Good Governance through Public Policy Education: Experiences from US-Mexico and Iran-Afghanistan Water Treaties

Clay Ramsay[1] | Javad Arabshirazi[2✉][iD]

1 Ph.D. Senior Research Associate, Center for International and Security Studies, School of Public Policy University of Maryland, College Park, United States. | cramsay@umd.edu

2 Corresponding author, MSc Student International Law, Faculty of Law, University of Qom, Qom, Iran. j.arabshirazi@stu.qom.ac.ir

Article Info	ABSTRACT
	The inherent difficulties of designing and executing good public policy are not restricted to modernity or any specific political system. Many of these difficulties were pondered and discussed even in the ancient world. Today, Public Policy Education (PPE) has turned into a primary necessity, and more than any time in recent history needs to be promoted globally. PPE could empower citizens to assume a more effective role in good governance through understanding how governmental decisions directly impact their lives. The promotion of PPE can lead to the overall of promotion of good governance, as it can progressively enhance civic agency, limit excessive state control, and reinforce democratic principles. This study examines the origins of public policy fundamentals and argues that they are not inherently tethered to the American context. It posits that public policy educators around the world can, and indeed should, develop their own curricula based on similar broad outlines and comparative studies. Establishing PPE worldwide is paramount, and one effective method is to immerse students in real-world policy challenges from diverse global settings. This paper – employing a descriptive-analytical method and illustrating its application through two bilateral treaties on water rights (US-Mexico and Iran-Afghanistan Water Treaties) – further highlights how other real-world case studies from international organizations, such as the International Telecommunication Union (ITU) and the Food and Agriculture Organization (FAO), can expose students to practical policy challenges. The paper seeks to address a central question: Can Public Policy Education effectively promote good governance? Findings suggest that PPE holds significant potential for cultivating a globally informed and engaged citizenry. This is particularly vital given the widespread perceptions of governance failures in numerous states; an educated populace familiar with universal principles of good governance can tackle complex policy issues more effectively than current state structures.

Table of Contents

Introduction

The discipline of public policy, formally established in the United States post-World War II, is a relatively nascent academic field that functions as both a scholarly pursuit and a foundation for professional practice.[1] Historically, the School of Public Policy at the University of Maryland[2] concentrated its pedagogical efforts exclusively on graduate education. The establishment of its undergraduate program approximately seven years ago represents a significant, more recent institutional development, to which I (Dr. Ramsay) have contributed curriculum development for a considerable duration of its relatively short existence.

It is not readily apparent what foundational knowledge is indispensable for undergraduate public policy students, whether they intend to pursue graduate studies or enter professional policy roles. Empirical observation suggests the following competencies are crucial:

1. A recognition of recurrent patterns in social life and governance observable across diverse historical and geographical contexts;
2. An understanding that self-governance, irrespective of its manifestation, inherently poses challenges not present under oligarchic, autocratic, or imperial systems;
3. A comprehension of the logical underpinnings of popular governance within democratic or republican frameworks;
4. The acknowledgement that policymaking inherently involves confronting unforeseen issues; the unexpected is not an isolated category but an integral aspect of the domain;
5. The capacity to accept limitations on available tools and viable solutions;
6. Practical experience in collaborative decision-making within small groups, particularly when addressing unforeseen problems under constraints;
7. The ability to accurately recall and represent collective group decisions, rather than solely individual contributions or preferences.

It is of interest to briefly consider the relations between the qualities and skills just

---

1 - Martin Potůček and Lance T LeLoup, 'Approaches to Public Policy in Central and Eastern Europe' in Martin Potůček and others, *Public Policy in Central and Eastern Europe: Theories, Methods, Practices* (Network of Institutes and Schools of Public Administration in Central and Eastern Europe 2003) 1, 12-., available at https://www.martinpotucek.cz/wp-content/uploads/2019/10/approaches-pp.pdf accessed 30 May 2025.
2 University of Maryland School of Public Policy, 'Research & Impact' https://spp.umd.edu/research-impact accessed 30 May 2025.

enumerated and the intellectual framework underpinning the creation of the United States Constitution. Items (1) through (4) were all part of the intellectual repertoire of the fifty-five founders who drafted the Constitution, and were fairly widespread in the revolutionary generation. These four qualities were stimulated by the types of effort involved in fighting for, and conceiving of, a republic that would cover an extensive territory – a novel undertaking at the time. Later, with greater historical distance from the founding era, these qualities may have been prone to decline.

On the other hand, items (5) through (7) are administrative qualities that, in its new structure of government, the revolutionary generation had to learn. In the American experience, these latter qualities may have reached their real fruition in the 1930s and 1940s, when state capacity for survival was tested by the Great Depression and World War II. The development of congressional legislation for reform and executive-branch agencies to deal with pressing crises created an institutional legacy that remains a subject of contemporary controversy and dispute.

Students new to the study of public policy are likely to assume that for a given problem, material resources, a knowledge base, and the rationality to use both well are already in place. In practice, however, it is more likely that at least one of these three is lacking. Also, the rule of law is not a constant in a given society; it is at best more fragile than it looks, and is a matter of degree, tending to widen and narrow depending on what social strains are impacting it. Thus, to effectively address these common preconceptions, it is crucial to present actual policy problems through exercises that require collaborative effort and tentative problem-solving.

