Borderlines, Natural Resources and Conflicts

Towards a Territorial Materialism of Boundary Disputes in East Africa

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This article examines the essence and basis of boundary disputes in East Africa. By way of a case-study approach, guided by the theory of territorial materialism, the study observes that the 'colonial causation' narrative, exemplified in the ethnic partitioning/disintegration hypothesis, does not wholly explain contemporary boundary/border disputes in East Africa, but also elsewhere in the continent. The article posits that contemporary boundary disputes in the focal area are largely associated with territorial struggles motivated by the quest for the control of geostrategic and economic resources on the affected borderlines and frontiers. The article also proposes a sub-regional mechanism for border governance and security as the way forward.

Keywords: boundary, border, borderline, boundary disputes, natural resources, East Africa

Introduction

The contemporary world order is based on the Westphalia state system. One of the essential attributes of this state system is boundary. Boundary is significant in this context because it determines the confines of a country's sovereignty by delineating its territorial and juris-

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dictional sphere. Beyond this, boundary also defines and assigns national identity. Hence, 'a nation-state's boundaries put people under one entity, define their lifestyles and national culture including language, destiny, privileges, etc'.[1] Apart from assigning national identity, a boundary constitutes what Issa-Salwe[2] has described as 'the external shell of the state'. Issa-Salwe adds that preservation of this shell 'has come to be associated with self-preservation of the state'.[3]

Over the years, the issue of boundary has been a veritable subject of intentional relations and strategy. In this context, it has been prominently recognized, rather paradoxically, as a bridge as well as a barrier to international peace and stability.[4] As a bridge, international boundaries have provided a platform for legitimate transnational activities, especially in the area of trade and migration. But as a barrier, boundaries have served as an avenue for trans-border criminality and violence.[5] Most importantly, boundaries have, over the years, provided a 'fault-line' for international conflicts.

In Africa, boundary politics and conflicts have been an essential aspect of the dialectics of state building and/or state transformation.[6] The colonial imposition of the African boundary system, the arbitraries and artificiality of such a boundary regime, as well as the abusive boundary politics played by political elites in many African States in the post-colonial era have complicated the boundary question in Africa. In East Africa, which is by design the focus of this study, boundary politics has engendered a dialectical scenario that mirrors the hypothetical Marxian 'unity and conflict of opposites'. Thus,

> Boundaries in East Africa reflect compromises by colonial and postcolonial authorities to stabilize human habitation within territorial spaces. Although creatures of human contrivances, these boundaries have evolved into natural formations that delimit the external reach of power and delineate citizenships. Over the years, the instability occasioned elsewhere in Africa by border conflicts has dissipated in Eastern Africa, lending some semblance of permanence to existing boundaries.[7]

Needless to say, the East African region has witnessed conflagrations arising from boundary-related conflicts over the years. What is the incidence of boundary disputes in this region? What are the material underpinnings of the disputes? These analytical questions capture

the main thrust of the article. To make good its purpose, the article undertakes a descriptive analysis of selected international boundary disputes in East Africa with a view to leveraging on extant narrative towards advancing a territorial materialist interpretation.

For convenience of systematic presentation, the remainder of the article is structured under the following broad themes: methodology, scope and conceptual thrust; theoretical framework; brief description of East Africa (as a context of study); overview of boundary disputes in East Africa; Territorial materialism of boundary disputes in East Africa; and conclusion.

Methodology, Scope and Conceptual Thrust

The article is a descriptive analysis of the essence and basis of the contemporary boundary disputes in East Africa from 1960 to 2010, based on a case study approach. It has derived its data from secondary sources, comprising academic and policy-based literature. The central argument is that boundary disputes in the focal area have been driven by material contestations that bear on strategic economic interests of states. This argument is anchored on the theory of territorial materialism with the intent to proffer a systematic analysis of the strategic cum material underpinnings of border-related disputes in the focal area, nay elsewhere in Africa. The substance of analysis in the article is schematically laid out under select themes and sub-themes carefully formulated to aid systematic presentation.

