This essay analyses the political and policy dynamics of water resource management along the U.S.-Mexico border for more than half a century, 1944-2000. The paper argues that the politics and policy of water management along the border has substantially changed in this period, shifting from a traditional water-for-development policy orientation based on a narrow range of interests and stakeholders to one that has begun to incorporate a vision of sustainable development predicated on a much more inclusive set of participants and stakeholders in binational water policy for the border area. The paper also argues that no one theory of policy change adequately captures this transformation. An understanding of policy change in this binational issue-area must, I argue, incorporate recent thinking on social movements to adequately account for the transformation in play. By itself, however, social movement, too, fails to provide a complete accounting of this change. What is needed is a synthesis of social movement and policy change theory that draws on various strands of explanation to provide a better understanding of the remarkable changes that have occurred and are still underway in the border region.

Introduction

Water, quite literally, defines the boundary between Mexico and the United States. In this arid region probably no other resource so influences the prospects for development as does water. And no other resource is so much contested. For more than a century both Mexico and the United States have vied for the use of the region’s scarce water resources. This contestation, dating as far back as the 1848 Treaty of Guadalupe Hidalgo, has produced numerous protocols, treaties, and legal extrapolations and a range of institutional formations devoted to allocating, distributing, and managing the border’s water supplies. These are an integral part of the so-called “law of the rivers”, the intertwined sets of institutional and legal interpretations governing the use of binational treaty waters of the Rio Grande/Rio Bravo and the Colorado rivers.

By the mid-20th century this complex of institutional effort had consolidated around a paramount vision of development aimed at harnessing the rivers for economic development, for irrigated agriculture and border area industrialization. This vision of development was defined by a professional and technocratic elite imbued with the prospect of harnessing nature to human demands. This technocratic elite centered in the federal and state agencies of each country tasked with domestic and state water management and, binationally, in the small corpus of engineers vested in the offices of a newly established binational water agency, the International
Boundary and Water Commission (IBWC), or Comisión Internacional de Limites y Aguas (CILA) as it is known in Mexico. With authority grounded in the landmark binational water treaty governing basic allocations on the rivers, the 1944 U.S.-Mexico Water Treaty, the IBWC had a central role to play in the development of binational water resources.

Founded as a diplomatic-engineering agency with responsibility for interpreting the basic water treaties and finding treaty based solutions to border water problems, the IBWC emerged as a classic water development agency, albeit with a binational mandate. Its institutional characteristics included a technical-professional outlook on water resources, a mandate to develop those resources for municipal-industrial, agricultural, and hydropower uses, and a penchant for secrecy in crafting international agreements. As an institution, two coordinate institutions, really, each administratively oriented to the federal realities of its own nation, the IBWC’s sections responded to a very narrow range of well-institutionalized interests, to include established irrigation districts, water and electric utilities, chartered municipalities, and states’ governments with their congressional delegations. No specific allowance was made for public participation. These traditional pro-development interests, often referred to derisively as “water buffalos,” defined border water policy and dominated this issue-arena well into the 1980's and, in many ways, remain the most powerful lobby in binational water policy today. With allowances for variation in national political dynamics, this lobby, separately and jointly, controlled the development of border water infrastructure and solutions to critical binational disputes related to shared water resources, to include drought responses, territorial disputes, and conflict over water quality.

This narrow policy subsystem, as policy analysts would call it, endured practically unchallenged until the late 1970's. In many ways it became one of the tightest, least penetrable policy subsystems in water management in either country--and it is appropriate to note that water policy is notoriously dominated by technical, pro-development subsystems around the globe. Yet it did change, it has changed, and is changing still. This change is attributable to the demographic transformation of the border area, to the emergence of environmental concern and the rise of new social movements dedicated to environmental protection, to change in the general institutional and administrative context, and changes in the social-attitudinal environment affecting the political basis of the IBWC. Specifically and temporally, though not exclusively, it is very much related to the dynamics of trade integration and the mechanics of new institutions established with NAFTA to address water related environmental concerns in the border area. Normatively it is related to the emergence of new critical perspectives on old-fashioned, or traditional development constructs.

