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## **Carving an Afro-Centric Framework Towards Effective Settlement of Maritime Boundary Disputes Among African States**

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### **Abstract**

*The article advances the author's arguments from previous publications on the need for an Afro-centric approach in addressing maritime boundary disputes in Africa. Based on literature review, the article argues that sufficient seeds have been sown to support an Afro-centric framework, thereby presenting a clearer way forward. Ubuntu, African renaissance, pan-Africanism, post-colonial theory, African socialism, endogenous development theory, and indigenous knowledge systems are offered as the strong strands through which – and in appropriate doses – the proposed framework can be sewn.*

**Key words:** *Afro-centric, Africa, Maritime Boundary Disputes*

### **I. Introduction**

Maritime boundary disputes stem from a complex interplay of domestic and international triggers, including historical, humanitarian, legal, social, political, and resource tensions.<sup>1</sup> This

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<sup>1</sup> Timothy D Walker, 'A Brief Historical Overview of the Maritime Indian Ocean World (Ancient Times to 1950)', *The Indian Ocean and its Role in the Global Climate System* (Elsevier 2024) <<https://www.sciencedirect.com/science/article/pii/B9780128226988000056>> accessed 10 June 2024; Christian Bueger and Timothy Edmunds, *Understanding Maritime Security* (Oxford University Press 2024) <<https://books.google.com/books?hl=en&lr=&id=D7MCEQAAQBAJ&oi>

demands robust and nuanced interventions in order to promote cooperative regional relationships, development, legal clarity on jurisdiction, peace, resource ownership, security, and stability.<sup>2</sup> Effective settlement of maritime boundary disputes is also necessary for development and implementation of both international maritime security policies and strategies.<sup>3</sup>

The 1982 United Nations Convention on the Law of the Sea (1982 UNCLOS/the Convention) is often lauded for its 'comprehensive' regime of maritime governance, which includes a mechanism for settling maritime boundary disputes.<sup>4</sup> Nonetheless, the Convention

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=fnd&pg=PP1&dq=Why+Africa+must+resolve+its+maritime+boundary+disputes+Timothy+Walker&ots=pNOqbAFy0-&sig=g4zUqmpbBhF57B44J-1h70jI0g0> accessed 10 June 2024; Timothy Walker, 'Why Africa Must Resolve Its Maritime Boundary Disputes'.

<sup>2</sup> Emilia Justyna Powell and Krista E Wiegand, *The Peaceful Resolution of Territorial and Maritime Disputes* (Oxford University Press 2023) <<https://books.google.com/books?hl=en&lr=&id=laa7EAAAQBAJ&oi=fnd&pg=PP1&dq=This+demand+robust+and+nuanced+interventions+in+order+to+promote+cooperative+regional+relationships,+development,+legal+clarity+on+jurisdiction,+peace,+resource+ownership,+security,+and+stability+&ots=OhGN8EHkLs&sig=sImL18Q4v1HS3zoU7-QjjuZSpx4>> accessed 20 June 2024.

<sup>3</sup> Michael Sutherland, 'Marine Boundaries and Good Governance of Marine Spaces' <<https://unbscholar.lib.unb.ca/bitstreams/409cce21-4931-4947-bb02-6cfd299135a2/download>> accessed 17 June 2024.

<sup>4</sup> United Nations, Division for Ocean Affairs and the Law of the Sea, 'Oceans: The Lifeline of Our Planet Anniversary of the United Nations Convention on the Law of the Sea: 20 Years of Law and Order on the Oceans and Seas (1982-2002)' (*United Nations, Division for Ocean Affairs and the Law of the Sea*) <[https://www.un.org/depts/los/convention\\_agreements/convention\\_20years/oceansthelifeline.htm](https://www.un.org/depts/los/convention_agreements/convention_20years/oceansthelifeline.htm)> accessed 22 October 2020 The Convention's dispute resolution framework is an integral and inseparable component of the Convention itself .

is seemingly ill-equipped to deal with the evolving nature of maritime boundary disputes among African States. This limitation is revealed by the complexity of contemporary appropriation demands over the African maritime space as illustrated in the article, “*Examining the Role of Delimitation of the Continental Shelf and the Exclusive Economic Zone in relation to Maritime Boundary Disputes in Africa*”.<sup>5</sup> A key recommendation of the said article is the need for Africa to prioritise a more cohesive approach to settling her maritime boundary disputes.<sup>6</sup> The present article contributes to the topic by presenting proposals on how Africa can achieve this recommendation.

To do so, this article shows how the dispute settlement framework of the 1982 UNCLOS contradicts tenets of Afro-centrism, and therefore often fails to address the unique contexts of African countries. This leads to sub-optimal outcomes as laid out in Section III below.<sup>7</sup> Ultimately, this article presents the Afro-centric paradigm as the most effective model for settling maritime boundary disputes among African States. It therefore advocates for a paradigm shift towards solutions that are not only for African countries but are also created by and with them.<sup>8</sup> One of the platforms through which this process

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<sup>5</sup> Njoki Mboce, Kariuki Muigua, and Peter Munyi, ‘Examining the Role of Delimitation of the Continental Shelf and the Exclusive Economic Zone in Relation to Maritime Boundary Disputes in Africa’ (*Kenya Law*) <<http://kenyalaw.org/kl/fileadmin/pdfdownloads/KLReviewJournal/Final-Joint-Article.pdf>> accessed 9 April 2023.

<sup>6</sup> *Ibid.*

<sup>7</sup> Theodore Okonkwo, ‘Maritime Boundaries Delimitation and Dispute Resolution in Africa’ (2017) 08 *Beijing Law Review* 55.

<sup>8</sup> Ngozi Okonjo-Iweala, *Reforming the Unreformable: Lessons from Nigeria* (MIT Press 2014)

<<https://books.google.com/books?hl=en&lr=&id=HuV1DwAAQBAJ&oi>

can be undertaken is through the African Union.

To demonstrate the ripeness of an Afro-centric approach in this case and Africa's capacity to harness such a framework, the article shares existing perspectives on Afro-centrism from at least ten African leaders from both academia and the political world. These perspectives can be applied in shaping an Afro-centric approach towards settling of maritime boundary disputes among African States. This article adopts the approach that the thought systems of societies generally influence their attitudes and behaviours.

In addressing these issues, the article seeks to contribute to the broader discourse on international peacekeeping and conflict resolution, emphasizing the importance of adapting global frameworks to regional realities. The article also seeks to contribute to the broader discourse on global sustainable blue economy. This is crucial not only for the stability of African States but also for the credibility and effectiveness of the United Nations – upon which the 1982 UNCLOS is anchored – in its mission to promote global peace.

