

THE 1910 DUNCAN BOUNDARY DEMARCATION AND OSOPONG –IZZI INTERGROUP CONFLICTS IN OBUBRA AREA

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Abstract

In the face of continued intergroup Conflict between Osopong and Izzi people, due to the socio-cultural dynamic of the Obubra area, the Duncan Boundary Demarcation of 1910 ceded three Izzi communities to the Native Administrative Authorities of the Osopong Clan resulting to intergroup tension and irredentist armed struggles. Despite several judicial, administrative and traditional attempts at addressing the sustained intergroup conflict between the Osopong and Izzi, marginal success was achieved in terms of resolution questioning the utility of such method of conflict. The study adopted a historical and descriptive method of analysis and utilized both primary and secondary data collected. The study revealed that land annexation and encroachment are the principal factors in the escalation of intergroup conflict between Osopong and Izzi people. The study further revealed that the 1910 Duncan Boundary demarcation opened up series of litigation process which lasted for many years among many other effects. The study attribute this to the excessive dependence on land for socio-cultural and economic survival.

Key words: Intergroup, Conflict, Boundary, Demarcation, Osopong, Izzi.

Introduction

Boundaries within Nigeria were contained in the 1936 Boundary Description while the international boundaries were found in the Definition of the Countries Proclamation of 1954 where parameters such as river courses and distances, existing farm boundary and meridian turning points were used. The colonial administrators were not very accurate and most boundary descriptions were sometimes ambiguous and difficult to interpret, thus fuelling boundary disputes. Boundary disputes had impact on the national security, they arose from socio-cultural and political reasons as border villagers' protested when they were merged with states that they do not share socio-cultural background.

The Osopong-Izzi boundary is one of such boundaries in Nigeria which fanned violent intergroup conflict for many years, between the Izzi and Osopong sub-clans in present day Obubra Local Government Area of Cross River State. The source of dispute could be traced to the interplay of migration, settlement patterns, and resource control. However, actions to resolve this dispute were first taken by the Duncan Arbitration Panel of 1910. Before this time, the Izzi people of Igbo extraction had encroached a greater portion of Osopong land, through annexation of their land and by 1910, Sir Duncan, a colonial administrator demarcated the boundary between the two groups, thereby ceding about three villages of the Izzi communities to the Osopong, being that the three villages were situated in Osopong land annexed by the Izzi people.¹ This decision taken by Duncan Boundary Panel left an age-long effect on both parties which the present paper attempts to unravel.

The Osopong-Izzi Intergroup Conflict

The Osopong clan is found in present-day Obubra Local Government Area of Cross River State, Nigeria, with 27 villages stretching across Northern Osopong Division with 16 villages and

¹Simon Akam, "Inter/Intra State Communal Conflict and Conflict Management in Cross River and Ebonyi State of Nigeria," Enugu State University of Science and Technology, *Journal of Social Science and Humanitarians*, Vol. 5, No. 1 (2020), p. 107-131.

Southern Osopong Division with 11 villages. There are some Osopong people found in surrounding Biase, Akampka, Abi, Ikom and Ogoja.²

On the other side, the Izzi is a clan found in Abakaliki bloc of present day Ebonyi State. Villages in Izzi include Enyigba, Ebyia, Iseke, Inyimegu, Igbegu, Agbaja, Echara. Abaomege and Agba, Izhamgbo.³ However three villages of Izzi (Okpuitumo, Ohenna Edda, and Amachi) are by boundary demarcation grouped along with Osopong unit in Obubra in Cross River State.

