps of Engineers for the schematic diagram of the Columbia River; and finally to the Canada-U.S. Fulbright Program for my appointment as a Visiting Research Chair at Arizona State University, where much of the work for this paper was undertaken. My thanks also to Dan and Lynne for inviting me to participate in this project.

This chapter is a substantially revised version of an earlier study of the treaty: Jeremy Mouat, "The Columbia Exchange: A Canadian Perspective on the Negotiation of the Columbia River Treaty, 1944–1964," in *The Columbia River*

Treaty Revisited: Transboundary River Governance in the Face of Uncertainty, ed. Barbara Cosens (Corvallis: Oregon State University Press, 2012), 14–42.

- 2 Neil A. Swainson, *Conflict over the Columbia: The Canadian Background to an Historic Treaty* (Montreal: McGill-Queen's University Press, 1979).
- 3 For a few representative works of American scholarship on the Columbia, see Gus Norwood, *Columbia River Power for the People: A History of the Policies of the Bonneville Power Administration* (Portland, OR: Bonneville Power Administration, 1980); Paul C. Pitzer, *Grand Coulee: Harnessing a Dream* (Pullman: Washington State University Press, 1994); Robert E. Ficken, *Rufus Woods, the Columbia River, and the Building of Modern Washington* (Pullman: Washington State University Press, 1995); Richard White, *The Organic Machine: The Remaking of the Columbia River* (New York: Hill & Wang, 1995); David P. Billington

- and Donald C. Jackson, *Big Dams of the New Deal Era: A Confluence of Engineering and Politics* (Norman: University of Oklahoma Press, 2006), esp. "The Columbia River Control Plan," 152–99; and William L. Lang and Robert C. Carriker, eds., *Great River of the West: Essays on the Columbia River* (Seattle: University of Washington Press, 1999).
- 4 Matthew Evenden, "Mobilizing Rivers: Hydro-Electricity, the State, and World War II in Canada," *Annals of the Association of American Geographers* 99, no. 5 (2009): 847.
- 5 The earlier agreement of July 1963 between the federal and BC governments effectively resolved their differences, paving the way for the signing of the 1964 protocol with the United States.
- 6 For a sense of the changes in the political climate, see Barbara Cosens, ed., *The Columbia River Treaty Revisited: Transboundary River Governance in the Face of Uncertainty* (Corvallis: Oregon State University Press, 2012).
- 7 White, *The Organic Machine*. Electricity's impact on Western culture and society is examined in William J. Hausman, Peter Hertner, and Mira Wilkins, *Global Electrification: Multinational Enterprise and International Finance in the History of Light and Power, 1878–2007* (New York: Cambridge University Press, 2008); Thomas P. Hughes, *Networks of Power: Electrification in Western Society, 1880–1930* (Baltimore: Johns Hopkins University Press, 1983); and David E. Nye, *Electrifying America: Social Meanings of a New Technology, 1880–1940* (Cambridge, MA: MIT Press, 1990).
- 8 For example, a memo prepared January 2, 1959, by an American official referred to "the present atmosphere of radical nationalism in Canada as championed by the Conservative Government." Reprinted in U.S. Dept. of State, *Foreign Relations of the United States, 1958–1960, Canada*, vol. 7, part 1, ed. Ronald D. Landa et al. (Washington, DC: Government Printing Office, 1993), 746.
- 9 A conspicuous exception was a CPR subsidiary, the Trail-based Consolidated Mining and Company (Cominco), which had built a series of dams in the area around its operations. Most of these were operated by West Kootenay Power and Light. For a description of West Kootenay's evolution and operations, see Jeremy Mouat, *The Business of Power: Hydro-Electricity in South Eastern British Columbia 1897–1997* (Victoria: Sono Nis, 1997).
- 10 Dwight F. Davis (secretary of war and Federal Power Commission chairman) to the Speaker of the House of Representatives, April 12, 1926, in *Estimate of Cost of Examinations, Etc., of Streams Where Power Development Appears Feasible*, 69th Cong., 1st Sess., House Document 308 (Washington, DC: Government Printing Office, 1926), 1.
- 11 *Columbia River and Minor Tributaries*, 73rd Cong., 1st Sess., House Document 103, vols. 1–2 (Washington, DC: Government Printing Office, 1934). Note the comments on this report in Billington and Jackson, *Big Dams*, 155–56; and Norwood, *Columbia River Power*, 44–45.

