

The Emerging Dimensions and Challenges of Land Boundary Demarcation and Delineation in Nigeria: Bauchi State in Perspectives

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ABSTRACT

Pressure on land due to social, economic, migration, insecurity, population growth and political reasons in Nigeria is instigating high demand for boundary demarcation and delineation. At the inception of Nigeria after independence in 1960, there were only three regions namely; Northern, Eastern and Western Nigeria. In 1976, twelve (12) states were created out of those regions. Subsequently, the number of states rose to 36 in 1996. The challenges of maintaining the boundary and delineation issues became overwhelming in view of the high number of inter and intra states boundaries cases.

In this paper, therefore, the definitions of boundary, delineation and demarcation in relation to land would be given. Causes of boundary problems such as vagueness of boundary descriptions, interference of politicians amongst other things would be looked into. The types of boundaries and boundary markers would be described. Nigeria which is located in West Africa has a total population of about 197,106,679 million people (UN:2018) making it the 7th most populous country in the world. It is endowed with a total land mass of 985,000 sq km, making it the 6th largest country in the world.

The above scenario and attributes have far reaching implications and specialties, which would require special consideration as regards to the process and procedure in land demarcation and delineation. Further consideration would also be made in view of the international common borders Nigeria has with these four neighbouring countries, namely Cameroon, Benin, Chad and Niger Republics. It has, in addition, a boundary with coastal areas, that is, the Atlantic Ocean. The legal, technical, professional, as well as human capacity requirements would be investigated as regards to national and international border demarcations would be investigated and reported. The total length which Nigeria has with each of these four countries would be provided. Presently, out of the 36 states of Nigeria, 22 have common borders at various locations with the above mentioned countries. The varying cultural, ethnic, social, religious, and economic sentiments held concerning land by border communities would be reflected.

The emerging issues relating to international border demarcation would be identified. Challenges which internal and international border demarcation and delineation posed would

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be enumerated. Furthermore, recommendations and suggestions would be offered on various issues.

Bauchi state is one of the 36 states in Nigeria. It has a population of about six million people, making it the 6th most populous state in Nigeria and has a land mass of 49,119 sq km thereby placed as the 7th largest state in Nigeria. It has common borders at varying locations with some states, which include, Gombe, Taraba, Plateau, Kaduna, Kano, Jigawa and Yobe. It has 20 Local Government Areas with internal boundaries between and amongst them which are required to be demarcated. Currently, the process of the internal boundary demarcation is sporadically done as the situation warrants and not as deliberate and on continuous basis. The cultural, social religious, economic, ethnic, topographic as well as environmental factors which affect boundary demarcation amongst the Local Government Areas of the state would be investigated and presented. In conclusion, recommendations and suggestions on legislative, technical and as well as other hindrances and impediments factors would be stated.

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1. Introduction

Nigeria which got its independence in 1960 from Britain had only three regions after its amalgamation in 1914. Before the amalgamation the three regions were being governed independently as protectorates from Britain. Boundaries of these protectorates were few however, with subsequent creation of states over time boundaries between states and local governments became prominent in terms of economic, social, political and cultural as well as population explosion considerations and concern. The essence of a boundary is to uniquely and distinctly differentiate one contiguous unit from another either for political, economic, cultural, tribal (linguistic), communal independence or ego. Nigeria and indeed all other countries have put in place agencies responsible for their boundary demarcation and management. In Nigeria for example there is National Boundary Commission (NBC) and International Boundary Technical Committee (INBTC) each with its membership consisting of wide range of stakeholders. In the same vein each state of the federation has its own state boundary commission that treats interstate and intrastate boundary issues in which decisions arrived at are subject to the blessing of National Boundary Commission as being arbiter under the direct supervision of the Vice President.

In this paper, therefore efforts would be made to discuss challenges and opportunities on Nigerian international, national and local government boundary demarcations. Nigeria has boundaries with four countries namely; Cameroon, Niger, Chad and Benin while to the south it has a maritime boundary with Atlantic Ocean and some neighbouring countries. The peculiarities and circumstances emanating from colonisation of these border countries may play significant role in the management and demarcation of these boundaries. cultural and environmental factors may equally have effects on border demarcation process and procedures. The paper would study these peculiarities with the view to proffering advices and recommendations.

