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American and German Environmental Policy: Differences in Institution Building between
the Great Lakes and Lake Constance

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Abstract

When it comes to the protection of water sources, the relationships between stakeholders around the Great Lakes region and the Lake Constance region differ remarkably. This is due to a variety of different reasons, the biggest reason being the major differences between the political norms of these two areas. During the 1960's and 1970's the relations between America and Canada and their respective ecological coalition groups were very different from those between Germany, Switzerland, Austria and their coalition groups. These differences resulted in a distinct evolution in the formation and handling of Transnational Advocacy Coalitions, or parapublic institutions, in the two regions. This paper tries to focus on what those differences are, and to better understand why they lead to different outcomes in these two areas. This will be accomplished mainly through literature reviews of legal documents, cultural documents, and other various sources of context and information about these two specific areas. The largest findings from my literature analysis is that of networks, and these Transnational Advocacy Coalitions, and how they are dealt with by government bodies. Overall, Germany, Austria and Switzerland are much more receptive to the singular Transnational Advocacy Coalition of the Lake Constance area, allowing for much more efficient messaging and policymaking in this area. Canada and the United States struggle to a certain extent to create a strong relationship with the Transnational Advocacy Coalitions around the Great Lakes region. The Great Lakes region is also much more difficult to understand and to work with due to the fact that there is no

singular coalition in the area, but rather a massive plurality comprised of both massive and miniature groups. The institutions around the Great Lakes region struggle to interact with one another, and the two national governments that oversee the stewardship of this area caused by various problems of institution building and political norms.

Introduction

Environmental policy refers to regulations, laws and guidelines created by governing bodies in regards to their natural surroundings. The main goals of these policies are to promote sustainability, conserve natural resources, protect ecosystems, conserve biodiversity, and to mitigate or nullify pollution and climate change. These policies are vital as they work on building a much more sustainable world for us to live in. In this paper I will be focusing on how transnational community building and intergovernmental cooperation lead to successful environmental policy. My hypothesis is that effective international cooperation in environmental policy thrives when diverse parapublic institutions emerge from a cooperative relationship between official government bodies and citizen-led initiatives, and that these institutions are able to communicate with one another and to communicate effectively with receptive governmental bodies. When these kinds of groups are able to come together after forming separately from each other, they are able to have a much more stable and successful relationship. When these citizen-lead initiatives are able to work together harmoniously it can also create a much closer relationship between nations, assuming these lower level initiatives are transnational. I have focused on two major examples in this paper of these kinds of relationships and how they were built to varying degrees of success. The successes of the Lake Constance region (*Bodensee*, LCR) showcase how environmental policy can be used as a rallying point of cooperation between nations. The failures of the Great Lakes region showcase how adversarial politics, and a lack of consistent messaging and understanding of these problems can be extremely detrimental to long running cooperation when it comes to robust Transnational Networks.

German Policy-Making Background

The first step in understanding the differences between these two regions is to examine their political institutions concerning environmental protection regulations and how these regulations are typically developed. In Germany, environmental issues are regulated through a combination of national legislation and state-level authorities. Domestic laws are increasingly influenced by international and European Union regulations (Neumann, 1996). Water control and management is managed under the Federal Water Resources Act, or the *Wasserhaushaltgesetz* (BMUV, 2023). Generally regulation is done at the local and state levels, while very little is done by the federal government. The Federal Environmental Agency (*Umweltbundesamt*) has responsibilities over the private sector purely with emissions trading (ICAP, 2023). Self regulation is often done by the states themselves with a few overseeing bodies built into the federal government. When any private or publicly run operation goes against the set laws, there are fines imposed or the operation is completely shut down. Most permits for handling pollution emissions are handled by the Emission Control Act (ECA) with some exceptions, chiefly on permits and licenses around water protection laws. These permits are generally handed out in perpetuity unless a change is made to the original permit. These permits are also transferred to whoever owns a certain technical facility if a new owner takes over. A permit is required for any discharge of substances into water bodies including groundwater. These applications must be made to whatever water authority controls the

location of the water or the operation, which are normally under the control of state or local level government bodies. The failure to comply with or obtain the permits generally follows the same penalties that come with the regular ECA permits (Elspaß, Feldman, 2021). These rules stand for both water pollution and water extraction. The EU and Germany are parties to the United Nations Framework Convention on Climate Change and the Kyoto protocol as well as the Paris Agreement. Germany participates in the EU Emissions Trading Scheme. Germany is also currently pursuing energy efficiency targets to reduce pollution. A screening is generally required when a large-scale project is under way. This screening is done to understand the Environmental Impact Assessment (EIA) of whatever the project is attempting to do. This includes water based projects, as well as most others that would have a major effect on pollutants. The aforementioned permits can generally not be given out by the permitting agency without running an EIA to fully understand what the permit will and will not allow. (European Commission, 2024)

