Armed Herdsmen Killings And Ruination Of Properties In Nigeria: The Necessity Of Independent State Policing Under The Criminal Justice Administration

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ABSTRACT
Many Nigerians have been murdered and several properties worth millions of naira are daily lost to the brutal killings and activities that are linked to the Fulani Herdsmen. Many families have been distabilised and Nigerians are helpless since the current police powers are glaringly insufficient to guarantee the protection of their lives and properties in the wake of these Fulani Herdsmen attacks. This paper critically assessed the history of Fulani herdsmen by looking at how the Fulani herdsmen began to settle in Nigeria. The main objective of this research is to look at the possibility of adopting state police under the criminal Justice System so as to bring an end to the killings and ruinations caused by Fulani Herdsmen. The Methodology adopted in this work is doctrinal since some state laws on anti-grazing activities are explored, empirical and qualitative since contents were analysed. Findings revealed that many calls have been made for private protection from victims of such crisis as government at both the federal and state levels have failed to protect the lives and properties of victims of such attack. This paper strongly recommends that the Constitution of the Federal Republic of Nigeria 1999, be amended to urgently create state Policing in order to ensure a better safety paradigm on lives and properties of Nigerians from not just Fulani Herdsmen attacks but such similar attacks that puts lives and assets into total condemnation. The study concludes that the present Capacity of the combined efforts of the Security Personnel is totally inadequate to protect the lives and properties of Nigerians from Fulani Herdsmen attack.

Keywords: State Policing, Killings, Herdsmen, Properties and Grazing

INTRODUCTION
Advanced States of the world live in a relative era of peace and security. With the captions from Syria, Pakistan, Iraq, Afghanistan, Sudan, Nigeria and parts of Central America remind us that this paradigm of events are not universal. None the less, there is scepticism that the prevalence and extensive sternness of armed conflict and, more notably, instances of inter-state or intra-state conflicts have degenerated intensely when examined over the years. To ensure global peace and conciliations, a lot of justifications have been propounded, ranging from the theoretical, to the biological, societal and political, replicating most often not the same disciplinary approaches (Pinker, 2007). The many applied approaches adopted in solving crises across the globe are totally different from one country to another especially when viewed from religious, political and military backgrounds among all else but the aim is to ensure relative world stability in the long run.

Understandings and intelligences on media point to occurrences of unembellished internal conflicts in Nigeria, particularly in contemporary times. These conflicts vary from insurgency in the North East, militancy in the Niger Delta region to Fulani Herdsmen and Farmers’ crusade across every part of the country. The Fulani herdsmen feud is the major point of focus here.
In recent times, there have been intensifications of reported attacks by Fulani herdsmen who violently kill inhabitants of the attacked farming communities including women and children in several states throughout the country. Many Nigerians have been murdered and several properties worth millions of
naira are daily lost to the brutal killings and activities that are linked to the Fulani Herdsmen. Many families have been destabilised and Nigerians are helpless since the current police powers are glaringly insufficient to guarantee their lives and properties in the wake of these Fulani Herdsmen attacks. The Fulani herdsmen armed with sophisticated weapons frequently invade their target communities at the time they are most susceptible such as mid - on Sundays when they are in their churches or night, killing people comprehensively, looting properties and burning houses. There remain continuing grassroots hostilities in the central and southern states of Nigeria between farming communities and Fulani herdsmen. This is an old age problem, nevertheless it has heightened in the past years and has presumed a very lethal dimension. The clashes ensue when Fulani herdsmen move into non-Fulani native land with their cattle. This customarily leads to the devastation of farmers’ crops. Consequently, the herdsmen aggravate their victims to acts of confrontation by thwarting access into farms, killing or stealing cattle, or poisoning fields. In reaction, the herdsmen wage lethal attacks on farming communities. In a comparable routine, Okeke (2014) elucidated how the farmers and Fulani herdsmen clashes arise thus: “The conflicts occur when Fulani herdsmen move into non-Fulani homelands with their cattle. This usually leads to the destruction of farmers’ crops. Thus, the herdsmen provoke their victims to acts of resistance (preventing entry into farms, killing or stealing cattle, or poisoning fields) and in response, herdsmen wage deadly attacks”. Bearing in mind the deadly effects of this aggressive inclination, affected persons and communities are perceptibly not finding it enjoyable. The herdsmen may well have lawful cases in favour of the welfare of their cattle. The farmers and communities may possibly also have lawful cases in favour of the safety of their farmlands, agricultural activities and in fact, their economies. The questions, nevertheless, are: must the farmers and herdsmen carry on in this spiteful campaign for the reason that they both have valid cases? Can a mutual ground of peace and coherence be reached through vendetta and retaliation? What is the furthermost irrepressible resolution to this outlandish? This paper attempts to assess the history of Fulani herdsmen by looking at how the Fulani herdsmen began to settle in Nigeria. A brief look on whether the killing by Fulani herdsmen is politically motivated and whether there is any religious or cultural influence on the conflict between Fulani herdsmen and farmers in Nigeria. The paper will also look at the call for private protection from victims of such crisis and the effort of the federal government so far in resolving the conflicts. Furthermore, the paper assesses the present legal framework by examining the various legislative efforts taken by state government and the need to adopt an independent state security in order to address the conflict. Finally the paper assesses the challenges faced in addressing the conflict between farmers and Fulani herdsmen and proffering holistic solution to the problem.