While we certainly know why border water policy changed and continues to change, at least in general, the transformation of binational water policy and management on the U.S.-Mexican border raises very interesting analytical problems. Why, we may ask, did this tightly contained, closed policy subsystem yield ground to new claimants for policy influence? How did this occur? What are its impacts on the border community? And what are its implications for binational cooperation and problem solving on a host of issues, large and small, that continue to trouble the two nations? The answers to these questions are certainly grounded in a complex
empirical and historical dynamic. Yet our analytical directions, hypotheses, and explanations may be fruitfully informed from a number of theoretical perspectives bearing on policy change.

**Political Theory and the Transformation of Border Water Management**

In fact, there is quite a bit of useful theory on which to draw in exploring these questions drawing on two broad theoretical strands dealing respectively with policy studies and studies of social movements. Within the discipline of political science the problem of policy change has generated a formidable literature on policy dynamics. A number of rival explanations may be tapped for understanding policy change. At least two overlapping but largely rival perspectives are particularly useful for our purposes. The first, predicated on notions of rational strategic choice applied to the study of institutions argues that established agencies and policy practices are a function of political and statutory directives crafted through a politically competitive process that limit or frame bureaucratic capability, both in scope of mission, resources, and implementing procedures (Lamborn and Mumme, 1988; Mumme and Moore, 1998). When new demands emerge, actors or role occupants in extant agencies will be stressed. If unresponsive or unable to respond, political claimants/actors will seek to use the legislative process to establish new statutory-institutional venues that respond to their concerns. Policy change/innovation is accounted for or understood as the policy outcome of coalition struggles animated by the failure of old agencies to cope with emerging demands. Winning coalitions gain the modification of old agencies and/or the establishment of new agencies to deal with their demands. One version of this approach is Paul Sabatier’s (1988) advocacy coalition approach which zeros in on distinct policy subsystems in which advocacy-coalitions compete for control of decision-making and policy changes of policy-oriented learning and variation in the strategic practices of the respective coalitions.

A second policy oriented perspective draws on a corpus of literature known as agenda building theory to determine the causes and mechanisms of fundamental change in the formal government policy agenda and informal policy-relevant societal agenda (or prevailing social values) within an issue-area or policy domain. This perspective, originally put forward by Roger Cobb and Charles Elder (1966), examines the dynamics of political participation as issues and causes are advanced by individuals and interests in society and government. It focuses on the process by which issues become salient and centered in decision-making arenas. Advocacy coalitions are assumed to vie for the chance of shaping the docket of issues, the framing of issues, as these gain the attention of decision-makers. In a more recent and influential adaptation of this approach Baumgartner and Jones (1993) see policy change occurring as a pattern of “punctuated equilibrium” in which alterations in policy outcomes occur as policy images are altered at the level of society at large and decision-makers associated with the policy process and as the operating venues for consideration of policy questions change in response to political and social pressure.

Another approach tapping into the rich tradition of political sociology also recommend itself for understanding policy change. The tradition of Social Movement Theory (SMT) tends
to concentrate on an understanding of the solidary bases and success factors associated with various modes and forms of collective action (McAdam, 1996; Mueller, 1992; Walton, 1992; Dalton 1998; Tarrow 1998). From this perspective, policy change, or policy innovation, is viewed as the result of successful social action by social movement organizations (SMO’s) and networks. The success of social movements may be attributed to their ability to mobilize resources and bring them to bear in ways that shape the behavior of other relevant social and governmental actors (Resource Mobilization Theory). Social movement success may also be attributed to advocates’ ability to articulate collective values, advance collective goods, and tap into meaningful ideological or attitudinal value sets that lie latent in society and create organizational/structural matrices within which these attitudes and values can be acted upon (New Social Movement Theory). In either case, the transformation of policy/or policy innovation may be seen as the governmental/political result of successful social movement formation and its insertion in policy debates and ability to shape the agenda of public/societal concern.

