

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

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# Treaties, Wars, and Salish Sea Watersheds: The Constructed Boundaries of Water Governance

EMMA S. NORMAN AND ALICE COHEN

## I. Introduction

North America is a continent of meandering rivers, jagged coastlines, glaciated mountains, underground aquifers, and freshwater lakes. Water comes in different forms above and below ground, but the political systems that manage water are rarely hydrologically based. Rather, water management regimes emerge from societal administrative and jurisdictional units constructed unevenly over time. These socio-hydro “constructions” are nested in jurisdictional scale. Federal governments, provinces, states, municipalities, tribes, and bands—all may play a part in managing the water of a given place. These administrative authorities will have different roles and mandates, or different boundaries. Hence the water systems themselves may well be fragmented and contested, and their history will surely involve conflict and accommodation.

The international border between Canada and the United States provides a unique vantage point for analyzing water governance and especially for understanding complex, layered management systems. The international border affords the opportunity to investigate how nested scales of

governance operate on the ground. In this chapter, we analyze the evolution of water governance along the Canada-U.S. border by overlaying two kinds of boundaries (our principle case studies) on top of the state-based political boundaries that conventionally define the international border. The first overlay is the traditional territory of Indigenous peoples (First Nations and tribes). We focus on the Coast Salish indigenous communities of the Pacific Northwest. The Coast Salish, who span and predate the Canada-U.S. border, have a long and sustained relationship to the Salish Sea ecosystem. As Coast Salish culture is grounded in this connection to place, the demarcation of a foreign, policed border has had tremendous impacts on its people. Overcoming the border has also been a source of cultural revitalization and unity between the Coast Salish tribes and First Nations. The second overlay consists of the physical hydrologic boundaries that characterize the flow of water. We focus on the “watershed” of contemporary environmental resource management, seemingly natural and apolitical, but with deeply political implications. Finally, we consider the politics of future decision making at “new” scales.<sup>1</sup>

We aim to make visible the social, ecological, and political consequences of bordering. In so doing, we argue that for successful shared water governance along the border, scholars, policymakers, and different public stakeholders must account for borders of all kinds—not simply the international boundary between nation-states.

## II. Defining “The Border”: A Process of Social Construction

For many people, where Canada begins or where the United States begins is unquestioned. People crossing through border patrols between the two countries might feel inconvenienced when contending with security, regulations, or long lines. But these are individual experiences rather than a collective national awareness of the border as its own space. Defining a border requires an inherent acceptance of a line drawn in time. Over time, this line becomes reified, entrenched, and defined into separate national identities, cultures, and political regimes. The line itself is a space. Policies and practices built around this linear space impact governance in every conceivable way: they form the boundary between domestic and foreign



2.1 Constructing identity through maps: Canada as a separate place. Courtesy of Melissa & Doug.



2.2 Constructing identity through maps: The United States as a separate place. Courtesy of Melissa & Doug.





2.3 The waterways of the Salish Sea and surrounding basin. Courtesy of Stefan Freelan.

policy, between who is a citizen and who is not, between import and export. Most importantly, these lines deeply influence management of the natural resources that constitute a border—land, forests, water—or that move across it, as wildlife and water do. Yet those dimensions of a border are invisible on many maps.

In school, political maps emphasize national identities, depicting states or provinces in colorful detail, but fading “neighbouring countries” into a single neutral blank. Such cartographic constructions separating (and excluding) the neighbour country prevent, in effect, a public imagination. This default “discourse” (colorful detail/neutral blank) entrenches national identity at a young age. So it is no surprise that, for most Americans and Canadians, national boundaries—and the border itself—remain uncontested, unproblematic, and relatively unconsidered.

Cartographic constructions like maps 1 and 2 reinforce identities and shape allegiances. Therefore, they participate in the creation and privilege of some kinds of political boundaries and spatial relationships, while rendering others invisible. As David B. Knight so eloquently states, “Territory is not; it becomes, for territory itself is passive, and it is human belief and actions that give territory meaning.”<sup>2</sup> This quote holds particular resonance for Indigenous communities in North America, who are invisible in maps 1 and 2. The quote also resonates for those concerned with still another kind of boundary: the watershed. Watersheds may seem like “natural” or “apolitical” boundaries on the land itself, but they too are social constructions (as we will soon demonstrate).

