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**Federal Military Government's Views
on the Report of the
Boundary Adjustment Commission**

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GOVERNMENT VIEWS ON THE REPORTS OF THE BOUNDARY
ADJUSTMENT COMMISSION

BOUNDARY ADJUSTMENT PROBLEMS IDENTIFIED

BY IRIKEFE PANEL

Egbema Villages in Rivers and Imo States

The Commission found from the memoranda submitted to it and from its public meetings, that the Egbema Clan seemed unanimous in a desire to be united. The question however, was whether the whole Clan should be merged with the Rivers State or with Imo State. At the Irikefe Panel, the Nze-Obi, the King of the Egbema argued for merger with the Rivers State. He subsequently changed his mind in favour of accession of the whole Clan to Imo State.

2. The Commission reviewed the pros and cons of a merger with either State and recommended that "all the sixteen Egbema Villages be merged into one administrative unit and placed in the Rivers State".

3. Government is of the view that if the Commission's recommendation is aimed at grouping the whole of the Egbema Clan in one State, the logical step to take would be to transfer the three villages on the Rivers side to join the 13 villages in Imo State. From the evidence gathered by the Commission it appears that the elements of the Egbema Clan who wished to join the Rivers State have not been consistent in their demand. Neither is it established that those who addressed the Commission were mandated by the entire Clan in the two States affected. There is no unanimity among the clan as to in which of the two States a united Egbema should be placed.

4. Therefore, taking these into consideration and taking into account the fact that the Egbemas in both Imo and Rivers States have hitherto lived happily in their respective States, it would not be in the wider national interest, nor in the interest of peace, stability and good government in the area for either group of the Clan to join the other neighbouring State. Maintaining the *status quo* would not, in any way, diminish the sense of common cultural identity of the Egbema Clan in the two States.

5. Government therefore rejects the Commission's recommendation and has decided to maintain the present arrangement.

The Ndoki Areas in Rivers, Cross River and Imo States

6. The Ndoki Clan straddles three States—Imo, Rivers and Cross River—with the bulk of the Clan living on either side of the Imo River in the Imo State. The Commission found that the Ndokis have consistently been treated as a minority. The bulk of the people living south of the Imo River were more inclined to accede to the Rivers State but the creation of the Imo State appeared to have changed several minds in favour of remaining in Imo State.

7. Besides, there was the issue of peace and stability in the area. The Commission was convinced that the situation in this area was unstable and could easily get out of hand. In the circumstances, it felt that considerations of stability should transcend the wishes to keep all the Ndokis under one State. Adoption of Imo River as the natural boundary in this area, while having the effect of leaving some of the Ndokis in the Imo and Cross River States, would enhance stability. The Commission accordingly recommends that the Imo River should be the boundary in this area between the two states.

This recommendation is accepted by Government.

Awara/Asa and Umuakpu Clan in Oguta Division

8. The Awara/Asa and Umuakpu Clan consists of about five groups of villages which were, at one time or another, in what is now Rivers State and at other times in what is now Imo State. They have however, been part of Owerri Province for a reasonably long time. There are two opinions in the Clan : one favours merger of the Clan with their kith and kin in the Rivers State while the other prefers Imo State. The Commission was unable to deduce any strong or majority desire to merge with Rivers State. Consequently, it recommends that the villages comprising the Clan should remain in the State they are now in—the Imo State.

The Government accepts this recommendation.

Amala, Alulu, Oburu, Mbano, and Obokwe Community Council Areas in Owerri Division of Imo State

9. The Community Council areas are occupied by the Etches, the bulk of whose kindreds live in the Etche Division of the Rivers State. Dating back to the Willink's Commission, some Etches have argued for a unification of all Etches and their merger with other Rivers people to form the Rivers State. Before the Irikefe Panel, the Etches made a case for a merger with Rivers State. The Commission, however, found that most of the requests for merger with Rivers State emanated from Etches living within Rivers State. The majority of the Etches living in Imo State are in support of the Areas remaining within Imo State. Having carefully assessed the situation, the Commission recommends that there should be no boundary adjustment. The Commission, however, recommended that the villages comprising the Community Council Area be considered for special treatment at Local Government level.

10. Government accepts this recommendation but notes in regard to the special treatment recommended that the Local Government Reform, now in progress, has as one of its principal aims the decentralisation of administration and even development of all parts of the country. The reforms should therefore adequately cater for the special needs of areas like this community Area.

Ette in Igbo-Eze Division in Anambra State

11. The Ettes of Igbo-Eze division of Anambra State are Idoma and Igala speaking inhabitants of Idoma extraction. Most of them, however, speak Ibo as the official and commercial language. The Commission found that on the grounds of general neglect and lack of sense of belonging, the Ettes are strongly convinced that they are a lost tribe in their present State—Anambra State, and wish to be merged with Benue State. A counter argument was that if the Ettes wish was granted, the Ibo Community among the Ettes would become a new minority in Benue State. After a careful consideration, the Commission recommends that the Ette Community Council be merged with Benue State.

12. Government rejects this recommendation because the main complaint by the Ette is that of "general neglect" which the new Local Government reforms are designed to take care of. Moreover, government feels that existing borders should not be disturbed unduly and that the people of Nigeria must have no alternative but to continue to live together amicably.

Olumbansa and Nzam in Anambra Division in Anambra State

13. The Commission physically visited Olumbansa and Nzam and was struck by the evidence of suffering and neglect which has actuated some of the largely Igala inhabitants to seek a merger with their kith and kin in Benue State. However, what the people really wanted was recognition, development and, in fact, special treatment. Consequently, the Commission after weighing the pros and cons recommended that the Area should remain in Anambra State.

The recommendation was accepted by Government.

The Ofe-Omuna in Aba Division

14. Nine villages comprise the Ofe-Omuna. Six of these are now in Rivers State while three are in Imo State. The case for excising the three villages from Imo State and merging them with the six others in Rivers State is that such a move would unite all the Ofe-Omunas in one State. Besides, it would spare the three villages the alleged discrimination and neglect it had suffered in Imo State. The Commission, however, was unable to trace any form of discrimination or neglect in respect of the villages. It therefore, recommends that the boundary in this area should remain intact and that the three villages should remain in Imo State.

Government accepted this recommendation.

The villages of Ikot Ibana, Ikot Utin, Ikot Uko, Ikot Ebok, Ikot Ekpeyong, Ikot Umo Essien, Ikot Ineme and Okot in Ikot Ekpene Division of the Cross-River State.

15. These villages situated on the eastern banks of the Anachacha River were located in the old East-Central State. After their liberation during the civil war, the old South-Eastern State Government took over their administration to assist the people. The present Cross River State Government has continued the administration of the area. The question was whether the villages should revert to Imo State or should remain in Cross River State. The pro-Imo argument is that the bulk of the people were Ibos and the land was traditionally owned by the Ngwas. For Cross River State it was argued that the people were not Ibos but Annangs and they, in fact, owned the land. It was claimed that the Anachacha River was the boundary between the Ibos and the Annangs in the Area but because this was contested, there has been a number of clashes resulting in death between the two ethnic groups.

16. The Commission was satisfied that the bulk of the people seemed happy to be under the administration of the Cross River State. It was also convinced that the Anachacha River would constitute a welcome natural inter-state boundary in this area. It accordingly recommended that all the villages under consideration should remain in the Cross River State.

Government accepted this recommendation.

The Obotme-Arochukwu Boundaries in the Imo and Cross River States

17. Evidence before the Commission identified seven villages as being in dispute in this area. They are :—

- (i) Obotme
- (ii) Ikweme
- (iii) Uturi
- (iv) Edem-Idem
- (v) Okpoto
- (vi) Ukpaokon
- (vii) Mbisong

18. The dispute also involved ownership of the land where the Arochukwu (or otherwise called Obetme) Oil Palm Estate was located but this was outside the terms of reference of the Commission.

19. On the one hand, it was argued, before the Commission, that all the land from Arochukwu to Nkana River had from time immemorial belonged to the Arochukwu people who were Ibos. Some of the villages were basically Ibos while others were basically Iwerres of the Ibibio tribe. The Iwerres were said to be tenants in Arochukwu land. The Commission was urged that unless all the villages were made part of Imo State, the Ibo villages which had suffered during and after the civil war at the hands of the people of Cross River State would be exposed to further hostilities. On the other hand the Commission was informed that the whole area in dispute had from time immemorial belonged to and had been occupied by the Iwerree and that the Ibos were tenants. The Ibos were using their numerical superiority to usurp the lands of the Iwerres and other Ibibio Clans. The actual boundary between the Ibibios and the Ibos was not the Nkana River but further west at the Nifrak stream. This was roughly at the boundary between the Enyong Division and Arochukwu Division. It was further argued that the disputed area had been administered by the then South-Eastern State Government since it was liberated during the war. The inhabitants had gladly acquiesced in the change. If the area were now to be merged with the Imo State, the Iwerres would find themselves 'foreigners' in their own land.

20. The Commission was satisfied that the Nkana River was never the boundary between the Ibos and the Ibibios in this area. A 1966 official map of Eastern Nigeria which the Commission saw showed the boundary at the time of the creation of the twelve states in 1967. The map placed Obotme in the Cross River State. The Commission recommended that the boundary as shown in the above-mentioned map is the appropriate one between the Cross River and Imo States.

21. Government accepted this recommendation which retains the disputed seven villages in the Cross River State and agreed that the Nigerian Institute for Oil Palm Research (NIFOR) would manage the Oil Palm Plantation on the border of the disputed area.

Itu Mbonuso Clan in the Cross River State

22. Submissions to the Commission reveal that the Itu Mbonuso Clan consisted of thirteen villages. Nine were in the Itu Division of the Cross River State while the remaining four were in the Itu Mbanuzo Community Council in Bende Division of Imo State.

The four villages were :—

- (i) Ntalaku
- (ii) Mbuyat
- (iii) Okopedi
- (iv) Ubuabia

These villages although *de jure* part of the old East-Central State had been administered by the old South-Eastern State Government (now the Cross River State Government) since the war. The question was whether the *status quo* should remain or whether the villages should be merged with the Imo State.

23. It was argued before the Commission that in 1954, the four villages which, in fact belonged to the Itu Mbanuzo Clan voluntarily remained in Bende Division of Owerri Province while the nine others of the Itu Mbanuzo Clan were merged with the then Ikot Ekpene Division in Calabar Province. After such a long political and administrative association, it would be wrong to excise the villages from Imo State.

24. The protagonists of merger with Cross River State, however, argued that the hostilities suffered by the villages before and during the war had whittled away their support for merger with Imo State. They were quite happy with the *status quo* which entailed their being administered by the Cross River State.

25. The Commission was convinced that overwhelming opinion in the villages favoured merger with Cross River State. It therefore, recommends that the boundary in this area should be as shown on the 1966 official map of the Eastern Region. (Paragraph 71)

26. The Government rejects this recommendation. The four disputed villages should be merged with Imo State and that the boundary between the Imo State and the Cross River State in this area should commence from River Inyang in the South passing northwards west of Ogwu and Ebo, then northeastwards west of Ikporom and finally eastwards to join the River Igwu below the town of Oge-Ubi.

