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## Sovereignty Bargains and Transboundary Natural Resource Management: Crossborder Perspectives for the U.S.-Mexican Border

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### ABSTRACT

The chapter presents a brief analysis of the complexities of natural resource management across international borders, starting with the political realities associated with terrestrial resources, including sovereignty. This discussion does not critically analyze the notion of sovereignty, but instead “unpacks” the term and introduces the concept of “sovereignty bargains,” or opportunities that states make to enhance governance capacities in specific areas. The discussion also highlights the role that science plays in creating opportunities, through sovereignty bargains, for crossborder collaboration. Implicit in this discussion is that although the complexities and security concerns of a post-September 11th world may have created “harder” borders, an understanding of the role that science plays in creating sovereignty bargains may increase opportunities to address environmental and natural resource issues along the U.S.-Mexican border. The chapter also addresses general principles associated with

successful transboundary natural resource management and sovereignty bargains. Moreover, it presents broad observations about potential transboundary natural resource management within the U.S.-Mexican border region.

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## Ofertas de Soberanía y el Manejo Transfronterizo de los Recursos Naturales: Perspectivas Transfronterizas de la Frontera México-Estados Unidos

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### RESUMEN

En este capítulo se presenta un análisis breve de las complejidades del manejo de recursos naturales a través de fronteras internacionales, comenzando con las realidades políticas asociadas con los recursos terrestres, incluyendo la soberanía. En este documento no se analiza con óptica crítica el concepto de soberanía, sino que en lugar de eso, “desmenuza” el concepto e introduce el de “ofertas de la soberanía” o las oportunidades que los estados generan para mejorar las capacidades de gobierno en zonas específicas. En el documento también se resalta la función que desempeña la ciencia en la generación de oportunidades de colaboración transfronteriza a través de la negociación u ofertas de soberanía. Implícito en este documento está el hecho que aunque las complejidades y preocupaciones de protección de un mundo posterior al 11 de septiembre pudieron haber creado fronteras “más duras”, si se entiende la función que desempeñan las ciencias en generar ofertas de soberanía, quizá sea factible aumentar las oportunidades para abordar la problemática del medio ambiente y de los recursos naturales a lo largo de

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la frontera entre Estados Unidos y México. En el capítulo también se incluyen los principios generales asociados con el manejo exitoso de los recursos naturales transfronterizos y las ofertas de la soberanía, así como amplias observaciones sobre el manejo potencial de los recursos naturales transfronterizos en la región entre los Estados Unidos y México.

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A recent conversation<sup>2</sup> on transboundary environmental cooperation, which took place in the Netherlands, revolved around maintaining, sustaining, and providing an equitable flow of “natural” services along international borders and across regions (Singh and Ganster 2003). However, bilateral policy attempts to define and confine nature’s highly fluid services within nation-state containers made it difficult to obtain coherent methods and best practices. This conversation in the Netherlands also focused on a “larger philosophical discussion on the role of scientific management of the environment. Scientific management of nature gets even more complicated across states that share borders but little else. Some of these complicating transborder factors include asymmetrical economies, along with vastly different cultures of knowledge creation and dissemination” (Singh and Ganster 2003).

Despite criticism that policies based on scientific management of natural resources do not do an effective job of controlling unpredictable, complex ecosystems and socio-political interactions, science (both natural and social) plays a fundamental role in defining and rationalizing policies. More importantly, science that is related to transboundary natural resources management (TBNRM) and environmental phenomena needs to translate the information and policy implications in political terms to state and non-state actors. This is critical. An interdisciplinary understanding of the political implications of common environmental threats and natural resources will greatly help all levels of government create effective policies to ensure ecological, socioeconomic, and political coherence, especially on issues related to the U.S.-Mexican border. This chapter draws on lessons learned during the author’s extensive work

in many parts of the world—these lessons could help the U.S. and Mexican governments develop policies within their shared border region.

This chapter begins with a brief analysis of some of the complexities of natural resources management across international borders, starting with the political realities associated with terrestrial resources, including sovereignty. The intention of this discussion is not to critically analyze the notion of sovereignty, but instead, to “unpack” the term and introduce the concept of “sovereignty bargains,” or opportunities that states make to enhance governance capacities in specific areas (for fuller treatments, see Mattli 2000 and Litfin 1997). Additionally, this discussion highlights the role that science plays in creating opportunities, through sovereignty bargains, for crossborder collaboration. Implicit in this discussion is that although the complexities and security concerns of a post-September 11th world may have created “harder” borders, an understanding of the role of that science plays in creating sovereignty bargains may increase opportunities to address environmental and natural resource issues along the U.S.-Mexican border. Following this, the discussion briefly turns to the general principles associated with successful transboundary natural resource management and sovereignty bargains. Finally, broad observations for potential TBNRM on the U.S.-Mexican border are presented.

