

THE RIVER NILE IN THE POST-COLONIAL AGE

Terje Tvedt is Professor of Geography at the University of Bergen and Professor of Political Science at the University of Oslo. He is an international authority on the history and politics of water and the author of a number of successful books and films on water issues, including *The River Nile in the Age of the British* (I.B.Tauris, 2004), which was shortlisted for the British Society for Middle East Studies Prize 2004. Among his other books are *The Nile: An Annotated Bibliography* (revised edition, I.B.Tauris, 2003), *Southern Sudan: An Annotated Bibliography* (revised edition, 2 volumes, I.B.Tauris, 2004) and (as editor) *A History of Water* (3 volumes, I.B.Tauris, 2006).

The River Nile in the Post-Colonial Age

Conflict and Cooperation among
the Nile Basin Countries

Edited by Terje Tvedt

I.B. TAURIS

LONDON · NEW YORK

Published in 2010 by I.B.Tauris & Co. Ltd
6 Salem Road, London W2 4BU
175 Fifth Avenue, New York NY 10010
www.ibtauris.com

Distributed in the United States and Canada Exclusively by Palgrave Macmillan,
175 Fifth Avenue, New York NY 10010

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Raphael M. Tshimanga, Terje Tvedt

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ISBN: 978 1 84511 970 6

A full CIP record for this book is available from the British Library

A full CIP record is available from the Library of Congress

Library of Congress Catalog Card Number: available

Designed and Typeset by 4word Ltd, Bristol, UK

Printed and bound in Great Britain by CPI Antony Rowe, Chippenham

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Foreword

This book is the product of the first research group of the Nile Basin Research Programme, convened at the University of Bergen in the spring semester of 2007 under the theme 'Nile Basin Developments in the Post-Colonial Period'. The contributors to the volume are from nine Nile basin countries, and their chapters reflect the academic traditions of Nile-related research in these countries. For any student of Nile development, this volume will be indispensable to a proper understanding of the complex modern history of the river basin, the politics surrounding it and the efforts that are now being made to jointly manage it.

The Nile Basin Research Programme began in March 2006. It is based at the University of Bergen and is funded by the Norwegian Ministry of Foreign Affairs. The programme is devised as a guest programme for researchers from the Nile basin countries.

Professor Tvedt is responsible for a number of books and television documentaries on the importance of fresh water and the politics of water in major river basins, especially the Nile. It was accordingly appropriate and important that he headed the first group of Nile basin researchers in Bergen. As leader of the group he is also editor of this volume and is to be thanked for his efforts and input on the programme.

Dr Martin Daly, author of a number of well-known books on the history of the Sudan, helped improve the style and grammar of the chapters. The Nile Basin Research programme decided to have new maps made for this volume. These have been drawn by senior technician Kjell Helge Sjøstrøm, Department of Geography, University of Bergen. The programme administrative coordinators, Mr. Bård Hekland and Mr. Torleif Markussen Lunde, are thanked for acting as assistant to the editor. Numerous specialists and colleagues have commented upon drafts and have contributed to the volume in a variety of ways, and are to be thanked for their efforts: Professor Anders Bjorkelo, Professor Gaspard Ntakimazi, Professor Charles Odiki, Dr Jockey Nyakanna, Dr Ahmed El Rashidy and Professor Ashok Swain.