Rationale for this pattern of settlement between the Osopong and Izzi groups were found in the migration account and attendant events which led to the prevailing conflict. The Obubra area was established as a British Colonial District in 1902 which then covered areas bounded by Abakaliki and Ikom to the North, and Afikpo and Calabar to the South.⁴ By description, this means that its jurisdiction extended to present-day Biase, Akampka, Abi and Yakkur as well as Ikom and Ogoja areas. Further excision years later, left the Obubra area with the majority Mbembe people (comprising of villages in Adun clan, Ofumbongha clan, Okun clan, and Osopong clan), and the minority nationalities in Yala, Ekuri, Isobo and Izzi speaking people.⁵

Major Claude Maxwell MacDonald who was the first British High Commissioner and Consul-General of Oil Rivers Protectorate gave account of inter-tribal wars between different groups, especially people living on the river banks which interfered with trade and threatened peaceful movement into the hinterland. Inter-village land cases in this area were abounded and almost every village was involved in one case or the other. The inter-tribal wars prevailed until the area was fully taken over by the British authorities and the establishment of Obubra as an administrative unit.

The movement and expansion of people (who in their quest for land for peaceful abode or farming), directed the course of relationship between the Mbembe (Osopong) and other groups, which led to the conflict between them and their Izzi neighbours, the North-eastern Igbo,⁶ for which the Osopong people were perhaps forcefully driven away or pressured to abandon their own land for the Izzi people. By the middle of the nineteenth century, the Osopong people had moved from their settlement, towards the left bank of the Cross River. The Izzi people succeeded in moving towards the left bank of the river, occupying lands originally occupied by the Osopong. In some instances, the Osopong were to defend their territory from the advancing group of Izzi. According to J.G.C. Allen:

There is, however, a small clearing south of the Igbagus village of Achacha, about half a square mile in the area, which is claimed by the Igbagus, the Amachis [Izzi] and the Osopongs. Some years ago the inhabitants of the small Osopong village of Ijege Ibom, who are involved in the dispute, found the opposition of the Izzi too strong for them, and withdrew over the River into Obubra Division.⁷

The above statement by Allen explains the belligerent traits of the Izzi people over Osopong whom the reporter presented to be the weaker side. Meanwhile, few Osopong settlements that were not suited to the normal Izzi tactics resisted vehemently the annexation efforts of the Izzi especially in area where belt of gallery forest had served as a shield for them. This forests belt formed an

²A Description of the Osopong People

³Nico Van Steensel, *Izhi: Their History and Customs*,

⁴Ovat Okey, "Obubra Yesterday, Today and Tomorrow: An Assessment of Economic Development of a Local Government Area in Cross River State, Nigeria. *Journal of Economic and Sustainable Development*. Volume 6, No. 20 (2015), p. 78 – 86.

⁵*ibid.*

⁶"Izzi is a North Eastern Igbo sub-group in South Eastern, Nigeria. It is also the name of the territory in which they live, the Local Government Area of Izzi. They speak the Izzi dialect. Izzi is spoken majorly in Ebonyi State and Some part of Benue State. Available at: https://en.m.wikipedia.org/wiki/izzi_people

⁷Extract from Intelligence Report on the Izzi Clan Abakiliki Division, by Mr. J.G.C. Allen, the Assistant District Officer, Abakiliki Division, File No OG:719.

effective dividing line between the Osopong and Izzi peoples at the end of the nineteenth century, making for their present border.

The only Osopong village to remain on the right bank of the River outside this protecting forest belt had almost lost all its land to the Izzi people. However, the Izzi did not occupy the land South-east of the forested belt because in passing through it and settling beyond it in small groups they would have been highly vulnerable to Osopong attacks.⁸ At the dawn of twentieth century, the Izzi had occupied a greater portion of the Osopong land area through annexation of their land. Consequently, by 1910 Sir Duncan, a colonial administrator demarcated the boundary between the two groups.

