



THE ANTI-OPEN GRAZING POLICY AND FARMERS-HERDERS' CONFLICTS IN BENUE STATE, NIGERIA

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ABSTRACT: *This study examines anti-open grazing policy and farmers-herdere's conflicts in Benue State, in order to ascertain the extent, the law was able to ameliorate the persisted farmers-herdere's conflicts and restores peace in the state. The study was anchored on the theory of structural functionalism as its analytical compass of study. The study adopted documentary method of data collection, content analysis for analysing data generated through secondary sources. It revealed that the prohibition of movement of livestock on foot, prohibition of firearms and the establishment of ranches by anti-open grazing policy ameliorated farmers-herdere's conflicts in Benue State. We recommended amongst other things, that Benue State Government should partner with the Federal Government, security agencies and neighbouring states in the fight against killer herdsmen by introducing more stifling policies, programme and workshops capable of stimulating peace, love, tranquillity and respect for human life in the state.*

KEYWORDS: Attacks, Internecine-conflicts, Kidnapping, Killings, Open-grazing.



INTRODUCTION

Since the resumption of democratic governance in Nigeria in 1999, it has been noted that Farmers-Herders' contestations and conflict have become inevitable. The frequency, intensity, and geographic expansion of these events have not only intensified delicate relations among ethnic nationalities in the nation but have also triggered severe humanitarian challenges and undermined socio-economic development, as noted by the International Crisis Group in 2017. This led to an estimated death toll of approximately 2,500 people in 2016 (International Crisis Group, 2017), and over 1,700 violent deaths between January and September 2018 (Global Terrorism Index, GTI, 2018). The incessant and intensification of the Farmers-Herders' conflict has become one the Nigeria's greatest security threat, particularly when juxtaposing with the Boko-Haram insurgency (Bada, 2018).

Consequently, this internecine conflict between herders and farmers has not only escalated and unleashed bloodbath leading to the loss of lives of the rural community residents on one hand, but also resulting in the displacement of thousands of people in their ancestral homes on the other hand (Ovaga, Ogu & Udeh, 2023). Specifically focusing on the populations of the South-East and Middle-belt regions of Nigeria, a total of 854 individuals lost their lives, and significant collateral damages occurred in 2014 due to farmers-herders' conflicts in these areas, as highlighted by Ovaga, Ogu, and Udeh (2023). Furthermore, the incessant herders' attacks have not only widened ethno-religious and regional polarization in the country on one hand, but also have threatened the national unity and stability of the country on the other hand (Bada, 2018). Empirically, as observed by SRM Intelligence (2016) that apart from the initial reported case of 18 attacks between 1999 and 2010, the violent confrontation between herdsmen and farmers has rather escalated to 271 attacks, as recorded between 2011 and 2015 (SRM Intelligence, 2016). Also, Ugbudu (2021) observed that the country national dailies and the electronic and print media have been inundated with news of daily deadly attacks by herdsmen, particularly on the farming communities throughout the entire nation, from one end to the other. Furthermore, a catalogue of such terror attacks by herdsmen as uncovered by Nwanegbo, Umara and Ikyase (2017); and Shimawua (2019) (cited in Ugbudu, 2021, p. 37) shows that:

Three persons were killed and 23 houses burnt in Plateau State on the 3rd, June, 2013; also in Plateau State, 16 lives were lost and 14 houses were burnt on the 8th, June, 2013; on the 24th September, 2015, former Secretary to the Government of the Federation, Olu Falae was abducted and held captive by some Fulani herdsmen. In Adamawa State, 64 lives were lost and 32 houses were burnt in clashes between herdsmen and farmers on the 11th, October, 2017; 1st August, 2018, 16 lives and 37 houses were burnt in Nasarawa State; in 2018 alone, statistics indicate that 300,000 people were displaced as a result of farmers-herder' clashes.

However, Benue State being one of the states in North central Nigeria has a similar but more devastating experience of such attacks from armed herdsmen in recent times leading to several killings of innocent persons and properties worth billions of Naira damaged. For instance, in 2014, about 52 people were killed and 300 houses were bunt by Fulani herdsmen in Benue State (Ugbudu, 2021). This follows the killings of over 500 people by marauding herdsmen in a meticulously planned attack on the Agatu Local Government Area of Benue State. The villages of Alia, Akwu, Adagbo, Okokolo, Ugboju, Odugbeho, Obagaji, and Egba bore the brunt of the devastation in 2016 (Premium Times, March, 12, 2016) (in Ugbudu, 2021, p. 38). Similarly, in 2017, many communities were also attacked and sacked on a daily



basis in Benue state from January, 2017. Thus, this includes amongst others according to Ugbudu (2021):

- On January 24, 2017, 15 individuals fell victim to rampaging Fulani herdsmen who launched an assault on farmers in Ipiğa Village, situated within the Ohimini Local Government area of Benue State.
- March 2, 2017, witnessed another attack, resulting in the deaths of at least 10 individuals during renewed hostilities between herdsmen and farmers in Mbavihin Community, located in Gwer East Local Government Area.
- On March 11, 2017, seven individuals lost their lives in a confirmed attack by herdsmen on a Tiv community, specifically Mkovur Village in Buruku Local Government, Benue State.
- May 8, 2017, marked the confirmation of three fatalities caused by herdsmen in Tse-akaa village, situated in Ugondo, Mbaman District of Logo Local Government, Benue State.
- Tragically, on May 13, 2017, a conflict between Tiv farmers and herdsmen erupted, claiming the lives of 20 individuals in Nzorov, located in Guma Local Government Area.

