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## Reclaiming the Bakassi Kingdom: The Anglophone Cameroon– Nigeria Border

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### Abstract

The Bakassi Kingdom provides an excellent opportunity to examine the question of identity from the individual level to the community, state and external levels. On the one hand, this peninsula has become a continuous bone of contention between the Cameroonian and Nigerian states since soon after independence. Indigenes of the region have never accepted the existence of the colonial boundaries. Regular border skirmishes raised international attention in the 1990s when the two sides became involved in a protracted war over the sovereignty of the Bakassi Peninsula, an area rich in oil reserves. On the other hand, this border has never hindered the large-scale circulation of people and goods in the borderlands. This article will outline some of the underlying reasons for the frequent border disputes between the Cameroonian and Nigerian states since independence, culminating in the Bakassi Peninsula conflict in the 1990s, and then explore the impact on relations between the Anglophone Cameroonian and Nigerian resident populations using four distinct perspectives.

### Résumé

Le Royaume Bakassi constitue une excellente occasion de se pencher sur la question de l'identité tant au niveau individuel que sur les plans communautaires, public et externe. D'une part, cette presqu'île est devenue la pomme de discorde entre les Etats nigériens et Camerounais dès le lendemain de leurs accessions à la souveraineté nationale; les populations autochtones de la région n'ayant jamais accepté l'existence des frontières coloniales. Dans les années 1990, les escarmouches, survenant régulièrement à la frontière, ravissent l'attention internationale lorsque les deux parties s'engagent dans une longue guerre pour la souveraineté de la Presqu'île de Bakassi, riche zone pétrolifère. D'autre part,

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cette frontière n'a jamais empêché la vaste circulation des personnes et des biens dans les zones frontalières. Il s'agit ici de mettre d'abord en exergue certaines des raisons profondes des fréquents différends frontaliers entre les Etats camerounais et Nigériens depuis leurs indépendances, avec comme point culminant l'éclatement, dans les années 1990, du conflit portant sur la Presqu'île de Bakassi; et ensuite, à l'aide de quatre perspectives bien distinctes, d'en explorer l'impact sur les relations entre les populations camerounaises anglophones et nigérianes résidentes.

### **Introduction**

A renewed interest in the study of colonially negotiated borders, and the remarkable increase in boundary disputes between and within African states, has been the focus of several recent studies. For a long time after independence border skirmishes and wars between African states were relatively rare, and governments more or less adhered to the sacrosanct nature of the boundaries inherited from colonial times as laid down in the 1963 Charter of the Organization of African Unity (OAU). At present, however, African states are involved in various boundary disputes, such as those between Ethiopia and its neighbours in the Horn of Africa, between Nigeria and its neighbours in West and Central Africa, and between the Democratic Republic of Congo and its neighbours in the Great Lakes region. According to Achille Mbembe, most of these disputes have their origins not in the desire to make an ethno-cultural space coincide with the space of the state, but rather in the struggle to control vital resources. Moreover, the recent political liberalization process has created more space for separatist and irredentist movements within African states, as evidenced in Senegal (Casamance), in Cameroon (the Anglophone region), in Angola (the Cabinda enclave), in Namibia (the Caprivi Strip), in Nigeria (the Niger Delta) and in Uganda (northern Uganda).

The Bakassi Kingdom, a group of Bakassi Peninsula inhabitants who have declared independence from Cameroon and Nigeria, provides an excellent opportunity to examine the question of identity and power from the level of the community to the state and external levels. While Mbembe argues that resource control is the most vital consideration in boundary disputes, this article argues that ethno-cultural forces unleashed by the political liberalization process have accentuated the struggle to control resources. Separatist and irredentist movements are based on ethno-cultural foundations but manifest most often in struggles for resource control.

An example of this phenomenon is the Bakassi Peninsula – an area rich in oil reserves and other natural resources – which became a continuous bone of contention between the Cameroonian and Nigerian states soon after inde-

pendence. The two states became involved in protracted border skirmishes over ownership and jurisdiction over the Bakassi Peninsula, raising international attention in the 1990s. Cameroon filed a case with the International Court of Justice in 1998, which resulted in a decision for Cameroon. Nigeria determined that it would not honour the final ICJ decision. This action prompted Kofi Annan, in his role as Secretary General of the United Nations, to engage in intensive diplomatic discussions with both parties. These finally resulted in 2006 in implementation of a four-year resolution process to clearly define the limits of the borders and thereby ensure territorial sovereignty for each state. At the level of the community, however, indigenes of the region have yet to accept the existence of what they feel are in fact colonial boundaries and have claimed sovereignty for themselves.