The 1910 Duncan Boundary Demarcation

In the face of ensued intergroup conflict and the claims that the land upon which the Izzi people occupied belonged to the Osopong Clan, a boundary demarcation line was set up in 1910, known as Duncan Boundary Arbitration Panel, chaired by Sir Duncan, a colonial administrator.⁹ Litigation concerning the land started in 1910 when Chief Egwi on behalf of the Chiefs and people of Afunakum (Osopong) brought an action in the Native Council of Abakaliki against Alaga, on behalf of the chiefs and people of the (Okpuitoma, Amachi and Edda) Izzi ethnic groups, claiming the return of a piece of land belonging to Osopong. The Native Court before which the case was brought composed of N.C Duncan, Acting District Commissioner, Abakaliki, as President, with three chiefs as members.¹⁰

N. C. Duncan asked the other members what was the native method of settling land dispute before the era of "European protection". They unanimously replied that they usually referred the matter to a third disinterested party or parties. This was an indication that before the arrival of the Europeans, Africans had already established an organized system of conflict resolution which was based on arbitration method. The Native Court thereafter ordered that the dispute be settled by arbitration, and appointed Captain R. Hopkinson as an Umpire and N. C. Duncan and J.D. Thomson as Arbitrators.¹¹

The Arbitrators inspected the disputed land and heard evidence from seven witnesses. They found that there had never been a definite boundary between the Osopong clan and the Izzi ethnic groups, but that it was essential that a boundary be demarcated at once, and they directed that a boundary be cut as shown in suggested map, and be marked by a trench and by concrete and iron pillars every furlong and at all salient angles. This decision was precisely taken on 16th December, 1910. However, as claimed by the Izzi people in a later court issue, the suggested boundary demarcation plan was not executed by the authorities of that time, until about 1920. According to the Cooks Arbitration Award of 1933:

The 1910 Duncan Boundary Arbitration Panel demarcated the boundary with cement pillars from a point on the Cross River near Akataka market up to a point slightly West of Ijege Ibom, about 400 yards south of the Amachi-Eja main road (pillar "B").¹²

The Duncan Boundary Demarcation Panel had both short term and long term effects on the intergroup conflict between the Osopong and Izzi people. First, it opened up series of litigation processes which lasted for many years and only had subtle effect. Following the decision of the

⁸ Rosemary Harris, *The Political Organization of the Mbembe, Nigeria*. Oversea Research Publication, No. 10 (1965).

⁹ *ibid.*

¹⁰ *ibid.*

¹¹ Case File (No. F.S.C 201/1959) Containing an Appeal by the Izzi people in the Federal Supreme Court of Nigeria, Holden at Lagos, Friday 18th Day of March, 1960. Before Her Lordship Sir. Adetokunbo Ademola, Chief Justice of the Federation.

¹² Cooks Arbitration Award of 1933, Ref. No. 0.6.1132 (IZI-IGBAGU-AMACHI ARBITRATION AWARD) – NTRIGUM – OSOPONG (March, 1933). Enugu National Archives, Enugu.

panel in 1910, next time the case was brought before a court was in 1920;¹³ as at the time, the Administrative Division of Abakaliki and Obubra was marked out with concrete pillars, Abakaliki lying to the West and Obubra to the East of the boundary.¹⁴ The surveyor contracted by the court stated that from a comparison of the plans, that the administrative boundary followed the boundary decreed by the Duncan arbitrators in 1910, but his finding showed that the boundary was attacked by encroachments.¹⁵

Between 1930 and 1960, a number of suits involving the Osopong and Izzi intergroup conflict were instituted in various courts. In these numbers of suits, the Izzi people claimed that the matter was never determined by any court and they did not directly help either party. However, in 1957, when this case came up for trial, the witnesses for the Osopong stated and the Izzi agreed that people from each of the three Izzi compounds (Okpuitoma, Amachi and Edda) were occupying land of the Osopong people in Obubra Administrative Unit, under a lease granted by the Osopong and had been doing so since 1943.¹⁶ The Izzi people had noted that the arbitrators of Duncan Boundary Demarcation Panel lacked the jurisdiction to order the partition which neither party had asked. It is also believed both parties also rejected the demarcation of the panel.

