

## Farmer-Herder Crisis And The Ekiti State Anti Grazing Law: The Human Rights Question

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### Abstract

*This paper critically investigates the impact of the anti-grazing law as an appropriate security management tool for addressing the farmers-herders crisis in Ekiti state of Nigeria. The study also examines the human rights implication of the law on the constitutional rights of the herders and the constitutional duties of the government. Quantitative and qualitative methods of data collection were adopted. The data consists of questionnaires and in-depth interviews. Findings reveals that the Ekiti State Government employed a multi-layer approach to the management of the farmers-herders crisis by setting up regional security outlets to implement the Anti-Grazing Law. The study also concludes that the law is in no way an infringement of the fundamental human rights of citizens. The study recommends that the national assembly should adopt the anti-grazing law nationally to address the crisis all over the country.*

**Keywords:** Amotekun, Anti-Grazing Law, Farmer-Herder Crisis, Human Rights, Security Management.

### 1. Introduction

Conflict remains an inescapable feature of every human society. The development of the human community itself attest to the fact that every being and group in the society have experienced one form of conflict or the other. In Nigeria specifically, issues of the farmers-herders conflict has over the years rendered the actualization of Nigeria's constitutional responsibility of protecting lives and property a mere mirage. Indeed, the spate of the crises has continued to threaten the security of the Nigerian state, deepening food crisis in the country as well as reducing economic productivity Umoh (2017). In 2016 alone, about 500 persons were declared missing (Duru, 2017). Sadly, the number of casualties have increased over time surpassing the victims of Boko Haram Terrorism in Northern Nigeria (International Crisis Group, 2017). Kwaja & Ademola (2018) submitted that there are presently over 6,000 deaths and more than 62,000 persons displaced in the Middle Belt region of Nigeria. Several individuals and parastatals have decried the impact of the crisis in different parts of Nigeria. The incident of 12<sup>th</sup> March 2016 in Ekiti State that saw the Federal Polytechnic, Ado-Ekiti farmland invaded by cattle as well as an Elder statesman Chief Olu Falae, portions of his farmland invaded and damaged by grazing

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cattle led the state government to enact the anti-grazing law prohibiting open grazing especially on farmlands (Olu-Owolabi, Gberevbie, & Abasilim, 2021).

Along this premise, the purpose of this essay is to assess the appropriateness of the law as a security management tool in the farmer-herder crisis. Also, the study seeks to critically examine the human rights dimension of implementing such restrictive law in a democratically oriented country like Nigeria. To this end, the next sections explore the various paradigms in the concept of farmer-herder crisis, security management, and human rights.

## **2. Farmer-Herder Crisis**

Over the years, the farmers and herders have been in very close proximity with each other, reasons have been because of their agricultural activities; as they both have been benefiting from each other's agricultural practices. But the recent wave of conflicts that have resulted in massive killings between them have been very scary and unexpected. This has then put a strain in their once cordial relationship. These conflicts across all borders have had similar undertone cause ranging from unsolved cases of destruction of farmland by cattle, cattle rustling, harassment of women on farmlands among many others (Ba, 2014). And according to International Crisis Group (2017) the conflict has resulted in ethnic prejudice between the farmers and herders, hence making it an open conflict that has deadly effect in parts of Africa, examples include Ghana, Cameroon, Sudan, Burkina Faso and Nigeria among a few.

The Farmers' belief that their lands are ancestral gifts and traditionally they own the land, hence no trespassing, occupational intrusion or forceful giving for grazing will be tolerated by them. The herders on the other hand due to their nomadic lifestyle want free access to grazing routes for their cows irrespective of any old traditional rights to Land. Reports have shown that the crisis between the two parties has transcended from spontaneous reactions to provocation then to a deadlier planned attacks. This conflict has also become a nature of insecurity in the country as over time the instrument known to the herders for their cattle work that is, sticks and bottle for water, has transcended to sophisticated weapons. This they use when they are met with resistance in their search for pastures for their cows (Egbuta, 2018).

The conflicts not only affect both conflicting parties, it also affects other citizens who are third parties. As the farmers have fled from their farms since it has turned to a trap for them and their families therefore resulting in unavailability of agricultural produces or increase in price; the herders also not getting good pastures for their cattle, which then result in either increase in cost of beef or not available at all (Adeyemi et al, 2019).