The comprehensive scope of the above-mentioned foundational competencies might initially suggest an overambitious pedagogical undertaking; however, their integration into an academic curriculum is entirely feasible. This approach has been pursued within two mandatory courses, "Great Thinkers and Public Policy" and "Public Leaders and Active Citizens," in the United States, also offered by other members of the faculty.

To foster a globally aware and engaged citizenry, this paper argues that comprehensive public policy education should emphasize universal principles, historical context, and practical, globally relevant case studies. Such an approach is essential for equipping students with the adaptive and collaborative skills required for effective governance in an increasingly interconnected world. Accordingly, the paper begins by examining various patterns of governance, followed by an analysis of two case studies - the US-Mexico and Iran-Afghanistan water treaties. It concludes by proposing a pedagogical framework for analyzing cross-border water rights.

1. Patterns of Governance

Recognizing patterns of governance is a vital analytical skill for participants in political systems, from scholars to active citizens. It entails understanding the recurring structural trends and systemic behaviors that characterize how power operates and decisions are made. This insight provides a deeper understanding of a system's strengths, vulnerabilities, and

predictable reactions. Ultimately, this foresight allows for better policy predictions, smarter diplomatic strategies, and more effective interventions.

1.1. The Confucian Model

To introduce students to the concept of recurrent patterns in social life and governance across diverse societies, the curriculum incorporates the teachings of Confucius. It is often overlooked in Western academic discourse that Confucius is a primary source of civil service principles and ethical standards,[1] advocating for impartiality and integrity in public administration. This philosophical framework, which influenced 18th-century European thought through Jesuit missionary[2] accounts of Chinese culture, later became integrated into Western civil service examination systems in the 19th century, albeit with its Chinese origins largely obscured.

> *"In the sixteenth century, through the right of royal patronage (Padroado), the Portuguese Crown summoned the Society of Jesus to spread Christianity beyond Europe, in non-Christian lands, previously divided between the Spanish and Portuguese Crown by the papal authority. Thus, tightly anchored in European colonial expansionism, the Society of Jesus projected itself into new spatial layouts. The Jesuit mission was the first one to be established on a permanent basis on Chinese soil in the late Ming period, allowing a continuous exchange between the European missionaries and their many Chinese interlocutors. The mission became official when Michele Ruggieri (b. 1543–d. 1607) and Matteo Ricci (b. 1552–d. 1610) set up a first residence in Guangdong Province in September 1583. Following instructions of the Visitor to East Indies' missions, Alessandro Valignano (b. 1539–d. 1606), they took steps to accommodate to local culture, especially in its external aspects. Matteo Ricci went further, shaping an accommodation of Catholic Christianity to Confucianism, with the help of his Chinese interlocutors. This progressively entailed a harsh rejection of Buddhism and Daoism. In close collaboration with scholar-officials and literati (some also Christian converts), this accommodation accompanied knowledge production outside the religious and doctrinal spheres, like philosophy, cartography, mathematics, and astronomy, among others, which eventually materialized in a vast literature in Chinese. Consequently, Christianity as promoted by the Jesuit missionaries became a broader cultural phenomenon in China. This 'elite proselytism' was capped with certain Jesuits' official appointments to the Astronomical Bureau in early Qing China. However, scholarly studies in the twenty-first century have shown how Jesuit missionaries promoted other forms of Christian missionary work, especially in rural areas, far from Beijing. Italian historiography in the first half of the twentieth century presented Matteo Ricci as the main founder of the China mission, overshadowing Michele Ruggieri. This trend grew stronger during the Second Vatican Council (1962–1965), when the Jesuit China mission as shaped by Matteo Ricci was praised as a model of inculturation of the Christian*

---

1 Michael Schuman, *Confucius: And the World He Created* (Basic Books 2015).
2 Available at https://www.europeanguanxi.com/post/jesuit-missionaries-in-china-during-the-early-modern-period accessed 30 May 2025.

faith. Accommodation to Confucianism has been generally placed at the core of what became known as the Chinese Rites Controversy, by which the Jesuit missionaries were denounced by other religious orders in China for their tolerance toward Confucian rites."[1]

The Analects, often referred to as the *Sayings of Confucius*, is a classical Chinese philosophical work that contains a collection of teachings and thoughts attributed to Confucius and his associates. It is traditionally thought to have been assembled by his disciples. In class, students engage with selected extracts from *The Analects*,[2] specifically curated for their relevance to modern concepts of public administration. These readings are categorized into practical applications, including: "On informing yourself," "On the people," "On getting employed," "On ethical conduct," "On dismissal from work," "On resignation," "On mentoring the young," and "On the flourishing and decline of states." Students then select a passage and compose a brief essay reflecting on its personal or policy significance. This exercise helps students recognize the enduring relevance of ancient ethical principles to contemporary policy challenges, fostering an appreciation for the historical continuity of governance ideas.

1.2. Self-Governance: Lessons from Aristotle

To impress upon students the reality that self-government is a continuous endeavor fraught with difficulties, the course introduces Aristotle's Politics.[3] While Plato's Republic,[4] a work of speculative political philosophy, often dominates undergraduate curricula in American universities, Aristotle's *Politics* offers an empirically grounded analysis of real city-states, providing a taxonomy of self-governing constitutions and an examination of their stability and longevity. This disparity in pedagogical emphasis is notable, given Western democratic societies' commitment to self-governance.