As a result, data from the Benue State Emergency Management Agency (SEMA) indicates that the region experienced a succession of assaults, leading to the displacement of more than 80,000 individuals within four camps situated in the Guma and Logo Local Government Areas of the State (Ugbudu, 2021). Also, the State Executive Governor, Samuel Ortom claimed that the State had lost assets and property worth over N95 billion and over 2000 lives to herdsmen crisis in the state (Daga, 2018). According to him, many Local Government Areas were severely affected, with particular reference to Guma, Gwer-West, Gwer-East, Logo, Makurdi and Agatu (Daga, 2018). In 2014, the above-mentioned local areas and towns who shared common boundaries with Taraba State witnessed around 458 fatalities and assaults on over 350 communities, as reported by ACSAN in 2017. This resulting in the spate of IDP camps in the state. For instance, in Makurdi local government alone, the following IDPs camps were built such as: Aper Aku Housing Estate, St. Mary's Primary School Dauda, North Bank, Roman Catholic Mission Primary school Ahwa; Makurdi LGEA Primary School, again; Makurdi LGEA Primary School, Low Cost; Makurdi LGEA Primary School; Tyodugh and Makurdi LGEA Primary School, Wurukum (ACSAN, 2017). These projects also were not limited to Anyiin and Ugba in Logo LGA; Jootar, Zaki Biam and Kyado in Ukum LGA, as the situation deteriorates on daily basis and escalated to virtually in all the LGAs in the state (Ugbudu, 2021).

In response to the situation of attacks, the State government included the deployment of security forces to the conflict areas for peace-keeping, supply of relief materials, establishment of Commissions of Enquiry, initiation of social programs meant to stop hostilities and embrace peace and tolerance were all established to remedy the situation. Furthermore, the government (Benue State Government) inaugurated more security surveillance and Task forces with a code-named, *Operation Zenda* in attempt not only to combat the attacks by extremists, but also to combat all forms criminalities in the state (Ugbudu, 2021). In the same vein, non-governmental organisations also took it upon its



responsibility to organise several workshops and seminars meant to sensitise the people on the dangers of armed conflicts (Ugbudu, 2021).

However, despite these efforts the clashes and attacks between herdsmen and farmers persisted even in a more devastating dimension in the state, thus necessitated for policies such as farm settlements, apart from ranching which tends to accentuate for highly discriminatory settlement policy that will encourage mutual distrust and segregation among the ethnic nationalities and aggravate the seemingly already strained unity of the Nigerian federation (Daka, Olaniyi & Wantu, 2019). Upon this was the justification for enactment of the Benue State government Ant-Open Grazing and Ranches Establishment Law (AGREL), 2017, which took effect on November 1, 2017, with imposed stiff penalties on the free mobility of livestock in the state.

Therefore, this study is set to interrogate the extent at which the AGREL, 2017, was able ameliorate farmer-herders conflict in Benue State, Nigeria. In achieving this, the following sub-headings shall be of immense assistance, they are: Ant-Open Grazing Policy and farmers-herders' conflicts in Benue State; Benue State Open Grazing Prohibition and Ranches Establishment law (OGPREL); Prohibition of movement of livestock on foot leads to socio-economic improvement in Benue State; Prohibition of illegal firearms leads to peaceful co-existence in Benue State; and Establishment of ranches and prevention of attacks in Benue State etc.

METHODOLOGY

This study employed a documentary method for data collection, which involves utilizing existing written materials not originally created for the researchers' specific use (Obasi, 1999; as cited in Mbah & Obiagu, 2019). Such materials include books, book chapters, journal articles, official documents, newspapers, magazines, internet sources, and unpublished papers, among others.

Furthermore, content analysis was utilized to analyse the documented materials obtained through secondary data collection methods. Udeh, Eyikorogha, Ekoyo, and Obiagu (2021) highlighted content analysis as a structured approach for valid document analysis. In this method, researchers establish a set of comprehensive categories to analyse documents and then record the frequency of each category's occurrence. Berelson (1952, p. 489) described content analysis as a research technique for objectively and systematically describing the manifest content of communication. Given the complexity of the study, content analysis was deemed particularly suitable for the research methodology.

Theoretical discourse

Obviously, institutions, policies and laws are created to serve specific functions in order to avoid disorder and lawlessness in the society (Ugbudu, 2021). In order to understand how Anti-Open Grazing Policy has been able to ameliorate farmers-herders' conflicts in Benue State and relatively restored calmness, serenity, tranquillity, peace and unity in the state through open grazing prohibition and ranches establishment in the State. We hence adopted the theory of Structural Functionalism as our analytical compass of study. The theory was formulated by Herbert Spencer, an English philosopher, who lived from 1820 to 1903 a



quintessential of both the old and modern biologists, who sees society as a broad system that constituted of various and interrelated units working coherently and interdependently to ensure stability in the society. The theory is also associated with Emile Durkheim (1858-1917) who is described as the founding father of sociology and is often concerned with how certain societies maintain internal stability and endure over time by being segmented into equivalent interrelated parts held together by shared values, common symbols, and identity (Ugbudu, 2021). This theory gained popularity through the works of political scientists such as Gabriel A. Almond, William C. Mitchell, and David Apter, as well as anthropologists like Malinowski and Radcliffe-Brown, sociologists including Talcott Parsons, Robert K. Merton, and Mario Levy (Mbah, 2014)

Furthermore, the theory is based upon the following major assumptions:

- That every society has important interrelated parts. These structures or parts perform functions within the society to ensure completeness of the society.
- The various and different interrelated parts of in the society resolve within the concept of mutual understanding.
- Society is frequently perceived as a unified, intricately connected system, where each component relies on the others to fulfil specific roles or functions.
- The overarching objectives or principles that govern a social structure can be discerned. (Hara Das and Chouldbury, 1997; as cited in Mbah, 2014, p. 123).