### SCIENCE, TERRITORIAL COMPLEXITIES, SOVEREIGNTY BARGAINS, AND TRANSBOUNDARY NATURAL RESOURCES MANAGEMENT

Sovereignty’s relationship to natural resources, especially to fluid or mobile resources, such as water bodies and wildlife, continues to evolve. However, as nations face the need to curb harmful transborder pollutants, such as air pollution from coal-fueled utilities and pollution from upstream industrial runoffs, issues related to sovereignty become even more complicated. Despite these complexities, a number of bilateral and multilateral treaties that relate to transborder air and water pollution have been signed. For example, the 1987

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Montreal Protocol for the Protection of the Ozone Layer is a successful multilateral treaty that deals with transboundary air pollution. In contrast, transborder cooperation on terrestrial resources has always been much more complicated, primarily because of issues related to territorial control and integrity (Singh 1999, 2002).

The notion of permanent sovereignty over natural resources has developed as a principle of international economic law. This notion has its roots in two primary concerns of the United Nations: the economic development of underdeveloped countries and the self-determination of peoples and human rights (Schrijver 1993). In the 1950s and 60s, the United Nations answered the call of several South and Central American countries when it passed a series of resolutions that dealt with sovereignty and natural resources. The United Nations General Assembly's (UNGA) basic assertion was that developing nations should be able to freely dispose of their natural resources.<sup>3</sup>

A set of rights and obligations has emerged from the treaties and UNGA resolutions of the past few decades (Table 1). Not only does the set include a state's right to develop its own resources, it also includes a state's right and obligation to equitably share in the management and conservation of transboundary resources and shared ecosystems (Schrijver 1993; Singh 2002).

Table 1 portrays an ambitious and contradictory set of rights and obligations, the political nature of which provides an interesting insight into the nature of sovereignty and resulting "sovereignty bargains." As noted above, it is not the author's intent to fully explain sovereignty here (for a deeper examination of sovereignty see Litfin 1997 and 1998 and Thomson 1995). However, the notion of sovereignty bargains as they relate to TBNRM will be discussed.

The notion of sovereignty bargains comes from sovereignty's arguably three basic elements:

*[C]ontrol* over state resources and processes—internal and external, *autonomy* of state independence in decision-making, and *authority* in making treaties and maintaining legal relations with other states. Control is a prime prerogative of the state and an empirical aspect of sovereignty. However, control is limited by the capacity of states to govern effectively as external forces such as

Table 1. Rights and Obligations of States from the Principle of Sovereignty over Natural Resources

Rights of States Emanating from the Principle of Sovereignty over Natural Resources	Obligations of States Emanating from the Principle of Sovereignty over Natural Resources	
	National Level	International Level
Possess, use, and dispose of its natural resources within the limits of its exclusive economic jurisdiction	Exercise its permanent sovereignty over natural resources in the interest of national development	Respect international law and the rights of other states
Regulate the admission of foreign capital and to tax and exercise authority over activities of foreign investors	Exercise its permanent sovereignty over natural resources in the interest of the well-being of the people, including the realization of socio-economic human rights	Fulfill international obligations in good faith
Control the outflow of capital	Respect the rights and interests of indigenous peoples	Provide fair treatment to foreign investors and to observe limitations relating to, for example, the exercise of the right to take foreign property
Nationalize or expropriate property, both of nationals and foreigners	Provide and secure fair treatment for foreign investors	Cooperate in world economic development
Conserve and manage its natural resources pursuant to its own developmental and environmental policies	Respect acquired rights and the freedom of investors to determine their own investment and production policies	Cooperate in the development of developing countries
Share equitably in the management and benefits of transboundary resources	Prevent the waste of natural resources, and to provide for reservations for future generations	Cooperate and assist developing countries in the exercise of their permanent sovereignty over natural resources
		Prevent significant harm to the environment of other countries and to the global environment as a whole
		Cooperate for collective ecological and environmental security, including reservations for future generations

Sources: Schrijver 1993; Singh 1999, 2002

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international economy/markets, global telecommunications, and the environment put constant pressure on the state's ability to manage internal processes and resources. The autonomy component of sovereignty "involves independence in decision-making ... to act independently in the global commons ... the right to act unilaterally with respect to resources held in common" (Litfin 1997). Implicit in the concept of state autonomy is the limiting role of inter-state interactions, which are effected by regional and international environmental agreements... The third component ... authority, is somewhat related to state autonomy however, authority is the mutual recognition among states of the exclusive right to make rules that govern the state's national policies as well as treaties that govern inter-state behavior (Singh 2001).