The Biase Administrative District in the Akampa Division of Cross River State

27. The Commission found that this district which was inhabited by the Biases of the Ekoi Clan had been administered by the then South-Eastern State Government and now by the Cross River State Government since the creation of the twelve states in 1967, particularly since the liberation of the area during the civil war. The people were obviously satisfied with the arrangements, for, no one living in the district suggested a merger with any State other than the Cross River State. The only argument before the Commission in favour of merging the district with the Imo State derived from the contention that the Cross River should be the natural boundary between the Imo and Cross River States in this area. The Commission was, however, satisfied that the Biases, a minority tribe more akin to the Efiks than to the Ibos, sincerely believed that merger with the Imo State would not be in their best interest. The Cross River was no barrier to communications in this area. In the absence of any over-riding national interest which would militate against the wishes of the people, the Biases Administrative District should continue to remain in the Cross River State.

The recommendation was accepted by Government.

The Erei Clan in the Cross River and Imo States

28. The Erei Clan consisting of seventeen villages straddles the Cross River. Ten of the villages were technically in Imo State, the other seven are in Cross River State. It was argued before the Commission that the ten villages in Imo State should be merged with the seven villages on the Eastern banks of the Cross River and be administered by the Cross River State Government. The case was based on alleged neglect of and hostility towards the minority Erei Clan by the Ibo majority up to and during the civil war and fear of a recurrence if a merger with Imo State was effected. Besides, the Clan had been administered successfully and peacefully by the South-Eastern State Government and its successor, the Cross River State Government, since the liberation of the area during the war. To rescind this arrangement could alienate the Erei with serious consequence.

29. On the other hand, the Commission was told that the Erei Clan was successfully administered as part of the Afikpo Division for many years and that the people who spoke Ibo as a second "mother tongue" could look forward to happier days in the new Imo State. Moreover, about a third of the Ereis were Ibos and inter-marriages had been common. The Commission was urged to condemn, rather than confirm, the usurpation of administrative responsibility for this area by old South-Eastern State Government.

30. The Commission noted the inadvisability of the former Federal Military Government for allowing the unilateral occupation of this part of the East-Central State by South-Eastern State but finds that there were extenuating circumstances to explain away the occupation. It was satisfied that the Erei were content to be administered by the Cross River State Government and any attempt to alter this situation was likely to kindle public disaffection. It therefore, recommends that the whole Erei Clan should remain in the Cross River State.

Government accepted this recommendation and agrees to take over the 10,000 acres Erei Farm Settlement.

The Itigidi-Agbo Clan in the Cross River State

31. Submissions before the Commission indicated that the case for merging the Itigidi-Agbo Clan with the Cross River State was broadly similar to that of the Erei Clan. The Itigidi-Agbo Clan was said to be part of the Agbo Clan on the eastern banks of the Cross River. Desire to merge with its kith and kin in the Cross River State, neglect by first the former Eastern Region and later the East-Central State Government, fear of recurrence if the Clan was merged with Imo State were the main platforms of the Pro-Cross Rivers group. Besides, the area had been administered by the South-Eastern State Government since its liberation during the war and the people wished that the administration should continue.

32. On the other hand, it was argued for Imo State that the people favoured merger with Imo State but could not voice their opinions out of uncertainty about possible hostile reaction of the government. The area had not been neglected by either the Eastern Region Government or the East-Central State Government. In any case, the new Imo State Government would ensure even development in all areas of the State. The Cross River should, therefore, be adopted as the natural boundary in this area.

33. The Commission was satisfied that in consonance with the wishes of the people affected and in the interest of peace and stability in the area, the *Status Quo* should not be disturbed. It, therefore, recommends that the Itigidi-Agbo Clan should be allowed to be in the Cross River State.

The recommendation is accepted by Government.

The Osopong Clan in Obubra Division in Cross River State

34. The Osopong Clan consisting of twenty-two villages claim to be of the Mbembe tribe in Obubra Division. The Commission was urged that the Osopongs owned the land in all the villages and had a common history and origin with the people of the Cross River State to which the Clan already belonged. To merge it with Anambra State would be undesirable for it would place the Clan in an untenable minority situation vis-a-vis the Ibo majority. In favour of Anambra State, the Commission was informed that three Izzi villages, now in Cross River State wanted to be merged with Anambra State. They are :—

- (i) Ofena-Edda in Edda
- (ii) Offia Oji in Ikpuitame
- (iii) Obeaju/Ibon in Amchia

There was rioting in this explosive area in 1974. In the interest of peace, they should be transferred to Anambra State. Besides, the boundary between the two states should be at the Anyiem River.

35. The Commission found that the Osopongs of Obubra Division and Ikwo in Ezzigbo Division in Abakaliki had a known boundary which had been accepted for over fifty years. It recommended that this boundary which puts the three Izzi villages in the Cross River State should continue to be the accepted boundary.

Government accepts this recommendation.

The Villages of Sobe and Ijagba in Ondo State

36. Sobe and Ijagba descended from Benin and since the mid-forties, had consistently sought excision from Ondo province of Western Region and merger with their kith and kin in Benin in spite of the fact that two previous Commissions had declined their request. The Commission was urged that this deep desire was reinforced by the villagers' feeling of discrimination and neglect in the provision of amenities by their Yoruba neighbours in the Western Region and now in Ondo State. As supporting evidence, they point to the fact that although by 1963 Census, Sobe had a population double that of Ifon and Ijagba it was that was made the headquarters of the Ekamarun District of Owo Division comprising Ijagba, Ifon, Imoru and Ikaro. Only a reunification with their brethren in Bendel State with its political capital, Benin City was nearer to them than Akure, the Ondo State Capital, to reassure them of their future, preserve their identity and keep them happy.

37. On the other hand, it was argued before the Commission that historically, culturally, economically and politically, Sobe and Ijagba had been inextricably linked with the old Western Region and now Ondo State. Whatever discrimination the villages may have suffered in the past, this was not peculiar to them, but was a common fate of the former Ondo Province which was not an ardent supporter of the political party in power in the old Western Region. The creation of the new Ondo State was in any case an insurance against the perpetuation of such discrimination. It was further argued that support for excision from Ondo State to Bendel State was strong in Sobe and relatively weaker in Ijagba and more so in neighbouring Imoru. Furthermore, it would be economically irrational to separate Sobe from Ijagba and Imoru. To merge the three villages with the Bendel State in order to accommodate Sobe's wishes, would create new and greater problems than those solved. Moreover, it would entail the drawing of a less tidy boundary than the Osse River, the existing natural boundary between the Bendel and Ondo States.

38. The Commission was struck by the depth and popularity of the wish for merger of the two villages with Bendel State. It felt that only a merger would be satisfactory to the villagers of Ijagbas and end the agitation for excision from Ondo State. These feelings were strong enough to override the advantages of sticking to the Osse River as the natural boundary between Bendel and Ondo State. However, the Commission felt that the difficulties of drawing a new boundary in order to meet the wishes of the Sobes were overwhelming. Sobe, Ijagba and Imoru were physically very close and likely to become contiguous in the near future. Their economies and development projects were so intergrated—they jointly owned several villages like the Sobe/Ifon Farm Settlement, that separating them would be unwise. Again, there was no doubt that Imoru had no desire to be merged with Bendel State. The Commission was therefore convinced that any new boundary in the area would create as many problems as it would solve. It therefore recommended that there should be no boundary adjustment in this area.

Government accepted this recommendation.

The Ikales of the Arijan Community in Okitipupa Division in Ondo States

39. In this area, the Ikales and Ilajes in Ijebu Waterside of Ogun State wish to be reunited with the Ikales and Ilajes in Ondo State. Apart from the desire to be re-united with their kith and kin, the Ikales and Ilajes in Ijebu Waterside in favour of the proposed merger suggested that the neighbouring Ijebus had always endeavoured to lord it over them and deride

necessary amenities as evidenced by the lack of development of the area. The situation would worsen now that the Ijebus dominate the new Ogun State. It was further argued that although their Chief, the oba of Itebu-Manuwa had historically always been independent of the Awujale of Ijebu-Ode and the Ikales and Ilajes were not tenants to the Ijebu-Ode people but owned the land they occupied, the latter had persistently denied the Oba of Itebu-Manuwa his rightful status and regarded the Ikales and Ilajes as their tenants. These allegations were denied by the opponents of the merger. They urged the Commission to believe that the land occupied by the Ikales and Ilajes belonged to the Awujale of Ijebu-Ode in trust for the people. Development in the area compared favourably with other near-by areas. Agitations for excision was said to be the work of a few disgruntled elements.

40. The Commission was of the view that the allegation that the Ijebus were against the interests of the Ikales and the Ilajes might have some element of truth in the past as there was very little development in the area. However, excision of the area from Ogun State might create more problems than it would solve. The issue of traditional land ownership would for instance, be a serious problem. Consequently the Commission recommends that the present boundary be retained.

Government accepted this recommendation.

Area of Adoni and Nkoro in Opobo Division of Cross River State

41. The Adoni Area is located on either side of the Imo River and has consistently been in the same administrative unit. Currently it is under the Obolo Country Development Council which is sub-divided into three development Areas as follows—

- (1) Ngo Development Area.
- (2) Unyeada Development Area.
- (3) Eastern Obolo Development Area.

The first two are on the West while the last is on the Eastern bank of the Imo River.

42. The Adonis, a minority tribe in Cross River State are of Ijaw stock and had perpetually demanded to be merged with the Rivers State since the idea of a separate Rivers State was conceived. Among the Adonis tribe is the Nkoro clan which is within the Unyeada Development Area. The boundary of this clan with surrounding clans is indistinguishable. As was argued before the Irikefe Panel, the Commission was urged that the Imo River should be disregarded as a natural boundary in this area to ensure that the Adonis remained united in a Single—Administrative Unit, and simultaneously to eliminate the neglect which they felt they were enduring in the Cross River State. The Nkoros and the Opobos were also said to be similarly neglected and sought a merger with Rivers State.

43. The opponents of the proposed merger contended that the areas involved had not been neglected. The Adonis, it was argued, had close cultural and economic ties with the Ibibios of Cross River State while they never had administrative ties with any tribe in the Rivers State. Besides, excision of the Adonis from the Cross River State would in fact split the tribe rather than unite it because apart from the Adonis in Opobo Division, there were other Adonis like the Ibenos in Eket Division and the Orons in Oron Division. What the Adonis actually required was not a merger with the Rivers State but the acquisition of a Divisional State.

44. The Commission was struck by how mixed are the tribes bordering on each other in the Area ; and also by the proliferation of Creeks which rendered the adoption of an artificial boundary very difficult. Besides it was clear to the Commission that the availability of Crude Oil had made serious inroads into tribal loyalties in the area. A case in point was the proposal to merge the Opobo Islands with the Rivers State. To achieve this the proponents strongly suggested adoption of the Imo River as the natural boundary between the Rivers and the Cross River States in this area thus disowning any property on relatives they might have across the river.