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=fnd&pg=PR7&dq=Okonjo-Iweala,+N.+(2012).+Reforming+the+Unreformable:+Lessons+from+Nigeria.+MIT+Press.&ots=ObLgHWpkMc&sig=woRhUZz5sCdBjM0A8d3VHfeYW\_I> accessed 17 June 2024; Dambisa Moyo, *Dead Aid: Why Aid Is Not Working and How There Is a Better Way for Africa* (Macmillan 2009); Wangari Maathai, *The Green Belt Movement: Sharing the Approach and the Experience* (Lantern Books 2003) <[https://books.google.com/books?hl=en&lr=&id=4bDghrBcXzUC&oi=fnd&pg=PR7&dq=Maathai,+W.+\(2004\).+The+Green+Belt+Movement:+Sharing+the+Approach+and+the+Experience.+Lantern+Books.&ots=\\_jxFEsGKhr&sig=rZugsBCtwgzDHJriGDDn1ASGmNI](https://books.google.com/books?hl=en&lr=&id=4bDghrBcXzUC&oi=fnd&pg=PR7&dq=Maathai,+W.+(2004).+The+Green+Belt+Movement:+Sharing+the+Approach+and+the+Experience.+Lantern+Books.&ots=_jxFEsGKhr&sig=rZugsBCtwgzDHJriGDDn1ASGmNI)> accessed 17 June 2024; Thandika Mkandawire, 'Thinking about Developmental States in Africa' (2001) 25 *Cambridge journal of economics* 289.

Due to time limitations, this article cannot cover all aspects regarding the application of Afro-centrism in settling maritime boundary disputes among African States. It therefore aims to provoke thought and encourage further inquiry on the topic.

This article is divided into nine sections. Section I – the present section – lays the foundation and structure for the rest of the article. Section II discusses the drivers of maritime boundary disputes among African States. Section III highlights the Convention’s approach to settling maritime boundary disputes. Sections IV and V are the backbone of this article. This is because section IV and parts of section V present cases where African States have applied indigenous systems in settlement of disputes. Section V further presents specific values upon which these indigenous systems are based, and which then offer the genetic makeup for an Afro-Centric Approach. Section VI presents a summary of the findings while section VII discusses the challenges to the establishment of an Afro-centric approach for settlement of maritime boundary disputes among African States. Section VIII highlights the article’s recommendations and section IX sums up the discussions.

## **II. Drivers of Maritime Boundary Disputes among African States**

One of the triggers of maritime boundary disputes among African States is the colonial legacy.<sup>9</sup> The arbitrary borders drawn by colonial powers ignored the geographical and cultural realities of African societies, leading to ambiguities and overlaps in maritime boundaries

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<sup>9</sup> João Sarmiento, ‘Colonialism, Post-Colonialism, and Its Heritage Imprint’, *Cultural Heritage and Tourism in Africa* (Routledge 2023) <<https://www.taylorfrancis.com/chapters/edit/10.4324/9781003153955-14/colonialism-post-colonialism-heritage-imprint-jo%C3%A3o-sarmiento>> accessed 20 June 2024.

after independence.<sup>10</sup> Additionally, ambiguities in treaties inherited from colonial times or made post-independence have often led to differing interpretations of maritime boundaries. Discrepancies in historical maps and documents further complicate the issue.<sup>11</sup> This colonial and post-colonial domination of processes directly related to Africa sketches some of the struggles in defining and establishing Afro-centrism in postcolonial times.<sup>12</sup>

Another factor is the 'paradoxical resource curse'.<sup>13</sup> Africa is blessed with valuable offshore resources such as oil, gas, and fisheries which stir domestic and international appetite for control over.<sup>14</sup> Many international actors increasingly fund exploration and exploitation of

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<sup>10</sup> Lindsay Frederick Braun, 'Cartography in Colonial Africa', *Oxford Research Encyclopedia of African History* (2024) <<https://oxfordre.com/africanhistory/display/10.1093/acrefore/9780190277734.001.0001/acrefore-9780190277734-e-632>> accessed 10 June 2024; Njoki Mboce, Kariuki Muigua, and Peter Munyi (n 5); Ewan W Anderson, *International Boundaries: A Geopolitical Atlas* (Psychology Press 2003) <[https://books.google.com/books?hl=en&lr=&id=E7-menNPxREC&oi=fnd&pg=PR11&dq=Anderson,+E.+W.+\(2003\).+International+Boundaries:+A+Geopolitical+Atlas.+Routledge.&ots=Ge6K39jY8l&sig=3soyxj8DIEQ8TdrF\\_PGR18r1siE](https://books.google.com/books?hl=en&lr=&id=E7-menNPxREC&oi=fnd&pg=PR11&dq=Anderson,+E.+W.+(2003).+International+Boundaries:+A+Geopolitical+Atlas.+Routledge.&ots=Ge6K39jY8l&sig=3soyxj8DIEQ8TdrF_PGR18r1siE)> accessed 9 June 2024.

<sup>11</sup> Robert D Hodgson and E John Cooper, 'The Technical Delimitation of a Modern Equidistant Boundary' (1976) 3 *Ocean Development & International Law* 361.

<sup>12</sup> Sarmiento (n 9).

<sup>13</sup> James Boafo and others, 'The Race for Critical Minerals in Africa: A Blessing or Another Resource Curse?' (2024) 93 *Resources Policy* 105046; Njoki Mboce, Kariuki Muigua, and Peter Munyi (n 5).

<sup>14</sup> Hans B Christensen, Mark Maffett and Thomas Rauter, 'Reversing the Resource Curse: Foreign Corruption Regulation and the Local Economic Benefits of Resource Extraction' (2024) 16 *American Economic Journal: Applied Economics* 90.

maritime resources in Africa.<sup>15</sup> To safeguard their interests, they also invest in curtailing any competing claims.<sup>16</sup> This latter factor raises the possibility that the number of disputes—or at least their magnitude— would be lower if the appetite was purely domestic.<sup>17</sup>

Limited precise legal and technical knowledge in defining maritime boundaries also contributes to disputes.<sup>18</sup> While the 1982 UNCLOS provides a framework for settling maritime disputes, not all African States have the capacity or willingness to fully implement its provisions.<sup>19</sup> This often leads to reliance on bilateral negotiations which are often supported by invested third parties, often making them contentious and protracted.<sup>20</sup> This relatively minimal investment in developing the necessary capacity suggests that maritime boundary delimitation is not necessarily the natural highest ranking of priority for African States. This buttresses the proposal for

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<sup>15</sup> Clive Schofield, 'Competing Claims to Maritime Jurisdiction in the Indian Ocean' [2009] *Fisheries Exploitation in the Indian Ocean: Threats and Opportunities* 104.

