

The Imperatives of Government Regulation on Conflict Reduction among Grazing and Farming Communities in the Benue Valley: Challenges and Options

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Abstract. Conflict has become the most common denominator of most societies today. In Africa most of the conflicts occur as a result of resource contestations, owing largely to the security of such resources comparative to the size and growth of population. Land related conflicts are the most dominant among the resource conflicts in Africa. The grazers-farmers or herders/farmers conflicts are common to the North Central Nigeria as a result of the utility of the Benue River which passes through most states of the region. This research studies government regulation of grazing and farming as a means of reducing or eliminating conflicts among the communities of the Benue Valley. The key objective of the research is to assess the effectiveness or otherwise of the regulation as a tool for reduction or elimination of conflict among farming communities in the Benue Valley. The study uses the mixed method survey research design with equal status for both quantitative and qualitative data. The resource access theory was used to explain the study. The research found that the law regulating the grazing activities in Benue state was an imposition from the state without being consultative, it also found that the law was neither effective nor appropriate considering the continuation of conflicts even after the application of the law. The research recommended that the legislature in its business of law making must be independent, unbiased, balanced and fair in the discharge of its responsibility. The research also recommended that regulatory laws should not be one-way traffic where controls are directed at the participants in the trades or businesses alone but must also show the responsibility of the state and how it will be discharged.

Key words: Government Regulation, Conflict, Grazers and Farmers, Benue Valley

Introduction

Most African societies have come to be plagued with all forms of conflicts in its socio-political landscape. Such conflicts have occurred in various dimensions and with very serious devastating consequences, constituting series of upsets to social, economic and political conditions. This is an addition to the already debilitating conditions among African communities. Within the past twenty-five to thirty years, conflicts have become part of the stories that have explained the social life of African societies. Scholars have argued from various stand points on the causes of the sudden upsurge on conflicts among various African communities. Some argued that long periods of military rules across the continent have led to repression of dissenting voices which have now accounted for the sudden upsurge of violence and conflict among African communities with some sections of the communities clamouring for self-determination. Some others have also argued that the shrinkage of the global resources along with reduced access and the exponential growth of global population particularly of African Societies have also open up the gateway for intense competition for the little available resources at the disposal of the communities. The global climatic conditions and its changing effects have caused series of migration issues with numerous consequences (Audu, 2015).

Elaigwu (2012) has equally indicated that most parts of the present world, erstwhile areas with suppressed identities are exploding, seeking for self-determination and nationalistic struggles. While homogenous and multi-ethnic states have had to resort to

different ways of resolving their political differences through self-determination, religious emancipation and ethno-nationalism.

A former Nigerian leader has also attempted to demonstrate the several consequences of conflict in general. This he asserted could include low investment, low level of education, high population growth and high level of political instability. Furthermore, ethno-religious conflicts results in displacement of people and properties, food scarcity, disease, inadequate health and social infrastructures, robbery, congestion, increase in poverty rate and psychological trauma (Obasanjo, 2014).

The post-colonial Nigerian state has also been bedeviled by series of conflicts. Its federal structure has come under threat several times despite series of National conferences and efforts to forge a national cohesion. The avalanche of conflict seem to have propelled further divisions and several social fragmentations which tend to heighten tensions and consequently increase the possibility of conflict among the populace that result in several losses in lives and properties.

Over the last thirty (30) years Nigeria has recorded several conflicts with disastrous consequences. The conflicts are spread across the regions of the country and they are mainly identity and religious in nature. Some of the conflicts include the Jos crisis which ran between 2001 and 2008 and still rages on with some isolated cases occurring mainly in the outskirts of the city, the Kano religious riot in the year 2000, Ife – Modakeke tribal conflict of 1999, the Hausa-Fulani and Kataf conflict in 1999 in Kaduna State, the Hausa-Fulani and Yoruba ethnic conflict in Oyo and Lagos States bin 1999/2000 respectively, more recently the conflict between the Egbura and Bassa ethnic groups in 2018/2019, and the herdsmen and farmers conflicts in Benue and Nasarawa that occurred around 2018/2019 are all flashpoints of note.

The conflicts between herdsmen and farmers in both Benue and Nasarawa states particularly involving the local government areas that lie on the Benue Valley, its apparent that the conflict between herdsmen and farmers on the Benue valley is on the issue of access to the scarce land available to both farmers and herders struggling for the available arable land. The conflict between the two groups have grown to alarming proportions and has led to the development of several batches of the police force and troops including special forces of Nigerian Army. The situation has put community land under pressure as a result of inaccessibility of the land by the farmers and the massive displacement of persons occasioned by the conflict which Tersoo-Ubwa (2018) said saw the involvement of the mercenaries.

Statement of the Problem

The conflict among farming communities of the Benue Valley have been on for some time now. It has necessitated the creation of certain control mechanisms by the Benue state government in the form of prohibition of open grazing law. The Nasarawa State government which is a neighboring state that also had local government along the banks of the Benue river has not initiated such control mechanism. However, despite the implementation of the control mechanism, there have been pockets of violence along the banks of the Benue river. Why has this been so inspite of the control in farming activities and livestock rearing? What is the nature of the anti-open grazing law incepted by the Benue state? How effective is the Benue state government regulation of farming activities on the reduction or elimination of conflict among farming communities on the Benue valley? What are the challenges confronting the initiation and the implementation of the law on farming activities on the Benue Valley?