Overall Germany has been and continues to be focused very heavily on green policies and on being environmentally friendly in spite of the additional costs that come along with this goal (Notaras, 2010). Germany has been able to focus on these policies quite a bit due to the fact that the Green party is rarely the head of coalition governments, but rather a part of a winning majority at the state and regional levels, as well as the national level of the political system. This party focuses on bringing the power of their voting base into influencing the coalitions that are made. Many of their goals are tailored to whatever party or parties are the heads of the coalitions, and they have seen a fair amount of success by doing this. These goals are also often viewed in

a much more friendly light within the German political arena, so by making themselves large enough and diverse enough to push a lot of their policies through, the Greens have been able to have a widespread effect within Germany. (Notaras, 2010)

American Policy-Making Background

The Environmental Protection Agency (EPA) was created by Nixon in 1970, which moved the American government agency from a position of advising and educating on the subject of environmental policies to a position of enforcement and implementation of air pollution laws. It is currently the largest federal regulatory agency with a budget of around 8 billion and over 18,000 employees. Responsibilities of this organization include monitoring many environmental programs, coordinating collaboration among states and local communities and implementing regulations that outline various details necessary to implement laws (EPA 1, 2023).

The Council on Environmental Quality was created by Congress in 1969 as part of the National Environmental Policy Act. This council provides a yearly report to the president on the state of the environment and the chair of the council acts as the president's principal environmental policy adviser (EPA 2, 2023).

While policy is created by government agencies, there is a constant pull of influence by public interest groups and general industrial lobbying. These groups will have to reach out to Congress with concerns about possible undocumented or undealt with problems in relation to pollution within the environment. Congress then may discuss the concerns and if they feel it is warranted hold hearings and eventually draft a bill that addresses these problems. If the bill is passed and signed by the president it

goes directly to the Environmental Protection Agency for implementation of regulatory policies (Adolino, 2007). The other side of this, which is arguably more important within the United States, is the number of policies and regulations that come out of legal proceedings. Many of the regulations are built on court cases after some form of pollution has been created from a private entity, and said private entities will fight back against many forms of regulations or fines (Andrews, 2018).

Within American environmental pollution policy making the government relies heavily on what is called Sound Science. Sound Science is the focus on having absolute empirical proof when bringing legislative issues forward (Society of Environmental Toxicology and Chemistry, 1999). The EPA often relies on peer reviewed sources and documents by qualified independent experts who provide critical assessments (Adolino, 2007). This specifically is a bit different from the general environmental policy making on environmental issues within the U.S. as these two areas are often much more pressing concerns. They need to be dealt with quite quickly and not be massively bogged down by bureaucratic measures. Air and water protection laws are often the highest priority bills compared to other areas that the EPA has jurisdiction over.

Adolino focuses on what the Pacific Institute highlights as three critical water quality issues in America. Firstly, addressing the global water crisis is imperative. Secondly, updating both the Clean Water Act and Safe Drinking Water Act is essential. Thirdly, it is crucial to mitigate the impacts of global climate change. Additionally, safeguarding the US against national security threats to its water supplies has become increasingly vital. Following the events of 9/11, the Department of Homeland Security

was established, tasked with protecting the water sector, classified as critical infrastructure and a key resource (Adolino, 2007).

There are three major water pollution control policies currently in effect within America. The Clean Water Act (CWA), the Safe Drinking Water Act (SDWA) and the Ground Water Rule (GWR). The Clean Water Act was passed in 1972 and has been continually updated. “The statute employs a variety of regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff.” Over the past decade or so the CWA has shifted from an individual case based practice to a more general water regulation approach. Under this approach there is an equal focus on keeping current healthy waters protected as well as repairing damaged sources of water. The Clean Water Act established the basic structure for regulating pollutant discharges into the waters of the United States. It also gave the EPA authority to implement pollution control programs. It set water quality standards for all contaminants in surface waters, however it still did not set standards on how to measure or report these levels of contaminants (EPA 3, 2023).