Similarly, the primary focus of functionalism theory is to elucidate the observable stability and internal unity necessary for societies to persist over time (Mbah, 2014). These societies are perceived as cohesive entities with rational structures, akin to organisms, where their diverse social institutions operate collectively in a subconscious, quasi-automatic manner to maintain overall social equilibrium (Sule, 2021). In every society, there exist departments such as the economic system, the political system and the legal system that co-exists and works in harmony to maintain social stability.

Application of the Theory

The theory has potent explanatory powers in expunging the nexus between the Anti-Open Grazing Policy and farmers-herders' conflicts. For instance, the legal system as a unit or department in every political society is functioning in the capacity to enhance peace and order in the society as well as national development (Sule, 2021). The department further highlights the importance of laws in the society as absence of laws leads to breakdown of order which often affects societal equilibrium and stability in the society. Similarly, the Benue State AGREL, 2017 is part of the efforts by the State Government to using the instrumentality of the law to addressing the persistent violent conflict between farmers and herdsmen, and to promote peace and stability in the State. The State through this governmental department prohibits open grazing by herdsmen which appears to be the founding pillar upon which violence emanated in the state. Furthermore, the primary objective of this law is to safeguard lives and properties; enhance peaceful co-existence; establish an optimal environment conducive to large-scale crop cultivation and promote the production of high-quality, healthy livestock for both local consumption and international markets. These were achieved through open grazing prohibition and ranches establishment law in the state, prohibition of free



movement of livestock on foot, prohibition of illegal firearms, and establishment of ranches amongst others in the state.

Furthermore, the theory clearly examined how Anti-Open Grazing law was able ameliorate the farmers–herdsmen conflict in Benue State and relatively restored calmness, serenity, tranquillity, peace and unity in the state through aforementioned objectives of the policy.

LITERATURE REVIEW

Benue State Open Grazing Prohibition and Ranches Establishment Law (OGPREL)

As per Ogu, Ovaga, and Udeh (2023), the enactment of the Open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL) was seen as a final measure to put an end to the devastating attacks by Fulani herdsmen on the people of Benue State. This law explicitly forbids the open rearing and grazing of livestock while advocating for the creation of ranches and the overall management of livestock farming, aiming to restore trust, peace, and tranquillity within the state (Ugbudu, 2021). Aligned with the mission and goals of the Benue State Government of Nigeria, the law outlines six broad and fundamental objectives to accomplish, which include, among others:

- (1) To mitigate the damage caused to crop farms, community ponds, settlements, and property resulting from the open rearing and grazing of livestock.
- (2) To mitigate conflicts between nomadic livestock herders and crop farmers.
- (3) To safeguard the environment against degradation and pollution stemming from the open rearing and grazing of livestock.
- (4) To efficiently utilize land resources given the constraints of overstretched land and a growing population.
- (5) To prevent, manage, and control the spread of diseases, and to facilitate the implementation of policies aimed at promoting the production of high-quality and healthy livestock for both local and international markets.
- (6) To foster an environment conducive to large-scale crop production (Sule, 2021, p. 544; Ugbudu, 2021, p. 42)

In attempt to properly enforced and achieve optimally the above objectives and thrust of the policy, OGPREL like every other working document of the state has clear definition of the punishment or penalties against defaulting elements. These penalties are stipulated in section 19, subsections 1–8 of OGPREL. Additionally, the Law states that individuals who engage in open livestock herding outside designated ranches are in violation of the Law and, upon conviction, may face a penalty of 5 years imprisonment or a fine of N1 million, or both (section 19:1–2). Moreover, if such violation results in damage, injury, or death to any person, the owner or manager of the livestock shall be responsible for compensating the prevailing value of the damage, may be sentenced to 2 years imprisonment, and will be liable for the victim(s)' medical expenses and additional compensation. Alternatively, they may be



charged with culpable homicide as punishable under the Penal Code Law (Section 19: 3a-b) (Sule, 2021, p. 544).

The OGPREL also prohibits the movement of livestock on foot within the state; such transportation is restricted to rail wagons, trucks, or pick-up wagons (Section 19: 4) (Government of Benue State of Nigeria, 2017). The law, mirroring federal regulations, also prohibits the possession of firearms within the state by livestock owners or ranchers, with offenders subject to prosecution under the Robbery and Firearms (special provision) Act (19: 7) (Government of Benue State of Nigeria, 2017). In its commitment to uphold the collective welfare of the people in the state, the law outlaw's cattle theft or rustling as outlined in section 20 (1–2); and firmly states that individuals convicted of rustling animals from any ranch face a minimum imprisonment term of 3 years or a fine of N100,000 per animal, or both (Sule, 2021).

For its enforcement, section 24 of the law provides for the establishment of a Special Livestock Open-Grazing Prohibition Task Force for the State, with units established in each Local Government Area, is mandated by the law (Ugbudu, 2021). The composition of this Special Task Force, according to Ugbudu (2021) and Ogu, Ovaga and Udeh (2023), includes:

- The Special Adviser to the Governor on Security serving as the Chairman,
- The State Chairman of the Benue State Community Volunteer Guards,
- A Representative of the Commissioner of Police,
- A Representative of the Nigerian Security and Civil Defense Corps,
- A Representative of the State Chairman of Nigerian Legion of ex-service men, and
- The representative of the Commissioner for Agriculture, who must hold a rank not below that of deputy director, serving as the secretary.

The above body was saddled with the responsibility which includes the authority to arrest and detain any individual or group involved in open-grazing or other actions prohibited by this Law. Those apprehended are to be promptly transferred to the police or other appropriate security agencies (Ugbudu, 2021).