METHODOLOGY
The methodology adopted in this work is doctrinal since the legal framework on anti-grazing in some states in Nigeria is examined. The study is also empirical since semi-structured interview was conducted for some Fulani Herdsmen from six states each representing the geo-political divisions in Nigeria to determine the cause of violence and destructions across the country while the same was done for some farmers to establish the experience of violence from Fulani Herdsmen. Data for this study was collected from mainly secondary sources. The secondary data was collected from books, journal articles, government publications, news media and letters. The technique of content analysis was used in analyzing the secondary sources.

HISTORY OF FULANI HERDSMEN
The Fula people (Fulani in Hausa) are a great population but who are variously spread in different parts of the African continent, but largely in West Africa, northern parts of Central Africa, Sudan and Egypt. A large percentage of them keep cattle, sheep and goats and drift from place to place, feeding their flock.
They are essentially the world’s major pastoral nomadic group. In Nigeria, the leading Fulani sub-groups are: Fulbe Adamawa, FulbeMbororo, FulbeSokoto, FulbeGombe, and the FulbeBorgu (Omaewumi, 2016). Through jihads, the Fulani conquered a large part of present-day Northern Nigeria between 1804 and 1810 (Horton, 1972). A number of places in central Nigeria, now known as Plateau, Benue, Taraba, Nasarawa and Kogi states were unconquered by the Fulani jihadists. Udo (1980) describes these places as:

“Hill sites provided satisfactory refugee garrisons for people escaping from the offensive of straddling Fulani warriors. The destiny of other savannah areas in central Nigeria, particularly those that lacked the fortification of hills, was considerable shoddier. Through the benefits of mounted troops and unity, the Fulani customarily invaded them for slaves. The rate of recurrence and depredations of Fulani slave invasions helped to make central Nigeria, notwithstanding its massive farming lands, one of the sparsely populated regions of Nigeria”.

After the British conquered the northern part of Nigeria in the first decade of the twentieth century, they brought an end to Fulani rule in the area and to their destructions in central Nigeria. A significant policy of the British vanquishers was, in the words of Udo (1980). The Fulani herdsmen were believed by Nigerians to be a peaceable group of migrants nursing their cows and were essentially not professed as foremost threats in a long time ago. Nomads were only armed with long staff, their kettle and sometime, a dagger concealed inside their clothes in those days. But then all that have transformed as these herdsmen have developed over time (Okeke, 2014). Although the nomads acknowledged for journeying from one location to a different location in pursuit of grazing lands for their cattle, are said to customarily experience the anger of locals who claim that herdsmen’s cows cause a great deal of damage in their farmlands by feeding on their crops. This and additional consequential issues have led to rigidities between Fulani communities and farmer communities in Nigeria (Okeke, 2014). They grapple bows and poisoned arrows with charms as they travel into communities. Both sides have unrelenting to harbor simmering misgiving and revulsion, which have led to countless assaults, counter-attacks and retaliations. Due to these unrestrained violent clashes, these “Fulani herdsmen” in contemporary years further developed. They grow into a lethal group that brandish automatic guns, wield numerous weapons and even carry out synchronized offensive on communities that are supposed as dangers to their nomadic activities.

ARE THE KILLINGS POLITICALLY MOTIVATED?
Security is now more well-structured than it was before 1999. One of the weaknesses of civilian rule from 1999 till the present moment is the pathetic and inadequate response to the amount of security of provided to protect people and their property. The situation was better during the pre-democracy period because internal emergencies were put under control. What obtains now is that the police and/or other security agencies are obliged to understand and curb what used to be the responsibility of village heads. From apparent indicates, the commencement of democratic government instigated the ethno-religious crisis between the herdsmen and farmers. A good instance is how peacefully the herdsmen and farmers in Mambilla Plateau, Taraba state dwelled together for hundreds of years without any occurrence of clash until sometime in 2001 and 2002; both occurrences were believed to have a political undertone (IGiR, 2017). Some politicians have taken advantage of this crisis concerning land use to enrich themselves. Over the years, as a consequence of the conflicts which attended their movement from place to place, motives for movement by herdsmen began to take a political twist. This was made renowned by the jihads of Usman dan Fodio, conceded out for political and religious motives (Blench, 1988). In the present day, their manifestation in any community stimulates a mindfulness of the indigene-settler disorder (Hembe, 2005) which, nevertheless aboriginal in the framework of modernism, has turn out to be the foremost determining factor of political amalgamation and social interconnection in Nigeria’s Middle-Belt constituency (Umoh, 2010). Take for illustration, most clashes in Jos had stemmed from the tussles for the land resources and the associated political and socio-economic powers and supremacy between the Hausa-Fulani and the indigenes over Jos North local government area, a fundamental territory in the heart.
of the metropolis. Nonetheless considered as ‘settlements’, they are the principal group in the Jos North area and had been demanding for an emirate to further promote their ‘ownership status’. The separation of Jos was a self-serving pronouncement coordinated to further promote the cause of the Hausa-Fulani ethnic assemblage was the over-all observation amongst the indigenes. These entitiles to the possession of Jos have been the fundamental bases of the lethal ethno-religious clashes that have overwhelmed Plateau state from 1994 till now (Higazi, 2011).