## **3. Security Management in Nigeria**

Insecurity is inevitable and it is part of human existence (Olanrewaju, 2019). Security management goes beyond just handling crisis but foreseeing potential threats and preparing for it. A common man definition of security management is the preservation of life and property of an individual. As security is the freedom from fear, or any harm from external sphere, security management is the field that solely focuses on the preservation of resources, digital and physical safety and life (Onor, K., Okoye, L., & Duruji, 2022). . It can be said as a repetitive, systematic set of connected activities to reduce the probability of risk and guarantee safe movement in any given society (Olanrewaju, 2019), (Prause & Mujtaba, 2015).

Security management in Nigeria over the years has been very poor, various promises are made, committees set up, money allocated but little or nothing has come out of it all. Intelligence gathering and surveillance has been reactive rather than proactive. Security agencies and personnel are only engaged when crisis occurs while security intelligence and capacity building which are meant to be the

foundation of any security apparatus have been greatly neglected. There is need to re-strategize, improve and rethink on the part of the government on how the security of the country can be better.

#### **4. Concept of Human Rights**

Every individual, all over the world, by the virtue of being human is entitled to certain privileges and rights which cannot be taken from them. These privileges, otherwise known as human rights, have been defined globally by various scholars and international organisations. However, there is a general consensus on its inherent nature and what constitutes the fundamental human rights of man. According to the foremost international document on human rights, the United Nations Universal Declaration on Human Rights (1948), man is born free and equal in dignity and rights (Art. 1), everyone has the right to right to life, liberty and security of person (Art. 3) and freedom of movement and residence within the borders of each state (Art. 13). As a corollary to the provisions of the Declaration, the 1999 Constitution of the Federal Republic of Nigeria highlights the rights to life, the dignity of the human person, personal liberty, fair hearing, private and family life, freedom of thought, conscience and religion, freedom of expression, freedom of movement, right to acquire and own immovable property as the fundamental rights of every Nigerian citizen.

Meanwhile, Donnelly (2013) defines human rights as 'literally the rights that one has because one is human' while Nickel (2021) expands this by asserting that the concept of human rights refers to the 'norms that aspire to protect all people everywhere from severe political, legal and social abuses'. It is important to mention that the concept of human rights rests on two assumptions: the first being that all humans are naturally endowed with these privileges just by virtue of being human and the second being that some rights have to be legally enforced or protected by a court of law. The difference between both assumptions is that the first category of rights is called 'fundamental human rights' while the former, 'legal rights'. It is based on these assumptions that all governments are expected to make laws that will ensure the protection of all human rights and abolish any existing law that infringes on such.

#### **5. Theoretical Discourse: Systems Theory**

The system theory was developed by Ludwig von Bertalanffy between the 1940s and the 1970s (Cristina, Jacqueline & Francesco, 2010). According to Maturana and Varela (1975), as cited in Asadu, Ogbuke, Ngwu, and Onyia (2021), systems theory was founded on principles from physics, biology, and engineering and grew into a variety of fields such as philosophy, sociology, organizational theory, management, psychotherapy (within family systems therapy), and economics. It can be defined as a theoretical perspective that examines a phenomenon as a whole rather than as the sum of its various parts. The emphasis here is the interaction and relationship between parts in order to comprehend the outcome of an entity (Asadu et al., 2021).

A system, according to Easton, is a collection of interconnected units that interact with one another on a regular basis. The system's overall interactions allow it to function and maintain equilibrium (Asadu, Ogbuke, Ngwu, and Onyia, 2021)

According to Fuchs and Klingemann (2011), all political systems are inextricably linked to other social systems, and there is a constant flow of factors from the environment to the system and from the system to the environment. As in a feedback mechanism, there is an input and an output. The flow of changes in the environment to the system is referred to as the input, while the flow of influences from the system back to the environment is referred to as the output. Also, another structure exists outside of the political system that forms the political system's environment.

In applying this theory, the systems theory provides a basis for examining the political process scientifically. It explains the changes that occur in all political

systems. This is because each political system's operation can be judged by observing its input and output as well as how it interacts with the environment. The social insecurity caused by the menace of farmers-herders crisis have created unconducive social environment. Consequently, both parties have unabatedly continued to wreak reprisal attacks or in the country. The inability of the government and relevant agencies to regulate land use and resource exploitation through appropriate policies has led to the continuous struggle between the farmers and the herders. However, due to the scarcity of resources which has led to the conflict between the farmers and the herders, inputs in form of complaints and reactions flow to the government from the environment which is then converted to outputs in form of policies that must be enforced and implemented. From this, it can be noted that the Anti-Grazing law was introduced by states as a security management mechanism promote bring peace. The implementation of the effectiveness of this law will bring about comments from various spheres that will be transform to inputs, then these inputs will be converted to output in terms of amendments of the law. The feedbacks lead back to the first step which is input, forming a never ending cycle.