Additionally, the law promotes the issuance and renewal of ranching permits. In relation to this, Sule (2021, p. 544-545) observed that:

Before a permit or lease can be issued for a ranch, the rancher must fulfil the conditions set out in sections 5–9, that which includes a report of Environmental Impact Assessment (EIA), the consent and approval of the landowners and all relevant stakeholders such as the family head, kindred head and the Chairman of Traditional Council in the relevant Local Government Area. Where such layers of approvals have been granted by all stakeholders, the application shall then be subjected to the Governor's approval. Upon this approval, the lessee must then pay concessions to the landowner and all relevant stakeholders. Then in acceptance, the lease is only valid just for one year and renewable annually.

However, the Law appears dormant on the renewal process, but allows for four months, which translates to approximately 120 days for processing a lease that would be valid for

only one year (Government of Benue State of Nigeria, 2017). Though, the stipulated validity period for a lease appears too short, upon this the law was seen as obnoxious and criticised, particularly by (MAKH) and Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN), which are groups covering the Fulani herdsmen in the country. For instance, below is the pictorial evidence of the meeting of the MACBAN condemning the anti-open grazing policy in Benue State in particular and Nigeria in general.



Fig. 1 Meeting by leaders of Miyetti Allah KautalHore (MAKH) and Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN) in condemnation of Benue State anti-open grazing policy. Source: Abubakar (2017)

Moreover, these groups contended that the law provoked condemnation and outright rejection from members of the groups—MAKH and MACBAN in the state. They further cautioned Governor Ortom against enforcing the law, labelling it variously as obnoxious, punitive, exclusivist, and a potential recipe for disaster (Enyim, 2018; Ibrahim, 2018; Toromade, 2018). Consequently, they pledged to oppose the implementation of the law (Duru, 2018a). This stance was articulated in one of their communiqués, where they called upon their patron, President Muhammadu Buhari, to intervene and instruct Governor Ortom to desist from proceeding with the law:

We totally reject the repressive and oppressive ‘Anti-Open Grazing Law’ of Benue State as it is fundamentally going against our culture, economic interest and constitutional rights... We are appealing to His Excellency, President Muhammadu Buhari to call Governor Samuel Ortom to order as his actions are a fundamental threat to peaceful coexistence and food security in Nigeria. (Duru, 2018b, p. 7).

Furthermore, Professor Umar Muhammad reported that Benue State belongs to the Fulani herdsmen (not for the people of Benue State), by so doing they (Fulani herdsmen) have sole right of conquest. He reiterated that Benue State remains an integral part of the Sokoto Caliphate, emphasizing that nobody possesses the authority to eject Fulani individuals from it, regardless of the rationale (Opejobi, 2018).



Anti-Open Grazing Policy; Causes; and Farmers-Herders Conflicts in Benue State

Indeed, it is evident that since the restoration of democratic governance in Nigeria in 1999, conflicts between farmers and herders have been prevalent. Correspondingly, both electronic and print media have been inundated with alarming headlines detailing attacks on communities and villages by herdsmen. For instance, reports have highlighted incidents like the "Benue Massacre," where militia allegedly killed 52 people and razed 300 houses in Benue and Delta states. Another incident reported approximately 500 fatalities resulting from rampaging herdsmen besieging the Agatu Local Government Area of Benue State (Ugbudu, 2021, p. 39). The year 2016 saw an estimated death toll of around 2,500 individuals (International Crisis Group, 2017). Consequently, the farmers-herders conflict has emerged as Nigeria's most significant security challenge, resulting in over 1,700 violent deaths between January and September 2018. Surprisingly, it has claimed more lives than the Boko Haram insurgency and other perceived ethno-religious crises in the nation (Bada, 2018). The increasing frequency, severity, and geographical expansion of these clashes have strained the delicate relations among ethnic groups in the country. Moreover, they have inflicted severe humanitarian and economic costs on the nation while undermining national unity and developmental efforts (International Crisis Group, 2017).

Etymologically, these recurring clashes have been attributed to a myriad of factors; prominent amongst them are population growth and desertification (GTI, 2018). It is observed that climate change has dried up fertile lands in the northern part of Nigeria, which the herdsmen had historically used for pasture; this is the justification for the southward movement of the herders in search for grazing land. Similarly, the contestation or struggle over access to farmlands and the exploitation of land-related resources has also pitched the herdsmen against sedentary farming communities in the southern and Middle-Belt region of the country, which thus leads to incessant confrontation between farmers and herdsmen. Worthy of note, the central and southern part of Nigeria are people whose major means of livelihood dependence on land owned by families and communities on which they practiced subsistence farming for survival and their day to day means of livelihood. However, the recent population expansion, climate change and unstable farm practices appeared to have ignited competition for land resources and this has significantly contributed to the violent conflict between them (farmers and herdsmen) in the country. Similarly, according to World Watch Research (WWR, 2016) the clashes between herdsmen and farmers has been linked to the Islamic injunction that, '*Komai na Allah ne, ko wane filina Allah ne, banakuba, banakafiraiba, na Allah ne*', meaning that every piece of land belongs to Allah (God) not by any human (Ugbudu, 2021). Akin to this, herdsmen use such religious justification not just to unleash terrors against the Christian farmers, but also to conduct jihad displacement on the local communities from their ancestral land and use them for their herds on one end, to occupy those lands and spread Islamic religion on the other hand (Africa Conflict and Security Analysis Network, 2017). Thus, these and other ethno-religious sentiments leading to internecine conflict between herdsmen and farmers, upon which the Christian farming communities count losses in greater numbers, with deaths in hundreds and thousands being displaced, particularly in the Middle-belt region (Ugbudu, 2021). In line with ACSAN (2017), it is asserted that a cumulative total of 854 individuals lost their lives in the year 2014, and thousands in 2015, particularly Benue State which has been described as the worst hit of such attacks in the region between 2015 and 2016.