The culture of impunity to develop was permitted by the failure to act of the Nigerian government towards Hausa-Fulani Muslim violence. Several local communities resolve to protect themselves against Hausa-Fulani Muslim herdsmen assaults in the nonexistence of government security. Government has been accused by critics for using twofold principles (Adamu and Ben, 2017). The government has set out military forces against the Niger Delta Avengers. The government captures, incarcerates and put on trial members of the indigenous people of Biafra. Thus far, the government has snubbed to arrest or prosecute Hausa-Fulani Muslim herdsmen. Instead, there seems to be a policy-framework in motion to institute grazing fields for the herdsmen by the national assembly which never sailed through. According to the Minister of State for Agriculture and Rural Development, Heineken Lokpobiri, the government’s strategies to institute cattle ranches as a permanent resolution to thwart the recurrent clashes between herdsmen and farmers in Nigeria. He spoke in the course of a one-day public inquiry organised by the Senate Committees on Agriculture, and National Security and Intelligence (Premium Times, 2016).

Nevertheless, this is understood by numerous as unspoken confirmations of the plans of the Hausa-Fulani Muslim herdsmen by authorities of the Nigerian government. Appointments into key offices, predominantly key security offices that ought to safeguard the lives and property of all citizens, are dominated by Hausa-Fulani Muslims. This is even further tormenting for Christians who are before now victims of attacks by Hausa-Fulani Muslim herdsmen.

It is worth spotting out that President Mohammadu Buhari is perceived by many in this part of the country (especially the north central and southern part) as one who has masterfully constituted the whole design of national security in the hands of the northern Hausa-Fulani Muslims. According to a senior advocate of Nigeria, 88% of the federal appointments into precise important security and national administration posts have been for northern Hausa-Fulani Muslims, with only one coming from the southwest, who is also a Muslim (Asemota, 2016).

Although agriculture is an element on the contemporary list of subjects in the Nigerian constitution and to that magnitude; both the federal and state governments are authorized to make laws on it. The Federal Government has not taken any conclusive deed nor made any tangible action to restrain the hazard of violence by herdsmen nationwide till date. Instead, the federal government has solitary made a shabby call on security agencies to take into custody the raging herdsmen and “half-hearted approach” to deal with the hazard of attacks by herdsmen (The Sun, 2016). Even though some state governments have made announcements on the attacks by herdsmen, majority of such have demonstrated to be not only weak, but also essentially unsuccessful for the reason that they were belated rather than precautionary in nature.

The motives for the federal government’s disappointment and incapability to control indiscriminate cattle grazing and its associated undesirable penalties in Nigeria can be principally traced to the political economy of cattle rearing in the country. The President Muhammadu Buhari is a Fulani and the Grand Patron of the Miyetti Allah Cattle Breeders’ Association of Nigeria (MACBAN), the authority body for cattle rearers in the country. By benefit of the circumstance that the president himself is a Fulani, a cattle owner and a foremost cattle dealer, it is conceivable that his apparent incapability to detached the responsibilities of his office as president from his interests as Fulani, cattle dealer and grand patron of MACBAN has made it problematic for him to call the raging Fulani cattle rearers to order.

In a similar way many owners of cattle businesses that are delegated into the care of Fulani and ‘Bororo’ cattle tenders are monarchs, senior civil servants, opinion leaders and political office-holders in Nigeria. These cattle rearers are ‘equipped’ with AK 47 guns with which they kill farmers, forcefully take over farms and terrorize innocent citizens, sack and take over whole communities. Nevertheless, these senior citizens are opinion leaders who ought to be instrumental to making laws to regulate the undertakings of
the raging herdsmen in Nigeria. They cannot prompt government to control undifferentiating browsing as a result of clash of their personal economic interests with national interests.

ANY RELIGIOUS AND CULTURAL INFLUENCE?
Herder-farmer conflicts not solitary have an uninterrupted influence on the lives and means of support of those involved, they also interrupt and intimidate the sustainability of agricultural and pastoral production in West Africa. Richards, (2005) disregarding these clashes is reckless for the reason that local conflicts may possibly intensify into “real wars,” as Burkina Faso might well be at the threshold of ethnic violence alongside the “occupational boundary of farming and herding.”

The cumulative number of information of violence at this occupational boundary makes understanding herder-farmer conflicts a crucial undertaking. We therefore need to discern not just why resistance begins, but then again also why and how, as a number of conflicts reveal, they expressive with religious, ethnic, and political circumstances. Also the Diocesan Coordinator of Justice, Development and Peace Commission of the Catholic Diocese of Otukpo established that the data gathered by the commission point out that over 7000 people had been evacuated from Agatu. Most of those displaced came from Okokolo, Akwu, Ocholonya, Adagbo, Ugoku and Aila. The nature and magnitude of the attacks, it look as if, goes further than the subject of contestation over environmental resources and grazing fields and comprises a designed plan to kick out and reside in Christian populated communities and villages. If this reflection is accurate, then it means that the attack on Christians in the affected areas is a suggestion that the Hausa-Fulani Muslim herdsmen’s continuous attacks on Benue and other states are motivated by religious rather than ethnic deliberations (Adamu and Ben, 2017). A security expert in Benue State sued that the on-going Hausa-Fulani Muslim herdsmen’s conflict with sedentary farmers unquestionably has grave religious undertones (Adamu and Ben, 2017).