## **6. Ekiti State Prohibition of Grazing**

The Ekiti State Prohibition of Cattle and other Ruminants Grazing Law bans open grazing in the state by herders as a security strategy in tackling the clashes between the farmers and herders. The law first pronounced in May 2016 by the then Ekiti state governor, Ayo Fayose, following a clash between the farmers and the herders that resulted in the death of two residents of the state and other reports of violence across various states in the country. Weeks after, precisely August 2016, the state governor signed the anti-grazing bill into Law. The governor also set up an anti-grazing enforcement marshal force for the implementation of the law with partnership from the 16 local governments in the state. Consequently lands were allocated to herdsmen for grazing purpose.

The law states::

“no cattle or other ruminant grazing by anyone on lands that the governor has not specified or designated as ranch, no movement of cattle or other ruminants at night and movement during the day should be between the hours of 7am and 6pm”;

“Any cattle or other ruminant confiscated shall be taken to the governments cattle ranch at Iworoko Ekiti and Erifun community in the state;

“Anyone caught defaulting shall be arrested and made to face the law; “Any herder found or caught with any form of weapon during grazing will be charged with terrorism, amongst others.

The move has been appraised by many as a model for other state governors to emulate as the solution appears to be straightforward. According to the state governor, the law will enable sedentarisation of the herders to curb clashes and insecurity in the state. Even though the law has been criticized by few for having the potential to brew ethnic crisis in the state, the governor's decision on assenting the bill into law has been considered by many as true representation of the farmers that make up majority of residents in the state. The law has since passing been amended once in 2018.

## **7. Methodology:**

### **Study Design**

This study adopted a cross-sectional research design. Cross-sectional research designs entails carrying out a study on a particular population or sample at a particular point in time. According to Cherry (2019), it describes the dominant

characteristics of a particular phenomenon. The effect of the Anti-grazing law on the security situation of Ekiti State as a result of the farmers-herders crisis in the State was examined based on the cross sectional method. This study employed questionnaires and in-depth interviews to retrieve relevant data with the aim of providing answers to the research questions. The methods were adopted to provide an appropriate picture of the state of security in Ekiti State before and after the implementation of the anti-grazing law.

In-depth interviews were conducted to gather primary data from the Security agents, farmers' union leader, herders union leader, traditional rulers, state legislators, state executives and academics-scholars.

In addition, a semi-structured questionnaire was administered to respondents from four local governments in Ekiti State: Oye-Ekiti, Ikole, Ido-Osi and Ikere. The questionnaire provided vivid information directly from the indigenes validating other findings from the study.

### **8. Recruitment of Participants**

This study adopted the Multi-stage sampling technique. This was done for complementarity sake. Which a combination of probability and non-probability sampling techniques were adopted. For Qualitative method, the probability sampling technique was stratified sampling. Stratified sampling gives room for proper representation of population into strata from which interviewees will be selected. And in so doing, gives the control and determining of sample size to the researcher. Hence interviewees were drawn from various strata of the society i.e. from the Farmers union and Herders Union Leaders in the state, traditional rulers, security agents, Legislative arm of government, Executive arm of government, academics and scholars in the State. The non-probability sampling technique employed was purposive sampling technique. The purposive sampling technique helps the researcher select the study area which is Ekiti State.

This selection was made as Ekiti State was the first south-western state to pass the anti-grazing bill into law in 2016 (Neuman, 2014). The purposive sampling enabled the researcher select individuals that necessarily do not represent the population but have required information needed of the research. This can be due to their position in the society, occupation or expertise.

For the Quantitative method, the probability sampling adopted simple random sampling. The simple random sampling enables the researcher acquire a section of the population to perform the study. This sampling technique will give each member of the population equal chance of selection for the study. hence, this implies that the sample chosen will be a representative of the entire population and such sample was selected in an unbiased way. For this, the 4 local government area of Ekiti State was selected for the study. While for the non-probability sampling, purposive sampling technique was adopted. Purposive sampling technique permits the researcher to freely make judgmental selections he believes will help to answer the research questions and to achieve all research objectives. This was used to decide the four local governments for the distribution of questionnaires.

### **9. Data Collection**

This study adopted a Mixed Method way of data collection. This involves both qualitative method and quantitative methods of data collection. On Qualitative method, primary and secondary sources of data was employed. Primary data was collected by in-depth interviews in Ekiti State. Face-to-face interview was also adopted in other to carefully note the interviewees' feelings, facial reactions, gestures and vocal tone towards questions being asked.