As a matter of facts, many communities, particularly in Agatu LGA, Benue State have been severely affected by the activities of herders attacks. Such communities include Alia, Akwu, Adagbo, Okokolo, Ugboju, Odugbeho, Obagaji and Egba (Premium Times, March, 12, 2016) (cited in Ugbudu, 2021, p. 41). Apart from the aforementioned, other deadly attacks include the following:

- On March 2, 2017, no fewer than 10 individuals lost their lives in renewed hostilities between herdsmen and farmers in Mbavihin Community, Gwer East Local Government Area.
- March 11, 2017, witnessed the confirmed death of seven persons during an attack by herdsmen on a Tiv community, Mkovur Village in Buruku Local Government, Benue State.
- May 8, 2017: Three individuals were confirmed killed by herdsmen in Tse-akaa village, Ugondo, Mbaman District of Logo Local Government, Benue State.
- May 13, 2017: A conflict between Tiv farmers and herdsmen in Nzorov, Guma Local Government Area, resulted in the death of 20 people.
- January 24, 2017: A rampage by Fulani herdsmen in Ipiga Village, Ohimini Local Government area, Benue State, led to the death of 15 individuals (Ugbudu, 2021, p. 41; Ogu, Ovaga & Udeh, 2023, p. 83).

According to findings from a study carried out by Women Environment Programme (WEP) 2012 in Gwer West, Makurdi and Guma Local Government Areas of Benue state, the prime cause (s) of the intermittent clashes between farmers and herdsmen in Benue State are ranging from the struggle over the material needed for existence, the green land which includes the alluvial soil in Benue State that is richly fertile which the farmers often used to cultivate and grow their crops. The herdsmen while pasturing their cattle most times deliberately stray their cattle into the farms destroying the farm produce on which the farmers depend on for their material existence. This often leads to deadly conflict between the farmers and herdsmen, resulting into wonton killings of the armless farmers.

Below is the table indicating the number of attacks and death toll in Benue State by the herdsmen since 2013-2020. The table shows how the state lost great number of its citizens within the period.

**Table 1: Herdsmen Attacks on Benue State, 2013-2020**

Years	No. of Attacks	No. of Deaths
2013	9	190
2014	15	242
2015	9	265
2016	8	537
2017	10	549
2018	6	103
2019	4	32
2020	6	51
2021	5	26
Total	72	1,995

Source: *Alao, Shaibume, Ogunwemimo, Alao and Ogunwemimo (2019)*

Similarly, the attacks also led to the sacking and displacement of several communities in the state, leading to the establishment of many Internally Displaced Persons camps (IDPs) in the state. For instance, the table below shows the major IDPs camps in Benue State with the number of inmates in each of them.

Table 2: Statistics of internally displaced persons Benue State, 2013-2020

S/N	IDP Camps	No. of Displaced Persons
1	Daudu	16,072
2	TseGrinde	13,510
3	Gbajimba	13,470
4	Agbagena/Agan	27,342
5	Anyiin	5,845
6	Abeda	1,034
7	Ugba	14,851
Total		92,124

Source: *Alao, Shaibume, Ogunwemimo, Alao and Ogunwemimo (2019)*

More so, other IDP camps were identified in other areas of the state (Ugbudu, 2021) Aper Aku Housing Estate, St. Mary's Primary School Dauda, North Bank, Roman Catholic Mission Primary school Ahwa; Makurdi LGEA Primary School, Agan; Makurdi LGEA Primary School, Low Cost; Makurdi LGEA Primary School; Tyodugh and Makurdi LGEA Primary School, Wurukum (ACSAN, 2017). These projects also were not limited to Anyiin and Ugba in Logo LGA; Jootar, Zaki Biam and Kyado in Ukum LGA. Furthermore, other causes of the conflicts include encroachment on grazing routes and reserves by communities and unemployment youths who previewed precipitate cattle rustling (Ugbudu, 2021).

Similarly, below is the figure showing the movement of herdsmen attacks in Benue State since 2013 to 2020.

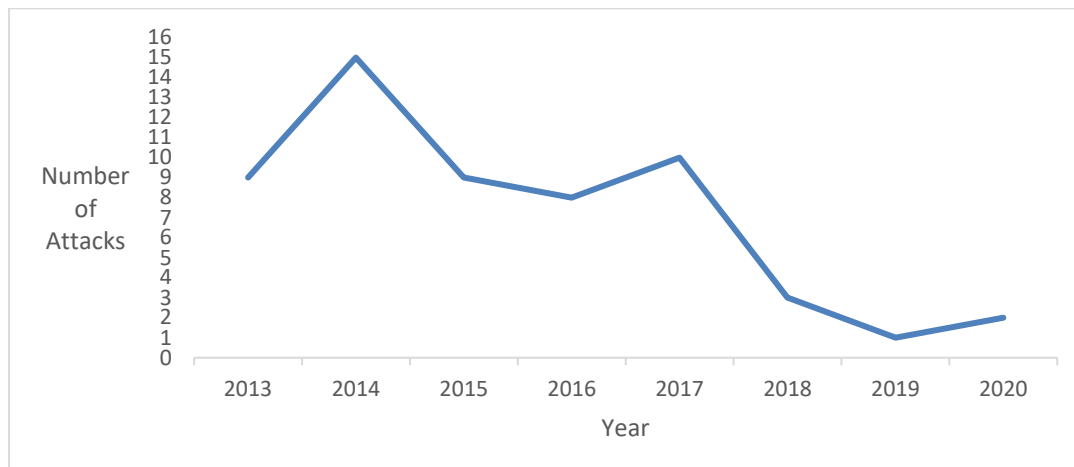


Figure 1 *Trend Graph of Herdsmen Attacks in Benue State, 2013-2020*

Therefore, the figure above shows progressive or an upward movement of deadly attacks on Benue State since 2013, it declined by chance in 2015 and increased between 2016 and 2017, which led to the enactment of Anti-Open Grazing Policy in 2017. Furthermore, the figure also shows that there was a drastic reduction or decline in attacks in the state after the implementation of the policy in 2017 till date, upon which relative peace and calmness were restored in the state. As a result, people can move freely around, go for their normal daily activities without fear of being attacked, kidnapped and raped in the process.