The locus of the study is the East African region, which generally embodies countries on the Horn of Africa (Ethiopia, Eritrea, Djibouti, and Somali) and those of the African Great Lake Region (Burundi Kenya, Rwanda, Tanzania, Uganda, and South Sudan). This region constitutes one of the most critical hotbeds of territorial conflict in Africa. The study considers the subject of boundary disputes from the standpoint of inter-state and intra-regional relations, with emphasis on the period of 1960 to 2010.

The scope of the article encompasses both the land-based and maritime boundary disputes in East Africa, although the former has been prioritized in view of its preponderance in that context. Within the stated purview, the study restricts its coverage only to instances of conflicts that have elicited significant governmental diplomatic or military engagements, either at bilateral or multilateral levels.

With regard to the conceptual thrust of the article, four key terms constitute the operational framework, namely boundary, borderline, natural resources, and boundary dispute/conflict. For the purpose of conceptual clarification and shared understanding, these terms are considered in turn below.

a. ***Boundary:*** The term 'boundary' refers to a line that marks and defines the confines of a state, distinguishing its sovereign territory from those of others.[8] A more elaborate conceptualization of boundary has been given by Okumu[9] to the effect that:

> It defies the physical limits of a state's territorial and physical jurisdiction. Boundary systems may be classified as fixed or general. A fixed boundary is one that has been accurately surveyed such that if marking or beacon is lost, it can be replaced in the same position by accurate survey measurements. A general boundary is one where the precise line of the legal boundary between adjoining land portions is left undetermined.

The conception of boundary in this article is restricted to its international understanding. An international boundary is one which is mutually agreed upon and jointly owned by the countries involved.[10] It is arrived at through a mutual and consensual process of delimitation (delineation) and codification, whereby the states involved agree on the terms and features of demarcation.

b. ***Borderline:*** The word 'border' refers to a 'territory adjoining the boundary', wherein the lives of 'the inhabitants are influenced by interactions with their neighbours on the other side of the boundary.[11] Borderline is, therefore, a stretch of geo-spatially recognized line that divides two or more sovereign territories on a common international frontier. In the context of this article, the notion of borderline is used as a standard synonym of boundary. Both concepts are thus used interchangeably.

c. ***Natural resources:*** 'This refers to renewable and non-renewable materials that occur in nature and are essential or useful to humans, such as water, air, land, forests, fish and wildlife, topsoil, and minerals'.[12] They are renewable if they can be replenished over time by natural processes, especially if used prudently. On the other hand, they are non-renewable if they are available in a finite disposable quantity.

*d. **Boundary dispute:*** This is a disagreement between two or more states arising from incompatible claims over a contested boundary. Boundary disputes exist when states pursue territorial claims over a borderline, with the central governments intervening either diplomatically or militarily.[13] Although territorial in nature, boundary disputes are often motivated by delicate geo-strategic and economic concerns that bear essentially on the exigencies of state preservation or survival.

Boundary disputes reflect an essential contradiction of boundary politics. The latter has to do with the totality of claims, stakes, interests and contestations that underlie the process of boundary relations (delineation, demarcation, adjustment and legitimatization). In other words, it refers to the quest for territorial competitive advantages by two or more contiguous states within a common frontier. Boundary politics is a high stakes activity that often involves a great deal of bilateral and/or multilateral diplomacy, the failure of which may result in militarism.

Theoretical Framework: Towards a Theory of Territorial Materialism

A dominant theoretical perspective on boundary politics and conflict in Africa holds that boundary disputes are inevitable creations of colonialism. This perspective posits that the imperialist scramble for Africa materialized in a sort of senseless territorial grabbing, leading to arbitrary and artificial partitioning of Africa into slices of colonial spheres of interest.[14] Representing this perspective, Aghemelo & Ibhasebhor[15] succinctly observe that:

> In the successive phases of the European partitioning of Africa, the lines demarcating spheres of interest were often haphazard and precipitately arranged. The European agents and diplomats were primarily interested in grabbing as much African territory as possible and were not duly concerned about the consequences of disrupting ethnic groups and undermining the indigenous political order.