The In-depth interviews were conducted in a semi-structured form, giving questions that the interviewees responded to. Even though the interview questions were well framed, new questions came up out of the responses given by the interviewees for clarity sake. A voice recorder was used to record the responses of the interviewees; after which it was put in a pass worded computer for safekeeping. There were instances where the interviewee rejected voice recording, such responses were written down and then transferred to the pass worded computer for safekeeping. Also, secondary source of data was used which included internet browsing and search engines like Jstor, Ebsco, Sage publications and Scopus were very useful. Library search. Journals, books and publications were also useful in the study.

For the Quantitative method, data was collected through a well-structured questionnaire, this was aimed at getting appropriate and well organized responses from the respondents. The questionnaires were administered to selected indigenes of communities in the four local governments of Ekiti State. The Local Government includes Oye Ekiti LG, Ikole LG, Ido-Osi LG, Ikere LG.

### 10. Data Analysis

Data collected through in-depth interview was directly transcribed and interpreted. Textual analysis was adopted as the technique for analyzing the collected data. Critical reflections were done on the responses to understand what was said by the interviewees. Finally, thematic analysis was used to analyze the data acquired during the interview. Data obtained from the interview were coded and categorized into themes. Data generated by the Questionnaires were analyzed with Software Packages for Statistics and Simulation (SPSS) through Frequency and Correlation analysis to test the stated question.

### 11. Result from Quantitative Data

The research question looks at the extent in which the anti-grazing law of Ekiti state has been an appropriate security management tool in putting an end to the crisis between the farmers and herders in the state. That is, this section interrogates the extent to which the Ekiti State Anti-Grazing law has helped in managing the occurrence of farmer-herders conflict in the State. By so doing, thematic approach was employed to thoroughly analyse the subject matter.

### 12. Effect of Open-grazing on the Security of Ekiti State

**Table 1: Frequency of Open-Grazing in Ekiti State**

**Source: Field Survey (2022)**

		Frequ ency	Per cent	Vali d Per cent	Cumul ative Percen t
V ali d	S. A	136	35.3	35.3	35.3
	A	109	28.3	28.3	63.6
	N	4	1	1	64.7
	D	131	34	34	98.7
	S. D	5	1.3	1.3	100
	<b>T ot al</b>	<b>385</b>	<b>100</b>	<b>100</b>	

**SA = Strongly Agree; A = Agree; N = Not-decided; D = Disagree; SD = Strongly Disagree**

Table 1 above shows a total number of one hundred and thirty-six (136) and one-hundred and nine respondents (109) representing about sixty-three percent (63%) of the respondent acknowledging the fact that cattle graze in the open in Ekiti State, four (4) of the respondents were non-decided while one-hundred and thirty-six (136) which is thirty-five percent (35%) did not agree to it. This indicates that the level of cattle grazing in Ekiti State is high, this could be as a result of the geographical location of the state as Ekiti State falls within the rain forest region having longer period of raining season vast green pasture.

**Table 2: Level of Open-Grazing in Four Local Government Areas in Ekiti State**  
Source: Field Survey, 2022,

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	S.A	141	36.6	36.6	36.6
	A	127	33	33	69.6
	N	20	5.2	5.2	74.8
	D	94	24.4	24.4	99.2
	S.D	3	0.8	0.8	100
<b>Total</b>		<b>385</b>	<b>100</b>	<b>100</b>	

**SA= Strongly Agree A= Agree N=Not-decided D= Disagree SD= Strongly Disagree**

From Table 2 above, about seventy percent (70%) of the respondents agree that cattle grazing is done in their area, twenty (20) representing about five percent (5%) of them were indifferent, while about thirty-two percent (32%) disagrees with this assertion that there is high rate of cattle grazing with-in the state. This goes further to confirm the assertion in the table 1 about open grazing in the state.