Bauchi state which is one of the 36 states was created in 1976 and has 20 local government areas. Its location amongst other states makes it unique because it has borders with seven states with its position as the 6th most populous state and 7th largest state in Nigeria. In this respect, boundary demarcation and management would require special consideration and attention. In conclusion therefore, challenges, opportunities, emerging issues identified would be presented. Recommendations as regards to Bauchi state border delineations would be enumerated.

2. Boundary Definition

Boundary in relation to land is a separation in contiguous manner of a unit or a portion of land. Such a separation may either be of parcel of properties, towns, cities, local authorities, states, municipalities, countries or continents and so on. Boundaries are described by either in words or metes and bounds in general or fixed terms.

Delineation or demarcation is the process where the location of a boundary is being located. The process can take many dimensions such that negotiation, agreement, consensus or settlement prior to the demarcation. The demarcation involves the placement of pillars, post or any form of agreed marker types that ascertain the limit of the said property. The demarcation also involves the placement of pillars, post or any form of agreed marker that suit the location. It can take the form of measurements that determine the limit of the land or in a form of description in words. In all cases, the description by measurement is most accurate and permanent and it can easily be retraced in the event of loss.

3. Significance Boundaries

Boundaries are defined to solve a lot of issues. In the first instance, a boundary assure the limit and extent of ownership which the owner has on his property. It also helps to identify encroachment and threats on what belongs to him. In another perspective, boundaries assures and ascertain the level of social, political and economic status of individuals depending on the size and location of the said property. The value attached to land by the community has significant influence on how social, political as well as economic factor it has on the owner. This argument can be further extended on how a nation or a state is treated or respected on the bases of the enormous land it has possessed in comparison to other nations. Threats, intrusion and encroachment become less on dominant countries or states with glaringly large territories. Border issues are hardly settled easily with predominantly large territories. Value system takes a great toll in addressing boundary issues. Community value system, population explosion, migration, climate change and other environment factors play a significant role in boundary demarcation and management.

4. Types of Boundary Markers

There are many considerations being looked into in determining the types, sizes and compositions of boundary markers. Such considerations are the class of survey and the environmental factors. The longer the boundary marker last the better and assuring it is in avoiding litigation and retracement needs. In a general term, there are two types of boundary descriptions in practice; the general boundary and fixed boundary. The general boundary is usual marked by physical or natural features such as mountains, rivers, streams, roads etc. while

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in the case of fixed boundary thin lines are used and defined mathematics by distances and bearings to mark every change of direction with a pillar or a marker which is coordinated in either X and Y or northings(N) and eastings(E).

i. International Boundary Markers(Pillars)

International Boundary Marker has a minimum dimension; size and composition. The minimum dimension as agreed by the neighbouring countries, in the case of Nigeria is as follows;

ii. Interstate Boundaries

Interstate pillars are pillars demarcating states in Nigeria their composition are also determined by the nature of the environment such as soil types, weather and topography. Up until recently, more states were being created sporadically and frequently hence boundaries were constantly being changed, This phenomenon has given sources for more concern by the authorities charged with border issues in view of increase in demand and agitation for border delineation and adjustment There are however minimum requirements as highlighted in the survey rules and regulation act on types of pillars to be used.

iii. Local Government Boundaries Pillars

The states in Nigeria are further subdivided in units for administrative conveniences called Local Government Areas referred also as third tier of government. They operate independently though with a close supervision of the state governments over them. It is pertinent to note that local governments in Nigeria have not experienced the sporadic and constant creation as the states had experienced in the past. Pillars used in demarcating their territories are also specified with a minimum dimension as follows;

5. Border Management in Nigeria

Boundary Management was established with the sole aim of providing succor to the border communities of the regions of Nigeria. Its functions amongst other things are to provide facilities and infrastructure for the benefit of the said residing communities thereby making them feel cared for by the government of the day. In turn the communities would live in peace and harmony with their neighbours. In this case it is expected that boundary definition, delineation and demarcation along the border regions will not cause any crises when it comes up.