Tersoo Ubwa (2018) had written that between 2013 and 2017, herdsmen killed closed to 2000 people in Tiv communities of Benue state and over 755,538 have internally

displaced. It is also claimed that the Tiv communities in Benue state lost farm produce in Benue state to the tune N39,823,798,469 (Idyorough, 2017).

Objectives of the Study

The broad objective of this study is to assess the effectiveness or otherwise of governmental regulation of farming and grazing activities on the elimination of conflict among communities on the Benue valley. The specific objectives of the research include:

- (i) To examine the nature of the anti-open grazing law as created by Benue State;
- (ii) To assess the effectiveness of the Benue state regulation of farming activities on the reduction or elimination of conflict among farming communities on the Benue valley;
- (iii) To identify the challenges confronting the initiation and implementation of the law on farming activities on the Benue valley;
- (iv) To determine the effect or otherwise of government non-regulation of farming and grazing activities by communities on the Benue valley.

Review of Related Literature

This section looks at literature around the disturbing nature and scope of the herders-farmers conflict in Nigeria. The section equally considers the causes of the conflict, looking particularly at the root causes and the manifest issues that emerged from the conflict. The efforts made at resolving the conflicts were also studied alongside other means of resolving the conflicts as recommended by other scholars.

The Herders-Farmers Conflict in Nigeria

According to Oghuvbu and Oghuvbu (2020), the phenomenon of farmers-herders conflict is a situation that has dominated the socio-economic space in Africa with serious consequences for violence across the region due largely to number of reasons. Increase in the number of farmers, increased environmental degradation along with climate change issues, disruptions of conditions for resolving disputes around water and land, and also the nagging challenge of the proliferation of small and light weapons have contributed in heightening tension between farmers and herders in the Sahel region of West Africa. They have argued that although Nigeria seem to be the main theatre of this kind of conflict, the same situation presents itself in many other countries of the Sahel such as Mali, Cote D'voire, Senegal, Burkina Faso and Benin Republic among others. They however stated that the impact of the conflict in Nigeria has a disintegrative consequence. General knowledge of conflicts between herdsmen and farmers whether in Nigeria or in the West African sub region seem to be a long standing one with both parties laying claim to their individual rights to the economic activities they are engaged in.

According to Popoola, Brimah and Shittu (2020), the conflict between farmers and herders is one of the social problems that bestow serious security challenge and obstruct with severe threat to entrepreneurship practice and the unity of the Nigerian, particularly Southwestern states. Since the outbreak of farmers and herders deadly clashes, the relationship that had existed with cordiality and report seems to be suffering with untold setback with several attending apprehension that beckons for address.

In a similar statement Gursoy (2020) opined that the violent conflicts between nomadic pastoralists and sedentary farmer communities in Nigeria cause thousands of lives and economic losses. The conflict has escalated in recent years as conflicting parties have easier access to arms and communication devices.

The conflicts between farmers and herders have been in existence since the pre-colonial period; however, the conflicts were well managed and controlled such that their impact was

not felt on the internal security and agriculture of Nigeria in general as it is today (Benjaminsen & Ba, 2009). There is a long history of herders migrating to West as a result of which they have relationships with sedentary farmers and co-exist and cooperate with shared available resources (Cabot, 2017).

The prevailing clashes between farmers and herders in many parts of Nigeria have been attributed to the destruction of farmlands by the cattle which are mostly owned by the herdsmen. The herdsmen are mostly migrants who transit especially in dry season to seek for greener pasture for their droves. These movements are mostly precipitated by the rate of deforestation and desertification (Udemezue & Kanu, 2019). The cattle are controlled by human beings, but human beings may not be able to control them in totality. The movements have therefore been characterized by cattle entering the farmers' land and sometimes causing serious damage, which eventually leads to terrific conflicts between herdsmen and farmers (Solomon & Chinwe, 2015)

Shittu (2020) explained that farmers and herders conflict in Nigeria began as a phenomenon of local status and today has developed to a worrisome and one of omens that beset the South Western states and Nigeria at large. The bloody conflicts between farmers and herders have grown in frequency across Nigerian state.

The heightening of confrontations between herdsmen and farmers have grown and have become more fierced than the reflection of mere contestations over scarce resources that have to do with land and water. The conflicts have now involved the use of small arms and light weapons and have led to massive loss of lives in Nigeria.