45. Having regard to the wishes of the people involved, the natural wealth of the area, the topography and other relevant data, the Commission was convinced and accordingly recommended that in the interest of peace and security the Imo River should be the boundary between the Rivers and Cross River States in this area. Government accepted this recommendation. However, Ukwu should remain in Imo State as it was not in the particular area considered by the Commission.

Which Areas of Ndoni should form part of the Rivers and Ndoni Areas if any become part of Imo State

46. Before 1927, all the towns on the Eastern bank of the Niger from Ogbu Ikepele north to Ndoni in the South constituted the Ndoni Native Authority Area in the then Eastern Division. In 1927 the Ndoni Native Authority Area excluding Ogbu Ikepele in the north and the portions from Ofanibayo to Odoni in the south, was transferred to the Aboh Division in the then Delta Province for administrative purposes. The attenuated area which has remained intact as an administrative Unit ever since is the Ndoni area which was defined by the Irikefe Panel and accepted by the Federal Military Government as all that portion of Aboh Division of the Bendel State on the eastern part of the Niger. The Ndonis claimed that their kinsmen were in Ahoada Division and had since 1927 agitated against their excision from Aboh Division and merger with Aboh Division. In 1926 the Government considered the issue but found no justification for returning the Area to Ahoada Division. The Federal Military Government had in the light of the Irikefe Panel Report, decided that the Ndoni Areas should be merged with the Rivers State. The delimitation of the exact areas to be transferred to Rivers State and to Imo State if necessary, was assigned to the Boundaries Commission.

47. With regard to possible merger with the Imo State the Commission's attention was drawn to the fact that the northern part of the Ndoni area is inhabited by Ibos or people of Ibo extraction and it was urged that this portion should be assigned to Imo State and to other things, give that state a water front on the banks of the Niger River. The Commission observed that neither the Imo State Government nor the inhabitants of the portion of the Ndoni Area were apparently keen on the proposed merger. The Imo State Government did not submit any recommendation on the issue while some inhabitants of three villages in the area asked for merger with Imo State on a temporary basis if merger with Bendel State was impracticable. Neither on the basis of the wishes of the people involved nor of River State making a natural boundary did the Commission find any justification for the proposed merger.

48. Several submissions to the Commission argued that the Ndoni areas comprised at least two clans : Ndoni and Aboh ; or four clans : Ndoni, Aboh, Adiai and Onya ; or even more. Of these only the Ndoni clan had sought merger with the Rivers State. The Aboh, Adiai and Onya clans owned land and had their brethren on either side of the Niger River which made them a useful link rather than a natural barrier. The three clans, particularly the Abohs preferred to remain in Bendel State.

49. On the other hand it was submitted that the different clans which may be said to comprise the Ndoni areas had become so integrated through inter-marriages, long association and common origin and administration that they were now one. Excision of any part of the Ndoni Area from the rest would condemn that part to perpetual non-development. The area had been neglected in the past but it had bright prospects if it was left in the Rivers State where it had better chances of enjoying the benefits of the Delta Development Authority. Besides, being a riverine area it would be in its best interest to be administered by the Rivers State Government which had experience of dealing with such area.

50. The Commission on visiting the area was struck by the difficulty in communications which would make effective administration difficult from either Benin or from Kwale the divisional Headquarters. It also saw very little evidence of development. It therefore formed the view that it would be inexpedient to exclude the area from the full benefits of the Delta Development Authority. It was also convinced that the whole area should continue to be in one administrative Unit as has been the case for over fifty years. It therefore recommends that the whole of the Ndoni areas be retained in the Rivers State, and that the area should be allowed to keep its administrative identity.

Government accepted this recommendation.

General Observations and Recommendations

51. On the basis of observations made and information received during the course of its assignment the Commission made some special comments and suggestions designed to assist the Government in the implementation of its assignments.

Oil Politics

52. The Commission is of the view that the escalation of land values due to the added wealth in Oil areas has increased the intensity and frequency of land disputes. These have resulted in a plethora of Court Cases and frequently in fatal armed conflicts. It feels that some action is necessary to regularise land matters. The basic ownership of land in the Oil areas is either communal or individual. In some other parts of the country as in the Northern States, on the other hand, all land is vested in the State and every occupant of land is a tenant of the State, land disputes are minimal. Besides with regard to individual ownership of land, disputes would be minimised if individual titles to land were systematically registered as a matter of policy. The Commission therefore recommends that State Governments should ensure that all lands under communal ownership are protected and that a system of registration of individual title to land be established throughout the Southern States.

53. Government accepted these recommendations. Action along the recommended lines is being embarked upon and the proposed Land Reform Commission should be able to make more definite recommendations on this issue.

Security

54. The Commission is of the opinion that Oil wealth has rendered many people more opportunistic in their dispositions. Private gain rather than national interest has become their main concern. In this regard the Commission had no illusions that the motivations of private gains could set people against people and incite others to riot. Riots to protest against government decision on some boundaries disputes is distinctly possible. It had information that some public functionaries—Civil Commissioners, Senior Police Officers, Senior Civil Servants and even members of the armed forces were occasionally deeply and emotionally involved in disputes involving their States of origin, thus compromising their status as public officers. State Governments have been known to indulge in illegal acts such as illegal arrests or acquisition of land without compensation. Further unilateral administration of some areas by State Governments have also occurred.

Request for the Mergers of Omu Ijebu in Ogun State with Lagos State

55. In the former Western State, Omu town was wholly in the old Ijebu Province. It was along the Ijebu-Ode Ejinrin Road and to its North were the towns of Irete, Jobore, Ibido and Igbile. These towns have since expanded southwards below the former Ijebu/Colony boundary into the former Colony Province which is now part of Lagos State.

56. The proponents of merger with Lagos State claimed that since the creation of States in 1967, the town of Omu had been split between two states. They argued that since part of Omu town and farmlands are situated in Lagos State, the whole town should be merged with Lagos State. They said the plan to build a Community Grammar School had fallen through because Omu people have no land in Ijebu-South (now Ogun State) to house the institution. Further more, they complained of general neglect by the previous administration and of being subjected to double taxation.

57. On the other hand, the Pro-Ogun State elements claimed that they would not want a disruption of their complete satisfaction with their present situation and would frown on any attempt to disrupt existing cordial ties between Omu and its neighbours.

58. The Commission concluded that the future economic and social development in the area depends on the availability of land from Lagos State, it would be necessary to merge Omu people with the greater portion of their farms and properties, which are in Lagos State. It therefore recommended the merger of Omu, Irete, Ibido, Jobore and Igbile lands, at present in Ogun State with Lagos State, and the shifting of the inter-state boundary between Lagos and Ogun States.

59. Government rejects this recommendation because there is no compelling reason why the existing boundary should be tampered with. Nigerians are free to own properties including farm land anywhere in Nigeria. However, the policy that no Nigerian should be subjected to double taxation would be more vigorously enforced in future.

Request for the Merger of Imota area in Ogun State with Lagos State

60. The Commission received a memorandum by some individuals who wanted the village of Ibijo, Fadayin Lisa, Fadayin Balogun, Apoje and Lusowe, all in Imota District of Ikorodu Division to be merged with Lagos State. Furthermore, they also advocated the annexation of Odo Onasa, Igbalu, Oke-Agbo, Igbokuta, Ebutte-Imota, Salabo River or Ito-Imota, into Lagos State, on the basis of the "acquisition by right of first occupation" of these villages by Imota.

61. The Commission said on the basis of the presentations before it, it was not convinced that a case has been made out by the people, either for the expansion of their division within Lagos State or for bringing their farmsteads from Ogun State to Lagos State.

Government accepts the recommendation.

Request to adjust Lagos State Boundary North of Ikorodu to include the whole Ikorodu

62. A request was made to the Commission by the people of Ikorodu Division in Lagos State for the readjustment of their boundary with Shagamu in Ogun State. They rested their claim on their desire to have all Ikorodu people and the whole of their land under a single administration.

63. They argued that their boundary problems arose from a 1913 anomaly when the British Colonial Administration arbitrarily drew "the Colony Demarcation Line," which gave a large portion of Ikorodu land to the "Protectorate" while having the township in the "COLONY". They contended that the result had been adverse on the economy and general progress of Ikorodu. They, therefore, wanted the Ikorodu/Shagamu boundary shifted to River Bere. Finally they described "the present situation of having head and trunk in one State and the legs in the other", as unsatisfactory.

64. In a counter testimony, the pro-Ogun State elements said since 1948, Shagamu people had demanded the return of their land from Ikorodu. They said Ikorodu was never independent and in support, they tendered a copy of a 1894 treaty conceding part of Ijebu-Remo land including Ikorodu to the British Crown signed by Governor G. T. Carter and the then Akarigbo and his subordinate chiefs including the Balogun and Oloje of Ikorodu.

65. The Commission after hearing the two sides reached the following conclusions :—

(a) that both Ikorodu and Shagamu people were of Remo extraction and were once under the suzerainty of the Akarigbo :

(b) that Ikorodu was separated from the rest of Remo by the colonial boundary of 1913-14 and

(c) that people in both areas—Ikorodu and Shagamu—own farmlands either in Ikorodu, or Shagamu, or both.

66. The Commission concluded that any new boundary could raise more problems than it would solve. It therefore recommended the preservation of the existing boundary.

Government accepted the recommendation.

Request for the Merger of the Aworis in Ogun State with Lagos State

67. The nearly seven thousand Igbesa Aworis, in Egbado Division of Ogun State, wanted to be merged with other Aworis, who, according to them, constituted 75 per cent of the population of Lagos State. Historically and culturally, they asserted that they should be part of Lagos. Furthermore, they claimed that economically, Lagos was their life-line, arguing that as riverine people, they were heavily dependent upon Lagos for the sale of their produce. They complained of general neglect in their present location. On their part the Isheri Aworis petitioned for the merger both sides of Isheri with Lagos State. They asked for the readjustment of the boundary between Lagos and Ogun so that Isheri town would be in one State.

68. The Pro-Ogun Aworis on their part said that although Awori land included Otta, Ado-Odo, Igbesa and Isheri districts, they were no longer keen on merger with Lagos State because of great opportunities in their new State—Ogun. They said their long association with the Egbado Division made them feel more at home in Ogun than in Lagos State but they would want an "Awori Division" for all Aworis in Ogun State.

69. The Commission was of the view that Isheri town extended to both banks of the River and that it used to be part of the Lagos Colony. It therefore recommended that the whole of Isheri be merged with Lagos State. It further recommended the merger of Igbesa District with Lagos, but in the case of Ado-Odo, the Commission did not see any need for a change.

Government felt that existing boundaries in this area should not be tampered with because sufficient reasons were not adduced for the desire for merger with Lagos State. The only issue raised—that of poor development, will be adequately taken care of in the implementation of the Local Government Reforms.

