

An Appraisal of International Boundary and Border Theories and Administration: The Case of Nigeria-Niger Trans-Border

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Abstract: The essence of having boundaries between communities, states and countries is to prevent land area / territorial jurisdiction disputes. This paper seeks to understand how boundaries emerged and how it succeeded or failed to resolve boundary disputes between nations particularly Nigeria-Niger trans-border. Data for this study was collected from secondary sources and was qualitatively analyzed. The study found that after the determination of the boundary between Nigeria and Niger, the challenges that emerged between the two countries were amicably resolved and consolidated through the use of boundary commissions and borderland development agencies among other security outfits that collaborated with Local and State Governments. This paper recommends that the Federal Government should step up the implementation of its border land development programme among other bilateral agreements to consolidate the cordial relations between the two countries.

Key Words: Boundaries, Borderland, straddled communities, Development policies

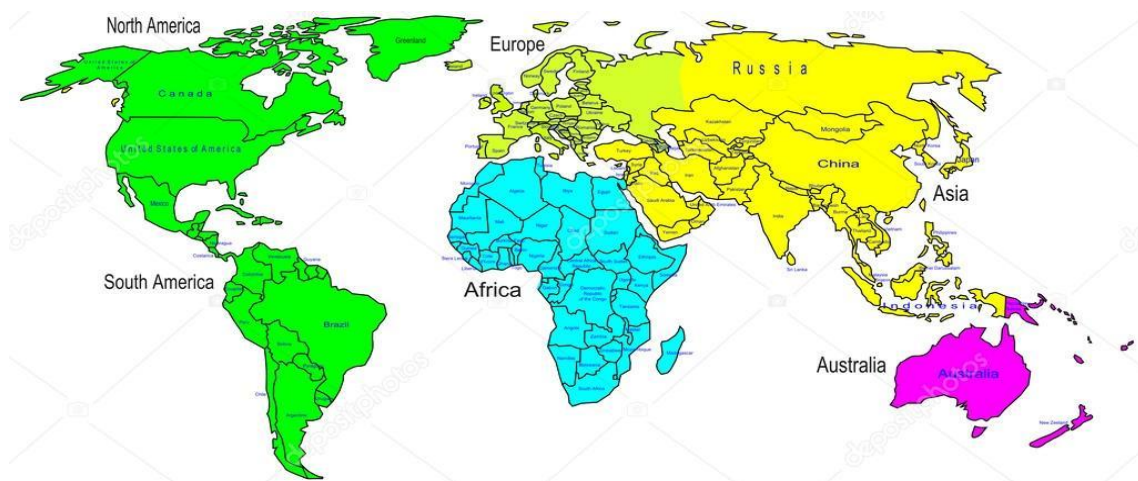
definition opens up legal, physical, political and administrative territorial limits of a nation-state. (<https://en.wikipedia.org/wiki/Border>). It is within the territorial limit as shown by the boundary line that a nation-State is expected to carry-out its functions; while the area outside her boundary is under the territory of another neighboring State to control. Borderland on the other hand, is the area immediately in either side of a boundary line, and border community is the people residing in borderland area. Historically boundary lines between communities were not based on a clearly defined line as such the area was called *marching-land* which means *neutral zone*. For example we have such area along part of Saudi Arabia–Kuwait and Iraq borders. In modern times March-land were replaced by clearly defined and benchmarked boundary lines based on some theories Borders have also been classified into natural borders, landscape borders, geometric borders, fiat borders, relic borders, lines of control, maritime borders, airspace borders, and frontier. Furthermore administratively, there are various types of border regulation namely: open borders, regulated borders, and demilitarized zones which purpose is to ensure there is peace and development between states (<https://en.wikipedia.org/wiki/Border>; <https://www.nationalgeo.com/encyclopedia/boundary/6th-grade/>).

I. INTRODUCTION

A. Background

International Boundaries in the context of this paper is defined as a precise *dejure* and *defacto* line of demarcation (Fig 1) that excludes one nation from the other (Bobbo 2010:1). This

Fig 1: World Map international boundary lines



Source: <https://depositphotos.com/45668069/stock-illustration-world-color-map-continent-and.html>

B. Statement of Problem

Nations have long come to agreement that having boundary lines and borderland is inevitable feature of sovereign entities. Consequently nations and scholars have emphasized the need to have a clear boundary line and border land policies for enhanced international cooperation and development. Pursuant to this objective, nations have established Boundary Commissions and Joint Boundary Tasks forces thereby affording neighboring countries have common development programs that would facilitate good borderland administration. To understand our research topic the following research questions are presented:-

- (i) Which theories served as basis for creation of boundaries?
- (ii) What are the challenges associated with having boundaries?
- (iii) What measures have been adopted in the case of Nigeria-Niger Republic to enhance Trans-Border cooperation and administration?

C. Methodology

This paper obtained data from secondary sources. In responding to our research questions, qualitative approach was used in the interpretation of our research findings.