As part of government's efforts to ameliorate the bloody clashes between herdsmen and farmers in the State, and to promote peaceful co-existence as well as inter-ethnic harmony, the government via her legislative process promulgated the Benue State Anti-Open Grazing and Ranches Establishment Law in May, 2017 to prevent further destruction of crops, farms and bloodbath in the states. According to Sule (2021) the introduction of the law has recorded commendable success such that relative peace and harmony has been restored in the state. Furthermore, farmers and residents have returned to their normal farming and other daily economic activities in the society without fear being attacked, killed, kidnapped and raped by nomadic cattle rearing businessmen herdsmen.

Prohibition of movement of livestock on foot leads to socio-economic improvement in Benue State

The Benue State Anti-Open Grazing Law was part of government tireless efforts to end uncommon bloody clashes between herdsmen and farmers in the State in order to promote peaceful co-existence as well as inter-ethnic harmony amongst the peoples in the state. In an attempt to actualize these objectives, Section 19 (1) of the Law states that following the law's initiation, no person or collective entity is permitted to participate in open nomadic livestock herding or grazing within the State except within authorized ranches (Ugbudu, 2021). Section 19 (4) restricts the transportation of livestock by foot within the State, specifying that, if necessary, such transportation must be exclusively carried out via rail wagon, truck, or pick-up wagon (Sule, 2021). Worthy of note, effectiveness of any law depends on its enforced and stiff penalty. And this was never out of place in the case Benue State Anti-Open Grazing Law. To this effect, section 19, subsection 4 clearly stated as follow:



Any person or persons found moving livestock on foot within or across urban centres, rural settlements or any part of the state commits an offence and if the person is a first offender, the person is liable to a fine of Five Hundred Thousand Naira (N500, 000) or one-year imprisonment. But if the person is a second offender, he is liable to One Million Naira (N1, 000,000) fine or three years' imprisonment or both (Ugbudu, 2021, p. 43).

Moreover, if such violation results in harm, injury, or fatality to any individual, the owner or custodian of the livestock is obligated to compensate for the prevailing damages, face a potential two-year imprisonment, cover the medical expenses of the victim(s), and provide compensation. Alternatively, they may be charged with culpable homicide as outlined in the Penal Code Law (Section 19: 3a-b) (Sule, 2021). Section 21 mandates that any livestock discovered grazing, roaming, or herding in an area not designated as a ranch will be confiscated by the Ministry of Agriculture and Natural Resources or any duly authorized personnel (Ugbudu, 2021). The law further maintained that:

The Ministry or any other person so authorized may release the livestock impounded to the owner or manager upon showing good cause and after paying the prescribed fine and expenses as may be determined by the ministry. Any livestock impounded under the law which is not claimed within seven (7) days of such impoundment shall be sold on auction to the public; and the proceeds of such sale shall be deposited in the Consolidated Revenue Account of the State (Ugbudu, 2021, p. 44).

In an attempt to enforce adherence to the law, Section 24 of the law mandates the creation of a Special Livestock Open-Grazing Prohibition Task Force for the State, featuring units stationed in every Local Government Area of the State (Ugbudu, 2021). The composition of this Special Task Force shall include:

The Special Adviser to the Governor on Security as Chairman, while other members include, State Chairman of the Benue State Community Volunteer Guards; representative of the Commissioner of Police; representative of the Nigerian Security and Civil Defense Corps; representative of the State Chairman of Nigerian Legion of ex-service men and the representative of Commissioner for Agriculture not below the rank of deputy director as secretary (Ugbudu, 2021, p. 44).

The Special Task Force is thus authorized to apprehend and detain any individual or group involved in open-grazing or other activities prohibited by the provisions of this Law. These individuals shall be promptly handed over to the police or other relevant security agencies (Sule, 2021).

Observably, the law contributed tremendously in salvaging the farmers-herders menace, it also restored relative peace and harmony and improved the socio-economic activities in Benue State. As the people can now sleep with their eyes closed and can freely go about their daily socio-economic activities, particularly the farmers without fears of either killed, kidnapped or raped by herdsmen in the process (Ubi, 2020). To buttress this, Benue State Attorney-General and Commissioner for Justice, Mr. Michael Gusa on an interview maintained that:

Law and economic development go together because if you want to develop, you need to create a relationship between yourself and the next man, no man is an Island to himself, no man is self-sufficient, you need to relate with others in the process of development. You need



to have a relationship between yourself and the next person, between one State and another, between one country and another, so, you need the law to guide these relationships that have been brought about by the desire to move forward, the desire to grow and the desire to develop. Law has always been the pivot upon which the development of every economy revolves (Anaba, 2017, p.1).

Similarly, Ubi (2020) maintained that the success of Benue State Anti-Open Grazing law cannot be over-emphasised as the farmers are happily returned back to their farming businesses in all parts of the state without security threat of any kind. Evidently, below the figure displaying the pictorial indication of happily and excited farmers working in their farm with no threat of any kind.

Commissioner for Justice, Mr. Mike Gusa, additionally conveyed that following the implementation of the Benue State Anti-Open Grazing Prohibition and Ranches Establishment Law 2017, there has been a significant decrease in the frequency and quantity of attacks on communities by suspected herdsmen (Ohu, 2020). Affirmatively, judging from the testimonies and the pictorial evidence above, one may overwhelmingly conclude that anti-open grazing is the true answer to herders-farmers conflicts in the country.