Tore Saetersdal
Director
Nile Basin Research Programme

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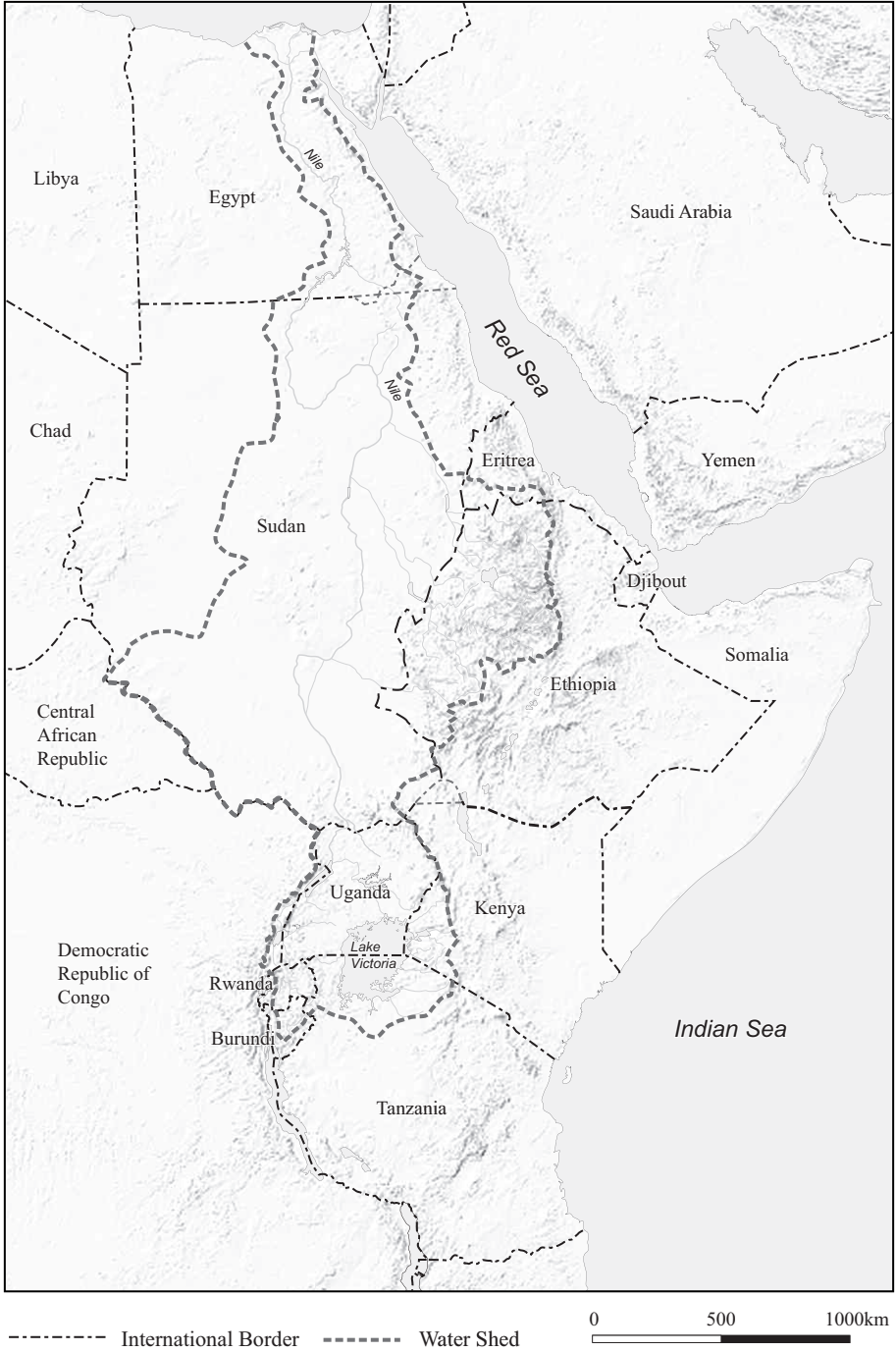
About the Importance of Studying the Modern History of the Countries of the Nile Basin in a Nile Perspective

Terje Tvedt

Whether the River Nile will be an object of violent conflicts or of peaceful cooperation in the years ahead, the way its water is managed in coming decades will definitely have worldwide implications.¹ Struggle over the Nile's waters has had global political consequences in the past and could fan existing conflicts in the Horn of Africa and Somalia, threaten the peace agreements in the Sudan, and influence the power balance in the Middle East in the future. Yet, in terms of jurisdiction and development, the Nile has been cited as one of the few international river basins with legal arrangements for sharing the waters, and has at times been portrayed as a possible model for other international river basins.²

Literature on the River Nile is quite extensive.³ The importance of the river and the efforts to control it during the British colonial period are relatively well documented and analysed,⁴ but for the post-independence period there is no comprehensive and empirical description of the riparian countries' efforts to manage the watercourse.⁵

One premise of this study of the modern history of the Nile basin, and the imprint the river and attempts at modifying and sharing it have had on regional and national development, is that the only way to escape the power of history is to know it. The manner in which states, political leaders and ordinary people have adapted to and used the Nile are important in themselves, since these human–river relations form central elements of the history of every basin country. Conventional, 'water blind' history writing has tended to overlook the importance of the river and its tributaries in structuring development patterns and has failed to grapple with the regional political implications of powerful actors' Nile strategies. The deep connections between river and society have continuously created and recreated a particular arena for policy-making and diplomacy in the Nile valley, and impacted, as well, the history of each and every country. In order to grasp the modern history of the peoples of the Nile basin and the challenges of cooperation and optimal and rational utilization of this finite water resource, it is necessary to focus in detail on how developments in different countries followed



Map 1: Nile basin.

their own particular pattern, structured and made possible by historical, ecological and power configurations in the Nile basin.