### III. Sharing a Continent: Indigenous Space and Governing Water

#### *Drawing Lines, Treaty by Treaty*

Pinpointing the historical moment when territorial boundaries became conflated with citizenship and nationhood is a challenge. Scholars of international relations often point to the Peace of Westphalia (1648) as such a moment.<sup>3</sup> The “Westphalian system” marks a transition away from city-states and toward governments of larger territorial units—i.e., the nation

compromises the territory and the people inhabit the land. The 1783 Treaty of Paris is one example of this transition. The treaty (which ended the war between Great Britain and the American colonies) defined much of today's Canada-U.S. international border. It made the 45th parallel the boundary between Lower Canada (Quebec) and New York State (including Vermont). The St. Lawrence River and the Great Lakes became the boundary between Upper Canada and the United States. For ten years the delineation was largely theoretical because the territory was rugged forest with no clear lines on the physical landscape. The subsequent Jay Treaty of 1794 established the International Boundary Commission to articulate the precise location of the border. The commission surveyed and demarcated the 45th parallel—a task that proved difficult given the terrain, the inclement weather, and the survey methods of the time.<sup>4</sup>

Westward settlement led to the Convention of 1818, which established the boundary along the 49th parallel between Lake of the Woods (in what is now Minnesota) and the Rocky Mountains (then known as the Stony Mountains). To the west of the Rocky Mountains the convention was more ambiguous, calling for “co-custody” of the territory that American settlers called Oregon Country and that the Hudson’s Bay Company called the Columbia Department or Columbia District. During this period of co-custody, settlers could claim land on behalf of American or British interests.<sup>5</sup>

Not surprisingly, co-custody proved difficult in practice. Negotiations—and posturing—continued until U.S. President Polk and the British foreign secretary Lord Aberdeen finally agreed to demarcate British and American interests to the north and south of the 49th parallel, respectively.

During the years of co-custody, the United States made overtures of expanding its claim to the territory upwards to the 54th parallel (with President Polk running on the campaign promise “Fifty-four forty or fight!”). However, the Mexican-American War tempered the appetite for expansion and the two parties eventually settled their claims through the signing of the 1846 Oregon Treaty.<sup>6</sup>

Land south of the 49th parallel became the Oregon Territory, with a separate Washington Territory carved out in 1853. Land north of the 49th parallel remained unorganized until the new Colony of British Columbia was established in 1858, prompted by the Fraser Canyon Gold Rush and fears of American expansionism. In 1866, Vancouver Island and British Columbia amalgamated; in 1871, the Colony of British Columbia joined



2.4 Billy Frank Jr. (1931–2014). Photo by Mariah Dodd.

Canada. Thus, the 49th parallel and marine boundaries established by the Oregon Treaty became the Canadian-U.S. border (with negotiations over the northern boundary along Alaska, Yukon, and British Columbia temporarily tabled).

In theory, the Oregon Treaty provided a boundary along the 49th parallel (excluding Vancouver Island). On the ground, however, the line was ambiguous. No one could have identified *where* the line actually was. Eventually, the Northwest Boundary Survey (1857–1861) clarified this leg of the border. And finally, the two countries agreed to a water boundary between the Gulf Islands and the San Juan Islands in 1872.<sup>7</sup>

Through the 1850s, western North America began to feel the impacts of a “manifest destiny” approach to policy. This, in conjunction with the Donation Land Act of 1850, which led into the general homestead policy,