Causes of Herders-Farmers Conflict

Scholars have argued and advanced series of causes of the herders-farmers conflict in Nigeria with different views on the extent and dimensions of the causes. The most preponderant views canvassed were those that stated the issue of scarcity of resources, particularly land resources which have called for competition on the issue of access between the pastoralists and farmers. However other causes seem to engage the attention of scholars. For example Gursoy (2020) argued that the causes of herders-farmers conflict can be discussed in two dimensions as root causes and current/manifest issues. Within the root causes engagement is the issue of infrastructure construction required for modern and urbanized development in the form of dam construction for irrigation purposes to help propel increased food production to meet the demand of increasing population has become an important cause of the conflict. This physical human activity along with the implications that come along with it has devastating consequences to both the herders and farmers. For the herders, the rapid and speedy growth of constructions produced a reduction on the grazing path and space while to the farmers it meant a reduction in the arable land for crop production.

Gursoy's (2020) account equally considered the useful contributions of Okeke (2014), Genyi (2017) and Shittu (2018) all whom brought out the issues around the role of climate change as fundamental cause of the conflict between herders and farmers in Nigeria. They opined that desertification and drought along with the consequent expansion of the area of farming have all worked together to decrease the available area of grazing for the herders which has now culminated in the intensification of contestation of the available green vegetation. This situation occurred without adequate preparation and mitigation measures or the ability of the authorities at all levels to anticipate the changes and have resulted in series of conflicts with devastating losses to both human and material resources. The losses have become monumental with communities across the country counting several experiences of humanitarian catastrophes that befell them within such conflicts.

Another critical issue of great concern is the issue of the creation of grazing areas suitable for the grazing of cattle by the herders. Gursoy (2020) consider this as the problem of poor governance. She stated that the Grazing Reserves Act was enacted in 1964 by Nigerian federal government, in order to determine certain areas to herders to use in grazing. This law was the first official step to encourage sedentarization among pastoralist herders. According to the Act, the government designated 415 specific areas for grazing purposes. However, they were not able to realize what was planned. Only 114 of those were given the grazing land status officially. Even those which were given the status were not properly protected as grazing areas. The ones without an official status mostly ended up as new construction areas, either for business or housing (International Crisis Group, 2017).

At the centre of the reasons for the continuation of the conflict between herders and farmers is the issue of cattle theft otherwise referred to as cattle rustling. According to Shehu (2018) several armed groups and particularly the notorious Boko Haram group that terrorize the North East region of the country have use this as a major source of funds to procure arms. This activity has rid a lot of the Fulani herdsmen of their valuable cattle assets which they consider more important than anything else. The loss of these assets have contributed immensely in hardening the minds of the herders and have transformed them into fierce fighters against farmers and many others they happen to meet on their way.

What Gursoy (2020) refer to manifest or current issues are the transformation level of the conflict which involve the activities of armed groups who unleash terror and mayhem on their host communities as reactions to some unwholesome treatment meted to them. Until developments in the late 1990s up to early 2000 the mechanism for dispute resolution among the Fulani herdsmen and farmers over crop destruction used to be community based with traditional institution playing significant roles. However, the emergence of democracy and its institutions seem to have compromised a lot and therefore the community mechanism has now given way to other interests. This circumstance among others provided the impetus for the transformation of the conflict to a new dimension. In a particular sense

One of the reasons for the transformation and escalation of this conflict is the armament of non-state groups or individuals. Since the beginning of 2000s, the news come from many central and north west regions of Nigeria that Fulani herders attack villages with weapons and kill farmers. There is no proof or official announcement that shows where do these people get their guns from. Instead of negotiating with the farmers, armed herder groups (allegedly Fulanis) attack them, burn down their houses and villages, rape women, steal goods etc. (Okeke, 2014, cited in Gursoy, 2020: 12).

The international crisis group (2017) has joined many others to argue that the breed of the fulanis that are undertaking these attacks are not Nigerians but that they are murderous occupiers who perpetrate their activities as herdsmen and bandits. This activity by these criminal elements have succeeded in creating sharp division among the peoples of different communities that have hitherto stayed together under a bond of brotherliness and friendship which have produced in the past good life and livelihood for all. This unfortunate happening has ultimately signaled the collapse of the traditional community based conflict resolution mechanism and have given way to some approaches that are based on the perception of individuals and groups creating the solution.

Resolving the Herders-Farmers Conflict in Nigeria

In resolving the herders-farmers conflict in Nigeria one dominant approach has prevailed over time until the eventual transformation of the conflict. That approach is the one that is community based, that is where the farmers report destruction by cattle on their planted crops in the farms to the village chief or community leader and the chief or

community leader sends his men to evaluate the level of destruction which the herdsman is ask to pay to the farmer as compensation for the destruction.

However, with the transformation of the conflict to violent stages of various degrees, formal authorities in the form of governmental institutions began to contemplate and create mechanisms in order to bring an end to the conflict between the two parties. In the course of the conflicts, the Nigerian federal government came up with efforts directed at resolving the conflicts starting with the National Livestock Transformation Plan. Ifeoluwa Adeyemo reporting for Premium Times indicated that ‘The National Livestock Transformation Plan’ is built on six key pillars: economic investment, conflict resolution, law and order, humanitarian relief, information education and strategic communication; and cross-cutting issues.