- 12 These comments are from the cover letter by Harold L. Ickes, secretary of the interior and chair of the National Resources Committee, April 21, 1936, in *Regional Planning, Part I—Pacific Northwest* (Washington, DC: Government Printing Office, 1936), iii. On the genesis and significance of this report, see Charles McKinley, *Uncle Sam in the Pacific Northwest: Federal Management of Natural Resources in the Columbia River Valley* (Berkeley: University of California Press, 1952): 158–60, although it is worth noting that McKinley himself played a significant role in the drafting of the report. See Paul C. Pitzer, *Grand Coulee: Harnessing a Dream* (Pullman: Washington State University Press, 1994), 441n14.
- 13 See the discussion of this legislation in Herman C. Voeltz, “Genesis and Development of a Regional Power Agency in the Pacific Northwest, 1933–43,” *Pacific Northwest Quarterly* 53, no. 2 (1962): 65–76; McKinley, *Uncle Sam*, 157–228; and Norwood, *Columbia River Power*, 61–72. Pitzer provides the best summary account of the BPA’s formation in his magisterial book, *Grand Coulee*, 233–45.
- 14 The Canadian entity I am referring to is the provincial Crown corporation, BC Hydro and Power Authority, created in March 1962 when the recently nationalized BC Electric was merged with the BC Power Commission. President Eisenhower and Prime Minister Diefenbaker had signed the Columbia River Treaty in January 1961, one of the last acts of the American president before leaving office.
- 15 Billington and Jackson, *Big Dams*, 192. The USACE duly produced an eight-volume report (known as the 308 Review Report): *Columbia River and Tributaries, Northwestern United States*, 81st Cong., 2nd Sess., House Document 53 (Washington, DC: Government Printing Office, 1952).
- 16 USACE, Seattle District, “Columbia River Basin in Canada,” Appendix A, *Columbia River and Tributaries, Northwestern United States* (Washington, DC: Government Printing Office, 1948), 403, sec. 164.
- 17 This point is made by Matthew Evenden in “Mobilizing Rivers,” 847. On the role of the aluminum industry, see Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Water*, rev. ed. (New York: Penguin, 1993), esp. 161–62; David Massell, “As Though There Was No Boundary’: The Shipshaw Project and Continental Integration,” *American Review of Canadian Studies* 34, no. 2 (2004): 187–222; and Matthew Evenden, *Allied Power: Mobilizing Hydro-Electricity during Canada’s Second World War* (Toronto: University of Toronto Press, 2015).
- 18 United States, President’s Materials Policy Commission, *Resources for Freedom: A Report to the President*, vol. 3, *The Outlook for Energy Sources* (Washington DC: Government Printing Office, 1952), 39–40. Note also the comments on this report in Melissa Clark-Jones, *A Staple State: Canadian Industrial Resources in Cold War* (Toronto: University of Toronto Press, 1987); and Hugh G.J. Aitken, *American Capital and Canadian Resources* (Cambridge, MA: Harvard University Press, 1961).

- 19 A study undertaken by Ebasco Services—"Preliminary Report on Effect of Mica Creek and Arrow Lakes Storage on Columbia River Power Supply in the United States"—noted that "the possibility of constructing large storage reservoirs in the Canadian portion of the Columbia Basin has received extensive publicity [in the United States]." The study was reprinted in *Upper Columbia River Development: Joint Hearings Before the Comm. on Interior & Insular Affairs and a Special Subcomm. of the Comm. on Foreign Relations*, 84th Cong., 2nd Sess. 354 (1956).
- 20 Charles F. Luce and J. Kenneth Kaseberg, "Bonneville Power Marketing Area Legislation: Is Regionalism in Electric Power Planning Old Fashioned?," *Oregon Law Review* 45, no. 4 (1966): 255.
- 21 See Joshua D. Binus, "Bonneville Power Administration and the Creation of the Pacific Intertie, 1958–1964" (MA thesis, Portland State University, 2008), 17–24. As Binus notes, there was a further advantage to sending electricity south to California. BPA's hydro was well suited to meeting peak power demands because its generation could easily be adjusted. Much of the power generated in California was thermal power, well suited to constant demand but much less adaptable to sudden spikes or falls.
- 22 The Ogdensburg agreement between Prime Minister Mackenzie King and President Roosevelt established a system of continental defence overseen by the Permanent Joint Board on Defence. On the context in which this agreement was signed, see J.L. Granatstein, "Mackenzie King and Canada at Ogdensburg, August 1940," in *Fifty Years of Canada–United States Defense Cooperation: The Road from Ogdensburg*, ed. Joel L. Sokolsky and Joseph T. Jockel (Lewiston, NY: Edwin Mellen Press, 1992), 9–29. The mood of wartime cooperation lent considerable weight to strategic discussions of mutual benefit; see, for example, Lawrence R. Aronsen, "From World War to Limited War: Canadian-American Industrial Mobilization for Defence, 1939–1954," *Revue Internationale d'Histoire Militaire* 51 (1982): 208–45.
- 23 See Canada, Dept. of External Affairs, *The Columbia River Treaty and Protocol: A Presentation* (Ottawa: Queen's Printer, 1964), 21.
- 24 Reference from the Canadian and United States Governments to the International Joint Commission (Canadian Note), March 9, 1944, in Canada, Dept. of External Affairs, *The Columbia River Treaty: Protocol and Related Documents* (Ottawa: R. Duhamel, Queen's Printer, 1964), 17.
- 25 International Columbia River Engineering Board, *Water Resources of the Columbia River Basin: Report to the International Joint Commission*, 7 vols. (Ottawa: ICREB, 1959). Note the comments on the genesis of this report in Neil A. Swainson, "The Columbia River Treaty—Where Do We Go From Here?" *Natural Resources Journal* 26, no. 2 (1986): 243–46.
- 26 For a recent description of the controversy surrounding the construction of the Libby Dam, see Philip Van Huizen, "Building a Green Dam: Environmental Modernism and the Canadian-American Libby

