

The Complexities of Establishing Transboundary Water Management Institutions in Post-Colonial Territories: A Study of Nile River TWMI Construction

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ABSTRACT

Transboundary Water Management Institutions (TWMI) are traditionally seen as comprehensive solutions for addressing the distribution of transnational river water resources, among other alternative strategies. TWMI plays a crucial role in redirecting the potential for conflict in transnational rivers towards more constructive and cooperative outcomes. However, the establishment of TWMI is fraught with challenges, particularly due to the 'limited' nature of available water resources and geopolitical tensions among riparian states. This article argues that the obstacles to forming TWMI under certain conditions extend beyond geopolitical factors and resource limitations. In former colonial territories, the complexities hindering the creation of TWMI are further compounded by the enduring legacy of colonialism and the post-independence needs of these riparian nations. Using the Nile River as a case study and employing Comparative Political Theory (CPT) as a research method, this paper illustrates how colonial legacies in riparian states not only exacerbate but also perpetuate the challenges in establishing Transboundary Water Management Institutions. This article highlights the underexplored impact of colonial legacies on the discourse of multilateral institutional building and international relations among postcolonialism countries, which continue to shape the process of forming international organizations responsible for managing shared natural resources across countries.

INTRODUCTION

The Nile River, the world's longest river, traverses multiple national boundaries, making it a focal point in the discourse on transboundary water management. As a vital source of freshwater for millions, the Nile epitomizes the broader issue of managing shared water resources that cross-national borders—a challenge increasingly relevant in today's world. With over 286 transnational rivers and lakes and 592 aquifers spanning multiple countries, managing these resources equitably is a pressing concern (UN Water, 2023). The significance of this issue is underscored by the fact that water scarcity affects 1.8 billion people, with two-thirds of the global population facing reductions in water supply (FAO, 2023).

The establishment of Transboundary Water Management Institutions (TWMI) has emerged as a key strategy for addressing these issues. TWMI aims to transform disputes over transnational waters into cooperative and constructive interactions among nations. Despite this promising framework, the reality is stark: two-thirds of the 295 TWMI negotiations have failed to reach successful agreements (Black & Kauffmann, 2013, p.60). This article argues that the challenges in forming effective TWMI, particularly in former colonial states, are deeply rooted in historical colonial

legacies. These legacies have institutionalized political, economic, and social structures that continue to influence contemporary water management practices. By using the Nile River as a case study, this paper illustrates how colonial histories have shaped the current difficulties in establishing successful TWMI.

The significance of this study lies in its exploration of how colonial experiences, which have been institutionalized in the political and social frameworks of former colonial states' dynamics, hinder the formation of effective TWMI. This research highlights the underexplored impact of colonial legacies on multilateral institutional building and international relations among postcolonial countries. Understanding these dynamics is crucial for developing more effective and equitable management strategies for shared natural resources. This theoretical framework, informed by postcolonialism, provides insights into how these historical factors shape current institutional challenges and opportunities for cooperation in international relations.

The Complexities in Building TWMI in Post-Colonial Nile River

Transboundary Water Management Institutions (TWMI) are critical frameworks designed to manage and coordinate the use of shared water resources among multiple states. These institutions play a key role in resolving disputes, facilitating cooperation, and ensuring sustainable management of transnational rivers. Successful TWMI can lead to equitable resource distribution, conflict resolution, and enhanced regional cooperation. For example, the Mekong River Commission (MRC) is often cited as a successful TWMI, as it has enabled cooperation among Cambodia, Laos, Thailand, and Vietnam, despite the challenges posed by the diverse interests and developmental needs of its member states. The commission has implemented joint monitoring systems, data sharing, and cooperative planning, contributing to more effective water management in the Mekong basin.