THE AGE OF THE BRITISH

The history of the Nile basin in the age of the British is one of water wars, of hydropolitics on a grand scale, and of a river empire – stretching from the Mediterranean to the heart of Africa. The British colonial period was also a time, at least in part of the Nile basin, of revolutionary pushes to modernize Nile control and thus the water economy as a whole, and hence (because of the importance of water and the Nile) to modernize other economic sectors of the society. From source to mouth the river was for the first time controlled from one centre; and from London, and by the British government. This was the moment in time when political leaders came to regard this widely varying resource as one hydrological and political unit, with far-reaching consequences for the peoples who for generations had been living along the banks of the river as if the river and its tributaries were local water courses.

British Nile policy, the development it stimulated and the conflicts it engendered had important effects locally and regionally, and, in certain cases, they had world historical importance. Global political events – such as the partition of Africa, the collapse of the League of Nations, the demise of the British Empire and the birth of such new states as Uganda, Kenya and a sovereign Sudan independent from Egypt – were all closely related to British Nile strategies, and partly a consequence of these strategies.⁶ Britain's occupation of Egypt in 1882 was a *démarche* owing more to the Suez Canal than to the Nile, but its accession of Uganda in 1894 and conquest of the Sudan during the 'river war' of 1896–98 were first and foremost aspects of an imperial expansionist strategy for control of the Nile as a resource.⁷ These military campaigns brought the kaleidoscopic procession of civilizations, peoples and the hundreds upon hundreds of language groups of the enormous Nile basin into the maelstrom of world politics – but under a kind of Pax Britannica. Conventional explanations of the partition of Africa and the race to Fashoda have one-sidedly focused on the role of European rivalry in forcing a supposedly reluctant Britain to occupy the Nile basin; that it was the fear of the French and the Italians that forced, so to speak, the British to move upstream. But what actually happened, and what is well documented in secret sources from the time, was that the British took control of Uganda and the Sudan because of a deliberate kind of water imperialism.

British expansion upriver was a rational imperial policy driven by a complex mixture of economic and political considerations that were influenced by how they understood the structuring capabilities of the Nile's geographical and hydrological characteristics.⁸ Britain had two (partly conflicting) visions of Nile management which framed colonial strategy in this part of Africa and the Middle

East. On the one hand, it sought to secure more water for Egypt in order to increase agricultural production, and especially the profitable cotton production, and to enrich the country under its own benign oversight. Posing as the guardian of Egypt's lifeline, Britain could maintain its position at Suez. But on the other hand, upstream water projects under London's control might also be used as leverage *against* Egyptians, elite and fellahin alike, if they ever grew restive.⁹ It was for these combined and partly conflicting motives that the British aimed at 'taking the Nile in hand'.¹⁰ As part of this policy, London signed pacts and agreements with other European colonial powers active on the 'fringes' of the Nile basin, such as Germany, Italy, France and Belgium, curtailing their influence and instituting a regime of 'non-interference' with the hydraulic integrity of the river system.

The widespread understanding in the historical literature of the Sudan as a kind of 'buffer state' between European rivals,¹¹ more or less as Afghanistan was in Asia during the nineteenth century, is misleading. This way of conceiving the Sudan's importance disregards the geopolitical, structuring role of the River Nile. The Sudan should not be reduced to a 'buffer' between more important countries. On the contrary, it held nothing less than the very key to the planned development of the Egyptian irrigation economy. The Egyptian land-owning elite urged for a re-occupation of the Sudan (lost to the Mahdist uprising in 1885), conceiving the area more or less as an Egyptian province on the Nile. The central African lake area became crucial to imperial strategy because by controlling it London would at the same time control the headwaters of the White Nile, the most important tributary for the cotton crop in Egypt during the first decades of British rule, and thus the very lifeline of Egyptian summer cultivation. These regions of the Upper White Nile were primarily conceived of as aqueducts bringing water to the irrigated fields in the far north, and London allowed only very modest water development upstream. The territories south of Lake Victoria and east of Lake Albert were considered to be of marginal importance to the flow of the main Nile, and they were therefore also of marginal strategic importance to Britain. The British similarly thought it unnecessary to occupy Ethiopia for hydropolitical reasons – something that might have been difficult to achieve, anyway, due to both potential strong local military resistance and diplomatic opposition from other European powers. The technology available at the time did not make it possible to control and store for usage in the low season the violent and silt-laden flood waters of the Blue Nile, and its waters could thus contribute little to planned economic activities related to cotton growing in the summer, or *sefi*, season.