- Dam Project," *Pacific Historical Review* 79, no. 3 (2010): 418–53. Cf. Swainson, *Conflict over the Columbia*, 45–51; and L.M. Bloomfield and Gerald F. Fitzgerald, *Boundary Waters Problems of Canada and the United States: The International Joint Commission 1912–1958* (Toronto: Carswell, 1958), 190–95. Contemporary American views of the Libby project were discussed at length in *Upper Columbia River Development*, 84th Cong., 2nd Sess. (1956).
- 27 Canada's right to divert under the Boundary Waters Treaty was contested by some American legal scholars in the late 1950s, but their arguments were tenuous. For a persuasive rationale for the right to divert, see the discussion in C.B. Bourne, "The Columbia River Controversy," *Canadian Bar Review* 37, no. 3 (1959): esp. 450–55.
- 28 In 1955, for example, anxiety over the possibility of Canadian diversion led the chair of the Senate Committee on Interior and Insular Affairs to send Senator Richard L. Neuberger on a fact-finding mission to British Columbia. See the telegram and letter appended to Neuberger's subsequent report, *Study of Development of Upper Columbia River Basin, Canada and United States: Report to the Chairman of the Senate Comm. on Interior & Insular Affairs* (Washington, DC: Government Printer, 1955), Appendix 1, 36–37. Neuberger would go on to play a significant public role in the treaty negotiations. For an account of his actions, see J. Richard Wagner, "Congress and United States–Canada Water Problems: Senator Neuberger and the Columbia River Treaty," *Rocky Mountain Social Science Journal* 11, no. 3 (1974): 51–60, as well as Neuberger, "Power Struggle on the Canadian Border," *Harper's Magazine*, December 1957, 42–49, and Neuberger, "Sterner Crisis in 111 Years," *Toronto Star Weekly Magazine*, March 29, 1958, 2–4.
- 29 Note, for example, the published proceedings of the 1956 regional meeting of the American Society of International Law, held at the University of Washington, *The Diversion of Columbia River Waters: Proceedings, Regional Meeting, American Society of International Law* (Seattle: Institute of International Affairs, 1956); Ernest Watkins, "The Columbia River: A Gordian Knot," *International Journal* 12, no. 4 (1957): 250–61; Gilbert F. White, "A Perspective of River Basin Development," *Law and Contemporary Problems* 22 (1957): 157–87; Charles E. Martin, "The Diversion of Columbia River Waters," *Proceedings of the American Society of International Law* 51 (1957): 2–8; Maxwell Cohen, "Some Legal and Policy Aspects of the Columbia River Dispute," *Canadian Bar Review* 36, no. 1 (1958): 25–41; C.B. Bourne, "Diversion: An International Problem," *Pacific Northwest Quarterly* 49, no. 3 (1958): 106–9; Charles B. Bourne, "The Columbia River Diversion: The Law Determining Rights of Injured Parties," *UBC Legal Notes* 2 (1958): 610–22; Bourne, "Columbia River Controversy"; and Jacob Austin, "Canadian–United States Practice and Theory Respecting the International Law of International Rivers: A Study of the History and Influence of the Harmon Doctrine," *Canadian Bar Review* 37, no. 3 (1959): 393–443.