D. Literature Review

Dauda (2010) explored the concept and issues in International relations wherein he stated that the world consists of international political systems which interact with one another in pursuit of their national interest; and in the process of this interaction new structures and rules of engagement arise. He further examined the origin of international system. Here he observed that the system has produced controversies among scholars of international relations, the production of the Westphalia treaty of 1648 which ended wars in Europe and brought about the development of independent States as the main actors of international politics, programmes and relations. He also described other features of contemporary international political system such as highly decentralized world with no single governmental authority; existence of complexities and competition which sometime leads to clashes of interest, wars with one another, struggles for independent states, efforts towards cooperation and integration; and for economic growth and development objective. This has happened through State and non-state actors. The non-state actors like multinational companies and international regional organizations have different functions and are guided by their country's foreign policy and international law which sometimes is breached.

From the above, the issue of international boundaries and borders is significant for understanding their function and challenges in an era of growing complex international relations, politics and foreign policy making.

Bimbola (2001:p8-13) examined African integration and cooperation objectives and its impact from the perspective of international boundaries relations. And pointed to the fact that each country has international boundaries and borderland, each country has handled its affairs in such a manner that the boundaries are regarded as artificial. This is because though the boundaries created a division among a people of the same culture, the people have not allowed it to break their continuous cordial interaction. However, in contemporary world borderlands (that is, the area e.g. of about 20 kilometers on either side of the international boundary) have residents, unfortunately the residents are suffering lack of a number of infrastructure such as functional electricity, pipe-borne water, educational institutions, health centers etc. which exist in hinterland urban areas. However the borderland residents have evolved their system of social, economic activities that promotes their kind of good life. Bimbola then calls for the establishment of a new regime of borderland administration where the people would continue to regard their existence in two different countries as a blessing for cooperation and integration to thrive in Africa.

Mala (2001:132-134) wrote on the response of Borno State in the management of international Borderland. He informs us that Borno State is strategically located at the boundary between Nigeria and two other countries, that is, Chad and Cameroun. And this international boundary line extends to about 400 kilometers and characterized by Lake Chad water basin. This natural endowment of a lake has enabled some members of border community to specialize in irrigation-farming, fishing or other agricultural activities. In respect of government's management of this borderland, the agricultural potential and activities of the people are taken into consideration during policy making. Hence solutions are sought to counteract the negative impact of some constraints faced by the people of Borno State and her counterpart, the province of Diffa in Niger Republic. That, while the relationship of the people in Niger and Nigeria sides is cordial, they still face common challenges of insecurity perpetrated by bandits and desert encroachment.

II. THE THEORIES

According to Hargreaves (1985) the explanations of historical development of boundaries and Borders can be done under three groups of theory namely: the determinist, the conspiracy and the accidental theories.

1. Determinist Theory

The determinist theory is based on the view that international boundaries was determined by State powers in Europe and their decisions were acted on by colonial government agents in the colonies, without consultation and agreement between European powers and Africans. The boundaries are maintained so long as the state powers that share boundaries and are parties to the agreement in Europe continue to have their interest catered for. For example the partition of Africa informally started before 1884 where most coastal land was

already claimed by various European countries particularly much of Southern Africa and Africa north of the Sahara. Providing reason for this, Hargreaves (1985:19) states that based on the objects of “free trade imperialism” European interest was only to make the area open to European activity. As such they pursued their purposes in Africa usually as traders or as missionaries without the desire to encroach on the territorial sovereignty of African States. Most of the coastal areas were held as leases at the pleasure of African landlords which in the words of Guizot in 1843 served as “strong secure maritime stations...to support our commerce” (Hargreaves 1985:19). During the period 1854-1865 conflict between British and French officials did occur when Faidherbe was governor in Senegal for the purpose of asserting power and to promote their economic interests. The French and German governments repeatedly began to claim fiscal sovereignty over strips of coastal land.

The formal Partition of Africa began in earnest with the Berlin Conference of 1884-1885, which was convened by Bismarck the German Chancellor. This conference settled how European countries would claim colonial land in Africa and to avoid a war among European nations over African territory and was the cause of most of Africa’s boundary and borderland conflicts today. The major European States that were invited to participate in the imperial partition of Africa were Germany, France, Great Britain, Netherlands, Belgium, Portugal, and Spain. The following minor powers Austria-Hungary, Sweden-Norway, Denmark, Italy, Turkey, and Russia were also invited and participated. Though United States was also invited because of her interest in Liberia but did not attend because it had no desire to build a colonial empire in Africa. Most notably there were no Africans present at this conference, nor were any Europeans present to ensure that native Africans had any say in the proceedings. Other conditions for the partition include:-

- (i) A country's claim of a territory was valid only if it informed the other European powers
- (ii) It established some occupying force on the ground and this occupying force was often a few military outposts on the coast and interior waterways with little to no actual settlement.
- (iii) Specific lands were obtained by having African indigenous rulers signed treaties by marking an “x” to a general agreement for protection by a European power. Often these rulers had no idea what they were signing since most could not read, write, or understand European languages