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6. Nigerian Boundaries with Neighbouring Countries

Nigeria has a total border length (perimeter) of four thousand four hundred and seventytwo kilometers (4,472km) at varying lengths with the following countries: Niger Republic, 1,608km; Chad, 85km; Cameroon Republic, 1,975km; Coastline (Atlantic Ocean), 853km; Benin Republic, 809km; Niger Republic, 1,608km (Fig. 2)



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Fig. 2: Map of Nigeria bounded by neighbouring Countries

The most intriguing issues in boundary demarcation with these neighbouring countries are that all of them have different experiences in terms of historical, colonisation, developmental, inspirational, political above all language barriers. Furthermore, each section of these borders has two or more states/provinces of Nigeria/Cameroon sharing in common with neighbouring countries.

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6.1 BRIEF ON EACH OF THE BOUNDARIES

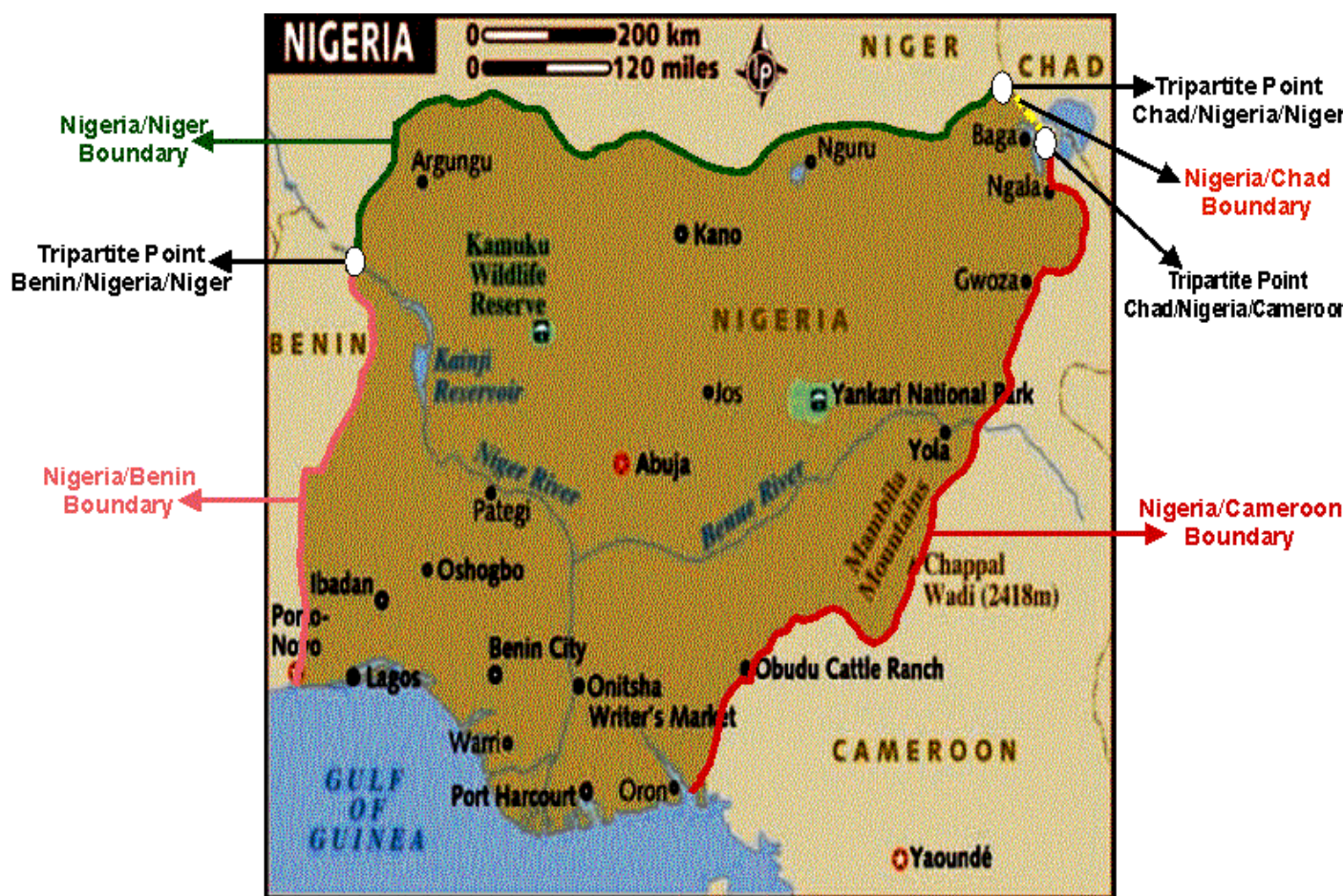


Fig. 4 Border Lines with Neighbouring Countries
(Courtesy Of Adamu Chindo)

In (Fig. 3) for example, Niger Republic, is sharing a common boundary with seven states of Nigeria, namely; Sokoto, Kebbi, Zamfara, Katsina, Jigawa, Yobe, and Bornu states. Similarly, on the other side of the boundary, that is, in the Niger Republic, there are five provinces namely; Dosso, Tahoua, Maradi, Zinder, and Diffa. Each of those states/provinces have different economic, political and social, maturity, independence, and experiences. The process of demarcation on this boundary can therefore be hectic. In all those states a lot have been achieved in terms of boundary demarcation along the 1,608km. The insignificant portion that was demarcated lacks border management derive. This is capable of instigating and provoking threats rendering the appreciable achievements recorded as a security challenge.

The borderline Nigeria has with Chad is only 85km and it is along the Lake Chad. The Lake Chad is now under climatic threats as the lake is fast receding by drying up. The earlier the

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boundary is demarcated the safer it would be otherwise if it takes a longer period to demarcate it, then security issues will surface thereby making the demarcation difficult.