In contrast, several TWMI have faced significant challenges and failures. The Indus Water Treaty between India and Pakistan, while successful in providing a framework for water distribution, has faced periodic tensions and disputes over water usage and management due to shifting political dynamics and regional conflicts. Similarly, the Danube River Protection Convention has struggled with issues related to varying national priorities and implementation challenges, demonstrating that even well-established agreements can encounter difficulties in achieving their goals. The establishment of TWMI involves several complex processes, including negotiating agreements, setting up legal frameworks, and ensuring institutional coordination. This requires political will, financial commitment, and effective communication among all riparian states. Additionally, successful TWMI often rely on mechanisms for joint data sharing, conflict resolution, and adaptive management strategies to address evolving challenges and needs.

In the context of the Nile River basin, the establishment of TWMI has encountered particular difficulties. Institutions such as Hydromet (1967), UNDUGU (1983), TECCONILE (1992), and the Nile Basin Initiative (NBI, 1999) were created to manage the Nile's water resources but have faced significant obstacles. The first three institutions, prior to NBI, failed to yield satisfactory solutions that met the interests of every riparian state. It leads to their dissolution shortly after their establishment. NBI, as the only surviving TWMI institution to date, has also failed to produce significant impacts after more than 20 years. These challenges include geopolitical tensions, conflicting national interests, and the historical legacies of colonial agreements that have complicated cooperation efforts.

The failure to establish Transboundary Water Management Institutions (TWMI) in the Nile has been analyzed by many scholars from various perspectives. This paper categorizes the attempt of the scholars to provide explanation into three main perspectives. Each of which will be discussed in the analysis section. The first perspective focuses on Egypt's hegemonic power, which disrupts trust and cooperation among Nile riparian states (Zeitoun & Warner, 2006; Hussein & Grandi, 2017; Ahmad, 2018; Cascao, 2009). The second view critiques colonial-era agreements, such as the 1929 and 1959 treaties, for their legal flaws and obstructions to effective TWMI formation (Ferede & Abebe, 2014; Kasimbazi, 2010). The third perspective examines institutional failures in past initiatives like Hydromet and NBI, highlighting issues in the formation and negotiation processes (Tesfaye, 2014; Purnomo, 2022).

This paper does not seek to challenge the existing explanations provided by previous research on the failure of Transboundary Water Management Institutions (TWMI) formation in the Nile River basin. Instead, it acknowledges and aligns with these established arguments. However, it distinguishes itself by extending the discussion to incorporate the frequently neglected influence of colonial legacies in the process of multilateral institutional building. This study argues that the difficulties in establishing TWMI are intricately linked to historical colonial impacts, which have not been sufficiently addressed in the context of TWMI formation in this particular discourse. By integrating this perspective, the paper offers a contribution to the discourse, highlighting how colonial legacies continue to shape the process and challenges of forming international water management institutions in post-colonial contexts.

RESEARCH METHOD

Causal Process Tracing Approach in Study Case Method

This paper employed a case study methodology with a causal process tracing (CPT) approach to unravel the intricate relationship between colonial experiences and impediments encountered in the formation of transnational water management institutions. CPT focuses on establishing causal relationships in a specifically chosen case to illustrate broader conditions (Blatter & Haverland, 2012, p.105). CPT relies on three techniques: comprehensive story lines, smoking-guns, and confessions (Blatter & Haverland, 2012, pp.105-121). First, comprehensive story lines are utilized to select and synthesize data into a cohesive narrative, addressing causal relationships between colonial experience and factors that hinder TWMI construction (Blatter & Haverland, 2012, pp.110-115). In this research, comprehensive story lines are derived from literature studies encompassing journal articles, books, reports, and news headlines. Second, smoking-guns are employed to seek hard evidence demonstrating causality between one event and another (Blatter & Haverland, 2012, pp.115-117). In this study, smoking-guns are utilized to explore the causality between colonial experiences and factors hindering the establishment of transnational water management institutions in the Nile.