Following the Berlin Conference there was still little exploration into the interior of Africa beyond gaining initial treaties. Most Europeans continued to stay on the coastal regions while a few missionaries followed rivers inland to find Christian converts. By 1900, though, more Europeans moved into the African interior to extract raw materials such as rubber, palm oil, gold, copper, and diamonds. These natural resources made Africa a vital resource for the European

economy. Consequently, by 1914, 90% of Africa had been divided between seven European countries with only Liberia and Ethiopia remaining independent nations. At this stage, the European Government /Agents often used the native people to join the Europeans fight to protect territorial interest.

A **critical examination** show that many of the boundaries drawn up by Europeans at the Berlin Conference still endure today with little regard to natural landmarks or historic ethnic or political boundaries established by the Africans themselves. For example, in West Africa, when Yoruba land was partitioned in 1889, it reflected the territorial and dynastic objectives of King Tofa; but in some areas the territories within which Africans pursued their interest rarely corresponded to the allocated spheres of European influence e.g. the allocation of Mellacouric basin to France, and that of Scarcies basin to Britain bisected Samu Chiefdom. It also created division in commercial, religious and political spheres (Hargreaves 1985:20-21). As such it generated some problems of governance not envisaged by Europeans. However in most cases as Herbst (1999) observed:-

“A paradox is central to the nature of political boundaries in Africa: There is widespread agreement that the boundaries are arbitrary, yet the vast majority of them have remained virtually untouched since the late 1880s, when they were first demarcated. The stability of boundaries in the world's most partitioned continent, where few other political institutions have survived for very long”

The disregard of native peoples determined boundary, most of which were retained after independence, often continues to generate conflict in Africa today as was the case with Nigeria–Cameroun border conflict. The Conflict which started between British and German powers resulted to a UN Trust Territory that emerged in the 1890s and a plebiscite conducted in 1963 to determine which country the people of North Eastern and South East Nigeria and their land wish to belong including Bakasi peninsular, an extension of Calabar into the Atlantic Ocean. The Bakasi dispute was only recently resolved after a Judgment by International Court of Justice (ICJ) on the 22 November 2007 that Bakasi belong to Cameroon and was formally transferred to Cameroon on August 14, 2008. The transfer of Bakasi to Cameroun occurred regardless of the protest by the Bakasi people under the aegis of Bakasi Movement for Self-determination (BAMOSD). They asserted that they would seek secession/independence if Nigeria renounced sovereignty. There was also Nigerian Senate protest which rejected the Green Tree Agreement which ceded the Bakasi area to Cameroon. The Senate said the agreement was contrary to Section 12(1) of the 1999 Constitution of the Federal Republic of Nigeria. Be that as it may, the Anglo-French agreement of 10 August 1889 marked a movement from the old system of “free trade imperialism” in West Africa to the one of fixed colonial boundaries mainly determined by European powers.

2. Conspiracy theory

This theory emphasizes that the planning, collaboration, and later alignment of international boundary without consultation with the indigenous people on any side of the international boundary is a conspiracy which made such indigenous people lose their rights of self-determination; and the indigenous people end up being forced on any side of the boundary. Mostly conspiracy and adjustment is done with the support of external higher powers. In Africa such occurred even after the 1884 Berlin Conference as the case of Nigerian-Cameroon Boundary has clearly shown. The implication of the use of conspiracy theory is that it often leads to wars between the conspirators. Usually, the conspirators draw the indigenous communities in the border land to fight their wars. For example in the early 1900s the Germans engaged British forces in wars that were witnessed as far as in Takum (Nigeria side). By 1914 the people of Takum greatly mobilized by their Ukwe (Chief) Ahmadu Gankwe I of Takum, defeated the German forces. Also in the Bakasi dispute Nigeria and Cameroon nearly engaged in a military confrontation at the end of 1993; and in the renewed tension of the 21st century, until Obasanjo in compliance with International Court of Justice (ICJ) judgment resolved and withdrew Nigeria's 3,000 troops from Bakasi as from 1 August 2006.

3. The Cock-Up theory

The cock-up theory also referred to as accidental theory implies that some international boundaries are created without any prior knowledge and plan as in the case of determinist or conspiracy theories but such boundaries are created out of ignorance. For example, even though geographers were available to advice colonialist, intransigence and ignorance of the terrain overwhelmed the creation of international boundaries. In the words of Lord Salisbury,

"We have been engaged in drawing lines upon maps where no white man's feet have ever trod; we have been giving away mountains and rivers and lakes to each other, only hindered by the small impediments that we never knew exactly where the mountains and rivers and lakes were" (Hargreaves 1985:22).