<sup>16</sup> *Ibid*; Clive Schofield and I Arsana, 'The Delimitation of Maritime Boundaries: A Matter of Life or Death for East Timor?' <<https://ro.uow.edu.au/lawpapers/300/>> accessed 10 June 2024.

<sup>17</sup> Linnet Hamasi and Xavier Ichani, 'Kenya-Somalia Maritime Border Dispute: Genesis, Prospects and Challenges' *Current Developments, Peace and Stability in the Horn of Africa* 61.

<sup>18</sup> H Njoki Mboce, 'India-Africa Co-Operation on Maritime Security: Need for Deeper Engagement' (2019) 43 *Strategic Analysis* 261.

<sup>19</sup> Santiago Salvador and Marta Chantal Ribeiro, 'Socio-economic, Legal, and Political Context of Offshore Renewable Energies' (2023) 12 *WIREs Energy and Environment* e462; Áslaug Ásgeirsdóttir and Martin Steinwand, 'Dispute Settlement Mechanisms and Maritime Boundary Settlements' (2015) 10 *The Review of International Organizations* 119.

<sup>20</sup> Robert Beckman, 'The UN Convention on the Law of the Sea and the Maritime Disputes in the South China Sea' (2013) 107 *American Journal of International Law* 142.



Africa to deliberately steer her concerns and approaches to them. Moreover, geopolitical rivalries and differing national interests can cause and exacerbate maritime boundary disputes.<sup>21</sup>

These drivers give an indication of African States' context, capacity, and priorities in relation to maritime boundaries, which is crucial in examining an effective mechanism for settlement of their disputes.

### **III. The 1982 UNCLOS Approach to Settling Maritime Boundary Disputes**

The Convention provides a framework for the establishment of maritime zones, outlines principles for their delimitation, stipulates State jurisdiction in respect of each zone, and establishes a framework for settling boundary delimitation disputes.<sup>22</sup> This demonstrates the Convention's approach of division of resources. The framework requires State Parties to settle disputes concerning interpretation or application of the Convention by peaceful means.<sup>23</sup> In this regard, States can either pick from the various procedures set out in the Convention, or they would otherwise be bound by its compulsory procedures.<sup>24</sup> This demonstrates the Convention's universality and compulsory nature of its dispute settlement mechanism.

Various elements have limited the efficacy of the Convention's framework for settling of disputes. One is jurisdictional limitations

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<sup>21</sup> Andreas Østhagen, 'Maritime Boundary Disputes: What Are They and Why Do They Matter?' (2020) 120 *Marine Policy* 104118; Okonkwo (n 7).

<sup>22</sup> '1982 UNCLOS' <[https://www.un.org/depts/los/convention\\_agreements/texts/unclos/UNCLOS-TOC.htm](https://www.un.org/depts/los/convention_agreements/texts/unclos/UNCLOS-TOC.htm)> accessed 27 January 2020.

<sup>23</sup> *Ibid*, article 279.

<sup>24</sup> *Ibid*, Part XV.

especially arising from optional exceptions.<sup>25</sup> This is because States can exclude certain categories of disputes from the Convention's compulsory procedures.<sup>26</sup> The exclusions often relate to disputes concerning maritime boundaries. Another is non-ratification and non-recognition of the Convention and its mandate by some major maritime powers, such as the United States, which undermines the universal application and enforcement of its dispute resolution mechanisms.<sup>27</sup> Even among signatories, there are instances of non-compliance with decisions of the Convention's adjudicative organs, which diminishes the perceived authority of the Convention and its organs. Such example is the rejection by China of the 2016 South China Sea arbitration ruling.<sup>28</sup>

Further, lack of an easily accessible enforcement mechanism to ensure compliance with its dispute resolution outcomes is a significant

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<sup>25</sup> Eirik Bjorge and Andreas Motzfeldt Kravik, 'Settlement of Disputes by the International Court of Justice: Two Souls in the Court's Breast' in Maren Heidemann (ed), *The Transformation of Private Law – Principles of Contract and Tort as European and International Law*, vol 2 (Springer International Publishing 2024) <[https://link.springer.com/10.1007/978-3-031-28497-7\\_11](https://link.springer.com/10.1007/978-3-031-28497-7_11)> accessed 17 June 2024.

<sup>26</sup> '1982 UNCLOS' (n 22) Articles 297 and 298.

<sup>27</sup> Sam Bateman, 'UNCLOS and Its Limitations as the Foundation for a Regional Maritime Security Regime' (2007) 19 *Korean Journal of Defense Analysis* 27.

<sup>28</sup> Alfredo C Robles Jr, *The Defaulting State and the South China Sea Arbitration* (Springer Nature 2023) <<https://books.google.com/books?hl=en&lr=&id=uzzBEAAAQBAJ&oi=fnd&pg=PR5&dq=China+rejects+South+China+Sea+arbitration+ruling&ots=eheOHZFdLt&sig=21L85zzc3evt7OZmn68xBTC6I-8>> accessed 20 June 2024.

hamper.<sup>29</sup> The 1982 UNCLOS largely relies on states to voluntarily comply with rulings, which can be problematic when national interests are at stake.<sup>30</sup> Related to this is the fact that enforcement of decisions by the Conventions adjudicative organs can be influenced by diplomatic and political pressures, reducing the impartiality and effectiveness of dispute resolution processes.<sup>31</sup> Moreover, the procedures for dispute resolution under 1982 UNCLOS can be costly and time-consuming, deterring states from pursuing legal action and opting for bilateral negotiations or other means instead.<sup>32</sup> The Convention also contains provisions that are open to interpretation, leading to varying understandings and implementations by different states. This can complicate dispute resolution and lead to inconsistent

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<sup>29</sup> Alfredo C Robles Jr, 'The Defaulting State and the Jurisdiction of Annex VII Arbitral Tribunals', *The Defaulting State and the South China Sea Arbitration* (Springer 2023).

<sup>30</sup> Richard Collins, 'Navigating Choppy Waters: UNCLOS Dispute Settlement Coming of Age?', *The changing character of international dispute settlement* (Cambridge University Press 2023) <[https://www.academia.edu/download/76125230/Collins\\_Navigating\\_Choppy\\_Waters\\_Academia\\_Draft\\_.pdf](https://www.academia.edu/download/76125230/Collins_Navigating_Choppy_Waters_Academia_Draft_.pdf)> accessed 17 June 2024; Shuo Li, 'Unilateral Actions in the Development of the Law of the Sea' (2023) 153 *Marine Policy* 105658.

<sup>31</sup> Patrick Vidija, 'Uhuru Kenyatta: Kenya Will Not Cede an Inch of Its Soil to Anyone' (*The Standard*) <<https://www.standardmedia.co.ke/national/article/2001418905/uhuru-kenyatta-kenya-will-not-cede-an-inch-of-its-soil-to-anyone>> accessed 7 April 2022.