"Aristotle's critical review of Plato's *Republic* and *Laws in Politics*, as well as his criticism of other constitutions in the same book, has had a mixed reception. Franz Susemihl and Robert Hicks say that Aristotle's 'attack upon the polity of pure reason, as it claims to be, in Plato's *Republic* ranks among the most successful parts of the whole work,' while Julia Annas describes it as "surprisingly crass and literal-minded, much below Aristotle's best.' In the same vein, some scholars have accused Aristotle of failure to engage Plato in a fair way or even to understand Plato at all, while others have defended his criticisms as largely or completely justified." [5]

Students engage with extracts from Books IV, V, and VI of *The Politics*, focusing on themes such as the diversity of constitutions, the interplay of social classes, definitions of democratic

---

1 Ana Carolina Hosne, 'The Jesuit Missions in China, from Matteo Ricci to the Restoration (Sixteenth-Nineteenth Centuries)' *Oxford Bibliographies Online: Chinese Studies* (last modified 23 May 2024) https://www.oxfordbibliographies.com/abstract/document/obo-9780199920082/obo-9780199920082-0221.xml intro section, accessed 30 May 2025.

2 Robert Eno, *The Analects of Confucius: An Online Teaching Translation* (2015) https://www.transcend.org/tms/wp-content/uploads/2022/09/Analects-of-Confucius-Eno-2015-TMS_compressed.pdf accessed 30 May 2025.

3 Aristotle, *The Politics* (TJ Saunders ed, TA Sinclair tr, Penguin 1992).

4 Plato, *The Republic* (GMA Grube tr, CDC Reeve rev, Hackett Publishing 1992).

5 Jozef Müller, 'The Politics of Aristotle's Criticism of Plato's *Republic*' in S Weisser and N Thaler (eds), *Strategies of Polemics in Greek and Roman Philosophy* (Brill 2016) 93.

and oligarchic types, the concept of polity (*politēia*), and factors influencing constitutional stability or overthrow. A summarized chart of Aristotle's spectrum of government forms further aids comprehension. A key insight for students is Aristotle's argument that the most stable constitution integrates multiple principles, balancing the rule of wealth (oligarchy) and the rule of the majority (democracy) to prevent instability arising from unchecked power or hasty decisions. This segment of the course develops students' capacity for critical analysis of political structures and their inherent vulnerabilities, emphasizing the perpetual need for balance and deliberation in self-governing systems.

1.3. Popular Governance: Machiavelli's Republicanism

To lead students to ponder the logical premises for governance by the people in a democracy or republic, the curriculum turns to Niccolò Machiavelli. Unlike the more commonly taught The Prince, which focuses on sole rulership, *Discourses on Livy* offers a treatise on republicanism, making it particularly relevant for understanding popular governance. It is indeed curious that a large, established republic like the United States would not prioritize the teaching of the latter.

Machiavelli begins by pointing out that he is arguing for principles "where it is not sought to impose them by violence or authority [*i.e.*, earlier writers]."[1] On these questions, reason can stand alone. He then states - not that the people are inherently better than a prince - but that they are no worse: "both equally err when they can do so without regard to consequences…were any to accuse both princes and peoples, the charge might be true, but… to make exception in favor of princes is a mistake." The human nature of each is the same, whether ordinary individuals, princes or a multitude. Therefore, only respect for the laws, especially a community's founding laws, makes the difference in governing wisely. It is only if a people respects its laws that it is "more prudent, more stable, and of better judgment than a prince."

Students analyze Machiavelli's *Discourses*, specifically Chapter 58, "That a People is Wiser and More Constant than a Prince." Machiavelli posits that, given adherence to foundational laws, a people can be more prudent, stable, and judicious than a prince. He supports this with empirical observations from Renaissance Italian city-states, noting the remarkable progress of those governed by the people. This challenges the notion of republics as mere mechanical systems of checks and balances, underscoring the vital role of civic virtues and ongoing deliberation. This study develops students' understanding of the philosophical underpinnings of popular sovereignty and the conditions necessary for its successful operation, moving beyond simplistic views of democratic functionality.

1.4. Good Governance: Transparency, Accountability, and Participation

Governance encompasses the full range of processes, institutions, and practices through which societies make decisions and manage shared concerns. It's about how rules are made, how power is exercised, and how responsibilities are carried out across all levels of public

---

1 Niccolò Machiavelli, Discourses on the First Decade of Titus Livius (Ninian Hill Thomson tr, Kegan Paul, Trench, Trübner & Co 1883).

life. When we talk about good governance, we add a crucial value judgment - emphasizing transparency, accountability, participation, and fairness. From a human rights perspective, good governance means ensuring that public institutions act in ways that protect human dignity, manage resources responsibly, and promote the realization of rights and justice for all.[1]

While there is no internationally agreed definition of 'good governance', it typically spans the following attributes: full respect of human rights, the rule of law, effective public participation, multi-actor partnerships, political pluralism, transparent and accountable processes and institutions, an efficient and effective public sector, legitimacy, access to knowledge, information and education, political empowerment of people, equity, sustainability, and attitudes and values that foster responsibility, solidarity and tolerance.[2]

The United Nations Human Rights Council has identified the key attributes of good governance: transparency, responsibility, accountability, participation and responsiveness (to the needs of the people).[3] All these key attributes can be achieved throughthe promotion of the Public Policy Education. In fact, every citizen has the right to the PPE education, for the right to education is recognized as a fundamental human right under Article 26 of the Universal Declaration of Human Rights (1948).