Generally, the colonialist however justified the boundaries they created to (a) frequent migration of peoples which does not make it possible to identify the land of the mobile group and so there was no territory allotted to them; (b) some areas are multiethnic and where smaller ethnic groups already lay allegiance to larger ethnic groups they administration fall under the jurisdiction of the larger groups, and (c) In some states there is also ignorance by rulers on the extent of their land. Thus rather than follow the boundaries of States whose rulers might not be able to describe them accurately, colonialist preferred to allocate territory along some natural feature like a watershed (Hargreaves 1985:23).

From the forgoing, it can be said that international boundaries emerge in the cause of time from circumstances experienced

by colonialist but where adequate information on the earliest boundaries was not available they were compelled to use certain natural physical features to serve as boundary lines and to adjust international boundaries through conspiracy instead of consultation with the people whom such boundaries affect.

III. TYPES OF BOUNDARY LINES

Whereas the three theories have provided the different perspective for the creation of international boundaries, they all have common features of using artificial and natural features as listed below, for identifying and drawing boundary lines (Waldhäusl, Wien, Koenig & Mansberger (2015); (<https://en.wikipedia.org/wiki/Border>); <https://www.arcgis.com/apps/MapJournal>)

A. Natural Benchmarks

1. Mountain ranges
2. Hills
3. Rivers
4. Valleys
5. Trees
6. Caves
7. Oceans
8. Lakes
9. Forest

B. Artificial Benchmarks

1. Stone/Sign survey markers based on broadly defined treaty e.g. between Switzerland and Italy
2. Self-illuminating Border flower pot as between Salzach in Germany and He in Austria
3. Redline border found within a closely built up area or next to a street
4. Straight line border in thinly populated regions e.g. border at Tijuana, Mexico, San Ysidro California
5. Sign Board welcoming visitors or warning marker against trespass by non-indigenes
6. Peace Arch at the Canada-USA border or gate that borders East Nusa Tenggara in Indonesia and Timor Leste
7. Hostile countries but not at war have
 - (a) Militarized Zone, heavily guarded for effective separation of borders e.g. the former Berlin wall
 - (b) Demilitarized Zones e.g. the Laream demilitarized zone
 - (c) Buffer Zone e.g. United Nation Buffer Zone in Cyprus
 - (d) Complete closed border with no passage e.g. the Blue line that separates Israel and Lebanon

In the past the natural benchmark have posed as costly obstruction to communication and transportation but the

advance in science and technology have reduced such cost across natural borders as well as their significance as borders hence the use of extra measures, which yet again poses constraints to other areas of development

(<https://en.wikipedia.org/wiki/Border>).

IV. ADMINISTRATIVE POLICIES AND IMPLICATIONS OF BOUNDARY LINES AND BORDER

A. Sovereignty

Whereas some boundary lines especially countries' internal boundaries e.g. inter-local government and interprovincial / State boundaries are often open and completely unguarded; that of international boundaries between countries are partially or fully benchmarked and controlled. The boundaries may be crossed legally only at designated border check points. In conflict pruned border areas a buffer zone is set up.

The existence of international boundaries and features mentioned in the above preceding section have constituted the symbol of defining the territory of sovereign States as well as serve as barrier to positive regional cooperation and integration between countries.

To further consolidate a country's sovereignty and respect of the territorial integrity of such countries each country is further permitted by international law to spell out the conditions under which persons must fulfill before crossing boundary of one State to another, move animals, plants and goods into or out of a country. For the purpose of effective border control airports and seaports are also classified borders under international law.

The legal entry and exit of a country requires the presentation of passport and visas, obtaining immigration permits and payments of excise tax to customs where the movement of goods is involved and acquiring health quarantine to prevent the spread of exotic and infectious disease.

B. Economics of boundary lines

Boundary lines have encouraged both approved and unapproved economic activities because of different As shown in Fig 2 below Nigeria is on the coast of West Africa is bordered by the Bight of Benin and the Gulf of Guinea in the South. It shares boundary with Benin in the West; Chad and Niger is in the North of Nigeria, while

regulations on either side of a border. Approved economic activities include:-

- (i) Development of straddled towns
- (ii) Planned Special economic free trade zones where enhanced import and export trade and collection of tariffs is done

Unapproved economic activities include:-

- (i) Smuggling
- (ii) Corruption
- (iii) Prostitution
- (iv) Drug trafficking
- (v) Human trafficking

C. Politics of Boundary lines

Many border areas have checkpoints to inspect people coming in and going out of countries. Following the establishment of the European Union border checkpoints were abolished because the determination of restriction among European Union member States is under the jurisdiction of the European Union. In the USA-Canada border and US-Mexico border, checkpoints serve as control measures and the number increased as a measure to fight terrorist activities. Culturally, local and regional initiatives of authorities and people also arise to reduce the negative barrier posed by boundary lines by way of encouraging intercultural communication and activities such as attending marriages, paying loyalty to paramount chiefs of the ethnic group but divided by international boundary. Where there is a growing cooperation and integration such as the Europeans Union's or among homogenous communities by tribe or straddled settlements across boundary line, the notion of **borderless world** permeate among the people thus creating an advance in the concept of globalization.