### **Permeability of the Border**

The permeability of the Cameroon–Nigeria border has been documented by scholars such as Margaret Niger-Thomas (2001), Kate Meagher (2001) and Molem (2004), who investigated cross-border economic activities. According to Meagher (2001), ‘The available evidence suggests that there has been an increase in the actual quantity of cross-border flows, as well as a deepening of the penetration of cross-border operations in to the heart of the national territories.’ This implies that cross-border operations have undergone some structural reorganization. It also indicates that the socio-economic interactions of the respective indigenous populations are carried on with little regard to the colonial demarcation. Because the boundary is ill-defined and unimportant to them, the natives of the area do not confine their socio-economic activities to particular areas. Indigenes in both countries are able to evade gendarmes from Cameroon and police, customs and immigration officers from Nigeria given that they are very familiar with the terrain. In fact, according to Niger-Thomas, smuggling is no longer an issue for concern, but has become an accepted strategy for both survival and capital accumulation.

Not only smugglers but other categories of people in society too seem to be benefiting from this activity, including state officials themselves. In this part of Cameroon [the South West Province], which is closely aligned to Nigeria, it is clear that national borders are just political creations (Niger-Thomas 2001:47).

There seems to be little logic in relation to the demarcation of the boundaries of African colonies by European states. Asiwaju (1984) points out that a study of European archives supports an accidental rather than an intentional making of African boundaries. This meant that the European interests were

of primary concern. The population of the frontier areas was envisaged, if at all, only as dim and inarticulate presences in the background. Therefore in determining boundaries, the Europeans did not take African interests into consideration. An Anglo-French Commission of diplomatic and colonial experts was formed for the purpose of demarcating the boundaries, but the limits of its expertise soon became evident. Lord Salisbury commented:

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 impediment that we never knew exactly where the mountains and rivers and lakes were (Lord Salisbury, speaking in 1890, cited in Asiwaju 1984).

Although geographers were available to advise, Europeans' knowledge of the physical, let alone the human, geography of Africa was still rudimentary. According to Asiwaju, a famous epigram defines geography as being about maps rather than chaps, but its value is always defined by 'the knowledge of the chaps who draw the maps'.

The notion and function of the term 'boundary' differed fundamentally in the European and African contexts. According to Verkijika G. Fanso (1986),

in traditional Africa, the concept of a political or ethnic boundary was expressed in terms of neighbours with whom the particular State or polity shared a territory and such a boundary was conceived of in terms of a region or a narrow zone fronting the two neighbours marked off by it. In this sense, the boundary was the zone where two States were united or joined together.

In other words, African boundaries were usually rooted in ethnic and social contact. European states, however, conceived of boundaries as lines or points of separation. In the case of Cameroon, the Anglo-French partition of the former German colony in 1916 provided that inhabitants living in or near the border region had six months from the time that the border was delimited to express their intention to settle in a region placed under the jurisdiction of the other colonial power. A problem was thereby created.

The Africans who had become frontiersmen had no immediate knowledge that their lands and kin divided by the boundary were now 'foreign'. They did not know that the new boundaries functioned differently from the traditional ones with which they were familiar. They thought the former were only important to the white men who made them and were not immediately concerned about their existence until they were checked at crossing-points. It was then that they began to feel the impact on their relations with their kin and neighbours and began to create new and secret routes across the frontiers (Fanso, 1986:72).

According to Ian Brownlie in *African Boundaries*, the actual demarcation of the Cameroon–Nigeria border took place over a long period of time from 12 July 1884, when the German colony of Kamerun was established, through the plebiscite of 11 February 1961. It was the outcome of this plebiscite that divided the British Northern and Southern Cameroons into distinct territories, which chose independence by joining Nigeria and French Cameroon, respectively. Brownlie provides a list of treaties and agreements that document the changes in the Cameroon–Nigeria boundary that took place during that time period (see Appendix).

It is important to note that Northern and Southern Cameroons were British protectorate territories administered as a part of Nigeria. There was not a separate administrative agency for the Cameroons. As a result the colonial boundary was not considered as an impediment to social and economic activities, thus maintaining the ethnic–linguistic continuity of the region. In fact, at one time the leading political party in Nigeria was the National Council of Nigeria and the Cameroons (NCNC) and Cameroonians participated fully in the Nigerian parliament. This shared colonial history encouraged the Nigerian state to lay claim to the Bakassi Peninsula.

Piet Konings (2005) states that the British method of administration led to the appearance that Nigeria rather than Britain was the colonial master of Southern Cameroons. As he indicated, the post-1945 nationalist struggle in Southern Cameroon was more anti-Nigerian than anti-colonial in character. Furthermore, he mentions that this situation gave rise to the increasing peripheralization of Southern Cameroons, which seemed to be more of a colony within a colony. As mentioned above, being administered as an appendage of Nigeria led to a lack of socio-economic development and little advancement in the economy from the plantation economy established under German colonial rule. More significantly the quasi-regional status and limited degree of self-government gained by Southern Cameroons in 1954 seemingly undermined the existing boundaries between what had been the German Kamerun Protectorate and Nigeria. The Southern Cameroons achieved full regional status within the Federation of Nigeria in 1958.