Postcolonialism in International Relations as Theoretical Framework

Postcolonial theory emerged as a critical approach in the latter half of the 20th century, primarily addressing the enduring impacts of colonialism and imperialism on contemporary global politics. It examines how the legacies of colonial power continue to shape power dynamics, cultural identities, and socio-economic structures in formerly colonized nations. Postcolonialism remains highly relevant in understanding current global dynamics. Gayatri Spivak's assertion that "we live in a post-colonial, neo-colonized world" (Spivak, 1989, p.218) underscores the ongoing influence of

colonial legacies. Despite the end of colonial rule, structures, cultures, and power relations established during the colonial era persist today (Abrahamsen, 2007, p.114). Postcolonialism thus transcends temporal and geographical boundaries, addressing the enduring impacts of colonialism on contemporary global realities (Loomba, 1998, p.15; Darbi & Paolini, 1994, pp.371-397).

The focus of postcolonial study in international relations is on how former colonial powers' legacies shape current state interactions, including power accumulation, institution building, and relations among nations. This branch of studies in IR helps as a guidance to examine how the legacies of colonial power continue to shape power dynamics, cultural identities, and socio-economic structures in formerly colonized nations. This theoretical framework will be applied to explore the impact of colonial legacies on the development of transboundary water management institutions.

The postcolonial approach is particularly pertinent to the study of transboundary water management, where colonial-era treaties often determine the distribution and control of shared water resources. These agreements, typically established without the input of all affected nations, have long-term impacts that continue to disadvantage certain states. Another part of the framework that is important is the ideas of Kwame Nkrumah (1965), in *Neo-Colonialism: The Last Stage of Imperialism*, where it discusses how neo-colonial practices maintain the economic and political dependence of former colonies on their ex-colonial powers. This concept will be applied to the management of transboundary water bodies, where former colonial powers or their aligned states continue to exert disproportionate influence over water-sharing agreements.

Case Selection

The Nile River was chosen as a case study among other transnational rivers because each actor within it has a long history of interacting with various forms of colonialism. This includes Ethiopia, which has experienced various forms of colonialism, such as Italian occupation from 1936-1941 and the Anglo-Ethiopian Agreement of 1902 agreed upon by Addis Ababa and Britain. Moreover, the Nile River was selected because it has consistently been a central discourse during both colonial and postcolonial periods for riparian countries in East Africa (Tvedt, 2011, pp.173-194). The Nile is significant for colonialism as it provided a water source for British capital accumulation through cotton production and the textile industry. Not only that, but the role of the Nile River is to protect the Suez Canal, which serves as the main trade route for British colonialism in Asia (Piquet, 2004, pp.107-109). To safeguard the Suez, London felt the need to establish economic and political stability around the territory through irrigation and reservoir construction, considering that 97% of the population in the colonial region depended heavily on access to water from the Nile (Tvedt, 2011, pp.175). London perceived that as long as it could provide water to the people in that territory, it could control stability in the Nile River. This stability strengthened the British colonial position and later served as a deterrent to prevent European rivals from expanding into the Nile River region (Tvedt, 2011, pp.173-174). Based on these reasons, the Nile River and its importance in both colonial and post colonialism era qualifies this case as a positive case, which is a crucial criterion in selecting cases using the case study method with a CPT approach.

RESULTS AND DISCUSSION

Understanding the Shortcomings of TWMI Building in the Nile

The establishment of Transboundary Water Management Institutions (TWMI) for the Nile has faced considerable challenges. Institutions such as Hydromet (1967), UNDUGU (1983), and

TECCONILE (1992) were created to manage the river's resources but dissolved shortly after due to their inability to satisfy all riparian states. The Nile Basin Initiative (NBI), established in 1999, remains the only active TWMI but has also struggled to produce significant results after over two decades. The persistent challenges in establishing effective Transboundary Water Management Institutions (TWMI) in the Nile River basin have been explored from various angles as it explains in the introduction section, yet the profound influence of colonial legacies is frequently underexplored.