Other Interventions After Duncan Commission

By 1933, the British colonial government came to realise that there was need to promulgate a law that would help regulate the plethora of boundary disputes that were almost threatening the entire peace of colonial Nigeria. The British colonial government was swift in responding to whatever may appear as a threat to its economic interest, thus, to curb any further set-back, especially on issues that had to do with land/boundary related between indigenous population, the Inter-Tribal Boundaries Settlement Ordinance No.49 of 1933 was promulgated. Emmanuel Mbah's comparative analysis on how colonial powers addressed issues of boundary conflicts among the indigenous populations in both Cameroon and Nigeria proved vital.¹⁷ Mbah argued that unlike the Germans who held sway in Northern Cameroon, and restricted themselves only to economic issues in order not to interfere with the authority of indigenous chiefs, the British (in Southern Cameroon) had no choice but to meddle especially as "at the beginning of their tenure in the region, the British encountered many disturbances over land between villages".¹⁸ Prior to 1933 – when the ordinance on inter-tribal boundaries settlement was established – the Europeans were of the belief that solutions to these problems of boundaries among the indigenous population was in the use of European ideals "of carnal and pillars planted on demarcated boundaries. [Contrary to their views] By 1933 the futility of such a policy was realised and the entire system was overhauled."¹⁹

Between 1917 and 1932, British colonial government utilized the various Native Courts (NCs) to tackle issues that revolved around land and Boundary issues.²⁰ But this changed with the 1933 Inter-Tribal Boundaries Settlement Ordinance. This Ordinance worked in a way that incorporated the several constituted authorities. Mbah noted that "under the Abakaliki District, Native Courts examined disputes at lower levels and were presided over by clan chiefs while other chiefs sat on the bench as judges."²¹ The court's president was elected each session, although once elected he

¹³Case File (No. F.S.C 201/1959) Containing an Appeal by the Izzi people in the Federal Supreme Court of Nigeria, Holden at Lagos, Friday 18th Day of March, 1960. Before Her Lordship Sir. Adetokunbo Ademola, Chief Justice of the Federation.

¹⁴ibid.

¹⁵ibid.

¹⁶ibid.

¹⁷Emmanuel Mbah, "Disruptive Colonial Boundaries and Attempts to Resolve Land/Boundary Disputes in the Grasslands of Bemenda, Cameroon," *African Journal on Conflict Resolution* Vol. 9, No. 3 (2009), pp.11-32.

¹⁸ibid, p. 22.

¹⁹ibid, pp.22-23.

²⁰ibid, pp.11-32.

²¹ibid, pp.11-32.

could hold office for as long as his conduct and management of affairs of the court were good.²² In both Calabar and Ogoja provinces, Native Courts were given a hand in the resolution of land/boundary disputes because British authorities presumed, rightly, that they knew more about the history and intricacies of disputes in their Native Authority (NA) areas. In situations where one Native Court had to adjudicate a dispute between two territories belonging to two Native Authorities, an administrative officer was supposed to sit in as president of the court, and this was stipulated by Native Court Ordinance order-in-council No. 19 of 1934.²³ The main function of Native Courts was adjudication, 'the process by which in African tribes with courts, judges take and assess the evidence, examined what they regard as the facts, and come to a decision in favour of one party rather than another.'²⁴

Effects of the 1910 Duncan Boundary Demarcation on Osopong-Izzi Intergroup Conflict

i. Forestation: Following the Duncan Boundary Demarcation Panel, surrounding communities in Okpuitoma, Amachi and Edda left the mapped area for new settlement, leaving the place with bushes and wildlife accumulation. The rate of forestation at the mapped boundary area between Osopung and Izzi is so alarming. The situation in the mapped area was more alarming as at the beginning of the twentieth century, with a large area which could have been used for development projects, covered by dense forests.²⁵

ii. Poor Relations between Osopung and Izzi Communities: Boundary resurvey and demarcation involve eviction and translocation of local communities from their original villages of residence. Eviction of Izzi people by Duncan boundary demarcation panel later involved the use of violent conflict and actions such as demolition of settlement; the result was poor relations between Osopong and Izzi Communities. These communities also experienced other costs, such as crop raiding, livestock loss and wildlife incidents including human injuries, which influenced negative attitudes towards authorities and make people unwilling to cooperate with each other

iii. Continuous Litigation The Duncan Boundary Demarcation panel opened up series of litigation processes which lasted for many years and at different intervals. Following the decision of the panel of 16th December 1910, the next time the case was brought before a court was in 1920;²⁶ Between 1930s and 1950s also saw series of cases and more.