The fact of Southern Cameroons autonomy led to two problems once independence was subsequently achieved. First, the Southern Cameroons entered into a federal relationship with *La République du Cameroun*, which proved to be unequal and antithetical to the democratic traditions that had begun to take root there. Secondly, *La République* treated the border between it and Nigeria as sacrosanct and resented the continuing ties between Nigeria and the Southern Cameroonians. Over the years, when Nigerian troops ventured back and forth across the border, Cameroon reacted strongly and a

tense, sometimes conflictual relationship developed around the border. In view of this background, it is not surprising that skirmishes between the two states intensified when Cameroon filed a series of pleadings with the ICJ beginning in 1994 through 1998 against Nigeria for ‘violently contesting Cameroon’s sovereignty over the Bakassi peninsula’ and for occupying the territory with military troops (Konings 2005). While Cameroon protested Nigeria’s ‘impositions’ into the Bakassi, it did little to develop the region. In fact, Nigeria built roads, schools and medical clinics in Bakassi, further strengthening its assertions that the people living in the region were Nigerian and not Cameroonian.

### **The International Perspective**

The agreement reached by Nigeria and Cameroon through United Nations’ mediation regarding the Bakassi Peninsula reflects the international community perspective that the situation has been resolved. UN envoy Kieran Prendergast and representatives of Britain, France, Germany and the USA looked on as Nigerian Minister of Justice Bayo Ojo and his Cameroonian counterpart Maurice Kamto signed the official transfer documents ceding the territory in accordance with the 2002 ruling by the International Court of Justice (ICJ). Prendergast stated that the Nigerian decision to abide by the ruling was an example of ‘the peaceful settlement of disputes and respect for international law’ (IRINnews.org, 25 November 2006).

This ceremony was the outcome of a mediation process that began with the 1998 case filed by the Cameroon government with the ICJ. The ICJ ruling of 2002 that awarded Bakassi to Cameroon was rejected by Nigeria. This act called for mediation by the UN Secretary General Kofi Annan to prevent full-fledged war between the two states. Given the difficulties of resolving border conflict in Africa and the world at large, this case is an indication that diplomacy can prevail.

The 2002 ruling by the ICJ that the Bakassi Peninsula belongs to the Republic of Cameroon is based on the 1913 treaty between Britain and Germany. Then President Guillaume of the ICJ, in his speech of 10 October 2002, summarized the court’s ruling as follows:

2. The Court first decided that the land boundary between the two countries had been fixed by treaties entered into during the colonial period and it upheld the validity of those treaties. It moreover rejected the theory of historical consolidation put forward by Nigeria and accordingly refused to take into account the *effectivités* relied upon by Nigeria. It ruled that, in the absence of acquiescence by Cameroon, these *effectivités* could not prevail over Cameroon’s conventional titles.

Accordingly, the Court decided that, pursuant to the Anglo-German Agreement of 11 March 1913, sovereignty over Bakassi lies with Cameroon. Similarly, the Court fixed the boundary in the Lake Chad area in accordance with the Henderson–Fleuriat Exchange of Notes of 9 January 1931 between France and Great Britain and rejected Nigeria’s claims to the Darak area and the neighbouring villages.

3. Further, the Court drew an extremely precise boundary between the two States. In this respect, in Lake Chad it reached the same conclusions as the Lake Chad Basin Commission.

As requested by Nigeria, it then turned to 17 sectors of the land boundary between Lake Chad and pillar 64. In many cases, the solutions adopted in this respect are favourable to Nigeria. This is so for the Keraua River, the Mandara Mountains, the Maio Senche, Jimbare and Sapeo, between Namberu and Banglang, and in respect of the boundary between the Akbang River and Mount Tosso. The adopted solutions are closer to Cameroon’s positions in respect of the Kohom River, the area between Mount Kuli and Bourha, the village of Kotcha, the Hambere Range area and the Sama River. The Court adopted intermediate or neutral positions in respect of Limani, the sources of the Tsikakiri, the course from Beacon No. 6 to Wamni Budungo, at Tipsan, and from the Hambere Range to the Mburi River.

Finally, the Court indicated the precise course of the boundary channel of the Akwayafe to the west of the Bakassi Peninsula.