The Research work for more confirmation purpose also analysed the work based on the four local government areas sampled as shown in Tables 3 below:

**Table 3: Level of Open-Grazing in each of the Four Sampled Local Government Areas in Ekiti State**

	IKOLE		OYE-EKITI		IDO-OSI		IKERE	
	F	%	F	%	F	%	F	%
S.		2		3				8
	2	0	3	6	8	8	7	2
A	0	.	6	.		5	7	.
		2		4				8
A		4		3				1
	4	7	3	7	3	3	1	2
N	7	.	7	.	1	3	2	.
		5		4				9
D		8		1				1
	8	.	2	.	0	0	0	0
S.		1		1				5
	2	3	1	3	5	7	4	4
D	3	.	3	.	4	.	4	.
		2		1		4		3
S.						1		
	1	1	1	1	1	.	0	0
D						1		

<b>T</b>	<b>9</b>	<b>1</b>	<b>9</b>	<b>1</b>	<b>9</b>	<b>1</b>	<b>9</b>	<b>1</b>
<b>ot</b>	<b>9</b>	<b>0</b>	<b>9</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>3</b>	<b>0</b>
<b>al</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>

Source: Field Survey (2022)

**SA = Strongly Agree; A = Agree; N = Not-decided; D = Disagree; SD = Strongly Disagree**

Table 3 shows the frequency distribution of the level of grazing in each of the four Local Government Areas sampled. Ikere and Oye-Ekiti Local Government Areas have a higher level of cattle grazing, the level of cattle grazing in Ikole is moderate while that of Ido-Osi is low. This indicates that the security challenges in relation to open grazing is higher in Ikere and Oye-Ekiti compared to the other two Local Government Areas.

**Table 4: Destruction of Crops by Cattle Herds in Ekiti State**

		<b>Frequ</b> <b>ency</b>	<b>Per</b> <b>cen</b> <b>t</b>	<b>Val</b> <b>id</b> <b>Per</b> <b>cen</b> <b>t</b>	<b>Cumul</b> <b>ative</b> <b>Percen</b> <b>t</b>
Valid	S.	238	61.8	61.8	61.8
	A	122	31.7	31.7	93.5
	N	6	1.6	1.6	95.1
	D	18	4.7	4.7	99.7
	S.	1	0.3	0.3	100
	<b>T</b> <b>ot</b> <b>al</b>	<b>385</b>	<b>100</b>	<b>100</b>	

Source: Field Survey (2022)

**SA = Strongly Agree; A = Agree; N = Not-decided; D = Disagree; SD = Strongly Disagree**

From the Information available in the Table 4 above, 61.8% and 31.7% of respondents strongly-agreed and agreed respectively on the fact that open grazing has resulted into high level of destruction of crops and farmland in the areas. This implies that open grazing has contributed to the disruption agricultural activities.

**Table 5: Level of Cattle Theft by Farmers in Ekiti State**

		<b>Frequency</b>	<b>Percent</b>	<b>Valid</b> <b>Percent</b>	<b>Cumulative</b> <b>Percent</b>
Valid	S.A	18	4.7	4.7	4.7
	A	32	8.3	8.3	13
	N	25	6.5	6.5	19.5
	D	176	45.7	45.7	65.2
	S.D	134	34.8	34.8	100
	<b>Total</b>	<b>385</b>	<b>100</b>	<b>100</b>	

Source: Field Survey, 2022, SA= Strongly Agree A= Agree N=Not-decided D= Disagree SD= Strongly Disagree

In line with Table 5 above, a total number of fifty (50) respondents representing thirteen percent (13%) of the total respondents agreed with the idea that cattle theft is rampant within Ekiti State, about twenty-five (25), that is, six percent (6%) are



indifferent while about three hundred and ten (310), representing about eighty percent (80%) of the respondents are of the opinion that cattle with-in the State are safe and secure.

**Table 6: Frequency of Farmer-Herder Conflict in Ekiti State**

		Frequ ency	Per cent	Vali d Per cent	Cumul ative Percen t
V ali d	S. A	245	63.6	63.6	63.6
	A	121	31.4	31.4	95.1
	N	5	1.3	1.3	96.4
	D	13	3.4	3.4	99.7
	S. D	1	0.3	0.3	100
<b>T ot al</b>		<b>385</b>	<b>100</b>	<b>100</b>	

**Source: Field Survey (2022)**

**SA = Strongly Agree; A = Agree; N = Not-decided; D = Disagree; SD = Strongly Disagree**

From the information available in Table 6 above, about sixty-four percent (64%) and thirty-one percent (31%) of respondents strongly-agreed and agreed totalling ninety-five (95%) of the respondents are of the opinion that open cattle grazing has resulted in increased fighting between the farmers and the cattle herders leading to insecurity within the State. This illicit cattle grazing within the State has led to consistent fighting between farmers and cattle herders within the State.