The SDWA was first created in 1974, and then further amended in 1986 and 1996. It was originally passed to “protect public health by regulating the nation’s public drinking water supply.” The 1986 amendments increased the amount of regulated contaminants as well as the powers wielded by the EPA to monitor contaminants. The 1996 amendment opened up the protection of water sources, operator training, funding for water system improvements and public information as important components of safe drinking water. The Safe Drinking Water Act passes the responsibility of assessment

and protection of all sources of drinking water to the states that contain these water sources and for ensuring “That water systems acquire and maintain the technical, managerial, and financial capability” to provide safe drinking water to their citizens (EPA 4, 2023). In 2006 the EPA created the GWR in order to “provide for increased protection against microbial pathogens in public water systems that use ground water sources.” (EPA 5, 2023). America is currently also a part of the Great Lakes Water Quality Agreement (GLWQA) which focuses on the protection of the Great Lakes in cooperation between the United States and Canada (IJC 2, 2023).

The EPA themselves admits that the water monitoring practices that are currently in use are not nearly effective enough. The amount of water sources that are contaminated are currently too high, and the amount of these contaminated sources that are consistently and properly monitored are far too low. A current public policy debate when it comes to water pollution is; What are the proper metrics of water pollution measurement? There are no standards when it comes to measuring and reporting water pollution at state and local levels. These kinds of issues cross state borders. When it comes to rivers and possible pollutants within them, if a state upriver does not accurately measure the pollution or accurately report it, then the downriver states will face the consequences. The EPA was requested to try and create a standard system of water pollution reporting. There have been calls to expand the Clean Water Act to allow the federal government to monitor and regulate private property, as this water can drain off into the watershed areas within a community (Archived EPA, 2004).

Consensual VS Adversarial approaches

Another major part of the actual German ecological policies is the fact that they are considered to be “consensual” (Katzenstein, 1987). When looking at how policies are created and implemented it is important to know where they come from, whether they are from a consensual process or a more adversarial process. In this context, “consensual” means that citizens and private organizations are more inclined to self-regulate, acknowledge existing problems, and work towards self-regulation. It also includes the idea of a much more friendly relationship between regulating bodies and private entities.

The political norm in Germany has been built up over time to focus on incremental change and on creating a widespread bureaucracy made up of many types of institutions. “The interaction between policy and politics is affected primarily by the institutional organization of power ... rather than by the imperatives for action inherent in particular policy problems” (Katzenstein, 1987). The greatest tool of this institution building is that of the parapublic institution. The German government has delegated certain areas out to public, and even private groups, when it comes to policy advising and even policy making. Instead of having a massive amount of lobbyists, “numerous institutions- corporate bodies, foundations, institutes- are organized under public law and carry out important policy functions” (Katzenstein, 1987). By taking small groups which could be considered as lobbyists in American policy arenas, and bunching them all together, “they tend to limit political controversies in the process of implementation, and they limit the scope of policy initiatives”, fitting to the German political culture. This unification also enables state and local authorities to interact with a consistent voice or

group, facilitating a symbolic shift of power and granting these groups a highly respected advisory role in policymaking.

This is very different from the United States, which is generally considered to have a far more adversarial policy making system (Kagan, 1991). Few policies in ecological and environmental protection are initiated by violators themselves. Instead, they typically emerge from court cases brought by individuals or advocacy groups directly affected by inadequate oversight or the absence of policies addressing pollution (Andrews, 2018).

Germany is considered to be one of the more progressive nations when it comes to environmental policy within the European Union, but it is nowhere near as combative as America is (Lieberink, Jordan, 2002). Starting out in the 1960's the massive increases that were seen within the American environmental policy arena were the results of widespread public demand and bipartisan support, ultimately leading to the EPA and the various programs that it sponsored after its creation. This energy began to fade quite quickly going into the 1980's and was almost completely gone by the 1990's. One of the important factors to this destruction was the Reagan administration. "[The Reagan administration] placed industry-aligned scientists on the EPA's recently created Science Advisory Board. New administrators abruptly abandoned standard scientific and risk analysis methods" (NCBI, 2018). The lack of bipartisan support forced various presidents to be very aggressive towards various environmental programs, either in support of or against based on their party membership (Andrews, 2018). These policies were also considered to be not nearly as important as economic issues or various other major talking points of these periods.