The idea that States in today's world are groeing increasingly ineffective and unresponsive is a complex issue with deep roots, and it's certainly not confined to a single country or political system. In this respect, American professor James L. Perry says: "Americans variously perceive the state of governance in America as broken, frustrating and unresponsive. A common expression may summarize public sentiment: 'The wheels are coming off!' This sentiment is rooted in at least three simultaneous developments: government's failure to do basic work that once was taken for granted, an accelerating pace of change that quickly makes past standards of performance antiquated, and a dearth of the intellectual capital that generates the knowhow to fix the gulfs between expectations and performance."[4]

A central question arises: How should States respond to pervasive public dissatisfaction and distrust? Some answer that "Good Governance" can address these deficits. The Council of Europe describes good governance as "the responsible conduct of public affairs and management of public resources" which promote "accountability, transparency, the rule of law, and sound financial management. They serve as a foundation for delivering better services and fostering trust in public institutions."[5]

The authors of this paper contend that good governance needs to be materialized alongside the promotion of education of public policy. Accordingly, universities around the world should develop the necessary curricula and institutionlize this nascent field.

---

[1] Ruhollah Akrami and Mehrad Momen, 'Combating Corruption in Public Administration, Policy and Governance: a Perspective on Iranian Law' (2023) 2 Iranian Journal of International and Comparative Law 231.

[2] Office of the United Nations High Commissioner for Human Rights (OHCHR), *What is Good Governance?* (OHCHR, undated) https://www.ohchr.org/en/good-governance/about-good-governance accessed 6 June 2025.

[3] ibid

[4] James L Perry (ed), *Public Service and Good Governance for the Twenty-First Century* (University of Pennsylvania Press 2020)

[5] Council of Europe, '12 Principles' (n.d.) https://www.coe.int/en/web/centre-of-expertise-for-multilevel-governance/12-principles accessed 3 June 2025

2. Real-World Simulations (FAO, ITU) in Classroom

To ensure students realize that policy responsibility entails dealing with unexpected problems, and that the unexpected is a constitutive element rather than a separate category, classroom simulations are employed. These simulations present real-world policy dilemmas that are well-documented and sufficiently circumscribed for student engagement.

An initial simulation engages students with a hypothetical scenario derived from the Virginia Board of Health, where a temporary acting commissioner was appointed in apparent contravention of state law mandating that the position be held by a medical doctor. Students, adopting the perspective of policymakers, are tasked with identifying the Board's available policy choices, avenues for appeal, and the appropriate public or private nature of such appeals. Weekly exercises then present students with a diverse array of challenges - ranging from local and national (e.g., specific United States governance issues) to complex international cases, including those involving bodies such as the Arctic Council, the International Telecommunication Union (ITU), and the Food and Agriculture Organization (FAO). A defining characteristic of all these problems is their inherent unpredictability and lack of readily apparent solutions. This pedagogical approach actively cultivates students' capacity to navigate ambiguity and complexity in policy situations, thereby preparing them for the intrinsic unpredictability of real-world governance. The inclusion of cases centered on the ITU, for instance, allows students to explore the intricate processes of international spectrum allocation and its implications for global communication, while FAO-related scenarios immerse them in the multifaceted challenges of global food security, sustainable agriculture, and humanitarian aid coordination.

The simulations are designed to build students' capacity to accept constraints on the tools or solutions available. Students are typically presented with a limited menu of permissible approaches, forcing them to operate within predefined boundaries. In the Virginia Board of Health example, students could choose between sending a private letter to the governor, discussing concerns with state senators (potentially leading to public disclosure), or issuing a public statement. This structured approach ensures students understand that policymakers rarely have the power to simply "fix" problems, but must work within existing limitations. This exercise hones students' resourcefulness and strategic thinking within constrained environments.

Cultivating the ability to make decisions collaboratively under constraints on unexpected problems, and accurately recall group decisions, is a critical objective. following a briefing on a problem, students form dynamic groups of four to six. Group formation is designed to foster diverse perspectives: students first answer three questions related to the broader policy problem, then divide provisionally based on their answers, and finally form mixed groups. Each group is assigned a leader via dice roll, ensuring equitable rotation of responsibility. Groups have 25 minutes to agree on a policy approach, with explicit instructions to take clear notes of the collective decision. This method, while seemingly intricate, quickly becomes routine. The emphasis on meticulous note-taking is crucial as students must learn to identify with and

articulate a group's rationale, rather than merely their individual preferences. This practice is essential for developing teamwork, consensus-building, and collective accountability.

Armed with their collective notes, students practice clearly communicating a policy decision to the general public, anticipating objections, and formulating fair responses. A few weeks after a simulation, each student selects one of their group's decisions and drafts a mock press release, accompanied by a "Frequently Asked Questions" (FAQ) page addressing potential public inquiries or criticisms. This assignment, though typically concise, offers significant scope for students to refine their ability to convey complex information clearly, concisely, and transparently, taking responsibility for the group's collective decision. This exercise directly enhances students' competencies in policy communication, anticipatory governance, and public accountability.

Together, these carefully designed pedagogical interventions, integrating historical analysis with practical simulations, collectively equip public policy undergraduates with a robust set of intellectual and practical skills. By engaging with foundational texts, navigating complex dilemmas, and communicating collective decisions, students develop the capacity to critically analyze policy issues, collaborate effectively, and contribute meaningfully to public service. This comprehensive approach ensures graduates possess the analytical depth and practical acumen necessary for successful careers in public policy, whether in graduate studies or professional roles.