Prohibition of illegal firearms leads to peaceful co-existence in Benue State

Generally, one of the cardinal responsibilities of the government is to safeguard lives and properties of its citizenry, as provided under Section 14 (2) (b) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) (Ifediora, 2020). The responsibility is so paramount because the entire economic, social and political progress of any society depends on the security threat free environment of the society. However, the inability of the government to protect lives and properties has caused an unprecedented amount of bloodshed, destruction of properties and displacement of people from their native homes and places of businesses in the contemporary Nigeria. This is obviously witnessed in many states of the federation, particularly in Benue, Plateau, Taraba, Ebonyi, Enugu, Southern Kaduna, Enugu, Asaba, Anambra and Nasarawa etc. (Ifediora, 2020). The end result is wonton extrajudicial killings of the innocent citizens in addition to huge properties being damaged in the affected areas due to state failure to regulate illegal possession of firearms in the hands of the unprofessional (civilians).

Globally, the illegal possession of firearms is a criminal act that attracts stiff penalties when caught. Nevertheless, this situation stands as an exception within the context of Nigeria where laws are only observed and the supremacy of such laws is upheld in the constitution only on theoretical basis. In attempt to practically embrace the global trend of regulating illegal possession of firearms in the hands of the unprofessional citizens possibly due to its damages in the contemporary society, the Senate being the upper house in the National Assembly passed a bill against illegal possession of firearms of any kind, with the title 'Firearms Act (Amendment) Bill 2021'. The bill stipulates a penalty of either a 3-year jail term, a fine of N3 million, or both, for individuals caught illegally possessing or dealing in firearms in Nigeria (Ugbodaga, 2021). This bill emerged from the modification of Section 35 (2) of the Principal Act, which previously imposed a mere N1000 Naira fine for such offenses. The amendment of Section 35 (2) as outlined in Clause 4 of the bill introduces stricter penalties for the illegal possession of firearms and ammunition by individuals, organizations, or corporate entities in the country.



Similarly, Benue State Government through its state legislation prohibited the illegal use of firearms in attempt to curtail the prevalence of fierce bloody conflicts between farmers and herders. Justifying the above, section 19 (7) of Benue State Anti-Open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL) clearly prohibits livestock owners, managers and ranchers from possessing firearms, licensed or unlicensed on the ranch or outside the ranch (Ugbudu, 2021). The law further directed “all ranch operators to engage the services of registered security for the protection of their ranches if they wish to do so” (Ugbudu, p. 44).

According to Ugbudu (2021), institutions, policies and laws are created to serve specific functions in the society, no law is particularly made for anyone, but for offenders, and to guide and curtail human excessiveness in the society. With the commitment and aid of the special task force meant for the enforcement of the law in Benue State, over 400 people were caught violating the law. Out of which five were youths of the land, while the rest were Fulani herdsmen. They were arrested for violating the law on the account of illegally carrying and possessing of firearms—AK 47 riffles, which is a serious security threat to the society, some of the arrested persons were prosecuted, while others were convicted for same offence (Ubi, 2020). Between January, 2019 and July, 2019 about 104 cattle rustlers were caught in the act and about 634 cattle recovered (Ifediora, 2020).

With the extent of success recorded so far by the law, Ugbudu (2021) contends that both farmers and herdsmen sing praises for the Executive Governor of the State—Samuel Ortom for his leadership courage to have successfully ascent OGPREL into law, through which peace and tranquillity is restored back to the state for both parties. Upon this, Mr Mike Gusa, the Benue State Attorney-General and Commissioner for Justice at the time described Benue State Anti-Open Grazing Law as *Peace-Building Framework* for repairing sour relationships and social institutions that can help the disputing communities to be re-united (Anaba, 2017). He further maintained that the State has achieved greatly during his position in power, particularly in the restoration of peaceful co-existence amongst the farmers and herders in the state, as both can now confidently maintain the long-existed relationships in the past.



Establishment of ranches and prevention of attacks in Benue State

The Anti-Open Grazing and Ranches Establishment Law, 2017 was implemented by the State Government as part of its endeavours to utilize legal means to tackle the ongoing violent conflicts between herdsmen and farmers in the state. Additionally, it serves as a framework for fostering peace and stability within the State (Ugbudu, 2021). This law aims to protect lives and properties, promote peaceful coexistence, and establish a conducive environment for large-scale crop production, as well as to improve the production of high-quality and healthy livestock for both local and international markets (Ubi, 2020). The law was enacted in May, 2017 after series of bloody clashes between herdsmen and farmers in order to curtail the ugly situation and promote peaceful co-existence as well as inter-ethnic harmony amongst the farmers and herdsmen in the state. To address the challenging situation and attain a state of relative peace, the law aims to achieve six primary objectives, which include:

- Preventing the destruction of crop farms, community ponds, settlements, and property caused by the open rearing and grazing of livestock.
- Mitigating clashes between nomadic livestock herders and crop farmers.
- Safeguarding the environment from degradation and pollution resulting from open rearing and overgrazing of livestock.
- Optimizing the utilization of land resources amidst land scarcity and a growing population.
- Preventing, controlling, and managing the spread of diseases, while facilitating the implementation of policies that enhance the production of high-quality and healthy livestock for both local and international markets.
- Creating a conducive environment for large-scale crop production (Sule, 2021, p. 544).

To achieve the aforementioned objectives, the law was segmented into sections and subsections. As per Sections 5, 6, 7, and 8 of the OGPREL, the law mandates the establishment of ranches and stipulates that ranchers must formally approach, in writing, the landowner and family head of the intended site for the ranch (Ugbudu, 2021). Moreover, upon being approached by the rancher, the landowner and family head, after consulting with community leaders and obtaining the endorsement of the kindred head and the Chairman of the relevant Local Government Traditional Council, may grant written consent for a one-year lease of the land, subject to mutually agreed terms and conditions (Sule, 2021). Subsequently, the rancher is required to submit a written application for a ranching permit to the Ministry of Agriculture and Natural Resources, accompanied by the consent of the landowner, family head, and kindred head (Sule, 2021).