Also at a town hall meeting held in 2016 by customarily indigenes of Benue in Abuja, a senior traditional ruler from Benue State established on the sidelines of the meeting that the foremost apprehension of the Hausa-Fulani Muslim herdsmen “is not about grazing. It is about a overthrow of Benue State for the Islamic empire. They propose to plant their flag like Boko Haram (Okoh, 2016).”

In reality, there are undeniably equivalents between the Hausa-Fulani Muslim herdsmen and Boko Haram. The Fulani are Muslim and their victims are prodigiously Christians and non-Muslims. They shout “Allah Akbar” meaning God is great in the course of their attacks, and they leave unbearable mayhems in their wake. There are also propositions that there is wide-scale partnership between herdsmen, jihadists and terrorists, all targeting to occupy Christian territory in self-actualization of long years of waiting with a motivated Islamic agenda.

Furthermore, the Christian Association of Nigeria (CAN) has alleged government of collaboration in the continuous killing of Christians in Southern Kaduna by Fulani herdsmen and Islamic fundamentalists with freedom owing principally to the muteness and inaction of the federal government on the hazard of armed nomadic cattle rearers because “the guilty party have been given immunity and they feel they are unchallenged”. It noted further that “over 1,000 Christians in Southern Kaduna had been killed, 53 communities with their churches damaged and 17 villages subjugated and occupied by the Fulani herdsmen between May 2016 and January, 2017” (Olokoro, 2017).

In Jos, the capital city of Plateau state, the population comprises of principally Christian Berom, Anaguta, and Afizere ethnic groups, amongst others, well-thought-out to be ‘indigenes’ of Jos, and the primarily Muslim Hausa and Fulani ethnic groups, well thought-out to be ‘settlers’ or ‘non-indigenes.’ A position of indigene makes available certain privileges and admission to political, economic, and communal resources. But as a result of the establishment of Jos North Local Government Area in the late 1990s and early 2000s, ‘indigene’ and ‘non-indigene’ strains worsened, to some extent. The delimitation of the area to comprise virtually completely Hausa Muslims was professed to give them inconsistent political influence. As they wriggled for political influence and leadership roles within the local government, indigeneship turn out to be a political tool to entice and solidify support. For the reason that the ‘settlers’ are nearly exclusively Muslim and the ‘indigenes’ are principally Christian, the manipulation of these personalities progressively played out through ethno-religious isolation, hate crimes, discrimination and
intra-communal violence. Widespread uprisings and outbursts of violence ensued in over 1,000 deaths in 2001 (Krause, 2011).

Former Minister of Defence, General TY Danjuma (Rtd) speaking at a session hosted by the International Committee on Nigeria (ICON), in collaboration with Heritage Foundation and 21 Wilberforce, he said the issue of extremism among some fulani people has led to horrific attacks on villages that echo book-haram tactics which is religious in nature (Danjuma, 2018).

These political foundations are not direct causational inspirations for current farmer/herder violence, but these events encouraged profoundly seeded aggression, fear, and accusation towards the supposed aggressors. Reports of communities hoarding weapons and pastoralists arming themselves for self-protection provoked anticipatory attacks out of anxiety that the other side would attack first. Cattle rustling and reprisal attacks in the course of this time often played out on ethno-religious lines.

A CALL FOR PRIVATE PROTECTION FROM VICTIMS

Baje (2018) has it that the dearth of members in the police force is one of the grave messages passed across by the frequency and severity of the homicides by Fulani herdsmen. As it obtains in the country’s political terrain, centralising the structure of the police is adverse to sustainable democracy. Similarly, the centre of the federal system of government needs a decentralisation of power just as much as community policing is needed.

Also, Governor Darius Ishaku of Taraba State which has in recently suffered incessant attacks of Roman Catholic churches by Fulani extremists stated that the configuration of the Nigerian government has impeded his leadership skills. He said, “we do not have state or local police…governors do not have power or influence to make changes in their own states” (Danjuma, 2018). Unini (2018) questions the effectiveness or innocence of the country’s security bureau because despite the activities of the herdsmen in different parts of the nation, none has been brought to book for the unjustified attacks, arson, killings, rape and other criminal offences against the farmers; however, citizens who are courageous enough to protect themselves from these assaults are being persecuted. An example of this situation is found in Adamawa state where five men were found guilty of the homicide of a herdsman who attacked their community; they were sentenced to death (Vanguard, 2018).