Hence, by slicing up homogenous cultural groups and lumping up cultural divergent groups, colonialism created a problematic state cum boundary system that has remained susceptible to territorial conflicts.

This has found expressions in the incidence of boundary disputes and irredentist struggles in post-colonial Africa.[16]

Implicit in the above theoretical standpoint is the assumption that the problem of boundary dispute in Africa today is a colonial carryover. This assumption, however, is no longer very plausible and sustainable. To be sure, post-colonial states in Africa have virtually accepted the inherited boundary system as legitimate and even sacrosanct.[17] Again, territorial conflicts in post-colonial Africa have so far seldom betrayed the contradictions of ethnic partitioning, nor have they generally manifested the logic of irredentism.[18] More importantly, the incidence of territorial conflict in Africa has been significantly relatively low, in spite of the preponderance of 'externally imposed and artificial' boundaries.[19] As aptly observed by Goemans and Schultz,[20] 'African borders slice through a large number of ethnic and linguistic groups, and yet conflicts and relatively rare, suggesting that the effect of ethnic partition(ing), if any, must be contingent on other factors'.

Hence, the argument about the 'colonial contrivance and imposition' of African boundary system as the cause of boundary disputes in the continent is not enough to offer a comprehensive explication of the contemporary nature and basis of boundary dispute in that context. There is, therefore, a need to come up with a perspective that transcends the 'colonial causation' narrative in order to make for a more plausible understanding of the subject matter. It is in the light of this understanding that this article proposes the theory of territorial materialism, not, though, as an alternative theoretical perspective, but as a consummation of the colonial causation account. The theory of territorial materialism is predicated on the existing literature on territorial conflict and/or security.[21] The theory holds that states and statesmen (political leaders) 'contend and fight for territory' for geo-strategic material advantage.[22] This implies that the motive behind most contemporary territorial conflicts is the quest by states to pursue strategic material advantages along their common territorial frontiers. So, in most instances of boundary disputes in Africa, what is at issue is the tendency for states to fight over borderline territories for its geo-strategic economic value.[23]As we shall see in the subsequent case studies (ahead herewith) this theoretical standpoint is apposite in understanding the contemporary dynamics of boundary related disputes in East Africa today.

The theory of territorial materialism as it applies to this article is not a total novelty. Epistemological foundations of the theory could be derived from the realist school of International Relations, which posits 'that nations act only out of self-interest and that their major goal is to advance their own positions of power in the world.'[24] The theory is

Table 1: Core states of East Africa

Country	Location	Remarks(s)
Tanzania	Central East Africa	Part of the Great Lake Region
Kenya	Central East Africa	Part of the Great Lake Region
Uganda	Central East Africa	Part of the Great Lake Region
Rwanda	Central East Africa	Part of the Great Lake Region
Burundi	Central East Africa	Situated in the Horn of Africa
Djibouti	North East Africa	Situated in the Horn of Africa
Eritrea	North East Africa	Situated in the Horn of Africa
Ethiopia	North East Africa	Situated in the Horn of Africa
Somalia	North East Africa	Situated in the Horn of Africa
South Sudan	Central East Africa	Situated in the Nile Valley

Source: Authors' compilation from relevant literature.

Table 2: Peripheral states of East Africa

Country	Location	Remark(s)
Comoros	Indian Ocean	Sovereign island
Mauritius	Indian Ocean	Sovereign island
Seychelles	Indian Ocean	Sovereign island
Reunion	Indian Ocean	French Oversea territory
Mayotte	Indian Ocean	French Oversea territory
Mozambique	South-Eastern Africa	Also part of Southern Africa
Madagascar	South-Eastern Africa	Also located on the Indian Ocean, with ties to Southeast Asia
Malawi	South Eastern axis of East Africa	Often included in Southern Africa
Zambia	South Eastern axis of East Africa	Often included in Southern Africa
Zimbabwe	South Eastern axis of East Africa	

Source: Authors' compilation from relevant literature.

an attempt to innovate the application of the realist school within the calculus of international geo-politics and strategy.

