Towards the actualisation of perpetual peace: an inter-state boundary dispute between Nigeria and Cameroon.

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Abstract

The central goal of this paper is to reaffirm the call for a more sustainable international system. In doing so, it will re-introduce the concept of perpetual peace by Kant. The choice of Kant’s perpetual peace as the theoretical framework is based on the assumption that his theory best provides solutions to the ill-practices surrounding world political structures. Consequently, the paper has chosen the Bakassi peninsular dispute between Nigeria and Cameroon to showcase the areas that need to be addressed in order to attain this everlasting peace in our world. Suffice it to say that this paper might not be advocating for a world government. However, what is not on its ‘table’ is the sustenance of the status quo: the current anarchical international system.
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1. Introduction

From time immemorial, man has been under constant conflict with one another. Consequently, there have been several ways through which resolution of each conflict has been approached. However, conflict between sovereign states has been a trivial matter; of which solutions in such cases have been very problematic. Be that as it may, one popular resolution formula has over the years been advocated for: the emergence of an international body to act as a third party in a conflict between sovereign states. Nevertheless, this proposal has met some hindrances in several cases; of which much of the blame go to the sovereign nature of states as a major blow to eventual world peace. Such a scenario would therefore be brought to light through a case study of inter-state dispute between Nigeria and Cameroon, in relation to the three bedrock of perpetual peace as envisaged by Kant.\(^1\)

In order to arrive at perpetual peace, Kant proposes some foundational steps he deems very necessary to the possibility of global peace. Those propositions have been transformed to realities especially through the establishment of the League of Nations (now United Nations). In connection to Bakassi peninsular dispute for example, the military from both Nigeria and Cameroun has made some encounters and maintained some form of authority over the area in a bit to strengthen the argument of ownership between 1980 and 1996. The dispute over the ownership of the oil-rich Bakassi peninsular could be traced back to the ambiguity surrounding the initial agreement between Britain and Germany on 11 March and 12 April 1913. It was further compounded by the relegation of the German part of the agreement after the First World War and a fresh one between England and France in July 1919 which placed the sovereignty of Cameroon over the disputed area.\(^2\) It is to be noted that in 1971, Nigeria and Cameroun did set up a commission which has the purpose of mapping out the terms and conditions for the official hand over from the Nigerian government to the Cameroonian government.\(^3\) It is imperative also to note that no effort was made by the Nigerian government towards a proper process of handing over, but had claimed to respect the ruling of the ICJ. In

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\(^2\)Kevin Ngang,[http://www.aspr.ac.at/epu/research/rp_0407.pdf page 7. 20081024.]

\(^3\)Ibid
any case, her argument was that the security and safety of those inhabitants in the peninsular have to be protected which might be jeopardized by the absence of a military force in the area. The fact actually is that Nigeria would not want to give up the area, given that there has been some oil discovered within the Bakassi Peninsular.\textsuperscript{4} Another factor for the delay in the handing-over was that Nigeria claimed that her naval vessels may not have free access within the bay of Calabar. The implication therefore is that Nigeria would need Cameroon’s permission in order to have any access to the water moving towards southern Africa.

Consequently, the first military skirmish between both countries occurred in the early 1980’s. But it was the second skirmish that propelled Cameroon to take the case to the ICJ.\textsuperscript{5} The United Nations has through the ICJ and the office of the secretary general made some interventions aimed at fostering justice, peace and security in the area. In order to arrive at a reasonable review of the limit of our application of Kant’s theory, it is imperative to reflect on the impact and the strength of the United Nations in the resolution of the dispute. More so, the various forms of governments in those disputing countries.

1.1 Aim

The aim of this paper is to assess the extent of our application of Kant’s prescriptions (within international politics) in his three definitive articles of his \textit{perpetual peace}; with a view to determining the factors that negate the actualization of world serenity. In order to arrive at a practical stand, this paper will use the empirical materials from the above-mentioned dispute as the instrument for this assessment. Therefore, this paper’s point of departure rests on the presupposition that the current international politics is the brain-child of Kant’s propositions. However, it is assumed also that lack of proper implementation of his prescriptions within international politics, continues to create meagerness and inadequacy within this current international system.

1.2 Disposition

For further outlook and to be abreast with the ensuing train of thought, this paper would first pose a research question. The succeeding chapter will bring in the methodological

\textsuperscript{4} Ibid

\textsuperscript{5} Ibid page 10, 20081203
approaches. The theoretical framework will follow suite to guide the possible answers necessary to address the research question. This chapter will as well rich out to reflect on other theoretical variables in international politics, which will help to strengthen Kant’s perpetual peace as the theoretical milestone for this paper. Furthermore, there would be a presentation of the empirical chapter. Finally, this paper will analyze these empirical materials in relation to Kant’s theory in order to arrive at a ‘plausible’ answer to the research question.

1.3 Research Question

What are the factors in the political structures of our contemporary world, at the state and International levels, which pose hindrance to the realization of world permanent peace as envisaged by Kant in his perpetual peace? These obstructive elements would be determine vis a vis the three definitive articles. The Bakassi dispute will to that effect help to exemplify instances where the world political structures might be at variance with the realization of perpetual peace.

2. Methodology

Research methodology could involve several approaches, depending on the setting and the purpose of the research paper. Some research papers do entail a combination of two opposite methodologies. We shall therefore look at various academic research methodologies and review which and why this paper would make any of them the desirable path to a fruitful research work. Consequently, this research paper would make use of deductive method, qualitative method and case study. These methods would act as the guiding tools in order to answer the problem posed by the research question. However, in this section also, this paper will be looking at other issues like sources, source scope and limitations and most importantly, the issue of validity and reliability. These variables will be necessary in order to enhance reflexivity and rational production in this research paper.

2.1 Deductive method

In this methodological approach, research work is taken-on from a general perspective to a specific ground. In this method, a researcher starts by presenting a given theory based on ones choice of topic in other to arrive at a result over a given research question.\(^6\)

Consequently, this paper will try to reach an answer to its research question through deduction based on Kant’s three definitive article theories and connect them respectively with the result of the empirical materials from the Bakassi dispute. In order to achieve this, there would be taxonomy of the analysis into three sections. Each section will focus on one article. To be specific, section one will focus on the first definitive article. The same goes with section two and three. The analysis will briefly look at what the theory says and then look out for the possible elements in the dispute that will indicate those factors that are responsible for the shot-comings in our application of Kant’s theory.

For instance, in the first definitive article, this paper will look out for such things like despotism, authoritarianism, tyranny, non representative system of government and so on from Nigerian and Cameroonian governments. In order words, the paper will look out for those things that are opposed to the democratic, republican and representative system of government.

In the second analysis, the paper will look at the role of the United Nations in the dispute. Though by the establishment of the United Nations, it could be argued that the second definitive article has been fulfilled and should not be seen as possible hindrance to the realization of perpetual peace; however, it is important to note that it is not only by action that this perpetual peace could be hindered. It can also be hindered through omission. If the paper is unable to find any of these indicators in this second article, it is only right to deductively say that based on the impeccable nature of the united nations, that our application of the second definitive article does not pose any hindrance to the realization of perpetual peace.

And finally in the third analysis, this paper will look out for such elements of improper treatments of foreigners in both countries. More so, since this paper is discussing the Bakassi dispute, it is imperative that the focus should be how Nigerians in Cameroon were treated and vice versa. If the two countries were friendly with the other’s citizens, the deduction will be that both Nigeria and Cameroon during the dispute fulfilled the third requirement for perpetual peace, and are consequently not posing hindrance to the realization of perpetual peace in this category. Conversely, the result will be the opposite if they are found wanting in this nomenclature: hospitality and cosmopolitanism.
2.2 Qualitative method

Qualitative method in research evaluation involves an in-depth and substantial approach to the study of a given phenomena. Through this method, a researcher is able to intellectually navigate within a research problem, most importantly, reflexively or reflectively evaluating the research work in order to arrive at a plausible meaning.\(^7\)

To that effect, this paper will be evaluating the empirical materials not just literally but also deconstructing coded information in order to get the best of the materials. It is also through qualitative method that this paper will be able to constructively bring the analysis to a high level of reflexivity. The evaluation of the analysis will also be important in order to reach a coherent result and conclusion.

2.3 Case study

In case study, a researcher tries to achieve a widespread view of the subject of study, in other words the researcher tries to get as much information as possible of the researched issue. In Bakassi dispute, this paper will try to cover as much information as possible. It involves an in-depth descriptive verification, kept by an outside observer, of a character, a phenomena or group of persons.\(^8\) To be able to accomplish this study, this paper has chosen an explorative case study. This is according to Yin, “an appropriate approach” since this paper is investigating an existing phenomena within its real-life context.\(^9\) This is to imply that conflict and hindrance to global peace is still a contemporary issue which needs urgent attention.