However, as Litfin (1997), Ritcheson (1996), and Dyson (1980) point out, the above explanation would not be complete or accurate without the notion of legitimacy (Singh 2001). Elsewhere, the author has argued that the notion of legitimacy implies that the domestic and international societies have accepted state actions, which allows for policymaking within a positive democratic experience (Singh 2001, 2002). In contrast, authoritarian rule-making negatively affects state control, authority, and legitimacy. Examining sovereignty within the prism of these aspects allows for the understanding of state interests and allows for the examination of why states do what they do, especially within asymmetrical regions and within parts of the developing world where state legitimacy is a major concern.

International norms and practices that are defined by other state and non-state actors strongly influence state actions. Often, these interactions "teach" states to act or pursue certain goals, such as clean air and biodiversity conservation, because these goals have been scientifically justified and internationally held to be "good and appropriate" (Finnemore 1996). Civil society actors and international institutions have important causal weight in shaping state interests because they legitimize state policies and actions, usually through research and by providing scientific criteria. By developing

scientific criteria for state policies, civil society and other actors often extend their reach in state policymaking by inhibiting or enhancing states' autonomy and/or control in domestic rule-making.

To explain further, although externally generated norms and practices may infringe on state autonomy, these norms may also enhance a state's ability to effectively govern and control its territory. This exchange between aspects of sovereignty is, in essence, a "sovereignty bargain." Although they are poorly understood, sovereignty bargains provide the greatest room to achieve TBNRM objectives. It is important to realize that sovereignty bargains are not zero-sum games between states that are giving up some autonomy in exchange for more control, but win-win situations where states can be "taught" to achieve legitimate and enhanced opportunities to effectively govern their population and control their territory.

It is within the realm of sovereignty bargains that civil society, research institutions, and other stakeholders can play an increasingly important role. Science may be able to justify policy options; however, the translation of science into socioeconomic and political terms determines a policy's efficacy. For instance, Finnemore (1996) traces the evolution of science bureaucracies in states with little capacity to manage scientific research to the "teachings" of the United Nations Educational, Scientific and Cultural Organization (UNESCO). By creating these bureaucracies, lesser-developed states were able to access donor funds to build their capacities for research and development, which increased their global competitiveness and ultimately enhanced their sovereignty. Similarly, non-governmental organizations (NGOs), such as the World Conservation Union and World Wildlife Fund, have "taught" states to prohibit trade in endangered species and to create mechanisms for international monitoring and sanctions (Singh 2001), which enhanced these states' law enforcement capacities and thus increased all three aspects of state sovereignty legitimately.

In the case of TBNRM, where sovereignty and territorial integrity often represent key obstacles, the translation of science and research into policy options and implications across various sectors of government, such as defense, security, and border management, ensures a cross-sectoral buy-in. Several TBNRM programs in southern

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Africa, such as the Limpopo Transfrontier Conservation Area, are successful because these programs have defined and met each member state's national security and law enforcement objectives. These southern African programs demonstrate that TBNRM programs must define and meet these objectives before they can be successful. Social science research on the benefits of TBNRM must do more than clearly define the interests of various local, state, and federal agencies but research must also define benefits that are large enough to gain their support. The next section further illustrates the role of science and sovereignty bargains by summarizing key lessons learned during the development of TBNRM programs.