Cameroon Republic has a total border length with Nigeria of about 1,975km. Cameroon/Nigeria border has the following states of Nigeria; Borno, Adamawa, Taraba, Benue, Cross Rivers and Akwa Ibom. Similarly, on the Cameroon side it has five provinces namely; Marwa, Garoua, Adamawa, Bamenda and to the south west is Bue'a (Fig. 4). *Nigeria/Cameroon border is the most contentious border of all the international boundaries*(Chindo, 2013).

The memory of Hague Verdict International Court of Justice on Bakkasi peninsula is still fresh in our memory. The loss of lives during demarcation of the some boundary section has not also been forgotten. The most interesting aspect of Cameroon/Nigeria border is that Northern and Southern Cameroon have different colonisation experiences, with a section colonised by British and the other section colonised by Anglo/German/French. The northern section of Cameroon has similar colonisation experience with Northern section of Nigeria as well as having cultural affinity and similarities. Therefore less hostility, aggression and confrontation between the two at were experienced. A lot has been achieved toward the demarcation of the boundary between the two countries emplacement of 373 boundary pillars(Bosse, 2013). The process of demarcation has been slowed down as a result of ongoing consultations between the two countries. Further complication has arisen due inter woven settlements of communities around the border resulting into fusion due to long stay.

Nigeria has a maritime border with Atlantic Ocean (Fig.4) with a total border length of eight hundred and fifty-three kilometers (853Km). The following countries have economic zones each with substantial maritime boundaries Ghana, Sao Tome, Equatorial Guinea and Cameroon ongoing negotiation is still to demarcation these boundaries. Boundary demarcation along the coastline does not posed a threat as it be localised along the states of Nigeria. Economy as well political consideration take priority in resolving the issue of boundary along maritime boundary. The law of sea will prevail to ensure independence and security as well as ensure avoidance of threats and encroachments. There are seven states of Nigeria that have border with the coastline namely; Cross Rivers, Rivers, Akwa Ibom, Bayelsa, Delta, Ogun and Lagos states.

