



The Anti-Open Grazing Law Implementation: Farmers-Herders Conflicts in Benue State, Nigeria

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Abstract

The intensification of perennial crisis often orchestrated by farmers-herders resource contestation in Benue State, which has not only resulted in carnage to the people, but also exacerbated ethno-religious contempt in the state. In attempt to halt the situation, restore peace in the state, anti-open grazing law was implemented as a last resort. The study was anchored on the institutional theory as its blue-print of understanding. It adopted documentary visibility method of data collection, content analysis deployed for analysing data generated from secondary sources. It revealed that the imposition of stiff penalties on free movement of livestock, the arrest, prosecution and imposition of severe penalties on the offenders aided in the reduction of farmers-herders conflict in Benue State. We recommended amongst other things, that Benue State Government should keep security collaboration and synergy with all the bordering states to keep tough in the fight against Fulani extremists.

Key Words: Attacks, Internecine-conflicts, Kidnapping, Killings, Open-Grazing.

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1. INTRODUCTION

Unarguably, the predominancy of Farmers-Herders conflict in the over two decades of return to democratic rule have continued largely unabated. Since the restoration of democracy in 1999, Nigeria has experienced a variety of terror groups which includes the fulani Herdsmen attacks, Oguwuike & Udeh (2024), Though, according to Obarisiagbon and Akintoye (2019) such contestation which often resulting into violent conflicts between the groups is neither peculiar to Nigeria alone nor a recent phenomenon, as many nations of the world also face such in vary dimension in one hand; also an age-long phenomenon on the other hand. Its frequency, intensity, and geometric spread in the recent time has not only ballooned the fragile interactions amongst ethnic nationalities in the country, but also has unleashed devastating humanitarian and economic toll on the state and Country. (International Crisis Group, 2017). Akin to the above, Ogbette, Attama, and Okoh (2018) contend that Nigeria as a nation is under a severe internal socio-economic and security threat, as its threat has special economic, political and environmental dimensions. They further maintained that each of these dimensions has greatly affected the nation's stability, socio-economic, and the overall national development of the country. Consequently, leading to an estimated casualty and death toll of approximately 2,500 individuals in 2016 (International Crisis Group, 2017), and nearly 1,700 violence based deaths between January and September 2018, according to Global Terrorism Index (GTI, 2018). The farmers-herders' raging conflict has emerge as Nigeria's gravest security challenge, which consequently erasing more lives than Boko-Haram insurgency in the country (Bada, 2018). Similarly, Jooji (2020) argued that violent clashes between herdsmen and farmers is not only unprecedented, but also barbaric, as it led to loss of lives of innocent citizens and huge collateral damages in Nigeria, particularly in the recent time.

Thus, the obvious security failure of the Federal Government of Nigeria to stem this unhealthy tide of such violent clashes between the two groups in the country, and the primary responsibility of protection of lives and properties of the citizenry, prompted some states governments with particular reference to Benue to take it upon its responsibility to prohibit open-grazing of livestock, as the obvious founding pillar through which violent conflicts emanated in the society. This is so because Benue State has been unarguably described as the worst hits of these violent attacks by herders in the country; fulani herders emerged, wrecking serious havoc, attacking and sacking communities, villages, killing, rapping and kidnapping majorly rural dwellers' according to Oguwuike & Udeh (2024), leading to the deaths of several innocent and armless farmers and other collateral damages in the state. For instance, between 2013 to March 2018, attacks by herdsmen claimed over 1600 lives (Godwin, 2018). In a similar vein, State Environmental Management Agency [SEMA] (2018) recorded that 117,771 Benue State indigenes were internally displaced and relocated to eight IDP camps in the state (Alao, Shaibume. Ogunwemimo, Alao & Ogunwemimo, 2019). Furthermore, Adamu and Ben (2017, p. 28-29) observed that in the recent time that "Benue State, in particular, has been a hotbed for such internecine carnage having recorded over 4,333 deaths between 1 January 2014 and 31August 2017". Also, it is observed that a total of 14 out of 23 Local Government Areas in Benue State were attacked and completely sacked, with over 4,333 people majorly Christians killed, and over 195,576 Christian residence and

30 churches faced destruction along with unaccountable cases of sexual assault and harassment, and other collateral damages (Adamu & Ben, 2017) (cited in Sule, 2021, p. 543).