<sup>32</sup> Najeeb Al-Nauimi and Richard Meese, *International Legal Issues Arising under the United Nations Decade of International Law* (Martinus Nijhoff Publishers 2023) <<https://books.google.com/books?hl=en&lr=&id=dMX7EAAAQBAJ&oi=fnd&pg=PR3&dq=The+United+Nations+Convention+on+the+Law+of+the+Sea+is+expensive+&ots=y0A4nS64Lu&sig=rxSP3Hun2Jt5Oqg1hrL7xo0vgw>> accessed 17 June 2024.

outcomes.<sup>33</sup>

It is therefore evident that the Convention's approach to maritime delimitation is greatly characterised by division of resources. The buy-in to its mechanism for settlement of delimitation and decisions is limited. This is a stark contrast to the Afro-centric approach discussed below.

#### **IV. The Afro-centric Paradigm**

Afro-centrism has severally passed the efficacy test in settlement of disputes. For instance, many African societies have long relied on councils of elders and traditional leaders to mediate and resolve disputes. Examples of this include the *Gacaca* courts used within Rwanda to mediate and settle disputes related to the 1994 genocide.<sup>34</sup> Another example is the traditional *Oromo Gadaa* socio-political system in Ethiopia, where elected leaders and councils of elders manage community affairs and resolve disputes.<sup>35</sup> The *Ashanti* Kingdom in Ghana which relies on a council of elders, known as the *Asanteman* Council, to resolve disputes and govern local matters is another example.<sup>36</sup> Additionally, the *baraza* system in Kenya uses elders in

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<sup>33</sup> Njoki Mboce, Kariuki Muigua, and Peter Munyi (n 5).

<sup>34</sup> Philip Clark and Zachary Daniel Kaufman, *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond* (Hurst London 2008) <<https://www.academia.edu/download/109715979/S000842391000078820231228-1-p326lc.pdf>> accessed 17 June 2024.

<sup>35</sup> Legesse Asmarom, *Gada: Three Approaches to the Study of African Society* <<https://zelalemkibret.wordpress.com/wp-content/uploads/2012/05/gada-asmerom-legese.pdf>> accessed 17 June 2024.

<sup>36</sup> Kofi Abrefa Busia, *The Position of the Chief in the Modern Political System of Ashanti: A Study of the Influence of Contemporary Social Changes on Ashanti*

mediating conflicts and making communal decisions.<sup>37</sup> A further example is the *Bashingantahe* traditional institution in Burundi where elders, known as *Bashingantahe*, mediate disputes and uphold justice within the community.<sup>38</sup>

A multi-jurisdictional example is the adoption of post-colonial boundaries by African States.<sup>39</sup> The adoption was first through the Organisation of African Unity – the precursor to the African Union –

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*Political Institutions* (Routledge 2018)  
<<https://www.taylorfrancis.com/books/mono/10.4324/9781351030823/position-chief-modern-political-system-ashanti-busia>> accessed 17 June 2024.

<sup>37</sup> Dr Francis Kariuki, 'Conflict Resolution by Elders in Africa: Successes, Challenges and Opportunities' [2015] *Challenges and Opportunities* (July 9, 2015) <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3646985](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3646985)> accessed 17 June 2024; Northern Kenya, 'Conflict in Northern Kenya' <<https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=9ccfc235dd082676deb1154b84dfca38a608430>> accessed 17 June 2024.

<sup>38</sup> Philippe Ntahombaye and Gaspard Nduwayo, 'Identity and Cultural Diversity in Conflict Resolution and Democratisation for the African Renaissance: The Case of Burundi' (2007) 7 *African Journal on Conflict Resolution* 239.

<sup>39</sup> 'Uti Possidetis Juris' (*LII / Legal Information Institute*) <[https://www.law.cornell.edu/wex/uti\\_possidetis\\_juris](https://www.law.cornell.edu/wex/uti_possidetis_juris)> accessed 15 June 2024; 'Uti Possidetis Iuris' (*obo*) <<https://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0065.xml>> accessed 15 June 2024; Paul R Hensel, Michael E Allison and Ahmed Khanani, 'The Colonial Legacy and Border Stability: Uti Possidetis and Territorial Claims in the Americas', *International Studies Association meeting, Montreal* (2004); Giuseppe Nesi, 'Uti Possidetis Doctrine' [2008] *Max Planck Encyclopaedia of Public International Law* Loosely translated from Latin to mean 'as [you] possess under law' is a principle of customary international law that serves to preserve the boundaries of colonies emerging as States. Originally applied to establish the boundaries of decolonized territories in Latin America, the principle has become a rule of wider application, notably in Africa.

and later by the African Union.<sup>40</sup> This approach was primarily to maintain stability and prevent conflicts over borders following decolonization.<sup>41</sup> Notably, the approach has been reinforced through various decisions by the International Court of Justice. This demonstrates that if Africa was to firmly present a crystal Afro-centric criteria for settlement of its maritime boundary disputes, the 1982 UNCLOS institutions would be bound by the same because, as discussed in Section III, the Convention allows for States to elect their dispute resolution procedures.<sup>42</sup> These examples also demonstrate the efficacy of African indigenous systems – based on local customs, values, and knowledge – in settlement of disputes.

This section draws out existing perspectives from more than ten African proponents of Afro-centrism both from academia and the political world. This provides context, relevance, and significance for the present article. It is also an opportunity to evaluate the existing perspectives and build on them towards advancing the case for Afro-centrism, especially in respect of settlement of maritime boundary disputes. The reliance on a myriad of African proponents is deliberate to demonstrate that Afro-centrism as a concept is relatively firmly developed and embraced by Africans, therefore locally owned and

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<sup>40</sup> African Union, ‘Speeches and Statements Made at the First Organisation of African Unity (OAU) Summit, 1963 | African Union’ (*African Union*) <<https://au.int/en/speeches/19630508/speeches-and-statements-made-first-organisation-african-unity-oau-summit-1963>> accessed 29 September 2020.

<sup>41</sup> *Ibid.*

<sup>42</sup> ‘1982 UNCLOS’ (n 22) Articles 287, 280, 281, and 282 of the 1982 UNCLOS collectively provide States with the flexibility to elect their preferred dispute resolution mechanisms, whether through bodies established or recognised by the Convention, or alternative means agreed upon by the State Parties involved. .

ripe for adoption.