Each of these perspectives has its analytical strengths and weaknesses. On the policy side, rational strategic coalition theory often treats actors with role in public institutions as if they were mere pawns in the political struggle, neglecting the independence, or as Eric Nordlinger (1982) termed it, the “autonomy” of state bureaucrats. To carry the point further, the finer points of individual character and leadership, long the stuff of public administration and the traditional study of history, may be overlooked. Moreover, while policy analysts are certainly interested in social processes shaping policy values and attitudes, the analytical emphasis tends to neglect social formations and the internal dynamics of social formations that fall outside a conventional pressure-group model of policy influence. On the sociological side, SMT analysts, while drawing much needed attention to the dynamics of social action in structuring political power, have usually shied from aiming at explanations of government policy per se, preferring to describe or explain the success or failure of groups engaged in contentious behavior as such without delving into the complexities of the policy process interior to government agencies and forums. The result, if unintended, is often a reification of government as an institutional obstacle and a reification of policy outcomes as authoritative commodities rather than as authoritative relationships resulting from complex political dynamics external and internal to government institutions.

From a theoretical perspective, what is interesting is the lack of connectivity between these two traditions, the policy tradition, and the tradition of social movement analysis. Both traditions are explicitly interested in the problem of policy change, yet often seem to deliberately avoid each other in crafting their problems and their explanations. Their concerns and preoccupations are certainly not mutually exclusive, indeed are highly complementary and essential to an understanding of broad spectrum policy change.

The notion that these separate but often complementary theoretical perspectives have a great deal to offer when used in tandem seems evident in the case of the transformation of border water policy since 1944. Policy change models based on rational strategic choice and agenda building assumptions may be utilized to explore and account for the creation of the original
subsystem of binational water management as well as its eventual modification beginning in the 1980's. SMT, including the strand focused on “new social movements,” seems suited to deepen our understanding of the social bases undergirding the redefinition of basic values and the organizational mechanisms and pathways associated with shifting policy venues in this issue-area. SMT is also essential in capturing and understanding of base-level social and political dynamics in the border region that are reshaping water management practices.

**Accounting for Change in Transboundary Water Policy**

If, as I posit above, complex and long-term change in binational water management at the border requires a multi-theoretical perspective and one that links different threads of theoretical explanation to account for these changes, then how is this evident and how is it supported by the case materials at hand? As I have argued previously, binational water policy on the U.S.-Mexican border has been heavily influenced by U.S. domestic politics and is largely explicable as an international extension of these politics operating within a larger framework of dependency that conditions bilateral affairs (Mumme, 1985). Within this frame, it is fair to say that over time it has also been driven by the transformation of socio-economic circumstances, the emergence of the environmental movement, and its global diffusion, the trajectory of extra-sectoral policy initiatives like NAFTA that generated incentives for network expansion by social movements and supplied new opportunities for policy linkage and leverage that produced new institutions. These, in turn, created conditions and incentives for cross-institutional synergies and innovation that have fundamentally transformed key aspects of binational water policy-making.

As a preliminary cut at the topic, I have identified four distinct, though partially overlapping, chronological stages of policy based on fundamental features of the policy environment. Different strands of policy change theory seem to fit the empirical evidence a little more tightly in each of these episodes as will be shown below.

**Stage 1 (1945-1975) Policy Features.** The first distinct stage in binational water policy development might well be taken to include the entire century or more of water policy leading up to and following the 1944 Water Treaty, but as I am using the 1944 Treaty as a historical baseline it seems reasonable to periodize this stage chronologically as 1944-1975. A number of distinctive features are evident from the historical record for this period. First, binational water policy is associated with several overriding national and regional objectives institutionalized at the level of government bodies dealing with water, to include an emphasis on defining and consolidating water property rights or endowments and strong emphasis on reclamation. Water quality is a secondary priority and is almost exclusively defined in terms of salinity and public health. This is a period in which major and extensive national investments in reclamation are undertaking on both sides of the border related to the appropriation and use of international treaty waters on the Rio Grande and Colorado Rivers.