This followed the killings of over 500 people in February, 2016 in the Agatu area of Benue state, and displaced an entire community of over 30,000 population (Ojo, 2017; World Watch Monitor, 2020), resulting in the ever witnessed *black Friday* in Benue state in 2016. Furthermore, it was observed by Benue State Bureau for Local Government and Chieftaincy Affairs that in 2014 alone, the state lost more than 500 lives of its innocent citizens, and collateral damages of about N95 billion in 10 local government areas of the state to herders attacks (Jooji. 2020). The report further held that houses, schools, hospitals, clinics, and churches in the affected areas were completely destroyed by the group (herdsmen) during such attacks in the state. Benue State herdsmen ugly experience therefore revealed that, it is an aberration for cultivation (farming) and open-grazing, which appears counterproductive to co-exist due to inevitable increase in population, which therefore gave rise in expansion of farming activities in the society (Udeh, Eyikorogha, Ekoyo & Obiagu, 2021). This was the justification upon which several groups opted for ranching as a legal framework to curtail the unprecedented excessiveness of the prevailing situation in the state. Therefore, the government (Benue State) had no option than to respond through a legal framework of anti-open grazing law in collaboration with the state house of assembly to permanently bring to bear the unprecedented ugly situation confronting the state in one hand, and also to have an international practice of livestock which is glitch free on the other hand (Jooji. 2020).

As a result, the state government having exhausted all its security strategies in the course of curtailing the barbaric excessiveness of the Fulani herders, and in order to restore peace and harmony in the state, promulgated anti-open grazing law. Such strategies include—the vigilante (informal community policing) with the name *Movement Against Fulani Occupation* (MAFO); and Operation Zender by the Nigerian Military in the State (Sule, 2021; Ladan & Iguda, 2019; and Mudasiru & Fatai, 2020). The state (Benue) through the administration of Governor Samuel Ortom resorted to the state legislation enactment of *Open-Grazing Prohibition and Ranches Establishment Law, 2017* (OGPREL), as a possible lasting panacea to the indiscriminate carnage and ravaging onslaught by Fulani marauders on the armless farmers and innocent people of Benue State (Sule, 2021). The aforementioned law is also described as *Anti-Open Grazing Law, 2017* (Udeh, Odey, Juluku, Omenka & Basse, 2024). Therefore, the central tenet of the aforementioned policy is the *prohibition of openly rearing and grazing of animals*. The policy sorts to establish ranches through which the general administration of livestock farming could be made possible, with the imposition of stiff penalties on the free movement of livestock in order to reduce farmers-herders conflicts in the State. According to Sule (2021), the policy was also designed to effectively curtail the age-long nomadism, particularly amongst the Fulani herdsmen whose activities in recent times had led to violent clashes with farmers in Benue State.

Therefore, this study tends to interface with the following sub-headings: etymological background of Benue State Open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL); the imposition of stiff penalties on the free movement of livestock and the reduction of farmers-herders conflicts in Benue State; arrest of the offenders leads to reduction of attacks in

Benue State; prosecution of offenders reduces farmers-herders conflict in Benue State; and Severe penalties on open grazing; and prevention of open livestock herding etc.

2. METHODOLOGY

According to Udeh (2017) (in Udeh, Eyikorogha, Ekoyo & Obiagu, 2021, p. 3737-3738), data collection is the science and art of extracting variety of information about the selected properties of units. For the purpose of validity and convenience, this study relay heavily on documentary method of data collection due to hostility and volatile nature of the studying state – Benue State. Documentary method therefore provides us with relevant documented material even though they were not produced for the direct use of this purpose but in existence for public and research purposes (Udeh, Eyikorogha, Ekoyo, Madu, & Oguwuike, 2021). As a result, this study sourced data from secondary sources such as journal articles, books, book chapters, official documents, internet material, amongst others.

In relation with the aforementioned method of data collection adopted, the study also leveraged on content analysis for the purpose of analysing data generated from secondary sources. Content analysis as conceived by Udeh, Eyikorogha, Ekoyo and Obiagu (2021) is a structured form of research techniques for the purpose of validity, through which researchers first and foremost construct sets of mutually exclusive and exhaustive categories that can be used to analyse documents. Thereafter, record the observed frequency with which each of the categories is observed in the studied documents. They further argued that, content analysis research technique is for objectivity, systematic, and quantitative description of manifested content of communication (Udeh, Eyikorogha, Ekoyo & Obiagu, 2021), therefore, this is apt for our study.