### ROLE OF SCIENCE IN SOVEREIGNTY BARGAINS: LESSONS LEARNED

One of the first and critical lessons that should be learned before a group or groups attempt to establish a TBNRM program is that it is an extremely time-consuming and expensive process. And, it is necessary to assess the feasibility of the TBNRM. A feasibility assessment would include gauging various state agencies' interest levels and developing a cost-benefit analysis for the agencies that may get involved. Moreover, before a formal TBNRM – characterized by high-levels of inter-state collaboration – can be created, significant amounts of political will and political resources must be available. Before high levels of support can be mobilized, TBNRM must be “an effective approach for natural resource management and biodiversity conservation, where shared cross-border threats can be tackled jointly and/or mutual benefits can be gained collaboratively across a border,” according to van der Linde, et al. (2001). Further, for TBNRM to be successful, it must not replace the existing natural resource management practices of each nation, but instead build on or enhance each state's capacity to effectively manage resources and govern populations along the border. Therefore, discussions and scientific rationale for TBNRMs must nudge states through sovereignty bargains to identify and implement win-win situations to enhance state capacity in border regions.

## Transboundary Ecosystem Management

Before TBNRM can gain political will and resources, it must also garner the sustained interest of various stakeholders, as well as participation and support at the grassroots level. "The process should not be seen as a 'top down' process, but instead should be inclusive of, and transparent to, all stakeholders. The process should build upon the existing informal relationships between management authorities, community groups, and other groups and individuals. These informal operating systems may lead to more formalized agreements," according to Griffin, et al. (1999). It is not sufficient to say that top-down and bottom-up processes must work together; the relationship and tensions between state agencies and civil society actors must be recognized:

State and civil society are thus indissolubly bound in an unfolding relationship of conflict and cooperation. The state by its very nature seeks to rule, to uphold its domination over civil society as indispensable to performing its role. In the exercise of rule, constant application of coercion devalues its currency; the state seeks pathways to domination that rest on authority rather than force, that preserve and enhance its legitimacy...recognition of the state is interlaced with undercurrents of conflicts. Civil society is vigilant as well as differential. The inherent tendency of the state to accumulate power engenders resistance and a constant struggle to enforce limits on state prerogatives. Civil society, like the state, values autonomy (Young 1994).

This discursive relationship between state and civil society forms what Foucault termed, a "knowledge/power nexus." This nexus, according to Foucault (1991), determines "how to be ruled, how strictly, by whom, to what end, by what methods, etc." and it provides insight into the role of science, producers of science, and non-state actors and their influences on the state's ability to govern:

This clarification of the relationship between science and "governmentality" has shown how knowledge creates and enhances power. His notion of the diffusion of power among social agents constituting the production and implementation of knowledge does not diminish the

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power of the state; in fact it enhances the state's ability to exact compliance. For Foucault, knowledge is already a function of human interests and power relations. He asserts that the constant inter-play between the "exercise of power" and the production of knowledge lead to the continual expansion of both sources of power and new disciplines of knowledge (Singh and van Houtum 2002).

Two assertions can be derived from this constant interplay between knowledge and power: first, that power is not centralized at the state but diffused among the users of knowledge, such as state actors, and the producers of knowledge, such as academic institutions and non-governmental actors; and second, scientific knowledge enhances not only the power of the states, but also the reach of producers of the knowledge. As Fisher (2000) noted, knowledge and disciplinary discourses produce "truths" that "supply systematic procedures" for the generation, regulation, and production of policies that not only empower states, but also empower the producers of knowledge.

For example, conservation science and expert knowledge in community-based natural resources management that academic institutions and NGOs produced and disseminated established certain "truths," such as the need for protected areas and empowered local communities to manage resources. These "truths" legitimized the state practice of clearing people from vast tracts of land to establish national parks, thereby moving communities into smaller areas along the peripheries of the park – these truths thus allowed for effective social services delivery and control. By empowering local communities, states were able to establish local civil institutions that were accountable to provincial and national state institutions, which not only provide essential services but also draw communities, especially those along the borders, closer to the center. In both cases, by allowing science and expert knowledge to create the criteria for legitimate governance, states "traded" a degree of autonomy in rule-making for enhanced control.

An interesting case where sovereignty bargains based on science achieved multiple goals of enhancing governance, control, economic growth, and conservation is the Association of Caribbean States'

(ACS) innovative move toward trade integration and more integrated coastal environmental management. ACS's innovation in establishing these multilateral policies lay in its approach that did away with traditional notions of borders (Nicol 2002). "The ACS recognizing common environmental and economic stresses and the importance of their maritime resources within their joint jurisdictions have approached the management of the 'Special Zone' through a multilateral process that challenges the widely accepted Law of the Sea" (Singh and Ganster 2003). Nicol's (2002) analysis of the ACS reveals competitive territorial and juridical issues that relate to structure versus superstructure, as well as notions of traditional sovereignty and nation-state prerogatives to enter into non-traditional multilateral agreements. She explains that ACS used environmental science and environmental metaphors, which allowed for a re-shaping of traditional sovereignty through sovereignty bargains, when it established the Special Zone:

More than a legalistic instrument, however, The Special Zone is also a very powerful maritime metaphor, in the sense that it constitutes an important rallying point for regional cooperation and legislative framework in support of an environmental agenda, complementary to existing supranational decision-making institutions, which are now forming within the region. Interested as they are in multilateralism, the Caribbean nations are attempting to forge a common identity, space and set of policies, which will carry them forward in their development initiatives. Indeed, the ACS attempt to create a common space using the maritime context also amounts to much more...It is a recognition of a common geopolitical space in which environmental hazards and resource exploitation are common threats and opportunities, and in which all member states have a stake (Nicol 2002).

A large reason for the success of ACS was the identification of innovative sovereignty bargains between control and development priorities, which is a remarkable accomplishment in an asymmetrical region. The ACS's TBNRM area was driven by local consensus and high degrees of flexibility, rather than by third parties or

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donors' priorities. Another example of the ACS's ability to create a transboundary agreement is the Specially Protected Areas and Wildlife (SPA) Protocol, which also provides some key lessons:

It (SPA) adopts a two-tiered approach, whereby the general and common objectives are agreed upon but implementation is left to each state; implementation by each state is based on its level of economic development, resource capabilities, and dependence on the resources. It (SPA) aims to facilitate technical and scientific research and mutual assistance without imposing strong obligations (Griffin, et al. 1999).

The role of informal transboundary cooperation is implicit in an earlier discussion on bottom-up versus top-down approaches to TBNRMs. In many cases, informal TBNRM processes exist, or have existed, between park managers and communities across international borders. This especially occurs in areas where international boundary lines divide communities. Additionally, border areas are often an interfusion of two distinct societies. This interfusion creates a unique crossborder, sociopolitical culture, one where families live on both sides of the international boundary. This culture is definitely prominent along the U.S.-Mexican border. These unique socioeconomic regions offer an additional reason beyond natural resource management to sustain a dialogue of crossborder cooperation. This dialogue includes issues related to crossborder economic dependence on trade and livelihoods and the dependence of these activities on ecosystem services. However, to make this dialogue meaningful at the national level, it must include community-based initiatives that provide synergy to and/or support national security and law enforcement priorities. Similarly, state agencies must recognize the socioeconomic realities of the border regions from economic, ecological, and familial perspectives. Moreover, these informal processes offer a strong foundation for the use of sovereignty bargains to meet and legitimize common national objectives.

Despite the appeal of rationalizing policies through sovereignty bargains, this process is lengthy and expensive. Often, this process is easiest when local border communities self-identify or foster ongoing crossborder links and then build constituencies that can be

used for advocacy purposes within their respective central governments. Usually, it is these informal links that are the most innovative and yet sustainable. For example, communities and state agencies along the borders of East and West Timor, Zimbabwe, and Mozambique, create informal border regimes that cater to specific and contextual needs. In her dissertation, Zbicz (1999) argues and provides evidence that funding for communication equipment, such as telephones and faxes, in border areas goes a long way in fostering crossborder communication and informal TBNRM. In asymmetrical border regions, simply enhancing the communication capacity of the lesser developed side of the border can create increased opportunities for cooperation, especially on issues that concern natural resource management and law enforcement. Informal sovereignty bargains may happen at the local level, and thus allow states to govern effectively while taking advantage of the myriad opportunities that the border presents. Similar examples of crossborder cooperation occur along the India-Nepal border, where park officials communicate frequently and exchange information on a number of issues, including movements of people and wildlife.

### CONCLUSIONS: LESSONS FOR THE U.S.- MEXICAN BORDER

This discussion provides a number of key lessons that can be used to establish TBNRM areas. Science and expert knowledge on the environment play a fundamental role in shaping policy at every level. However, the impact of this knowledge depends on how well it is translated into cross-sectoral policy implications. That is, while it is important to define the core objectives of transboundary environmental and natural resource management, advocates of transboundary environmental and natural resource management must also describe how these core objectives relate to the objectives of national and regional socioeconomic, security, and law enforcement interests.