3. Case Study: US-Mexico and Iran-Afghanistan Water Treaties

Various types of policy problems, especially those concerning natural resources or the basics of human welfare, have similarities across cultures and are amenable to comparative analysis in classroom. Broad areas such as climate change adaptation, public health organisation, pandemic response, or energy efficiency provide ample material. A comparative analysis of bilateral treaties on transboundary water resources offers valuable insights into diverse approaches to policy challenges.

Subsequent sections will explore two case studies to support the main query of the paper which – as explained above – explores how public policy education can accentuate the role of people in governmental decision-making processes, limit States' dominance, and pave the way for good governance. This study also seeks to highlight that policy education should be started from classrooms and in classrooms, it should be grounded in concrete, real-world examples – such as international treaties – to help students better grasp complex concepts. For instance, in the case of the US-Mexico water treaty, below, state involvement was present from the outset, yet the rights of local communities were ultimately overlooked, leaving them with persistent grievances. By contrast, in the case of the Iran-Afghanistan Helmand River Water Treaty, Iranian and Afghan border communities had peacefully coexisted and interacted for years without a formal agreement. However, once state actors intervened and a treaty was formalized, local populations began facing additional challenges. In fact, these cases highlight contrasting methods for water allocation and dispute resolution, particularly in how they address upstream-downstream dynamics and institutional frameworks and underscore the importance of case-based learning in public policy education. They also point

to a broader conclusion: where citizen involvement is stronger and state control more limited, peaceful coexistence is more likely. The core message is a call for good governance via people-centered governance.

3.1. The North American Case: Depoliticized Problem-Solving

In North America, the seminal water rights treaty was negotiated during a time of positive US-Mexican relations. In 1944, both Mexico and the United States were allied against the Axis powers. Germany's sinking of Mexican cargo ships in 1942 had led Mexico to declare war against the Axis powers (Germany, Italy, and Japan).[1] Wartime cooperation on supply and matériel created a conducive diplomatic environment. Within this context, the *Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* was concluded. It includes some features of interest worth considering for freshwater cross-border treaties in general.[2]

The 1944 Treaty established parallel US and Mexican Sections, each headed by an "Engineer Commissioner" supported by assistant engineers, a legal advisor, and a secretary. These personnel are granted diplomatic rank, ensuring clear status during cross-border interactions and direct reporting lines to their respective foreign ministries. This structure facilitates the resolution of technical issues like sediment accumulation or salinity increases. Their primary role is to negotiate interpretations of the treaty, embodying solutions in documents called "Minutes." These Minutes become legally binding after 30 days if neither country objects, effectively integrating technical solutions into the treaty's operational framework.[3]

Furthermore, the treaty incorporates flexibility in water delivery. Annual water amounts to Mexico are subject to a five-year running average, allowing for adjustments responsive to natural climatic variability. This mechanism encourages upstream parties to release surplus water in years of abundance, contributing to a longer-term equilibrium. During periods of severe droughts, the timeframe for making up deficiencies is extended to the subsequent five-year cycle. The treaty also provides for "international storage dams," with costs and water shares divided proportionally, and guarantees free movement for personnel involved in these projects.

While effective in technical problem-solving, this technocratic style has shown limitations in addressing local and regional concerns. This is evidenced by the subsequent creation of bi-national committees focusing on "problem and region-specific" efforts, whose narrow focus is often cited as a factor in their success. Additionally, "Citizens' Forums" are held to share information, though their role in facilitating substantial public input remains unclear.[4]

---

1 Howard F Cline, *The United States and Mexico* (Atheneum 1965) 265-272.

2 Treaty Between the United States of America and Mexico Relating to the Utilization of the Waters of the Colorado and Tijuana Rivers and of the Rio Grande (signed 3 February 1944, entered into force 8 November 1945) https://www.ibwc.gov/wp-content/uploads/2022/11/1944Treaty.pdf accessed 30 May 2025.

3 Stephen P Mumme, 'The U.S.-Mexico International Boundary and Water Commission in the Sustainable Development Era' (2001) 9 IBRU Boundary and Security Bulletin 117, 117-125 https://www.durham.ac.uk/media/durham-university/research-/research-centres/ibru-centre-for-borders-research/maps-and-databases/publications-database/boundary-amp-security-bulletins/bsb9-2_mumme.pdf accessed 30 May 2025.

4 Anabel Sanchez, '1944 Water Treaty Between Mexico and the United States: Present Situation and Future Potential' (2006) 18 Frontera Norte 36 https://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S0187-73722006000200005 accessed 30

3.2. The Middle Eastern Case: The Helmand River Water Treaty

For many years, Iran and Afghanistan have faced ongoing challenges in managing access to the Helmand River, an important transboundary water source that originates in Afghanistan's Hindu Kush mountains and flows into Iran's Sistan region. The river supports agriculture, drinking water, and fisheries for millions of people on both sides of the border. To regulate this shared resource, the two countries signed the Helmand River Treaty in 1973, which obliges Afghanistan to release an annual average of 820 million cubic meters of water to Iran.