On that note, the Bakassi dispute will be reviewed based on the record of events as documented by some scholars. The sources of the materials vary from life experience, intersubjective and subjective accounts to documentation of statements from individuals who have been directly affected by the dispute. These materials will be studied as references to the incidences that happened during the dispute. More so, this paper will incorporate the empirical materials within the analysis.

\(^7\) Patton:1987: 09


\(^9\) Punch 2005:145
2.4 Validity

Validity is a concept used in measuring the authenticity of a research material. It also involves the extent to which a research paper is able to measure its measurement target. The validity measurement is however, determined by the researcher’s subjective notion of what is valid for the research. Be that as it may, there is possibility of error source in a research paper due to human factors like the judgement of the researcher and other variable factors like shortage of materials. Furthermore, it is important that a research of this sort does not hold back important sources regardless of the effect of the source in the possible preconditioned notion about the research work.

Having said that, it is essential to mention that most of the materials for this paper will be coming from recognised articles and journals specialised in periodical documentation. Nevertheless, this paper will not guarantee that the authors were not biased upon writing the reports. This paper can only mention that the materials for measurement are only the once available and reachable within the time frame. However, this paper does not intend to hold back any useful information or source. Therefore, the validity of this paper rests on the scope of the materials available for this study.

2.5 Reliability

Reliability is essentially another method to convey regularity. It is a notion that allows the researcher to approximate error: the less the error; the better the chances of reliability. In this paper, the reliability of the materials can only be measured by the consistency of the chosen materials. Since the materials will be giving accounts of the Bakassi dispute, the reliability of the materials will be tested with the evenness of the various accounts and inter-subjectivity. It is only rational to believe that two corresponding sources in the materials are better reliable than one source that may have a contrasting version. However, it might not mean that the account of the other two corresponding versions is true; since there could be collaboration on the part of the two sources. Nevertheless, this paper can only give credit to

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10 Punch 2005, 97.
11 Ibid. page 96.
the opinion of the majority. However, that is not to say that a single source will not be used in this paper.

2.6 Source

This study is based on articles, literature and documentations. It is only suitable to use these sources in this study since the Bakassi dispute has come and gone. Owing to this, it will not be possible to have observational information on the dispute. Sequel to that, the authenticity of this research will be based on the information available from these sources.

2.7 source scope and work limitations

The scope of the materials for this paper is dependent on the amount of sources available. It is important therefore to mention that there is possibility of one or more tacit information being left behind due to the limitations in the sources. Furthermore, it is noteworthy to mention that the result of these materials could only be valid in relation to the Bakassi dispute. In order words, the result could be different should another dispute be the case of study. Nevertheless, the important thing is to give an unbiased analysis based on these materials that are available for this paper. On the other hand, some of the materials are from authors that are from the affected countries (Nigeria and Cameroon). Hence, it is possible that the authors could have held back important information in order not to portray their country as rebellious and fault. It is also possible that the authors could have exaggerated in the presentation of the accounts of the dispute. This paper hence is aware of the possibility that some of the authors are not eyewitnesses of the occurrences, in other words, their account could be vulnerable to extensive subjectivism and over-religiosity. However, it is only the materials within reach that this paper can work with.

Having enumerated the various choices of methodological approaches in this paper, the chapter bearing the central concept will follow immediately. There shall also follow the chapter on empirical materials which will contain the various outlooks on the Bakassi Peninsular case between Nigeria and Cameroon. It will also contain the role of the UN (through ICJ) and the influence of colonization. This paper considers these sub-chapters important in order to bring out the issue of internationalism which will make this paper not just a material towards sub-Saharan African approach and study, but an issue of international politics and Relations.
3. Conceptual and theoretical framework

Kant in his *perpetual peace* argues that man is conflict prone by nature. He maintains that peace is therefore bought or constructed to help in harmonizing a society through justice. Hence, peace usually is not a natural attribute of man. In proposition to the possibility of world justice and peace, he proposes three definitive articles as conditions necessary in order to realize long lasting and sustainable peace. More so, these three definitive articles act as the inter-reliant foundation pillars in order to actualize permanent peace and justice. Though it is also a debatable question whether his theory on perpetual peace would be the best approach in realization of perpetual peace, it is yet to be proven with empirical reality that the theory would not bring perpetual peace. On the contrary, the second of the definitive articles has proved to be realistic since it is yet to be noted of two democratic states that have been at war with each other.

However, in order to follow the sequence of thought in this paper, there is need to first give an explanation to the idea of peace; and in a most particularized form, in relation to its permanent enthronement in our world.

3.1 The concept of perpetual peace

The literal definition of perpetual peace especially to a lay man would only imply an everlasting state of tranquility. However, the contextual exegesis of the term moves beyond mere serenity to the idealization of conditions which will prevent the possibility of human extinguishment.

Though Kant would later champion the call for the realization of perpetual peace, the concept was first coined by Abbe de saint-pierre when he envisaged in 1713 about the possibility of “eternal peace”. However, the difference between the later and Kant is that while Abbe de saint-pierre’s vision of eternal peace was restricted to Europe, Kant went further to encompass not just Europe, but also the whole world as part and parcel of this global goal. In his definition, perpetual peace implies a movement from the state of nature which is full of

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12 Kant, www.mtholyoke.edu/acad/intrel/kant/kant1.htm, section 2, 20081017
14 Bohman and Lutz-Backmann 1997:02
violence to a world governed by rational beings. According to him, this is only realizable through the communion of all peoples in the world.\footnote{Kant, www.mtholyoke.edu/acad/intrel/kant/kant1.htm, section 2, 20081017}

3.2 Three definitive articles by Kant

The first of the three propositions is that each state has to have a republican constitution. Here, his position is that republican constitution for every state would eradicate the potential despotism posed by monarchy or other totalitarian systems of government. This is possible as he would have it, based on the fact that the foundation of a republican system of governance lies on the collective agreement among people of a given society, where total observance and respect for the rule of law, liberty and equality among all is enshrined.\footnote{Ibid} His reason for this assumption is that usually in a republican constitution, before a state goes to war with another state, there has to be a kind of referendum where the members of the state would deliberate over the prospect of going to war or not. In his view, it would be difficult for the majority to accent to war; given the fact that they have to consider the enormous cost of going to war which ranges from loss of human lives to economic devastation.\footnote{Ibid} Meanwhile, he compares it with an opposite situation where the autocratic system “under which the subjects are not citizens”; it would be very easy to reach a decision to go to war since it is usually one man who is to decide. In order words, autocratic states are prone to war more than republican states.

The second definitive article moves a bit further from relationship among individuals in a given state or society to relationship among various sovereign states. Here, he maintains that “The Law of Nations shall be founded on a Federation of Free States”.\footnote{Ibid} Kant proposes a situation where there would be a league of nation in place with the responsibility of administering justice at the state versus state level. It is obvious that he is regarded widely as the founding theorist of liberal internationalism and the total concept of international
relations.¹⁹ He puts emphasis on the need for states not to give up their sovereignty though, but also proposes that each state “for the sake of its own security demand that the others enter with it into a constitution similar to the civil constitution, for under such a constitution each can be secure in his right”. The end point in this “league of nations” therefore is a permanent eradication of war in human society.²⁰ The civil constitution here would refer to his similar civil constitution at the state level. The difference here is that one is at the state level, while the other is at the international level.

More so, while the laws in one are binding, the laws in the other are optional. However, he argues that since wise men abound in a republican state, the amalgamation of these states would bring together wise states too. The above quote would be critically reviewed in the latter part of this paper in the analysis: the reason being that he likens the relationship among individuals to be applicable among states. He therefore argues that since the constitution in a civil state would best bring peace among individuals, individual nations should therefore come together and form a league with the sole aim to enshrine world justice and everlasting peace through agreement in a kind of code of conduct.

However, he does not advocate for unitary world governance where a state would rule over others. More so, he proposes that states should not be under compulsion to abide by the rule of the League of Nations since they have their individual judicial systems admissible only within their jurisdiction. He maintains that though man in a state of nature forms a society in other to be guided by the laws they have made, the situation should be different with the League of Nations. Hence, states in the League of Nations should not as individuals in a state give in to some other state’s ideologies in what constitutes justice, what is lawful and right.