A Brief Description of East Africa

To properly situate the analytical context of the study, it is germane to present a brief description of East Africa. Also known as Eastern Africa, East Africa refers to the easterly region of the African continent.[25] The notion of East African is ambiguous because it has both geographical and geo-political understanding.[26] Tables 1 and 2 are instructive in this regard.

Table 3: Incidents of armed conflict in East Africa

Country	Conflict
Ethiopia	Civil
Eritrea	War of independence
Eritrean/Ethiopian	Eritrean-Ethiopian War, 1998 – 2000
Ogaden (Ethiopia)	Ogaden War, 1977 – 1978
Somali	Civil War, 1991 – 2009
South Sudan	Second Sudanese Civil War, 1983 – 2005 Internal Politico-ethnic conflict, 2011 – date South Sudanese Civil War, 2013 – 2015
Burundi	Burundi Civil war, 1993 – 2005 (with Hutu genocide in 1972 and Tutsi genocide in 1993)
Uganda/Tanzania	Uganda – Tanzania War, 1978 – 1979
Uganda	Ugandan Bush War 1981 – 1986
Uganda, Congo DR South Sudan	Lord's Resistance Army insurgency (ongoing)
Rwanda	Civil War (Rwanda), 1990 – 1993
Tanzania	Zanzibar Revolution, 1964
Congo DR (outside Southeast Africa but with Southeast African participation)	First Congo War, 1996 – 1997

Source: Authors' compilation from relevant literature.

Table 1 indicates countries that constitute the core of South East Africa from the wider geographical point of view while table 2 highlights countries that are often considered parts of south east Africa in generic geo-political terms.

East Africa has been a critical hotbed of international conflict. It has recorded dire incidents of war-lord insurgency, guerilla warfare, genocide, terrorism, civil war, and inter-state war.[27] Table 3 gives useful insights in this respect.

A significant number of conflicts in East Africa (see table 3) are territorial and boundary-related. Many more have been complicated by failure of border governance and security.[28] Cases in point include the Ethiopian-Eritrean War (1998 – 2000) and South-Sudanese conflict.

Boundary Disputes in East Africa: Towards a 'Territorial Materialism' Interpretation

The sub-continental sphere of East Africa has been particularly conflict ridden. The region has witnessed various dimensions of armed conflict over the years, ranging from conventional to unconventional wars.[29] The incidence of armed conflict in the region has threatened the peace and stability the Horn of Africa as well as the upper Great Lake Region.[30] With reference to the Horn of Africa, Anebo[31] has opined that:

> There is unresolved tension between Ethiopia and Eritrea, South Sudan and Sudan, Ethiopia and Somalia, Eritrea and Djibouti, Somalia and Kenya... Ethiopia and Somalia had undergone shattering effects of wars in 1970s... Shortly after seceding from Ethiopia, Eritrea wrestled with multiple border related wars. The boundary was between Eritrea and Yemen, Ethio-Eritrea boundary conflict of 1998–2000, boundary conflict between Djibouti and Eritrea not only left permanent scars.

The situation has also largely been the same in Africa's Great Lake Region, with the spate of land and maritime boundary related issues. Cases in point include the Tanzania-Malawi border conflict (since 1967), the Uganda-Tanzania border conflict (since 1967), the Zambia-Malawi border conflict (1968-1986), and the recent Kenya-Uganda dispute over Migingo Island (since 2008).