4. The Court also fixed the maritime boundary between the two States. Here, the Court, accepting Cameroon’s contention, began by upholding the validity of the Declarations of Yaoundé II and Maroua, pursuant to which the Heads of State of Nigeria and Cameroon had in 1971 and 1975 agreed upon the maritime boundary between the two countries from the mouth of the Akwayafe to a point G situated at 8° 22’ 19" longitude east and 4° 17’ 00" latitude north.

Next, in respect of the maritime boundary further out to sea, the Court essentially endorsed the delimitation method advocated by Nigeria. As the line of delimitation, it adopted the equidistance line between Cameroon and Nigeria, which in its view produced an equitable result in this case as between the two States, namely a loxodrome having an azimuth of 187° 52’ 27". Noting, however, that the line so adopted was likely rapidly to encroach on rights of Equatorial Guinea, the Court confined itself to indicating its direction without fixing the Cameroon/Nigeria/Equatorial Guinea tripoint.

The delimitation thus affected for the most part respects existing oil installations. It preserves Equatorial Guinea's rights, as well as those of Cameroon and Nigeria in regard to their delimitation with Equatorial Guinea. (ICJ, 10 October 2002).

The governor of Cross River State, Nigeria, Mr Donald Duke, commented on the ICJ ruling at the handing-over ceremony from a positive stance:

... in furtherance of the implementation of the October 10, 2002 judgment of the International Court of Justice (ICJ) which ceded Bakassi Peninsula to the Republic of Cameroun. This ceremony is also taking place in compliance with the Tripartite Agreement which their Excellencies, Chief Olusegun Obasanjo, president of the Federal Republic of Nigeria and his Cameroonian counterpart, Mr. Paul Biya endorsed on June 12, 2006 (Green Tree Agreement) at the United Nations Headquarters in New York under the direct supervision of the Secretary General of the United Nations, Mr. Kofi Annan and other world leaders.

He continued:

The significance of the ceremony, indeed, lies in the fact that it is possible for African nations which find themselves in contest over territorial rights and other issues, to resolve the matters amicably on the round table and thus avoid the carnage, blood letting, socio-economic and political dislocations which post independence African states have inflicted on themselves... African leaders should use this event to come to the realisation that while it is possible to win battles in the field, the peace and political stability which Africa requires to develop and take its proper place as a continent can only be achieved on the negotiating table. (Anietie Akpan, *The Guardian*, August 2006)

Mr Kiernan Prendergast, the UN's Chairman of the Follow-up Committee, expressed satisfaction with the model example of the settlement of the Bakassi dispute, noting,

today we are seeing the voluntary withdrawal of Nigerian forces and transfer of authority to Cameroun. This is going to be an episode to be studied by diplomatic institutions on how disputes can be settled in a peaceful process. There are many lessons here to be learnt and many disputes in the world that could be settled this way... This is a very good day for the two countries and the international community. An example has been set for others to follow (Akpan 2006).

Contrary to the international perspective expressed above, segments of the populations of both states strongly differ with these acclamations. However, the states have reached a point of acquiescence with the ICJ verdict.

### **The Standpoint of the States**

The ICJ's ruling raises a number of important issues. First, two competing perspectives of sovereignty are revealed – one historical (Nigeria's) and one Western in origin (Cameroon's). The fact that the ICJ relied on 'Cameroon's conventional titles' indicates that they gave precedence to contemporary Western constructions of the notions of boundaries and sovereignty to the detriment of the historical consolidation argument put forward by Nigeria.

Nigeria's argument turned on practice as opposed to theory, a perspective that privileged the Nigerian indigenes. The contemporary indigenes' claim to the Bakassi Kingdom as an act of self-determination was a continuation of the historical consolidation argument. Several young people interviewed by *The Guardian* newspaper argued this position:

We are in support of the declaration of the Republic of Bakassi. The United Nations should realize that we have the right to decide where we want to be and the right to self-determination. We are Nigerians and here in our ancestral home. You can see some of the graves here dating back to the 19<sup>th</sup> century. How can you force a strange culture and government on us? We appreciate what the Nigerian government is doing but let it be on record that they have betrayed us and we will fight for our survival and self-determination (*The Guardian*, 18 August 2006).

They further asked, 'how can Nigeria let even Archibong Town go, the nearest Bakassi village to Calabar which is just less than 40 minutes' drive? But from this Archibong Town to Ekondo Titi, the nearest Cameroun village is a 15-hour journey through the swamps and jungle. This is unbelievable.' In this vein, the Cross River State Youths Assembly, after a comprehensive consultation, rejected the ICJ ruling in its entirety. They issued a statement clearly defining their stand as follows:

- We the Cross River State Youths reject completely the handover of Bakassi Peninsula to the Republic of Cameroun because it lacked the consent and approval of the indigenous Bakassi people who are Nigerians.
- The handing over of the ancestral land of Bakassi people to [a] foreign country did not follow due process because it lacked the ratification of the National Assembly before the implementation by the presidency.
- The Bakassi people refused to be transferred forcefully to a foreign country in the haste to obey a fraudulent world court judgment.
- Historically, other countries are known to have disobeyed the judgment of the world court including some Western Nations.
- The ceding of Bakassi Peninsula was done without a referendum of the Bakassi people.