- 30 For a critique of Jordan's views, see *Upper Columbia River Development*, 84th Cong., 2nd Sess., March 22, 26, 28, and May 23 (1956), esp. 7 & 21–23 (comments of Richard Neuberger). According to the IJC website, Jordan chaired the American section from January 7, 1955, to July 18, 1957; by contrast, his predecessor had held the post for twenty-one years. McNaughton chaired the Canadian section from March 1950 until April 1962. As Daniel Macfarlane notes, McNaughton's experiences dealing with the Americans about the St. Lawrence Seaway and Power Project influenced his approach to the Columbia. Macfarlane, *Negotiating a River: Canada, the U.S., and the Creation of the St. Lawrence Seaway* (Vancouver: UBC Press, 2014), 215.
- 31 This analysis of BC politics draws on several excellent contemporary accounts, notably, Paddy Sherman, *Bennett* (Toronto: McClelland & Stewart, 1966); Pat McGeer, *Politics in Paradise* (Toronto: Peter Martin, 1972); and Maurice Hodgson, *The Squire of Kootenay West: A Biography of Bert Herridge* (Saanichton, BC: Hancock House, 1976). Two unpublished studies are also useful: H. William Tieleman, "The Political Economy of Nationalization: Social Credit and the Takeover of the British Columbia Electric Company" (MA thesis, University of British Columbia, 1984); and John R. Wedley, "Infrastructure and Resources: Governments and their Promotion of Northern Development in British Columbia, 1945–1975" (PhD diss., University of Western Ontario, 1986). As John English noted, David Mitchell's biography of Bennett—*W.A.C. Bennett and the Rise of British Columbia* (Vancouver: Douglas & McIntyre, 1983)—should be read with caution, although it does provide an excellent account of how Bennett himself felt his actions ought to be interpreted. English, review, *BC Studies*, no. 63 (1984): 73–74.
- 32 See Stephen G. Tomblin, "W.A.C. Bennett and Province-Building in British Columbia," *BC Studies*, no. 85 (1990): esp. 47–51.
- 33 See Alfred Edgar Carlsen, "Major Developments in Public Finance in British Columbia, 1920 to 1960" (PhD diss., University of Toronto, 1961), esp. chapter on debt policy, 162–82. As Mitchell notes in his biography of Bennett, "Debt reduction was the prime economic objective of the Social Credit government during this period [the 1950s]; it was a virtual obsession of the premier" (p. 277). Mitchell is one of the few writers to take seriously Bennett's views on this issue; see, for example, *W.A.C. Bennett*, 272–84.
- 34 Charles B. Bourne, "The Development of the International Water Resources: The 'Drainage Basin Approach,'" *Canadian Bar Review* 47, no. 1 (1969): 82.
- 35 This ongoing American interest is clear from the (U.S.) Senate hearings held during the spring of 1956. The four-hundred-plus pages of *Upper Columbia River Development* (84th Cong., 2nd Sess.) also suggest the depth of American concern over the possibility of the Columbia's diversion.
- 36 On Wenner-Gren, see Wedley, "Infrastructure and Resources," esp. 247–310.

- 37 In 1961, for example, one well-informed observer suggested that "it is quite conceivable that the [BC government's] negotiations with the Wenner-Gren interests in connection with the Peace were, in part at least, motivated by a desire to accelerate Canada-U.S. agreement re the Columbia" (Carlsen, "Major Developments," 146). Cf. the comments of Ray Williston, quoted in "Hailed as First Step," *Globe and Mail* (hereafter, *Globe*), January 30, 1959, 2. In addition, as Tomblin points out, the provincial government saw developing the Peace as a way to curtail Alberta's growing influence in the region.
- 38 Specifically the IJC was asked for "its recommendations concerning the principles to be applied in determining: (a) the benefits which will result from the cooperative use of storage of waters and electrical interconnection with the Columbia River System; and (b) the apportionment between the two countries of such benefits more particularly in regard to electrical generation and flood control." Sidney Smith (Canada's secretary of state for external affairs) to the secretary of the IJC, Canadian Section, January 29, 1959. The same day, Smith announced in the House of Commons that the American side now recognized the principle of downstream benefits. (See "Columbia Agreement Indicated," *Globe*, January 30, 1959, 1-2; the newspaper reported that the changed American attitude was due to Len Jordan's removal from the IJC.) A day earlier, John Foster Dulles, the U.S. secretary of state, had sent a near identical letter to the chair of the American section of the IJC. Both letters are included in the IJC's Columbia River Docket 51R and are available online at http://www.ijc.org/en_/Dockets?docket=51.
- 39 Canada, Parliament, House of Commons, *Debates*, 24th Parl., 3rd Sess., 1 (1960): 257.
- 40 See the account of the treaty signing in H. Basil Robinson, *Diefenbaker's World: A Populist in Foreign Affairs* (Toronto: University of Toronto Press, 1989), 167; the quotation is from Lawrence Martin, *The Presidents and the Prime Ministers: Washington and Ottawa Face to Face: The Myth of Bilateral Bliss, 1867-1982* (Toronto: Doubleday Canada, 1982), 180. Cf. Diefenbaker's comments in the House of Commons on January 18, 1961: Canada, Parliament, House of Commons, *Debates*, 24th Parl., 4th Sess., 2 (1961): 1159.
- 41 For candid assessments of the troubled Diefenbaker-Kennedy relationship, see the insider's account by Basil Robinson (a Diefenbaker aide), in *Diefenbaker's World*, 165-69; as well as Knowlton Nash, *Kennedy and Diefenbaker: Fear and Loathing across the Undefined Border* (Toronto: McClelland & Stewart, 1990). Note, however, the useful revisionist assessment by Kevin J. Gloin, "Canada-U.S. Relations in the Diefenbaker Era: Another Look," in *The Diefenbaker Legacy: Canadian Politics, Law and Society since 1957*, ed. Donald C. Story and R. Bruce Shepard (Regina: Canada Plains Research Center, 1998), 1-14, and the similar analysis in Tammy Nemeth, "Consolidating the Continental Drift: American Influence on Diefenbaker's National Oil Policy," *Journal of the Canadian Historical*