Although a dominant perspective in the existing literature on border conflict in Africa suggests that boundary disputes on the continent are a result of contradictions of ethno–communal splitting and disintegration arising from colonial partitioning,[33]such a perspective only

Table 4: Catalogue of boundary-related disputes in East Africa (1960s – 2010s)

States	Years	Description of Dispute
Djibouti – Eritrea	1995	Eritrea claimed a portion of Northern Djibouti on the basis of the 1995 Laval Mussolini agreement
Zaire-Zambia	1980	A dispute arose over the location of the tri-point with Tanzania in Lake Tanganyika, leading to two versions of the straight line segment from Tanzania to Lake Mweru
Ethiopia-Eritrea	1998	A dispute arose over difference interpretations of colonial era treaties
Ethiopia-Sudan	1966 – 2002	Ethiopia claimed two regions along the border known as the Fashqua and Umbrega triangles
Kenya-Somalia	1963-1981	Prior to Kenya's independence Somalia, claimed Kenya's Northern Frontier District. Upon independence, this region was reorganized and Somalia inhabited region became the North Eastern Province
Kenya-Sudan	1963-date	Kenya's claims the Ilemi triangle, a region north of the straight line border drawn in 1914. While several alternative borders have been proposed, the Kenyan claim, and de facto control, typically extends to the red line boundary demarcated in 1938.
Somalia-Ethiopia	1960-date	Somalia claimed the Ogaden region of Ethiopia, a region inhabited by ethnic Somalis. The region did not have a precise geographic definition, but was instead defined ethnically. Today, it corresponds closely with Ethiopia's Somali region.
Tanzania-Malawi	1967-date	Tanzania claimed that the border follows the median line of Lake Nyasa from the point where the River Songwe meets the lake.
Uganda-Kenya	1976	Uganda asserted a claim to parts of Western Kenya that has been transferred from the Ugandan Protectorate by the British in 1902 and 1926.
Uganda-Tanzania	1974-1979	Uganda claimed the Kagera Salient, a patch of land south of its border and north of the Kagera River.

Zambia-Malawi	1968-1986	Malawi claimed that its border with Zambia should be the Luanga River. Additional border flare ups have happened in this region, though it is not clear what their relation is to the larger claim.
Kenya-Ethiopia	Resolved in principle in 1963	Dispute over Gadaduma Wells between the two states
Kenya-Uganda	2008-date	Border conflict over Migingo island

Source: Geomans & Schultz (2013), pp. (A1-A9) with authors' slight update

forms a point of departure to the understanding of boundary disputes in this article. In effect, while arbitrary disintegration of ethnic groups which defined colonial boundary-making has been a culpable factor in the boundary disputes in East Africa, and whereas this seems to have complicated border crisis as in the cases of Somalia and Ethiopia (1960, ongoing) and Somalia and Kenya (1963-1981),[34]contemporary trajectory and dynamics of boundary disputes in the region have been largely associated with material contestations driven by geo-strategic economic interests. The disputes between Tanzania and Malawi (1967, ongoing), Uganda and Kenya (1976, ongoing), Uganda and Tanzania (1974, ongoing), and Zambia and Malawi (1968-1986) have, to a large extent, had to do with the struggles by the affected states to control land and maritime resources in the contested areas.[35]

The dispute between the Republics of Kenya and Uganda (2008, ongoing) over Migingo Island has been also associated with economic and livelihood contestations.[36] As Kisiangani[37] opines, "A close look at the dispute, however, reveals that the bone of contention is not about the island *per se*, (but) rather the declining fish stock in the lake and the bourgeoning international interests especially in the Nile Perch species". In a similar vein, the disputes between South Sudan and Sudan over Abyei territory has been inspired by the competitive struggles by the two states in respect of control over the contested areas in view of its rich oil endowments.[38] This is akin to the dispute between Nigeria and Cameroon over the oil-rich Bakassi Peninsula in the 1990s.[39]

On average, the contemporary trajectory of boundary-related conflict in East Aria has increasingly implicated realist contestations over mineral 'resource exploration and exploitation'[40]as critical drivers. A logical rationalization for this development has been provided thus:

Sovereign boundaries currently add a dynamism to the current mineral and energy rush in Eastern Africa as once peaceful neighbours scramble to maximize the mineral wealth deposits under their soil. Since oil and gas reservoirs know no boundaries and interpretations of where borders pass is at the discretion of current leaders, this are bound to raise tensions and could lead to cross border tensions and even conflict in the future.[41]

Table 5: Instances of natural resources-related boundary disputes in East Africa

Conflict Parties	Location	Resource(s) at Stake
South Sudan and Sudan	Abiyei State	Oil
Kenya and South Sudan	Turkana County in Illemi Triangle	Water, oil
Uganda and Congo, DR	Lake Albert in the Great Rift Valley Lakes	Crude oil alongside the mineral riches of diamonds, gold, coltan, etc.
Malawi and Tanzania	Lake Malawi (Nyasaland)	Oil
Kenya and Uganda	Lake Victoria	Water, fish and possible crude oil

Source: Authors' compilation from: Obiero, E. (2012, October). Territorial disputes in Eastern Africa: The mineral factor; http://eafricaenergy.blogspot.com.ng/2012/10/territorial-disputes-in-eastern-africa.html (accesses online June 28, 2017).

The focal region has already been enmeshed in boundary disputes and tensions that are related to material struggles over mineral resources, especially petro-minerals (oil and gas deposits). Table 5 is instructive in this regard. Among other things, table 5 shows that resource-related conflicts abound in the focal region. In effect, from the Great Lakes Region to the Lower Horn of Africa, territorial quest is complicated by strategic interest in existent and prospective mineral resources.

Information reflected on table 5 may not represent a predictably general pattern in East Africa. Suffice it to note that most of the contemporary and prevailing border conflicts in that context have borne crucial trappings of material contestations over mineral resources. This underscores the 'mineral factor' in those conflicts, according to Obiero.[42]In the subsections that follow, this 'mineral factor' is more closely explored alongside the geo-strategic dynamics of most boundary disputes among the states of East Africa.

Some Illustrative Case Studies

A review of a number of relevant case studies would suffice to situate and buttress the argument to the effect that geo-strategic material interests is the prime factor in contemporary boundary disputes in the focal region. The cases of Lake Albert, Lake Victoria and Lake Malawi (Nyasaland) have been selected for this purpose and are briefly considered in turn below.

a. ***The case of the Lake Albert basin:*** Lake Albert is a trans-boundary sphere between Uganda and DRC. The lake's strategic significance has been aptly captured thus:

> Uganda lies on Lake Albert's eastern bank, while the western lakeshore belongs to DRC's territory. The (disputed) border between both countries lies within the lake itself. The lake contributes to the region's ecosystem with its high biological diversity and plays a key role for the socio-economic benefit of the people. Hence, both countries consider the lake a focal point of interest[43].

The Uganda–DRC border is richly endowed with a variety of minerals, such as diamonds, gold, coltan and oil. These resources have, over the years, attracted fortune hunters, militias, rebel groups, and armies to the eastern DRC in search of material fortune. The pronouncement by the Uganda government in May 2006 that it had found crude oil in the Lake Albert region occasioned an air of anxiety, with some people being scared that this development might turn out to be a curse rather than a blessing. The popular anxiety was apparently justified in August 2007 when a border dispute broke out between the two states over the strategically located Rukwanzi Island in Lake Albert. The scenario escalated and degenerated into violent incidents between the military forces from the two countries, resulting in the killing of a contractor of the Heritage Oil Company and six civilians on board a Congolese passenger boat on Lake Albert.[44] Skirmishes also erupted in October 2008, when Ugandan Police arrested 11 Congolese fishermen at Kaiso Warf on Lake Albert in Kabwoya with illegal fishing equipment and improvised weapons, possibly for self-defense purposes.[45]