According to Adeyemo (2018), the economic investment pillar in the plan would support and strengthen the development of market-driven ranches in seven pilot states for improved livestock productivity through breed (genetic) improvement and pasture production, in addition to efficient land and water productivity. The government also said it would rebuild social capital at the community level to promote mutual trust, confidence building and consolidate the peace process, with regards to the conflict resolution pillar. The plan also showed that the law and order pillar would support the strengthening of legal frameworks for improving livestock production, peace and harmony.

The fourth pillar, humanitarian relief will focus on rebuilding and reconstructing of common facilities – worship places, markets and individual homes that have been destroyed. The fifth pillar would aid information, education and strategic communication on the development of grazing reserves in the frontline states, and mitigate the consequences of these conflicts such as wanton loss of lives, destruction of properties, including schools and facilities. The ‘cross-cutting’ issues pillar identifies various cross-cutting issues necessary to realise the objectives of the programme, which include monitoring and evaluation; and research to contribute evidence base in programme implementation; as well as gender mainstreaming, the plan showed (Adeyemo, 2018).

Notwithstanding the laudable nature and outlook of the National Livestock Transformation Plan, the programme still came under immense criticism while the activities of then herdsman or Fulani militia continued unending. Stakeholders in the country continued to make frantic call for the federal government to come up with a solution that could permanently address the lingering problem that has so far led to lowering food production in the country.

In 2019, the government launched a plan, which aimed to create settlements for the nomadic pastoralists and try to help them adopt sedentary lifestyle, also prevent them from open grazing. The settlements would be called “Ruga”, which is an old name for premises. 18 However, the plan faced lots of criticism especially from the opposition. They claim that the government did not inform them about the plan, not even the people who live in the areas of potential Ruga settlements. Therefore communities felt excluded and theories have been made that there might be an “Islamization attempt” by simply settling Fulanis down in the areas which Christian population is higher (Gänsler, 2019). Some people from the south oppose the plan because they argue that there are already existing settlements for Fulanis in the north but are not used or recently abandoned. Many in the south see the plan as an attempt to steal their land and they do not want to agree on it.

Gap in the Literature Reviewed

The series of literature reviewed in this paper have shown how the herders-farmers conflict has been an age long issue with the kind disputes it has always generated among the two parties over a long period. Scholars in this area have also highlighted how the conflicts have led to several loses in terms of lives and properties. Oghuvbu and Oghuvbu, (2020),

Popoola, Brimah and Shittu, (2020), Shittu, (2020) and GURSOY, (2020) have all given various dimensions of their accounts this fact. By a similar token Shehu (2018), Genyi, (2017), GURSOY, (2020) and International crisis group, (2017) have equally raised different accounts of the causes of herders-farmers conflict in Nigeria. The issues of that made their list include scarcity of land resources, desert encroachment, cattle encroachment into farm lands and proliferation of small and light weapons among others. Of particular note in this paper is the issue of resolving the conflict and Nigerian federal have advance two critical means, the lives stock transformation plan and the RUGA” approaches. Scholars have not raised concern in this area with particular reference to law making particularly for the sake of resolving or control of the conflict. This is essentially the area that is the concern of this research.

Theoretical Issues: Resource Access Theory

The theory which orientated in 1970s was propounded by Jeffrey Pfeffer and Gerald R. Sananak believe that conflict has ever been a recurring decimal in the history of humanity. More often than not, this is as a result of competition for scarce resources in human society. Sikor and Lund (2009) make an important observation that access to natural resources is often contested and rife with conflicts at many levels. The need for people to legitimize their rights and access to natural resources has remained central competition and contestation for natural resources.

According to the theorist, resource ownership and utilization have directly and indirectly defined the dimensions of most conflicts involving man since time immemorial. Of all resources, however, the land has remained an overwhelming source of conflicts among various user groups as well as individuals at varying threshold.

The theory assumes that the competition over scarce resources endanger violence conflict that we are presently experiencing in the world. This trend has aggravated in contemporary times owing to the impact of climate change which has exacerbated ecological scarcity across the globe (Onouha, 2007). In relating the theory to farmers/herders’ conflict in Benue State, it has been confirmed in the livelihood of farmers/herders that population explosion shrinking ecological space characterized by resource scarcity and resource competition over access use of land is the major cause of conflict between the two groups.

The theory believes that population growth, a reduction in the quantity and quality of renewable resources, and resource access act singly or in various combination increases the rate of conflict among crop farmers and Fulani herdsmen in Nigeria. The desperate quest for survival by groups in a competitive and resource-scarce is the likely precipitate violent conflict. The increasing and wealth of militancy among the Fulani herdsmen in Nigeria is principally driven by a desire struggle for survival in an environment that is competitive and hostile to the collective sustainable livelihood.

The access resource theory is also based on the assumption that competition over scarce resource and access use endanger violent conflict, in relation to this research work, farmers/herders conflict has been driven by scarcity of land and competition between farmers and herdsmen to ensure viability in the area. The scarcity of lands is due to the degradation and striking ecological space, human cattle population explosion and depletion therefore, the farmers need the land for cultivation, while herdsmen need the land for grazing and rearing of cattle. The ultimate cause of the conflict between farmers and herders lie in the general degradation of resources and the increase competition for access and resources capture.