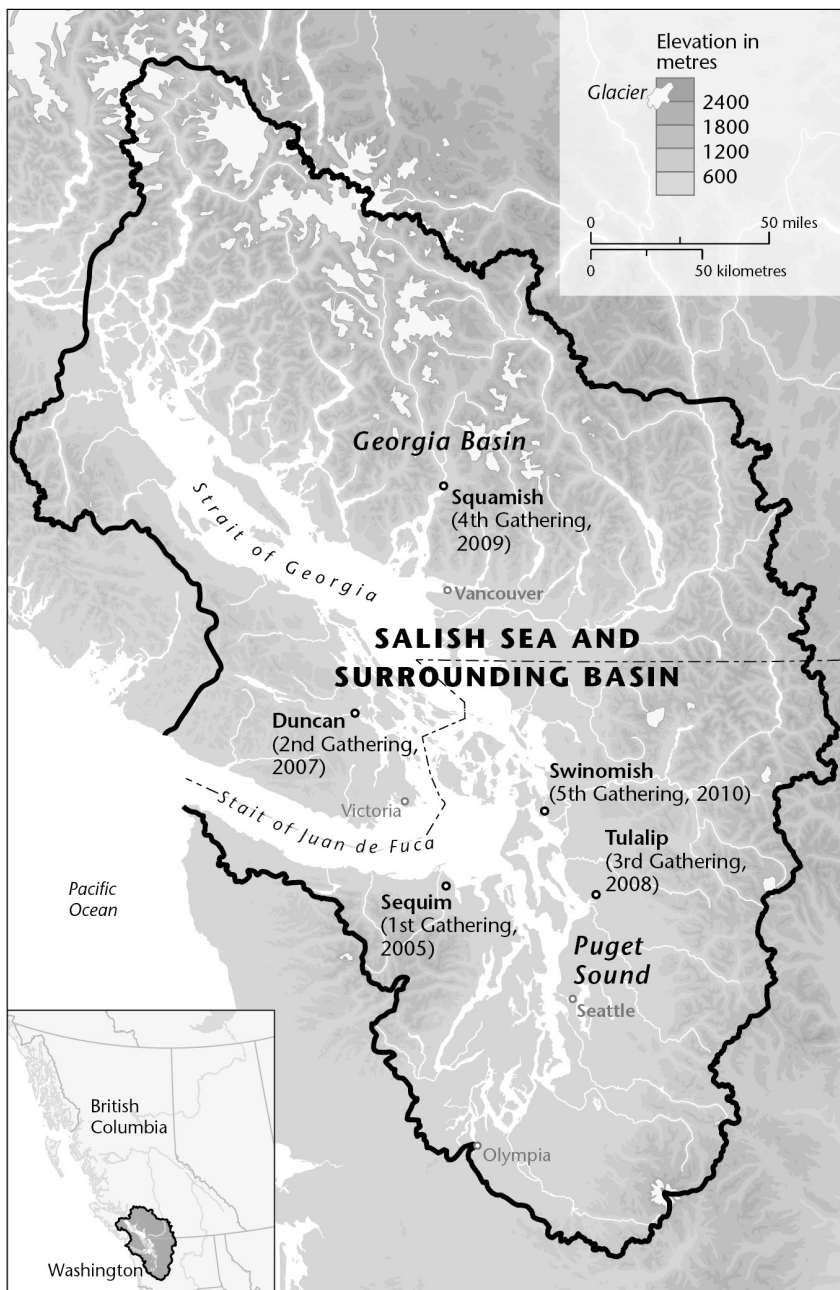
facilitated an increased population seeking land in the Oregon Territory, including Washington.<sup>8</sup>

From a top-down perspective, this short chronology of events—of “how the international border came to be”—might sound like an inevitable progression of international diplomacy, almost “natural.” On the ground, however, the simple chronology becomes a conflict-ridden, contingency-driven history of westward expansion, and one whose consequences for the region’s original inhabitants were devastating.

### *Making Native Space: Water Is Life ... Billy’s Story*

We know today that the process of territorialization at work in boundary making was integral to the larger displacement of Indigenous communities. What happened along the emerging Canada-U.S. border was a version of colonialism in which colonial war-making and legal “innovations” disrupted Indigenous social structures, inhibited long-standing cultural exchanges (such as potlatch and other ceremonies), banned native languages (through boarding schools), and so on.<sup>9</sup> What’s more, these colonial acts occurred in the context of a still longer, centuries-old history of European disease epidemics that decimated native populations: smallpox, measles, and tuberculosis. The Nisqually tribe, located near the base of Mount Rainier in what is now Washington State, experienced a population decline from two thousand in 1800 to seven hundred in 1880.<sup>10</sup> Population estimates for Indigenous communities throughout the Oregon Territory show a drop of more than 50 percent, with estimates as high as 80 percent in some communities.<sup>11</sup> For the Indigenous communities throughout North America—including the Coast Salish peoples—this history is far from academic or “past.” The impacts of bordering continue to unfold in the present. Consider this reflection from Native American environmental leader and treaty rights activist Billy Frank Jr.:

When our ancestors were fighting for our land—we were in a difficult position. ... Our camps were empty, our villages were underpopulated, we had shrunk in size through what we now consider “bio-terrorism”—yet this is the time where we had to stake our grounds and argue for what was rightfully ours. The settlers came in under the assumptions that the land was



2.5 Coast Salish Gatherings. Map by Eric Leinberger.

empty; however, all of the islands, peninsulas, waterways were home to our ancestors.<sup>12</sup>

The Coast Salish peoples live day to day with a colonial history of borders and boundaries. And yet their more recent history is one of crossing or transcending and re-establishing traditional connections. To understand this overlay, we look to the life's work of Billy Frank Jr. and his sixty-year efforts on behalf of the Nisqually tribe of the wider Coast Salish. Billy Frank Jr.'s journey represents how twentieth-century Indigenous governance has been centrally concerned with navigating or renegotiating boundaries and borders.

A short character profile is in order. In the Pacific Northwest, Billy Frank Jr. was (and remains) a larger-than-life figure, and his legacy has continued since he passed into the spirit world in 2014. He was a gifted orator who speaks sagely about the twin needs to protect salmon and to protect Indigenous rights. He fought most passionately for the rights of his people to fish their traditional waters. Author Charles Wilkinson's biography of Billy paints a beautiful image of him at age fourteen, paddling in the middle of the night on the Nisqually River to pull up fishing nets. Billy had left his house under the moonlit sky, travelling swiftly through the forested trails from his family's home to the river. He had eased himself into the dugout canoe and paddled quietly out to the nets. Billy knew the route well. Although it was dark, he did not falter. It was "illegal" for his family to fish these traditional waters, which was why he went in darkness. As Billy was about to pull up his catch, two flashlights shone brightly on him. A man yelled "You're under arrest."<sup>13</sup> This would be the first of fifty arrests. Billy saw subsistence fishing as a fundamental right. Likewise, he saw the foreign laws and policies that denied those rights as illegitimate. During the 1960s and 1970s, Billy organized "fish-ins" to bring attention to Indigenous fishing claims. The movement was peaceful, but police nonetheless arrested hundreds of fish-in participants. The movement gained a binational platform when Hollywood superstar Marlon Brando joined the effort in 1964.

Billy's historical reference was a starkly different version of the chronology of treaties we laid out earlier. While British and American settlers staked claims in the Oregon Territory, American officials forced tribes into treaties of cession, under which they lost legal rights to land, including

access to traditional fishing and hunting grounds. For its part, Canada created reserves without a formal treaty process. The Nisqually tribe—like other tribes in the Washington Territory—lost their land through an infamous series of treaties negotiated by Isaac Stevens, superintendent of Indian Affairs (and later, the first governor of Washington Territory). Stevens's first treaty, the disputed Treaty of Medicine Creek (1854), led to the "Leschi wars." Whether Chief Leschi's "X" on the treaty was genuine or a forgery remains unclear.

The Treaty of Medicine Creek created tremendous hardship for the Nisqually tribe. Under its terms, they relocated to a small stony outcrop at the base of Mount Rainier. Though the tribe lost access to sacred water sources, the treaty did allow them to fish from area rivers. British negotiators at the time, who saw no value in salmon, hoped this provision would encourage tribes to sign. A corollary was that the government would bear less responsibility to feed the tribes.<sup>14</sup>

During the twentieth century, the Medicine Creek Treaty came to be conveniently forgotten or ignored. Commercial and recreational interests in salmon became politically dominant, while the State of Washington took the position that the Nisqually were harvesting fish illegally. This was Billy Frank's fight. With each sit-in and arrest, Billy brought national attention to the importance of fish (especially salmon) among the Nisqually and larger Coast Salish peoples. The Indigenous activists ultimately prevailed when U.S. District Judge George Boldt ruled that native groups were entitled to 50 percent of the fish catch. More significant yet, the ruling provided for native-U.S. co-management of the fisheries.