Rukwanzi Island, a scantly populated but strategically located territory in the southern axis of Lake Albert, was hardly reckoned

with prior to the discovery of oil in the Lake Albert basin. Since then, Uganda has tried to annex and exploit the oil reserves of the region without soliciting the cooperation of the DRC.[46]As to be expected, the Congolese are now anxious of Uganda's territorial expansion and claims in the area, with the oil deposits in the Lake basin as a critical point of tension. The Ugandans contend that the prevailing absence of governance in eastern DRC has been a threat to security in the area, in addition to being an obstacle to peaceful exploration of the petroleum resources in the lake basin. There are also suspicions in Kinshasa that Uganda would prefer to keep north-eastern DRC unstable and would rather opt for a weak central government that cannot contain the insurgency in order to allow the Museveni government to exploit the trans-boundary oil without sharing the revenues.[47]

b. The case of Lake Victoria: The critical issue concerning Lake Victoria is how the three countries bordering the lake can manage the common resources accruable from the lake for the benefit of the region. For the past five years, there has been a serious dispute between Uganda and her neighbours over the cause of a 1.5-meter decline in the water level of the lake between 2004 and 2006. While Tanzania and Kenya have accused Uganda of being responsible for the decline through over-drainage of the lake for hydroelectricity, Uganda has attributed the drop to the impact of climate change.[48]

The disputes in Lake Victoria are symptomatic of the absence of regional mechanisms for the sharing of trans-boundary natural resources, especially water and fish. Since 2003, the competition over the resources of the lake has become increasingly volatile, with tensions resulting in the harassment and arrest of fishermen accused of trespassing in the territorial waters of their neighbours.[49] The lake is a veritable livelihood resort for many communities in the affected countries. This necessitates the need for a mutually agreed solution for the control and ownership of lake resources in addition to clearly demarcating boundaries on the lake. In November 2000, the ministers of fisheries from Kenya, Uganda and Tanzania held a meeting wherein they resolved to demarcate the boundaries in Lake Victoria by means of bright beacons, but no sooner was this agreement reached than major hostilities erupted over Migingo Island, which nearly brought the two countries to the verge of war in 2009.[50]

Migingo Island is one of several lakes on the Lake Victoria basin. It is situated in a part of the lake that is heavily endowed with fish and constitutes a major source of livelihood for many Kenyan fishermen from the border communities in western Kenya. The island has been used as an arena for transit and drying of fish. Consequently, a thriving industrial fishing community has sprung up in the area. By 2008-2009, the island was claimed by the Ugandan government led by Yoweri Museveni. But on 11 May 2009 the President conceded that the island is in Kenya, maintaining, however, that Kenyan fishermen were illicitly carrying out fishing in adjoining Ugandan territorial waters thereof, to the west of Migingo. With the Ugandan flag lowered; Uganda withdrew its military troops, and agreed that all its security would be withdrawn from the island.

c. ***The case of Lake Malawi (Nyasa):*** There has been a low intensity dispute over the demarcation of boundaries on Lake Nyasa between the governments of Tanzania and Malawi. Both countries have been engaged in a confrontation over the ownership of Lake Nyasa (otherwise referred to as Lake Malawi). It is held that the boundary is situated along the shoreline of the lake as established by Article 1(2) of the 1890 Anglo-German Treaty[51]. By this fact, the lake belongs to Malawi. Dar es Salaam, nonetheless, claims the boundary is the median line of the lake in the light of the principles of customary international law. The two countries have different maps with Malawi showing it owns the entire lake while Tanzania insists that the boundary is in the middle of the lake.

