# **Boundary Dispute Resolution and National Security, Prospect and Challenges**

# BAYWOOD C.N., FAGBAMIGBE T.E., IGBOKWE E.C., EMMANUEL U.A, OGBA C.O., Nigeria

#### **ABSTRACT**

Boundary disputes have been a fundamental issue in human history, its resolution has been the evolution of different mechanisms. There is scarcely any state in Nigeria which has not been involved in boundary disputes with its neighbours, many resulted into killings, maiming and wanton destruction of properties. Also of the four Nigeria land border nations there is no one that boundary issues was never an issue. All these have negative effects on the national security of Nigeria. An efficient boundary resolution mechanism is a potent tool for national security. From the colonial era, there had been several attempts to resolve emerging boundary issues, till today efforts are ongoing to resolve as many disputes as possible at the internal (interstate) and international levels. However, many conflicts still persist. The major objective of this study is to examine the success or otherwise of the existing boundary resolution mechanisms and its effects on the national security. The study adopted a cross sectional design using field survey and interview as the research design instruments for sourcing both the quantitative and qualitative data. Out of the 200 questionnaires administered, 189 were retrieved. The data were presented using simple statistical tools and analysed in logical descriptive forms. The study reveals that the respondents are well aware of the boundary disputes, and the havoc it has wrecked in the community and the various efforts of government to resolve it. Furthermore, the findings also revealed that the resolution methods are not exhaustive in nature; as much as a good progress has been recorded by the intervention of the National Boundary Commission in resolving the numerous boundary disputes across the states (interstates) and the international boundaries of Nigeria, these study reveals that the efforts was limited in effectiveness by numerous challenges. The findings revealed a number of gaps in the resolution methods adopted, this study therefore went further to suggest a number of measures which should be introduced, these includes: a concise and regular public sensitization/enlightenment campaigns to properly orient the perception of the citizens on boundary management, possible erection of boundary wall in volatile segments and an all-inclusive resolution method among others to enhance better result and drastically reduce security threats through unresolved internal and external boundary disputes thereby improving the national security of Nigeria.

Keywords: Boundary, Dispute, Prospect, Challenges

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#### 1.1 Introduction

Historically, boundaries are a vital aspect of the society, as man settle, own property, cultivate land and exercise power to protect this territory. Land possession has been regarded as property and socio-economic symbol. It is the origin of inequality among men and he exercise exclusive dominion that reinforces his ego and comforts his sense of security. Thus no one can trespass on his domain without a challenge.

Boundary problems occur due to a number of factors in Nigeria. Some of the factors are colonial related, geographical, socio-political, economic and government factors (Agabi, 2006). Nigeria administrative borders were created by the British colonial administration without much regard to history and culture of ethnic nationalities or groups. Thus, regions had their boundary delineated artificially with several multiple sub-ethnic cultures, languages or loyalties yearning to be free from the domination of the larger groups. Consequently, constant border changes occurred, which was done without consultation with the affected and interested groups. The inability to resolve this, accounts for the conflicts and instabilities existing among settlements, state, or local government especially after state or Local government creation. This has its consequences and impacts on national security.

Geographically, boundaries within Nigeria are contained in the 1936 boundary description while the international boundaries are found in the Definition of the Countries Proclamation of 1954 where parameters such as river courses and distances, existing farm boundary and meridian turning points were used. The colonial administrators were not very accurate and most boundary descriptions were sometimes ambiguous and difficult to interpret thus fuelling boundary disputes. Border disputes have great impact on the national security. They arise from socio-cultural and political reasons as border villagers' protest when they are merged with states that they do not share socio-cultural background with. The case of Imo-Cross River States boundary that was re-drawn in compliance with Decree 23 of 1985, where three border villages in Ukwa and Arochukwu-Ohafia Local Government Areas were handed over to Cross River State is an example.

The implication of these is that the country suffered many security deficiencies as a result of the numerous unresolved conflicts occasioned by boundary disputes.