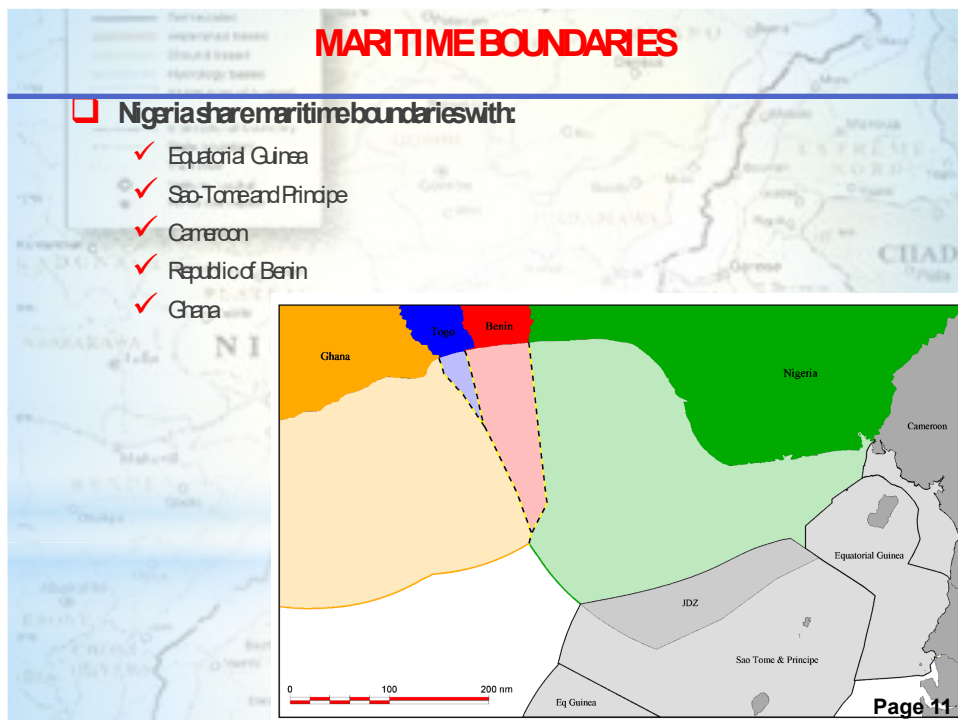


Fig. 4 Nigeria Maritime Border with Other Countries³

Benin Republic shares a common border with Nigeria along eight hundred and nine kilometer(770km). Along the border length, it has six Nigerian states namely; Lagos, Ogun, Oyo, Kebbi, Kwara and Niger state. Similarly, on the Benin republic side there are three provinces along the border namely; Borgou, Zou and Queme and each one of those states/provinces has its own divergent cultural social and economic as well as political experiences and exposures different from one other coupled with the strong strategies on how the value of land means to each of them. The boundary was defined at different times during early colonisation. The demarcation is still ongoing (Bosse:2012). It is pertinent at this point to state that each state in Nigeria has formed either a boundary commission or committee charged with the responsibility on how to address and solve boundary matters. It is worthy to also note that the final arbiter to any national boundary issues are Federal Government and the Country involved. If the two countries failed to settle the issues then international world court would intervene.

7. Process, Procedures and Requirements for Boundary Demarcation

Boundaries are generally delineated and demarcated arising from the following situations;

- i. Resolution/Agreement,
- ii. Legislation,

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- iii. Consensus,
- iv. Pressure(Population, Migration, Climate Change),
- v. Conquest,
- vi. Agricultural incentives.

Chindo, A (2014) *"In December 1987 the Federal Government of Nigeria created the National Boundary Commission by promulgating Decree No. 38 of 17th December, 1987 (CAP 238 Laws of the Federation of Nigeria, 1990). The Commission formally came into operation in January, 1989 with the following mandate: -*

- a) *to deal with, determine and intervene in any boundary dispute that may arise between Nigeria and any of her neighbours or between any two States of the Federation with a view to settling such dispute;*
- b) *to advise the Federal Government on issues affecting Nigeria's borders with any neighbouring countries;*
- c) *to entertain any recommendations from the Technical Committee and to advise the Federal Government on such recommendation, and*
- d) *to do such other things connected with boundary matters as the President, Commander-in-Chief of the Armed Forces may, from time to time, direct".*

In the event that the need for demarcation arises in the case of international border, the International Boundary Technical Committee (IBTC) with its full membership would exercise its functions with the view to proffering solution. Amongst the functions of the committee are; 1) to deal with matters affecting Nigeria on its borders with neighbouring countries including land and maritime, 2) to participate as may be required in the delimitation of international boundaries in accordance with the delimitation instrument or document established for the purpose, 3) to proffer solutions to any international boundary region development, 4) to promote trans-border co-operation and border region development, 5) to make appropriate recommendations to the commission on the effective boundaries and borderlands.