According to the authors of the theory, resources ownership and utilization have directly and indirectly defined and explained the dimension of most conflict involving man since time immemorial. Of all the resources, however, the land has remained an overwhelming sources of conflict among various users group as well as individual at vary threshold. The theory also helps us to have a better understanding of the prevalence of

herders and farmers’ conflicts in Nigeria in general and Benue State in particular. The inability of the Fulani herdsman to have unhindered access to grazing and reserves is to a large extent responsible for why they often go into conflict with host communities and farmers in Nigeria. The theory sees access to resource as the main cause of conflict and violence (Ikezue & Ezeah, 2017).

Due to restricted access, the herdsman resorted to taking the laws into their hands by forcing their animals into people’s farmlands thereby destroying farm produce in the process. The herdsman believed that they should have unhindered access to grazing routes which they see as their God’s given right and any attempt to deny them this right will be challenged. On the other hand, farmers may not be willing to allow the herdsman access to their farmlands and may always resort to violence to challenge the excesses of the herders.

In relation to this study, farmer-herdsman conflicts in the use of agricultural land are becoming fiercer and increasingly widespread in Nigeria, largely due to intensification and extensification of production activities that are necessitated by increasing human population (Adisa & Adekunle, 2010). However, in spite of the contributions of the resource access theory to the understanding of herdsman and farmers conflict, numerous aspects of the theory have been questioned. It has been criticized for lack of focus on the individual. Lastly, the theory fails to explain why certain feelings of deprivation or denied access to resources are transformed into collective action, whereas in some similar situations, no collective effort is made to reshape society. In spite of the shortcomings of the resource access theory, the theory is still useful in explaining herdsman/farmers conflict in Nigeria.

Research Method

This research is designed to be an equal status mixed method research that is both survey (quantitative) and exploratory (qualitative) which is also concurrent and convergent. The study is equally designed to be comparative case study of farming activities (Crop and Livestock Production) that will work with the two local government areas that live on the Benue Valley from the two states of Benue and Nasarawa states with a concern for the issue of regulating grazing and farming activities. The separate experiences of the two states in terms of regulations and non-regulations respectively is intended to be measured in this research. The research used questionnaire, interview and secondary sources to gather data. Table 1. presents details on the population and sample size which was calculated using the Taro Yamane Sampling technique. Triangulation method was used to analyse the data gathered.

Table 1. Target population and sample size of the study area

| State | Selected local government | Population | Sample size |
|----------|---------------------------|------------|-------------|
| Nasarawa | Awe | 152,600 | 147 |
| Benue | Buruku | 262,700 | 253 |
| Total | | 414,700 | 400 |

Presentation of Key Findings of the Research

The research came up with the following findings:

- i) The anti-open grazing law initiated by Benue State was more an imposition from government on the farming and grazing community. The law also became a source of division than unity among the community members.
- ii) The anti-open grazing law proved so ineffective in eliminating or even reducing conflict among farming and grazing communities in the Benue Valley.

- iii) The government of the state did not play its role as an agent that was supposed to create enabling environment within which the business of trade for continuation of livelihood can be carried out.
- iv) The research also found that it is better to have the regulation than an unregulated farming and grazing in the Benue Valley.

Challenges of Regulating Grazing and Farming Activities in the Benue Valley

Knowledge of the law

From the account of the data gathered and analyzed, it must be said that the law prohibiting open grazing enacted by the Benue state government is known to the farming community that operate along the Benue Valley. This knowledge is based on the popular effect of this operation which has impacted on the farming and grazing activities of inhabitants along the river bank which is the ultimate place for grazers for the lush pastures and arable land for farming. With up to 80% of the respondents from both sides of the measurement, that Buruku in Benue and Awe in Nasarawa demonstrates awareness. However, the knowledge of the depth of the law involving the participation of the stakeholders and those whom the law will have impact on is quite another issue. Mal. Mohammed Haruna of Miyetti Allah cattle Breeders Association of Nigeria (MACBAN) has said that the law was not consultative as far as they (grazers) were concerned. He stated that they were willing to obey despite its problem but expressed that they would have preferred shifting of implementation date to allow for sensitization and mobilization before the take-off of the law. He added that there were no alternatives put forward for them by the government to give them some sense of belonging as members of the community. Rather than this, Haruna stated that their members were left on their own to cope with the difficulty that the new law unleashes.

Absence of consultation

In a similar situation the ICIR, international center for investigative research report 2021 referred to the comment of Mohammed Shettima a former secretary of Miyetti Allah Cattle Breeders Association of Nigeria who says the law was implemented without providing alternatives for the pastoralists and due consultation with their leaders in the state and other critical stakeholders who would have made suggestions before the implementation was equally not effected.

The overall implication of what have been found is that the anti-grazing law was not consultative nor did it generate alternatives for the grazers. The law was simply an imposition from government of the state on the farming communities. The government that was also supposed to reckon with the contribution of the livestock grazers and provide them with reliefs and subsidies as they try to commence the implementation of the law in 2017. This situation is what necessitated massive migration of the herders to the neighboring states of Nasarawa, Taraba and Plateau. The law further expanded the division that existed between the herders and the farmers.