The British first invented the Nile as one planning unit in 1904.¹² Their Nile strategy led to an overall water policy, demanding limited development and modernization upstream in the basin.¹³ Here the main aim was to maintain law and order without high expenditure, while in Northern Sudan and Egypt the British rulers invested in river control works, irrigation development and cotton production made possible by artificial watering. After the Egyptian Revolution in 1919, London also worked tirelessly to expand cotton cultivation in the Sudan,

especially in the Gezira scheme, not least because the cotton that was produced here was produced in an area still firmly controlled by Britain and therefore it was regarded as being a more secure source of supply than post-revolutionary Egypt. The relative efficiency of British Nile policies in these early decades of imperial rule reflects the fact that they were implemented by a comparatively small group of political strategists in London, Cairo and Khartoum, in conjunction with an even smaller group of water experts, supported wholeheartedly by the government in London and enacted in a political–institutional environment where the most powerful regional stakeholders supported them.¹⁴

Gradually the coherence of British imperial policy became weaker, and different imperial interests started to conflict with each other. When the British had the Sennar dam built in the mid-1920s, by a stroke they initiated a development that turned the Sudan into a hydraulic state, also creating, along the way, an economic and political elite with a strong vested interest in ever-increasing Nile control. From a geopolitical perspective, Foreign Office strategists in London, eager to weaken Egyptian influence in the Sudan, repeatedly stressed that whoever controlled the Sudan ‘held Egypt at her mercy’, because the Sudan lay astride the Nile upstream of Egypt. The dam and increased irrigation in northern Sudan were thus both in line with Lancashire’s interests for more cotton and with geopolitical considerations, but at the same time British colonial officers, stationed in the country, started to view the Sudan and its development as important in itself. London never managed to win necessary Ethiopian support for plans to build a dam at Lake Tana in Ethiopia; project ideas they had developed at the very beginning of the twentieth century. Haile Selassie, the strong man in Ethiopia from the First World War to the 1970s, distrusted London’s intentions, fearing that the dam was a plot in a larger plan aiming at the partition of Ethiopia. In return for permission to build a dam there, he wanted support from Britain for his claims to Eritrea against Italy, a promise he was not given. (I have elsewhere shown how the history of the Tana dam is part and parcel of important world history, related to the Italian occupation of Ethiopia in the mid-1930s, Britain’s attitude to Mussolini’s attack on Ethiopia, and the subsequent collapse of the League of Nations, the forerunner of the United Nations.)¹⁵ In Uganda, British colonial administrators disliked what they considered a downstream bias in British Nile policies. From the 1940s on, especially, they started to put pressure on London to revise their Nile policy; they wanted a hydroelectric dam in Uganda to modernize the country. When they finally received Egyptian acceptance for the building of the Owen Falls dam, finished in 1954, the British introduced large water-control works in Uganda and turned an important new page in the history of that country. The crushing defeat of Britain in the Suez crisis of 1956 – after their political tactics related to their financing of Nasser’s Aswan dam backfired and ended in the Suez war – was the death blow to Britain’s Nile project.

The British also pioneered a system of river-sharing agreements. Some were negotiated from strength (e.g. in 1902 with Emperor Menelik II of Ethiopia), and

some from relative weakness (notably the exchange of notes with Egypt in 1929, largely an effort to regain some trust and reputation in Egypt as the powerful provider of Nile waters, and largely lost through the so-called Allenby ultimatum in 1924, when the leading British politician in the region declared that the Sudan unilaterally would be able to withdraw more water from the Nile in the Sudan than what had been promised to Egypt). In the 1950s, when the approach of the 'wind of change' made it evidently clear that the days of the British Nile empire were numbered, London tried to reach a kind of basin-wide agreement with Egypt based on a new and more equitable Nile Valley Plan, giving more attention to the water needs of the upstream countries still under British control, but they failed.