Molefi Kete Asante is credited with the scholarly development and eventual emergence of the “*Afrocentric Idea*” in the mid-20<sup>th</sup> century.<sup>43</sup> He presents Afro-centricity as a philosophical paradigm focusing on the agency of African people to generate theories and methods of analysis and correctives to the social, economic, and cultural conditions of the African people.<sup>44</sup> He pivots Afro-centricity’s innovation in approaching knowledge related to the African people on the assertion that African agency is the central instrument in a cultural re-orientation and narratives in relation to the African realm.<sup>45</sup>

Further to Asante’s postulation, Osei-Hwedie’s article, “*Afro-Centrism: The Challenge of Social Development*”, also aligns with three strands of this present article.<sup>46</sup> Firstly, it explores the concept of Afro-centrism which it presents as a framework emphasizing African identity and heritage in addressing social issues.<sup>47</sup> Secondly, it

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<sup>43</sup> Reynaldo Anderson, ‘Molefi Kete Asante: The Afrocentric Idea and the Cultural Turn in Intercultural Communication Studies’ (2012) 36 *International Journal of Intercultural Relations* 760; Molefi K Asante, ‘Afrocentricity: The Theory of Social Change’ <<https://cir.nii.ac.jp/crid/1130000797971063808>> accessed 15 June 2024.

<sup>44</sup> Molefi Kete Asante, ‘Afrocentricity’, *Routledge Handbook of Pan-Africanism* (Routledge 2020) <<https://www.taylorfrancis.com/chapters/edit/10.4324/9780429020193-10/afrocentricity-molefi-kete-asante>> accessed 15 June 2024.

<sup>45</sup> *Ibid.*

<sup>46</sup> Kwaku Osei-Hwedie, ‘Afro-Centrism: The Challenge of Social Development’ (2007) 43 *Social Work/Maatskaplike Werk* <<https://socialwork.journals.ac.za/pub/article/view/279>> accessed 15 June 2024.

<sup>47</sup> *Ibid.*

advocates for reclaiming African cultural and intellectual traditions in development strategies and critiques the inadequacies of the Western models for often ignoring the unique contexts of African countries.<sup>48</sup> Thirdly, it champions for an Afro-centric approach that centres African values, cultures, and perspectives.<sup>49</sup> Osei-Hwedie highlights the lasting effects of colonialism, including the marginalization of African knowledge systems, and calls for policies rooted in African realities.<sup>50</sup> He stresses the importance of education in fostering African identity and pride, and advocates for integrating modernity with African traditions.<sup>51</sup>

Osei-Hwedie advocates for a balanced approach that integrates beneficial aspects of modernity with African traditions and values.<sup>52</sup> This perspective is crucial to this article as it supports the idea that, whilst the 1982 UNCLOS reflects globalization and modernity, its interpretation and application in Africa must consider the local context. The article outlines practical steps for implementing Afro-centric strategies, such as: educational reforms (that incorporate African history, languages, and values to empower future generations), inclusive governance, economic self-reliance, and protecting cultural heritage, while discussing African values like *ubuntu/botho*, socialism, and neoliberalism in development.

The subsequent discussions will focus on specific values that constitute the strands of Afro-centrism including *African Renaissance*, and *pan-Africanism*. The subsequent discussions will also crystallise

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<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.



on the 'endogenous development theory'.

## **V. Afro-Centric Values -The Strands for an Afro-Centric Approach**

Notably, during the negotiations leading to the 1982 UNCLOS, African States were keen on ensuring the enjoyment of maritime resources by all African States.<sup>53</sup> In this regard, the OAU's joint position to the third United Nations Conference on the Law of the Sea argued that the resources of the seabed are the common heritage of humankind, not to be exploited by whoever is wealthy enough to get there first.<sup>54</sup> Additionally, the OAU worked to ensure that the Convention would establish exclusive economic zones (EEZs) and recognise certain maritime rights for landlocked States.<sup>55</sup> They also pushed for an international seabed authority (ISA) with the power to engage in seabed mining, and to control use by others through

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<sup>53</sup> C Odidi Okidi and Sidney B Westley, 'Management of Coastal and Offshore Resources in Eastern Africa' <<http://erepository.uonbi.ac.ke/bitstream/handle/11295/2023/op28-319140.pdf?sequence=3>> accessed 20 June 2024; Andronico O Adede, *The System for Settlement of Disputes under the United Nations Convention on the Law of the Sea: A Drafting History and a Commentary*, vol 10 (Brill 1987) <<https://books.google.com/books?hl=en&lr=&id=iQ9-gxEG3c8C&oi=fnd&pg=PA3&dq=limitations+of+the+United+Nations+Convention+on+the+Law+of+the+Sea+in+Africa&ots=dHsqXiwoB3&sig=6ryIzQR0sHWzdBEXGTkxTu6Xjmk>> accessed 20 June 2024.

<sup>54</sup> Edwin Egede, 'UNCLOS 82: Africa's Contributions to the Development of Modern Law of the Sea 40 Years Later' (2023) 148 *Marine Policy* 105463.

<sup>55</sup> Jamal Barnes and Daniel Baldino, 'A Network Maritime Security Approach to Intelligence Sharing in the IOR' (2018) 14 *Journal of the Indian Ocean Region* 315; C Odiai Okidi, 'The Kenya Draft Articles on Exclusive Maritime Economic Zone Concepts: Analysis and Comments on the Original Proposal' Development Studies or the University of Nairobi. This paper is not for quotation without permission of the authors, as specified in the Copyright Act, Cap 130 of the Laws of Kenya.

licenses.<sup>56</sup> Profits from the ISA mining activities and royalties from the licences would be distributed among all states as the common heritage of mankind.<sup>57</sup> This approach by African States was a clear demonstration of compassion, mutual care, and community, which is emphasised by the philosophy of *ubuntu*.

The philosophy of *ubuntu* which emphasizes interconnectedness of all people, compassion, mutual care, and community served as a powerful foundation for dispute resolution in post-apartheid South Africa. It is an African philosophy whose early proponents include Desmond Tutu and Nelson Mandela.<sup>58</sup> It argues that solutions to African problems should be rooted in communal values and local contexts including reconciliation.<sup>59</sup> Tutu and Mandela have both

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<sup>56</sup> Charles Emeka Ochem and Anwulika Joy Debski, 'Historical Development to the 1982 United Nations Conventions on the Law of the Sea and the New International Economic Order.' (2021) 2 *Igbinedion University journal of jurisprudence and international law* <<https://rgu-repository.worktribe.com/output/1544298>> accessed 20 June 2024.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Long Walk to Freedom* (2017) <<https://www.hachettebookgroup.com/titles/nelson-mandela/long-walk-to-freedom/9780759521049/>> accessed 31 May 2024; 'Conversations with Myself' (*Macmillan Publishers*) <<https://us.macmillan.com/books/9781429988391/conversationswithmyself>> accessed 31 May 2024; *In His Own Words* (2017) <<https://www.hachettebookgroup.com/titles/nelson-mandela/in-his-own-words/9780316110198/>> accessed 31 May 2024; Desmond Tutu, 'Speech: No Future without Forgiveness' <<https://digitalcommons.unf.edu/cgi/viewcontent.cgi?article=1007&context=archbishopsututupapers>> accessed 31 May 2024.