In spite of President Julius Nyerere's government commitment to adhere to the *uti possedetis* principle in 1964 and despite pressures from local chiefs to seek economic control of lake resources, relations between the two countries worsened in 1967 when Tanzania accused Malawi of 'cartographical aggression' in seeking to annex the entire lake[52]. When Tanzania then formally claimed of over half the area of the lake, Malawi retorted by asserting ownership of the lake alongside three Tanzania districts located in the north and west.[53] The dispute may end up drawing in Mozambique, in case Malawi formally makes good her claim to the islands of Likoma and Chizumulu. If Tanzania's contention about the division of the lake is upheld, Mozambique could also claim that these islands are within maritime domain.[54] Contes-

tations over fishing rights constitute the fulcrum of this dispute. The lake has several economic species, such as the *cichlid*, that are famous for export within the region.

d. The ominous scenarios and outlooks ahead: There are many other potential border dispute hotbeds in this the focal region. The Elemi triangle, for instance, counts among the most volatile instance, which could yield a possible dispute between four protagonists – Kenya, Uganda, Ethiopia and Southern Sudan. This is becoming rather likely given the possibilities of oil discoveries in this long-disputed area. Uganda has been accused by Kenya of tampering with their common border north of Mt Elgon, again in the context of mineral exploration and expectations of valuable deposits.[55] Kenya's borderlines with Somalia are becoming tense, with increasing trans-boundary skirmishes in Jubaland, also in the context of mineral exploration and exploitation in the area. Oil discoveries are equally threatening to increase conflict in the Ruvuma basin, wherein Tullow Oil has concessions to explore and exploit gas and oil concessions on the Tanzanian domain.[56] Generally, the incidence of boundary disputes in East Africa has resulted in dire socio-political, socio-economic and humanitarian outcomes. It has led to a volatile public security scenario characterized by arms proliferation, arms bearing, and armed violence.[57]

The attendant violence has occasioned human mortality and morbidity, population displacements, refugee crisis and allied socio-humanitarian malaise. The ripples of violence in that context have often precipitated socio-economic crisis and aggravated human insecurity (prevalence of hunger, starvation, and disease and material poverty). Complications of the disputes are also evident in the prevalence of trans-border violence and criminality. There has been an ample manifestation of cross-border smuggling, illegal migration, extremist militancy and transnational banditry (e.g. cattle rustling) in the region owing largely to the collapse of border governance in some areas. The collateral implications of this scenario to national security of the affected states are better imagined.

Conclusion

This article set out to examine the incidence of border conflicts in East Africa from the prism of territorial materialism. The 'territorial

materialism' of boundary disputes in this context presupposes that international boundary disputes are often engendered and sustained by the contestations among states for the geo-strategic and economic advantage. Hence, the violent territorial struggles on the borderlines of African states are not farfetched from the geo-strategic and economic pursuits of the affected states and political regimes. Whereas historical factors, such as colonialism has contributed to the prevalence of boundary conflict in Africa through arbitrary ethnic partitioning and disintegration, what is crucially at issue in most instances of contemporary border related disputes in the continent is the quest geo-strategic advantage, often associated with contestations for resources. As Okumu rightly opined in the case of the focal area, 'Boundary disputes in Eastern Africa commonly pre-date the discovery of mineral resources, but they have certainly been intensified by the recent flurry of explorations. There is a high potential for border disputes in Eastern Africa as a result of discoveries or increased exploitation of trans-boundary resources.'[58]

In effect, contemporary boundary disputes in East Africa have often been largely driven by declared or disguised claims, stakes, motives and interests that are material or economic in essence. The implication of this is that analysis of boundary disputes in Africa should transcend the orthodox narrative of 'colonial origin and heritage' and come to terms with the intricate contemporary geo-strategic cum material imperatives that underpin such occurrences. More importantly, policy endeavors geared towards resolving boundary disputes in Africa must seek to properly understand, situate and address the gamut of geo-strategic underpinnings and complications of such disputes. Solution to the spate of boundary disputes in East Africa and elsewhere in the continent is contingent on a diplomatic approach that properly recognises and honours the colonially inherited boundary system as well as mediates the sundry geo-strategic interests of the affected states. In this direction, it is apposite to evolve a regional border management mechanism that can proactively and multilaterally address border related issues toward an enduring resolution. More rigorous case-specific studies are required, however, to further bolster this line of initiative.

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