Similarly, the Ministry of Agriculture and Natural Resources is responsible for conducting or commissioning an Environmental Impact Assessment (EIA) of the proposed ranching site. The findings of the EIA report must be provided to the Ministry of Agriculture, the family head, and the kindred head within whose jurisdiction the land is located. They are given 90 days to review the report and express their opinions at a joint meeting convened by the Ministry of Agriculture (Sule, 2021). If the Environmental Impact Assessment report is



deemed suitable and compliant with the OGPREL, the landowner, family head, kindred head, and the community where the land is situated may recommend to the Ministry of Agriculture to issue a ranching permit to the rancher (Sule, 2021). Once these processes and conditions are satisfactorily met, the Commissioner, upon receiving recommendations from the Ministry of Agriculture, the landowner, family head, kindred head, and the community, forwards a report to the Governor for approval of the ranching permit, provided it is deemed to be in the best interest of the State. The permits are issued for a maximum period of one year, with renewal subject to the discretion of the Ministry of Agriculture and Natural Resources (Sule, 2021).

In order to achieve the aforementioned objectives, the law, particularly Section 19 (1) maintained that:

No individual or group shall after the commencement of this law engage in open nomadic livestock herding or grazing in the State outside the permitted ranches. Section 19 (2) stipulates that any person or group of persons who contravenes sub section (1) above shall be guilty of an offence and shall, on conviction, be liable to five years' imprisonment or one million Naira (N1,000,000) fine or both. While Section 19 (3) further stipulates that, in event of damage to farm, crops or property of any person the owner or manager of such livestock shall after evaluation by the Ministry of Agriculture and Natural Resources of the damage, pay the prevailing value of monetary compensation of the farm, crops or property so damaged to the owner (Ugbudu, 2021, p. 42).

Additionally, the law stipulates that if any person within the state is injured by livestock, the owner or manager of such livestock will be held accountable for an offense. Upon conviction, they will be subject to a two-year imprisonment term, along with the obligation to cover the victim's medical expenses and provide compensation as determined by the court (Ugbudu, 2021). Similarly, if such contravention results in the death of any person within the State, the owner or manager of the livestock will be charged with culpable homicide, an offense punishable under the Penal Code Law.

Interestingly, with the implementation of the law—Benue State Anti-Open Grazing and Ranches Establishment Law (OGPREL) and its stifling penalties were able to prevent unnecessary incessant attacks, which most often resulted in the wonton killings, displacing the affected communities from their ancestral belongings, and other collateral damages abound greatly. As a result, many have been arrested for the violation of the law, while others who are convicted and unable to dully satisfy the condition of its penalties as prescribed in section 19 (1 & 3) were jailed. Similar to this, Ifediora (2021) argues that the effectiveness of the law has been put to the test in court with remarkable outcomes. He further notes that between November 1, 2017, and October 27, 2020, over 400 herdsmen were apprehended for violating the Open Grazing Prohibition and Ranches Establishment Law, 2017. Out of this figure, 261 individuals have been convicted, 21 have been acquitted, while 36 cases are still pending, and investigations are ongoing in others. Moreover, Ifediora mentions that most of the convicts managed to pay fines and were subsequently released, whereas those unable to pay were sentenced to jail terms ranging from six months to two years.

According to the Benue State Attorney-General and Commissioner for Justice, Mr. Michael Gusa, the establishment of ranches has effectively mitigated unnecessary provocation, thus



reducing bloody conflicts between farmers and herders in the state (Ifediora, 2020). Similarly, Ubi (2020) observed that following the enactment of the bill, a total of 7,629 cows, 210 sheep, and various other livestock have been impounded due to violations of the law. Additionally, Ubi noted that the law has led to the arrest, prosecution, and conviction of five cattle rustlers in the state, most of whom confessed to the crime in open court and were primarily of Fulani extraction (Ubi, 2020). In the same vein, the State Attorney-General and Commissioner for Justice, in an interview on November 23, 2020 by Vanguard news gladly and confidently boosted that the establishment of ranches has drastically aided in the reduction of farmers-herders attacks in the state despite all the challenges and critiques by Miyetti Allah KautalHore (Ohu, 2020). He emphasized that individuals, especially impoverished and unarmed farmers, can now confidently participate in their respective socio-economic endeavours without the fear of being subjected to violence such as killings, kidnappings, or rape.

CONCLUSION

It quite clear that open grazing by herders in most States of the country, particularly in Benue State has become a serious security challenge, which often leads to bloody confrontation and conflicts between the herders and the armless farmers. This conflict often leads to series of deaths, sacking and displacement of many and other collateral damages in the state. In an effort to improve the situation and offer a potential solution to restore peace and tranquillity to the state, the State Government, under the leadership of Governor Samuel Ortom, turned to state legislation and enacted the Open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL). This action was taken as a final measure to halt the relentless attacks by herdsmen in Benue State. This study showed that the law indeed ameliorated the conflict between the herders and farmers, and aided in restoring peaceful co-existence between both parties in the state.

Hence, the study demonstrated that the prohibition of livestock movement on foot, the ban on illegal firearm use, and the establishment of ranches through the anti-open grazing policy successfully mitigated conflicts between farmers and herders in Benue State. The arrest, prosecution and the imposition of severe penalties on the offenders has aided in the reduction of farmers-herders conflict in Benue State. Thus, recommended amongst other things that:

- Benue State Government should partner with the Federal Government, security agencies and the neighbouring states in the fight against killer herdsmen by introducing more stifling policies, programme and workshops capable of stimulating peace, love, tranquillity and respect for human life in the state.
- Periodic review of the OGPREL in order to strengthen and achieve its policy thrust in the state.



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