As a youth, Billy had fought for fishing rights in the waters of his home. His vision grew to include the fish themselves. Overfishing, habitat destruction, and water pollution all came to threaten salmon populations. Billy Frank Jr. headed the Northwest Indian Fisheries Commission, a celebrated intertribal governance body, until the day he died, in May 2014 (a devastating loss for Indigenous communities and environmental and social justice activists alike). He was an internationally renowned cultural and environmental activist, having won the Albert Schweitzer Prize for Humanitarianism and the Presidential Medal of Freedom, the highest award that can be bestowed on a civilian. He was also a leader in the Coast Salish Gatherings, a cross-border governance body whose mission centres on salmon protection, environmental conservation, and tribal sovereignty.



Through the gatherings, we can consider once more the idea of territory and the acts of making and crossing borders.

### *The Coast Salish Gatherings Today: A Transboundary Success Story*

In 2002, seventy tribes and bands across 72,000 kilometers of Coast Salish territory, cognizant of their need to provide for future generations, established the Coast Salish Gatherings (map 7). The Gatherings simultaneously pursue natural resource protection and community reunification. At annual gatherings, tribal leaders set collective priorities. Building on traditional leadership to tackle complex transboundary environmental and cultural issues, the Gatherings have emerged as an innovative model of governance.<sup>15</sup>

Border scholars have called for a more sophisticated treatment of the border.<sup>16</sup> The Coast Salish Gatherings are an important example of why we should heed this call. The Gatherings serve in part to address massive declines in traditional foods such as salmon and shellfish.<sup>17</sup> The governance structure also serves to reestablish a sense of unity between tribes and bands spanning the Canada-U.S. border. Far-reaching goals include revitalization of the language and, ultimately, self-determination. By situating their tribal nations within a wider Coast Salish Nation, Coast Salish communities collectively reclaim authority, legitimacy, and outside recognition as an Indigenous territory. Hence, this governance structure reinforces Coast Salish communities as a power base for managing and protecting the surrounding natural environment. In this way, the Coast Salish peoples have strengthened their own tenure claims and their control over a wider border space. Some important examples include

- (1) successful efforts to restrict fish farms through Coast Salish territory;
- (2) a renamed “Salish Sea,” which acknowledges Coast Salish traditional waters, honors Coast Salish heritage, and brings public attention to a precolonial landscape; and
- (3) coordination and co-management with governmental agencies such as the Environmental Protection Agency,

Environment Canada, and the U.S. Geological Survey for joint projects such as water quality testing (held in concert with traditional canoe journeys).

The Gatherings seek to disrupt and transcend what John Agnew refers to as the “territorial trap” to which many environmental organizations—and, we would argue, academic researchers—fall prey.<sup>18</sup> Here at the 49th parallel, the border itself cannot be understood (politically or materially) without accounting for the connection of Coast Salish history to a modern transboundary governance process. This section of the border—the now-Salish Sea region—is as much a construction of the Coast Salish as of the nation-state. Geographies and histories of water governance that exclude this overlay risk missing important policy implications and solutions.

#### **IV. Sharing a Landscape: Watershed Boundaries as “New” Borderlands**

##### *Beyond the Westphalian Model*

The Coast Salish territory represents one example of sub-state, decentralized, participatory arrangements for water governance. Since the 1990s, however, powerful new non-indigenous governance arrangements have emerged both within Canada and the United States and at the Canada-U.S. border. The most important example is integrated water resource management (IWRM), a process that takes watershed boundaries as the ideal management unit and a watershed board or council as the principle decision-making body. Like the Coast Salish Gatherings, watershed management via watershed councils is also decentralized. But because of hidden assumptions in the concept of “watershed,” watershed management does not necessarily embody the same local empowerment or environmental protection that the Coast Salish case did. Watershed-scale management is a model that has not fully accounted for the assumptions and complexities within its own kind of boundary. Therefore, we wish to consider watershed management both as an important new overlay of boundaries on a larger

pattern of water governance at the border and also as a (recent) conservation movement that might benefit from the Coast Salish experience.