The foregoing has engendered structured retribution as some communities in the middle belt and south of the country form self-resistant vigilante groups. An instance of this was in March 2014, when a Tiv academic and opinion leader, Leonard Karshima Shilgba, warned that inactivity of the federal government against the attacks would mean that “the Tiv people would also demonstrate that they equally have the right and also the capacity to raise a standing army of thousands from each ward and kindred” (International Crisis Group, 2017). After an attack on Nimbo, Enugu (south-east of the country) in April, 2016, the nationalist Movement for Actualization of the Sovereign State of Biafra (MASSOB) ordered “Fulani herdsmen to leave Biafra land or ... face [their] wrath” (MASSOB, 2016). Likewise, in May 2016, Governor Ayodele Fayose of Ekiti state alerted the Fulani herdsmen of possible assault if they continued in predatory activities towards the natives. Also, Reverend Ayokunle (2017) who is the president of Christian Association of Nigeria warned that “if the government fails to stop the provocation by the Fulani (herdsmen), they should be prepared for war. No ethnic group has a monopoly of violence and no ethnic group should be a monster to others”.

Till present time, none of these threats against the herdsmen has been executed; however, the signs of execution are imminent. The interaction of these attacks on farmers and confrontations from tribal and Christian elders down south in Nigeria has the potential of provoking even more violence. The acceleration of discord across the geopolitical zones could possibly put more pressure on the country’s military and security agencies, hence, constituting a distraction of resources and personnel from the war against the north east’s Boko Haram, the Niger Delta’s militants as well as other security problems (Daily Trust, 2017).
FEDERAL GOVERNMENT EFFORTS SO FAR

Rather than address the root of the crisis, the Nigerian government and security bureaus which have been stretched thin, respond to these eruptions of violence by initiating improvised and often provocative reactions to violence. These responses to the present opposing underlying forces have been mainly and inherently reactive and predisposed to political operation. For many years now, the federal government of Nigeria has engaged many responses. In April 2014, President Goodluck Jonathan’s government pledged to strategise blueprints that would solve the problems between the herdsmen and farmers during a technical meeting on grazing reserves, (International Crisis Group, 2017). The government concurrently created a political Committee on Grazing Reserves which was headed by Gabriel Suswam, the then Governor of Benue state. The committee reported that grazing courses trespassed upon by farmers should be reclaimed and developed. It also recommended that a sum of N100 billion ($317 million) should be issued by the Central Bank of Nigeria to the country’s 36 state governments for the purpose of creating ranches.

Although these recommendations were endorsed by the National Executive Council (NEC), the ousting of President Goodluck Jonathan’s government in 2015 elections intruded on the execution in that the ranches were not created even though the central bank went ahead to issue N100 billion to state governments. Immediately after President Buhari resumed office, he issued directives to the Federal Ministry of Agriculture and Rural Development (FMARD) to carry out an all-inclusive livestock development plan so as bring farmer-herder clashes to a halt. In August 2015, a FMARD panel proposed plans in various terms that include the development of grazing reserves and stock routes. On the 25th of January, 2016, the government declared that it was handing over a strategy to the Nigerian Governors’ Forum to serve as a tentative solution to the challenge; this strategy was to it was hand over a plan to the Nigerian Governors Forum to map out portions of land for grazing purposes in their different states till cuddle grazing could be inculcated (Premium Time, 2016). However, a large percentage of the central and southern states perceived the idea as in favour of the herdsmen and countered it. In an attempt to mitigate the objection, Audu Ogbeh, the Minister of Agriculture, asserted that a bill was being sent to the Law makers to prohibit cattle from meandering in both rural and urban environments. (Premium Time, 2016). In addition, he stated that the government had purchased “enormous hectares of grasses” from Brazil which would grow so quickly that they would be ready for consumption “in the next three months” (Vanguard, 2016). It has been over a year and no update has been provided, either about the bill or the promised grass.

The Nigeria Police Force (NPF) and the Nigerian Security and Civil Defence Corps (NSCDC) which are controlled by the federal government are delicately placed in rural areas but lack basic early-warning machineries. Herders and farmers alike report that they are not prompt in responding to sorrow calls, even when community and civil society groups are concerned. Farmers are sometimes forced to seek retribution by themselves because security forces do not prosecute the attackers who kill them and steal their cattle. They add that the herdsmen are more confident because of the agencies’ refusal to reprimand them as well as their frequently late response to misery calls (International Crisis Group, 2017).

However, the habitual response after clashes occur has often been to station the police and sometimes the army in affected communities. On very few occasions, the police, arrested and tried both herdsmen and armed vigilantes (The Nation, 2016). It is more often the case that no guilty group is apprehended or tried; this is as a result of the country’s breakdown in law implementation and the faulty criminal justice system. Also, they strongly believe that punishing the accused could engender more violence because the activities were treated as political rather than criminal perpetrations by high powers. In cases where commissions of investigation are created, they are only mainly instrumental in dousing the tension instead of ensure justice (International Crisis Group, 2017). Furthermore, security response has posed more challenges under the Buhari-led government. In February, 2016, after many people had been killed in another attack by herdsmen in Agatu area of north-central, Benue state, there had been an uproar from the people and this led Buhari to order an investigation; however, nothing has been said since then (Premium Times, 2016). Later that year, on the 24th of April, 2016, Lai Mohammed, the Information and Culture Minister, claimed that the government was working “silently” to end violence; he promised that “In few weeks from now, we will begin to see the result of that” (Mohammed, 2016); however, it turns out to be
another instance of not acting on promises. In April 2016, the president condemned the attack on Ukpabi Nimbo in Enugu state and ordered the police and military to do all that is possible to bring the killings to a halt; he guaranteed that bringing the menace to a stop had become a matter of urgency and priority (Premium Times, 2016). However, even after this guarantee and promise, more hundreds of people have died in these clashes. General Gabriel Olonisakin who is the chief defence staff declared “Operation Accord” on the 15th of July, 2016, but that was the last that was heard of it. There have been successive clashes in southern Kaduna in the latter months of 2016, which claimed between 200 and 800 people, after which troops were designated to the area. Despite these, these attacks have persisted (Premium Times, 2017).