The ineffectiveness of the law

On the issue of the effectiveness of the state regulation of farming activities on the reduction or total elimination of conflict among the farming communities, quantitative data shows that respondents had near balance responses. While 38.7% felt that the law 'totally stopped grazers from grazing' others who are up to 37% are of the view that 'grazers did not stop grazing in the state'. These separate responses expressed in quantitative terms seem of near equal magnitude, manifesting divergence that are of almost equal concerns.

All the responses, quantitative and qualitative demonstrate obvious dissatisfaction with not just the content and the outcome of the law but also the process that led to the arrival of the law. Rev. Ornguga stated clearly that the law has sparked up a new renewed violence in

Benue state and increased the likelihood of confrontation, killings in the state including reactions to the appropriateness of the legislation. The secondary information available equally pointed to the inappropriateness of the legislation. The ICIR, international centre for investigative Research, 2021, citing data from National Security Tracker, indicated that between 2013 and 2021, nearly 1,500 people have been killed in herdsman and farmers related conflict. The report also showed that 2018 had the highest rate of attacks and the highest number of deaths. There were 54 attacks out of a total of 148 and 470 deaths out of 1,497. These attacks that have leap-frogged within this period and coming immediately after the enactment of the open-grazing prohibition and ranches establishment law indicates the height of ineffectiveness and inappropriateness of the instrument as a legal document.

Absence of alternatives

The research showed that apart from the law not being consultative the government in its efforts at regulating open grazing did not consider the grazers as stakeholders in the peace and development of the state and therefore did not put in place alternative course of action for the grazers. The grazers were left to be on their own on the issues of cost of land and other challenges that were to confront them in coping with the law.

The ICIR, International Centre for Investigative Research report of 2021 referred to the comment of Mohammed Shettima, a former Secretary of Miyetti Allah Cattle Breeders Association of Nigeria who says that,

The law was implemented without providing alternatives for the pastoralists and due consultation with their leaders in the state and other critical stakeholders who would have made suggestions before the implementation.

According to the ICIR (2021), Mohammed further added that,

The pastoralists come from the north during the dry season for grazing in the state and when they demand for lands for grazing, either on lease, they don't get it because the law prohibits them from grazing.

Mohammed referred to the past when disputes between farmers and pastoralists were amicably resolved because district heads in various communities were always involved and they always invited the two parties to air their grievances and thereafter compensation would be paid.

Options Available for the Regulation of Farming and Grazing Activities in the Benue Valley

Notwithstanding the enormous challenges with respect to the regulation of farming and grazing on the Benue Valley, respondents highlighted some of the steps that could be used to ensure that the regulation work since the overwhelming position is for there to be regulation of the grazing activities that take place in the Benue Valley. Respondents presented the following positions;

The need for deeper mobilization for awareness

The quantitative data gathered in the course of this research revealed that majority of the stakeholders are aware of the law while the representative of the grazers are of the view that the cattle breeders are not so familiar with details of the implementation and therefore contributed to the reactions to the law.

In the interview with Mohammed Haruna of Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN) he stated that the law prohibiting open grazing of livestock is a rude shock to the grazers as it stops their livestock's free movement to search for pastures. Haruna stated further that:

Those of us from the side of grazers oppose and challenge the law by saying that the law is discriminatory against herders, does not provide or support the

production of alternative livelihood (in the form of milk and meat) and cost effects on the grazers has forced them to leave the state (Haruna, 2021).

On another side of the issue, the interview conducted with the Speaker of Buruku Local Government Legislative Council, Hon. Terhemba Wannan reacted to the issue of awareness of the law that the law is well known to both parties in conflict in the state. He clearly indicated that:

Both grazers and farmers, and the general public are fully aware of the introduction of Anti-open grazing law which is the only solution that can prevent the continuous attack in the state (Wannan, 2021).

Despite the above assertion, Mohammed Haruna of the Cattle Breeders Association insisted that enough sensitization was not done to carry its members along on the need for the law and its implementation.

The need for effective consultation

Although quantitative data indicated that there was consultation on the way to the making of the law and its implementation actual contact with certain stakeholders showed differently. The interview conducted with Mal. Mohammed Haruna of Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN) indicated that there was no consultation as far as the grazers were concern. He stated further that they were willing to obey despite its problems but expressed that they would have preferred the shifting of the implementation date to have allowed for sufficient time for sensitization and mobilization before the take-off of the law. He added that there were no alternatives that were provided by that state to allow the grazers to have a sense or feeling of belonging, rather their members were left to find ways of coping with grazing in the face of implementation of the law.

While the law proposed ranching as an alternative to open grazing, the time frame between the passage of the law and the implementation did not give enough time for serious consultation nor did the state made any provision for the herders to overcome their social and economic difficulty of coping with the new law (Haruna, 2021).

This statement underscores the need for the framers and those implementing the law to consider the grievance of the grazers and not only amend the law but also provide a good ground for adequate mobilization and sensitization as a mark of inclusivity and acceptance for the law.