As a management unit, the watershed was positioned to help address three centuries of problems with what legal historians and political scientists call the Westphalian model. The Westphalian model accepts the sovereignty of individual nation-states or subnational jurisdictions like provinces and states to manage territory within their borders. But the model has always posed problems for environmental governance. John Wesley Powell recognized this in 1890, when he argued unsuccessfully for water governance along hydrological rather than state boundaries in the American West. Powell saw the importance of an appropriate scale for the administration of water resources in water-scarce regions.<sup>19</sup>

It was not until the mid-1990s, during an international push for sustainable development, that hydrologic-based water management gained wide acceptance in North America. The approach involved a different scale of management—the watershed (a hydrological drainage basin)—and an alternative management regime: IWRM.<sup>20</sup> The 1992 Dublin Statement on Water and Sustainable Development, which came out of the International Conference on Water and the Environment, became a defining statement for this new paradigm of water management and governance. According to Collins and Ison, conducting science at an ecosystem scale was “intuitively attractive.”<sup>21</sup> By the late 1990s, the World Bank and the Global Water Partnership were promoting watershed boundaries as the management unit for “best practices” worldwide. By the twenty-first century, acceptance was so complete that water scholars referred to IWRM as an “orthodoxy” enjoying “a ‘near hegemony’ as the language of international water policy.”<sup>22</sup>

The first three of four core principles in the 1992 Dublin statement had some fascinating overlap with the Coast Salish’s earlier vision: (1) fresh water is a finite and vulnerable resource, essential to sustain life, development, and the environment; (2) water development and management should be based on a participatory approach, involving users, planners, and policymakers at all levels; and (3) women play a central part in the provision, management, and safeguarding of water.<sup>23</sup> Participation, justice, decentralized decision making, and a more eco-centric approach were common threads between watershed management and the Coast Salish vision. At the same time, however, the watershed scale of IWRM contained hidden conflicts and contradictions that made this overlay different from

that of the Coast Salish.<sup>24</sup> Watershed boundaries were, for example, often incongruent with other natural systems boundaries, including ecosystems, airsheds, and groundwater systems.<sup>25</sup>

## *The IJC Embraces Integrated Water Resource Management*

Integrated water resource management came to have a profound influence on binational governance of U.S.-Canada border waters. Hall and Starr provide an important legal primer on the International Joint Commission (IJC) and its reference process (see chapter 1 of this volume). We want to focus on one specific reference to the IJC, whose outcome was a new overlay of boundaries on the border. Rather than a more typical reference to study a finite issue like boundary clarification, flood control, or water pollution in a particular place (like the Coast Salish territory), in 1997 the United States and Canada asked the IJC to broadly “examine its important mission . . . and to provide to the parties, within the next six months, proposals on how the Commission might best assist the parties to meet the environmental challenges of the 21st century.” The IJC’s draft response contained five recommendations, the first of which we abbreviate here:

A reference from the parties to authorize the Commission to establish ecosystem-based international watershed boards from coast to coast to prevent and resolve transboundary environmental disputes. These boards would be available for monitoring, alerting, studying, advising, facilitating and reporting on a range of transboundary environmental and water-related issues . . . Anticipating and responding to the growing public demand for decision-making that begins in communities and builds upward, these watershed boards would also assure coordination with the increasing number of local and regional transboundary relationships and institutions.<sup>26</sup>

This recommendation marked a remarkable shift for the IJC, because it signalled a small but significant move away from a century-long nation-to-nation model.<sup>27</sup> The IJC’s experimentation with watershed-scale governance was significant beyond North America, because the IJC is an



internationally recognized transboundary organization. It piloted its new watershed-based approach by establishing five watershed boards: the Rainy Lake Board of Control, the Rainy River Water Pollution Board, the International Red River Board, the Souris River Board, and the International St. Croix River Watershed Board. Functionally, these boards operated much as their predecessors had, but tweaked the mandate, continuing to evolve toward more proactive forms of decision making and to develop ecologically based management plans (an important orientation that Heasley and Macfarlane discuss in their introduction to this volume).

It remains to be seen whether the IJC's move away from national capitals and toward watershed-scale organizations will strengthen its mission, improve long-term outcomes, or in fact be a real change to decentralized decision making (Jesse Ribot has cautioned about the potential "charade"<sup>28</sup>). The pilot projects are too recent for their community-level or binational impacts to be judged fully. But some cautions are in order.