3. THEORETICAL UNDERSTANDING

For the purpose of understanding the aim and objective for the implementation of Open-Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL), we therefore rely on institutional theory propounded by John Meyer and Brian Rowan in 1970s. Who used the theory as a means to explore further how organization fit with, are related to, and were shaped by their societal, state, national, and global environments. By meaning, institution could be defined as a formal or informal, structural, societal or political phenomenon that transcends the individual (citizen) level (Guy, 2000) (cited in Izueke, 2014, p. 159). It is more or less common values that have certain degree of stability and great influence on individual behaviour in the society. Therefore, institutional theory also not only focuses on the core aspect of social structure, but also considers the processes through which the same structures, including how its body of rules and regulations became established as living authoritative guiding principles as worthwhile social behaviour in the society (Izueke, 2014). It is observed that the tenet of institutionalism is in consonance with the recognition that organisational action often reflects the blueprint through which things are done in more progressive pattern overtime, thereafter become legitimate within the confined of the organisation and its conquered environment (Izueke, 2014).

In addition, it is noted that institutional theory not only provides and limits behavioural choices, but also influences individual preferences to an extent (Steunenberg et al., 1996; March & Olsen, 1995). Consequently, this implies that intuitions plays overt or covert role in shaping the

motivations that drive individual behaviour. Institutional theorists assume that it is feasible to anticipate specific practices within organisations based on legitimate behaviour rooted in tangible values, traditions, norms, rules, and routine. Also, scapens (1994) argued that institutions are patterns that often define what are proper, rights and expected modes of actions a group or society.

The following are the basic assumption of the theory according to Izueke (2014, p. 167), they are:

- Institutions are embodiments of rules, norms, schemes, etc.
- The norms, schemes, structures, traditions are translated into rules and regulations as can be seen in the constitution, financial memoranda, public service rules etc.
- These rules and regulations determine and regulate the behaviour of members of the institution and society.
- A good and strong institution is one that regulates the behaviour of members and the society according to the desired manner.

4. APPLICATION OF THE THEORY

Institutionalism theory has the potent explanatory powers to the implementation of Open-Grazing Prohibition and Ranches Establishment Law (OGPREL) in Benue State, Nigeria. Because conventionally, institutions, policies, laws, rules and regulations are established for a defined functions in the society in order to avoid disorder and lawlessness (Ugbudu, 2021). Therefore, Benue State Government as a formal intuition has its prevailing and particular norms, values and traditions written down as rules and regulations in the form of edicts as guiding principles in the state for the purpose of maintaining order and avoiding disorder and lawlessness. Those laws, rules and regulations are not only meant to constrain behaviours of people, but also to model their preferences in the society. In other words, these laws, rules and regulations regulate the participant's (individual) behaviours. However, in the absence of this, lawlessness, disorder and anarchism prevail. This is the obvious reason through which Benue State Government implemented open-grazing prohibition and ranches establishment law as rules and regulations not only to regulate and curtail the unethical excessiveness of the Fulani herdsman, but also to halt the onslaught, barbaric activities and carnage by the group, restore peace and tranquility in the state. In other words, the open-grazing prohibition and ranches establishment law was to regulate, pattern and model the incessant and indiscriminate killings behaviour of the Fulani herders in Benue State, Nigeria.

5. LITERATURE REVIEW

Etymological background of Benue State Open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL)

Obviously, farmers-herders' conflict is a chronic phenomenon that has in the recent time escalated into unbelievable outcomes across many states of the federation, with particular reference to Kaduna, Taraba, Plateau, Nasarawa, Enugu, Ekiti, Benue, amongst others (Sule, 2021). Amongst the aforementioned, Benue State is unarguably the worst hit as the conflict escalated over time for many decades (Adamu & Ben, 2017). By description, Benue State is located in the Middle Belt region of Nigeria in the present North Central geo-political zone of the country, and was created in 1976 under the military regime from the defunct Benue-Plateau State (Sule, 2021). For instance

below is the map of Nigeria containing the map Benue state for clearer view of the state location in the map of Nigeria.