In order to minimise this, the Nigerian government establish the National Boundary Commission to, amidst her mandate, intervene, handle, determine, and resolve any boundary dispute that may arise between Nigeria and any of her neighbours (international) or between any two States (interstate) in the country with a view to resolving such disputes.

#### 1.2 Research Questions

This study seeks to find answers to the following questions:

a. How do boundary disputes undermine national security in Nigeria?

- b. How effective are the mechanisms put in place by Nigeria government to undertake boundary disputes resolution and enhance national security?
- c. Why does the National boundary commission fail to effectively resolve boundary conflicts in Nigeria?
- d. What are the prospects of the boundary dispute resolution in the management of national security?
- e. What recommendations and implementation strategies are to be proffered for the management of boundary dispute resolution to improve Nigeria national security?

### 1.3 Aim/ Objectives of the study

The aim of the study is to examine the implications of effective boundary disputes resolution on the national security of Nigeria. And the objectives are to;

- a. Examine the nature of boundary dispute resolution and national security in Nigeria.
- b. Appraise the effectiveness of boundary dispute resolution mechanisms to enhance national security.
- c. Examine the challenges facing the National Boundary Commission in resolving boundary conflict to enhance national security.
- d. Determine prospects of the boundary dispute resolution in the management of national security.
- e. Proffer recommendations and implementation strategies for the management of boundary dispute resolution towards improving the national security.

#### 2.0 Research Methodology

This study adopted descriptive research design, utilising both qualitative and quantitative approaches in sourcing and analysis of data. Primary data were generated through the use of closed-ended and open-ended questionnaire as well as key informant interviews. These were employed to capture specific information and get adequate answers to complex issues. Secondary-data were sourced from books, journals, seminar papers, internet and other sources.

A random sampling technique was adopted in selecting 100 respondents from the borders between Oyo/Osun (100) and Oyo/Ogun (100), for the administration of questionnaire for sourcing of quantitative data. Key actors in the management of boundary dispute resolution such as Director of International Boundary, Director of Internal Boundary and the Director of Research and Policy analysis of the National Boundary Commission, State and Local Government Boundary Committees, Traditional Rulers, family heads, State Surveyors General, and security agencies in each selected area were interviewed.

Data generated from questionnaires were analysed using Statistical Package for Social Science (SPSS), and data from interview were analysed after transcribing and coding of the information. Secondary data from quantitative sources were analysed and presented using frequency distribution, percentages tables or figures and charts while qualitative data were presented using narrations.

Survey was also conducted as questionnaires were administered to 200 respondents randomly selected from two zones: interstates - Oyo/Ogun Sate (Bakatari town) and Oyo/Osun state (Ogburo town); Categories of respondents sampled in this study ranged from Community Leaders, Traditional Rulers, Public/Civil Servant and unemployed persons in these areas. On

the other hand, to have very robust contributions and gather data on international boundary dispute management, key actors in the management of boundary dispute resolution such as Director of International Boundary Director of Internal Boundary and Director of Policy Development of the National Boundary Commission were interviewed. Finally, secondary data from journals, books and papers were also extracted.

#### 3.0 Data Presentation

A total of 189 respondents returned the questionnaires completed, which reflects 94.5% response rate. Questionnaires collated from the field were quantitatively analysed with the use of descriptive statistics. Statistics were expressed in frequencies and percentages and presented in charts and frequency distribution tables.

#### 3.1: Demographic Characteristics of Respondents

Figure 4.1 shows the distribution of respondents by gender. The female gender was more in proportion in both (Ogburo) Oyo/Osun State 62.63% and Oyo/Ogun state (Bakatari) 55.10%, compared to the male gender.