Adding to the challenge is the federal parliament’s inefficient reaction to the situation. In 2011, attempts by a Niger state senator, Zainab Kure, to pass a bill which would permit the construction of a National Grazing Reserves Commission and inaugurate national grazing reserves and livestock routes proved futile because the bill eventually expired after a long time of not passing it (National Grazing Reserves Commission, 2011). Between 2015 and 2016, fresh attempts were made to pass three new bills on the creation of grazing reserves, livestock routes and ranches across the country; however, they were all dropped in November 2016 because it was concluded that land use was absolutely lies within the powers and jurisdiction state government prerogative (Thisday, 2016).

PRESENT LEGAL FRAMEWORK

As a component of agriculture, law-making on pastoralism or animal shepherding is delivered for by item 18 on the synchronized list of the 1999 Constitution of Nigeria which makes available: Theme of the requirements of this constitution, a House of Assembly might create laws for that state with reverence to industrial commercial or agricultural improvement of the State (FRN, 1999). Consequently, both the federal and state governments have jurisdictional authorities to create laws in the direction of regulating cattle grazing in the country. For example, a National Grazing Bill that the federal government advanced to the National Assembly botched to scale through for the reason that “its provisions were declared unacceptable by people (lawmakers) from parts of the country” (Newsherald, 2016).

THE PROHIBITION OF CATTLE AND OTHER RUMINANTS GRAZING IN EKITI STATE LAW, NO. 4 OF 2016

Due to the clashes amongst farmers and cattle rearers in the northern part of Ekiti State and the quietness of the federal government on the difficult, the state government strong-willed to confront the difficult by pushing for a public policy to standardize cattle grazing in the state. The ‘Proscription of Cattle and other Ruminants Grazing in Ekiti State Law, No. 4 of 2016’ was approve by the Ekiti State House of Assembly and contracted into law by the State Governor, Ayo Fayose on 30th October, 2016.

It comprises eight chief divisions nevertheless the utmost general comprise Section 2 which proscribes unconstrained grazing; Section 4 that make available for appropriation of cattle or other ruminants that involve in undiscriminating grazing; and Section 7 that postulates violations and penalty (Newsherald, 2016). Section 2 (1) make available that: no person will cause or allow any cattle or other ruminants have its place to him or beneath his control to graze on any land which the Governor has not chosen as ranches (Ekiti State Law, 2016).

Section 2 (2) make obtainable that: “the Governor will by a directive entitle land in each Local Government in admiration of which cattle or other ruminants might be allowable to graze” (Ekiti State Law, 2016). Section 2 (3) delivers that “no cattle or other ruminants shall by any means move or graze at night” (Ekiti State Law, 2016) whereas Section 2 (4) provides that “cattle movement and grazing are constrained to the hours between 7:00am and 6:00pm” (Ekiti State Law, 2016).

Section 4(1) prohibits herdsmen to carry weapons and other aggressive weapons however grazing animals, making lawbreakers accountable for the charge of terrorism (Ekiti State Law, 2016). This was
unswervingly intended at criminalizing the carrying of all types of weapons (including AK 47) with which pastoralists (a.k.a. ‘herdsmen’) have chopped down their several victims with impunity. Section 7 provides for punishment in case of break of any of the provisions of the Law. It positions that: “Any person who breaches any Order made under Section 2 or any rule made under Section 6 obligates a wrongdoing and is accountable on conviction to incarceration for a period not less than six months devoid of any alternative of fine” (Ekits State Law, 2016).

Policymaking may perhaps customarily be discordant, nonetheless execution is frequently more multifaceted notwithstanding of the environment. Without a doubt, as Olugbenga (2013) has contended someplace as well, implementation is the burial ground of policy. This is where policy resources, the drive of policy businesspersons, swordfighters and ideologues to put into practice policy with results become verified. It is the stage where policy oppositions, interests whose opinions may not have been perceived at inception stages of policy, or who decide to endure quiet for numerous motives often rear their heads. Such groups are ‘the dogs that do not bark’ nevertheless can bite. Consequently, in order to encourage implementation of the law, the Ekits State Government swears in the Ekits State Grazing Enforcement Marshals (EGEM), a public security outfit devoted to the putting into practice of the Cattle Grazing Regulation Law in the state.