A second feature of this period is certainly its unique political structure. In both countries tightly knit policy subsystems emerge around binational water management. In the
U.S. this subsystem, from the Truman through the Nixon presidencies, is based on the principle of congressional dominance in water policy-making, regional deference in policy-making, and the provision of distributive benefits on this basis. The subsystem is entrenched in the Agriculture, Interior, and State departments of the federal government and the congressional committees corresponding to these ministries. In Mexico the subsystem differs somewhat owing to that nation’s political centralization and patronage politics, centering in the secretariats of agriculture and water resources, treasury, commerce, and foreign relations. Water policy there shifts from the populist policies of an earlier era to become dominated by technocrats and agribusiness, influenced by national security concerns. At the binational level, water diplomacy is monopolized by the IBWC which consolidates its grip over international aspects of water management by the mid-1950's.

Yet a third feature of this period is the issue-structure. During this period there is virtually no emphasis within official circles on a range of environmental issues related to ecology, biodiversity, or pollution. Even the language of conservation that is seen elsewhere in national policy discourse and supported by national conservation groups fails to extend to the border until very late in this era.

At least two significant policy developments late in the period converge to alter this status-quo. The first, of course, is the emergence of modern environmental concern in the mid-to late 1960's, driven by a swelling popular concern with industrialized problem that extended beyond the reach and range of traditional conservationist concerns. Enactment of the National Environmental Policy Act in 1969 in the U.S., followed by the first UN environmental conference in Stockholm in 1972, and development of Mexico’s first official environmental legislation in 1971, stimulated the formation of new social forces, generating qualitatively new types of policy demands. Institutionally, the new U.S. Environmental Protection Agency (EPA), from 1971 began to development a fledgling office for international environmental activities, establishing a new venue for dealing with binational ecology and pollution problems. Mexico’s new sub-secretariate for environment, established in the Mexican ministry of health in 1971, also served to advance binational concerns. These developments were slow in gestation but after 1975 supply institutional assets to non-traditional stakeholders in the border environment.

The second perturbation in the policy system is a binational crisis over salinity of the Colorado river. The salinity crisis, which erupted in 1961, lasted a decade, eventually settled in 1973. During this period it reached the top of the binational agenda and from 1965-1973 was a major preoccupation of both governments. Defined officially as a water quantity problem despite is qualitative aspects, the diplomacy on salinity is indicated of both the intractability of the dominant subsystems of water management in each country as well as the opening of small chinks in the armour of distributive water politics. The crisis mobilized important social forces in Mexico and drew attention in both countries to the need to address issues that went beyond the scope of traditional reclamation. The governments, however, tried to avoid these implications were quite slow to acknowledge this.
In brief, what we see in this stage is the power and intractability of the old dominant subsystems that managed border water resources. The prevailing concern in both countries is control over water resources. Sanitation and pollution are defined as subsidiary concerns and dealt with in traditional modalities. Very few non-traditional players are involved in shaping binational water policy on the border.

**Stage II (1975-1991) Policy Features.** The second distinct stage in post-WWII water management at the border is one that might be termed an early transitional stage. In the matter of institutionalized government objectives, the basic disposition of national water agencies remains, but is gradually joined by a rival disposition in the institutionalized form of national and cabinet level environmental agencies. In Mexico this development really takes shape in the late 1980's, in the U.S. the EPA consolidates its influence by the late 1970's. At the political level, these developments are associated with the emergence of rival political sub-systems in both countries that articulate competing objectives, draw on different and competing political constituencies, and utilize different political venues to advance their interests. These new venues provide opportunities, arenas, and incentives for the extension and mobilization of non-traditional stakeholders in border water management. There is little doubt that the issue-structure at the popular and public level related to border water resource management changes rather rapidly in this period, accelerating at the level of public concern in the late 1970's and throughout the 1980's.