The first perspective attributes the failure of TWMI formation to hydro-political dynamics among the Nile riparian countries. Scholars argue that Egypt's historical dominance, as analyzed through Zeitoun's concept of hydro-hegemony, significantly hinders successful TWMI establishment. Zeitoun contends that Egypt's hegemonic position is bolstered by its superior structural and bargaining power, which has historically led to a dominant hydro-hegemony (Zeitoun & Warner, 2006, pp. 443-452; 455). This dominance creates an environment of mistrust and conflict among riparian states, impeding collaborative efforts. Hussein and Grandi (2017, pp. 811-812) emphasize that overcoming this hegemonic behavior is essential for TWMI success, while Ahmad (2018, pp. 62-68) observes that balancing Egypt's dominance remains a crucial factor. Cascao (2009, pp. 249-262) notes that emerging actors like China and the EAC are attempting to counterbalance Egypt's hegemony. However, these analyses often neglect how colonial-era power imbalances entrenched Egypt's dominant position. The legacies of colonial control, which favored Egypt due to its strategic importance to the British Empire, continue to perpetuate inequalities and influence current power dynamics. This historical context complicates efforts to establish a balanced and equitable TWMI framework.

The second perspective focuses on the legal and historical frameworks established during the colonial era. Scholars such as Ferede and Abebe (2014, pp. 55-67) argue that colonial agreements, including the Anglo-Italian Protocol and the Nile Water Agreements, are legally flawed and have created enduring obstacles to effective water management. Kasimbazi (2010, pp. 729-730) supports this view, asserting that resolving issues related to these colonial agreements is essential for fostering cooperation among riparian states. These agreements were crafted with imperial interests in mind, often disregarding the needs and rights of other riparian states. The colonial legacy of these agreements has left a lasting impact on current negotiations and governance structures, reinforcing historical injustices and complicating efforts to establish a fair and inclusive TWMI.

The third perspective examines the institutional failures in TWMI development. Scholars like Tesfaye (2014) and Purnomo (2022) investigate the institutional processes behind failed initiatives such as Hydromet, UNDUGU, TECCONILE, and NBI. They attribute the failures to the approaches of riparian actors and negotiation deadlocks. Tesfaye and Purnomo's analyses highlight practical and procedural shortcomings in the formation of TWMI. However, this perspective may not fully consider how colonial governance structures and the unequal distribution of power have shaped current institutional building efforts. The legacy of colonial rule, which entrenched power imbalances and inequities, continues to affect the ability of riparian states to engage in effective and equitable TWMI development.

While these three existing analyses provide valuable insights into the challenges of TWMI formation in the Nile, they often overlook the deep-rooted impact of colonial legacies. The enduring influence of colonial histories—through entrenched power dynamics, flawed legal frameworks, and institutional inequalities—continues to shape contemporary issues in transboundary water management. The next section will explore how these colonial legacies have specifically created challenges in building TWMI, providing a comprehensive explanation of how historical factors

contribute to the current difficulties in establishing effective water management institutions in the Nile Basin.

The Quest for Prosperity in Post-Colonial Riparian State

In the aftermath of colonial rule, newly independent countries in East Africa have embarked on a quest for prosperity, viewing it as essential for their survival and development. This aspiration for prosperity is closely tied to their ability to manage and exploit natural resources that were previously under colonial control. Among these resources, the Nile River stands as a vital asset, central to the economic and social development of the region. Historically, the Nile has played a crucial role in sustaining the communities along its banks, a role that has persisted from pre-colonial times through the colonial era (Nicol, 2003, pp.15-16).

The significance of the Nile River in the pursuit of prosperity for East African nations cannot be overstated. The river's waters are indispensable for meeting the daily needs of millions of people. With over half of the population in the eleven riparian countries living along the Nile and relying on it for their water supply (Nile Basin Initiatives, 2022), the river's role in sustaining these communities is paramount. As these countries' populations continue to grow, with projections indicating a potential doubling in the next three to four decades (Purnomo, 2018, p.61), and living standards rise, the demand for Nile water is expected to increase significantly (Hissen, Conway & Goulden, 2017, p.186).