<sup>59</sup> *Long Walk to Freedom* (n 58); 'Conversations with Myself' (n 58); *In His Own Words* (n 58); 'President Nelson Mandela: 1994 State of the Nation Address | South African Government' <<https://www.gov.za/news/speeches/president-nelson-mandela-1994->

highlighted the importance of Ubuntu in fostering social cohesion and collective problem-solving in Africa.<sup>60</sup> This 'communal' ubuntu approach is a stark contrast against the 'selfish appropriation' characteristic of the 1982 UNCLOS framework. This demonstrates that an Afrocentric approach rooted in *Ubuntu* can foster reconciliation and healing, which are vital for resolving conflicts and building lasting peace.

Another is African Renaissance a philosophical and political movement propagated by among others, Thabo Mbeki.<sup>61</sup> This approach calls for a revitalization of African culture, economic development, and political governance as the strategy towards African solutions to African problems.<sup>62</sup> It emphasizes the need for self-reliance, regional cooperation, and leveraging Africa's unique

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state-nation-address-24-may-1994> accessed 31 May 2024; 'President Nelson Mandela: 1994 Presidential Inauguration | South African Government' <<https://www.gov.za/news/speeches/president-nelson-mandela-1994-presidential-inauguration-10-may-1994>> accessed 31 May 2024.

<sup>60</sup> 'President Nelson Mandela: 1994 State of the Nation Address | South African Government' (n 59); 'President Nelson Mandela: 1994 Presidential Inauguration | South African Government' (n 59).

<sup>61</sup> 'ANC.Pdf - Statement of Deputy President Thabo Mbeki, on Behalf of The African National Congress, on the Occasion of the Adoption of the Constitutional Assembly of "The Republic of South Africa Constitution Bill 1996": Cape Town, May 8, 1996' <<https://justice.gov.za/constitution/history/MEDIA/ANC.PDF>> accessed 31 May 2024.

<sup>62</sup> Ibid; John Sodiq Sanni and Madalitso Zililo Phiri, 'Monuments and Memory in Africa' <<https://api.taylorfrancis.com/content/books/mono/download?identifierName=doi&identifierValue=10.4324/9781003432876&type=googlepdf>> accessed 31 May 2024.

cultural heritage.<sup>63</sup> The proposal for managing inter-state conflict through cooperation instead of judicial and military interventions is timeless.<sup>64</sup>

Further, pan-Africanism, whose earliest documented proponents were Kwame Nkrumah and W.E.B. Du Bois promotes solidarity among all people of African descent and advocates for collective self-reliance and unity across the continent.<sup>65</sup> Nkrumah and Du Bois argue that Africa must unite to overcome colonial legacies and socioeconomic challenges.<sup>66</sup> They urge African States to develop solutions that reflect their shared history and aspirations.<sup>67</sup> The approach advanced by this philosophy of Africa as one collective unit contradicts the nationalistic approach of the 1982 UNCLOS framework.

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<sup>63</sup> Patricia Agupusi, 'The African Union and the Path to an African Renaissance' (2021) 39 *Journal of Contemporary African Studies* 261.

<sup>64</sup> Sandy Nur Ikfal Raharjo, Tri Nuke Pudjiastuti and Hayati Nufus, 'Cross-Border Cooperation as a Method of Conflict Management: A Case Study in the Sulu-Sulawesi Sea' (2024) 24 *Conflict, Security & Development* 277.

<sup>65</sup> Kwame Nkrumah, Roberta Arrigoni and Giorgio Napolitano, *Africa Must Unite* (Heinemann London 1963) <<https://www.marxists.org/subject/africa/nkrumah/1963/africa-must-unite.pdf>> accessed 17 June 2024; William Edward Burghardt Du Bois and Manning Marable, *Souls of Black Folk* (Routledge 2015) <<https://api.taylorfrancis.com/content/books/mono/download?identifierName=doi&identifierValue=10.4324/9781315631998&type=googlepdf>> accessed 17 June 2024.

<sup>66</sup> Nkrumah, Arrigoni and Napolitano (n 65); Arthur Chatora, '10 Quotes from Kwame Nkrumah' (*This is africa*, 21 September 2015) <<https://thisisafrika.me/politics-and-society/10-quotes-by-kwame-nkrumah/>> accessed 29 September 2020; Du Bois and Marable (n 65).

<sup>67</sup> Chatora (n 66); Nkrumah, Arrigoni and Napolitano (n 65); Du Bois and Marable (n 65).

Another perspective is the *post-colonial theory* whose proponents include Chinua Achebe and Ngũgĩ wa Thiong'o.<sup>68</sup> It emphasizes the importance of rejecting colonial frameworks and valuing indigenous knowledge systems.<sup>69</sup> This perspective argues that Africa's development should be guided by its own cultural, historical, and social contexts, rather than by external models imposed by former colonial powers.<sup>70</sup>

A further perspective is "*African Socialism*", whose proponents include Julius Nyerere and Leopold Senghor, which argues for a model of development that combines traditional African communal values with modern socialist principles.<sup>71</sup> This philosophy promotes self-reliance, social justice, and the use of indigenous institutions and practices to address contemporary challenges.<sup>72</sup> In line with this perspective, this article supports the argument that while maritime boundary delimitation is one way by which States define the limits of their maritime entitlements where they have the potential to overlap with the claims of other States, it is neither the only way to address

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<sup>68</sup> Chinua Achebe, *Things Fall Apart* (Doubleday, Anchor Books 1994) <<https://www.centuryschool.edu.vu/uploads/1/1/4/4/114402701/things-fall-apart.pdf>>; Ngugi wa Thiong'o, *Decolonising the Mind: The Politics of Language in African Literature*. <[https://marxistnkumaistforum.wordpress.com/wp-content/uploads/2013/12/wa-thiong\\_o-decolonising-the-mind-the-politics-of-language-in-african-literature.pdf](https://marxistnkumaistforum.wordpress.com/wp-content/uploads/2013/12/wa-thiong_o-decolonising-the-mind-the-politics-of-language-in-african-literature.pdf)> accessed 17 June 2024; Ngugi wa Thiong'o and Ngũgĩ wa Thiong'o, *Weep Not, Child* (Heinemann 1987).

<sup>69</sup> Achebe (n 68)(n 68); Thiong'o and Thiong'o (n 68).

<sup>70</sup> Achebe (n 56) (n 56); Thiong'o and Thiong'o (n 56).