Lake Constance Analysis

The case of Lake Constance is quite different compared to many other cases of international cooperation, and is considered to be one of the most successful examples of international cooperation (Blatter, 2001). This case shows that the idea that subnational interest groups need the federal government to aggregate their demands somewhat falls short. Many of the subnational groups in this area speak through regionalist facilitators. These facilitators then communicate with local or regional government groups, allowing the many smaller groups to create one stable voice that is heard by those in official power.

Lake Constance itself is unusual as it is the only area in Europe where the borders of neighboring countries were never formally delineated (Dempsey, 2014). Lake Constance currently is a source of potable water and a major regional focal point of tourism. Currently there are 18 different water removal points within the lake that offer around 180 million cubic meters of water per year to around 4 million people (Bodensee Wasserversorgung, 2024).

Boats within Lake Constance are one of the largest polluters. The use of boats on this body of water saw a significant increase from the end of World War Two until around 1990, when the number of authorized boats stabilized at 55,000. This heavy use of boating creates pollution of two classifications, “structural” and “material”. Structural pollution is any physical change to a body of water, such as a pier or dredging a section of the body. Material pollution is any chemical change, often captured as pollution from

machines or chemicals near or in the body of water, such as the pollution given off by the boats themselves (Blatter, 2001).

The chemical pollution is still quite contested as it has not been properly measured, but rather estimated by simply looking at how many boats are on the water and basing it off of the normal emissions levels of these boats. At this point it has not led to a major detrimental effect on the quality of the drinking water. In the 1960's, there was a move to open the Rhein river as a shipping lane directly to Basel through Lake Constance. This was fought against by many small groups of activists ending with the cancellation of the shipping lane. Over the next few years these groups began to unify more, creating a larger political action community. By 1973 the Lake Constance Shipping Regulations (LCSR) were passed for the first time, influenced by these groups unified goals. The LCSR did not have the far reaching bans that the subnational groups were calling for, but rather a very minor ban on a few types of boats (International Water Law, 1973). By the 1980's there was a new report on the problems caused by the boats from water conservationists, and a second round of cross border negotiations was started. Exhaust specifications for boats were finally created in 1991, and put into force in 1993. A second stage was later put in by 1997. The second stage of regulations are stronger than the general EU and Swiss regulations (Blatter, 2001).

Why did these nations unite so promptly and effectively in this instance? The explanation cannot be found in the notion that rational actors simply assessed and addressed a problematic situation out of self-interest. Nor can it be attributed to modern theories of interest aggregation at the national level or the pursuit of nation-state interests in the international arena. Understanding the interconnections and alliances is

crucial for comprehending conflicts related to water. The decades long relationships among these various organizations are paramount to the success achieved in this case.

Structural damage is the easiest to assess in this situation. Swiss boats may cause some structural damage to German shores and shoals, but it's generally very little. Most of the structural damage is self-inflicted and can therefore be dealt with by the respective regional governing bodies that preside over the various shores of Lake Constance. Each citizen and local authority chooses what can and will be built on the shores. Therefore there is no real reason for international cooperation in this situation, yet it happened. The lake is not merely viewed as a water source, but as a source of ecological wealth that deserves to be protected.. It supports numerous bird species and other wildlife year-round, underscoring cross-border cooperation based on ecological interdependence (Blatter, 2001). The local community highly values the diverse ecosystem. This underscores a shift where postmodern concerns, focusing on nature and intangible benefits, outweigh the industrial and economic benefits that come with general industrial interests and tourism. Initial negotiations were initiated prior to public disclosure of the pollution caused by boats in the lake, with ongoing debates over the credibility of the data collection methods.

The subnational groups were able to gain a level of power and confidence after stopping the goal of using the Rhine river as a shipping lane through Lake Constance into Basel. The European governing body was also gaining interest in environmental protection at the time. In 1970 the Council of Europe dubbed it the "European Year of Nature Protection " giving even more energy to many different environmental conservation groups and causing a decent amount of cooperation between them