Request for the Merger of Mokore-Orile Oko in Oyo State with Ogun State

70. The issue was that Mokore-Orile Oko, an Egbaland was being administered as part of Ibadan Division and some of its native would want it merged with Ogun State. An oral evidence was given on behalf of Ogun State but no one turned up from Oyo State during the Commission's sitting at Onigambari.

71. The Commission felt, however, that the case seemed to be more of land ownership and therefore recommended no change.

Government accepted the Commission's recommendation.

Request for the merger of Bakatari in Oyo State with Ogun State

72. Proponents of the merger of Bakatari, Omi-Onigbogbo, Alapata-Ogunsola, Abemo, Onifufu Alakan and Abule Egba Enialemu Railway Station with Ogun State complained of past sporadic bloody clashes between Egbas and Ibadans in that area. They argued that the situation could worsen now that both Egba and Ibadan belong to different states. They said the land belonged to Egbas exclusively and they were collecting taxes there until the boundary adjustment of 1976. They admitted, however, that the area had since been populated by Egbas and Ibadans to a point where they had become inseparable from each other. In addition, the Bakatari people mentioned instances of neglect and lack of facilities.

73. The pro-Oyo State elements of Bakatari claimed that the Egbas unilaterally altered the boundary that both the Alake and the Olubadan had agreed to in 1905 until another one was established in 1928.

74. The Commission was satisfied that both the Ibadans and the Egbas are now so interwoven in their settlement that separating them would be difficult. It was also its feeling that "the merger of Bakatari with Ibadan offers a greater administrative advantage over merger with Abeokuta". It concluded, therefore, that the boundary should remain as agreed upon in 1928.

Government accepted this recommendation.

Request for the merger of Ibarapa Communities in Ibarapa Division of Oyo State with Ogun State

75. The Ibarapa community of Oyo State is made up of the seven main towns of Lanlate, Eruwa, Igbo-ora, Idere, Tapa, Aiyete and Igangan. Those who wanted the merger of these seven towns with Ogun State said most Ibarapas hailed from Abeokuta and argued that they stood a better chance of rapid development in Ogun State with only four divisions unlike with Oyo State with about three times that number.

76. The pro-Oyo elements of Ibarapa denied having any deep ancestral relationship with the Egbas. They said only one of the six quarters in Igbo-ora townships actually descended from the Egbas. Furthermore they affirmed that they had never in their history been administered with or from Abeokuta. Majority of the Ibarapas, they argued, were in support of their position and they labelled the proponents of merger with Ogun State as few but vocal. They attributed the agitation for excision of Ibarapa from Oyo State and merger with Ogun State to the fact that some individuals who wanted the Divisional Office in Igbo-ora were displeased with its siting at Eruwa.

77. The Commission found that the siting of the Divisional Headquarters at Eruwa was the principal cause of agitation for merger with Ogun State and that the people were split with those on the Eastern wing favouring merger with Ogun State, while those on the West were more in support of Oyo State. In addition, all the members of the Commission except one felt the desire to remain in Oyo State was very popular amongst Ibarapas and concluded that the Ibarapa Division should, remain where it is, namely in Oyo State.

Government accepted this recommendation.

Request for the Settlement of the Boundary between Ogun State and Ondo State at Ilushin in the Ijebu Waterside Area

78. As a result of a dispute between the Ijebus and the Ondos over a piece of land on which the Ilushin Rubber Estate was established, the Commission had to sit at Ilushin. The piece of land was leased by the Western Nigeria Development Corporation partly from the Ondos and partly from the Ijebus. Now that the two areas are in two different states, there is a dispute over the exact boundary.

79. A Government survey plan tendered before the Commission and examined by the two parties defused the issue as they both agreed that it was a true reflection of their exact boundaries. Both parties therefore simply requested Government to replace the existing property beacons with boundary pillars which will be easily recognisable to both parties. The Commission recommended that the request be met.

Government accepted this recommendation.

Request for Adjustment along Oyo-Ondo Inter-State Boundary

(i) Inter-State Boundary dispute between Okemesi in Ondo State and Esa-Oke in Oyo State

80. The dispute developed out of some land litigations involving certain individuals of Esa-Oke in Oyo State and Okemesi in Ondo State. Esa-Oke people claimed that the villages of Aba-Oyo, Yeye-Iyabo and Oja Oko in Okemesi on Ondo side should be on their side as their boundary was Oruru stream and not Elejo stream. They even claimed that Okemesi itself was Ijesha land and that all land west of Owena River belonged to Esa-Oke.

81. Having examined all the maps tendered before it, the Commission felt that Esa-Oke's claim was well founded. It added that as a result, "the three villages of Aba-Oyo, Yeye-Iyabo and Oja-Oko are in Oyo side of the boundary." It therefore recommended that the boundary should continue to follow the ridge of the range of hills, as shown on map B.A.C. XXII.

Government accepts this recommendation based on the official 1932 map of the area.

(ii) Inter State Boundary dispute between Efon-Alaiye/Ido Ajinare in Ondo State and Esa-Oke/Ido Ajegunle in Oyo State

82. The real issue in this area had always been how to arrive at the correct location and demarcation of the former inter-provincial boundary, now the Oyo and Ondo inter-State boundary in that area.

83. Ido Ajinare people claimed that the source of River Oshun and the area of Ido Ajegunle belonged to them. On the other hand, the people of Esa-Oke argued that all maps published since 1933 supported history by showing Ido Ajinare as part of Ekiti and Ido Ajegunle as part of Ilesha. People from Ido Ajegunle confirmed that they hailed from Ido Irapa (now Ido Ajinare) but they argued that Ido Ajegunle had always been part of Ijesha land and at any rate, they preferred to be in Oyo State.

84. The Commission found that the Oyo-Ondo inter-provincial boundary as shown on sheets 243 and 244 was not the same as the boundary shown on the 1932 record map of the area. Having carefully considered the boundary in that area as well as the boundary already considered in respect of Esa-Oke and Okemesi the Commission was of the opinion that "the inter-State boundary should be on the ridge of range of hills as shown in map B.A.C. XXII."

Government accepts this recommendation which authenticates the 1932 record map of the area.

(iii) Demarcation of Boundary between Ila Orangun in Oyo State and Okemesi in Ondo State

85. The Commission regarded the complaints by Ila Orangun people against some Okemesi tenants as one involving private property rights but as it was coterminus with the Oyo/Ondo inter-State boundary, it decided to treat it as a demand for clearer demarcation of the inter-state boundary in that area.

86. It recommended that in order to promote peaceful co-existence in that area, the Oyo/Ondo inter-state boundary should be as shown on map B.A.C. XXII.

Government approves of this recommendation which upholds the 1932 map.

(iv) Inter-State Boundary Dispute between Ikeji-Ile in Oyo State and Ogotun in Ondo State

87. The Ogotun community claimed the ownership of a vast area of land in their border with Ikeji-Ile which the people of Ikeji-Ile disputed on the strength of which both communities appeared before the Commission. The Ogotun community claimed that the existing boundary was established in 1929 and ran along the Egbejoda hill through Oloboto stream to Oshun stream which subsequently flowed into the Owena river. The Ogotun people produced a 1929 document in which both communities agreed to a boundary.

88. The representatives of both the new and old Ikeji denied knowledge of any such document and that the absence of the Owa of Ijeshaland's seal on it constituted proof that it was fake.

89. On the basis of the above, the Commission was satisfied that efforts were indeed made in 1929 to settle the boundary problem and that for some time after 1929, both parties respected the boundary as agreed upon. It expressed the opinion that the boundary in this area should follow as far as possible the ridge as shown on map B.A.C. XXII.

Government accepted this recommendation based on the 1929 document.

Request for the Adjustment of Boundary between Ile-Oluji/Okeigbo District Council in Ondo State and Ijesha Southern District Council in Oyo State

90. Dispute between two District Councils—Ile-Oluji/Okeigbo and Ijesha Southern District Councils led to the request for boundary adjustment in that area. The Ile-Oluji/Okeigbo people claimed that they had owned the land from time immemorial and that Oke-Aba was the boundary between them and the Ijeshas whom they described as trespassers.

91. The Ijeshas maintained that their ancestor used rivers, hills and streams as natural boundaries with the people of the Ile-Oluji, two such boundaries being Rivers Owena on the East and Awo in the South. They asserted that their right to the land was recognised in the Western Nigeria Government survey map.

92. The Commission found that it had no cause to disturb the gazetted boundary description, except in respect of the southern portion where River Awo is acceptable to both sides as the natural boundary in that area. It therefore recommended that the Southern boundary of Ondo and Oyo States should be adjusted to be River Awo which is acceptable to both sides.

Government accepted this recommendation.

Request for the Merger of Ora-Igbomina in Oyo State with Ondo State

93. Ora-Igbomina request for merger proved to be a three-cornered one. One side advocated merger with Ondo State ; another side asked that it be allowed to remain in Oyo State. A third group, however, asked for merger with their kith and kin, the Igbomina/Ekitis in Kwara State.

94. The Commission found that Ora had historical ties with all the three States, Kwara, Ondo, and Oyo, but it was not impressed by the strength of the case of the pro-Ondo and pro-Kwara States supporter. Furthermore, the Commission said it appeared to it that the people of Ora wanted the retention of Ora in Oyo State. It concluded therefore, that since no strong case has been made for the excision of Ora from Oyo State and merger with either Ondo or Kwara State, it would recommend that no change be made on the boundary.

Government accepted this recommendation.

Request for the merger of Arogbo Ijaws in Ondo State with Bendel State

95. The Ikares, Arogbo Ijaws, Ilajes, Ijaw Apois and Urhobos inhabit Okitipupa Division of Ondo State. Since the 1958 Willinks Commission, the Arogbo Ijaws had been agitating for a merger with their kith and kin in the Bendel State on the grounds of general neglect. They argued that a mainly land based Government would not easily understand their riverine problems. They admitted, however, that the Apoi Ijaws did not want to go to Bendel State with them because as they alleged, the Apoi-Ijaws had been assimilated into Yoruba culture.

96. The pro-Ondo State people said Ondo State was generally neglected in the former Western State and that all the amenities provided for Okitipupa Division were evenly shared among the five district councils in the area. They said the Ondo State Government had earmarked some facilities for their area and labelled the demand by Arogbo Ijaws for merger with Bendel State as mere oil politics.

97. The Commission noted the unanimous desire of the Arogbo Ijaws to be merged with Bendel State where they would have a greater sense of belonging. Even though the Commission noted that there might be some "oil politics" behind the Arogbo-Ijaw demands, it said it was still convinced that the Arogbos should be merged with their kith and kin in Bendel State.

Government rejects this recommendation because the new Local Government system is capable of meeting most of the demands of the Arogbo Ijaws for the development of their area.