V THE NIGERIA-NIGER TRANS-BORDER COOPERATION AND ADMINISTRATION POLICIES

A. Nigeria International Boundaries

Cameroun is to the East of Nigeria. Furthermore Nigeria shares maritime borders with Ghana, Equatorial-Guinea, Sao Tome and Principe (<https://www.nationonline.or>map>).

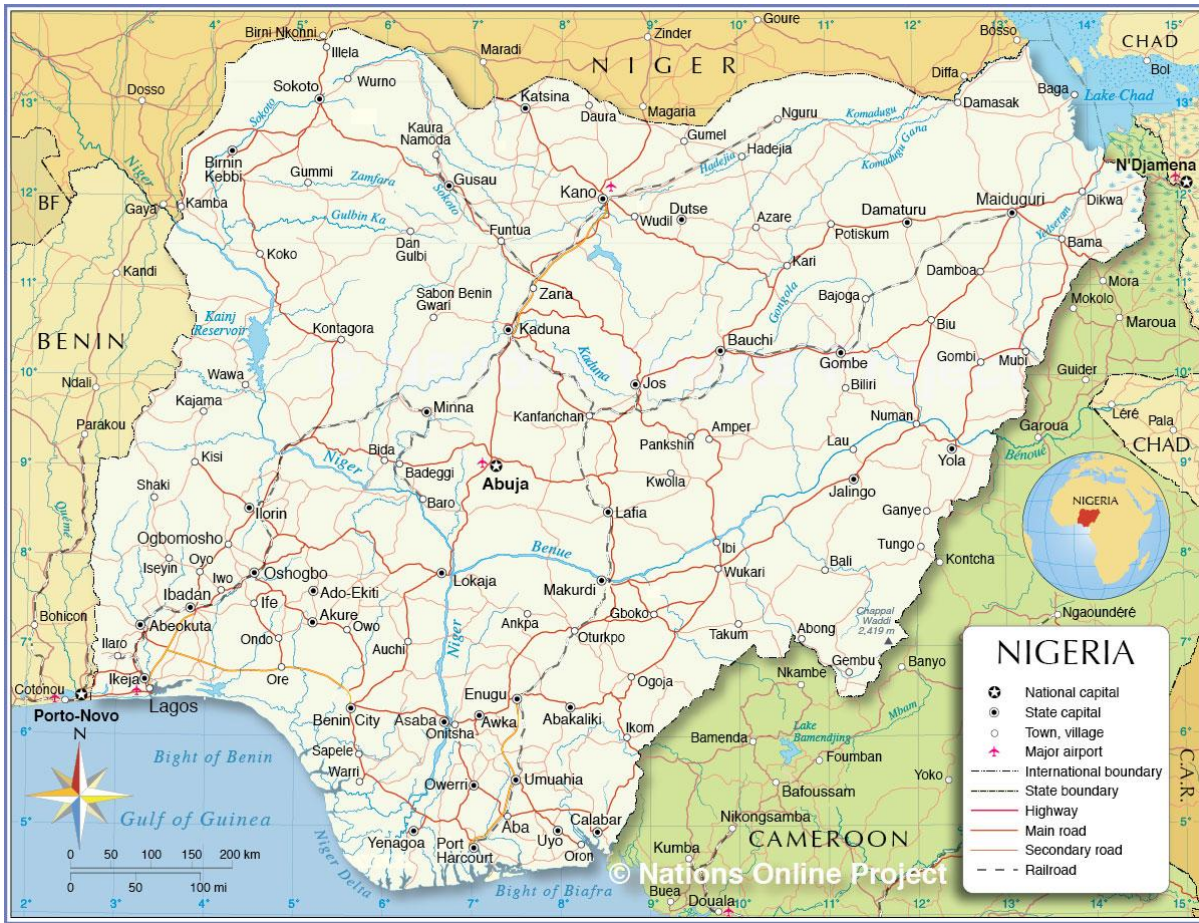


Fig 2: Map of Nigeria showing neighboring countries international boundary

Source: <https://www.nationsonline.org/oneworld/map/nigeria-political-map.htm>

B. Evolution and development of Nigeria-Niger Boundary

Before the partition of Africa among European States what used to be boundary and border-land for example in Northern Nigeria was a single socio-cultural domain of Hausa, Fulani and Kanuri ethnic groups. The people co-existed peacefully. Bobbo (2001:2) asserted that even with the advent of the Nigeria-Niger boundary, the area in terms of boundary line matters, is still known to be the most peaceful within the West Africa sub-region. He traced the evolution of boundary to the Agreements, Treaties and Conventions between Great Britain and France in the late 19th and early 20th centuries in the course of defining their spheres of influence in the sub region. The first boundary was based on Anglo-/French declaration of 5th August 1890. The modification of the first declaration took place by the agreement of 14th June 1898 and conventions of 8th April 1904 and 29th May 1906. All these efforts were aimed at making the boundary clearer. The efforts was confirmed by the agreement of 19th February 1910 which was the boundary inherited by Nigeria and Niger at independence in 1960 and recognized by international organizations like the Organization of African Unity OAU). It is interesting to note the agreement and convention document has contributed greatly in providing peace at the border area.