- Nigerians cannot have their ancestral home transferred to a foreign land in obedience to a politicised world court judgment.
- Bakassi remains and will always remain part and parcel of Cross River State of Nigeria and not to be transferred to the Republic of Cameroun because the inhabitants have no ancestral, historical, archaeological and political links or ties. They are Nigerians and will always remain Nigerians.
- We refused to be victims of Neocolonialistic manipulations and machinations of the Western World all in obedience to the World Court judgment.

We the members of Cross River State Youths Assembly are in solidarity with our brothers and sisters of Bakassi origin and support their unwavering and unshakeable resolve to resist their relocation to Republic of Cameroun (Cross River State Youths Assembly, *The Guardian*, 2006).

Adding to the voices of the youth, Chief Etim Okon Etim also cried out,

I was born here and have lived all my life here. I am over 90 years now. Now that they say we should go out from here, how are we going to do? Feeding now is a problem for us because this crisis has brought a lot of problems for us. I have more than two houses so what will I do?

He continued,

Government said they will build a house but up till now we have not seen the place they have built for us. Secondly, the compensation the government said they would pay us up till now nothing has been done and I am still in shock. Right now we still need the compensation. We in Archibong Town are ready to move if the government builds a place for us and pay[s] compensation (Akpan 2006)..

These comments followed the declaration of the Republic of Bakassi by some youths. When asked about the declaration of independence, the village head said, ‘but I am not connected and I don’t want such thing to happen [sic]. [W]e depend on the government of Nigeria and what they decide we will stand with them.’ The chief’s position was contrary to that of the Cross River State Youths Assembly who gave their full support to the Bakassi peoples.

Acknowledging the traditional ties to the land, Chief Etim informed the people that they would find a way to take their ‘ancestors’ along:

When we leave we will carry our ancestors. On the graves of our forefathers buried here in Archibong Town, when we leave I will not be able to appease them as usual, but we don’t know what to do with our forefathers buried here years ago and we don’t even know what to do. My father and mother died here (Akpan 2006).

The aforementioned perspectives are deeply rooted in the ethno-cultural attachment that Nigerians feel toward Bakassi peoples. This ethno-cultural attachment has informed the Nigerian position of historical consolidation, but it is not easily captured in terms that can be adjudicated in a Western court. On the other hand, Cameroon's position in the border dispute was based on Western constructs such as treaties and diplomatic agreements.

The argument advanced by Cameroon was based on the existence of a series of border treaties and diplomatic agreements, which were reinforced by the 1961 plebiscite results. The turning point of this argument is that the plebiscite was conducted in British Northern and Southern Cameroons, so that even residents of the Bakassi Peninsula should have participated. In this way, the vote to join with *La Republique du Cameroun* was in fact a self-determination decision. As far as the results were concerned, Southern Cameroons cast 233,571 votes to join *La Republique* versus 97,741 for Nigeria while Northern Cameroons cast 146,296 votes for Nigeria and 97,659 for *La Republique* (Ngho 2004:61–3).<sup>1</sup>

The Southern Cameroons vote should not be understood as a clear pro-Cameroun vote, however, because many Cameroonians resented the relationship with Nigeria and saw their vote as an expression of anti-Nigerian sentiment. There were inhabitants of the Bakassi region, however, who continued to claim Nigerian citizenship and enjoyed the services and protection of the Nigerian administration. It was on this basis that Nigeria moved to fully occupy the disputed territory in December 1994, forcing the Cameroonian government to file a case with the ICJ in an effort to avoid military confrontation. Even after the settlement of the dispute, Nigeria still offered to provide basic services to the indigenes of Bakassi, such as housing, roads and resettlement for those who did not wish to live under Cameroonian administration.

The Cameroon government has taken initiatives to abide by the Green Tree Agreement, which was guided by principles of peace and harmony. The Green Tree Agreement of 12 June 2006 called for the voluntary withdrawal of the Nigerian forces from Bakassi and transfer of authority to Cameroon. In positive moves, the Cameroonian government is ordering soldiers to behave with restraint and to alleviate the fears of indigenes that their daily lives will be disrupted. In addition, they have now begun developing basic infrastructure in the region. The perspective of the Cameroonian government is therefore in line with that of the international community. However, there are segments of the Cameroonian population who do not support the ICJ ruling awarding Bakassi to Cameroon.