iv. Social Activities of Affected Communities

Another key observation is that boundary adversely affected social lives. The Duncan Panel was not done in a manner that accommodated tribal groupings; it compromised the very social boundaries that Osopong and Izzi communities set for themselves. The process appeared to disregarded their sense of attachment to their ethnic group, language and culture which had a long history. Community members who belonged to either Osopong or Izzi groups have often been at loggerheads with the government since the beginning of the boundary demarcation panel. They argued that government has not really done enough to resolve the conflict. Confrontations revolved around their inclusion under the same administrative unit dominated by one group; such dominance evokes fears of being discriminated against or simply overlooked in relation to services and other developmental opportunities. This was the case of the three Izzi communities in Obubra area, who were separated from their kiths and kins in Abakaliki.

v. Endless Litigations After the Duncan Arbitration Panel's Decision

²²Colonial Office. Cameroons under United Kingdom Administration: Report for the Year 1955. London, Her Majesty's Stationery Office, 1956. (Published for the Colonial Office).p. 64

²³N.A.E. Ogpr of, 2/1/157, Annual Report, 1947, Ogoja Division, 16th January 1948

²⁴Max Gluckman, *Politics, Law, and Ritual in Tribal Society* (Oxford, Basil Blackwell, 1965).

²⁵Stephen Adie, 67 Years, Community Leader Ijutum Community, Obubra Local Government Area, Cross River State, 23 November, 2023.

²⁶Case File (No. F.S.C 201/1959) Containing an Appeal by the Izzi people in the Federal Supreme Court of Nigeria, Holden at Lagos, Friday 18th Day of March, 1960. Before Her Lordship Sir. Adetokunbo Ademola, Chief Justice of the Federation.

At the Cooks Arbitration Panel of 1933 the Izzi-Ntrigom-Osopong boundary was delimited. Also, boundary description of Izzi (Igbagu-Amachi)-Ntrigom-Osopong Arbitration was awarded in 1933. The map of the boundary lines of Igbagu-Amachi –Ntrigom-Osopong was drawn from Abe River (pillar A) to Amachi (pillar B).

Conclusion

The demarcation and splinter of groups (linguistically and ethnically related) without proper consultations by the various colonial powers (the British in the case of Nigeria) during colonial invasions across Africa has remained at the front burner of discourse that pertains to boundary and land disputes across the African continent. Drawing from the Osopung and Izzi experience, it is obvious that issues of land and boundary are considered very vital for any society to survive. Considering, the plethora of boundary disputes that were almost threatening the entire peace of colonial Nigeria, the British colonial administrators took measures in responding to whatever appeared as a threat to its economic interest, thus, to curb any further set-back, especially on issues that had to do with land/boundary related between indigenous populations.

In the case between Osopung and Izzi, the Duncan boundary demarcation arbitration panel of 1910 was a watershed in the history of Osopung and Izzi intergroup relations that opened up series of litigations over claims and counter claims by the two parties. This was followed with the promulgation of Inter-Tribal Boundaries Settlement Ordinance No.49 of 1933. Among other things, the Duncan boundary panel drew the boundaries which ceded three Izzi communities to the Native Administrative Authorities of the Osopung clan, making for intergroup tension, separatist motion and irredentist armed struggles. Despite several judicial, administrative and traditional attempts at addressing the sustained conflict, marginal success was achieved in terms of resolution, questioning the utility of such methods of conflict. The effects of Duncan boundary demarcation abounds which the study has discussed.

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