In respect of the Nigeria/Niger trans-border (Fig 3 below), the Director General of the National Boundary Commission in 2001, Dahiru Bobbo described the Nigeria–Niger boundary as being:-

Approximately 1,500 Km long and extends from the Nigeria/Niger tri-point on the median of the River Niger to the Nigeria/Niger Chad tri-point in Lake Chad at 130 42' 29". The boundary is divided into three main sectors. The land sector from the tri-point on River Niger to the Komadugu Yobe River. (1,201km approx.). The Komadugu Yobe River Sector (272km approx.). The Lake Chad Sector from the mouth of Komadugu Yobe River to the tri-point with Chad Republic in Lake Chad (27Km). A total of one hundred forty eight beacons of five different types were erected on the land boundary sector stretching from the tri-point to the mouth of River Komadugu Yobe. From beacon 148 on the bank of Komadugu Yobe River, the boundary follows a straight line on bearing of 90' for about 30 metres till the line intersects the Thalweg of River Komadugu Yobe. From there the river forms the boundary between the two nations up to its point of discharge into Lake Chad. The Lake Chad sector which was demarcated under the LCBC, requires further

bilateral review by the two countries. The international boundary is currently undergoing a re-demarcation

exercise using the legal document listed above (Bobbo 2001:3)

Fig 3: Map of Nigeria and Nigeria boundary line in Red color



Source: https://sovereignlimits.com/wp-content/uploads/sites/2/2019/04/NER_NGA_web.jpg

Notwithstanding, the existence of boundary lines and long standing cordial relationship between the peoples of the two countries .there are some challenges faced by the people of border-land. In an effort to solve the challenges facing the people of the two countries, governments of the two countries established some agencies with specific functions as well as other policies to resolve other challenges explained in the succeeding sections.

C. Border Land problems

The problems otherwise challenges confronting Nigeria-Niger international boundary and border land communities of the two countries are:

- (i) Increase in administrative problems that prevent effective management of boundary and borderland issues such as
 - (a) It has the longest Nigeria boundary of 1350 km with her neighbor and has porous border which encourage criminal activities.
 - (b) the people at the border land are ignorant of border land policies and bilateral/multilateral agreements

- (c) lack of skilled personnel in the institutions lead to the inability to mobilize and sensitize the inhabitants of borderland area on boundary policies
- (d) Lack of social amenities in borderland settlements
- (e) Disappearance of boundary marks as a result of emergence of straddled settlements along boundary lines, change in the course of rivers
- (f) The passing away of the elderly who have knowledge of the boundary marks and the existence of the younger generation who lack knowledge of the initial boundary marks for re-demarcation.
- (g) Political instability as a result of undemocratic regime change gives rise to lack of continuity of administrative implementation of previous good policies by new leadership

- (h) Closure of border of Nigeria-Niger border often lead to increase in prices of goods in borderland
- (ii) desertification and drought have produced harsh climate which in turn lead to death of livestock
- (iii) Pest and quella birds menace destroyed crops
- (iv) Implementation of ECOWAS treaty relating to free movement of citizens of the West Africa and goods and oil boom led to more influx of citizen to one or two countries like Nigeria only in the 1980s. This gave rise to disregard to laws of the country and more challenges of insecurity.
- (v) Insecurity owing to exposure of the community to trans-border crimes like arm robbery, economic sabotage, illegal trade, smuggling, insurgency as perpetrated by Boko Haram and other militant groups as from 2009.
- (vi) Occasional communal boundary conflicts e.g. between herders and farmers
- (vii) Population growth and population mixing lead to increasing prevalence and spread of communicable diseases

All these combine to serve as threats to economic life and social harmony among borderland communities of the two countries most observers of trends in the borderland have recommended the need to improve on the security of the areas through, capacity building and increase welfare to personnel working in the borderland areas (Bobbo, 2001:PP5-6, Amdii et al(2001:P , Joy (2001:p61-62), Oye (2001:P 7-4), Sheidu (2001:p 76) Mohammed 2001:p22)

Sheidu (2001:p77) describe border administrators as individuals and institutions who directly or indirectly perpetually or occasional engage in border administration viz:-

- (i) Federal Government Agents /agencies:
 - (a) Ministers that represent the Government at bilateral and multilateral meetings
 - (b) Custom Service: - Monitors of the movements and goods into and out of the Country,
 - (c) Immigration Service: Movement of persons into and out of the Country to ensure they possess valid travel documents.
 - (d) Commission: vested with the implementation of boundary and borderland policies
 - (j) Frontline States: Kebbi, Sokoto, Zamfara, Kastina, Yobe, Kano, Jigawa, Borno, that are affected with boundary and borderland land issues
 - (k) Frontline Local Government Councils that are affected with boundary and borderland land issues
 - (l) Traditional Authorities are affected with boundary and borderland land issues and serve as the spokesmen of their communities

- (m) Non-Governmental Organizations;- that operated at the grassroot and are affected with boundary and borderland land issues
- (n) Individuals: that live in borderland and are members of ethnic and or religious groups affected by boundary and borderland land policies.