(Graenitz, 1995). The *Arbeitsgemeinschaft Naturschutz Bodensee* (Lake Constance Conservation Group, ANB) was created from 33 private nature protection groups and citizens initiatives bringing together 18,000 members into one umbrella organization (Jacobi, 1994). This would later go on to create the modern *Bodensee Stiftung* (Lake Constance Foundation). This organization comprises approximately 20 full-time staff members and receives substantial funding from diverse groups. It is also a member of several other environmental protection organizations across the European Union. It is a private organization but acts like a parapublic institution, working on four different goals for the greater protection of this natural resource (*Bodensee Stiftung, 2024*). The Council of Europe also created the first “European Conference of the Ministers of Spatial Planning” in 1970 (Münch, 1971). This spurred on a lot of fighting between municipal politicians as they all wanted to be able to control a major share of the Bodensee. Eventually this all slowed down and the three national governments of Switzerland, Austria and Germany established the *Internationale Bodensee Konferenz* (International Lake Constance Conference, IBK). Originally this conference was mainly focused on structural damage generated on the lake, but in 1982 the *Internationale Gewässerschutzkommission für den Bodensee* (Water Protection Commission for Lake Constance, IGKB) created a report focusing on the chemical damage being generated by shipping on Lake Constance (Bericht, IGKB, 1982). This report, combined with the public attention on this area, influenced the conference to focus on chemical pollution as well.

If we think about these international coalitions as the proactive answers to environmental issues, rather than reactions to them, it allows us to understand what

happened in the Bodensee region more easily. The goals originally started as a fix for the structural pollution of the Bodensee, and then shifted eventually to the chemical and material problems. The structural problem originally did not need international cooperation as most of the damage was self inflicted, however because they were able to come together earlier for this problem, when people realized that the boats also had an effect on chemical pollution within the water, the groundwork for international cooperation was already in place and the pivot was far easier than it would have been without this conference here. The discovery of a common problem galvanized the many different groups acting within this area (Blatter, 2001).

The main reason that private boat owners were targeted instead of public shipping and transport across the lake is that redistributive policies were wildly popular in Europe following the Second World War, and then a shift towards creating wealth through policy became more prevalent by the 1980's (Blatter, 2001).

When looking at international issues it's important to understand that these arenas are still complex and diverse. In national political systems divisions form among parties, whereas in international systems these divisions form between states themselves, while party ideologies will have less importance. There are three types of international networks: transgovernmental commissions, transborder coalitions and regionalist associations (Blatter, 2001).

Transgovernmental commissions include groups like the *Internationale Bevollmächtigtenkonferenz für die Bodenseefischerei* (International Conference for Lake Constance Fisheries), the IGKB and some others. The IGKB is the main group that advocates for protection of Lake Constance. In 1967 and 1987 the IGKB passed

the “Guidelines for the Preservation of Lake Constance” (Blatter, 2001). Over time this organization has become extremely friendly with the various members within it.

Originally ambassadors led the organization, but now it is headed by various governmental department chairs. The lawyers of the past have been replaced by engineers. A level of trust and friendship has been built very strongly within this group, allowing for major change to occur quite quickly and without a lot of friction. Eventually the commission came to a consensus on what to do about shipping within the region, and the three national governments then codified the “International Agreement on Shipping on Lake Constance” into their own legal systems. This led to the creation of the *Bodensee Schifffahrts Ordnung* (Lake Constance Shipping Ordinance), a legal document going over what kinds of ships were and were not allowed to be used on Lake Constance, which became a major part of the three nations regulations. Many of these various organizations can be very focused on a single issue, but when there are so many of them working together without major friction the result is quite effective.

Transnational coalitions are more easily defined. They are often social change advocacy groups, working together on a specific problem, and can be both public or private groups. Many of the actors within these groups act without regard to their own personal national background, but rather as a community around a specific transnational issue. In this case the Bodensee is seen as a greater community than that of the nations that surround it. In this case these transnational coalitions are often separated from the governments, but still supported and legitimized by them. The Environmental Council of Lake Constance (ECLC) was created in 1993 as an umbrella organization taking in 18 different environmental organizations based around the area to

act as the scientific advisory board to the Lake Constance Foundation (Timmerman, 2024). Nongovernmental groups have formed linkages across borders based on shared interests and values, and they heavily influence the governmental groups.

Regionalist groups are those that hold no official power, but are publicly supported by those that do hold power within governments. The *Internationale Bodensee Konferenz* (International Lake Constance Conference) is a perfect example of this. This group is a general standing committee that holds various research programs and council meetings on the Bodensee, and can only advise to those in power. These suggestions, however, are highly regarded and frequently implemented by governmental authorities. This group has also acted as a mediator between many of the various transnational coalitions and private groups to build a more stable system around the Bodensee (Blatter, 2001).