Driving developments in this period are several binational disputes, the mobilization of non-traditional stakeholders coupled with the emergence of new movement organizations, incremental gains in institutional leverage by national environmental agencies, and their expression in several consequential binational agreements and protocols that challenge the established system. The mobilization of environmental concern along the border was delayed relative to the national systems, reflecting the arrear in organizational capacity found in the border area at the time. Few national environmental groups were interested in the border per se in the early 1970's and fewer still had dedicated resources and programs to border outside a few large U.S. conservation groups like Audubon Society, Nature Conservancy, and the Sierra Club. A few public health oriented groups could be found, emphasizing problems related to the economic asymmetry and poverty of the border zone. Even the earliest environmental impact statements (EOIs) generated for transboundary water related activities by IBWC indicate a rather detached interest by national environmental organizations and virtually no participation or presence by local groups which as late as the mid-1970's were very few in number. It is not insignificant, however, that EPA’s EIS process brought it into greater contact with closed agencies like IBWC, opening a domestic window for movement participation and influence in binational environmental and water affairs.

By the mid-1970's, however, a few environmental organizations could be identified with interests in the border area. The Border Ecology Project (BEP) in Bisbee, Arizona emerged in response to acute air quality problems caused by smelter pollution in the cross-border region of Arizona and Sonora. The Texas Center for Policy Studies (TCPS) emerged as a human rights
organization interested originally in problems related to migrant labor and housing in the South Texas region (see Table 1 below).

<table>
<thead>
<tr>
<th>Table 1. Evolution of Social Movements and Movement Networks Active in Transboundary Water Politics in the Border Area 1945-2000+</th>
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<tbody>
<tr>
<td><strong>Time Frame 1945-2000+</strong></td>
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<tr>
<td><strong>Orgs-Nets-Inst</strong>[1945-----------------------------------------------2000]</td>
</tr>
</tbody>
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### National Organizations (short list)

- Nature Conservancy 1975-------------------------------->  
- Defenders of Wildlife 1975-------------------------------->  
- National Wildlife Fed 1975-------------------------------->  
- Sierra Club 1965-------------------------------->  

### Regional and Local Organizations (short list)

- Border Ecology Project 1975-------------------------------->  
- Texas Center for Policy Studies 1983------------------------>  
- Red Fronteriza (network) 1977-------------------------------->  
- Southwest Center for Biodiversity 1990--------->  
- Pronatura 1975-------------------------------->  
- Sonoran Institute 1985--------->  
- Border Water Works 1990--------->  

### University Centers and Institutes

- Center for US-Mexican Studies (UCSD) 1981------------------------>  
- Transboundary Resources Center (UNM) 1985------------------------>  
- Udall Center for Studies in Public Policy (UA) 1989--------->  
- North American Institute 1994 --->

Contributing to the development of fledgling social movements for the environment were several binational crisis. The first, and important because it brought the EPA directly into transboundary water affairs, was contamination in 1976 of the San Pedro River on the Arizona-Sonora border by tailing pond spillage from the Cananea copper smelter. The die-off of fish and aquatic species fell outside the traditionally narrow notion of “border sanitation problems” held by the IBWC under its 1944 Treaty authority, leading to local demands by BEP and other local groups for EPA intervention. Eventually, a combined effort by EPA and IBWC led to problem mitigation. But the disfunctionality of the IBWC’s narrow view of its mandate was a lesson learned, generating an accurate perception at EPA that its international role should be pushed ahead. Subsequent discussions on this other problems, principally air quality as raised by the
BEP, led to a landmark Memorandum of Understanding in 1978 between EPA and SMA to institutionalize their binational cooperation on the border. This agreement, one of EPA’s first international protocols, was indicative of things to come. Competition between IBWC and EPA, in turn, let the IBWC in 1979 to sign an official protocol (binational agreement interpreting the 1944 Water Treaty or other agreements under its jurisdiction), Minute 261, expanding its narrower interpretation of its mandate to solve binational water sanitation problems to include problems as salinity and pollution of the sort seen in the San Pedro river crisis. The multiplication and recognition of an increasing range of problems outside the IBWC’s jurisdiction, particularly building problems in transboundary air pollution, led in turn, to the landmark 1983 La Paz Agreement on Border Environmental Cooperation, a bilateral framework agreement spearheaded by EPA and SMA that established both agencies as binational coordinators of a process of regular consultation with federal, state, and municipal entities and expanded public participation in identifying and solving binational environmental problems, to include water. While IBWC was credited by the La Paz Agreement with the leading role in developing solutions to transboundary water problems, its narrower construction of the nature of those problems and the extent of its official responsibility was eclipsed.