<sup>71</sup> Walter AE Skurnik, 'Leopold Sedar Senghor and African Socialism' (1965) 3 *The Journal of Modern African Studies* 349; Julius K Nyerere, 'Ujamaa – The Basis of African Socialism' <<https://www.jpanafrican.org/edocs/e-DocUjamaa3.5.pdf>>.

<sup>72</sup> Skurnik (n 71); Nyerere (n 71).

this situation, nor is it the end of the process.<sup>73</sup> Maritime joint development zones can—and have been applied—to areas of overlapping maritime claims, often in lieu of delimiting a maritime boundary.<sup>74</sup>

The *endogenous development theory* whose proponents include Paul Kagame, Calestous Juma, Thandika Mkandawire Akin Mabogunje, and Ngugi Thiong’o emphasize the importance of local knowledge, resources, and cultural practices in driving sustainable development. Paul Kagame has also advocated for policies that leverage local strengths and address specific African contexts, promoting a model of development that is self-sustaining and contextually relevant.<sup>75</sup>

Closely related to the endogenous development theory as well as Asante’s and Osei-Hwedie’s propositions on the use of indigenous knowledge as a way forward is the concept of *indigenous knowledge systems* whose proponents include Odora Hoppers, George Dei, Paul Sillitoe, and Akwe Masango. Hoppers argues for the integration of indigenous knowledge systems with Western scientific knowledge to

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<sup>73</sup> Clive Schofield, ‘Parting the Waves: Claims to Maritime Jurisdiction and the Division of Ocean Space’ (2012) 1 Penn St. JL & Int’l Aff. iii.

<sup>74</sup> Njoki Mboce, Kariuki Muigua, and Peter Munyi (n 5); Schofield (n 73).

<sup>75</sup> ‘Mo Ibrahim in Conversation with H.E. President Paul Kagame, Chairperson of the African Union’ (Mo Ibrahim Foundation) <<https://mo.ibrahim.foundation/news/2018/mo-ibrahim-conversation-he-president-paul-kagame-chairperson-african-union>> accessed 17 June 2024; Calestous Juma, *The New Harvest: Agricultural Innovation in Africa* (Oxford University Press 2015); Mkandawire (n 8); Akin L Mabogunje, ‘Institutional Radicalization, the State, and the Development Process in Africa’ (2000) 97 Proceedings of the National Academy of Sciences 14007(n 68).

create a holistic and inclusive approach to development.<sup>76</sup> She emphasizes the importance of recognizing and valuing indigenous knowledge as a legitimate and critical component of the global knowledge economy.<sup>77</sup> Hoppers discusses the challenges and opportunities of incorporating indigenous knowledge systems into South African academic institutions.<sup>78</sup> She highlights the need for educational reforms that acknowledge and integrate indigenous knowledge to enhance cultural relevance and academic inclusivity.<sup>79</sup> Dei examines the role of indigenous knowledge in African development, arguing that it is essential for sustainable development.<sup>80</sup> He stresses that indigenous knowledge provides valuable insights and solutions that are culturally appropriate and environmentally sustainable.<sup>81</sup> Sillitoe, Dixon, and Barr advocate for participatory approaches that respect and utilize the knowledge of local communities to ensure more effective and sustainable

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<sup>76</sup> Catherine Alum Odora Hoppers, *Indigenous Knowledge and the Integration of Knowledge Systems: Towards a Philosophy of Articulation* (New Africa Books 2002)

<[https://books.google.com/books?hl=en&lr=&id=h9HDYNhYqfAC&oi=fnd&pg=PR3&dq=Hoppers,+Catherine+A.+Odora+\(Ed.\).+Indigenous+Knowledge+and+the+Integration+of+Knowledge+Systems:+Towards+a+Philosophy+of+Articulation.+Claremont:+New+Africa+Books,+2002&ots=X\\_mX0ApS71&sig=MIJUUKiLY1HqAVRuyZz9nm4\\_PR0](https://books.google.com/books?hl=en&lr=&id=h9HDYNhYqfAC&oi=fnd&pg=PR3&dq=Hoppers,+Catherine+A.+Odora+(Ed.).+Indigenous+Knowledge+and+the+Integration+of+Knowledge+Systems:+Towards+a+Philosophy+of+Articulation.+Claremont:+New+Africa+Books,+2002&ots=X_mX0ApS71&sig=MIJUUKiLY1HqAVRuyZz9nm4_PR0)> accessed 31 May 2024.

<sup>77</sup> Ibid.

<sup>78</sup> Catherine A Odora Hoppers, 'Indigenous Knowledge Systems and Academic Institutions in South Africa' (2001) 19 *Perspectives in education* 73.

<sup>79</sup> Ibid.

<sup>80</sup> George J Dei, Budd L Hall and Dorothy Goldin Rosenberg, *Indigenous Knowledges in Global Contexts: Multiple Readings of Our World*. (ERIC 2000) <<https://eric.ed.gov/?id=ED456007>> accessed 31 May 2024.

<sup>81</sup> Ibid.

development outcomes.<sup>82</sup> They provide a comprehensive guide to methodologies for incorporating indigenous knowledge into development practices.<sup>83</sup> Masango explores the protection of indigenous knowledge within South Africa's intellectual property framework.<sup>84</sup> He argues that existing laws are inadequate and calls for reforms to ensure that indigenous knowledge is properly recognized, protected, and compensated, preventing exploitation and preserving cultural heritage.<sup>85</sup>

It is apparent that Afro-centric traditional conflict resolution techniques offer great prospects for peaceful "win-win" co-existence and harmonious relationships in post-conflict periods because they provide opportunity to interact with the parties concerned, promote consensus-building, social bridge reconstructions and enactment of order in the society.<sup>86</sup> The 1982 UNCLOS adjudicative institutions on the other hand adopt the "winner takes it all approach".<sup>87</sup>

## **VI. Summary of findings**

These discussions show that Afrocentrism offers a framework that is deeply rooted in African values, experiences, and knowledge

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<sup>82</sup> Paul Sillitoe, Peter Dixon and Julian Barr, 'Indigenous Knowledge Inquiries: A Methodologies Manual for Development' [2005] (No Title) <<https://cir.nii.ac.jp/crid/1130000793810342016>> accessed 17 June 2024.

<sup>83</sup> Ibid.

<sup>84</sup> Charles A Masango, 'Indigenous Traditional Knowledge Protection: Prospects in South Africa's Intellectual Property Framework?' (2010) 76 *South African Journal of Libraries and Information Science* 74.

<sup>85</sup> Ibid.

<sup>86</sup> Adeyinka Theresa Ajayi and Lateef Oluwafemi Buhari, 'Methods of Conflict Resolution in African Traditional Society' (2014) 8 *African research review* 138.