A balanced interpretation and assessment of the British colonial period in this part of the African continent cannot be achieved without giving due emphasis to the River Nile and its economic and political importance, its physical characteristics and how these were understood and manipulated for the benefit of certain types of economic transformations by the British water planners and politicians. Moreover, knowledge of the British period on the Nile is also important, seen as an event in the very long history of relationships between man and river, because the empire's Nile discourse, Nile plans and Nile strategy developed and became very different from those of the past, and have had and will have long-lasting consequences.¹⁶ The British authorities were the first to be in a position that enabled them to formulate and popularize a basin-wide techno-scientific planning concept of the river basin as a whole. It will also have long-lasting implications that their vision for Nile development and London's hydropolitical thinking were biased in favour of Egypt and from the 1920s also in favour of the northern riverain Sudan, both due to imperial strategic plans and visions and for economic reasons. Since the emergence of independent Africa, the Nile states have been at loggerheads over the sharing and control of the waters of the Nile. While the British Empire collapsed decades ago, the legacy of the British Nile empire has had important implications for the development of the entire Nile basin up until the present; thus justifying empirically, and from a new perspective, the term the 'post-colonial age'.

THE AGE OF INDEPENDENCE

Gradual disintegration of colonial authority, and London's weakened ability to enforce one strategy for the basin as a whole, led to what from a long Nile historical perspective can be seen as the emergence of a more decentralized decision-making process when it comes to water projects, and less comprehensive and coherent Nile management plans. With independence a new era opened because suddenly, and for the first time in the long history of the river, nine sovereign states (ten, when Eritrea declared independence from Ethiopia) were responsible for using and

sharing the Nile basin. Two historical processes coincided; new states were established just as it became technologically feasible to control the Nile waters on a much larger scale than before, and in places where it previously had been physically impossible to tame it. Post-colonial Nile developments were therefore from the outset influenced by aspirations of national pride and sovereignty and state power on the one hand, and considerations of technological feasibility and economic ability on the other hand. Respective national policies developed at very different paces, however, reflecting varying levels of development, degrees of political stability and specific geographical positions in the Nile basin, as well as varying legal positions as to the right to Nile waters.

Egypt has throughout the post-colonial period been by far the most important actor on the Nile, and has also been the state that has benefited most from the Nile arrangements institutionalized by the British Nile Empire. The two most formative events in this period in the Nile basin, influencing the whole region's economic development and hydropolitical power relations, took place under Gamal Abdel Nasser. The Egyptian leadership aimed at liberating the country from potential pressure and interference from upstream powers (i.e. at that time, the British) by the decision in the 1950s to build the new Aswan Dam. The dam was designed to hold two years of successive Nile flows. The idea was that it, as Nasser expressed it many times, should help turn Egypt into the 'Japan of Africa', and that it at the same time should tame the river within the borders of Egypt. The dam was finished in 1971 and became the foremost symbol of Nasser's vision of independent Egypt. It played a very important role in expanding power production and agricultural area. The dam has also served an important hydrodiplomatic aim since it has helped to bolster Egypt's claim that they have acquired rights to 55.5 billion cubic metres (bcm) of Nile water every year. Nasser's impact on the present Nile regime cannot be overestimated, also because he was instrumental in bringing about the 1959 agreement with the Sudan: the agreement 'For The Full Utilization of the Nile Waters' was signed at Cairo on 8 November 1959 and was in force by 12 December 1959.