The Nile River's role extends beyond basic needs, supporting a range of economic activities that are critical to the prosperity of these nations. The river is a key resource for agriculture, energy production, tourism, fisheries, and transportation. Agriculture, in particular, is highly dependent on the Nile, providing livelihoods for 80% of the people living in the river's basin (Hissen, Conway & Goulden, 2017, p.187). This dependence on the river for economic activities underscores its importance in driving growth and development in the region. Infrastructure development along the Nile, such as the construction of dams, has been a significant strategy for many riparian states. These projects are not only practical but also serve symbolic purposes, representing progress and modernization. For example, Egypt's High Aswan Dam was framed as a symbol of national resilience and economic development under Nasser's regime (Erlish & Gershoni, 2000, pp.220-223). Similarly, Sudan's Merowe Dam has been used to project a narrative of national unity and resurgence (Allouche, 2020, pp.290-292). Ethiopia's Grand Ethiopian Renaissance Dam (GERD) is positioned as a symbol of the country's advancement and self-reliance (Liyew, 2022).

Despite the central role of the Nile in the pursuit of prosperity, several challenges complicate its management. The increasing demand for water from the Nile is met with threats of reduced water supply due to climate change. Global warming and environmental changes are projected to disrupt the river's flow patterns, potentially decreasing water availability by up to 25% (Mohammad, 2020, p.213). Historical fluctuations in water availability have always been a concern, but the current predictions of climate-induced reductions add a new level of complexity to managing this crucial resource (Barnes, 2017, pp.1-18). Additionally, major environmental events such as floods have had severe impacts on communities around the Nile, disrupting livelihoods and food security (Hissen, Conway & Goulden, 2017, p.187).

The quest for prosperity thus heightens the stakes in the negotiations for Transboundary Water Management Institutions (TWMI). The competing interests of riparian states, driven by their dependence on the Nile for development and stability, complicate efforts to achieve cooperative

agreements. The interplay between the need for prosperity and the challenges of effective water management continues to shape the dynamics of regional development and stability, illustrating the intricate relationship between resource management and national ambitions.

The Role of Nile River in Post - Colonial Nation State Building

In the aftermath of colonialism, East African nations faced the needs and the task of constructing national identities and legitimacy amidst the legacies of their colonial pasts. The Nile River, a crucial resource with immense historical significance, played a pivotal role in this process. The postcolonial states utilized the Nile not only for its practical benefits but also as a symbol of sovereignty, modernity, and national cohesion. The river's strategic importance and its central role in the daily lives of millions made it a focal point in efforts to consolidate statehood and project a new national image.

A postcolonial approach highlights how infrastructure projects, such as those on the Nile, were used to build and project national identities. These projects were not merely about economic development but also about symbolizing a new era of independence and self-determination. By reclaiming and harnessing the Nile's resources, newly independent states sought to assert their sovereignty and reshape their national narratives, reflecting a break from colonial domination (Spivak, 1989; Abrahamsen, 2007).

The symbolic use of the Nile underscores how postcolonial states navigated their historical legacies while striving to establish a distinct national identity. This process of national identity formation in postcolonial states often involved symbolic uses of natural resources and infrastructural projects. For instance, the construction of large-scale dams and other infrastructure projects on the Nile was not just about economic development but also about creating and projecting a new national identity. This trend reflects how newly independent states sought to harness their resources to build a cohesive national narrative and assert their sovereignty (Allouche, 2020; Grabowski, 2016).