<sup>87</sup> Ibid.



systems. The Afro-centric values discussed place an apparent emphasis on responsibility rather than rights – which are mutually inclusive rather than dialectically opposed. Cross-cutting specific values include interconnectedness of all people, compassion, mutual care, and community. These values diminish obsessions with delimitation and ‘*winner takes it all approach to disputes*’ which is characteristic of the decisions by the adjudicative institutions of the 1982 UNCLOS. Effectively, an Afro-centric approach leans towards prioritisation of joint development and cooperation agreements.

Afro-centrism emphasizes self-reliance, endogenous development, and the importance of local knowledge and context. An Afro-centric paradigm is one that is specifically tailored to address the unique dynamics of African states. By embracing Afro-centricity, African States can develop more effective, legitimate, and sustainable dispute resolution mechanisms that truly reflect the continent's unique cultural and historical context. Additionally, this approach promotes greater unity, empowerment, and resilience across the region.

The arguments for Afro-centric solutions to African problems have both been influenced by a body of pre-independence and post-independence African practices and leaders. It contradicts the liberal internationalism or liberal institutionalism arguments for a global framework (under the United Nations), which emphasize the importance of international organizations and multilateral cooperation to address global issues effectively.

These discussions collectively underscore the importance of local agency in achieving effective settlement of maritime boundary disputes among African States. They argue that African solutions to African problems must be driven by Africans themselves, utilizing

indigenous knowledge and local resources to create policies and strategies that are relevant and effective within their unique contexts. This approach not only fosters self-reliance but also ensures that efforts towards settlement of maritime boundary disputes among African States are contextually appropriate and more likely to succeed.

## **VII. Challenges to the establishment of an Afro-Centric Approach for Settlement of Maritime Boundary Disputes Among African States**

The above discussions demonstrate the optimism and framework for the attainment of an Afro-Centric approach towards effective settlement of maritime boundary disputes among African States. Nonetheless, this article is cognisant of various roadblocks. One is the risk of oversimplification and dangers of exclusivity also expressed by Abu Shardow Abarry.<sup>88</sup> In supporting Afro-centrism, Abarry cautions that it should not reduce African experiences to monolithic or homogenized narratives, as this can undermine the diversity and richness of African traditions and histories.<sup>89</sup> Conversely, Afrocentric scholarship should recognize and celebrate the varied cultural, social, and political contexts of African peoples—including the diverse experiences and identities within the African diaspora— rather than imposing a singular perspective.<sup>90</sup>

Abarry stresses the importance of self-criticism and dialogue within the Afrocentric community to avoid dogmatism and to ensure the

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<sup>88</sup> Abu Shardow Abarry, 'Afrocentricity: Introduction' (1990) 21 *Journal of Black Studies* 123.

<sup>89</sup> *Ibid.*

<sup>90</sup> *Ibid.*

continual evolution and relevance of Afrocentric thought.<sup>91</sup> To achieve this, he calls for critical engagement within Afrocentric scholarship, urging scholars to rigorously interrogate and refine Afrocentric theories and methodologies.<sup>92</sup>

This article also agrees with Brel Grâce Mangalala's conclusion in the article, "*Understanding the Pan-Africanists in Africa*", that differences between the Pan-Africanists of yesterday and those of today in their pursuit of Afro-centrism critically hampers the necessary strides relevant towards attaining Afro-centrism.<sup>93</sup> For instance, while the earlier generation was radical, determined, and had a clear agenda for Africa's liberation and unification, today's Pan-Africanists lack revolutionary spirit, purpose, and the courage to implement their ideas due to fear of Western retaliation.<sup>94</sup> The latter also suffer from a lack of solidarity, unity, and commitment, and are often corrupted.<sup>95</sup> This results in misunderstandings, contradictions, and divisions in the Pan-African struggle, with some acting as agents of imperialism, colonialism, and neo-colonialism.<sup>96</sup>

This article agrees with Mangalala's recommendation for a new generation of uncorrupted Pan-African revolutionaries who possess a revolutionary spirit, unity, and a common goal for Africa's benefit,

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<sup>91</sup> Ibid.

<sup>92</sup> Ibid.

<sup>93</sup> BG Mangalala, 'Understanding the Pan-Africanists in Africa' [2023] *Global Social*  
<<https://www.humapub.com/admin/alljournals/gssr/papers/D9OFu9eSvt.pdf>>  
accessed 17 June 2024.

<sup>94</sup> Ibid.

<sup>95</sup> Ibid.

<sup>96</sup> Ibid.

as well as a new type of African citizen, one who is dedicated, modest, honest, and informed.<sup>97</sup> However, based on the described circumstances, and the present author's own encounters and challenges in the course of advancing Afro-centrism in settling maritime boundary disputes among African States, the author agrees, the author acknowledges the difficulty in implementation of Mangalala's recommendations.

### **VIII. Recommendations**

There is great need for highlighting and harnessing the role of indigenous knowledge systems in the development of a concrete Afro-centric approach towards effective settlement of maritime boundary disputes among African States. This would help in overcoming dependency through a homegrown approach that creates and implements institutional capacity, fosters synergy and African States and their citizens, provides a mechanism that encourages a real commitment of African leaders to generate resources to fund the Union's programme internally, and generates implementation buy-in and good will.<sup>98</sup>

To achieve this, it is necessary to deliberately involve an expansive list of local, national, regional, and international stakeholders who would be instrumental towards fostering the necessary culturally and contextually relevant Afro-centric strategies. Local agency is specifically critical as it requires deliberate action and involvement of a myriad of domestic stakeholders across the various walks and sectors of life. This includes involving educators and academic institutions, researchers and scholars, community leaders and

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<sup>97</sup> Ibid.

<sup>98</sup> Agupusi (n 63).

organizations, political and social leaders, policy makers and government agencies, parents and guardians, media and publishers, artists and cultural practitioners, business and economic leaders, international organizations and diaspora communities, and activists and advocacy groups. Through deliberate concerted efforts, of these stakeholders a supportive environment for Afro-centric approaches can be developed, ensuring that African perspectives and contributions are recognized and valued in various domains.

### **IX. Conclusion**

Principally, this article is a call to action for rethinking settlement of maritime boundary disputes in Africa through an Afro-centric lens, emphasizing the importance of cultural identity, historical, and social contexts, and local agency in achieving sustainable development. It affirms that any meaningful and authentic solution to maritime boundary disputes in Africa must pivot on Africa as the central subject, and not a peripheral object. Afro-centric lens emphasizes the importance of self-reliance, unity, and the value of indigenous knowledge and practices. By drawing on these philosophies, African countries can develop tailored, context-specific approaches to addressing maritime boundary disputes and achieve sustainable development. This article suggests that transboundary cooperation espouses an Afro-centric approach.

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