Inter-State Boundary dispute between Bendel and Ondo State Government : Molume

98. Since the creation of the then Mid-Western Region, the Southern portion of its boundary with the Western Region had always been in dispute. Dispute had centred on the ownership of Omolumo or Omolomo, later known as 'Molume' or Imolume. The Bendel State Government argued that the village of Omolomo or Omolumo no longer existed and that the area occupied by Molume should be regarded as part of the Ijaw speaking villages of Egbeoma Local Council in Warri Division of Bendel State.

99. The Ondo State Government produced maps which showed that Omolomo or Omilumo had always been part of Ondo Province. It argued that the Mid-Western State map shown to the Commission had shifted the boundary westwards and could not be relied upon.

100. The Commission found that the area in dispute was within Arogbo-Ijaw area and it therefore recommended that it be resolved in favour of Bendel State. It said, however, that all available maps published before the regionalisation of the country showed the position of Molume to be consistently on the Ondo side of the boundary.

Government does not accept this recommendation in view of the Commission's findings quoted in the last sentence above.

Request for the merger of Igbomina Ekiti Area Kwara State with Oyo State

101. The Igbomina/Ekitis in Kwara State claimed to be pure Yorubas who descended from Oyo and Ile-Ife. They said they were thoroughly neglected in the old Northern Region but their lot had since improved with the creation of Kwara State. The proponents of merger with Oyo State were mainly from Ila-Orangun sons and daughters from abroad. The Commission was convinced that since the Igbomina Ekitis "have expressed their satisfaction to remain in Igbomina/Ekiti Division of Kwara State," it had come to the opinion that "the Igbomina/Ekitis should remain in Igbomina Ekiti Division in Kwara State."

Government accept this recommendation.

Request to adjust the Boundary between the People of Akunu and Efifa in Ondo State and of Egunu and Akoko in Kwara State

102. The request for boundary adjustment in this area emanates from a land dispute. Allegations were made by people from Akunu and Efifa in Ondo State to the effect that the people of Egunu and Ayeye in Kwara State had been trespassing on their land at Abode, Efifa and Epefi, on the southern side of River Osse. They argued that since a 1918 agreement when each side lost land to the other, River Osse had been the accepted boundary.

103. Those in support of Kwara State denied ever having agreed to the 1918 demarcation as claimed by the Ondos. They said their boundary had, since time immemorial, been beyond Osse River. They asked for a permanent solution to the problem by providing a proper demarcation of the boundary as defined in the Northern Region, Western Region and Eastern Region Proclamation, 1954.

104. Having examined the matter and another related one involving Kwara and Bendel State in the Ihima/Aduji area, the Commission said it was in complete agreement with the view that a permanent solution could be found in demarcating the boundary between both States based on the 1954 Proclamation and it so recommended.

Government accepts this recommendation.

Request for Boundary Adjustment between Ihima/Aduji in Kwara State and Imorga in Bendel State

105. The issue here was not so much of a boundary adjustment, since both sides accepted the boundary as defined in Sections II and I of the Northern Region, Western Region and Eastern Region (Definition of Boundaries) Proclamation 1954, but the interpretation of that description and its demarcation on the ground.

106. Since both Governments were in agreement the Commission simply urged them to "complete their assignment and thereafter the Federal Survey Department should as quickly as possible demarcate the boundaries based on the 1954 Proclamation.

Government accepts this recommendation.

Request for the merger of Western Ijaw in Bendel State with Rivers State

107. There had been persistent demands for the merger of Western Ijaws with the Rivers State. The proponents of merger had consistently argued that only a water-based Government could understand the peculiar needs of water-based people. They stated that they lacked amenities and pointed out that the establishment of Delta Basin Authority would not solve their problem.

108. On the other hand, the pro-Bendel State Ijaws described the demands for the merger as unpopular. They said only the Port-Harcourt based Ijaws were spearheading the merger and that the group could not be regarded as spokesmen for the fourteen clans which constituted Ijaw tribe. They, however, advocated a change in the existing boundary in that all the villages East of the River Nua, including Ndoni would go to the Rivers State while all the others, including Western Ijaw would remain in Bendel State. As an alternative, they suggested that all the Ijaw areas stretching from Arogbo Ijaw in Ondo State to Western Ijaw in Bendel State be constituted into a Federal territory and be administered by the Federal Government.

109. The Commission carefully considered the submission made by both parties. It was struck by the fact that demand for merger was popular, but it was equally impressed by the fact that considerable number of Ijaws also felt otherwise and would rather remain in Bendel State. Furthermore, it remarked that some Ijaws in another State had expressed desire to come to Bendel State. The Commission expressed the view that if the Ijaws should be put in Bendel State, their numerical strength would give them a measure of security in that state. It punctured the argument of those who claim that the only River based government is that of Rivers State by saying that Bendel State too is River based. The Commission felt it would be difficult to extract Western Ijaws and merge them with Rivers State as that exercise might involve dragging unto Rivers State other tribes and some Ijaws who fervently wish to remain in Bendel State. In addition to above, two other points were of significance in considering the Western Ijaws case:

(i) The Ijaws do not need to be in Rivers State to avail themselves of the Delta Basin Authority established to cater for the two States.

(ii) Adding more oil producing areas to the Rivers States (Already with the largest concentration of oilwells) would give that State a preponderance of economic power.

The Commission expressed a strong feeling that because of past experience and the exigencies of national security, it would be most sensible to put the oil wealth in the hands of a number of States rather than concentrate them in one State.

110. In view of the above, the Commission would not recommend the merger of the whole of Western Ijaw Division of Bendel State with Rivers State. However, because of what it called the ugly nature of the present boundary between the two States in that area, it recommended that "the boundary should start from the Atlantic Ocean at the mouth of the Ramous River, then along Gboto Creek to Bomadi Creek to the Forcados River, and thence to the River Niger, as shown on map B.A.C. XXVII."

Government accepts the idea of tidying up the border in that area as recommended, i.e. making the Ramous River the boundary between the two States in that area.

Request for the Merger of Ake Island on the River Niger in Benue State with Bendel State

111. The Commission reported that as a matter of fact, the dispute between Umene Community in Etsako Division in Bendel State and the Igala Community of Idah Division in Benue State arose over the administration and control of Ake itself and had been long standing.

112. Those who wanted merger with Bendel asserted that 'Ake' was an Umene word, and the 'island' from time immemorial, a part of Udochi. Furthermore, they argued that the island, had for long been ruled by the chief of Udochi through his hamlet heads. The chief of Udochi was himself under the suzerainty of the Obi Ola of South Umene. They claimed that Ake was inhabited by both Umené and Igala elements with Igalas as squatters who paid titles through the chief of Udochi to the Obi Ola, for fishing and farming privileges. They said it was the forces of the River Niger which divided its banks that have cut off Ake from its mainland, thus transforming it into an island. They quoted a Government Gazette Notice No. 516 of 1942 in support of their claim that all the islands on the River Niger along the boundary between the Northern Provinces and the Western Provinces belonged to the Northern Provinces. It was on the strength of that notice, according to them, that around 1958 the Atta of Igala laid claim to many of their islands including Ake and installed an Igala chief in the island. To ensure justice and peace, they pleaded with the Commission to repeal the "nefarious Gazette Notice of 1942" and merge Ake with its mainland in Bendel State.

113. For their part the pro-Igala elements said the ownership of Ake Island was not in dispute. They said that following the victory of Atta of Igala over the Oba of Benin in a 1580 war, the Atta thereby extended his domain as far south as the Kingdom of Obi of Abo. They cited a treaty signed between Atta Amaga of Igala and the Royal Niger Company, which gave to the company "A strip of land including the islands on the River Niger from the confluence of River Anambra up to River Omara on the River Benue." At the revocation of the deed in 1900, they further argued, the island reverted to Atta and his chiefs as was confirmed by a Government Gazette No. 25 of 30th April, 1942. Finally, they claimed that the island had always belonged to them and that the Udochi people were simply making incursions into Igala territory.

114. The Commission having thoroughly examined the facts and the evidence before it made some observations. It asks whether in fact Ake is an island or a peninsula. It also asked whether the historic 1942 Government Gazette Notice vesting all islands from "a point one mile north-west of Obedao," was not being reaffirmed by the Legal Notice No. 126 of 1954 in which the inter-regional boundaries in Nigeria were freshly defined. The Commission further observed that for both economic and administrative convenience, it would be better that "Ake be governed from wherever it is quicker, and nearer, and less expensive to do so all year round. Hence Bendel." It therefore recommended that Ake be merged with Bendel as shown on map B.A.C. XXVIII.

Government rejects this recommendation. Ake is to continue to be administered as part of Benue as had been the case for a long time.

Request for Merger of Ohaozara Division in Imo State with Anambra State

115. Before the creation of the 19 states, Ohaozara was a sub-division of Afikpo Division of the East-Central State. The proponents of merger with Anambra State based their argument on the cultural affinity with the people of Abakaliki. They denied having any cultural ties with Owerri Province now forming the larger part of Imo State. Furthermore, they stated that the word Ohaozara meant "people of the grassland" in Afikpo North. In terms of contiguity, homogeneity, social relations and customs, they claimed to have very close ties with the people of Abakaliki, Nkanu, Izzi, Ezikwo, Agwu and Udi. They pleaded that since they were integrated with the Abakalikis, they ought to have been allowed to go with them to Anambra State and not left in Imo State. As further evidence of their differences with the people of Afikpo South they claimed that they (Ohaozara people) had a patrilineal system of inheritance whereas the people of Afikpo South whom they described as a forest people, had a matrilineal system of inheritance. In addition, they said for better administration, they would prefer Anambra State whose capital, Enugu, was only 80 kilometres away.

116. On the other hand, those who wanted the retention of Ohaozara in Imo State claimed that only five per cent of Ohaozara people, whom they described as disgruntled individuals, actually wanted excision from Imo and merger with Anambra State. They claimed to have common customs with other groups in Afikpo with whom they inter-married. Furthermore, they refuted having any cultural similarities with Abakaliki people. They expressed happiness about remaining in Imo State and said they would encounter difficulties in having access to Anambra State. Their position was supported by some inhabitants of Akawze and Idhiogu village of Ohaozara Division who submitted a memorandum which said they felt degraded and insulted by those who did not consult with them but made representations on their behalf asking for merger with Anambra State. They said such a demand did not have their support.

117. Their position was supported by some inhabitants of Akawze and Idhiogu village of Ohaozara Division who submitted a memorandum which said they felt degraded and insulted by those who did not consult with them but made representations on their behalf, asking for merger with Anambra State. They said such a demand did not have their support.

118. The Commission observed that it would make for peaceful coexistence if people of the same cultural grouping were merged together. It felt that the people of Afikpo Division who were next door neighbours of the people of Ohaozara Division could not be said to have similar cultural ties with the Ohaozara people. Furthermore, it observed that proponents of Imo State never included Ohaozara sub-division in their proposed state. Rather, Ohaozara people themselves opted for Enugu or Wawa State all in Anambra State. It, therefore, recommended that Ohaozara Division be excised from Imo State and merged with Anambra State.

Government rejects this recommendation as it is not convinced about the need for such an exercise on the basis of the criteria used by the Commission.