The third definitive article concentrates on the issue of world citizenship. He argues that the idea of world citizenship should only be restricted to the hospitality of a host nation to a sojourn. He maintains that it is not to be considered as privilege to grant liberty of association with the members of the society, rather, it is a foreigner’s right not to be maltreated like an enemy except if he acts like one. Kant’s argument is that by virtue of being humans, all men should share in the commonality of the soil earth. And that right from the beginning of

creation, no man has more right than the other over any portion of the land. Besides, no one was born carrying any section of the earth with him.\textsuperscript{21} Hence, his idea of a world citizenship is not just by mere geographical demarcation which man has invented to protect an area in his favour. This would point a finger to the definition of justice which says that justice is the advantage of the stronger.\textsuperscript{22} Since it would be right to say that no one was born with any land, the ability and the act of preventing one from entering into an area is out of a stronger’s quest to protect his assumed territory. Kant is definitely disagreeing with this definition to be the ideal practice in relation to cosmopolitanism.

The idea behind this cosmopolitanism is to foster a global free market. It would propel easy trade relationship between states. This in his view would prevent war and aggression; since everyone would be interested in making as many economic friends as possible in order to aggrandize one’s gain. The quest for this capitalism would foster eagerness for world peace. Furthermore, he condemns the act of invasion from a superior power state, people over another state or people. Most of all, the various forms of evil acts associated with this form of invasion which is always veiled in the cloak of civilization. In order words, the invaders most times do not recognize that the people they are invading have been existing as a people. Hence they must have had laws or ethics and possibly a form of government which make them able to exist together and to abandon the state of nature. Unfortunately, these invaders do not often see these possibilities since they are blind from the quest to exude their strength and interest on these people. Kant maintains that all these forms of invasion in whatever manner should be eradicated in order to realize a global justice and perpetual peace.

Having enumerated Kant’s definitive articles as the theoretical framework of the research paper, it is also important to mention that other theoretical proponents and critiques to Kant’s liberal ideas will be brought to add vigor to the much heated debate on global justice and world peace.

Hence, the dialectic of international politics has traditionally been negotiated between Liberalists versus Realists/Neo-Realists; each school claiming validity to understanding and

\textsuperscript{21}Kant, http://www.mtholyoke.acad/intrel/kant/kant1.htm. 20081020

\textsuperscript{22}Plato, http://www.classics.mit.edu//Plato/republic.html. 20081020
maintaining efficiency within this field of study. Furthermore, this tussle between these schools has come down to rest on the barest concept of “democratic peace” which owes its origin to Kant’s perpetual peace theory: a concept which has liberal claim to absence of war between and among democratic states which would necessitate the enthronement of world peace as envisioned by Kant.\(^{23}\) However, the Realist/Neo-Realists have on the contrary, gelatinously argued against this concept in favour of vibrant pragmatism.

The review of these two debating parties on democratic peace will focus on two epochs or phases. Within these two epochs, there came into existence of the current Westphalia model of international system: the nation-state structure embedded in the obstinate and intractable notion of sovereignty. Following suite was the internationalization of world politics through the establishment of United Nations. These two political spheres well represent the playing ground on which the notion of perpetual peace would take place. To that effect, the afore-mentioned first phase represents the pre-second world war; when the liberal ideology prevailed and upshot the establishment of the League of Nations. Within this period, there will be one scholarly review from both debating parties respectively. The second epoch comes from the scholars from the post second world war forward; during which the League of Nations was modified as United Nations. Hence, there would be four scholarly reviews from both debating parties respectively. The increase in number of scholars to be reviewed here is imperative since this paper’s research question centers on contemporary issues. However, it recognizes and draws its basis from earlier writers and scholars. It is crucial therefore to look at views from some scholars of these schools with a view to understanding why this paper has chosen Kant cum Liberal views on international politics in order to realize a peaceful world. Nevertheless, that is not to say that this paper considers the Realist/Neo-realist views as incongruous.

### 3.3 For Kant: Liberalism

Liberalism represents the notion of a state characteristically made up of freedom of speech, equality of all before the law, freedom of association in politics, religion and social organizations. Though there might be some eclectic views within the liberal school of

\(^{23}\)Patomäki 2003:03
thought, they generally agree that a liberal state is mostly characterized by freedom which in
turn, would produce a just and peaceful society.24

Schumpeter published a book in 1919 called *Sociology of imperialism*. In one of the chapters
of the book, he discussed what he called “liberal pacifism”. In this concept, he argues that
individualism, democratization of government and rationalism are tools necessary for a
peaceful society.25 To him, democracy and capitalism should be the system of governance
which would deracinate war-like disposition of an imperial society.26 Invariably, Schumpeter
concentrates only on theorizing about peaceful co-existence and government of a state,
shedding no light (at least in the quoted book) on the international scene. He has consequently
been criticized as Doyle mentions that “international violence is the closest test
Schumpeterian pacifism has received”.27

Analytically, Schumpeter’s liberal pacifism will foster democratic and liberal society at the
state level. This will consequently imply that since there is not consideration of peace between
liberal and non liberal states, there could be peace within liberal societies while the non liberal
states still prove to be potential source of war at the international level.

Michael Doyle in one of his most recent works approached the democratic peace discussion
from the liberal recognition of individuals as subjects where power is vested; more so, the
liberal recognition of equal rights and freedom for every individual. In doing so, he
contextualized the liberal ideology upon two peculiar perspectives and principles. On one
hand are the laissez-faire democrats, championed by the conservatives and on the other hand
are the liberal democrats or the social democrats. The most distinguishing factor between the
two liberal principles is the extent to which government influence is required. However, both
share the same value where the basic principle of representative government prevails over
despotism and dictatorship.28 These principles are borne out of the shared recognition of

25 Ibid page 4. 20081022
26 Ibid. 20081022
27 Ibid. 20081022
28 M. Brown 1996:5-6
individual liberty and freedom which thus produces a peaceful, progressive and cooperative society.

More recently, some liberal scholars have tried to add vigor to the democratic peace theory amid various criticisms from Realist and Neo-realist scholars. In his proposition to the liberal democratic peace theory, Bruce Russett uses deductive reasoning to conclude why democratic peace theory has out-played the realist anarchic explanation of international politics which is a movement towards a “wider zone of peace”. He maintains that arbitration or third-party involvement in conflict resolution has over the recent times averted war among democracies. More so, it has almost become a norm to assert and maintain among democratic states that they do not go to war with each other.\(^{29}\) In other words, there is an instinct among democratic states not to go contrary to this norm since it will give away the theoretical battle to the realists’ victory.

Furthermore, he diverted from the traditional military power basis as the ultimate determinant of how international politics function to an analogy based on economic power of inter-dependence. He asserts that the level of economic inter-dependence among democracies is likely to avert war since unlike the anarchic military structure; the winners do not seek to annihilate the losers. More so, there abound opportunities that can make a-today-loser, a-tomorrow-winner.\(^{30}\) Hence, everyone gains to a certain degree depending on the input which arises out of the shared capitalist culture within democratic market where competition is a healthy practice. In essence, Russett is arguing for the democratic peace based on the economic sector of analysis which he believes has left only an ethereal image of the much regarded importance of military sector of analysis in international politics.

One other dialectic nomenclature of democratic peace theory is the constraining power of legitimacy quest. Bueno de Mesquita et al. argue that within the democratic states, those in power are restrained by their pursuit of positive public image for a possible re-election into public offices.\(^{31}\) To that effect, they tend to avoid as much conflict with other states as possible, to avoid being seen as violent, which often undermine their chances in re-election.

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29 M. Brown 1996:59

30 Ibid page 82

31 Väyrynen 2006:216
The rationale here is that the electorate show a lot of skepticism towards the cost of going to war which ranges from economic loss to invaluable loss of human lives. Sometimes, even when the war is justified and even won, there still exists a high level of indifference to the war and the political leader responsible for the war. Hence, the democratic leaders tend to avert the prospect of war in order to be viewed as civilized and humane.

In a situation where such a democratic state is attacked, the democratic leader would still need the certification of the legislature before going to war in self defense (ius ad bellum): a process which is known to be very rigorous and time consuming. Hence it is most times in self defense that these democratic states could find themselves at war with another state. The democratic deduction here is that democratic states only go to war in self defense; as such, there would not be war between democracies since no democratic state would go after another democratic state in an offensive manner.

John M Owen concurs with the fundamental assumptions of the democratic peace. However, he made his argument atypical by asserting against realist critics that there is no mechanism through which one can detect various factors that nourish the notion that democratic states do not go to war with each other. In his reply, he argues that liberal ideas results to absence of war among liberal democracies through a mutual believe in what could be termed constructivist liberalism\(^\text{32}\); which further unites them as ‘us’ and propels them to war against illiberal states, ‘them’; a position which he claims to have achieved by testing the existing democratic peace theory with some empirical materials\(^\text{33}\).