THE TARABA STATE OPEN GRAZING PROHIBITION AND RANCHES ESTABLISHMENT LAW NO 7 OF 2017

In Taraba State the title of the law promulgated is “The Taraba State Open Grazing Prohibition and Ranches Establishment Law No 7 of 2017”. This law prohibits open movement of livestock in search of pasture and to provide for the establishment of ranches and for other matters connected to it. According to Section 3 of the law, the following were listed as the aims and objectives:

(a) To promote the modern techniques of animal husbandry, particularly the rearing of livestock;
(b) To promote job and investment opportunities in livestock farming as well as expand the value chain;
(c) To prevent destruction of farm crops and community pond, settlement and property by the open grazing of livestock;
(d) To prevent clash between herdsmen and farmers;
(e) To regulate and support the growth of livestock farming and manage the environment impact of open livestock grazing;
(f) To prevent, control and manage the spread of disease as well as to ease the implementation of policy that will enhance the production of a high and healthy breed of livestock both for the local and export markets;
(g) To create a more robust method of addressing the rising livestock density, particularly cattle, in an efficient manner;
(h) To promote greater productivity and profitability in the livestock business;
(i) To promote and enhance the production of high and healthier breeds of cattle, sheep goats, horse and camels for both local and export markets
(j) To promote the establishment of international best practices in dairy and beef industry. (Taraba State Government, 2017)"

So as to be able to implement the aims and objectives the law also established an agency for that purpose. It is acknowledged as “Taraba State Livestock and Ranch Administration and Control Committee” The Committee draws its membership from Ministry of Agriculture, Ministry of Justice, Bureau for Lands and Survey, Bureau for Local Government an Chieftainty Affairs, the Nigeria Police, Department of State Security Service, Nigerian Security and Civil Defence Corps, The State Vigilante Chairman-Member. The Committee thus is a matrix organization anticipated to make use of professional from all the agencies and operate with team spirit to achieve the aims and objectives of the law.
The law also intends to effectively impact on the people at the grassroots level. It established this Local Government Livestock and Ranch Committee otherwise known as Local Government Committee for each local government and the Special Development Areas of the State. The Chairman of the Local Government and the Coordinator for Special Development Areas has been vested with the power to appoint members of their respective local government Committees. The main functions of the Local Government Committee are similar to that of the State Committee but restricted to the Local government or Special Development Area as the case may be. But the State Governor has power to give the Committee directives of a general nature or relating to a particular matter with regards to the exercise of the Committee's functions under this law and it shall be the duty of the Committee to comply with such directive from the Governor.

ADOPTION OF INDEPENDENT STATE POLICING

Issues bordering on local community well-being, development and security are paramount in the enhancement of governance and upsurge or attenuation in shakeup for control of resources as well as contravention of the privileges of others. All these have repercussions for subsistence and struggles between or in the midst of communities. Once again, local confrontation to state policies is essential in resource-use through consolidation of community capability to manage resources and deal with clashes. Security is a framework for intercession and conflicts for that reason. Meanwhile insecurity contributes ways to treachery, conflicts are inescapable. The rationale of security is to principally move forward the well-being and possessions of the persons involved; whereas the continued existence of the state is secondary. In other words, when the individuality and nature of the state do not look like to safeguard the security of the citizens, their autonomy and preferences enormously transform away from the state to individuals or groups as the attentiveness of security.

The government and the Nigeria Police Force (NPF) embarked upon the transformation of the police force reiterating the need to bring together and implement community policing in order to challenge these deteriorating security challenges. This alteration paves the way for official institution of community policing in 2004. Nevertheless, the police had educated officers and men both locally and globally to help spread the gospel of community policing before the official introduction on April 27, 2004.

Just like in other parts of the world such as Britain, America, the Nigerian system of Community Policing is displayed to become accustomed the most excellent phase of the two countries piece together. This viewpoint is of one that guarantees community protection and law-breaking prevention. It is not exclusively that of the police but a collective one between the security forces and the people. Furthermore, that policing is not basically about responding to proceedings or calls for service from the public once a crime has been committed to some extent it must be pre-acting in addressing aboriginal predicament in other words crime stoppage. Despite the fact that the thread is that this model permits community policing to necessitate the usage of discretion flexibility as well as autonomy of how the job must be carried out, it understands policing as a development.