**Table 7: Reduction in Farmers-Herders Clashes in Ekiti State**

		Frequ ency	Per cent	Vali d Per cent	Cumul ative Percen t
V ali d	S. A	63	16.4	16.4	16.4
	A	104	27	27	43.4
	N	30	7.8	7.8	51.2
	D	178	46.2	46.2	97.4
	S. D	10	2.6	2.6	100
<b>T ot al</b>		<b>385</b>	<b>100</b>	<b>100</b>	

**Source: Field Survey (2022)**

**SA = Strongly Agree; A = Agree; N = Not-decided; D = Disagree; SD = Strongly Disagree**

Table 7 states that a total number of one hundred and sixty-seven (167) correspondents making forty-three (43%) percent of the respondents assert that the impact of the anti-grazing law has had positive effect on the farmers-herders' crisis within the State, while about one hundred and eighty-eight (188) representing about forty-nine percent (49%) of the respondents are of the opinion that the impact has not yet been felt with regards to the crisis between the farmers and the herders. This might be as a result of the perceived low implementation of the Anti-grazing law within the State.

**Table 8: Reduction in Security Related Challenges Caused by Open-Grazing in Ekiti State**

		Frequency	Per cent	Valid Per cent	Cumulative Per cent
Valid	S.A	102	26.5	26.5	26.5
	A	89	23.1	23.1	49.6
	N	32	8.3	8.3	57.9
	D	49	12.7	12.7	70.6
	S.D	113	29.4	29.4	100
<b>Total</b>		<b>385</b>	<b>100</b>	<b>100</b>	

Source: Field Survey (2022)

SA = Strongly Agree; A = Agree; N = Not-decided; D = Disagree; SD = Strongly Disagree

Table 8 above shows that about fifty percent (50%) of the respondents making about one hundred and ninety-one (191) respondents are yet to see the effect of the anti-grazing law on the level of security within the State. Revealing that the security challenges as it related to open-grazing is still high within the State. Challenges such as, destruction of crop, fighting among the farmers and the herders and loss of cattle is still prominent in the state.

#### Test of Hypothesis

**H<sub>0</sub>:** Ekiti State Anti-Grazing law has not served as an appropriate tool in resolving the farmers-herders crisis in the state.

#### Test instrument:

Correlation analysis

**Table 7: Correlations Table**

		Awareness of Anti-grazing laws	Reduction in farmers herders' crises	Reduction in security related challenges to grazing
Awareness of Anti-grazing laws	Pearson Correlation	1	0.033	-0.047
	Sig. (2-tailed)		0.52	0.359
	N	385	385	385

\*\*. Correlation is significant at the 0.01 level (2-tailed).

\*. Correlation is significant at the 0.05 level (2-tailed).

**Source: SPSS (2022)**

Table 7 above shows the correlation between the anti-grazing law, reduction in farmer-herder crisis and security challenges relating to grazing. The coefficient between Anti-grazing law and reduction in farmers-herders crisis is 0.33 also indicating a weak positive correlation between the two-variable showing that the Anti-grazing law has very little impact in solving the crises. Furthermore, the coefficient between the Anti-grazing law and the reduction in security related challenges and the peaceful coexistence between these two agriculturists are -0.47 and -0.374 respectively both indicating a weak negative relationship between awareness of the anti-grazing, the security challenges that comes with open grazing and the peaceful coexistence between farmers/herders.

**H<sub>0</sub>:** Ekiti State Anti-Grazing law has not served as an appropriate tool in resolving the farmers-herders crisis in the state.

The two-tail significant test of 0.52 and 0.359 from the table above is greater than the standard test of 0.05 hence we accept the null hypothesis. Meaning Ekiti State Anti-Grazing law has not served as an appropriate tool in resolving the farmers-herders crisis in the state.

### **13. Result from Qualitative Data**

An understanding of the Anti-Grazing Law is needed and very necessary for this research. This, the researcher asked the interviewees in which they answered in the affirmative that they are all familiar with the law and its tenets. They showed this in their various responses during the interview. As they identified that it was as a result of the crisis between the farmers and the herders that the law came to be. The following are excerpts from the interviewees responses when asked to what extent has the Ekiti State Anti-Grazing Law served as an appropriate security management tool in resolving the farmers-herders crisis:

The law is a good one. It comes out of the much suffering of both the farmers in the state as well as from a security perspective (Respondent 1, 2022).

I can say that the law was well conceived and since it was passed to law, efforts have been made to provide a conducive environment for our farmers to carry out their business and farming activities undisturbed (Respondent 2, 2022).

The law, I can say was well thought of as at the time. It was so much needed as the killings and insecurity was increasing daily (Respondent 5, 2022).

It is a good law that is set to protect us all in the state (Respondent 6, 2022).