However, there is always the tendency to have war between ‘us’ and ‘them’ in every facet of our existence: group survival mechanism. One would therefore wonder what will be the fate of peace should liberals out-power the illiberal, thereby converting them to liberal ideas. Should liberal ideas be an end itself or should it be a by-product of a means to an end, or a means to an end? If we use the ‘means’ and ‘end’ analogy, we could find out (going by anthropological experience) that even within a given group of people, we find disagreements which can sometimes degenerate to physical harm or character assassination especially when

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\(^{32}\) T. Dunne et al. 2007:102

\(^{33}\) M. Brown 1998:138
there is no ‘them’ to leash out these vices. The situation would be the same should illiberal states are compelled (imperialism) instead of convinced why democracy is the best form of governance. Impliedly, if the end here is peace in the world, there is still a means out there through which peaceful coexistence can be attained. This situation, throws us back to the founder of democratic peace theory for assistance. Kant maintains that it is only rationality against passion in every facet of our life that can enshrine everlasting peace. Rationality would propel every individual and state to know that one’s freedom ends where another’s begins.

Be that as it may, even as Kant has made a further effort to argue that a lasting peace cannot be achieved without a common peace agreement among sovereign states, there is still doubt on the extent to which his theory has left peace a lasting space in our world. Consequently, he has been criticized by Realist/Neo-Realist schools in international politics. Hence, this paper will now look at the stance of some of these critics in order to assess the viability of his theory as a worthy central theme and theoretical milestone in this paper.

3.4 Against Kant: Realism/Neo-Realism

Carr as a realist is of a contrast view that harmony of interest from the liberal perspective is a characteristic of the international system which propels peace among democratic states. On the contrary, he argues that what is obtainable is individual interest which leads to individual state interests. As a realist, he maintains that there is no reality outside a historical process. In other words, he believes that we should embrace reality in order to build a theory. This is against liberal idea that we should move from theory in other to arrive at a desired reality. In his book twenty years crisis, Carr criticized Kant and liberals for the institution of the League of Nations as a toothless arbitrator to the crisis within international community. He argues that the league cannot succeed since crisis at the international level is not as a result of lack of understanding among states but is consequent upon various irreconcilable ideas and interests which can only be rectified through “balance of power”. Hence, if state A and B are aspiring towards the same interest, the stronger of them would win. The only option left for the weaker country is to get stronger in other to get its share.

34 C. Brown 2002:68
35 M. Griffiths 1999:08
The most vicious criticism against Kant’s perpetual peace has come from the Neo-realist school of thought. Notable among others is Kenneth Waltz who in his book *Man, the state and War* has sort to extend the realist view in a more dimensional form. In the book, he argues that before peace is achieved, one has to ascertain the causes of war. He maintains that there would not be need for peace if there isn’t any war. In ascertaining the causes of war, he brought in three levels of analysis to include: the individual level, state level and the international level to explain how each level contribute in creating war.\(^{36}\) For example, in consideration to what brought about the Second World War, the answer would be that one individual caused the war: bringing out the individual level factor. At the state level factor, the Nazi government in Germany as a form of totalitarian regime was also part of the cause. Then at the international level, anarchic system and lack of an arbitrator would also be considered as cause of the war.

However, there are some more recent neo-realist scholars who have been bombarding Kant and his liberal internationalism. They contend against the idea that democracies do not go to war with each other cannot hold considering some existential realities which define our world. Prominent among them is Alexander Hamilton. He fiercely condemns perpetual peace in totality: “Has it not, on the contrary, invariably been found, that momentary passions and immediate interests have a more active and imperious control over human conduct than general or remote considerations of policy, utility, and justice? Have republics in practice been less addicted to war than monarchies? Are not the former administered by men as well as the latter?”\(^{37}\) Though he might have some arguable stance (likewise Waltz) based on these assumptions and questions, he fails to give alternative approach through which peace could be realized in our world. Invariably, assenting to the notion that conflict, war and chaos are not just natural but irrevocable conditions of our existential reality.

Radnitzky would further criticize the liberal notion that democracies are more prone to peace. He goes further in 2003 to assert that due to the decline in human dependence on ecclesiastical believes; man has resorted to another form of religion. The new forms of

\(^{36}\) C. Brown 2002:47

\(^{37}\) Plauche 2005:09
religion could be noticed through believes in political ideologies embedded in the enlightenment and civilization age: Democracy, Marxism, Communism, Fascism, Socialism, and so on all form the basis for ascribing meaning to our existential philosophy.\(^{38}\) He would further criticize the contemporary democracy which is mainly an indirect representation of the voters’ opinion, in essence, does not actually bring out the best of public opinion through their representatives. His reason: voters are most times ignorant of the power politics at the local and international scenes.\(^{39}\) Hence, they may not have taken the same view with their representatives should they have been directly involved in decision making.

In a careful and articulated fashion, Christopher Layne took on the burden of discrediting the democratic peace theory as the best description and assumption to why democracies do not go to war with each other. Conversely, he attributes the lack of war among democracies or “near misses” (at least from his four case studies) to factors which realists have upheld as invariables within international politics.\(^{40}\) Within the four case studies, he meticulously irons out the various points made by democratic peace theorists and juxtaposes their argument to highlight why he thinks that the democratic peace theory does not hold.

First, he counteracts the claim by democratic peace theorists to the institutional constraints and norms within democracies as the causal argument. Consequently, he argues that if democratic citizenry are apathetic to war due to possible cost, the detachment should not only be against other democratic states. More so, going by the outcome of his case studies, such impassiveness too, should not have allowed these democracies any close to war with other democracies.\(^{41}\) However, the democratic peace theory does not contend that there are no idiosyncrasies within international politics even within the domestic politics of a state. Nor does it deny the existence of possible friction within the domestic politics and international politics. Nevertheless, the democratic institutions still acts as checks and balances to these peculiarities which could have escalated to war at the international level and civil disorder at the domestic level.

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\(^{38}\) Plauche 2005:10  
\(^{39}\) Ibid  
\(^{40}\) M. E. Brown 1998:178  
\(^{41}\) Ibid page 183
He further refutes the democratic peace theory since the concept of pacifism should not have entertained the “near misses” to war encountered in his case studies among the democratic states. He argues that should the democratic peace theory hold; there should be mutually shared friendship and respect among democratic states which would not have given rise to near misses to war which characterize his studied cases. He could probably have struck a crucial blow here on the democratic peace had he directed his criticism towards Schumpeter. However, while touting his liberal pacifism, Schumpeter does not have in mind the relationship between states, not even democratic state versus democratic state. More so, he does not dispute the presence of friction within a democracy. However, he is more concerned with the relationship within a democratic political structure and the relative “peace” these institutions help to maintain within a democratic state.

Consequently, the democratic peace theory does not guarantee friendship among democratic states. Nevertheless, the absence of friendship does not either amount to “lawless” and anarchic relationship between and among them as they are “governed” by shared norms, culture and practices. Even within such a more closely bonded institution as family, there could be understanding and respect for a shared blood lineage with a no-love-lost relationship. Finally, Layne could have had a better shot at the democratic peace theory had he restricted his argument to the realist factors in his case studies which he claims were responsible for the “near misses”. Hence, his argument may have be tantamount to ultra-vires, since “near misses” as against outright war does not match the description of what constitutes the democratic peace theory: democratic states do not go to war with other democratic states, thus could be coined a peaceful form of governance.

Having looked at these varying perspectives, it is imperative to clarify why this paper has chosen Kant’s perpetual peace as a milestone to determine what constitutes hindrances to peace. Nevertheless, the aim of this paper is not to ascertain whether the Realist/Neo-Realist views are better or not than that of Kant and Liberals; not even if the result of the analysis would point to this direction. Impliedly, the above review is geared towards a balanced view on the variables in international politics, with regards to peace and conflict.

42 M. E. Brown 1998:184

43 See 3.3 above
3.5 Why Kant?

As mentioned earlier, the origin of democratic peace theory could be traced back to Kant’s perpetual peace. Sequel to this, a successful proposition of Kant would only consolidate the viability of this paper’s choice of his proposition which will guide this paper in highlighting the factors in our contemporary world that could have been hindering mankind from enjoying much needed tranquility and peaceful co-existence.