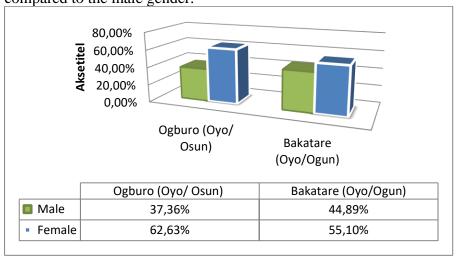


Figure 3.1: Distribution of Respondents by Gender

The above distribution shows the ratio of male to female in the community of (Ogburo) Oyo/Osun Sate and Oyo/Ogun state (Bakatari) reflecting the probability that most men would have gone for farming in line with the predominant economic activities of the area.

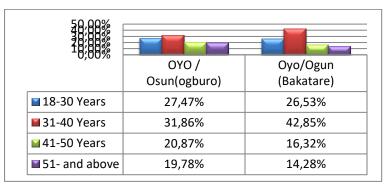


Figure 3.2: Distribution of Respondents by Age Group

Figure 4.2 shows the distribution of respondent by their age group. The age bracket 31-40 years had 31.86 % Oyo/Osun state (Ogburo) and 42.85 % Oyo/Ogun (Bakatari); followed by18-30 years that had 27.47 % and 26.53 % age respectively. The age bracket of 31-40 years constitutes the active age population in the communities sampled. On the overall, respondents sampled were mature enough to make valid responses to field questions posed before them. In figure 4.3, the distribution of respondents by their educational qualification was analysed. Though respondents with "O" and "A" level, Trade test/ equivalent and OND/NCE constitute about 71.42% (65), 79.59% (78) and 23.07%, 15.30% of Oyo/Osun state (Ogburo) and Oyo/Ogun (Bakatari) respectively dominated the above distribution.

	Oyo/Osun	Oyo/Ogun		
S	State(Ogbu <b>ßt)</b> te(Bakatare)			
O and A level. Trade Test/ equivalent	71,42%	79,59%		
OND/NCE	23,07%	15,30%		
■ HND/Bsc	3,29%	4,08%		
■ PGDE/PGDM and equivalent	2,10%	1,02%		
■ M.Sc/M.Ed/Phd and Equivalent				

Figure 3.3: Distribution of Respondents by Educational Qualification

It can be said that respondents sampled were well informed, as such understood the details of field questions posed before them.

Figure 4.4 shows the distribution of respondents by their years of stay in the community covered. It was clearly show that respondent in Oyo/Osun (Ogburo) 51.64 % have stayed up to 1-10 years while Oyo Ogun/ (Bakatari) 45.91 % have stayed up to 11-20 years.

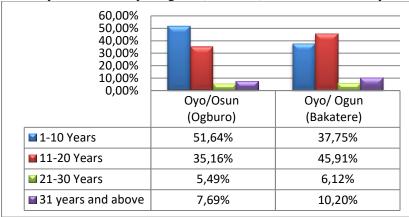


Figure 3.4: Distribution of Respondents by Duration of Years in the Community

Furthermore, 11-20 years (35.16 %) Oyo/Osun-(Ogburo) and 1-10 years (37.75 %) Oyo/Ogun (Bakatari) respectively has stayed long enough in the community for them to have full knowledge whether the community has witnessed any case of boundary dispute.

#### 4 Analysis of Empirical Data

### 4.1 The Nature of Boundary Dispute Resolution and National Security in Nigeria

It was of the interest of this study to appraise the nature of boundary dispute resolution and national security in Nigeria. This section utilised respondents' opinion in revealing the nature of boundary dispute resolution and National Security in Nigeria.

First question posed to the respondents was to examine their awareness of any boundary dispute between their community and another one.

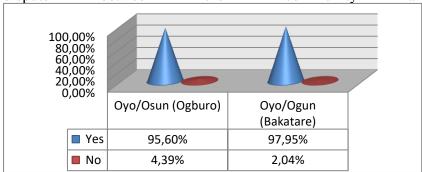


Figure 4.1: Distribution of Respondents on awareness of any boundary dispute between this community and another one

Considering the above distribution of respondents in Figure 4.6, 95.60% (87) and 97.95% (96) of Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) respectively indicated that they are aware of boundary dispute between their community and others. It can be inferred that respondents sampled had the requisite awareness and experience to make quality and valid contributions to research questions posed.