Request to merge Koton Karfi district of Kogi Division of Kwara State with Plateau State

119. Protagonists of merger of Koton Karfi Districts of Kogi Division of Kwara State with Plateau State said they were a minority in terms of population in view of the overwhelming number of Yorubas in the State. They argued that the contrary would be the case if they were to join with Plateau State because of the presence of several small tribes in that State. They complained of lack of visible development in their area which they attributed partly to the impediment posed by the River Niger.

120. On the evidence before it, the Commission was convinced that the location and distance of Koton from Ilorin had resulted in the neglect and lack of development in that area. It saw the River Niger as another negative factor, impeding the development of Koton Karfi. Happily, it observed that the construction of a bridge across the river at Jamata would hasten the development of the area. The Commission concluded that what Koton Karfi case proved most was the need for "a separate Administrative Division in Kwara State rather than merger with another State. It therefore, recommended that "Koton Karfi remain in Kwara State and be constituted into an Administrative Division.

Government accepts this recommendation.

Request for the merger of the Bassa-Nge people in Benue State with Kwara State

121. The Bassa-Nges are a people of Nupe descent who live along the River Niger at its confluence with River Benue at Lokoja. Their area of concentration is the eastern bank of the River Niger particularly in the Bassa-Nge District of Dekina Division in Benue State.

122. Proponents of merger with Kwara argued that their problems began in 1919 when the Bassa-Nges were amalgamated with the Igalas in one administrative division with the result that their traditional ruler, the Etsu, lost his status. They mentioned several instances when they had disassociated themselves from the Igalas. On the whole, their case was rested on the fact that all Bassa-Nges on both sides of the River were one and that for historical and cultural reasons merger with Kwara would mean going to where they belonged.

123. On the other hand, the pro-Benue elements said their district was very close to Makurdi, the State Capital and furthermore, the lack of any natural barrier between their area and the rest of the State would result in greater integration within the State. They felt Ilorin, the Kwara State Capital was too far and they asserted that their relationship with other groups such as Igalas, the Igbirras and the Bassa Komos had been most cordial. They blamed the agitation for merger with Kwara on people with vested interest in Ilorin.

124. The Commission said it carefully considered the evidence before it including a 1910 Map which showed that the Bassa-Nges were entirely on the Eastern side of the River Niger and the Southern side of the River Benue. It was struck by the very strong desire on the part of the Bassa-Nge elites for the merger of their area with Kwara State. It said it had reasons to believe that the Bassa-Nges had for a long time resented being overshadowed by the more numerous and powerful Igala people, hence the persistent demand for separation. The Commission was satisfied that in the light of the proposed local government reforms the fear of domination by the Igalas would be "a thing of the past". It therefore recommended no changes in the boundary.

Government accepts this recommendation.

Request for the adjustment of the boundary between Gboko Division in Benue State and Obudu Division in Cross River State

125. The problem between the Tivs and the Obudu people arose over the acceptance of the Northern/Southern Nigeria boundary lines drawn by the colonial administration in 1918 and 1923, popularly known as the "Lugard Wall".

126. On their part, the Tivs contended that before the advent of Europeans they were permanently settled in the disputed area up to Goku Hill where they lived in peace with their neighbours. The Europeans, they said brought trouble because they demarcated their boundaries without having prior consultations with them. They alleged that the colonial administration punished the Tivs for their resentment by altering their boundaries and giving Tiv lands to others.

127. For their part, the Obudus claimed that an accepted boundary had existed between the Northern and Southern Provinces of Nigeria, until 1949 when the Tivs disregarded it and started to trespass on other peoples' land. Following a fight in the area involving Tivs and Obudus, resulting in the loss of several lives, the boundary was more clearly demarcated with beacons planted on it. According to the Obudus, the Tivs uprooted these beacons. They accused the Tivs of capitalizing on the Nigerian civil-war during which they were alleged to have again crossed into the disputed area in large numbers.

128. The Commission said it was convinced that the major issue was the 1918 and the 1924 boundary lines and the absence of permanent feature to demarcate the boundary. It remarked that the 1924 line dividing the North and South in the area was official and should be adhered to by both parties. Finally, it recommended that "no change be made on the 1924 boundary between Obudu Division in Cross River State and Gboko Division in Benue State and that as soon as practicable the demarcation of the boundary with concrete pillars should be resumed".

Government accepts this recommendation.

Request for the Adjustment of the Boundary between the People of Gabey Gaken and Atifokpa Communities in Ogoja Division of Cross River State and the Tiv People of hanguiew Tiv in Gboko Division of Benue State

129. The problem here closely resembled that between the Tivs and Obudus since both centred around the 1924 border demarcation and the reluctance of one group to accept it.

130. The Ogoja communities argued before the Commission that their boundary with their Tiv neighbours was the 'old Lugard Wall', drawn in 1924. They said Tivs had been encroaching on their land to farm since 1925 and that they had even tried to obliterate the boundary marks. All they were asking for was a recognition of the 1924 boundary line.

131. The Tivs, on the other hand, argued that the correct boundary line between them and their Ogoja neighbours was the 1918 one. They felt that the 1924 exercise was a farce.

132. The Commission carefully examined the issue and found that the 1924 boundary was official. It noted that but for the civil-war, the then Governments of Northern and Eastern Regions together with the Federal Government would have completed their demarcation exercise of that boundary along the 1924 line. It therefore recommended that "the existing 1924 boundary should be maintained and respected."

Government accepts this recommendation.

Request for the merger of Tiv-Occupied areas in Lafia Division of Plateau State with Makurdi Division in Benue State

133. The inter-state boundary dispute between Lafia Division in Plateau State and Makurdi Division in Benue State covered four main areas :—

- (a) The Dema-Udei boundary, affecting the Gidan Kewon and Gidan Dogari areas ;
- (b) The Obi-Udei Dauda Boundary running through Kederko-Akanga areas ;
- (c) The Dauda-Keana boundary in the Arnagede-Giza areas ; and
- (d) The Agasha-Awe boundary stretching across Janagargari areas.

The problem seem to be the same in each of the four areas with the Tivs asking for merger with their kith and kin in Makurdi Division of Benue State while the non-Tivs preferred to remain in Lafia Division of Plateau State.

134. The Tivs claimed that despite their long settlement in the area, coupled with the fact that they constituted nearly 50 per cent of the total population of Lafia Division, they had no chiefs and no representation in the local Councils and were denied every opportunity to improve themselves. For these reasons, they would prefer to be merged with their kith and kin in Benue State

135. On the other hand, the pro-Plateau State elements said the two areas of Keana and Kaderkons on which the Tivs had laid claims, belonged historically to Chief Aliyan Adi and his descendants. They described the Tivs as settlers who came in search of arable land and salt. They said the Tivs were never discriminated against in the provision of any amenities and considered the Tivs' request for merger with Benue State as needless.

136. The Commission noted the apparent similarity between the Tiv agitation for merger with Benue and the Wukari/Katsina-Ala issue, as both revolved around the boundary of the old Lafia Division and Tiv Division. It observed that the dispute arose over the settlement patterns of the Tivs, who having settled to farm in a certain area would henceforth regard the place as Tiv land. The Commission said the allegation of discrimination against Tivs had not

been proved. Their scattered pattern of existence would not make for the full enjoyment of rural amenities by the Tivs. The Commission therefore suggested that Tivs be encouraged to live in integrated villages. In the light of the above observations, the Commission did not see any reason to recommend a change in the existing boundary between the Plateau and Benue States.

Government accepts this recommendation.

138. The Jarawas had argued their case successfully before the Irikefe Panel, leading to the Panel's recommendation that the proposed Plateau State should include the Jarawa District of Bauchi Division. The Commission was impressed by the large number of memorandum submitted to it and by testimonies at its hearing at Toro and Federe where the Jarawas argued that in addition to retaining Jarawa District composed of the five villages of Federe, Maigeru, Shere, Fabur and Forsum, in the Plateau State as decided by the Irikefe Panel, Toro District in Bauchi State, consisting of Tilden Fulani and Toro village areas, should be merged with Jarawa District of Plateau State. Finally, the Jarawas reiterated that even if they were given all amenities, they would still prefer to be merged with Plateau State.

139. On the other hand, the pro-Bauchi elements contended that Jarawa District should be returned to Bauchi State which, in addition, must retain Toro District in its territory. They alleged that since 1900, Bauchi Emirate had lost substantial territory to the present Plateau and Benue States. They expressed concern over the fate of Hausas and Fulanis who, according to them, formed the majority of the population of Toro District who might be dragged with the Jarawa minority into Plateau State.

140. Because the Commission was not clear as to which tribe had the majority of the population in Toro District, it called for a breakdown of the population of the tribes in the area as extracted from the 1963 population census or the 1975-76 Tax population. From the 1975-76 Tax population figures received from the Bauchi State Government, the Commission found that the Fulanis were in the majority of 3-1 to the Jarawas and when the Hausas were added to the Fulanis and other tribes, the combined population was 6-1 against the Jarawas.

141. It therefore formed the opinion that the *status quo* should be maintained, meaning that Jarawa District should continue to be in the Plateau State and Toro District to remain in Bauchi State. The Commission favoured the point made by Jarawas that there should be a good road to link Jarawa District with Plateau State. It also hoped that the various local government authorities would ensure that no group was discriminated against in the provision of amenities.

Government accepts this recommendation.

Request for the Merger of—

(a) Darapar and Sarkin Kudu in Wukari Division ;

(b) Amar and Dambari in Muri Division—all in Gongola State with Wase in Plateau State.

142. The dispute arose from a request from Wase District of Plateau State for the merger of Dampar, Sarkin Kudu in Wukari Division and Aruat and Dambari in Muri Division of Gongola State with Plateau State. Despite the fact that all four districts were in Gongola State, the request was treated as two separate issues because of the fact that Dampar and Sarkin Kudu were in Wukari Division whilst Amar and Dambari belonged to Muri Division.

143. The advocates of merger of Dampar and Sarkin Kudu with Wase District in Plateau State argued that they were Jukuns as were the people of Wase District, and that their ancestors were the same. They mentioned that they had a lot in common with the people of Wase including economic ties and physical contiguity. They said they were with Wase in the old Bauchi Province and later they were together in Muri Province before the merger of Wase with the old Plateau Province. Furthermore, they testified that it was on Wase rather than on Wukari that they depended for the sale of their fish produce. Officials from Wukari, they complained, only visited them during tax drives. In addition, they complained of poor social amenities and neglect by the Wukari Local Administration. Finally, they pleaded that they would be better catered for from Jos than from Yola.

144. Opposed to the above contentions were the pro-Gongola State elements who said the request for merger was mooted by disgruntled individuals who had failed to get their candidate elected as the District Head of Dampar. They described the move as unpopular but did not dispute the fact that the area lacked essential amenities.