### *The Hidden Complexity of Watershed Boundaries: Challenges and Uncertain Outcomes*

Indeed, despite the apparent simplicity of watersheds, three important points have "muddied the waters" of this increasingly popular governance model. First, watersheds are not only about managing water. Because a watershed, in its basic definition, is a geographic area of *land* rather than a body of *water* (though that land area drains into a common body of water), watershed management is generally "*inclusive of land use*, so that all factors and events that impact on water resources are taken into consideration."<sup>29</sup> But including land in water management schemes is a knotty problem—one complex enough that, as Savenije and van de Zaag note in another case of international transboundary relations, the United Nations Convention on the Law of Non-Navigational Uses of International Watercourses (1997) chose not to adopt the land-inclusive language of the Helsinki Rules (1966) because "most states prefer to use the term watercourse rather than river basin, since the latter concept comprises land areas which are also governed by administrative, land use and other laws. Letting land areas be governed by a water law might lead to legal complexities."<sup>30</sup> A number of cases along the 49th parallel highlight the complexities of integrating land use into water governance. The Flathead

watershed is the most contentious example. There, cross-border tensions arose when Canadian officials (upstream) zoned land within the watershed for development, while American officials (downstream) zoned land within the same watershed for conservation.<sup>31</sup>

A second point is that a “natural” watershed may camouflage important socioeconomic and political dimensions of decision making. The 49th parallel originated from colonialism and was therefore a colonial social construction. We propose that contemporary choices about watershed boundaries (overlaid on the 49th parallel) involve another set of constructed boundaries, although watershed boundaries have not been subject to the same critiques because these boundaries are hidden under a more “natural” appearance.<sup>32</sup> For example, a large basin can have a number of watersheds, sub-watersheds, and tributaries, each of which constitute a mappable hydrologic boundary. Although each of these boundaries is “natural,” decisions remain about *which* hydrologic boundary to use for data collection or decision making; each is as much a human decision as it is a “natural” landscape feature.<sup>33</sup> Nevertheless, watersheds are most often described in naturalizing language, with policy documents often referring to “nature’s boundaries.”<sup>34</sup>

The third point relates to a counterintuitive example of these hidden power relations involving the core watershed management principle of local participation. As Cohen and Davidson explain,

There is nothing inherently participatory about the use of a hydrologic boundary instead of a municipal boundary: one can easily imagine a scenario in which autocratic decisions are made at the watershed scale, or one in which there is rich public discussion at the municipal scale. Yet stakeholder participation has become an axiomatic component of watershed-based governance frameworks, to the point where a watershed approach means participation, and the challenges associated with public participation in decision-making are seen as problems associated with a watershed itself.<sup>35</sup>

The type of participatory language described above can be seen in the IJC’s watershed push, which emphasizes that “local people, given appropriate assistance, are those best positioned to resolve many local transboundary

problems.”<sup>36</sup> Yet some scholars are not convinced of the localness or usefulness of these decision-making arrangements.<sup>37</sup> This type of assertion reinforces what watershed researchers have identified as a conflation between “local,” “watershed,” and “participation.”

## V. Conclusion: Sharing a Landscape

That water knows no borders is a truism. Nonetheless, treaties, laws, policies, administrative hierarchies, even cultural and social constructs of boundaries—all shape environmental governance along the U.S.-Canada border. This governance, in turn, impacts the health of its border waters. We aimed in this chapter to expand on the truism by broadening the border to encompass other boundaries superimposed both on the international border itself and on waters shared by Canada and the United States. To that end, we overlaid two “alternative boundaries” on the conventional Canada-U.S. boundary: first, traditional territorial boundaries of First Nations and Indigenous peoples; and second, watershed boundaries that characterize hydrologic flows. In both cases, we emphasized the social construction of borders—historical and political processes that were in large part examples of colonial boundary drawing. We also examined the rise of hydrologic science, especially the discourses and policies around watersheds that naturalized hydro-political boundaries. Watershed boundaries, we suggest, provide a useful comparison to colonial boundaries because of the common assumption that watersheds are apolitical. In fact, the establishment of watershed boundaries, as well as the decision making about watersheds at these new management scales, has deeply political consequences. We underscore the importance of considering other boundary types—not only the international boundary—in contemporary understandings of governance of shared waters. Grappling with other boundary types forces scholars and policymakers alike to examine their own implicit assumptions about legal borders and water governance at these borders.

Most of all, we want to reinforce a basic premise of this volume: borders are complicated. This complexity is not simply the result of an academic exercise in which scholars complicate concepts for one another. Rather, we believe that policymakers, activists, and citizens must embrace more complex notions of boundaries and borders to accomplish more just social results and more effective environmental outcomes.

## Notes

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