The respondents' were further sought on when the Boundary Dispute likely began. The respondents' opinions are presented in figure 4.7.

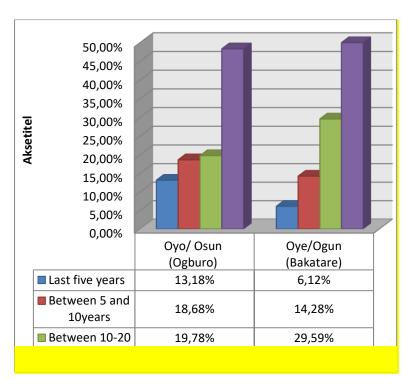
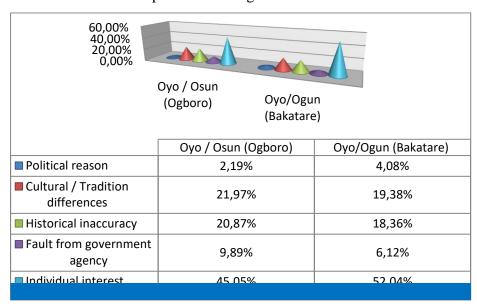


Figure 4.2: Respondents Description of when the Boundary Dispute Began.

From the above, the views of respondents seem to be equally divided, such that about 48.35% and 50.00% of respondents indicated that boundary dispute has been in existent above 20 years both in Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari).

The respondents' were also asked about their views on the major causes of the boundary dispute and their views are captured in the figure 4.8.



### Figure 4.3: Respondents Thought on the Major Cause of the Boundary Dispute

The issue of individual interest has the highest response at 45.05% (41) and 52.04% (51), in Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) respectively.

The respondents' opinions, presented in Figure 4.9, were sought on if the case of boundary dispute has ever resulted into violence.

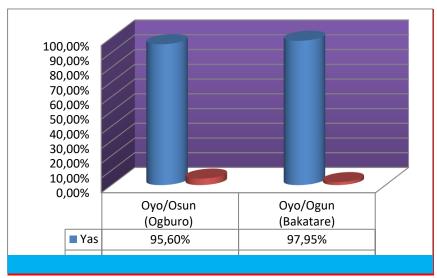


Figure 4.4 Respondents Description on Cases of Boundary Dispute that Has Resulted into Violence in this Town

It can be inferred from the above distribution of responses that 95.60% (87) Oyo/Osun (Ogburo) and 97.75% (96) Oyo/Ogun (Bakatari) agreed that boundary dispute has resulted into violence in the community.

Furthermore, respondents' responses on example of violence that have resulted from boundary dispute issue in the town were sought.

90,00% 80,00% 70,00% 60,00% 50,00% 40,00% 30,00% 20,00% 10,00% 0,00% Ovo/Osun Oyo/Ogun(Bak (Ogburo) atare) ■ Killing 24,17% 10,20% **■** Kidnapping 3,29% 1,02% House 5,49% 4,08% burning/destruction ■ Community war 84,69% 67,03%

## Figure 4.5 Respondent responses on Example of Violence that have Resulted from Boundary Dispute Issue in the Town

From figure 4.10, about 67.03% (61) and 84.69 % (83) Oyo/Osun (Ogburo) and 97.75% (96) Oyo/Ogun (Bakatari) of respondents pointed to the fact that community war has occurred as a result of boundary dispute in the town. The community war was followed by killing 24.17 % and 10.20 %; house burning and destruction and in fact kidnapping.

In the case of international boundary dispute resolution and national security, the responses obtained from Key Informant Interview revealed that Nigeria has numerous international boundary marks with four countries and there are challenges of removal of some the boundary pillars from its original placement. For instance, the case of Ilara and Benin, Pillars 104 & 105 has been causing problem between Nigeria and Benin Republic because of the removal of the pillar. (Ribadu 2018).