The High Aswan Dam in Egypt is a prime example of this symbolic use of infrastructure. The dam was portrayed as a cornerstone of Egypt's modernization and independence, a powerful statement against the remnants of colonial domination (Erlish & Gershoni, 2000, pp.220-223). The High Aswan Dam, completed in 1970 under the leadership of President Gamal Abdel Nasser, stands as a powerful symbol of Egypt's postcolonial identity and sovereignty. The dam was more than an engineering marvel; it was a statement of Egypt's ambition to assert its independence and modernize its economy. Nasser himself framed the dam as a critical component of Egypt's national rejuvenation, reflecting his vision of a modern and self-sufficient Egypt. He stated, "The Aswan High Dam will liberate Egypt from the tyranny of foreign control and transform its economic future" (Erlish & Gershoni, 2000, pp.224-226). The dam was also seen as a means of overcoming the historical legacy of colonialism, which had left Egypt economically dependent on external powers. By harnessing the Nile's waters, Egypt aimed to control its own destiny and reduce its reliance on foreign aid and influence. This development was symbolic of a broader effort to break free from the constraints imposed by colonial rule and establish a new national identity centered around progress and self-reliance (Erlish & Gershoni, 2000, p. 220-223).

Similarly, in Sudan, the Merowe Dam was framed as a symbol of national unity and resurgence, aimed at repositioning Sudan as a key player in the region and reinforcing the legitimacy of the Al Bashir regime (Allouche, 2020). It was another significant infrastructure project intended to foster national unity and economic growth. The dam was marketed as a symbol of Sudan's

resurgence and a tool for national development following years of political instability and conflict. The then-President Omar al-Bashir highlighted the dam as a cornerstone of Sudan's vision for economic transformation and national cohesion. He remarked, "The Merowe Dam represents a new chapter in Sudan's history, one where we harness our resources for our own development and prosperity" (Allouche, 2020, p.293).

The Merowe Dam also served as a statement of Sudan's determination to overcome the legacy of colonial marginalization. By investing in large-scale infrastructure, Sudan aimed to assert its sovereignty and redefine its role in the region. This project was framed as a step towards becoming a significant player in the Arab world and showcasing Sudan's potential for growth and development (Allouche, 2020, p. 289-293). Similar to Cairo and Khartoum, Ethiopia with The Grand Ethiopian Renaissance Dam (GERD), currently under construction, represents Ethiopia's most ambitious infrastructural endeavor and is a critical symbol of national pride and sovereignty. Dubbed the "Ethiopian Renaissance," the GERD is emblematic of Ethiopia's ambitions for economic growth and development (Liyew, 2022). As Ethiopian Prime Minister Abiy Ahmed has articulated, the GERD is a symbol of Ethiopia's aspirations for self-sufficiency and regional influence (Liyew, 2022).

The GERD also reflects Ethiopia's struggle to assert its rights to the Nile's resources, which have historically been dominated by downstream countries like Egypt and Sudan. Ethiopia's investment in the dam represents a significant effort to challenge the colonial-era agreements that favored downstream nations and to reclaim its role as a major player in the Nile Basin. This development is framed as part of a broader national project to achieve economic independence and regional prominence (Liyew, 2022).

This identity building through infrastructure development and symbolization is also happening in other riparian countries, excluding Eritrea. The other riparian nations have undertaken, are currently undertaking, or already plan strategic development programs in the Nile (Tvedt, 2010). Dams built on the Nile are used by riparian states as objects to demonstrate the country's transformation towards modernity, contributing positively to the increase in public legitimacy towards the government. In consequence, dam construction becomes the formula frequently used by newly independent riparian states to construct a national identity and create stability in the context of domestic politics.

From a postcolonial perspective, these infrastructural projects are deeply intertwined with the struggle to assert national sovereignty and identity. The Nile River's role in these efforts highlights the enduring impact of colonialism on postcolonial statecraft. The competition over the Nile's resources reflects the broader postcolonial struggle to overcome historical injustices and power imbalances. This competition often leads to tensions among riparian states, as each country seeks to leverage the Nile for its national interests and identity-building efforts.

The case of the Nile River illustrates how postcolonial states navigate their historical legacies while seeking to assert their place in the international system. The river serves as a potent symbol of the ongoing impact of colonialism on postcolonial state relations and resource management. Effective TWMI requires addressing these historical legacies and fostering cooperation among states with differing historical experiences and national aspirations. At the end of the day, the Nile River's role in post-colonial nation-building exemplifies the complex interplay between historical legacies and contemporary statecraft. This matter provides insights into how former colonies use symbolic and practical strategies to assert their sovereignty and construct national identities. The ongoing influence of colonialism underscores the need for a comprehensive approach to transboundary water

management that acknowledges and addresses these historical factors to build equitable and sustainable frameworks for cooperation.