The Southern Cameroons National Conference (SCNC) is an Anglophone secessionist movement that supported Nigeria's position against the 2002 ICJ ruling. The then-chairman of SCNC, Dr Martin Luma, wrote to Kofi Annan in November 2002, stating

While we share your anxiety for good neighbourliness between Nigeria and *La République du Cameroun*, the people of Southern Cameroons, under the banner of SCNC, wish to make their stand on the disputed territory abundantly clear.... Our problem is undoubtedly that of preference for the Federal Republic of Nigeria to continue to retain the Bakassi Peninsula until the State of Southern Cameroons shall be restored. Then we shall ourselves negotiate the retrieval of Bakassi from the hands of Nigeria, in a process we believe shall be very friendly and easy and not to require arbitration. We share a common Anglo-Saxon political culture with Nigeria by virtue of having been governed by Great Britain together as a single entity for half a century. On the other hand, the people of Southern Cameroons do not want *La République du Cameroun* to lay hands on our Bakassi inheritance (Orisakwe 2006).

Another separatist movement, the Southern Cameroons Peoples' Organization (SCAPO), in strong terms declared that there could be no permanent peace on the Bakassi Peninsula without an independent Southern Cameroons. The chairman, Dr Kevin Gumne, asserted that

... no permanent settlement can ever take place in the Bakassi Peninsula unless the Southern Cameroons is accepted as a distinct and separate party to the settlement agreement. Furthermore, we believe that a long-lasting settlement must take due cognizance of the concerns of various parties which have a legitimate interest in the peninsula (Orisakwe 2006).

He claims that the concern of the Nigerian government is the ICJ ruling and a combination of factors such as political pressures from within and complex issues having to do with what to do with the indigenous Bakassians. The Bakassians, according to Dr Gumne, 'do not wish to either become Cameroonians or to remain Nigerians and lose their ownership of what they consider to be their ancestral lands and to live in Cameroon under the much-hated rules about resident permits' (Orisakwe 2006). Nigeria's concerns also include the fact that after ceding the Bakassi Peninsula to Cameroon, the navigable access channel to the port of Calabar will be entirely under the control of Cameroon.

Dr Gumne reiterated that Cameroon has

one single concern in the Bakassi Peninsula and that is oil. They do not care about the Southern Cameroonians or the indigenous Bakassians. They just want the oil at any cost. In order to achieve this goal, they want to use the

verdict of the ICJ to accomplish the annexation of the Southern Cameroons, thereby sweeping under the carpet the fact that UNGA Resolution 1608 (xv) has never been implemented.

Furthermore, Gumne called for the Southern Cameroons to be accepted as a third party to any talks regarding the demarcation of the boundary between Nigeria and Cameroon, starting from Kombon at the southern border of Taraba State to the Atlantic Ocean. Gumne makes it clear that the Southern Cameroons will not participate in discussions regarding the border between Nigeria and the former Northern Cameroons and implementation of the ICJ ruling from the eastern border of Taraba State to Lake Chad. He states that

We want the Republic of Nigeria and Cameroon to accept the independence and sovereignty of the Southern Cameroons as part of a tripartite arrangement to be signed by all parties under the United Nations (Orisakwe 2006).

Against this backdrop, it is evident that the ICJ verdict was fiercely contested by various Anglophone Cameroon movements. It is interesting to observe that the leadership of the Anglophone secessionist movements has constantly made it clear that the Southern Cameroons will not respect any agreement between the two states on the maritime border if it thus ignores the self-proclaimed State of Southern Cameroons and its peoples.

Thus it may be argued that by voting in the 1961 plebiscite to join *La Republique du Cameroun*, Southern Cameroonians wished to clearly distinguish themselves from Nigerians and to recognize the established borders. Despite the fact that it was a colonially imposed boundary, Southern Cameroonians might have felt that they would benefit by avoiding the prospect of becoming a Nigerian colony. In spite of the divergent views of both *La Republique du Cameroun* and the secessionist movements, it is clear that there is an acceptance of the Western construct of boundaries on the part of Cameroonians. It was therefore based on this premise that the Cameroonian government filed the ICJ case claiming legal ownership of the Bakassi Peninsula.