D. Nigeria National Boundary Commission (NNBC)

The Commission was first established under the National Boundary Commission, Act, Cap. 238, L.F.N., 1990. This Act was later repealed to among other things, establish a new National Boundary Commission charged with more powers and functions by a new Act and published in official Gazette supplement no. 69 on 29 December 2006 with commencement date of 22nd December, 2006. The Act in PART 11 enumerates the functions of the Commission thus:-

7. Functions of the Commission. The Commission shall-

- (a) *intervene and deal with any boundary dispute that may arise between Nigeria and any of her neighbours with a view to settling the dispute;*
- (b) *intervene, determine and deal with any boundary dispute that may arise among States, Local Government areas or communities in the Federation with a view to settling the disputes;*
- (c) *define, and delimitate boundaries between States, Local Government Areas or communities in the Federation and between Nigeria and her neighbours in accordance with delimitation instrument or document established for that purpose;*
- (d) *monitor trans-border relations between Nigeria and her neighbours with a view to detecting areas of tension and possible conflict;*
- (e) *promote trans-border co-operation and border region development;*
- (f) *encourage negotiated settlement of border disputes in preference to litigation;*
- (g) *facilitate equitable utilisation of shared border resources of land, water, games, forest resources, etc.;*
- (h) *co-ordinate all activities on international boundaries;*
- (i) *formulate policies and programmes on internal and international boundaries including land and maritime;*
- (j) *liaise with other international boundary related bodies;*
- (k) *advise the Federal Government on matters affecting Nigeria's border with any neighbouring country;*
- (l) *consider recommendations from the technical committees or any other committee set up by the Commission and advise the Federal Government on such recommendations;*

- (m) take all necessary steps towards the implementation of resolutions on internal boundary disputes;
- (n) disseminate information to educate the general public on the functions of the Commission under this Act;
- (o) organise, run, operate, conduct and participate in such training courses, lectures, seminars, conferences, symposia and similar study groups which may enhance the activities of the Commission or the efficiency of any of its officers and employees;
- (p) carry out such duties related to boundary and border matters as the President may, from time to time, direct; and
- (q) do such other things as may be considered by the Commission to be necessary, desirable, expedient, supplementary or incidental to the performance of the functions or the exercise of the powers conferred on the Commission under this Act.

Furthermore Section 8 of the Act organized the Commission into (a) Internal Boundary Technical Committee (b) External Technical Committee and is mandated to establish Zonal offices in Nigeria. In addition to the National structure the Commission is complimented at the State level by State Boundary Commission and Local Government Boundary Committee.

The National Boundary Commission has organized seminars to mobilize the Government and people to brace up and face the challenges of boundary and borderland issues and crises. The first seminar was held at Bagauda lake Hotel, Kano in July 1989 in which some recommendations were made. In 2001 the then Vice President of the Federal Republic of Nigeria Atiku Abubakar in his keynote Address at the Seminar stated the achievement of the first seminar, as follows:-

Redemarcation of Nigeria –Niger boundary in the spirit of fraternal relations and best Interest of both countries; improvement in cooperation between security personnel on both sides of the border; and frequent exchange of visits between adjacent territorial authorities as demonstrated by the activities of local bilateral committee (Amdii, Bobbo, and Koraou, 2010:p xxi).

As for the second seminar organized by the National Boundary Commissions of the two countries in 2001, Amdii, Bobbo, and Koraou (2001:pp309-311, revealed that there was policy recommendations made in the Seminar Communiqué. They recommended that:-

- (i) The existing treaties, conventions and instruments that define Nigeria-Niger be maintained and applied.
- (ii) The issue of straddled villages along the Nigeria-Niger international boundary be addressed.
- (iii) There should be pillar identification at the relevant spots along the boundary.

- (iv) The joint technical team of experts should identify factors responsible for the change in course of Komadoga - Yobe River and its implication.
- (v) The Gateway States (Kebbi, Sokoto, Zamfara, Kastina, Yobe, Kano, Jigawa, Borno, and their respective local governments) should develop and formalize the existing local bilateral cooperation and the need to promote African union objectives by liberalization and relaxation of officialdom and excesses of border law enforcement agents.
- (vi) There is need to develop the border region through a coordinated and complimentary programmes by the two countries.
- (vii) The two countries should formalize the existing informal social and economic interaction by establishing more markets and free trade zones at strategic locations.
- (viii) That traditional rulers should be utilized in the promotion of cordial relationship between the two countries.
- (ix) Encourage private entrepreneurs to approach financial institutions for funds to support and promote trade and commerce in border areas.
- (x) Take measures that would increase security awareness, cooperation and management action of security issues.
- (xi) Ensure that resources at the border are exploited in a sustainable manner by experts.
- (xii) Provide permanent solution for the reduction of environmental hazardous habits and health problem.