The La Paz Agreement accelerated binational interactions and expanded the relatively narrow range of opportunities for non-traditional stakeholders like environmentalists to be involved in border water policy. It proved a major opportunity structure for new public participation, challenging the old policy-subsystem. Five annexes to the La Paz Agreement were signed between 1984 and 1991 dealing variously with sanitation problems, air quality, and hazardous and toxic substances management. Public awareness of border water issues also broadened in this period. Emerging water supply and pollution problems contributed to this. In Arizona, for example, the development of the Central Arizona Project to bring Colorado River water by aqueduct to the central Arizona area, generated a growing sense of scarcity along the Arizona-California border.

In sum, what we see in this period is the early transformation of the policy environment brought about by an altered national and international issue structure, new institutions for environmental protection, and an emergent rivalry between new and old water management institutions. A new and much less power policy-subsystem was nascent and developing. Its clout in the water area was limited, however, due to relatively low level of alternative movement mobilization on these issues, the generally low priority given by the governments to the border region, and the entrenched dominant policy subsystem.

Stage III (1991-1995) Policy Features. In the early 1990's, larger events in the bilateral relationship combined to accelerate the pace of policy change in border water management. This stage might be called the transitional stage in the process of policy change. The NAFTA initiative put the border area in the spotlight as a cross-roads for international economic integration in North America. The intensive public debate and electoral ramifications in both Mexico and the U.S. provided unprecedented opportunity to environmental movement and social movements to raise trade and development related border concerns at the national level. That process stimulated network expansion and cross-network coalition building for environmental
and social protection at the border, contributing to regional identity and providing political leverage for non-traditional groups in border water policy. In the U.S. it accelerated the process of venue change as other committees and administrative agencies became interested in potential NAFTA effects on water and the role of water resources in sustaining the NAFTA initiative. For a time the EPA’s policy role was heightened. As the debate over NAFTA became more intensive, direct presidential initiative led to accelerated efforts to build up the binational environmental program. One such plan, the Integrated Border Environmental Plan, was initiated in 1991, well before NAFTA’s passage in congress, to help deflect public criticism of government environmental efforts on the border and better NAFTA’s chances for passage in the U.S. After 1993 this transmuted to the Border XXI Program, a significant elaboration of the processes underway under the La Paz Agreement. These developments, for the first time, posed a real challenge to the older pattern of sub-system policy dominance.

Contributing to this change was a subtle but significant alteration of the issue-structure and the national and international levels, namely the introduction of the concept of sustainable development in discourse related to border water management. The coincidence of the UN’s 2nd Conference on the Human Environment at Rio with the NAFTA debate insured that sustainable development would be incorporated in new thinking related to the border environment. This added validity and legitimacy to the concerns and mobilizing efforts of border environmental activists and strengthened their claims to inclusion in forums dealing with border water policy.