It is important to note that for at least two centuries, the local people of the Helmand Basin and its surroundings in both countries had regulated water use through customary arrangements, largely without state intervention. In Afghanistan's Nimruz province (east of Iran's Sistan and Baluchistan province) "there is no document regarding problem solving." "*Mirabs* [water masters] are accustomed to applying their experience for justification, and also [the] problem is only with one season" - that is, the season of abundance.[1] Other scholarship, referencing the late 19th century, indicate that "while the question of water allocation remained unanswered, for 30 years disputes over the Helmand waters in the delta were apparently settled locally without intervention from central authority; that is, local residents – Afghans and Iranians – cooperated in sharing the same water." [2] The same authors describe 1905 to 1930 as a similar period. The point is not that if the local people on both sides of the border manage things, all will be well; rather, the point is that when all is well, the local people on both sides of the border manage things. If customary usages are present today, even partially, then they can be viewed as a positive human resource ("a feature, not a bug"), that allows the governments to focus on procedures meant to handle times of strain.

Floods, droughts, and the river's geomorphological changes over time require a level of binational planning beyond local capacity - so no argument for autarky is tenable here. Even in earlier periods, such as "from 1905 to 1930, an annual joint commission made up primarily of academics appointed by the two countries cooperated in jointly measuring and allocating the Helmand water at Band-e Kamal Khan."[3] The impetus for the 1973 Treaty may have derived in part from the severe drought of 1970-71, though its ratification and exchange of instruments did not occur until 1977.

The treaty has been a source of contention, with disagreements over interpretation, measurement, and compliance. Recurrent droughts and the growing water demands in both countries have further strained the arrangement. Since 1945, various Afghan governments have constructed or upgraded dams along the river, particularly the Kamal Khan and Kajaki dams, often reducing water flows to Iran. During the 1998-2001 drought, the Taliban regime closed sluice gates at Kajaki Dam, effectively halting flows into Iran. More recently, in March 2021, then-president Ashraf Ghani declared that Afghanistan would no longer provide Iran with unregulated excess water from the newly completed Kamal Khan Dam, proposing

---

May 2025.

1 Abdul Qayeum Karim, 'Codifying Water Rights in Contested Basins of Afghanistan' (2016) 18 https://floodbased.org/wp-content/uploads/2021/02/Reconnaissance-Survey-and-Case-Studies-Nimroz-Afghanistan_Corr_2017_01.pdf accessed 30 May 2025.

2 Mohsen Nagheeby and Jeroen Warner, 'The 150-Year Itch: Afghanistan-Iran Hydropolitics Over the Helmand-Hirmand River' (2022) 15 Water Alternatives 559 https://researchportal.northumbria.ac.uk/ws/portalfiles/portal/75408376/Art15_3_1.pdf accessed 30 May 2025.

3 Ibid., p. 560.

instead a barter system where water would be exchanged for commodities like oil- further complicating the already fragile implementation of the 1973 agreement.[1]

The treaty largely delegates the implementation of its provisions to the respective governments. Protocol Number One of the Treaty states only that "the Commissioners shall be appointed from among high-ranking officials."[2]

A key difference from the North American case lies in the treaty's hierarchical dispute-resolution mechanism. The Commissioners and their deputies and advisors from both countries constitute a Joint Committee which meets regularly. However, even when in agreement, the Committee's authority is ambiguous. Article 7 states, "[t]his Committee shall endeavor to solve expeditiously any problem which may arise in the performance of its duties under this Protocol. The decisions of the Joint Committee shall be binding within the limits of its authority." However, Article 10 sets up another body that can overrule the Joint Committee. "Each party to the Treaty shall appoint a delegation headed by the Minister in charge of matters relating to water utilization. The delegations of the two parties shall together constitute the "Committee of Ministers…which shall have jurisdiction to solve any problem that may arise in the application of this Protocol." Article 11 stipulates that should the Committee of Ministers fail to reach agreement, "each party … shall submit a report to its respective Government in order that the two Governments seek for a solution through diplomatic channels." Awkwardly, "any decision made or action taken by either Committee shall not in any manner whatsoever establish a precedent" - ensuring that recurrent problems necessitate restarting the entire process ab initio.

The final arbitral tier is outlined in Protocol No. 2, which lets the parties set up an Arbitral Tribunal of three members, including one non-national. This final provision is the only element of the treaty that distinctly echoes a colonial legacy, reminiscent of British arbitration practices in the late nineteenth and early twentieth centuries.[3]

While the technical or "bottom" level of decision-making has its authority circumscribed, the time flexibility for equitable problem-solving is also somewhat narrow. In low-water years, Afghanistan's delivery obligations are adjusted downward, with increases mandated during high-water periods to specified levels (Article 3). In practice, this mechanism suggests that there is only a narrow two-year time frame in which the water deliveries can find equilibrium - a time frame in which Nature may not cooperate.

Analyzing this case through the lens of international water law and treaty obligations, principles enshrined in the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses[4] (UN Watercourses Convention), to which many states adhere in principle (though Afghanistan and Iran have not ratified it) is instructive. The convention obligates riparian states to utilize an international watercourse in an equitable and reasonable manner (Article 5), considering all relevant factors and circumstances (Article 6), and to

---

1 Sara Elsayed Mahdi Ahmed, 'The Impact of the Construction of the Kamal Khan Dam on Relations Between Iran and Afghanistan Since 2022' (Research paper, Faculty of Politics & Economics, Suez University, April 2024).