Currently, many modern policies revolve around the role of regionalist groups as mediators and facilitators for advocacy coalitions. These groups strive to foster agreement among advocacy coalitions and transparently communicate the interests of different groups. The scientific advisory boards are able to offer up data and evidence to back up the stated goals of the regionalist groups. Finally, the governmental organizations and politicians act on these wants.

The relationships of the Bodensee region can be seen as one of cooperative institution building. The institutions that have been built there are both governmental and non governmental, public and private, and parapublic. This massive diversity of groups acting with one another in this area has allowed them to work together in many different ways. The relationships they have with one another often overlap. The overall

success is supported by the idea that Lake Constance is not something to be fought over and won, but rather as something that needs to be shared and protected as a community. It also allows the governments that surround the Bodensee to let these parapublic specialist institutions to do in depth research, which informs policy making. These groups are allowed to interact with one another through various government organizations, and come to a consensus which is often in line with the goals of the governments themselves, as they are voted into power by the people within these smaller subnational groups.

Great Lakes Analysis

The boundaries between Canada and America in relation to the Great Lakes were set up originally in the 1909 Boundary Water Treaty. In this original agreement article IV stated that neither side would “pollute the waters so as to not injure the health or property of the other” (IJC 2, 2023). This culture of environmental protection in this region has a long history built on the idea of the United States of America and Canada protecting only their own property. This treaty also created an International Joint Commission (IJC 1, 1909) with the power to examine any matters or issues sent to it as well as to advise the two nations on what solutions should be sought after in relation to the issues. The two nations decided to reach out to the IJC in 1964 to see if there was growing damage being done to the waters of the Great Lakes. The commission reported back that there was in fact major damage. This led to the creation of the Great Lakes Water Quality Agreement (GLWQA) in 1972 (Gilbertson, Watterson, 2007). Here we can

see a transgovernmental organization acting as a facilitator between the United States of America and Canada, as well as a reporter of issues.

One of the largest issues that has plagued the Great Lakes Water Quality Agreement (GLWQA) is what the legal purpose of the document is. Is the GLWQA intended to be a framework for the protection of the ecosystems of the Great Lakes as whole, or just the quality of the water? This lack of consistent messaging, both by the nations themselves and the original writing of the document has led to many issues (Gilbertson, Watterson, 2007). Where the Bodensee region was able to build this sense of wanting to protect the ecosystems naturally through the various channels of the people and their subnational groups themselves, the situation around the Great Lakes was consistently slowed down by disjointed bureaucracy. Advocacy groups within the Great Lakes have been working on trying to reformat the original agreement to better serve the modern understanding of problems, which is something that the Bodensee conservationists did not have to do. They were able to naturally shift from combatting only structural damage to both structural and chemical damage.

America faced a lot of social unrest throughout the 1960's. The New Social Movements eventually developed a coherent message for reforms, and these reforms were fairly successful. So successful that by the 1970s much of this thirst for activism was quenched, and there weren't nearly as many calls for change during this period within mainstream society. What little activism that was left at this point, specifically in relation to the Great Lakes Water Quality Act was focused purely on the IJC (Gilbertson, Watterson, 2007). The IJC in the mid 90's was considered to be much more radical than it once was, and ended up overreaching its bounds when it came to recommending

solutions to the national governments. It was also difficult for many politicians of this period to support the goals of the IJC. International issues are always going to be more difficult to pass quickly when compared to single state issues, so local efforts are often more focused on (Gilbertson, Watterson, 2007). Industrial interests then rose up and lobbied against the radicalism of the IJC and decreased its reputation as general industry interests were under attack due to the comments about the removal of chemical damage from the Great Lakes made by the IJC. These attacks were made on the “Sound Science” that fuels higher level policy decisions within the United States. The data that was brought forth about the chemical damage being done to the Great Lakes were often attacked by industrial interests during this period. The lobbyists were able to argue quite successfully that the reports being made around this period were fueled purely by more radical ecological groups, and that these groups were influencing the IJC, which was supposed to stay unbiased.