Figure 1: The Map of Benue State in the Map of Nigeria



The State shares a notable international boundary with Cameroun on the South-East and, locally, it is bounded on the north by Nasarawa State; on the south by Cross River, Ebonyi, and Enugu States; on the east by Taraba State; and progressively on the west by Kogi State (Udeh, Odey, Juluku, Omenka & Bassey, 2024). The State has an inundated landmass measuring 33,955 square kilometers, and lies between Latitudes 6.5° and 8.5° North and Longitudes 7.47° N and 10 East' (Government of Benue State of Nigeria, n.d.). Furthermore, the state maintained an overwhelming population of over five million people (National Bureau of Statistic, 2017), sizeable of whom are the Tiv, Idoma and Igede ethnic groups. And are largely Christian farmers, as agriculture takes centre stage of the economy. As a result, the state accounts for more than 70% of Nigeria's soya bean production, with other crops also produced in massive quantities, these include maize, cassava, yam, potatoes, guinea corn, sesame, amongst others (Adamu & Ben, 2017). Upon this, the state is described as the "Food Basket of the Nation". Incontestably, the state is richly endowed with fertile land, rich foliage, as it parades one of the longest stretches of river systems in the nation (Sule, 2021). According to Adamu and Ben (2017), it is this sprawling fertility and rich natural endowment of the state that continues to attract mainly the Hausa-Fulani Muslim herdsmen to the state.

On the other hand, the Fulanis also known as Fulbe or Fula are basically nomadic in nature and are largely Muslims found in many countries in West Africa, most of them are concentrated in the northern parts of Nigeria and Senegal (Sule, 2021). They are the dominant breeders of sheep,

cattle and goats in Nigeria, with over 90% ownership of the nation's livestock demography, which accounts for one-third of agricultural GDP and 3.2% of the nation's GDP (Udeh, Odey, Juluku, Omenka & Bassey, 2024). As a result, the group (Fulani) has developed a rich cultural pastoralism and has created thousands of legends, fairy-tales and proverbs that embodies their identity and occupation. This means that the group has been internalised with the people in the country. According to Soriola (2018, p. 7) one of such proverbs states that: "Cattle surpasses everything; it's even more important than father and mother...if cattle die, then Fulbe dies". This logically buttresses the value attached on cows by Fulani herdsman and how aggressively they react to both internal and external threats on the herd. In the same view, cows for them are not just an asset, but also accorded many relevance as food, social standing, heritage, and prestige (Ibrahim, 2018).

Therefore, States in Middle Belt basically Benue, maintains a moderate scale of food production and a pastoralist enclave where majority of farmers and herders maintain their livelihoods on a subsistence level. As a result, any threat to their variety of crops or cattle is viewed as a pointed threat to their source of survival, this therefore forcing both parties to vehemently protect their respective sources of livelihoods (Kwaja & Ademola-Adelehin, 2017). However, in most cases, herders deliberately led astray their herd to over grazing in the farmlands, destroying crops, farm produce, indiscriminate bush burning, amongst other societal atrocities with impunity in the state (Sule, 2021). Similarly, it is also observed that Fulani herders often let their herd to defecate on the roads, causing nuisance with expression of disregard for traditional constituted authorities and violent raping of girls and women in their host communities (Udeh, Odey, Juluku, Omenka & Bassey, 2024). Furthermore, with little resistance, they get provoked and unleash terror, mayhem, violence crisis leading to carnage in the state. In buttressing the above, the indiscriminate sitting bush on fire, raping, destruction of crops and crazy pollution of water bodies are observably the founding factors causing internecine conflict between farmers and Fulani herdsman in the country in general and Benue State in particular (Sule, 2021).

The aforementioned are the causes of incessant carnage attacks on several communities and killings of innocent and armless citizens in Benue State. For instance, it is observed that barely 5 days to the expiration of the former Benue State Governor Gabriel Suswam's administration in May 2015, more than 100 indigenous farmers and their family members were reportedly massacred brutally in villages and refugee camps located in the Ukura, Per, Gafa and Tse-Gusa local government areas of Benue State (Kwaghga, Dzever & Terwase, 2018). Again, according to Adamu and Ben (2017), between January 1st, 2014 and 31st August 2017, a total of fourteen out of twenty three Local Government Councils in Benue State have been attacked, and over 4,333 people majorly Christians were killed, over 195,576 Christian homes and 30 churches destroyed along with innumerable cases of sexual harassments and assault in the process (Adamu & Ben, 2017). For instance, below is the table summarizing the worst hit local government areas of the State.