Also, the length of the boundaries of Nigeria Benin is 770km, Niger 1530 km, Chad 92 km, Cameroun 2100km and Coastal boundaries accounted for 852 nautical miles. Out of these, there are two boundary issues with Benin republic and one case with Niger. In the case of Nigeria / Cameroun boundary issue, implementation of Hague Judgement has reached 97% but there are still 13 areas of disagreements. (Ribadu 2018).

In the case of Nigeria / Benin Republic boundary issue, the two nations had an understanding and agreement on the 1960 treaty which is the delimitation instrument / document. However, Benin Republic is arguing for a reverse to 1906 treaty. This has stated causing some visible disagreement between the two countries in the aspect of border management in the segment, being ungoverned by either country. Our study reveals that hoodlums have started exploiting the situation to carry out some illicit trade in fire arms and drugs within the disputed region. This has a direct effect on both the national and internal security of Nigeria. (Ribadu 2018).

# 4.2 How effective are the mechanisms put in place by Nigeria government to undertake boundary dispute resolution and enhance national security?

In an attempt to measure the effectiveness of the mechanisms put in place by Nigeria government to undertake boundary dispute resolution, respondents' were asked certain questions to elicit their response.

The first question was to assess whether the respondents are aware of measures /mechanisms in place to resolve the boundary dispute. Figure 4.11 shows the analysis of respondents as 89.01% and 96.93% for Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) respectively which indicate that respondent are much aware of measures /mechanisms in place to resolve the boundary dispute.

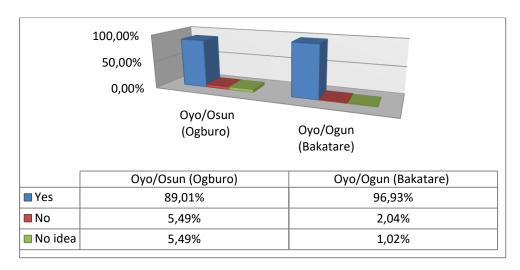


Figure 4.6: Distribution of Respondents on awareness of measure / mechanism in place to resolve the boundary dispute.

Respondents' were asked on whether measures put in place by National Boundary Commission are adequate to resolve the boundary dispute and reoccurrence of disagreement in the communities.

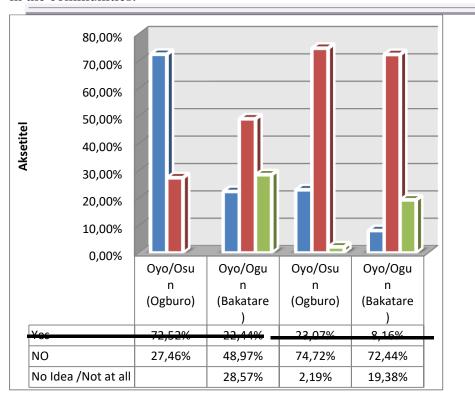


Figure 4.7: Respondents on Whether National Boundary Commission has put In Place Adequate Measures to Resolve the Boundary Dispute and Reoccurrence of Disagreement in the Communities

From Figure 4.12, it can be inferred that 72.52% of respondents from Oyo/Osun (Ogburo) confirm that National Boundary Commission has put in place adequate measures to resolve the boundary dispute in the community while 48.97% respondents from Oyo/Ogun (Bakatari) noted that National Boundary Commission has not put in place adequate measures to resolve the boundary dispute in the community. Of great importance to this study was that 28.57% in Oyo/Ogun (Bakatari) has no idea on the existence of adequate measures to resolve the boundary dispute by National Boundary Commission.

Figure 4.12 also shows the distribution on respondent's responses on re-occurrence of the disagreement in the community. The evidence shows clearly in the above distribution that 74.72% of respondents from Oyo/Osun (Ogburo) and 72.44% of respondents from Oyo/Ogun (Bakatari) confirm that there is no re-occurrence of the disagreement in the community.