The Egyptian government has since then determinedly pursued water control projects within Egypt's borders, while at the same time recognizing upstream countries' development of the Nile's waters as a potential national security threat. Egypt aimed for some time to enforce the principle of 'exclusive user rights', but that idea now belongs to the past. The old, deep-seated cultural notion that Egypt was entitled to the waters of the Nile could not be maintained in the modern post-colonial era, challenged partly by a growing body of international water law but also by a growing political strength in the upstream countries. In the 1970s and 1980s, Egypt stated its willingness to resort to military measures to secure its water supply. They threatened to use military force against anybody interfering with what has generally in Egypt been considered an Egyptian river, because Egypt had, it was argued, since the dawn of civilization been dependent upon the waters of the river while the up-stream countries have had no, or very weak,

traditions of Nile control. Since at least the mid-1990s, however, Egypt has changed its policy and diplomatic strategy. The military option is now publicly discarded, regarded as neither viable nor justifiable. Egypt's official policy has been to foster cooperation and goodwill among the countries in the basin,¹⁷ and it has followed this up by taking concrete measures; in a number of cases, Egypt has offered economic assistance. For example, after the Sudan Peace Agreement, Egypt offered support to build up an irrigation administration in South Sudan (under the British there was quite a strong division of what was then called the Egyptian Ministry of Public Works established in the swamp area of South Sudan, mainly concerned with planning the projected Jonglei Canal). Egypt's policies have been formulated within a context of conflicting aims: the need to control the Nile while sharing sovereignty over it; balancing the inherent vulnerability of a downstream country with military strength far exceeding that of the other Nile countries; dealing with a permanent food shortage through imports from Nile neighbours instead of from Argentina and Australia; and maintaining a status quo in water-sharing issues that is unsustainable for Egypt itself, for it needs more water than it has and looks to projects in southern Sudan for close to 20 bcm of extra water. Egypt's official policy has been to stress that regional cooperation is in Egypt's own national interest, and should not be dismissed by sceptics as a mere shift in tactics. In upstream countries rumours have often had it that Egypt instead has aimed at sustaining instability and weak governments there, so as to indirectly hinder them in developing the water resources. Egypt has pursued its Nile diplomacy by intentionally playing down deep-seated differences in conceptualizations and policies among the Nile basin states, especially between Ethiopia and Egypt. All the actors, including the leaders of Egypt, also know that extolling cooperation also sits well with the international donor community.

The position of upstream states has in general been described in this way: 'Diversion, overuse, contamination and flow delay are tactics that are available in accordance with one's position on the riparian totem-pole.'¹⁸ But a riparian upstream position understood within such a perspective regards it simply as a static form of potential coercion, being bound to cause conflicts, and does not fit the actual historical developments of the Nile story. A much milder version of this attitude has been expressed in some upstream countries, nurtured by what has been conceived as a lack of progress on new Nile-sharing agreements. Among the questions that have been discussed are: To what extent should agreements reached during the British era be binding today? And what about the 1959 agreement between Egypt and the Sudan, which left these two parties to decide whether to hold negotiations with other riparian states about sharing of their waters? If this agreement is not renegotiated among all the stakeholders, is genuine cooperation even possible? Some actors have argued that it is possible to sustain and deepen cooperation, while at the same time the issue of water sharing should be circumvented by focusing on water harvesting potentials and economic ties more generally; however, other actors, and some upstream countries especially,

have, more or less persistently, argued that the present Nile regime is outdated and reflects the power relations of the post-colonial period, and that it has to be changed – although, it has been in general underlined, in an atmosphere of cooperation and not confrontation.

The Sudan has for most of this period sided with Egypt on Nile issues. The Nile agreement from 1959 – legally expressing and confirming this specific hydrorelationship between the two hydraulic states in the northern parts of the basin – has enabled the Sudan to implement a number of Nile projects without facing vetoes or strong objections from Egypt. Influential political voices have lately argued that perhaps Sudan's interests lay more in cooperation with Ethiopia, since this could facilitate steps to improve flood control and protect the Sudan from the threat posed to its reservoirs by silt deposits from the Ethiopian tributaries.¹⁹ However, Egypt has sought to deepen its ties with the Sudan through investing in land and irrigation in northern Sudan, and Khartoum and Cairo have had and most likely will continue to have common interests in the execution of the Jonglei project and other reclamation schemes planned in southern Sudan. The territorial integrity, political stability and future political alliances of the Sudan will be central to determining the overall development of relations within the Nile basin. The ambition of turning the country into the breadbasket of the Arab world, and the big water projects that will become necessary if this aim is to be reached, might, if they succeed, change the balance of power further in the direction of the Sudan and enable the Sudan to play a more decisive role on its own.