2 Helmand River Water Treaty (signed 13 March 1973, entered into force 13 March 1973) art 3, Protocol n 1, 3 https://www.internationalwaterlaw.org/documents/regionaldocs/1973_Helmand_River_Water_Treaty-Afghanistan-Iran.pdf accessed 30 May 2025.

3 See n 13.

4 Available at https://legal.un.org/ilc/texts/instruments/english/conventions/8_3_1997.pdf (Accessed on 30 May 2025)

take all appropriate measures to prevent causing significant harm to other watercourse states (Article 7). It further requires cooperation and regular exchange of information (Article 11). Afghanistan's dam constructions, which restrict flows to Iran, must thus be evaluated against whether they respect Iran's equitable and reasonable share of the river, taking into account factors such as dependent populations and existing uses.

However, empirical evidence from the Helmand Basin suggests that local communities have often been more effective than state actors in managing

4. Framing Cross-Border Water Conflicts for Classroom Analysis

Developing a structured analytical approach to complex policy issues is crucial for students. While a comprehensive treatment is beyond the scope of this discussion, the authors will outline an initial framework for analyzing cross-border water rights, a topic frequently addressed in courses at Maryland University.

A comparative analysis of the North American and Middle Eastern cases reveals that water rights issues typically operate within three broad domains:

- **The Technical Domain:** This encompasses the expertise of water engineers and agricultural and environmental specialists.
- **The Usage Domain:** This pertains to the activities and practices of the populations residing in the affected regions.
- **The Political Domain:** This involves interstate diplomatic relations, foreign policy objectives, and high-level treaty governance concerning shared resources.

These domains can be conceptualized in two distinct ways. A hierarchical model positions the political domain at the apex, followed by the technical, and with usage at the base. In this conception, intractable problems can ostensibly be "escalated" to a higher level for resolution. Alternatively, an overlapping or integrated model posits these domains as qualitatively distinct yet interconnected, without inherent ranking. While problem-solving responsibility might be less clearly delineated in this latter conception, it potentially facilitates the integration of knowledge and resources from multiple domains to achieve durable solutions.

Analysis of relevant treaties highlights contrasting emphases. In the North American context, the treaty empowers Engineer Commissioners and their staff as central to its operation. Intervention from the political domain requires significant initiative to challenge decisions formalized as Minutes. Similarly, communities within the usage domain face challenges in securing substantive input into problem-solving processes.

Conversely, the Middle Eastern case appears to underemphasize the technical domain. The treaty even mandates that Commissioners be high-ranking officials rather than professionally qualified experts, though their staff presumably includes water engineers. The treaty lacks detailed provisions for the Committee's decision-making processes or the formalization of its decisions. In instances of deadlock, the option to escalate problems to the Committee of Ministers - which itself has a superior level - ensures the political domain remains readily accessible when policymaking becomes arduous. However, the "silent partner" in the Iran-Afghanistan treaty is notably the usage domain. Given the longstanding history of customary

water use among Afghans and Iranians, which tends to remain robust during periods of normal water levels, a breakdown in the political domain does not necessarily precipitate a collapse in water distribution; this largely depends on the severity of the specific circumstances.

These observations offer a foundational understanding. For classroom application, the subsequent step would involve developing specific menus of policy options aimed at enhancing each of these two treaties.

Conclusion

This study has argued that Public Policy Education (PPE) is essential for promoting effective and good governance by equipping citizens with the knowledge and skills needed to understand, engage with, and influence policymaking processes. Far from being limited to the American context, PPE is globally relevant and adaptable, particularly when grounded in universal principles and substantiated by comparative, real-world case studies. The seven foundational principles outlined in this paper - from understanding governance systems to cultivating collaborative decision-making and public communication skills - are not uniquely American in origin but are broadly applicable across diverse political and cultural contexts. As such, educators around the world can adapt these principles to develop context-sensitive public policy curricula.

A practical strategy for achieving this involves engaging with globally relevant challenges addressed by international organizations, such as the International Telecommunication Union (ITU) and the Food and Agriculture Organization (FAO). Through the comparative analysis of two case studies - the US-Mexico Water Treaty of 1944 and the Iran-Afghanistan Helmand River Water Treaty of 1973 - this paper has shown that excluding local communities from decision-making can lead to enduring conflicts, while inclusive, participatory approaches often result in more sustainable and peaceful outcomes. These findings highlight the pedagogical value of integrating real-world international agreements into public policy curricula, enabling students to better understand complex cross-border policy dynamics.

Ultimately, the study advocates for an educational framework that not only equips students with the knowledge and skills needed for adaptive governance, but also empowers them to actively contribute to more inclusive, responsive, and effective policymaking. This study also seeks to emphasize that a limited and accountable state control alongside a meaningful citizen participation can bring about peaceful coexistence. In better words, the principles of good governance are rooted in active citizen participation not excessive state control. By ensuring that states have a limited role and citizens have both a voice in decision-making and oversight over government actions, a people-centerned governance model shall emerge which is substantively more democratic than today's so-called democratic systems, and whereyby societies would be able to promote justice and harmony genuinely.