The respondents' were then asked to comment on the effectiveness of the mechanism/ measures put in place in resolving the boundary dispute in the community. It was evident on the table 4.1 that the respondents in Oyo/Osun (Ogburo) at 67.03% confirm that mechanisms put in place in resolving the Boundary Dispute in Community is highly effective. However, in the case of responses of respondents' from Oyo/Ogun (Bakatari) at 38.77%, the mechanism put in place in resolving the Boundary Dispute in the Community is not effective.

### Table 4.3 Utilization of Negotiation/Settlement in the Boundary Dispute Resolution

As observed in Table 4.2, on how often the negotiation/settlement was utilize in the boundary dispute resolution, 74.72% (68), 79.59% (78) of Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) from the respondents responses shows that negotiation/settlement was utilize once in a while for boundary dispute resolution respectively. It could be inferred that negotiation and settlement which are integral aspect of boundary dispute resolution cannot be utilised once in a while and we expect boundary resolution. In line with best practices, negotiation and settlement should be used very often.

The respondents were further asked on whether arbitration is being used to resolve boundary dispute in the community. The respondents' responses were analysed in table 4.3.below

Table 4.8 Observation of Arbitration Being Used in Resolve Boundary Dispute in the Community

Responses	Location	Very often	Once in a While	Not at All
How often do you observe that arbitration was used to resolve boundary dispute in your community	Oyo/Osun (Ogburo)	21.97%	47.25%	30.76%
	Oyo/Ogun (Bakatari)	6.12%	52.04%	41.83%

Considering the cumulative percentage of 47.25% (43) and 52.04% (51) on the above table which indicated that respondents' responses from Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) respectively ascertained that arbitration is being used once in a while to resolve boundary dispute in the community. This was followed by not at all responses from the two towns.

The implication of these is very worrisome as there seems a total deviation from the mechanisms that are recognised as best practices in the resolution of boundary disputes in the world.

It was vital to assess whether cases of litigation have been initiated for the resolution of boundary dispute in the community. Table 4.4 explain more by showing the distribution of respondents indicating that not at all has the highest frequency distribution on the above table 52.74%, 64.28%, in Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) respectively. However, the responses of more than 5 and between 1 and 4 cases of litigation reveals that although litigation is not usually utilised for resolution of boundary dispute in the community, it is sparingly considered maybe after all the traditional measures had been employed without satisfactory results.

#### 5 Discussion of Findings

The effectiveness of the mechanisms put in place by Federal Government of Nigeria to undertake boundary dispute resolutions were examined. It was obtained that respondents' were much aware of measures /mechanism in place to resolve the boundary dispute. However, there are differing opinions on the adequacy of the mechanism as respondents from Oyo/Osun (Ogburo) confirm the adequacy of the measures to resolve the boundary dispute in the community while respondents from Oyo/Ogun (Bakatari) noted that National Boundary Commission has not put in place adequate measures to resolve the boundary dispute in the community.

Furthermore, the study found out that there are differing opinions on the effectiveness of the mechanism/ measures put in place in resolving the boundary dispute in the community. In table 4.1, the study found that mechanism / measures put in place in resolving the Boundary Dispute in Communities is highly effective in Oyo/Osun (Ogburo) at 67.03% in contrast to Oyo/Ogun (Bakatari) where it was described to be 'not effective'. This findings disagrees with the suggestion of Brock–Utne (2001) and it implies that effectiveness of the mechanism is not achieved because factors such as simplicity, participatory nature, adaptable flexibility, complete relevance, and comprehensiveness are not employed for the resolution of these disputes.

In order to unravel where the problem of ineffective comments, respondents were asked to comment on the utilization of Negotiation/Settlement in the boundary dispute resolution in the area. The study found out that negotiation/settlement was utilized once in a while for boundary dispute resolution in the communities sampled. Negotiation and settlement are however, an integral aspect of boundary dispute resolution which should not be utilised once in a while. In line with best practices, negotiation and settlement should be used very often. Not only that, effort should be intensified to utilise identity-based negotiation type of boundary dispute resolution. This is so as the negotiation type of boundary dispute resolution emphasis identification of key sources of issues in other to avoid re-emergence of crises.