Nonetheless, it has been well-known that community policing in Nigeria is facing numerous problems such as low level of responsiveness on the part of the Nigerian police officers as well as the overall public, which challenge the viewpoint underlying community policing. In addition, there is the contest of the attitude of the police officers that the principal obligation is to apprehend, detain and cross-examine suspects who committee crime and to implement law and order in the society. However, there is the challenge of attaining assurance from member of the public. Intelligences point out that as high as 50% of Nigerians utilize the services of these community based security operatives for their safeguard from criminal attacks (Alemika, and Chukuma, 2004). A number of state governments in Nigeria are as well recognized to have unreservedly or responsively sanctioned armed vigilante groups as part of their movement against crime (Akinyele, 2008). In recent times, the Governor of Plateau State in north central Nigeria was described to have stimulated numerous communities in the state to establish vigilante groups in the light of the frequent invasion of these communities by extremists.
CHALLENGES OF INCEPTION PERIOD
The Nigerian government has attempted to alleviate the conflict between herders and farmers from the root, but all have been abortive. One of these attempts by the government is the designation of N10 billion to execute the Great Green Wall Programme (GGWP), so as to combat desert encroachment - a major factor that caused pastoralists to migrate from the North to the North-Central region of Nigeria so as to find grazing fields. The federal government and some state and local governments involved in the execution of this programme have been uncommitted to its course. This problem has been examined from different perspectives in times past and these have all produced different messages. Hesse and Odhiambo (2006) viewed this challenge from the lens of malfunctioning policy structures which are supposed to tend to power relations between crop farmers and herders (this includes, for example, issues surrounding grazing reserves). Another problem they discovered is the poor implementation of existing policies. Also, Awogbade (1987) identified contention as the core problem of grazing reserves policies. Ingawa, Tarawali and Kaufmann (1989) present a similar line of argument when they emphasise the challenges, possibilities, and policy implications of grazing reserves in Nigeria. Hesse and Odhiambo (2006) highlight the importance of adopting the African Union's (AU) policy structure in Nigeria, so as to design and execute a National Action Plan to steer past the convolution.
In a study carried out by USAID in 2014 on Nigeria Cross-Sectoral Conflict Assessment, the conflicts were ascribed to many reasons. The first was the ineffectual management of natural resources, which could increase the struggle for land and water resources. The second reason has to do with the adverse result of climate change, which includes encroachment on nomadic herders' corridors and grazing reserves, which have drastically reduced the land available to both pastoralists and farmers. The third reason relates to economic needs and grievances which could erupt into violence if not consciously curbed. The fourth reason pertains to the lack of continued strategies for conflict management. These strategies could make all those concerned to adjust to the dynamic conditions and agree to a peaceful resolution.
Some other people see the origin of the problem in land use rights which reduces the state’s ability to efficiently manage the rural areas, fluctuations in demographic, ecological and climatic circumstances, and estrangement of land. Shettima and Tar (2008) reviewed previous literature and tried to group the plethora of explanations into categories of environment-related factors, including climate change; social factors, such as ethno-religious considerations (especially salient, as the ethno-religious boundaries of herders and farmers are almost equal to Islam and Christianity, respectively); political factors, especially the conspicuous political powerlessness of pastoralists in the post-colonial state, including their landlessness; and changing demographic conditions. This powerlessness was reiterated by Kandagor (2005), when he referred to the marginalisation of pastoralists in the areas of socio-economy, politics, policy, and land situations.

CONCLUSION AND WAY FORWARD
This paper strongly recommends that the Constitution of the Federal Republic of Nigeria, 1999, be amended to urgently create state Policing in order to guarantee the lives and properties of Nigerians from not just Fulani Herdsmen attacks but such similar attacks that puts lives and assets into total condemnation.
Given the countless negative concerns created as a result of the conflict between farmer and pastoralist in Nigeria, the outcomes of the current study that has studied an old problem from new standpoints, come up with the following recommendations:
First, egocentricity in terms of economic, tribal or religious ties has prompted immeasurable government representatives to turn out to be fervently involved to the enormity of at least go along with to the attacks and conflicts if solitary by doing nothing where they ought to act or by secretly providing groups with ammunition. For peace to triumph between herders and farmers, the influential group of government representatives, politicians and the nobility who in fact own numerous of the cattle herded by pastoralists must dissociate themselves from the crises.
Second, the continuous violence between farmers and herders put forward that prevailing policies are not working justifiably in favour of all groups. Narration displays that previous land use acts and other instruments for the regulation of animal grazing were condemned by different groups, and that the federal government has either been reluctant or out-rightly unable of providing practicable resolutions. Consequently, a number of state legislatures ought to learn from history, take a cue from the Ekiti, Taraba and Benue State House of Assembly and make applicable laws and design policies to counter the difficult within the perspectives of the constitution and understanding of local circumstances before disagreements deteriorate into conflicts.

Third, as shortage of land resource is a prime cause of the conflicts, conscious efforts ought to be made to guarantee that impending developmental projected has no consequence on such resources. Consequently, in line with international preeminent practices and Nigeria’s need for steadiness and nonviolent ethnic/occupational cohabitation of her various peoples, government ought to transform and fine-tune the Land Use Act, other prevailing land use instruments and gazette existing resources to readdress land use practices.

Fourth, as a result of fragile security and national identity systems, it has remained challenging to take into custody and recognize commiters of attacks. The national documentation system does not capture a lot of citizens and foreigners living in, arriving or carrying out business in Nigeria coupled with the fact that border security is inadequate. It is therefore essential to reinforce both Nigeria’s border security as well as citizens’ and foreigners’ proof of identity systems as a matter of policy. Owing to the wandering nature of the pastoral job and the fact that pastoralists convey unregistered weapons unlawfully, they ought to be made to register and acquire identification cards and grazing permits from government. Farmers ought to also acquire yearly identification cards and land use permits from government.

In conclusion, in solving the squabbles between farmers, other citizens and pastoralist, so as to ensure that there is constant harmony in Nigeria despite the differences in culture and religion, the Federal, state and local Government need to be closer to all citizens no matter their ethnic identity or religious background.

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