7. **Bauchi State Boundaries**

Bauchi state is the 7th largest state in Nigeria with a land mass of about fourty nine thousand square kilometers (49,000sq m) and 6th most populous state with almost 7million people. Its critical hinterland location of sharing common borders with seven states namely; Yobe, Gombe, Taraba, Plateau, Kano, Kaduna and Jigawa has placed it under high pressure in containing with a number of boundary issues with its neighbouring states coupled with influx of immigrants into it in view of its peaceful nature.

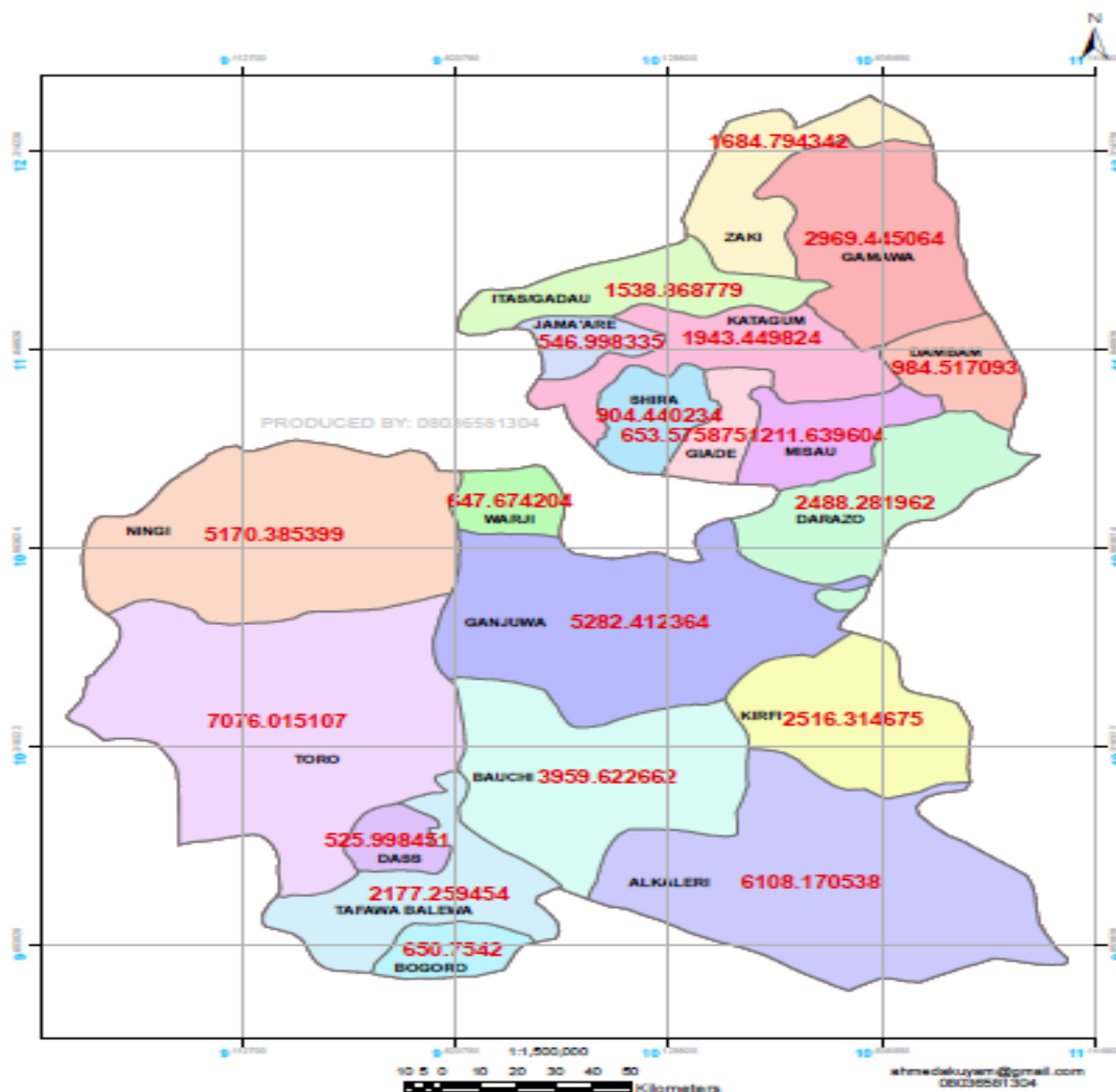


Fig. 6: Map of Bauchi State.