Fraud, Coercion, and Defects: The Colonial Legacy of Nile River Agreements

The formation of Transboundary Water Management Institutions (TWMI) for the Nile River is significantly complicated by the colonial-era agreements and legal frameworks that continue to influence negotiations. These agreements, often viewed as relics of colonial subjugation, have left a complex legacy that persists in contemporary disputes over Nile water management. Their validity and fairness have been questioned due to their origins in fraud, coercion, and exclusion, making them contentious elements in the ongoing efforts to establish effective TWMI in the Nile Basin.

The earliest contentious agreement is the Anglo-Italian Protocol of 1891, where Britain and Italy, both colonial powers in the Nile Basin, delineated boundaries and restricted Italy's ability to develop projects in the Nile region it controlled (Ferede & Abebe, 2014, pp.55-67). This agreement excluded Ethiopia, a key riparian state, from the negotiations and decisions, raising questions about its legitimacy and relevance in today's context. Similarly, the 1902 agreement between Britain, then occupying Egypt, and Ethiopia further illustrates the complications arising from colonial agreements. Discrepancies in translations—English versions suggesting Ethiopia's non-interference in Nile water projects, while Amharic versions suggest British non-interference without Ethiopian approval—create ongoing disputes over the agreement's interpretation and applicability (Kasimbazi, 2010, pp.720-721).

The Tripartite Treaty of 1906, involving Britain, France, and Italy, aimed to preserve Nile water resources primarily for Britain's benefit and its Egyptian colony. This treaty, however, did not include any other riparian states in its deliberations, leading to objections from Ethiopia and other Nile Basin countries regarding its fairness and applicability (Kasimbazi, 2010, p.721). The Anglo-Egyptian Agreement of 1929, between Britain and Egypt, further compounded the issue by focusing solely on the interests of these two countries, ignoring the needs and rights of other riparian nations (Ferede & Abebe, 2014, pp.55-67).

The 1959 Agreement between Egypt and Sudan, which regulates water usage by allocating a specific volume of water flow, represents another major obstacle. Although it involved the two most significant riparian countries of the time, it excluded other Nile Basin countries, reinforcing the perception that the agreement was designed to favor the interests of Egypt and Sudan at the expense of the remaining riparian states (Kasimbazi, 2010, pp.722-727).

The ongoing disputes reflect a broader dissatisfaction among the nine other riparian countries, who argue that these colonial-era agreements, established without their consent, are both substantively and procedurally flawed. Since gaining independence, these countries have sought to renegotiate or challenge the terms of these agreements. However, efforts to renegotiate have been stymied by the entrenched positions of Egypt and Sudan, who use these agreements to justify their actions and resist reforms.

In the context of contemporary negotiations, these colonial-era agreements are often wielded as tools by Egypt and Sudan to maintain their advantageous positions, leading to deadlock and stalling progress towards establishing a comprehensive TWMI. The legacy of these agreements not only perpetuates historical injustices but also continues to influence the political dynamics of Nile Basin

water management, obstructing the formation of equitable and effective transboundary water management institutions.

The persistence of these issues underscores the need for a deeper understanding of the colonial impact on current water management frameworks. Addressing these historical grievances is crucial for overcoming the obstacles to TWMI formation and fostering a more cooperative approach to managing the Nile's vital resources.

Hydropolitical Outcomes

The post-colonial context, shaped by the pursuit of prosperity for newly independent nations and the formation of national identities, has consistently driven countries to focus intensely on the Nile River's water resources. For riparian nations, the Nile is not just a vital natural resource but a symbol of national interest and sovereignty. The diminishing water resources in the river thus pose a significant threat to these interests, prompting serious and sustained attention from political entities throughout both the colonial and postcolonial eras.