### **Perspective of the Indigenous Population**

According to Professor Boniface Egboka, an indigene of the area, the International Court of Justice judgment was a great tragedy of unimaginable magnitude and dimension for the Bakassi peoples. He considered the ICJ judgment to be ill-fated, godless and unjust as well as humiliating and demoralizing to the Nigerian indigenes in the peninsula. His stance does not differ from that of the estimated 150,000–300,000 inhabitants of the peninsula who have condemned Nigeria's decision to cede what they consider their ancestral

land. A group called the Bakassi Self Determination Movement (BSDM) declared its independence from both Nigeria and Cameroon in November 2006 (IRINnews.org, 25 November 2006). The group's leader, Tony Ene, stated 'We insist on our natural right to determine our future ... If Nigeria does not want us, we choose to go it alone and not with Cameroon.' At an independence ceremony called by the BSDM prior to the official handing-over ceremony, residents waved the territory's new blue-and-white-striped flag at Ekpot Abia, which was part of the land handed over by Nigeria to Cameroon in August 2006. During the ceremony, Tony Ene proclaimed 'The people have declared their own republic!' Ene claims to speak for all the peninsula's residents, though only a few hundred turned out for the special ceremony. This ceremony, in spite of low turnout, was an indication of rejection of the ICJ verdict by the Bakassi peoples.

'With the handover, many residents have declared their intention to evacuate to mainland Nigeria expressing anxiety about what the future holds under Cameroonian rule' (IRINnews.org, 25 November 2006). Ani Esin, Chairman of the Bakassi Local Government Council, which was created by the Nigerian government, explains that the Bakassi people are 'interested in how to feed their families, their daily fishing and they want to remain Nigerians' (Akpan 2006). The various Anglophone Cameroon separatist movements have expressed support for the Bakassi peoples, claiming them as a part of Southern Cameroons. Chairman Esin states that his people may not share a common goal with the separatist movements but the general feeling, according to him, is that 'if Southern Cameroons is able to get the independence it is seeking and becomes a republic encompassing the peninsula, the people of Bakassi will no longer have problems with *La Republique du Cameroun* and the neglect of the Nigerian government will stop'. But he would have preferred a situation whereby the ICJ would have considered the Bakassi inhabitants. He states that the Bakassi people strongly believe in the Nigerian context and that the Federal Government is big enough and interested in every Nigerian no matter where the Nigerian lives (Akpan 2006).

It is glaringly obvious that the indigenes of Bakassi are clamouring for continuity of their lifestyle under the Nigerian administration. Meanwhile the Southern Cameroons secessionist movements are also contesting the Green Tree agreement that gave *La Republique du Cameroun* sovereignty over the Bakassi Peninsula. The Bakassi indigenes and the Southern Cameroons secessionists regard the ICJ judgment and the Green Tree Agreement as irrelevant. More importantly, the indigenes of Bakassi, both those who consider themselves to be Nigerian and those who consider themselves to be Cameroonian, are not willing to strain their relationships with one another

and are more concerned with maintaining peace than with rivalry and conflict. A delicate balance has been achieved in terms of lifestyles and division of labour among the indigenes. Those who claim Cameroonian citizenship are accustomed to traveling inland to sell the fish and other products provided by their Nigerian neighbours. For this reason they have documents that verify their Cameroonian citizenship and are accustomed to dealing with Cameroonian laws. The Nigerian indigenes, on the other hand, do not necessarily have residence permits and other legal documents permitting them to reside and engage in business in what is now legally Cameroonian territory. The Nigerians fear potential harsh treatment by agents of the Cameroonian government while Cameroonians fear the destruction of their way of life. In this way, all the indigenes of the region are unsure about their future under Cameroon.

### **Conclusion**

This study on the Bakassi Kingdom provides an insight to the impact of Western-constructed boundaries on ethno-cultural affinities in Africa. Many border conflicts tend to emanate from the permeable and ill-defined nature of the boundaries that divide ethnic language groups with little discernible logic. Similarly to the demarcation lines imposed by the colonial powers, the International Court of Justice did not take into consideration the interests of the Bakassi indigenes when rendering its 2002 judgment. The signing of the Green Tree Agreement clearly demonstrates the ability and willingness of the international community to resolve border disputes in a peaceful and harmonious fashion, but again, did not appreciate the concerns of the indigenes of Bakassi. The situation has resulted in several groups laying claim to the Bakassi Kingdom, all with ethnic, cultural or historical ties to the peninsula. While the international community guides the Cameroonian and Nigerian states in the process of transitioning the peninsula's administration, the indigenes of Bakassi continue to be uneasy and dissatisfied with the arrangements. The future of the Green Tree agreement is therefore in doubt, because those who claim the Bakassi Kingdom are yet to fully internalize its implementation.

Additional questions are raised by the participation of the international community in this settlement of a potentially crisis-ridden border dispute. A cynical reading of the situation requires that one note that the process involved the diplomatic participation of countries other than the two in question. The United States participated because of its interests in Nigerian and Cameroonian oil reserves. In fact, the Green Tree Agreement was signed in New York. Equatorial Guinea was involved in the process because the maritime borders involved demarcating coastal waters between Nigeria, Cameroon

and Equatorial Guinea. The former colonial powers, Great Britain and France were involved as well. Each of these observations supports the contention that the struggle to control resources has been exacerbated by the unleashing of ethno-cultural forces that will not easily be assuaged.