Pressure on land has awoken the state to consider a review on its land policy. Bauchi state has twenty states (Fig. 6). In order to appreciate, the enormity of the boundary issues in the state one needs to note the total land size of the state which is 49,000sq km comprising the twenty (20) local government areas distributed amongst the individual local government areas of the state as follows⁷; Alkaleri LGA(6,108.17sq m), Bauchi LGA (3,959.62 sq m), Bogoro LGA (650.750 sq km), Darazo LGA (2,488.28 sq km), Dambam LGA (984.52 sq km), Dass LGA (526.00 sq km), Gamawa LGA (2,969.45 sq km), Ganjuwa LGA (5,282.41 sq km), Giade LGA (653.58 sq km), Itas Gadau LGA (1,538.87 sq km), Jama'are LGA (547.00 sq km), Katagum

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LGA (1,943.45 sq km), Kirfi LGA (2,516.31 sq km), Misau LGA (1,211.64 sq km), Ningi LGA (5,170 sq km), Shira LGA (904.44 sq km), Tafawa Balewa LGA (2,177.26 sq km), Toro LGA (7,076 sq km), Warji LGA (647.67 sq km) and Zaki LGA (1,684.79 sq km).

8. Boundary Status in Bauchi state

There are two types of boundary issues in Bauchi state; the interstate boundary issues with the neighbouring states and the internal boundary issues emanating amongst or between either the local government areas, Districts or the Hamlets

There is significant progress in Bauchi state as far as interstate land boundary issues are concerned. This achievement was recorded due to the deliberate efforts put in place by the state government in terms of its desire to maintain peace and harmony with the neighbouring states. An Agency called Bauchi State Boundary Commission was created headed by Deputy Governor specifically to address boundary issues with the view to resolving boundary issues in addition, each local government of the state has a committee called local government boundary committee headed by Deputy Local Government Chairman with the mandate of addressing boundary issues of Districts and ward Areas. Unresolved boundary issues are referred to state boundary commission for further consideration.

In addition to this Commission, each local government council is mandated to establish Local Government Boundary Committee with view to addressing boundary issues pertaining to District, Village and Ward Areas. Unresolved issues are referred to State Boundary Commission for further treatment. Boundary issues within these areas are expected to be resolved without further referral elsewhere except may be to court.

i. Bauchi State Boundaries with Neighbouring States

Bauchi state is bounded by seven states, namely, Jigawa, Yobe, Gombe, Taraba, Plateau, Kano and Kaduna states.

Bauchi/Jigawa: The 560km boundary has virtually been resolved. The grey areas are about to be completed at the end of which demarcation will commence. The social, political, economic and indeed religious similarities played significant factors in the amicable way solutions were reached.

Bauchi/Taraba: The 50km border distance has little grey areas to accomplish. Documents were forwarded to the National Boundary Commission for final arbitration based on the joint field work submitted by the two states.

Bauchi/Yobe: The 178km border length field work has been completed by the Joint Boundary Technical Committee. This border is only waiting for the blessing of the NBC as all the disagreements were sorted out.

Bauchi/Gombe: Similarly, the total boundary length are about to be completed. However, new and contentious demands are springing up in view of the economic potential of the areas along the boundary line. Oil and Gas exploration is going on coupled with the extensive farming and grazing activities that are going on due to the rich nature of terrain. It will certainly take a while to come to an agreement between the two states since oil and gas are now the dominant revenue earning sector in Nigeria. Therefore, economic factor is dominating the psyche of understanding against the rational thinking. Akko and Kaltungo Local Government Areas of Gombe state and Alkaleri LGA of Bauchi state respectively are at each other's neck on the boundary issues between them leading to the request for ethnographic survey to be conducted.