Since the 1980s the governments of Ethiopia and Egypt have repeatedly aired sharp differences over use of the Nile. The background is clear: the Ethiopian Nile tributaries contribute more than 80 per cent of the main Nile's flow as measured at Aswan, but Ethiopia is not free to exploit the tributaries within the borders of Ethiopia. Egypt and the Sudan claim that Emperor Menelik II in 1902 on Ethiopia's behalf promised not to use Nile water without the prior agreement of Britain and the Sudan. These veto rights endure, it is argued, with Cairo and Khartoum today. Ethiopian politicians have time and again declared that 'this inequitable state of affairs' cannot continue, and their legal experts have concluded that the agreement does not bar them from constructing works on the Nile.²⁰ In addition to the legal arguments, the Ethiopian government has also pointed out that existing and planned Nile projects in the deserts of Egypt and the Sudan are wasteful and irrational water management practices when viewed from a basin-wide perspective. They argue that water would be much more effectively stored on the Ethiopian plateau.²¹

In public debates in upstream countries it has often been suggested that the 'Nile treaties' have impeded their use of the river and thus barred national and local growth. The issue of Nile control in the different countries is much more complicated, however, and the lack of development cannot be explained simply as a function of Egyptian opposition to dam projects or to new water agreements. The hydraulic infrastructure of upstream countries is certainly undeveloped, but

this also reflects political instability, poverty, poor state finances and other problems, not least a lack of real leadership and interest in and need for Nile waters.²² Nevertheless, in a broader historical context, although not very much happened for decades during the post-colonial era in most of the countries, since the 1970s all basin states have slowly started to contemplate and implement Nile control works.

Disagreements among the Nile countries over sharing the waters have been real and deep-seated. The post-colonial era in the Nile basin has been a period marked by legal battles concerning the successors of the colonial Nile agreements and the degree to which these should be legally binding on what is described as non-contracting, sovereign basin states. While these water agreements have played a lesser role in barring upstream development than some have maintained,²³ the water-sharing issue has been and still is a major point of contention and will continue to be so. Water-sharing issues were, for example, omitted from the 2005 North–South peace accord in the Sudan, because the Nile issue would have threatened the agreement as a whole. Kenyan and Ugandan legislators have insisted on declaring the 1929 Nile waters treaty void. Ugandan President Yoweri Museveni dismissed these ‘childish demands’, and while blaming a misinformed subordinate for mistakenly announcing Kenya’s renunciation of the water treaties, that country’s water minister praised the excellent relations with Egypt. At the same time as leading politicians in upstream states have assured their intention and willingness to cooperate, the upstream states have declared that the Nile agreements concluded by Britain and Belgium are no longer applicable and should be revised. The positions of the different countries have in relation to this issue remained basically the same: Egypt wishes to secure the amount that they historically have regarded as acquired rights and hopefully even increase the water they can use. The Sudan shares the interest in some form of status quo but with slight modifications, and in the future some degree of convergence of views with Ethiopia might develop. The upstream states are, although to differing extents, in favour of new water-sharing arrangements and have taken the position that the existing Nile treaties cannot be maintained in the long run. Agreements signed between the Sudan and Ethiopia (23 December 1991) and Egypt and Ethiopia (1 July 1993) helped to weaken, at least in principle, extreme positions that based themselves upon doctrines safeguarding the interests only of one of the parties. All states now seem to agree that regulations for the use of Nile waters should be worked out in detail on the basis of the rules and principles of international law, although they do not agree on which particular doctrines should be given priority. Gradually the upstream countries have attempted to develop a Nile diplomacy arguing the principle of equitable uses, while refuting the claims of ‘historical, natural or acquired’ rights. Egypt’s policy regarding the uninterrupted natural flow of the Nile, a legacy of the past and the British colonial era, has also partly been modified, and Cairo has been looking for some sort of compromise as an alternative to unilateral action from upstream states.

To understand and reconstruct the modern history and the recent development of the countries of the Nile basin it is necessary to incorporate the region's defining element, the River Nile, in the analyses. Many historical, diplomatic and political studies are produced about the region and its countries that fail to recognize the importance of the river and its waters, and some of the studies that do bring water politics into the picture suffer from a superficial understanding of Nile hydrology and Nile projects, and how they are interlinked. It must therefore be important to bring forth more information both about the Nile as physical space and structuring force in the different Nile states, creating certain ranges of economic and technological possibilities, as well as about the many concrete initiatives politicians and water experts have undertaken in order to exploit and control the river. This is what this book aims at doing.