The need for generation of friendly alternatives

This study revealed that in making the law against open grazing in Benue state the government created alternatives but such was at heavy costs to the grazers. The way to go here is to consider the grazers as stakeholders in the economic development of the state and therefore factored into the development plan of the state. It is the absence of that compelled an official of the grazers, Yahaya Doso, to make the following statement in the interview conducted with him.

A situation where our members are left to cope with the harshness of the law in terms of how to access land for ranching and activities of livestock guards who sometimes carry arms and kill our cattle at the slightest provocation, also a very high fine of up to N1million when they are caught wondering in the prohibited area, compelling our members to abandon the impounded cattle with the authorities due to inability to pay the fine is seriously worrisome and inconsiderate (Doso, 2021).

The need to embrace the use of traditional institutions

Among the issues that were raised as means of addressing the frequent occurrence of the farmers-herders conflict is the use of traditional institutions. Even though some respondents were of the view that most of the traditional rulers have become so politicized a

good number of them are still of the view that they are very dependable when it comes to alternative dispute resolution (ADR) where the pastoralists and farmers are involved. One of the respondents to the interview, Rev. Ornguga mentioned that the use of traditional rulers can be very useful because of the way they are well respected by all the parties within their domains. The adequate knowledge of their environment gives them the ability to properly administer justice between the parties involved, the clergy man also added. The representatives of the herders have equally stated in the interview that situations of the old where the traditional were handling affairs was a lot better for them as they were made to pay for damages where it is established that their cattle made destruction of crops belonging to the farmers.

Conclusion

The conflict between farmers and herders has a long history but the age long variant of the conflict has always been resolved through the utility of the kind of wisdom that the then traditional institution had that was very pragmatic and unbiased. However, the transformation of the conflict to the form it is today has made resolving it to require a much more dynamic style. The current form of the conflict that is involving participants using dangerous arms gives serious cause for worry and therefore demands a more concerted effort that must seek to end the use of lethal weapons and also bring the conflict to its barest minimum or even totally eliminate it. While the effort of the federal government in initiating the National Livestock Transformation Plan is commendable, the efforts of other subordinate entities to regulate open grazing should also be considered with the seriousness it deserves and therefore must not be allowed to be looked at from political stand point alone but must also look at the economic contributions of the two economic activities in the course of nation building.

Recommendations

(i) The legislature must be independent, unbiased, balanced and fair in its responsibility of making laws for the diverse interests of the society. In this particular instance where laws are directed at regulating activities of parties to avert conflict, the interest of all the parties must be taken care of in the form of inclusion and active participation of all parties and stakeholders.

(ii) The law to regulate grazing and farming activities in the Benue Valley is for the guidance of a less enlighten community hence it requires serious mobilization and sensitization before its implementation. Such a law must not be punitive from the onset but must be made to be obeyed easily by all. Preferably the law should establish a standing institution with the responsibility coordinating and overseeing the activities of grazing and farming on the Benue Valley. The institution will implement the law with clear responsibilities for the state and all parties and stakeholders.

(iii) Regulatory laws should not be one-way traffic where controls are directed at participants in the trade or business alone. The law should show clearly the responsibility of the state as an interested party and a facilitating agent with relevant investment in the course of providing good governance to the people.

(iv) Since regulation is a necessary activity that should guide human endeavors, it must be carried out in an inclusive and dynamic manner that must see the state, participants and all stakeholders all benefitting from the exercise.

(v) The effort of the federal government to control the menace of the continuous conflict which has claimed so many lives and properties, the National Livestock Transformation Plan should be considered seriously and implemented without so much of bureaucratic bottlenecks that usually characterize government laudable initiatives and kill them in their infancy.