This interviewee started with a difference in the implementation process of the law between the previous administration of the state and that of the current one, but stated that the Anti-Grazing Law is a good law:

Currently it is as if nothing is being done. During Governor Fayoses' time, the law was effective and in good use as the Fulanis' feared him and his system. They were afraid and ran but now they have come back and in full force. But the law is generally a good one (Respondent 3, 2022).

While this interviewee in answering the statement says the law is biased:

The law does not favour us at all, we cannot move about with our cattle well. Food is expensive to get for our cattle and when we take them out, they are either stolen or killed (Respondent 4, 2022).

### **14. Discussion**

According to Ekpendu (2020), the anti-grazing law stems out of the high rate of open grazing by cattle and the destruction they cause on vegetations. The Law seeks to

end the unsupervised and frequent contact between the farmers and the herders which as resulted in various clashes. Table 1 shows that Cattle grazing in the state is high which necessitated the enactment of the law. When dissected to the studied local Governments, Table 2 and 3 analysed that open grazing is the order of the day in the selected local Governments Areas which aligns with the statement of Ekpendu (2020).

The open grazing of cattles in the state has brought about destruction of vegetation, contamination of water

Furthermore, accounts from interviewees revealed that the government set up an enforcement marshall (EGEM) on Oct 20<sup>th</sup> 2016, that works in conjunction with the Amotekun agency, Anti-Grazing committee and the police force to implement the law. Findings showed that the Enforcement Marshall (EGEM) have recorded some success and arrested cattle grazing outside the restricted time and location as well as caught cattle thefts.

Findings also revealed that the former Governor of Ekiti State, Governor Fayose was actively involved in the implementation process of the Anti-Grazing Law. On several occasions he had been seen patrolling with the local hunters, the Enforcement Marshall (EGEM) as well as his security team. It was also revealed that he made arrest once and this sent signal to the herders that the state and Governor were in it for serious business. This aligns with facts from Ogo-Oluwa (2017), that Ex-Governor Fayose demonstrated seriousness in the execution of the law as he was not only involved theoretically, he was also practical about it as he arrested a cow in Ikole Ekiti on his way to an official assignment on the 13<sup>th</sup> of October 2017.

The head of Anti-Grazing committee as well as the Amotekun commandant gave accounts of the arbitration and prosecution that has taken place under the umbrella of the anti-grazing law all in a bid to bring peace to the State as well as make the State safe again. They both stated in the interview various arrests they made and how they were handed to the police for prosecution. This has to some extent reduced the conflict between the farmers and the herders as against the feedback gotten from the retrieved questionnaires in Table 7 and 8.

According to some of the interviewees, the Law was enacted with good interest as it was made to reduce the conflict between the farmers and the herders and it has recorded some level of achievements. This was also supported by Table 7 with 43% of respondent asserting the positive impact the Anti-Grazing Law has on the farmers-herders crisis in the State. Although some people may say that the law have not substantially met the set required goals, as Table 7 also shows that 49% of the respondents opined that the impact of the Law has not yet been felt. These failures can be said to be as a result of inadequate implementation of the Law. But the fullness of the law can still be achieved with better implementation. This is to corroborate the research academia interviewee that opined that the current Government should take the implementation of the law seriously, not theoretically but practically.

However, Folasade & Olawale (2019), Ojukwu, Osuchukwu & Enemuoh (2020) agree with the interviewees that the Ekiti State Anti-Grazing Law is a model and can serve as an appropriate security management tool in the farmer-herders conflict. In the light of the above, it is safe to say that the Anti-Grazing Law to a large extent is a step in a good direction.

### **15. The Human Rights Question of the Ekiti State Anti-Grazing Law**

The anti-grazing law in Ekiti, titled, 'Prohibition of Cattle and Other Ruminants Grazing in Ekiti, 2016', was enacted to control the continuous farmer-herders conflict in the state. However, the enactment of the law sparked off a series of reactions among affected citizens and human rights activists in the country on the basis that some of its provisions overlapped the constitutional provisions for the human rights of every Nigerian citizen.

From a human rights' perspective, the law appears tangential to the constitutional rights of any Nigerian citizen. It limits the freedom of movement and very importantly, impinges on the socio-economic rights of the cattle owners. With respect to the economic rights of citizens, Chapter 2, Section 16(1d) provides that the Nigerian State would protect the right of every citizen to engage in any economic activity outside the major sectors of the economy; Section 17(3a) guarantees that the state shall direct its policy in ensuring that all citizens of the country, without any form of discrimination, 'have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment'. It is crucial to emphasize that cattle rearing is a lucrative economic activity that is prevalent among the nomadic people of the Fulani tribe who travel from North to South in search of greener pastures for their livestock. Therefore, enacting the anti-grazing law, seemingly, places a limit on the economic security and freedom of movement for the cattle owner since he has to travel in search of ranches for his livestock.