- Association*, n.s., vol. 13 (2002): 191–215.
- 42 For the formation and deliberations of the Canada-BC Policy Liaison Committee, see Swainson, *Conflict over the Columbia*, 102–4; as well as the comments of one of the BC representatives, Hugh L. Keenleyside, *Memoirs of Hugh L. Keenleyside*, vol. 2, *On the Bridge of Time* (Toronto: McClelland & Stewart, 1982), 506–8, and Eileen Williston and Betty Keller, *Forests, Power, and Policy: The Legacy of Ray Williston* (Prince George, BC: Caitlin, 1997), 184–93.
 - 43 Donald Fleming to W.A.C. Bennett, Ottawa, January 31, 1961, copy, MG 32 B11, Vol. 66, file Columbia Treaty – BC – Canada Negotiations & Finances – 1960–1961, E. Davie Fulton fonds, Library and Archives Canada, Ottawa (hereafter, LAC).
 - 44 For American support for the treaty, see the comments in *Columbia River Treaty: Hearing Before the Comm. on Foreign Relations*, 87th Cong. (1961).
 - 45 See, for example, Patrick Kyba, *Alvin: A Biography of the Honourable Alvin Hamilton, PC* (Regina: Canadian Plains Research Center, 1989), 132–34.
 - 46 The tensions within the Diefenbaker cabinet are well described in Fleming's memoirs, *So Very Near: The Political Memoirs of the Hon. Donald M. Fleming*, vol. 2, *The Summit Years* (Toronto: McClelland & Stewart, 1985), esp. 259–75, 465–71.
 - 47 W.A.C. Bennett, "The Power Development Story in British Columbia," typescript copy of speech, David Mitchell Fonds, F-56, Container 4, F-56-1-0-97, Chapter 9 – Speeches and Press Releases – C.R.T., 1961–1974, Simon Fraser University Archives, Burnaby, BC (hereafter, Mitchell Fonds). A copy of the riposte by Davie Fulton—a speech at the University of British Columbia six days later—survives in the W.A.C. Bennett Fonds, F-55, Container 58, F-55-37-0-18, Power Development (28-9) – Notes, charts, file notes, speech, statements, resolution, 1961–1962, SFU Archives (hereafter, Fulton speech, SFU Archives). In the House of Commons, an opposition MP asked Prime Minister Diefenbaker about Bennett's Prince George speech, which he said was circulating in printed form. According to the MP, the speech included "caustic criticisms on the part of Premier Bennett of certain aspects of the Columbia river treaty." Diefenbaker responded with a one-liner: "I do not get much time these days to read fiction." See Canada, Parliament, House of Commons, *Debates*, 24th Parl., 4th sess., 8 (1960–1961): 8715.
 - 48 "Battle Growing on River Treaty," *New York Times*, December 1, 1961, 19. The paper reported that Fulton had "accused [Secretary of State] Udall of 'joining a propaganda campaign because he hopes for a decision that will be an enormous advantage to his country.'" Cf. the description of the speech in Fleming's memoirs, *So Very Near*, 273.
 - 49 See "NDP Cheered by Fulton Decision, Sees Victory through Split Vote," *Globe*, December 1, 1962, 3; and "Mr. Fulton's Formidable Task," editorial, *Globe*, December 3, 1962, 6.

- 50 See "Debate Bid Fails," *Globe*, December 8, 1962, 2.
- 51 "Memorandum on Implications of Treaty Delay", a thirty-two-page typescript report dated January 11, 1963, and prepared by W.D. Kennedy, G.J.A Kidd, G.M. Mac-Nabb, and P.R. Purcell (emphasis in original). The memo opens with a summary, noting, "This report is an evaluation of a proposal made by the United States for a development of the three Columbia River Treaty projects of Duncan, Arrow and Mica." It is appended to a memo from R.G. Robertson (deputy minister of Northern Affairs and National Resources) to Donald Fleming (minister of justice), January 22, 1963, copy, E. Davie Fulton fonds, MG 32 B11, Vol. 38, 62-35-2, IJC Columbia River – Negotiations, LAC.
- 52 This was Paddy Sherman's "Columbia River Power Plan: A Special Report," a four-page supplement that appeared in *The Province* on January 24, 1963. It is difficult to believe that the article's appearance was not a staged event. For an intriguing description of the politics behind the piece, see Williston and Keller, *Forests, Power, and Policy*, 200–1. In a speech at Simon Fraser University ten years after the event, Ray Williston recalled that Sherman was critical of Larratt Higgins's article on the Columbia River Treaty—"The Columbia River Treaty: A Critical View," *International Journal* 16, no. 4 (1961): 399–404—but had found it difficult to respond. "Mr. Sherman explained his predicament to me and I responded by turning over the relevant files on the Columbia negotiations. This opened the door to further information from national and American sources, which occupied his complete attention for some months. The resulting published article was the best analysis on the subject that had been written until that time, and it came from British Columbia not Eastern Canada. It was subsequently printed as a separate section and many thousand copies were distributed by all those closely associated with the joint river development—nationally, internationally and provincially. It did much to bring sanity to some of the arguments then propounded based upon speculation and misinformation." Williston typescript, March 1974, 26–27, copy, Mitchell Fonds.
- 53 Fleming, *So Very Near*, 574–75.
- 54 See the account of the Hyannis Port meeting in Lester B. Pearson, *Mike: The Memoirs of the Right Honourable Lester Bowles Pearson*, vol. 3, 1957–1968, ed. John A. Munro and Alex. I. Inglis (Toronto: University of Toronto Press, 1975), 111–12; John English, *The Life of Lester Pearson*, vol. 2, *Worldly Years, 1949–1972* (Toronto: Lester & Orpen Dennys, 1992), 270; and Charles Ritchie, *Storm Signals: More Undiplomatic Diaries, 1962–1971* (Toronto: Macmillan of Canada, 1983), 48–49. It was perhaps illustrative of the new and warmer relationship between Canada and the United States that Pearson appeared on the cover of *Time* at this point. See "Canada: A New Leader," *Time*, April 19, 1963.
- 55 For an excellent review of the events leading up to the announcement, see John Hilliker and Donald