### *Postscript*

Several events have transpired since this article was written that support our contention that the Green Tree Agreement and its implementation would not resolve the issues in Bakassi. The indigenes of the Bakassi region continue to express discontent. Most are disillusioned with the slow integration into Nigeria of those who wished to exercise Nigerian nationality. They are to be resettled into Nigeria, into an area that has been designated as New Bakassi Local Council, which is contiguous with Cameroon's Bakassi territory. The Nigerian Senate repudiated the Green Tree Agreement on 22 November 2007, declaring the ceding of the territory to Cameroon to be illegal because the agreement was never brought before the Senate for ratification.

In late November 2007, 21 Cameroonian soldiers were killed in Bakassi. Early reports suggested that militants either from the Niger Delta or from Bakassi were responsible. A group calling itself the 'Liberators of the Southern Cameroon People' claimed responsibility (IRIN, 20 November 2007). Investigations into the event continue and the circumstances remain unclear. What is clear is that this particular event may have been an indication of the continued displeasure of any one of a number of constituencies that have interests in Bakassi.

Both Cameroon and Nigeria are making efforts to meet the needs of the indigenes in the region. In April 2008, Cameroon's Social Affairs Minister, Catherine Bakang Mbock, visited the Bakassi region, which falls into the Ndian Division of the South West Province, distributing toys, radios, hearing aids and food, among other items, to the inhabitants (Mbonwoh 2008). Nigeria has established a National Boundary Commission that has as one of its charges conducting an ethnographic study of the communities of Akpabuyo, Akamkpa and Odukpani. A sub-committee of the boundary commission also

undertook a number of activities with the purpose of providing the Commission with adequate information on the current situation of the displaced persons; the experiences of the host local government areas who bear the brunt of mass returnees; the present experiences of the displaced returnees in their host communities as well as the nature of the maritime border communities which among other things serve as the gateway to the hinterlands (Eno-Abasi, 2 April 2008).

Interestingly enough, the oil considerations are becoming ever clearer. Swiss oil company ADDAX Petroleum Corporation has signed a production-sharing contract with the Government of Cameroon to explore the Iroko area of the Rio del Rey basin on the Cameroon–Nigeria border (Lukong, 4 April 2008). And the Douala/Kribi-Campo Basin will soon be the object of exploration of the Glencore/AFEX Consortium in accordance with a production-sharing agreement signed by the Cameroon government and the consortium (Lukong, 11 April 2008). Thus much of the Cameroon coastline will be under exploration in the very near future.

The implications of all of these events are particularly clear. The agreement on Bakassi is only one in four agreements that were signed over a year between Cameroon and Nigeria to clearly delineate the 2,300 km boundary that stretches from Lake Chad in the north to the Atlantic coast (IRIN, 14 November 2007). These agreements were definitely indicators of the success of the diplomatic process that produced them. However, a well-concluded agreement between states does not necessarily mean that the rights of communities are safeguarded.

## Note

1. Some authors dispute these numbers, however, and argue that the plebiscite in Northern Cameroons was manipulated, ceding a predominantly Muslim area of Cameroon to a predominantly Muslim region of Nigeria. Common wisdom holds that the two heads of state at the time
  - Ahmadu Ahidjo and General Gowon
  - were both Muslim and thus were able to negotiate what was in essence a political transaction.

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***Appendix – Treaties and agreements with respect to the Cameroon–Nigeria border***

1. 12 July 1884: treaty establishing the German Protectorate of Kamerun
2. Notification to the European powers and the United States on 15 October 1884 concerning the German Protectorate of Kamerun
3. Notification to the Signatory Powers of the General Act of the Berlin Conference on 11 June 1885 and 13 May 1885, of the British Protectorate of Lagos, renamed Niger Coast Protectorate
4. Exchange of notes dividing the British and German Protectorates, April 1885–July 1886 and the treaty of 1 July 1890
5. Delimitation agreements from 14 April 1893 to 19 March 1906 and the exchange of notes of 22 February and 5 March 1909

6. The Anglo-German Treaty of 12 April 1913, presenting the boundary sectors between Gamana and Cross River, and between Cross River and the Bight of Biafra
7. The Milner–Simon Declaration of 10 July 1919, which partitioned German Kamerun between the British and the French
8. Henderson–Fleurian Exchange of Notes, 9 January 1931, between France and Great Britain
9. The trusteeship agreement approved by the General Assembly of the United Nations on 13 December 1946
10. The 1959 and 1961 General Assembly Plebiscites held in the territories of Northern and Southern Cameroons respectively, and establishing with conformity, the boundaries between the Cameroons and Nigeria