145. In a similar vein, the Wase people argued for the merger of Amar and Kambari with Plateau State along the same lines as in the case of Dampar and Sarkin Kudu. They claimed common ancestral descent and lack of basic amenities as cause for merger and expressed strong feelings that their interests would be better served if they were merged with Plateau State.

146. On the other hand, the pro-Gongola elements who opposed the merger said it was inspired from outside. They argued that the two areas had been with Muri Division for a long time and had received their own fair share of amenities under the Muri Local Administration. For the sake of continuity, they would want both Amar and Kambari to be left in Gongola State.

147. After a very careful consideration of the submission before it by those interested in the proposed merger of Dampar, Sarkin Kudu, Amar and Kambari with Plateau State the Commission was convinced that the problems of the four areas were not the same. The Commission felt that both Dampar and Sarkin Kudu were faced with similar problems, including dependence on the Plateau State side of the River Benue for their economic sustenance. It felt, therefore, that the interest of the two areas would be better served by their merger with Plateau State.

148. In the case of Amar and Kambari, the Commission was of the opinion that in the interest of a neater State Boundary and for easier administration it would be better to have a boundary that would run "along the stretch of River Benue from near Tunga in the West to the Pai River in the East and following that river from its confluence up to Tongo." That would put Amar and Kambari in the Plateau State.

Government does not accept this recommendation because the new Local Government System is capable of taking care of the peculiar needs that have led to the above demands for merger with Plateau State.

Request for the Adjustment of the Boundary between Wukari Division in Gongola State and Katsina-Ala Division in Benue State

149. A number of villages largely inhabited by Tivs in the Wukari Division of Gongola State made a demand for excision from that state and request for merger with Benue State. Amongst them were Kashimbila, Sai, Chunku, Chanchanji, Riti, Dogon Gawa, Fyayi, Kente, Afufu and Akwanā.

150. The Tivs who claimed to constitute seventy-five per cent of the total population of the area maintained that their demand for the adjustment of their boundary with the Junkus had a long history ; they said it dated back to the days of the wrongful "ring fence policy" of one colonial administrator. That administrator, they explained, put the Tivs in Wukari Division rather than in Ibi Division, in an attempt to protect the Junkus from being engulfed by the Tivs. Since then, they contended, they had been denied basic amenities and a voice in the administration of their area.

151. On the other side, the supporters of Gongola State, a great majority of whom were Junkus, said they settled in Wukari since the 13th century, four centuries before the Tivs whom they alleged came in intensified search for rich farmlands. They contended that the present boundary between the Wukari Division and the old Tiv Division, of which the Katsina-Ala Division was a part, was delimited between 1922 and 1932 ; and was marked with such features as heaps of laterite, and stamped trees. These features, they alleged, were destroyed during the Tiv Riots of 1960-64. They urged the Commission to ensure that they were given easily indentifiable boundaries by beaconing them with permanent structures. They denied that Tivs were deprived of amenities and representation in local administration by mentioning where amenities were provided and the names of Tivs in their local administration.

152. The Commission having considered carefully the Tiv demand for excision from Wukari Division said it was convinced that the problem arose from the unique migration pattern of the Tivs which was tied to their style of farming and settlement which required the use of vast expanse of land. The Commission remarked that even though the Tivs were settlers, they had outnumbered the Junkus and had become inextricably linked together. To ensure peace and harmony in the area the Commission recommended that :—

(a) the border villages of Sai, Vaase and Gbeji and possibly Abako be merged with Benue State since they were largely inhabited by Tivs ;

(b) Kashimbila be merged with Benue State since it was on the Tiv side of the Katsina-Ala River ;

(c) devices be worked out to evolve a more compact form of settlement for the Tivs to make them live in integrated villages. That would ensure the provision of amenities and enhance a more rational use of farmland for co-operative farming.

Request of the merger of the Longudas of Nyuware, Walae and Jessu in Bauchi State with Gongola State

153. Representations were made before the Commission by the Longudas of the three villages of Nyuwari, Wala and Jessu in Tangale-Waja Local Authority in Bauchi State. Specifically, they asked for merger with Gongola State which had 32 Longuda villages on two grounds. First, they asked for merger to enable all Longudas perform their traditional ceremonies and festivals together. Second, they felt that their area would stand a better chance of development in Gongola State unlike in Bauchi State where they said they had been neglected.

154. The pro-Bauchi State elements, on the other hand, argued that since the ancestral home of all Longudas was in Wanda, Bauchi State, then all those Longudas in Gongola State should be merged with Bauchi State. They did not see how the existence of Longudas in two States could have disrupted their customs. On the issue of amenities, they stated that all Longuda areas were adequately catered for.

155. The Commission noted that most of the memoranda that it received supported merger with Gongola State. It further observed that some of the authors of these memoranda changed their minds when they were heard by the Commission. The Commission was convinced, however, that the great majority of Longudas "would be happier and have a sense of belonging in Gongola State". It therefore recommended that "Nyuware, Wala and Jessu village areas in Bauchi State should be merged with Gongola State."

Government rejects this recommendation as it is not necessary for all Longudas to be in one State before they are able to perform their religious festivals together.

Request for the merger of Kwaya Tera District in Borno State with Bauchi State

156. The proponents of merger of Kwaya Tera District of Borno State with Bauchi State were mostly the Jeras and the Teras although in the thirteen villages of Kwaya Tera District, there were also the Baburs and the Fulanis. They asked for merger with Bauchi State where their kith and kin live because they said they lacked opportunities and amenities in Borno State. They felt that despite the fact that they had been protesting for so long, their more than fifty years of association with Biu Division had yielded nothing of importance.

157. On the other hand, the pro-Borno State elements said the demand for the merger of Kwaya Tera with Bauchi was master-minded by outsiders from Gombe in Bauchi State. They labelled the demand as unpopular and motivated by the alluvial land of the Gongola valley with the tomato factory on it, to Bauchi State. They claimed that the Teras and Jeras were fully integrated with other communities in the area.

158. The Commission carefully examined the issue and was satisfied that the various tribes in that area co-existed harmoniously and it would be an onerous task to try to excise any part of it. In addition, it also rejected the request for merger on the ground that neither the Teras singly or together constitute the majority in the area. However, the Commission was convinced that the major cause of the demand for merger with Bauchi State was the dearth of amenities in the area. The Commission was not convinced that a strong case had been made to justify excision of the Teras and Jeras from Borno State and their merger with Bauchi State. They therefore recommended no boundary adjustment in that area.

Government accepts this recommendation.

Request for the merger of Shani Division in Gongola State with Borno State

159. The Kanakurus who speak the Dera language and share a common culture inhabited the districts of Shani and Shelleng in Gongola State where they were the dominant tribe. They claimed a common culture, history and tradition with Borno people and expressed strong feelings that if they had been consulted, they would not have been merged with Gongola State. They said they were fraudulently represented before the Irikefe Panel by some Shani elements. In their representation before the Panel, they said their retention in Gongola State would defeat the objective of bringing government closer to the people. Furthermore, they expressed the feeling that there would be a quicker development of their area, if they should be allowed to go with Borno State.

160. The proponents of Shani-in-Gongola State said there was a long history behind the demand to unify Shani and Shelleng districts under a common Government. They said it was a fulfilment of their dreams and a rare opportunity to unify all the Kanakurus when Gongola State was born. Finally, they pleaded that on grounds of geographical contiguity, cultural affinity, historical ties and the sincere desire of the people, Shani district should be allowed to remain in Gongola State.

161. After a careful examination of the evidence before it, the Commission was satisfied that there existed a deep-rooted dislike between the Shani and Shelleng Kanakurus, which they thought might have stemmed from historical rivalry. The commission therefore recommended that "Shani District should be excised from Numan Division and merged with Biu Division in Borno State whilst Shelleng District should remain in Numan Division of Gongola State.

Government accepts this recommendation.

Request for the merger of the Marghis in Uba District in Borno State with Gongola State

162. Prior to the creation of the 19 States, the Marghis who were found in the Uba, Kilba and Gauda Districts of Adamawa Province, and in Gwoza, Madagili and Michika Districts of Saradauna Province requested that all Marghis be grouped into an administrative unit in one state. The Irikefe Report said other ethnic groups in those districts did not make their feelings known. On the recommendation of the Irikefe Panel, the Federal Military Government approved that only Uba district with a high concentration of Ubas be part of Borno State.

163. The Pro-Gongola State elements submitted to the Commission that Uba District was put in Borno State through the agitation of Northern Marghi Kopchi intellectuals who were related to Marghis in Damboa, Borno Province, and that Southern Marghis and other less educated tribes were never consulted. They contended that Uba District was in Adamawa Province and said it would be unfair to take Adamawa land to Borno ; an action they likened to landlords being taken over by tenants. They also argued that at least South Marghis, if not the whole of Uba District, should be merged with Gongola State.

164. On the other hand, the Borno State supporters maintained that the vast majority of Marghis and other tribes wished to be left in Borno State. They argued that Uba District was mainly inhabited by Marghis and contended that only a few Fulanis were master-minding the demand that the District should join Gongola in the hope that Uba District Heads might be appointed from Yola as in the past. Lastly, they mentioned the fact that Uba District had a long history of close Economic ties with Maiduguri and that Civil Servant from that District serving in other parts of the State were happily settled.

165. On the face of the evidence before it, the Commission was convinced that the Marghis formed the substantial majority in the Uba District and that the vast majority of the people of Uba wanted to remain in Borno State. The Commission further noted that there was a strong move by the Mirnyi and other small groups to be excised from Borno State and merged with Gongola State. It therefore recommended that :—

- (1) Uba District, less the Mirnyi area, should remain in Borno State.
- (2) The Mirnyi area be excised from Borno State and merged with Gongola State.

166. Government accepts this recommendation. However, the boundary should be as shown in map B.A.C. XXXVII subject to the new South Eastern boundary of Borno State commencing from the highway immediately South of Kuzum and running along the highway to the West of Fugo to join the new Southern boundary of Borno State.

Request for the merger of Madagali District with Borno State

167. The Madagali District of the Northern Division of Sardauna Province in Gongola State, together with the rest of Sardauna province, demanded to be constituted into an Adamawa/Sardauna State or a Sardauna State before Irikefe Panel. Madagali District was in fact put in Gongola State. The proponents of the merger of Madagali District with Borno State advanced almost the same arguments as the Marghis who wanted Uba District to remain in Borno State, such as the Marghis having about 70 per cent of the district population and other factors as common culture and history with other Marghis in Borno State. They complained of oppression by the Gongola State authorities of the non-Fulani elements in the District. Finally they claimed that the vast majority of the tribes in the District including 14 of the 17 village heads, (13 of them being Marghis) wanted to be merged with Borno State.

168. The Pro-Gongola State supporters said all the multi-tribal elements of the Madagali District were happy together in Gongola State. They labelled the Pro-Borno State elements as tribalists who did not care for the sentiments of other tribes whose combined population, they said, outnumbered that of the Marghis. Finally, they submitted that majority of the people of Madagali and the two District Heads and village heads were in support of the retention of Madagali District in Gongola State.