- Barry, *Canada's Department of External Affairs*, vol. 2, *Coming of Age, 1946–1968* (Montreal: McGill-Queen's University Press, 1995), 267–71. For contemporary coverage, see the useful review "Accord Eases Columbia Impasse," *Globe*, July 13, 1963, 9. Two days earlier, on July 11, 1963, the newspaper had published a series of stories on the new agreement, including "Columbia Pact Hinges on Terms Offered by U.S.," "Fulton Says Treaty Is Far from Reality," "Premier Bennett Lauds Columbia River Deal," and "Washington Anxious for Early Discussions" (all on p. 3). The accord between British Columbia and the federal government is now online: "Canada-BC Agreement," July 8, 1963, <http://blog.gov.bc.ca/columbiarivertreaty/files/2012/04/Can-BC-Agreement-July-8-1963.pdf>.
- 56 See the account in Martin's memoirs, *A Very Public Life*, vol. 2, *So Many Worlds* (Toronto: Deneau, 1985), 390–92. As Hilliker and Barry point out, the federal government used the device of a protocol to avoid having to reopen the treaty. *Canada's Department of External Affairs*, 268.
- 57 On the relationship of the Pacific intertie and the treaty, see Binus, "Bonneville Power Administration," esp. chap. 6, "The Columbia River Treaty and the Canadian Entitlement." More generally, see Douglas Norwood, "Administrative Challenge and Response: The Role of the Bonneville Power Administration in the West Coast Intertie Decision" (BA thesis, Reed College, 1966); Alan Evan Schenker, *The West Coast Intertie* (Occasional Paper No. 4, Institute of Governmental Affairs, University of California, Davis, 1964); Luce and Kaseberg, "Bonneville Power"; Michael C. Blumm, "The Northwest's Hydroelectric Heritage," in *Northwest Lands, Northwest Peoples: Readings in Environmental History*, ed. Dale D. Goble and Paul W. Hirt (Seattle: University of Washington Press, 1999), 229–63; and Paul Hirt, *The Wired Northwest: The History of Electric Power, 1870s–1970s* (Lawrence: University Press of Kansas, 2012).
- 58 Charles Luce, BPA administrator from 1961 to 1965, recalled a phone call that he received from Bennett: "At one point, Premier Bennett called me . . . , and he said, 'We are ready to start the construction of Duncan Dam,' that was the first of the three dams. 'Immediately, if you'll pay 5 mills for the downstream benefits on that dam.' And I said, 'Well, have you the approval of the national government in Canada, Premier Bennett?' 'No!' he said. 'I don't have it. I don't need it. Water runs downhill doesn't it?' So he said, 'If I build that dam, you're going to get the benefits, there's nothing Ottawa can do about that.' So I said, 'Well, I'll, I don't think our State Department will agree to that kind of an agreement, Premier Bennett, but I will check it out and I'll call you tomorrow.' So I called up Ivan White and our Minister to Canada and we talked to the general counsel to the State Department. Of course they were aghast that we would think of our Federal Government making a deal with a Provincial Government over the objection of the National Government of Canada. I knew they would be and they should be. So