In 1993, as a final condition of NAFTA’s passage, environmentalists were able to persuade the governments to adopt two new side-agreements for environmental protection related to trade. At the border, a bilateral agreement between Mexico and the U.S. established a new Border Environment Cooperation Commission (BECC) linked directly to a new North American Development Bank (NADB) to help finance need border water and environment infrastructure. This development is fundamental to the changing policy dynamics of border water management. The BECC, an autonomous and truly binational agency, was established with a mandate for public participation, transparency, and public accountability in developing needed border water infrastructure projects. BECC’s mechanisms included NGO representation on its board and an open process of project certification and approval that explicitly incorporated concern for sustainable development. For the first time environmental groups had an institution in which they were not treated as non-traditional or less legitimate stakeholders in border water development. The process directly encroached on a key pillar of the dominant policy subsystem, the IBWC. The IBWC was incorporated an ex-officio member of BECC’s binational board of directors. BECC’s funding authority through NADB and other sources were heavily predicated on EPA’s grants for water development, leading to joint financing of projects that exposed IBWC to other political forces. Another side-deal at the regional level established the trilateral Commission for Environmental Cooperation with a broad mandate to track NAFTA’s environmental effects, hold governments’ accountable for enforcement of their national environmental laws, and supply a broad range of services for the environmental community at large, to include government and non-governmental actors. Though more indirect, this development helped reinforce the new policy subsystem built around the EPA and SMA.
In sum, in this stage we see the institutionalization of the new policy subsystem and its reinforcement in the mix of binational institutional commitments. The fledgling institutions and movement alliances, however, remain weak and vulnerable and the dominant water subsystem is still in place, though modified in certain aspects and forced to content directly with the challenging subsystem.

**Stage IV (1995-2002+) Policy Features.** Since roughly 1995, we are witnessing a consolidation stage in border water management predicated on the co-existence of two established and rival policy sub-subsystems. The old water policy subsystem is still dominant but has conceded significant institutional ground to the emergent subsystem.

While much is still in play, several elements of this consolidated subsystem deserve mention. First, it is now evident that the overriding commitments of the governments have diversified such that two policy subsystems are now a permanent feature of the political landscape in border water management. Policy commitments are now institutionalized at both the traditional level of water for development and at the level of environmental protection, though this commitment continues to be asymmetrical in terms of power and spending.

Second, the evidence of this may be seen in the modification of the political structure for border water management. Since the late 1980's there is a real multiplication of venues in the U.S. and Mexican Congress and this is better institutionalized than ever (see Table 1). The democratization of Mexican government means water policy there is less monopolized than in the past, though it is still dominated by a few agencies and less substantial change is evident than that found in the U.S. A significant and noteworthy change in the venue structure is the very recent utilization of the judicial systems of both countries to enforce more than property rights. Lawsuits are now pending over endangered species legislation, for instance, aimed at freeing up water for ecological uses. Moreover, the extension and deepening of older commitments such as the La Paz accord and its policy sibling, Border XXI—now going into its next five-year iteration, the inclusion of more players to include tribal governments and municipalities in the Border XXI complex of policy actors, the development and deepening of policy networks with the support of major international foundations, and the development of movement organizations and their institutional voice in border water policy reflects fundamental change in transboundary water management and water management generally on the U.S.-Mexican border. Political and policy change is also evident in some of the elements mentioned in discussion of Stage III, namely, the inclusion of IBWC on BECC’s board, the co-financing of projects, and other mechanics associated with transboundary water management.

Third, there is significant change in the issue structure of transboundary water management. This is perhaps best evident in the normalization of the discourse of sustainable development at the level of the dominant subsystem. The IBWC’s national sections now regularly incorporate sustainable development into their official literature and representations. The U.S. Section has built this language into its mission statement and strategic plan. It is harder to find a water forum nowadays where sustainable development is not a part of the official program and dialogue.
Perhaps even more important is that the traditional language of sovereignty that underlay the earlier era’s emphasis on endowments and control over natural resources is changing. Perhaps this is over-optimistic. It may be. But certain signals are unmistakable. We now see considerable emphasis on watershed management at the transboundary and binational level. The two countries are now considering a CEC initiated effort to cobble together a trinational environmental impact assessment initiative. Tribal governments with sister elements on both sides of the border are demanding sovereign right of participation in national and binational initiatives in water management, to include the assertion of ancient water rights. Environmentalists are asserting nontraditional water claims in a binational arena as witness the current effort to save the Colorado Delta ecosystem. National governments are defecting from earlier staunch commitments and challenging institutional commitments like the 1944 Water Treaty that had been virtual dogma two decades past. What is certain is that such initiatives were inconceivable as late as the late 1980's, even the early 1990's. They all reflect the consolidation of the new policy subsystem at the level of widely accepted ideas and values as well as newly established or modified institutions.