On the other hand, implementing an open grazing policy has dire consequences for the farmers on whose farms cattle graze. Crops are destroyed; farmers, killed; and farmlands are forcefully seized from farm owners by a group of violent herders, popularly labelled as 'the Fulani herdsmen'. The forceful seizure of land and wanton killings of farmers by the herders and vice versa, disregard for local authorities and indiscriminate bush burning (Ofuoku and Isife, 2010) have been the crux of the incessant farmer-herders conflicts in Nigeria. The constitution addresses the question of free movement in Section 41(2) by outlining the conditions of imposing restrictions on movement of people.

Additionally, beyond ensuring or protecting the economic rights of any citizen, Chapter 4, Section 33(1) of the 1999 Constitution of Nigeria recognizes that everyone has the right to life and no one shall be deprived intentionally of his life. Evidences have been documented of the fact that Fulani herdsmen are believed to be responsible for the deaths in the North, South and Middle Belt of Nigeria, particularly attacks against the Christian farming communities. Besides looking for grazing opportunities, they have been largely responsible for insecurity in the nation, maiming and killing unsuspecting pastoralists, kidnappings, religious conflicts and land-grabbing among others, under the guise of cattle grazing. According to a report, the Fulani herdsmen are responsible for about 7,400 deaths in Nigeria between 2015 and 2020 (Statista Research Department, 2022). The law gives primacy to the right to life and seeks to protect it. According to Agwu and Wilson-Okereke (2019), since the anti-grazing law was ratified in the bid to stop the destruction of lives and property of farmers and herders, it is in consonance with the federal constitution. As a matter of fact, the quest to secure the lives of (vulnerable) people informed the ratification of the law in Ekiti State.

## **16. Conclusion**

It is clear from the foregoing discussion that the open grazing prohibition laws are a step in the right direction in bringing an end to the clashes between farmers and herdsmen. The open grazing prohibitions laws have provided avenues to address these issues. Open grazing, despite the law in Ekiti state, is still in practice. There are still growing tension between the farmers and the herders particularly in the anti-grazing law especially as there are still possible reprisal attacks from the herders who are not happy that the Ekiti Government has decided to implement the Law.

This study attempts to settle the human rights debate on the justification, or otherwise, of the implementation of the Ekiti State Anti-Grazing Law as well as look at the human rights implication. The study submits that despite the fact that the law stands as an infraction on the constitutional rights of the cattle herders, who are bona fide citizens of Nigeria, the constitution also mandates the government to provide adequate security for the lives of its citizens by all lawful means. The constitution is

clear on when it becomes necessary for government to enact restrictions to the rights of persons; particularly where such freedom is injurious to the life and freedom of the general good.

This study also concludes that the relentless occurrence of open grazing and attendant clashes in Ekiti State is as a result of the fact that the Federal Government have refused to recognize a nation-wide Anti-Grazing Law to curb the activities and the recklessness of the herders or pastoralist on one side and to recognize the operations of Amotekun as a Regional Security Agency on the other. This therefore continues to emboldening the militia arm of the herders association called Miytte Allah or those impersonating them.

### **17. Recommendations**

This study recommends that proper education on ranching should be done and encouraged by both the Ekiti State and Federal Governments. Those that can afford a private ranch can do so while those that cannot, can pay for slot in government owned ranches. It should be done in a way that will promote unity, harmony and stability within host communities. As the ranches should not be imposed on states due to the tension in the country for mutual co-operation and co-existence. The State government can as well own these ranches in a cooperative manner, while the herders pay rent on each slot used by them. Also local and foreign investors can be engaged to invest in the ranch itself.

Also, Ekiti state government should not only be theoretical about the implementation of the Law; they should be practical. The Governor should be totally involved in the implementation process. He should be seen by the residents of the State going all out for them. Meetings with the agencies established for the implementation of the Law as well as occasional security patrol will go a lot in giving the people the assurance that the government is serious about the Law and a warning sign to herders that do not want to follow the stipulated rules and regulations stated in the Anti-Grazing Law.

Finally, the National Assembly should move for the Anti-Grazing Law to be made a Federal law in Nigeria. As this will go a long way in making the Federal Government unbiased in this situation.

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