- I had to call Bennett the next day and tell him that I had conferred with our State Department and we were unable to do this. We had to have the concurrence of the National Government of Canada. He was furious. He said, 'The Treaty's dead! Treaty's dead. Don't ever talk to me again about the Treaty. I'll never talk to you again about the Treaty!' And he hung up. It was kind of a bad moment." Charles F. Luce, interview by Gene Tollefson, September 7, 1984, transcript, item no. 191, Columbia River Treaty Digital Library, 24–25, <http://crtlibrary.cbt.org/items/show/191>.
- 59 For a description and analysis of this important commission, see Stephen Azzi, *Walter Gordon and the Rise of Canadian Nationalism* (Montreal: McGill-Queen's University Press, 1999), 34–65; and Walter Gordon, *A Political Memoir* (Toronto: McClelland & Stewart, 1977), 59–70. As Azzi notes, "Before the Gordon Commission [i.e., the 1957 Royal Commission on Canada's Economic Prospects], Canadian economists did not consider foreign investment a proper topic for debate. For them it went without saying that governments should not limit the free flow of capital across national borders. The Gordon Report was seminal, triggering considerable political and academic discussion of the subject. The report gave Gordon's concerns over foreign investment an air of legitimacy" (p. 57).
 - 60 Dust jacket of Aitken, *American Capital*.
 - 61 The report was A.D.P. Heeney and Livingston T. Merchant's *Canada and the United States: Principles for Partnership* (Ottawa: R. Duhamel, Queen's Printer, 1965). The study (dated June 28, 1965) arose from a meeting between U.S. President Johnson and Prime Minister Pearson in January 1964, where they had "discussed at some length the practicability and desirability of working out acceptable principles which would make it easier to avoid divergencies in economic and other policies of interest to each other." (Joint communiqué, January 22, 1964, quoted in Heeney and Merchant, *Canada and the United States*, Annex B, 1.) On the report's reception, see Greg Donaghy, *Tolerant Allies: Canada and the United States, 1963–1968* (Montreal: McGill-Queen's University Press, 2002), 32, 44, 132; Azzi, *Walter Gordon*, 127–28; Hugh L. Keenleyside, *Memoirs of Hugh L. Keenleyside*, vol. 1, *Hammer the Golden Day* (Toronto: McClelland & Stewart, 1981), 500–2; and the wry memories of the Canadian coauthor, in Arnold Heeney, *The Things That Are Caesar's: Memoirs of a Canadian Public Servant*, ed. Brian D. Heeney (Toronto: University of Toronto Press, 1972), 190–94. Contemporary Canadian views of the United States are well described in Azzi, *Walter Gordon*, 125–39; cf. Al Purdy, ed., *The New Romans: Candid Canadian Opinions of the U.S.* (Edmonton: M. G. Hurtig, 1968), and the public reflections of two prominent journalists, James Reston and Bruce Hutchison, "What's Happening to U.S.-Canada Relations?" *Reader's Digest*, July 1966, 27–32.
 - 62 One of the best sources of the many papers, articles, and cyclostyled typescripts that represent

- the public mood against the treaty is the James G. Ripley Fonds, held the University of Victoria Archives; the collection fills a number of archival boxes. Public opinion is also briefly noted in Benjamin Isitt, *Militant Minority: British Columbia Workers and the Rise of a New Left, 1948–1972* (Toronto: University of Toronto Press, 2011), esp. 36–40, 119.
- 63 On the impact of the flooding of the Arrow Lakes, see James Wood Wilson, *People in the Way: The Human Aspects of the Columbia River Project* (Toronto: University of Toronto Press, 1973); J. W. Wilson and Maureen Conn, “On Uprooting and Rerooting: Reflections on the Columbia River Project,” *BC Studies*, no. 58 (1983): 40–54; Tina Loo, “People in the Way: Modernity, Environment, and Society on Arrow Lakes,” *BC Studies*, no. 142–143 (Summer/Autumn 2004): 161–96; and Joy Parr, *Sensing Changes: Technologies, Environments, and the Everyday, 1953–2003* (Vancouver: UBC Press, 2010), 103–35. See also the materials available on the website Arrow Lakes, accessed January 22, 2014, <http://megaprojects.uwo.ca/ArrowLakes>.
- 64 See Susan Toller and Peter N. Nemetz, “Assessing the Impact of Hydro Development: A Case Study of the Columbia River Basin in British Columbia,” *BC Studies*, no. 114 (Summer 1997): 5–30.
- 65 See George L. Cook, “Aural History on the Classroom: The Columbia River Treaty Lecture Series,” *Sound Heritage* 3, no. 3 (1974): 31.
- 66 See Hugh L. Keenleyside Fonds, MG 31, E 102, Box 12, Files 13 & 14, LAC. Both men were very sensitive to any criticisms of the treaty. Keenleyside’s paper include draft chapters for a book on the treaty that he planned to write, as well as his swift replies to various public criticisms of the treaty. For Williston’s concern with the way in which the treaty was remembered, see Williston and Keller, *Forests, Power, and Policy*, 220–22.
- 67 I am referring to the treaty itself. The *consequences* of the treaty, particularly the flooding of the Arrow Lakes, continue to attract scholarly interest.
- 68 See, for example, the proceedings of the Boundary Waters Treaty Centennial Symposium, reprinted in the *Wayne Law Review* 54, no. 4 (2008).
- 69 This is described in Michael Laitta, “Canada-U.S. Transboundary Hydrographic Data Harmonization Efforts Gain Momentum” (unpublished manuscript, October 11, 2010), PDF, http://www.ijc.org/rel/boards/watershed/Canada-US_Hydro_Harmonization_e.pdf. Because Laitta is a GIS coordinator and physical scientist with the IJC (both the Canadian and U.S. sections), his views are presumably indicative of the IJC’s views. Cf. Craig Schiffries, “Broadening Canada–United States Cooperation on Transboundary Geoscience Issues,” Paper No. 268-10 (paper presented at the annual meeting of the Geological Society of America, Minneapolis, October 9–12, 2011); the abstract is available at https://gsa.confex.com/gsa/2011AM/final-program/abstract_198168.htm.
- 70 See Alvin Hamilton’s speech on the national development program, in Canada, Parliament,