The rationale behind conceptualization and theorization of existential reality becomes under-utilized if it does not go beyond intellectual food and aggrandizement; to providing for sustainable pragmatic solutions to countless problems that besiege the essence of our existence. Therefore, theory should act as a means to an end. Most of Kant’s critics have only provided for theories devoid of means through which ends to those issues criticized might be achieved. Hence, the Realists/Neo-realists would not concur to the idea of peaceful republics. Though pragmatic as they are, they have failed to address the issue of international conflict in terms of how peace could be fostered. By their standard, the stronger state oppresses the weaker state. Hence, classical realism, no doubt manifests best during the first and Second World War which has left agonizing memories of history in very many minds. The question is: shall we sit back and engulf ourselves in penury of tranquility through explanation of these misdemeanors which has left man at the brink of extinction? Or shall we brazen up to the challenges posed by state of nature; knowing that fire cannot be quenched with fire?

Though Kant’s theory on liberal democracy and internationalism has been receiving criticisms from Neo-realists, some contemporary liberal writers are still defending his view as the remedy to an anarchic international system inherent in our international system (the Westphalian international system model), through which peace is realizable. However, the Neo-realists would contend that anarchy is a sine qua non at the relationship among states. In other words, even the liberal states will not have peace among themselves as far as there are peculiar interests among them. This paper cannot agree less with their perspective about our anarchic international system considering what is obtainable in our world from a pragmatic


\[\text{Ibid.}\]
approach which Kant himself does not accept any less. In essence, Kant does realize that peculiar interests are natural feature of our nature as human beings and our world political system. However, the urgent peace and security issue in our world may not have greater need for realist cum Neo-realist descriptive approaches. That is not to say that description of the situation is irrelevant; it is only a move to solution through prescription which Carr also admits to be imperative. One thing is to know what is wrong with a sick person, however, it is most important to move further from knowing the sickness to finding solution to its cure. It is therefore imperative to first realize that the system is sick and the need for its cure.

Consequently, as mentioned earlier, Kant recognizes anarchy as the decadence that has besieged and inundated our international system; leading to his vision of those elements in his perpetual peace with a view to rational resolution to these conflicts of interests, a view which has been further strengthened by contemporary liberal scholars by maintaining that this anarchic system could be properly managed by consolidating and conscientiously applying Kant’s prescriptions. According to them, genuine democratic practices and rationalization will extinguish lawlessness in our society and in its place, enshrine peace.

Though the establishment of the United Nations is regarded as a Kantian and liberal brain-child aimed at maintaining peace and security at the international community and humanity in general, there remain still some indications that portray the absence of steady peace due to improper or inadequate implementation of his prescriptions. It is probably not only deficiencies within the United Nations that would account for lack of sustainable peace for mankind. Sequel to this, the dispute between Nigeria and Cameroon could help in bringing to limelight some other obstructive contributory factors to the realization of perpetual peace.

To that effect, this paper does consider the invaluable observations by these realist/Neo-realist critics. Though it has enumerated why it has chosen Kant’s perpetual peace as the most valuable landmark in fishing out the ill-practices that have be-witched our contemporary world, there by hindering everlasting peace; It will not fail to mention that it is still too early in this paper to assert Kant’s perpetual peace as a perfect anti-dote to the actualization of

47 M. Griffiths 1999:08
48 Bohman and Lutz-Backmann 1997:60
world perpetual peace. Hence, it is important that this paper maintains a flexible approach in understanding our elucidation and application of Kant pending the appraisal of the empirical material. At this juncture, this paper may have ironed out what constitute its theoretical base upon which it will confront the enormous task of evaluating the empirical materials. However, there shall first follow a categorical presentation of the Bakassi Dispute in order to have an ‘organized hermeneutics’ of the dispute which will help in extrapolating those indicators responsible for obstructing sustainable peace for humanity.

4. Empirical part

The dispute between Nigeria and Cameroun over the ownership of the oil-rich bakassi peninsular could be traced back to the reckless stratification of the area and ambiguity surrounding the initial agreement between Britain and Germany on 11 March and 12 April 1913. It was further multifaceted by the further relegation of the German part of the agreement after the First World War and a fresh one between England and France in July 1919 which placed the sovereignty of Cameroon over the disputed area.\(^{50}\) The diagram below represents the map of the bakassi peninsular Bordering Nigeria and Cameroon.

Bakassi peninsular map\(^{51}\)

\(^{50}\) Kevin Ngang, http://www.aspr.ac.at/epu/research/rp_0407.pdf page 7, 20081024.

Furthermore, after the second world war, (1946) the United nations formerly called the league of nations redefined the agreement as trusteeships. To this effect, the southern Cameroon which is where the bakassi is located was ceded to Cameroon later on October 1 1961.\textsuperscript{52} However, this was of no good to the inhabitants than to start witnessing series of political turmoil which has over the years culminated into conflicts or skirmishes between Nigeria and Cameroon. Technically, May 1981 marks the onset of the skirmish to what later turned out to claim lots of human lives.\textsuperscript{53} Cameroun on one hand is claiming sovereignty over the Bakassi peninsular as stipulated by the United Nations trusteeships signed by Britain and France. Nigeria on the other hand argues that sovereignty of the area was not part of what the King of Calabar relinquished as he signed a protection and governance of the area with the queen of England.

Sequel to this, Cameroun filed a suit against Nigeria at the international court of justice on March 29 1994. In the suite, Cameroun pleads with the ICJ to determine between the two countries that have sovereignty over the area and to further draw up the boundary limits as it concerns mostly the maritime movements. Meanwhile, Nigeria went on to present an objection to the suit based on the argument that there was no need involving the jurisdiction of the court to the dispute more especially with regards to the delimitation of the boundary area since there has not been any conflict in relation to that.\textsuperscript{54} The objection did not just end with a mere documentation; Nigeria had consequently refused to obey the judgment of the court. The recent recognition of the ICJ judgment is not borne out of the fact that Nigeria is under coercion from United Nations to obey the ruling of its court. It is a mere respect in order to avoid some sanctions that might be harmful to her foreign relationships. A more self sufficient country under such a circumstance would not have given in to the ruling of the court based on fear of sanction and isolation; though it is hard to determine whether there is any self-sufficient country, a country like the United States for example might not have even allowed the case to come before the ICJ. Besides the above mentioned evolution of events,

\textsuperscript{52} Ruben de Koning , www.c3ed.uvsq.fr/cdgecorev/fr/pdf/02/DeKoning.pdf. page 7. 20081025

\textsuperscript{53} Ibid. 20081025

there are also a couple of factors in there categorical order that have led to the cause of the crisis.

4.1 Historical factors

As we have previously noted, Bakassi peninsular is majorly a collection of two ethnic groups: the Ibibio speakers from Nigeria and Oroko people from Cameroun. Each of which is made up of various tribal groups. The Ibibio ethnic group inhabitants of the peninsular are made up of Efik and Efiat tribes. While the Oroko ethnic group comprises of mostly the Balondo Badiko tribe.

However, prior to the advent of colonialism, Bakassi has been within the jurisdiction of Old Calabar kingdom which during the amalgamation became part of Nigeria. “In June 1884 the German government proclaimed a protectorate over the Cameroon region and that October notified the other European powers and the USA, in general terms, of the extent of this territory. On 23 July and 10 September 1884 the kings and chiefs of Old Calabar signed a treaty placing their territories under the protection of Great Britain. That same September other kings and chiefs of the region, including those of Bakassi, signed treaties acknowledging that their territories were subject to the authority of Old Calabar and were therefore also under British protection”.55 Of course, Cameroun could argue that Calabar as at 1884 was not part of Nigeria, since Nigeria as a nation-state came into existence in 1914 during the amalgamation of the north and south. Nigeria on the other hand could argue that the sovereignty of the area was not part of what the old King relinquished to the queen.

Another scholarly account from a Cameroonian (Ruben de Koning) would give a different approach to the actual history of the area. In his article, he refers to a report by a fellow Cameroonian assistant district officer of Kumba division which was a district in Cameroun.

The account version as prepared by Ruben de Koning portrays a different view about the history of the Bakassi inhabitants. Based on oral interviews, he presents a version that point to the history of Bakassi inhabitants to have started from Calabar which during the amalgamation became part of Nigeria. In his version, Bakassi as an area did not have initial inhabitants; it was as a result of war between two tribes which he failed to mention; drove out

the current inhabitants of the peninsular. Furthermore, his account maintains that there was another movement of the Isangele people; however, this time, to a land already occupied by another tribal group.\textsuperscript{56} Sequel to this, there was controversy latter on between these merged tribal groups about who first occupied the area and who accepted the other.\textsuperscript{57} The true story behind the first occupants is yet to be known. It is not any easy to be ascertained through reflexive or reflective analysis either. More so, the unavailability of time in the story makes it harder to have a measurement to the level of truth in the matter. Nevertheless, his account also points out that the Bakassi settlers or inhabitants are originally from the old Calabar kingdom. However, the issue here is not who first occupied the land. These accounts are only necessary in understanding the development of the conflict. More so, why Nigeria would want to claim ownership of the area in the first place based on the notion that originally, Bakassi peninsular was under the old Calabar kingdom.