Further, the process of identifying the political and socioeconomic implications of TBNRM and transboundary environmental issues needs to include the identification of specific sovereignty bargains to meet the core objectives of the TBNRM. These sovereignty

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bargains may include a combination of formal and/or informal TBNRM arrangements. The rationale is to identify interstate vehicles or mechanisms to meet critical TBNRM objectives. However, based on feasibility studies on the creation of formal TBNRM arrangements, the costs (including transaction costs of negotiations, among others) are too high. Informal TBNRM arrangements may be a much faster and more effective means of achieving larger ecosystem management goals.

U.S.-Mexican crossborder cooperation manifests itself in a number of areas and issues, many of which are informal in nature, as well as related to natural resource management and the environment. A summary of the current context provides a foundation for enhancing current and potential formal and informal sovereignty bargains that relate to the U.S.-Mexican border:

Despite the asymmetries and priorities for services dictated by rapidly growing human populations, some of the most successful examples of cooperation across the border are in the area of the environment. A fragile arid environment and shortages of ground and surface waters for human consumption characterize the U.S.-Mexican border....These conditions produced international political conflict and an activist role by local border populations, initially mainly by officials and non-governmental organizations in U.S. border communities, but increasingly by Mexican officials and Mexican NGOs. Important federal recognition for the need for formal government-to-government cooperation on border environmental issues came with the 1983 La Paz Agreement between Mexico and the United States that included binational workgroups by media, such as air, water, and hazardous waste. This process has gone through a number of iterations that have broadened participation to include state and local government and significant community involvement. The negotiations and implementation of the North American Free Trade Agreement included strengthened environmental cooperation and plans for addressing border environ-

mental concerns. Clearly, the economic concerns provided the backdrop for enhanced border environmental cooperation (Singh and Ganster 2003).

Moreover, research and academic institutions along the border have contributed significantly to the ongoing process, and have created further opportunities to identify specific sovereignty bargains. If these sovereignty bargains are going to be effective, they need to account for the reality of illegal immigration, drugs, and security concerns, which unfortunately over-shadow much of the successful cooperative programs and measures along the U.S.-Mexican border. In light of this reality, there is a need to begin building coherence and synergies along each side of the border. In other words, the notion of TBNRM must be deconstructed to include intra-state jurisdictions and agreements to foster inter-state arrangements. More platforms are necessary, such as the Southwest Consortium for Environmental Research and Policy sponsored Border Institute. Border Institute VI was organized to understand and coordinate the efforts and interests of various federal, state, county, and civic agencies and to discuss how these interests and objectives can be met through TBNRM. This would entail advancing and/or developing an understanding of environmental security along the U.S.-Mexican border. The discourse on environmental security would elicit the help of interested agencies and enhance the current scientific discourse and political rhetoric on the environmental problems that communities along the border share. Additionally, an inter-disciplinary and cross-sectoral understanding of environmental security could assist in developing broad sovereignty bargains on TBNRM negotiations. For example, the demand for water and energy and the unsustainable population growth rates will adversely affect the fabric of society along the border and will lead to human insecurity. A collapse in the border's regional economy would hamper the larger American economy. The North American Free Trade Agreement (NAFTA) and other agreements have provided, and continue to provide, key spaces for discussions on environmental security; however, the success of any TBNRM will rest squarely on the initiative of the local communities and on their ability to advocate for their interests.

## ENDNOTES

<sup>1</sup> Jaidev “Jay” Singh is an American Association for the Advancement of Science (AAAS) Diplomacy Fellow and a specialist in Natural Resources and Conflict in the Office of Conflict Management and Mitigation, U.S. Agency for International Development. This paper is based on his keynote address to the SCERP Border Institute VI meeting, titled Transboundary Ecosystem Management, held in Rio Rico, Ariz., April 26–28, 2004. This paper is an expression of the author’s views and does not reflect those of the U.S. Agency for International Development. For more information, please contact the author at jsingh@u.washington.edu.

<sup>2</sup> The word “conversation” signifies a process marked with cordiality, lack of controls, and unpredictability over the course of a dialogue to achieve a level of respect, coherence, meaning, and most importantly, to achieve innovative understandings and deeper insights related to the topic of discussion.

<sup>3</sup> See UNGA Resolution No. 523 (VI) (VII) (Jan. 12, 1952) “Integrated economic development and commercial agreement,” 100% in favor. Also see UNGA Resolution No. 1803 (XVII) (Dec. 14, 1962) “Permanent sovereignty over natural resources,” 79% in favor.

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