E. Nigeria-Niger Joint Commission (NNJC)

A Nigeria-Niger Joint Commission (NNJC) was established in 1971 and the Joint Commission impacted as follows (Sandy, 2010:15-18):-

- (1) Pursued for the supply of Electric power by Nigeria to Niger.
- (2) Engaged in the Management of common river basins.
- (3) Established neighboring and international telephone links.
- (4) Proposed the creation of control of desertification via green belt development.
- (5) Encouraged livestock development via disease combat programs and checking farmer – herder conflict.

The major challenge to the activities of NNJC is lack of funds to execute her projects.

F. Border Communities Development Agency

Following the need for developing the borderland areas as recommended in the 2001 Boundary Commission Seminar, the Federal Government of Nigeria established Border Communities Development Agency [2003 No. 23, as amended in 2006 Act No. 38.] which commencement date is

10th July, 2003. Functions and Powers of the Agency as contained in section 3 of the Act under reference states thus:-

3. Functions and powers of the Agency

1. The Agency shall—

- a. prepare a comprehensive programme of action for the development of the border communities;
- b. prepare and submit proposals on project for the Border Communities to the President;
- c. advise the Federal Government on border areas development and other related issues;
- d. consult with the relevant border communities and liaise with the Federal Government on areas required for the overall development in order to maintain, sustain and develop border communities;
- e. identify and determine in each year, such deliberate or conscious infrastructural project required for the overall development of the border communities;
- f. execute such border development policies, projects and programmes in the border communities;
- g. co-ordinate the activities of all relevant Ministries in the implementation of Federal Government policies and programmes for the development of border communities; and
- h. set guidelines for the implementation and monitoring of Federal Government projects in the border communities;
- i. plan and develop strategies towards ensuring efficient and effective implementation of Federal projects within the border States and ensure their implementation;
- j. receive and administer such funds as may be allocated to it from the Federation Account; [2006 No. 38, s. 3.]
- k. maintain an account with a reputable Bank; and
- l. do such other things which it deems expedient in the performance of its functions under this Act.

Generally, Aleude (2018) queried the extent to which government border projects and initiatives have succeeded in ameliorating the plight of border communities. He observed and concluded that the condition of borderland communities across Nigerian gateway states are still experiencing neglect in terms of low level of infrastructure development, provision of social amenities and lack of job opportunities for their inhabitants. In the case of Nigeria-Niger the experience of Gateway State communities, Amdii, et al (2001:P97-158) indicated that though there are lack of commitment in the implementation of bilateral agreements, nevertheless there

have been remarkable policy action towards ensuring that the boundary between Nigeria-Niger does not cause violent conflicts or stops traditional trade and commerce activities; and there is also continuous effort especially in the area of improved security and physical infrastructure development projects at the border-land areas.

VI. CONCLUSION

There are three theories that were considered in this paper as basis for the establishment of boundaries. Historically international boundaries were not created in consultation with Africans and this had the tendency of arousing disaffection between some communities. Generally In resolving boundary disputes, it is done through dialogue, negotiation, and determination at the court or through plebiscite in pursuance of the principle of the *right of self-determination* to determine which country a people and their land wish to belong to.

In the case of Nigeria-Niger international boundary dispute where it occurred was minor and was resolved at the level of border community members and leaders through dialogue and negotiation.

The Government of the two countries has also established institutions with specific function to take administrative actions that would lead to implementation of Government policies and agreements for the mutual interest of the two country's border Communities. To achieve peaceful coexistence, the Boundary Commission of the two Countries has tried to foster relationships like hosting joint seminars and follow up activities. There is also the Nigeria-Niger Joint Commission, which complements the work of the Boundary Commissions leading to resolution of some boundaries and borderland misunderstandings. And there is the Border Communities Development Agency established to take care of the development needs of the Border land communities. Also all the lower tiers of Government have been collaborating with at the national government to improve on the existing cordial relations. In spite of these there is still much to be done.

VII. RECOMMENDATIONS

Though the Borderland Communities have peacefully co-existed, Governments should endeavor to improve the standard of living of the people through providing jobs for youths by establishing processing industries, encourage private entrepreneurs to invest in borderland areas; provide social and infrastructural facilities in the border area; there should also be timely and discreet action to increase security agencies presence, provide improved welfare and they should be supplied with modern surveillance equipment. Furthermore action should be taken to control desertification in borderland areas of the two countries.

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