The above account does one thing for sure: giving an account based on tales from elderly people which has been passed down to the current generation. In that sense, the authenticity of this version might have been adulterated and may be trivial to rely on. One reason could be because there is no time frame to which the above citation is said to have occurred. It is noteworthy to mention that the author points out the uncertainty of this version of the story too. This does not in any case give credit to the former version of the history. It is only an analysis geared towards allowing rationality into play when reviewing a critical and ambiguous crisis of this sort. In any case, these accounts point out that there has been a dispute existing between the inhabitants of Bakassi peninsular: the two major ethnic groups about the ownership of the peninsular.

4.2 Economic factors

Sovereignty of Cameroun applies to the area as at the first time the conflict started in 1981. As at then, the Cameroonian government was responsible for the tax collection though there was a lackluster attitude towards the area from the Cameroonian government in major

\textsuperscript{56} Ruben de Koning , www.c3ed.uvsq.fr/cdgecorev/fr/pdf/2/DeKoning.pdf page 5-6. 20081017

\textsuperscript{57} Ibid. 20081027.
administrative issues in the area. This is largely because the area was not previously regarded

It was at the wake of oil discovery in the area in early 1980’s that brought out the much

elevated quest to enshrine sovereignty to the Bakassi area by both Nigerian and Cameroonian
governments. This was fueled by the readiness of some multi-national oil companies to get

established in the area. 59 Both Nigerian and Cameroonian governments saw a huge potential

economic gain in the area. As a result, the first military skirmish between the two countries

took off in 1981. During the incidence, five Nigerian soldiers were reported to have lost their

lives. Meanwhile, Nigeria’s argument for her presence in the area was that she was protecting

her citizens who were mostly fishermen from Cameroonian gendarmes. 60 These Cameroonian

officials were imposing expensive tax on the fishing communities which are mostly

Nigerians, hence “by the end of the month the fishing communities were bombarding Calabar

and Abuja with requests for assistance against the Cameroonians, and early in February some

18,000 fled into Cross River state”. 61 One could argue that this was just a cover-up for an

interior motive of rubbing Cameroon of her sovereignty in the Bakassi peninsula. Otherwise,

one would wonder whether Nigeria would enter every country where their citizens are and

give them protection. Hence, in a situation where the gendarmes from Cameroonian

government were levying the inhabitants of the Bakassi who happen to be mostly Nigerian

fishermen, they would have instead sought a way of returning home to Nigeria. Or Nigeria

would have made provision for them at home instead of engaging in some unwarranted

skirmish which left some soldiers in both camps dead.

4.3 Political factors

Some political explanation of the cause of the conflict would suggest that government of both
countries had some hidden political agenda to the crisis. They have been accused of using

 crisis to stir off people’s attention to their ailing economies and increasing rate of

unemployment and poverty. “The trial of strength is dangerous, not just because Biya and


Abacha believe Bakassi worth fighting for but because both see the dispute as a way to shore up falling domestic support”. For instance, in Nigeria, the government of Sani Abacha spear-headed the killing of some renowned politicians and civil right activists as a result of their outspokenness concerning the evil of his government. Hence, in a bit to stir off growing opposition and to portray himself as a patriotic Nigerian, he consented to the military skirmish that took so many lives in 1994. Meanwhile, the emeritus Cameroonian president Ahidjo whom president Biya succeeded had scored a record low for presidents in human rights. In conformity, Kevin writes; “as many as 25,000 people were killed alone during the UPC insurrection in the 1960s; another 5000 were tortured to death and close to 20,000 were severely maltreated while serving prison terms”. Furthermore, since president Biya’s assumption of office in 1982, the government of Cameroon has not either been to the interest of the citizens. President Paul Biya (Still president till date) has been also accused of human right violations. Unfortunately, the economic woes that beheld both countries seem to have left Cameroon the worst part.

4.4 Foreign influence and colonization.

From all indications, the recklessness with which colonialism approached the partitioning of the continent has contributed immensely to the ambiguity that has engulfed the conflict. It has been a wide perception in many African countries that the colonial masters never sort the interest of Africans while creating them nation-states. “The African territories, which have attained independence and national sovereignty, cannot in a strict sense, be regarded as national states. They do not embrace a common past and a common culture; they are indeed, the arbitrary creations of colonialist.” It is still a questionable political action for the British government to have initially divided the Old Calabar Kingdom into two; giving one part to Nigeria and ceding the other to German Cameroon. Though the notion is that these reckless partitioning is geared towards easy governance, there is sure some repercussions which the citizenry of both Nigeria and Cameroon have been facing: ranging from economic unrest to

63 Ibid page 14. 20081028
64 Ibid page 13. 20081028
several unwarranted deaths. It was out of the question towards the sincerity of the colonial powers that has led to Nigeria’s protest of Cameroon sending the case to ICJ. More so, Nigeria was well aware that she would lose the case since the three judges that were to decide the case are from the three colonial powers involved in the “divide and rule” game: France, Britain and Germany. With the French judge as the chief judge, there seemed to be no hope for Nigeria in the case based on the fact that most of the inhabitants are still Nigerians. In a protest statement to the verdict of the court, Nigeria insisted that “The French President of the Court and the English and German judges should have disqualified themselves since the countries which they represent are, in essence, parties to the action or have substantial stakes. These judges, as citizens of the colonial powers whose action had come under scrutiny, have acted as judges in their own cause and thereby rendered their judgment virtually null and void.”66 This obviously undermines the importance of global justice and strives for perpetual peace. It is quite arguable to say that Nigeria does not have sovereignty over the Bakassi; but for there to be justice, fairness and impartiality in the case, one would think that the ICJ should have appointed other judges in such a case.

### 4.5 Internationalism: The role of U.N.

The military skirmish that occurred between Nigerian and Cameroonian armies in 1994 where lots of lives were lost especially from the Cameroonian side propelled the latter to officially lodge a complaints before the international court of justice. Cameroon had asked the court to clarify between the two countries of whose sovereignty should apply in the disputed Bakassi peninsular. In addition, she had asked the court to “confirm Cameroon’s ownership of Bakassi as reflected in the Anglo-German Agreement of 1913, the 1961 referendum, and the Maroua Declaration of 1975”.67 To this effect, Nigeria filed a response claiming sovereignty based on historical factors. The first seven Nigeria’s preliminary objections to the ruling of the international court of justice were turned down by the said ICJ of the 11th of June 1998. The grounds for the rejection was that the court would not just look at only the historical factors but also instances of international treaties and international laws.68

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Nevertheless, having sensed her weakness in the dispute; and her limited chances in winning the case; Nigeria has sort to resolve the dispute through bilateral relations, with a premonition that her military and economic superiority over Cameroon might fetch her better shot at the dispute than the judgment of ICJ. But Nigeria did not just use only bilateral means to resolve the situation. It is profound to realize that she kept on her military skirmish on the peninsular while fully aware of her insignificant chances of winning the case should Cameroon persists in bringing in a third party to decide over the matter.

While the bilateral agreement was being delayed, Cameroon made a fresh plea on 16th of March 1995 with the ICJ to intervene as quickly as possible; leaving Nigeria with nine months to come forth with her submission. Consequently, on the 13th of December 1995, Nigeria astonishingly in her submission, questions the capacity of the court to rule over the matter, noting that both countries belong to Lake Chad commission. The court was still reviewing the new pleas when Cameroon in February 1996 brought forth a new plea before the court to intervene in a full military action which she claimed Nigeria had started on the 3rd and 4th of February of the same year. More so, she had asked the court to enforce a cease fire to allow the court to decide fully on the dispute. Meanwhile, Nigeria was not comfortable with Cameroon’s decision to take the case to ICJ; having known that the government of Sani Abacha had not been viewed positively at the international scene. Consequently, there was a thin hope on the outcome should Nigeria accept to subject itself to the ruling of the court. Nevertheless, Nigeria was at liberty to turn down the authority of the court to rule on the dispute.