References

- Adeyemo, I. (2018). Nigerian government outlines plan to permanently solve farmers – herders crisis. *Premium Times*, June, 19, 2018. www.premiumtimesng.com/news/top-news/272948
- Adisa, R. S. (2012). Land use conflict between farmers and herdsman: Implications for agricultural and rural development in Nigeria. *Rural Development—Contemporary Issues and Practices* (pp. 99-118).
- Adisa, R. S. (2011a). Management of Farmer-herdsman Conflict in North-Central Nigeria: Implications for Collaboration between Agricultural Extension Service and Other Stakeholders. *Journal of International Agricultural Education and Extension*, 18(1), 60-72.
- Adisa, R. S. (2011b). Patterns of conflict and socio-psychological Coping Strategies among Natural Resource User-groups in Tourism Communities of the Nigerian Savannah. *The Journal of Tourism and Peace Research*, 1(3), 1-15.
- Ajuwon, S. S. (2004) Case Study: Conflict in Fadama Communities. In *Managing Conflict in Community Development*. Session 5, Community Driven Development.
- Cabot, C. (2017). Climate change and farmer–herder conflicts in west Africa. In *Climate change, security risks and conflict reduction in Africa* (pp. 11–44). Springer, Berlin, Heidelberg.
- Central Bank of Nigeria, CBN. (2005). Annual Reports and Statement of Accounts. Abuja, Nigeria.
- Chijioke, A. (2021). *How Herder-Farmer Crisis in Benue Threatens Food Production in Nigeria*. International Centre for Investigative Reporting, ICIR, www.icirnigeria.org.
- De Haan, C. (2002). Nigeria Second Fadama Development Project (SFDP), Project Preparation Mission.
- Fasona, M. J. & Omojola, A. S. (2005). Climate Change, Human Security and Communal Clashes in Nigeria. *Proceedings International Workshop on Human Security and Climate Change*. Asker, Oslo, 21-23 June 2005.
- Fayinka, F. A. (2004). *Food Security in Nigeria: Challenges under Democratic Dispensation*. Paper Presented at 9th ARMTI Annual Lecture, March 24, 2004.
- Gefu, J.O. & Kolawole, A. (2002). *Conflict in Common Property Resource Use: Experiences from an Irrigation Project*. Paper Prepared for 9th Conference of the International Association for the Study of Common Property. Indiana. Retrieved in Oct, 2005 from <http://d/c.dlib.Indiana.edu/archive/00000823/00/gefuj080502.pdf>
- Genyi, G. A. (2017). Ethnic and Religious Identities Shaping Contestation for Land Based Resources: The Tiv-Farmers and Pastoralists Conflicts in Central Nigeria until 2014. *Journal of Living Together*, 4-5(1), 136-151.
- Gursoy, G. (2020). *Herders farmers conflict in Nigeria*. Retrieved September 21, 2022, from www.researchgate.net/publication/347948827 ().
- International Crisis Group. (2017). *Herders against Farmers: Nigeria’s Expanding Deadly Conflict*. Brussels: International Crisis Group.
- Ikezue, C. E. & Ezeah, P. (2017). Recurrent Conflicts among Migrant Fulani Herdsmen and Indigenous Communities of Southern Nigeria: A Review of Literature. *International Journal of Health and Social Inquiry*, 3(1).
- Ingawa, S. A., Ega, L. A., & Erhabor, P. O. (1999). Farmer-Pastoralist Conflict in Core-states of the National Fadama Project, FACU, Abuja.
- Iro, I. (1994). *The Fulani Herding System*. Washington, African Development Foundation.
- Lambrou, Y. & Laub, R. (2006). *Gender, Local Knowledge, and Lessons Learnt in Documenting and Conserving Agrobiodiversity*. WIDER Research Paper; RP2006/69. Helsinki. UNU-WIDER.

- Okeke, O. E. (2014). Conflicts between Fulani Herders and Farmers in Central and Southern Nigeria: Discourse on Proposed Establishment of Grazing Routes and Reserves. *An International Journal of Arts and Humanities AFRREV IJAH*, 3(1), 66-84.
- Nyong, A. & Fiki, C. (2005). *Droughts-Related Conflicts, Management and Resolution in the West African Sahel*. Human Security and Climate Change International Workshop. Oslo; GECHS, CICERO and PR20 Report, Livestock Component, World Bank, pp. 1-13.
- Oghuvbu, E.A. & Oghuvbu, O.B. (2020). Farmers-herdsmen conflict in Africa: A case of Nigeria. *Journal. Rudn. International Relations*, 20(4), 698-712.
- Ortega, S.T., Johnson, D. R., Beeson, P. G., & Craft, B. J. (1994). The Farm Crisis and Mental Health: A Longitudinal Study of the 1980s. *Rural Sociology*, 59, 598-619.
- Popoola, M. A., Brimah, A. N., & Olawale, S. M. (2020). Effect of Farmers and Herders Conflict on Entrepreneurial Practice in Southwestern Nigeria. *International Journal on Economics, Finance and Sustainable Development*, 2(4), 73-83.
- Shehu, H. (2018). The Causes and Consequences of Fulani Pastoralist-Farmers Conflict in Nigeria. *International Journal of Innovation and Research in Educational Sciences*, 5(3), 357-361.
- Shittu, M. O. (2020). *Farmers and Herders Conflict in South-West Nigeria. From 2011 – 2021*. Unpublished M. Sc. Thesis. Department of Peace Studies and Conflict Resolution, Faculty of Social Science. National Open University of Nigeria (NOUN).
- Sikor, T. & Lund, C. (2009). Access and Property: A Question of Power and Authority. *Development and Change*, 40(1), 1-22.
- Solomon, O. A. & Chinwe, O. O. (2015). Climate change and pastoral conflicts in the middle belt and South-East Nigeria: Implication on human resource of the regions. *Global Journal of Human Resource Management*, 3(5), 44-51.
- Tarhule, A. & Lamb, P. J. (2003). Climate Research and Seasonal Forecasting for West Africans: Perceptions, dissemination, and use. *Bulletin of American Meteorological Society*, 84, 1741-1759.
- Udemezue, J. C. & Kanu, N. A. (2019). Challenges of Nigerian agricultural sector in the twenty first century: The case of nomadic insurgency and terrorist sects. *Universal Journal of Agricultural Research*, 7(2), 117-124.