169. The Commission deliberated on the various testimonies before it and was of the view that the case for merger of Madagali District in Gongola State with Borno State was not proved. Furthermore, the Commission found that opinion was evenly divided amongst the Marghis and that quite a good number did not want to be merged with Borno State. In addition, the majority of people from the other eleven tribal groups preferred to remain in Gongola State. The Commission therefore recommended that the *status quo* be maintained.

Government accepts this recommendation.

Requests for the Adjustment of the Boundaries of Kaduna State

170. The Commission got two requests from Kaduna State for the adjustment of that State's boundary. Alhaji Sir Usman Nagogo, Emir of Katsina and some of his leading subjects were the authors of one while the second demanded the merger of Gwantu, Nirizem and Ayu with Plateau State.

171. The Commission's first reaction was to view the first request as a "back door" demand for another State which the Commission felt was outside of its terms of reference. The Commission wanted to consider the second which was strictly within its terms of reference but before it got to Kaduna, both petitioners had written to withdraw their memoranda following the discussions that they had with the Military Government of Kaduna State.

172. Despite the withdrawal of the memoranda, the Commission wished to draw the attention of the Federal Military Government to chapter 14 of the Irikefe Report on the Creation of States where Zaria people alleged that there was a "serious loss of faith between Katsina and Zaria Provinces and to a similar memorandum before it in which Katsina people lodged a similar complaint."

Government notes the Commission's observations.

INTRA-STATE BOUNDARY DISPUTES

Request for the Settlement of the Boundary between Ago-Iwoye and Oru in Ogun State

173. There was a dispute involving the four neighbouring villages of Oru, Awa, Ilaporu and Ago-Iwoye. Whilst the first three villages were in the defunct Ijebu Northern District Council, the latter belonged to the former Ijebu North-Western District Council. Both in memoranda to the Commission and at a hearing Oru asked that Ago-Iwoye be made to respect

want tenement rates in respect of all houses on the Oru side of the Eripa stream paid to Oru. Lastly Oru would want all persons living on her side of the stream to be counted as part of Oru Community. Besides the above three conditions, Oru insisted that Ago-Iwoye should recognise that Oru, Awa and Ilaporu group of villages jointly owned the village of Mamu.

174. Neither side contested the fact the Eripa stream represented the traditional boundary. What was at dispute was whether the fact that some Ago-Iwoye indigenes bought lands on the Oru side meant that the said parcels of land had lost their Oru Character. As evidence of that, the Commission found evidence that the people of Ago-Iwoye who bought parcels of Oru land and built on them processed their building plans at Ago-Iwoye. The Commission saw this as a concerted attempt by them to abandon their traditional boundary. On the Mamu issue, it was established that prior to 1958, the villages of Oru, Awa, Ilaporu on the one hand and Ago Iwoye and Mamu on the other, were all in the same District Council with Ago-Iwoye as the headquarters.

175. Ago-Iwoye people were found by the Commission to have unduly capitalised over the sale of parcels of Oru land to them by seizing the opportunity to arbitrarily shift their administrative boundary. The Commission further observed that Oru and Ago-Iwoye belonged to different District Council areas. The Commission, therefore, recommended that Eripa stream should be both the administrative and traditional boundary between Ago-Iwoye and Oru. It has accordingly advised the Ogun State Government to effect that for the peace of the area.

176. Having found that Mamu and Ago-Iwoye had always been in the same District Council area, it recommended to the Ogun State Government that Mamu and Ago-Iwoye should remain in the same District. Government notes the Commission's advice to Ogun State Government to note the intra-state recommendations.

Request for the adjustment of the Boundary between the Towns of Share and Saragi in Kwara State

177. The dispute arose because of an ill-defined boundary between the Shares (mostly Yorubas) and the Sharagis (mostly Nupes) and over the ownership of nine villages transferred to Share during a 1946 re-organization exercise. Share disputed Sharagis claims to these villages and asked instead that the village of Kangye be taken from Sharagi and annexed to her.

178. Both sides claimed that on historical grounds, they were the first to settle there but the Nupes admitted being out-numbered by the Yoruba Shares. When both communities were part of Ilorin Division, there was a minimal friction but when the two communities found themselves in different Administrative Divisions, their relationship became gradually strained.

179. The Commission carefully examined both claims and made a physical inspection of the two towns and their boundary areas before it came to the view, and accordingly recommended to the Kwara State Government, that the boundary between the two towns be effectively demarcated. It further advised the Kwara State Government to return the nine disputed villages to the Sharagis if they were proved to be Nupe villages. Government notes the Commission's advice to the Kwara State Government.

Request for the merger of Baro with Lapa Emirate in Niger State

180. A memorandum from Lapai made the Commission to visit and hold public sitting at Baro. The memorandum said that Baro was part of Lapai Emirate until 1921 when it was transferred together with the District Office to Agaie. Besides calling upon the Commission to reverse the 1921 transfer of Baro to Agaie, the memorandum further called upon it to help nullify the exchange of Akwanu village in Lapai Local Authority with Takuti Shaba village in Agaie.

181. The non-appearance of the memorandum's authors or any person from Lapai at the Commission's sitting in Baro to speak for or against the issues raised in the memorandum convinced it that the demand for the return of Baro to the Lapai Local Authority was devoid of merit. The Commission, nevertheless, communicated its views to the Niger State Government. Government notes the Commission's views and the advice rendered to the Government of Niger State.

Request for the merger of Paiko and Kafin with Lapai Emirate in Niger State

182. The Commission received a memorandum very similar to the above one in which the authors adduced similar reasons in support of their request that Paiko and Kafin be excised from Kuta Local Authority and merged with Lapai Emirate.

183. On the strength of the memorandum, reinforced by the desire to ascertain the true wishes of the people of the area, the Commission held a well publicised public meeting at Paiko which was well attended. Like the fruitless sitting at Baro, none of the petitioners came to testify at Paiko.

184. The Commission was satisfied that the request for merger of Paiko with Lapai Local Authority was utterly devoid of merit. It, therefore, recommended no change in the existing set up of the area and had accordingly made its views known to the Niger State Government.

Government notes the Commission's views on the issue and the advice tendered to the Niger State Government.

Request for the Excision of Tangale-Waja Land from Bauchi Local Authority and Gombe Local Authority and their Merger with Tangale-Waja Local Authority

185. The proponents of Tangale-Waja irredentism asserted that they were the original settlers and indeed lawful owners of the areas claimed which stretched to areas currently under the jurisdiction of both the Gombe Local Authority and the Bauchi Local Authority. The error, the Tangales claimed occurred in 1922 when the colonial administration acted out of ignorance and gave out their territory to Bauchi and Gombe Local Authority Areas. They contended that except in Futuk and Kashefe in Bauchi and Gombe Local Authority areas respectively, the Tangales constituted the majority in the other villages.

186. In reply, the spokesmen for Bauchi and Gombe Local Authority areas said the Tangales were, in fact, conquered by the Gombe Fulanis. They said the essence of the 1922 colonial demarcation was to define an administrative and missionary area for the Tangale-Waja Local Authority. The Gombe Local Authority denied ever discriminating against Tangale-Wajas.

187. Having carefully considered the views of the various parties, the Commission found that the claims by the Tangale-Waja Local Authority against both Bauchi and Gombe Local Authorities were devoid of merit. It concluded that the issues raised would be best taken care of by the Local Government Reforms and it had so advised the State Government.

Government notes this view.

188. On the strength of observations made and information gathered in the course of its assignment the Commission made some special comments aimed at assisting Government in the implementation of its assignments.

(i) *Town and Country Planning*

189. The Commission believes that the movement of people from one area to another, is not unconnected with their need for arable land. The fact that the farmers live in hamlets and scattered compounds makes it difficult for them to enjoy some basic amenities which a State Government can ill-afford to stretch over a wide area.

190. The vast majority of Nigerians live in the country-side and those who leave for the Urban Centres in search of the good things of life are almost certain to worsen the sociological problems of the cities. The Commission is of the view that a sizeable portion of our oil wealth should be used to modernise Agriculture. It was the opinion of the Commission that Town and Country Planning should not be restricted to the Urban Centres, but should also be extended to the rural areas and applied to Agriculture.

Government accepts this recommendation and is now producing countrywide up-to-date 1 : 25,000 scale maps and will assist all the states to ensure effective town and country planning.

(ii) *Double Taxation*

191. Testimonies before the Commission and various memoranda suggested the practice of double taxation in some parts of the country. The Commission strongly condemned it as unfair and unjust. It recommended its abolition and asked that efforts be made to ensure an unimpeded movement of persons and goods across inter-state boundaries.

Government accepts this recommendation.

(iii) *Boundaries Demarcation*

192. The Commission laments the prevalence of ill-demarcated boundaries, even in those areas where the parties concerned have agreed to it. There is therefore the need for a new approach to the determination of boundaries not only with our neighbours but within Nigeria itself. The need is more compelling especially with the proliferation of States. It therefore recommends that the Federal Surveys Department should "demarcate and maintain all the inter-state boundaries and that the State Surveys Department should demarcate and maintain other administrative boundaries within the State."

Government accepts this recommendation.

(iv) *Tenurial Right*

193. In the conduct of its investigations, the Commission was informed that undue obstacles were placed on the ways of Nigerians who wished to "own, transfer or acquire land" leading to frictions between groups. The Commission regarded it as inimical to the development of that sense of belonging to one and the same nation so crucial to the building of a united Nigeria.

Government shares the Commission's concern and notes that tenurial right is one of the principles in our Constitution and the Federal Military Government is determined to enforce it whenever it is breached.

KAKUMO-AYANRAN CLAN

194. The Kakumo-Ayanran clan which is situated on the eastern bank of River Osse is made up of the two villages of Kakumo-Aiyakoba and Ayanran. It has had a long association of administrative togetherness with the Akoko-Edo Division of Benin Province. Being a border community, it has been exposed to dual culture but the Yoruba culture apparently predominates.

195. The proponents of merger with Ondo State said they were making the demand on four grounds. First, they said the boundary had the deleterious effect of grouping three of their villages with Bendel State while leaving two in Ondo State. Secondly, they said the British colonisers acted in bad faith by grouping people without considering the effect upon them. Thirdly they said they had historical and cultural reasons for making their demands. Fourthly, they complained of neglect in the provision of essential social amenities.

196. On the other hand, those elements of the area who were contented with their stay in Bendel State said the two villages had been associated with Benin Province for over a century and said the demand for excision and merger with Ondo State was unpopular. In addition, they argued that the Osse River had been accepted by all as the natural boundary between the two groups. They argued that their new administrative status—Clan Development Council would bring them the benefits of good administration.

197. The Commission found that Kakumo's complaint of neglect was not without foundation. Yet it was convinced that demand for actual excision and merger with Ondo was rather feeble. It was convinced based on the agitators testimonies, that they would be silenced the minute they were provided with amenities. It therefore recommended that Kakumo should continue to be in Bendel State.

Government accepts this recommendation.