- House of Commons, *Debates*, 24th Parl., 2d Sess., 5 (July 10, 1959): 5796–5800. Note also the comments of both Diefenbaker and Hamilton, quoted in Robert Duffy, “Minding Your Business,” *Globe*, September 10, 1959, 6.
- 71 See the reference in Canada, Parliament, House of Commons, *Debates*, 24th Parl., 5th Sess., 2 (March 19, 1962): 1923; Karl Froschauer, *White Gold: Hydroelectric Power in Canada* (Vancouver: UBC Press, 1999), esp. 212–15; and Swainson, *Conflict over the Columbia*, 209–10. Note also the argument in Nemeth, “Consolidating the Continental Drift.” Ironically, the Pacific Intertie carrying BC’s power entitlement to southern California was viewed by Americans as a step in establishing just such a national grid in their country; see Blumm, “Northwest’s Hydroelectric Heritage,” 275.
- 72 See, for example, Jorge Niosi, *Canadian Capitalism* (Toronto: James Lorimer, 1981), 100; H.V. Nelles, *The Politics of Development: Forests, Mines and Hydro-Electric Power in Ontario, 1849–1941* (Toronto: Macmillan of Canada, 1974), 248–49; John Richards and Larry Pratt, *Prairie Capitalism: Power and Influence in the New West* (Toronto: McClelland & Stewart, 1979); James L. Kenny and Andrew Secord, “Public Power for Industry: A Re-Examination of the New Brunswick Case, 1940–1960,” *Acadiensis* 30, no. 2 (2001): 84–108; and James L. Kenny and Andrew Secord, “Engineering Modernity: Hydroelectric Development in New Brunswick, 1945–1970,” *Acadiensis* 39, no. 1 (2010): 3–26. For a more general discussion, see Tieleman, “Political Economy.”
- 73 For a carefully researched account of the downstream impact of the Bennett Dam on the Athabasca Chipewyan First Nation, see Indian Claims Commission, *Athabasca Chipewyan First Nation Inquiry: W.A.C. Bennett Dam and Damage to Indian Reserve 201* (Ottawa: ICC, 1998). The Indian Claims Commission concluded that “Canada had breached its statutory and fiduciary obligations towards the Athabasca Chipewyan First Nation by failing to take reasonable steps to prevent, to mitigate, or to seek compensation for an unjustified infringement on its treaty right and for environmental damages to IR 201 caused by the construction and operation of the W.A.C. Bennett Dam” (109–10). The commission’s report also illustrates the disdain with which British Columbia responded to any criticisms of the Peace River project; see esp. 40–43, 97–98. On the local impact of the Bennett Dam and the Williston Reservoir, see Daniel Sims, “Tse Keh Nay-European Relations and Ethnicity, 1790s–2009” (MA thesis, University of Alberta, 2010), 130–34. BC Hydro is currently refusing to include any downstream impacts in its environmental assessment of its latest project on the Peace River; see Bob Weber, “Alberta Aborigines Oppose BC Hydro’s Dam Project, Say It Needs More Study,” *Vancouver Sun*, March 3, 2013.
- 74 This is not a retrospective analysis: two significant players in the debates around BC hydro development made similar points at the time. For example, in September 1961, Davie Fulton argued in a

speech that “it is axiomatic [that] if we dispose of our cheapest source of power south of the border [by selling the Columbia’s downstream benefits] we will have to consume more expensive power at home. . . . The higher cost of power means a higher cost of production. It means an impaired competitive position. It is a hindrance to the industrial expansion that I have referred to, and that is so necessary to our future prosperity. It also means an obstacle in the way of the diversification of our economy and of job security.” Fulton speech, SFU Archives. For a similar analysis, see A.E. Dal Grauer, “The Export of Electricity from Canada,” in *Canadian Issues: Essays in Honour of Henry F. Angus*, ed. R.M. Clark (Toronto: University of Toronto Press, 1961), 283. Grauer headed BC Electric, the private utility nationalized by W.A.C. Bennett.