4.6 Why Bakassi peninsular Dispute?

If there is any continent that has seen more political volatility and conflicts in recent time, it would be Africa. These conflicts have come in various forms; ranging from civil war and ethnic clashes to boundary disputes; most of which have claimed many lives and rendered

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70 Ibid. 20081029

71 Kevin Ngang, http://www.aspr.ac.at/epu/research/rp_0407.pdf page 22. 20081031

72 Guo 2007:61
millions homeless. As a result, the populaces have been left impoverished and constantly chastised by the absence of civil and political serenity.

Concisely speaking, the choice of an inter-state boundary dispute is geared towards capturing the international aspect of the factors negating the emancipation of anarchy in our contemporary political structures which Bakassi peninsular dispute appropriately accounts for. Apparently, Bakassi peninsular dispute none-the-less is not the only dispute of such caliber within the continent.\textsuperscript{73} However, one has to put into consideration; the availability of materials before making the choice of a particular dimension of study. Hence, there are more sources on Bakassi dispute than other disputes at least within the time-frame of this study. On the other hand, this paper had considered carrying out a comparative case study, but the scope of the paper might not have given room for the capacious content such study would have come onboard with.

Finally, the essence of adding a case study in this paper is to illustrate those practices, element and aspects of our political structure that are obstructing the much needed tranquility. Hence, it is assumed that states with similar caliber of political situations (as the ones obtained in Nigeria and Cameroon) would witness similar if not the same outcome.

Having had an appraisal of the developments within the Bakassi dispute, it is necessary to bring together this paper’s ‘train of thought’ in line with its objective: to determine instances where we have hindered the realization of perpetual peace through our licentious practices. To that effect, this paper will go on with the presentation of the analysis.

5. Analysis

Before this paper goes deep into this analysis, it is vital to highlight once more that the central motive of this paper is to review the extent to which the current world political structures make use of Kant’s aforementioned theory, more so, the factors that are responsible for the possible shortcomings which consequently has been hindering peace and global justice as prescribed in his \textit{perpetual peace}. However, it is imperative at this juncture to note that the UN through the ICJ, Represent the “application” of Kant’s theory on internationalism.

\textsuperscript{73} Deng and Zartman 1991:341and362
Therefore, in order to get at a meaningful result, this paper shall review the dispute in relation to the three Definitive articles in *perpetual peace*, with more deliberation of the second definitive article.

### 5.1 Analysis in relation to the first definitive article.

The first definitive article states (as mentioned before) for there to be world peace, each state has to adopt a republican constitution. The rationale behind this assumption is that because the republican constitution would warrant that the leaders have to be chosen by the people, there would be a little chance for such a state to comprehensively agree on waging war against another state. In relation to the above situation comprising Nigeria and Cameroon, we could ascertain that the situation could have been a different scenario altogether had there not been military and despotic government in Nigeria and Cameroon respectively. The military skirmish that have been witnessed have all occurred first in 1981 when in Cameroon there was a despotic leader with a record low in human rights. The second was in 1994 when the military government of Sani Abacha was in power. The third was also a Nigerian-instigated skirmish which occurred in 1996.

The military junta is not just despotic and tyrannical, it is also autocratic. In the Despotic Cameroonian president Biya’s government, there was a separation of power; at least in the constitution. The case was quite the opposite in Nigeria’s General Sani Abacha’s government and previous military juntas; there was a fusion of power in what seems a unicameral government. It is obvious that there were no elected representatives legislating for the good of the masses in Nigeria then. It was only a couple of advisers which president Abacha hired and fired at will. Therefore, Nigerians were not consulted in the actual sense before any of these military skirmishes in Bakassi peninsular. The same is applicable in Cameroon, since the president has turned out to be despotic, it is imperative to realize that he had made no effort in getting an approval from the representatives of the people. In a case where he did, it must have been done with mere formalities. Hence, as Kant has envisioned, the government in Nigeria and Cameroon have failed to meet the republican requirement prescribed by Kant. Consequently, they were both engulfed in such a wasteful war venture.
Kant’s idea of world democratic states has been criticized by Carr as very utopian. At the first glance on his work, one might tend to wonder how possible it is to have a democratic regime in every state of the world. But a structural progression in the levels of analysis would clear the air to the possibility of Kant’s position where morality of actions geared towards altruism is considered superior to the innate desire for egoistic tendencies; a proposition which defines the operationalisation of Kant’s perpetual peace. However, one needs to go back to the enlightenment campaign which sort to bring rationality at the centre stage in human existence; rationality propelling intra-connected effect through circumventive movement of the three major structural levels of analysis. This rationality should be devoid of every egocentric purpose in pursuit of a common good for everyone. Hence, the enlightenment campaign was about human emancipation from his state of nature as an animal to the use of reason and rationality for human development and sustainability; a call for negation from passion to reason. At the individual level of analysis, if rationality is guiding every person’s activities and thinking, people would realize that the best form of government is democracy where freedom, equality, justice are guaranteed for all. Hence, such a state can be called a rational state. At the state level of analysis, if every state turns out to adopt republican constitution through democracy, there would not be need for coercive international governance, given that democracies are rational and would not go to war against each other.

5.2 Analysis in relation to the second definitive article

The paramount aim for establishing the United Nations is for the maintenance of international peace and security; knowing that the problem with the current international system is its anarchical structure. As this paper had mentioned earlier, Kant’s second definitive article on internationalism bears the central attention in this analysis. The article begets the establishment of the League of Nations which was later renamed the United Nations. From this “federation of states”, springs the international court of justice; hence, I shall review what constitutes the legitimacy of the ICJ in relation to the Bakassi peninsular dispute.

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74 C. Brown 2002: 68
75 Ibid page 42-46
76 Ibid page 40
77 M. Brown1998:10
A careful look at the case would portray the weakness and incapacity of the court to authoritatively adjudicate between conflicting states. Before we look at how Nigeria in this case has undermined the function of the court, it is important to point out that the ICJ is not just incapacitated by the conflicting countries; the fundamental establishment of the court has already rendered the court at the mercy of the warring countries. “According to Article 36, paragraph 2, of the Statute of the Court, both parties to a conflict must declare their acceptance of the jurisdiction of the Court before it can accept an application”. 78

As Nigeria was confident of her chances of winning the case, she consented to relegate her judicial sovereignty to the ruling of the ICJ. However, when the reality dawned on her that she does not have favorable stand to win the case, she started questioning the authority of the court to intervene in the case. 79 The issue here is with relegation of sovereignty. Going by the article establishing the court, Nigeria could have turned down the first suite with the argument that she does not consent to the ruling of the court. Even as Nigeria had consented to obey the ruling of the court, she was still at liberty not to. One of the reasons why Nigeria would want to abide by the court’s ruling was because of her economic dependence on the power blocs within the United Nations. A more economic independent country would have not even given the court the consent to rule on the matter in the first place. The result of this incapacitation of the United Nations through the ICJ is the outbreak of the third conflict in 1996.

From all indication, the establishment of the United Nations is based on Kant’s second definitive article. The Bakassi peninsular case where Nigeria has accented to the ruling of the court does not amount to that which can guarantee peace and justice. As a matter of fact, Nigeria’s consent was as a result of compulsion from the idea that she would be punished if she had turned down the ruling; not just by the ICJ, but by influential countries, invariably riding the affairs of the United Nations. In that case, if Nigeria were right in her position as the owner of the peninsular, it would have amounted to injustice that she should consent to the ‘would-have-been-unjust-ruling’ because of what she could lose. In any case, the point here is that Nigeria could have initially denied the court the jurisdiction over the dispute; which showcases how debilitated the UN could be. This is what Fukuyama has also noted when he

78 Kevin Ngang, http://www.aspr.ac.at/epu/research/rp_0407.pdf page 22. 20081101

79 Ibid. 20081102
flawed our application of Kant’s theory to be weak and unsubstantiated, which undermines the purpose behind Kant’s “Federation of states” precept. 80

Therefore, the very foundation of the United Nations as the brain-child of Kant’s perpetual peace have been found to be weakened by the membership of non-democratic states, from what we see in Bakassi peninsular dispute, the foundation of ICJ further portrays such shortcoming. However, it is a debatable issue as to what world peace and security would have looked like had the United Nations restricted its membership to the democratic nations. This will further prop-up other issues like the relationship of the United Nations with non democracies or ‘united non democracies’; whether United Nations can go to war with united non democratic nations. In such a case, who will settle the dispute between the united democracies and united non-democracies?

Which ever be the case, we can only approach this from the pragmatic essence in our contemporary world politics. Hence, there is a saying that one can draw a horse to the river, but cannot force the horse to quench its thirst by drinking from the river. If non democratic states have been made to see why democracy is best through rationality and fail to adhere to it, it might amount to fruitless or under-productive adventure should they be admitted among the United Nations as wolf among sheep. However, the kind of rationality Kant talks about will warrant the rational individual states the onus of making sure that there is proper awareness (devoid of egotistic tendencies) towards these states that are still in the state of nature.