There was and is very little support by the American government to renegotiate the GLWQA. Compared to the Chesapeake Bay area and the Everglades, it's also very difficult for America to officially fund conservation efforts. These two areas fall completely within American jurisdiction, so the federal government works with state and local authorities to fund the conservation efforts under the guidance of technical experts (Gilbertson, Watterson, 2007). This can not be done nearly as easily within the Great Lakes region due to the number of federal states that would need to be involved purely on the American side, as well as the relations between the American government and the Tribal governments of the area, as well as the communications that would need to be built up in this regard with the Canadian government. The Canadian government is

also not very interested in working to build this kind of relationship as they are much more focused on working through trade issues and building an economic relationship with America. The negotiations required for the conservation of the Great Lakes may prove detrimental to those working on the economic relations of the two nations as both sides would have to request major changes from one another on how they deal with the Great Lakes region (Gilbertson, Watterson, 2007). The interactions between the United States and Canada are often focused on mainly economic ties, and if neither side wants to pay for a shared stewardship then nothing will happen.

Overall the GLWQA was a poorly written document to begin with and has only continued to drift since it was created. This drift has been allowed by both of the nations in this treaty. Other issues have been dealt with through other channels, specifically fishing and general regional collaboration. When it comes to the protection of the ecosystems within the Great Lakes and the pollution that is causing damage though, there is a major lack of interest from either nation and a lack of support for subnational groups. There is still a major issue of messaging within the two governments as well, and a lack of a consensus from either nation on how they want to deal with the situation moving forward, leading to even more stagnation and drift. If governing bodies lack interest in environmental reform and ignore input from subnational groups, progress is unlikely.

Final Comparisons and Conclusion

The culture of environmental conservation was created through two very different means, and supported in very different styles in these two regions. When looking at Europe there was a massive call throughout the 1960's and 1970's to try and create a much more unified Europe, one where responsibility is shared fairly equally between the various actors. This allowed many subnational groups to come together regardless of their own national level interests, and transcend them, creating proper messaging about how these issues are not issues of the commons, but symbolic issues that can be used to create a better future. The tragedy of the commons is what has caused the stagnation of the Great Lakes. No single actor wants to take responsibility or initiative for conservation efforts, and the governing bodies are not able to agree on whether or not conservation efforts are even warranted.

The political climate in Europe during the 1970s enabled subnational groups in the LCR to thrive and address these issues. The practice of empowering subnational groups to act as quasi-policymakers or, at the very least, policy advisors, has been and continues to be endorsed by the three governments surrounding Lake Constance. This support is facilitated by regionalist organizations acting as mediators and facilitators, along with a general respect for the decisions of these diverse groups. The use of parapublic institutions also allowed the relationships between citizens and government bodies within Germany to be vital. This kind of culture does not really exist around the Great Lakes. The IJC was used as the mediator, and then faced strong backlash from

the governing bodies after it was deemed to be too radicalized by the subnational groups. The subnational groups of the Great Lakes region were not given a proper platform to state their preferences, and the mediator, the IJC, was ignored.

The United States also built up this goal of trying to create more robust environmental protection laws around the same period. The key difference is that it was not focused on international unity, but rather from local issues riding on the success of the major social justice movements of the 1960's. This led to a rapid deterioration of environmental protection laws, especially when the issue was not confined to a single federal state, and even more swiftly when it crossed national boundaries. The single federal state issues were almost always much more simple to deal with at a policy level, and many politicians were able to focus on these smaller or simpler issues and see success within their careers, allowing more complicated problems, such as the conservation of the Great Lakes, to remain.

The decline of the Great Lakes region's Transnational Network can be attributed to inadequate institution-building efforts and a disregard for the few remaining institutions. Additionally, the lack of commitment from the American and Canadian governments in environmental protection exacerbates the situation. Both nations prioritize enhancing bilateral relations through trade agreements, avoiding the imposition of fines or compensation for pollution in the Great Lakes. In contrast, the Lake Constance region successfully addressed economic challenges by recognizing the broader environmental concerns, bolstered by Europe's strong environmental ethos.

In the end, the Great Lakes region struggles to build a robust Transnational Network. In contrast, Lake Constance fostered a strong sense of an international

community and recognized its water-related challenges as broader than mere economic concerns, a perspective still lacking around the Great Lakes today. When viewed through the lens of local culture and livelihoods, there is greater public support for preservation efforts, enabling politicians to collaborate over longer periods. Lake Constance consistently demonstrates the crucial role of institution-building in fostering successful international cooperation on environmental policies. Well-established institutions facilitate a more informed legislative process, ensuring more effective environmental stewardship.

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