The respondents were further asked on whether arbitration is being used to resolve boundary dispute in the communities. The study found out that respondents from Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) respectively agreed that arbitration is being used once in a while to resolve boundary dispute in the community. This was followed by not at all responses from the two towns.

The implication of these is very worrisome as there seems a deviation from the mechanisms that are recognised as best practices in the resolution of boundary disputes in the world. United Nations Charter in Article 33.1 encourages parties in any boundary dispute, to seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

Furthermore, the study assessed utilisation of litigation for the resolution of boundary dispute in the community. By, litigation it means communities had dragged themselves to court of law for the resolution of the boundary disputes. The study found out that litigation was not used in Oyo/Osun (Ogburo) and Oyo/Ogun (Bakatari) respectively. However, the responses of more than 5 and between 1 and 4 cases of litigation reveals that although litigation is not usually utilised for resolution of boundary dispute in the communities, it is sparingly considered maybe after all other measures had been employed.

Moreover, the study found out that to enhance effective boundary dispute resolution, according to Table 4.5, in Oyo/Osun (Ogburo), effective legal framework is the best approach while in Oyo/Ogun (Bakatari), orientation on harmonious living is the only way to enhance effective boundary dispute resolution. These findings are in agreement with United Nations Charter in Article 33.1 which encourages parties in any boundary dispute, to seek solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

On the effective international boundary dispute resolution, the study confirmed that the measures put in place such as joint platforms for implementation of agreement signed by Ministers of the two countries involved or Head of States; Nigeria Niger Joint Commission, Cameroun Nigeria Mixed Commission, are effective as they allow cooperation and supervision of activities like Joint security patrols, boundary markings, joint border markets, Bilingual Schools etc. Nonetheless, there still exist major factor militating effective resolution of the dispute, such as absence of clear policy on Nigeria engagement with other countries, lack of political will on the part of government and insincerity on the part of members of some Joint Standing Committees who often resulted to referring decision making back to their government. Also, the effective resolution of boundary disputes are affected by lack of use of technology; inability to man the porous borders, trans border movement of arms and the result is inability to secure the massive population of Nigeria.

#### 5.2 Recommendations

The National Boundary Commission (NBC) in collaboration with National Orientation Agency (NOA) should carry out regular sensitisation/enlightenment campaigns to change the perception and orientation of the people about official boundaries. The State and Local Government Boundary Committees should be established by all States and Local Government Authorities to complement the efforts of the National Boundary Commission in line with the

provisions of NBC Act. The National Boundary Commission should clearly describe all agreed and approved boundaries for gazetting and densified documentation.

The Federal Government of Nigeria should build security walls on some hotspots as a last option to resolve, maintain and manage the sensitive and problematic portions (hotspots), along the Nigeria international boundaries. The Federal Government of Nigeria should develop policy on equitable sharing of straddling resources between affected nations, States, Local Government Areas and Communities. National Boundary Commission should adhere to the principles of boundary dispute resolution as provided for in the NBC Act.

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She received several awards bordering on integrity, excellence, initiative, dedication and commitment to duties which include: Merit Award (Assistant Secretary) NIS Abia State in 2010; Merit Award (Council Representative) NIS Abia State in 2017; Merit Award (Financial Secretary) Women-in-Surveying in 2016 and Merit Award (Secretary) in 2018.

At the completion of her NYSC in 2008, Surv. Baywood worked in several parastatal. She was a lecturer with Abia State Polytechnic and presently a Lecturer with Federal University of Technology Owerri. She is presently the principal Consultant Baywood and Baywood Consultant Limited. She held many positions, the last of which was her election in 2019 as the Council Rep Abia (NIS).

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She is marr music.	ied and	blessed	with	children.	Her	hobbies	are	reading,	driving	and	listening