Historically, dominant political entities in the Nile River basin have employed similar strategies to address threats to water availability, regardless of the era. During the colonial period, Britain, as a major colonial power, utilized both military and diplomatic strategies to control the Nile's water flow. The British Empire's expansion upstream, starting with the annexation of Uganda in 1894 and subsequent military actions in Sudan, allowed it to dominate the White Nile's water flow by 1898. In contrast, control over the Blue Nile was pursued through diplomacy and reliance on other colonial powers such as Italy and France, reflecting a strategic choice influenced by technological limitations and geopolitical interests (Tvedt, 2011, pp.173-194).

The colonial strategy of negative/dominative hydro-hegemony, characterized by unilateral actions and disregard for the interests of other Nile riparians, persisted into the postcolonial era. Egypt, as the hegemonic state in the region, employed similar strategies, frequently resorting to threats of military intervention to counter any actions that might reduce its water supply. This approach has significantly impeded the formation of effective TWMI, as the lack of trust and cooperation among riparian states undermines collective water management efforts.

In the contemporary context, the dynamics have evolved. Economic, political, and social developments in other riparian countries, along with the emergence of new actors like China and the East African Community (EAC), have created opportunities to challenge Egypt's hegemonic position in the longest river on the earth. These developments have enabled other states to resist Egypt's dominance and seek more balanced water management solutions (Cascao, 2009, pp.249-262). However, counter-hegemony alone does not guarantee the success of TWMI. The potential for unilateral management by riparian countries, coupled with ongoing challenges in fostering cooperative agreements, continues to complicate the establishment of effective transboundary water institutions. Despite efforts to balance Egypt's and Sudan's dominance, the cooperation of these hegemonic states remains crucial for the successful formation of TWMI (Ahmad, 2018, pp.62-68).

Successful TWMI in other regions, such as the Indus Basin in South Asia or the Rhine River in Europe, often showcase a contrasting approach. These regions have benefited from cooperative frameworks and comprehensive agreements that address the interests of all riparian states, supported by effective institutional arrangements and conflict-resolution mechanisms. In contrast, the Nile River's attempts at TWMI have struggled due to historical legacies and ongoing geopolitical tensions,

illustrating the complex interplay between historical influences and current water management challenges. By understanding these dynamics, it becomes evident that the challenges in forming TWMI in the Nile River basin are deeply intertwined with historical colonial legacies and contemporary geopolitical issues. Addressing these factors is essential for developing effective and equitable water management institutions that can serve the diverse needs of all riparian nations.

CONCLUSION

This paper showed how colonial legacies continue to obstruct the development of effective transnational water management institutions (TWMI), with a focus on the Nile River case. The enduring influence of colonial-era structures, cultural norms, and power dynamics presents significant challenges for contemporary water governance. In the context of post-colonial states, there is a strong drive to harness river resources to enhance national prosperity, stability, and legitimacy, reflecting a legacy of resource exploitation that dates back to the colonial period. Additionally, colonial-era treaties still play a crucial role, complicating modern negotiations as these agreements are often used by beneficiaries to resist changes that might disadvantage them. The persistence of hydro-hegemonic practices, rooted in historical power imbalances, further exacerbates the difficulties in managing shared water resources equitably. The Nile Basin Initiative (NBI), the primary institution governing the Nile, is in need of substantial reform to address these challenges effectively. This includes creating fair management practices, establishing robust conflict resolution mechanisms, and ensuring the long-term sustainability of water resources. While bilateral agreements may offer short-term solutions to specific conflicts, they are inadequate for preventing future disputes and achieving comprehensive, sustainable water management. Addressing the colonial legacies embedded in historical agreements and power structures is essential for building a long-lasting and inclusive TWMI. Although these findings are particularly pertinent to the Nile River, further research is needed to explore how similar dynamics affect other transnational rivers in different postcolonial contexts, recognizing that each river basin may present unique challenges and opportunities.

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