Table 2. Political Venue Changes Over 55 years of Transboundary Water Policy

*Time Frame 1945-2000+*
**Venue Type**  [1945-----------------------------1970------------------------1992--------2000]

**Congress:**
- S. For Rela  
- S. Appro
  - SC on State, Comm, Just & Jud
- S. Env & Pub Works 1977
- S. Ene & Nat Res
  - SC on Wat & Power
  - SC on Parks, Preservation, Recreation 1992
- H. For Aff
- H. Appro
  - SC on State, Comm, Just & Jud
- H. Res. SC on Wat & Pow
- H. Energy & Comm, SC on Env 1977
- H. Trans & Infr, SC on Wat Res & Env 1990

**Bureaucracy**
- IBWC
- EPA 1977
- BECC/NADbank 1994
- CEC 1994

**Courts**
- Federal Courts 1990

**Major Media**
- Transboundary apportionment issues
- Transboundary environment issues 1972

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**Theoretical Ruminations and Conclusions**

If we look at these four periods through a theoretical lens, it is evident that both policy scholarship and social movement theory have a good deal to say in explaining this train of events. But these different theoretical sets work better at certain stages than others. For
example, it seems that the earlier phases, Stages I and II, are better explained by reference to rational strategic coalition theory and agenda building theory that a theory of social movements. The emphasis here was certainly on building elite coalitions and consolidating a tight knit policy subsystem supporting traditional water for development policy objectives. The scenario changes somewhat in Stage II with the emergence of distinct fledgling social movements focused on the issue-area but at this point their influence is minimal but developing, best reflected in their success in placing a few items on the binational policy agenda and crafting a few important binational agreements.

Explanations for developments in Stage III, however, shift substantially to a social movement perspective coupled to a punctuated equilibrium agenda building perspective. There is little doubt here that NAFTA significantly altered the opportunity structure for environmental social movement organizations and networks interested in the border region. It also provided a critical external shift that made possible important shifts in venues dealing with border water issues. While this point needs further exploration, NAFTA’s role in changing movement opportunities and venue settings in favor of environmental influence in border water management is hardly in doubt.

Explanation for Stage IV, the consolidation stage, build out of explanation of Stage III. What varies here is the greater number and institutionalization of social movements involved in border water policy (see Table 1), the adaptation of new tactics, the opportunity to utilize and defend the new institutions and build stronger and more lasting government commitments to those institutions. In a sense the social movements for the environment that deal with the border area are maturing. New opportunities are also emerging for movement activism. But policy oriented explanation also has purchase. After a period of punctuated equilibrium it is evident that new venues are becoming better institutionalized. Fledgling institutions like BECC, NABD, and CEC have now survived the acid test of politics, change in presidential administrations. They have survived political challenges and modifications of mission and purpose. There congressional and administrative support remain modest but there less reason for doubt they will endure. And enduring they provide basis and support for the social movements that prevailed in their founding. What we are seeing, then, is the regularization of a new co-existing, if competing set of policy subsystems. And this means that we will continue to see changes in traditional water management practices, whether the issue is pollution or sanitation, water conservation, drought management, provision of instream flows, groundwater management, salinity management, and other problems persisting in the border area.

To conclude, I argue that border water management has seen fundamental and profound policy change over the last half-century or more and that several strands of theory are essential to understanding the nature of the changes that occurred in this interval. What I hope to do is explore this issue in greater depth, with greater methodological sophistication, to demonstrate the character of these changes and strength of competing explanation at each stage. I also hope to add my voice to refining some of the theoretical connections between these strands of theoretical explanation.
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