Bauchi/Kano: The boundary between the Kano and Bauchi states is at the final stage of demarcation. The small portion which is yet to be agreed upon has been reported along with joint documents to the NBC for further consideration and demarcation. The boundary issues on this border have not escalated beyond proportion. All interactions have been cordial between the border communities.

Bauchi/Plateau: The 340km border length has been agreed upon and demarcation is about to commenced after the gray areas has been sorted out by NBC.

It must be noted that states sharing similarities in their day to day activities do have less frictions in terms of boundary resolution. Inter marriages, similarity in religion, sharing of commercial activities such as in commodities and market locations bear a lot in the harmonious living between communities.

Bauchi/Kaduna: Interestingly, the border line has been demarcated.

ii. Local Government Areas

There are twenty(20) local government areas in Bauchi state, each with a varying land sizes and population.

iii. District Areas

There are thirty seven (37) District Areas in Bauchi state. Each District is headed by a District Head who is charged with responsibility of maintaining law and order amongst the communities. Other functions of the District is to address the issues of boundary without bias.

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Boundaries of

iv. Village Head Areas

There are one hundred and ten Village areas in Bauchi state. Each Village Area is headed by a Village Head. Boundaries of these Village areas are defined in most cases by natural features such as roads, streams, rivers, hills, mountains, footpaths, cultivations, forests, etc. Boundaries of Village areas in most cases are well defined. Boundary disputes are seldom experienced and are easily resolved where they existed.

v. Ward Areas

There are over one thousand village Areas in Bauchi state. Each of the Wards is headed by a Ward who is appointed through voting but turbaned by Emirate Council.

Boundaries of Ward areas in most cases are well defined. Boundary disputes are seldom experienced and are easily resolved where they existed.

9. Prospects of Boundary Demarcation

Nigeria has by design put in place policies and programs at Federal level to ensuring boundaries are delineated and demarcated for social, economic, political as well as peaceful coexistence and interactions between communities. Similarly, states governments have also place necessary laws and regulations to ensuring peaceful and harmonious coexistence for economic, social and political progress of their communities.

The following are the structure put in place to addressing the boundary issues;

- i. The enactment of National Boundary Commission headed by a Director General directly under the supervision of Vice President of Nigeria.
- ii. The creation of Nigeria Border Region Development whose responsibilities is to ensure development and the provision of infrastructure for the benefit of the communities.
- iii. Formation of Boundary Technical Committee which is charged with responsibility of taking the necessary field data and information to assist in taking decision on boundary issue. Indeed, the technical expertise has the capacity and competency demand of boundary delineation and demarcation. What is most required of the committee is constant training and retraining on the aspect boundary issues.
- iv. States have also created either a Boundary Commission or Committee to address inter and intra boundary issues. States also created along with each Commission or Committee a border region development committee. What is lacking is the absence of government support in funding the issues raised by the committees.

Bauchi state is one of the very few states that has set up Boundary Commission, all other states have only created Boundary Committees to perform similar functions certainly with less power and authority compared to a Commission.

10. Challenges on Boundary Demarcation and Delineation

- i. The creation of NBC, TC needs further commitment on the side of government especially on funding. Stakeholders need to be identified at early stage of boundary delineation and demarcation for proactive intervention. the committee members need to reflect across all sector of the society. Continuity in the membership will be an added advantage to the running of the Commission and Committees.

9. Conclusions and recommendations

1. International boundary demarcation of Nigeria has not yet been completed in view of the numerous challenges highlighted above, Efforts must be put in place to ensure that all border lines are demarcated and gazetted. Equally important are the necessity for the delineation and demarcation of interstate boundaries. There is a lot of work to be done in this regard.
2. It is very important at this juncture to call on the training institution to review its curricula to include boundary, delineation and demarcation in them. It is envisaged in not distance future issues on boundary would dominate large chunk of government time and its resources in view of population, migration, climate change, land and agricultural policies.
3. Where demarcation takes place, skirmishes still lingers though in silence. Government must put in place mechanisms to manage the borders through the empowerment of Border Region Development Committee.