Reference
Books & Edited Collections

Aristotle, *The Politics* (TA Sinclair tr, TJ Saunders ed, Penguin 1992)

Cline HF, *The United States and Mexico* (Atheneum 1965)

Machiavelli N, *The Portable Machiavelli* (Mark Musa and Peter Bondanella tr and eds, Penguin 1979)

Perry JL (ed), *Public Service and Good Governance for the Twenty-First Century* (University of Pennsylvania Press 2020)

Plato, *The Republic* (Project Gutenberg) https://www.gutenberg.org/files/1497/1497-h/1497-h.htm accessed 30 May 2025

Schuman M, *Confucius: And the World He Created* (Basic Books 2015)

Whitney JW, *Geology, Water and Wind in the Lower Helmand Basin, Southern Afghanistan: Scientific Investigations Report 2006-5182* (US Geological Survey 2006) https://pubs.usgs.gov/sir/2006/5182/pdf/SIR06-5182_508.pdf accessed 30 May 2025

Chapters in Edited Books

Müller J, 'The Politics of Aristotle's Criticism of Plato's *Republic*' in Sharon Weisser and Naly Thaler (eds), *Strategies of Polemics in Greek and Roman Philosophy* (Brill 2016) 93

Potůček M and LeLoup LT, 'Approaches to Public Policy in Central and Eastern Europe' in Martin Potůček and others, *Public Policy in Central and Eastern Europe: Theories, Methods, Practices* (Network of Institutes and Schools of Public Administration in Central and Eastern Europe 2003) 1

Journal Articles

Ahmed SE, 'The Impact of the Construction of the Kamal Khan Dam on Relations Between Iran and Afghanistan Since 2022' (2024) *Journal of Political & Economic Studies - Faculty of Politics & Economics - Suez University (JPES)* [article details pending publication/pagination]

Mumme SP, 'The U.S.-Mexico International Boundary and Water Commission in the Sustainable Development Era' (2001) 9 IBRU Boundary and Security Bulletin 117 https://www.durham.ac.uk/media/durham-university/research-/research-centres/ibru-centre-for-borders-research/maps-and-databases/publications-database/boundary-amp-security-bulletins/bsb9-2_mumme.pdf accessed 30 May 2025

Nagheeby M and Warner J, 'The 150-Year Itch: Afghanistan-Iran Hydropolitics Over the Helmand-Hirmand River' (2022) 15 Water Alternatives 559 https://researchportal.northumbria.ac.uk/ws/portalfiles/portal/75408376/Art15_3_1.pdf accessed 30 May 2025.

Ruhollah Akrami and Mehrad Momen, 'Combating Corruption in Public Administration, Policy and Governance: a Perspective on Iranian Law' (2023) 2 Iranian Journal of International and Comparative Law 231.

Sánchez A, '1944 Water Treaty Between Mexico and the United States: Present Situation and Future Potential' (2006) 18 Frontera Norte 36 https://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S0187-73722006000200005 accessed 30 May 2025

Treaties & Conventions

Helmand River Water Treaty (Afghanistan-Iran) (signed 13 March 1973, entered into force 13 March 1973)

Treaty Between the United States of America and Mexico Relating to the Utilization of the Waters of the Colorado and Tijuana Rivers and of the Rio Grande (signed 3 February 1944, entered into force 8 November 1945)

United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (adopted 21 May 1997, entered into force 17 August 2014) 36 ILM 700

Reports & Papers by Organizations

Council of Europe, '12 Principles of Good Governance' (undated) https://www.coe.int/en/web/good-governance/12-principles accessed 3 June 2025

Food and Agriculture Organization, *International Year of Millets 2023: Final Report* (FAO 2024) https://openknowledge.fao.org/items/f019d0db-768d-4428-8234-cf803968c4d9 accessed 30 May 2025

International Telecommunication Union, 'Supporting a Circular Economy for Electronics' (ITU) https://www.itu.int/en/action/environment-and-climate-change/Pages/ewaste.aspx accessed 30 May 2025

Office of the United Nations High Commissioner for Human Rights (OHCHR), *What is Good Governance?* (undated) https://www.ohchr.org/en/good-governance/about-good-governance accessed 6 June 2025

Online-Only Sources & Webpages

Eno R, *The Analects of Confucius: An Online Teaching Translation* (2015) https://www.transcend.org/tms/wp-content/uploads/2022/09/Analects-of-Confucius-Eno-2015-TMS_compressed.pdf accessed 30 May 2025

Hosne AC, 'The Jesuit Missions in China, from Matteo Ricci to the Restoration (Sixteenth-Nineteenth Centuries)' (*Oxford Bibliographies Online: Chinese Studies*, 23 May 2024) https://www.oxfordbibliographies.com/abstract/document/obo-9780199920082/obo-9780199920082_0221.xml accessed 30 May 2025

Karim AQ, 'Codifying Water Rights in Contested Basins of Afghanistan' (Reconnaissance Survey, Flood-Based Livelihoods Network 2016) https://floodbased.org/wp-content/uploads/2021/02/Reconnaissance-Survey-and-Case-Studies-Nimroz-Afghanistan_Corr_2017_01.pdf accessed 30 May 2025

Machiavelli N, *Discourses on the First Decade of Titus Livius* (Project Gutenberg) https://www.gutenberg.org/files/10827/10827-h/10827-h.htm accessed 30 May 2025

University of Maryland School of Public Policy, 'Research & Impact' https://spp.umd.edu/research-impact accessed 30 May 2025

Newspaper Articles

Washington Post, 'Youngkin's Health Chief Was Ousted. What Happens Now?' (10 February 2023) https://www.washingtonpost.com/dc-md-va/2023/02/10/greene-virginia-health-youngkin-abortion/ accessed 30 May 2025