These shortcomings within the United Nations have been receiving some remedial attentions from some contemporary liberal theorist for a more centralized authority through the empowerment of the United Nations and its institutions. Nevertheless, the idea of a centralized authority does not necessarily amount to dissolution of the current sovereignty enjoyed by states. Some prominent liberal theorists would categorically argue that the much needed authority at the international system should not be seen as a call for global government with Authority tantamount to that enjoyed by sovereign states. 81 In line with Kant, they argue that world government is likely to give rise to despotic leadership. However, the liberal

80 Fukuyama 1992:281

theorists do contend with the need to address the issue of state sovereignty and its continued sustenance of the anarchical international system. Hence, in order to ensure sustainable peace, more power has to be vested on the international institutions and co operations in a way that will regulate states’ arbitrary use of sovereignty at the expense of international peace and security.

Nonetheless, the effectiveness of the liberal quest for a more centralized authority is sure to meet some obstacles. It is hard to conceive how states would give up some part of their sovereignty. Thomas Pogge does also recognize the magnitude of such hindrance and has drawn insight from Kant when he argues that it is only democratic states that can understand the need for such an international authority.82 Hence, he argues that the way forward is when states are democratic.

If any liberal theorist have been forth-coming with a clear-cut modus operandum for the envisioned more international authority; it would be David Held. He forecasts the imminent extinction of state sovereignty which is propelled by globalization, high rate of economic inter-dependence and international cooperation. Hence, he contends that the workability of this international authority is feasible going by the fact that no state is self sufficient and that every state would need to subject itself to the authority of the international community.83 Sequel to this, he argues for a globalised legislature, international judiciary with corresponding level of arbitration capacity and a universal citizenship where global justice and equality of all would be guaranteed.84

5.3 Analysis in relation to the third definitive article.
Having gone through analysis of the major review issue in this paper in the preceding analysis, we are left with the last of which rests on the best application of the former two definitive articles. Kant in his third definitive article brought in the idea of world citizenship. In his assumption, there should be world citizenship not just as privilege but right to hospitality. One would therefore wonder if hospitality amounts to kindness and if kindness is

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82 Pogge 2000: 213–214
83 Held 1995:137
84 Ibid page 279–280
a compulsory choice of behavior. This is because right as it seems is the legitimacy over a phenomenon.

However, let us not delve deep into the rhetoric of reflexivity, thereby, leaving behind our empirical data. Hence, the situation in the Bakassi peninsular during the crisis portrays to a certain level that due to despotism and autocratic government of both Nigeria and Cameroon, the citizens have suffered less hospitality in the foreign land and in the hands of the military from both countries as they claim sovereignty over the peninsular:

“A final consequence of the crisis was that a number of families, inhabiting the frontline between Cameroonian and Nigerian armies, were displaced, whereby dividing formerly mixed communities Nigerian tenants in Northern Bakassi villages left to their home areas in Cross River and Akwa Ibom states, while Cameroonian fishermen left the fishing camps they shared with their Efik counterparts in the Bakassi to move to the towns of Isangele and Ikondo Titi”.85

In order words, every side dreaded the other as an enemy. It would definitely seem unreasonable for a Nigerian to seek for hospitality in Cameroon during this crisis and vice versa. The implication of this therefore is that if the constitution of both countries were to be republican, they probably would not have resorted to war as a means to settling their dispute which in effect has left citizens of each country insecure in the other country.

More so, the idea of cosmopolitan market in this crisis got its share of the pier. Going by the analysis, more and more farmers and fishermen suffered set-backs in their production level. They went from commercial production to just subsistent production. The economic loss to the crisis has been profound on both countries. It has been noted that due to the occupation of the military from both Nigeria and Cameroon, there was less transaction of goods and services in the Bakassi peninsular and its surroundings. It was a suicidal attempt for the fishermen in the Bakassi area to hold on to their means of livelihood during this crisis.86

6. Conclusion
Through the above analysis, we can respond to the aim of this essay which is to ascertain the extent Kant’s theory is applied in our contemporary world, and to fish out those factors responsible for the shortcoming in applying his theory which has hindered the realization of world peace. Hence, the findings of the first analysis of the first definitive article portray that


86 Ibid.
Nigeria and Cameroon had fallen short of Kant’s recommendation which prescribes republican constitution for every state. Consequently, there were conflicts between them. In that sense, maybe the situation could have been a different thing should both had been democratic as against despotism and autocracy. However, going by the aim of this paper, it might be very presumptuous to recommend republican constitution for every state as that which will bring about perpetual peace and global justice. More so, this paper has not included any state with a republican constitution to drive home the theory. Nevertheless, this paper faults Nigeria and Cameroon’s application of Kant’s theory since both countries had constitutions that did not meet the republican constitution requirement as Kant would idealize.

Furthermore, it is important to mention that Nigeria and Cameroon are only a reference point. Hence, it is yet unproven in this paper whether the result would be the same should another boundary dispute with similar paraphernalia were to be reviewed. Sequel to this, this paper can only reach its conclusion based on the case studied here. Nevertheless, this paper would assume that the situation in this first analysis does not only apply to Nigeria and Cameroon, but presumably extends to every state where despotism or autocracy still reigns. In order words, every state is obliged to be founded on the principle of freedom, liberty and equality in political, social and economic participation to check-mate the excesses of tyranny and despotism.

On the other hand, the situation is similar towards the analysis of the second definitive article. However, this time, it is the UN, through the floppy establishment of the ICJ which has fallen short of the Kant’s recommendation. Hence, article 36 paragraph 2 does not give room for the proper application of Kant’s internationalism prescription which consequently juxtaposes the realization of perpetual peace through global justice. One possible recommendation therefore is to strengthen the decision power of the court. Probably not to override the sovereignty of states, but in a way that will give the court a third party right to mediate and rule without influence and limitations over conflicts between two warring states.

Lastly, the third analysis of the definitive article goes also along with the faulty lines towed by the previous two. Going by the Bakassi incidence, the paper is able to detect that due to the outbreak of the skirmish, Nigerians were treated in Cameroonian territory in contrast to the recommendation of Kant. The same situation befalls Cameroonianians who were in Nigerian territory. However, the faulty line of this third definitive article on the part of Nigeria and
Cameroon is a resultant effect of the first two analyses. In essence, Nigerians would have been treated with hospitality in Cameroon if not as a result of the war and vice versa.

Be that as it may, we shall still regard the inhospitality in the area as a short-coming towards their application of Kant’s recommendation. A solution in this case would still gear towards looking on to the proper functioning of the first two definitive articles.

Cumulatively, through the findings of this paper, we have got a reply to the issue posed by the purpose of this essay; which is to ascertain the extent of our application of Kant’s definitive articles. Hence, this paper has enumerated various forms through which we can and have been obstructing perpetual peace and global justice by not adhering properly to prescriptions laid down by Kant.

What we need to understand about Kant’s justification for prescribing the community of states devoid of coercive control is propelled by the assumption that these states should not only be rational in their behavior with other states, but he also does not provide for the membership of non-democratic regimes in this federation of states guided by treaties. By implication, Nigeria and Cameroon should not have been members of the United Nations. An exclusion which would have made them to have a rethink in the kind of regime they run. Furthermore, in our contemporary world, treaties have in several instances, been breached to the detriment of international peace and security; which undermines the applicability of Kant’s mere treaty for the operationalisation of the community of states.

Finally, at the international level of analysis, there is need for a form of community of states where differences could be solved amicably. The amicability here can be possible if all the states are republican states, hence with rational leaders who put common interest of peace and security of mankind above peculiar interest of individual state. Consequently, there are still loop-holes in our contemporary practice of internationalism. The solution therefore is for every country to not just practice democracy, but most importantly, to realize the importance of such concept. The idea of cosmopolitanism will naturally fall in place with the institutionalization of democracy. And finally, there is an urgent need to revisit the establishment of the United Nations and the ICJ. More recently, there have been growing advocacy against the contemporary centrifugalism in international politics and governance. The United Nations commission that reviewed the implication of the Gulf war (1990-1991),
recommended a more galvanized and centralized role of the UN in world affairs. At the realignment of these segments of our political structures, the Kantian dream for global justice and perpetual peace will be realistic in our contemporary world.

87 Hewson and Sinclair 1999:14
7. Bibliography

7.1 Books


### 7.1 Online sources