Table 1: The worst hit LGAs: killings, destructions of houses and Churches of Christians according to LGAs by Fulani herders in Benue State, 2014-2017

S/N.	LGA	No. killed	No. of Homes destroyed	No. of Churches destroyed	No. Injured
1.	Agatu	967	7,663	4	1051
2.	Gwer-East	15	447	0	21
3.	Gwer-West	785	37,416	7	264
4.	Makurdi	494	24,683	7	248
5.	Gurmer	1426	63,718	5	606
6.	Tarka	52		0	16
7.	Buruku	92		0	0
8.	Katsina-Ala	91	11,399	1	0
9.	Logo	204	28,807	4	721
10.	Ukum	42		0	24
11.	Kwande	83	21,443	2	6
12.	Obi	34			0
Total		4,285	195,576	30	2,957

Source: Barkindo, Adamu, & Ben (2017, p. 23-24).

The above consequently led to an inundated spate of internally displaced persons (IDPs), and internally displaced camps in the State. For instance, the table below shows the number of persons internally displaced and the number of IDP camps in the State.

Table 2: Spate of IDPs, IDP camps in Benue State, 2014-2016

LGAs	Date of Establishment	Place / Location	Name of Camp	No. of Inmates
Gwer-West	<ul style="list-style-type: none"> ▪ Feb. 2014-March, 2015 ▪ May 2014-Dec. 2014 	<ul style="list-style-type: none"> ▪ Naka ▪ Ukusu 	<ul style="list-style-type: none"> ▪ LGEA primary school camp ▪ NKST Saghev/Ukusu 	<ul style="list-style-type: none"> ▪ 10,329 ▪ 12,000
Guma	May, 2014-Dec. 2015	Yandev	Mbayer/Yandev Community Hall	28,608
Tarka	May, 2014-Dec. 2015	Wannune	Central Primary School	11,030
Ukum	<ul style="list-style-type: none"> ▪ May, 2014-Dec. 2015 ▪ May, 2014-Dec. 2015 ▪ May, 2014- 	<ul style="list-style-type: none"> ▪ Zaki-Biam ▪ Jootar ▪ Kyado ▪ Afia 	<ul style="list-style-type: none"> ▪ NKST Primary School ▪ NKST Jootar ▪ RCM Primary School 	<ul style="list-style-type: none"> ▪ 4,091 ▪ 3,785 ▪ 5,332 ▪ 12,057

	Dec. 2015 ▪ May, 2014- Dec. 2015		▪ Afia Community Hall	
Logo	<ul style="list-style-type: none"> ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 ▪ Jan. 2016-Jan. 2017 	<ul style="list-style-type: none"> ▪ Ugba ▪ Ugba ▪ Tyoban ▪ Muchia ▪ Iorshager ▪ Vase ▪ Mbagher ▪ Tombo 	<ul style="list-style-type: none"> ▪ LGEA Primary School, Ugba ▪ NKST Church, Ugba ▪ NKST Primary School, Tyoban ▪ NKST Primary School, Mchia ▪ NKST Church, Iorshager ▪ LGEA Primary School, Vaase ▪ Mbagher Camp ▪ Tombo Camp 	<ul style="list-style-type: none"> ▪ 5,227 ▪ 3,639 ▪ 3,059 ▪ 2,873 ▪ 2,082 ▪ 3,658 ▪ 72,019 ▪ 82,271
Total				84,271

Source: Barkindo, Adamu, & Ben (2017, p. 79-80).

Consequently, its dimension in the recent time pitched what seems to be ethno-religious cleansing in the state, and manifest as one of serious threats to national security in Nigeria, which is capable of mutilating national unity and development. The outrageous dimension of the situation led to the formation of the first state security strategy movement referred as ‘*Movement Against Fulani Occupation*’ (MAFO) in attempt to curtail the barbaric excessiveness of the group (Fulani herders) and was inaugurated formally on March 12, 2016 in Makurdi Benue State (Sule, 2021). In coming to terms with the evil and terror intention of the Fulani herders; and the need for urgent pragmatic steps rather than just weeping with the victims of Fulani-herdsmen violent massacres, MAFO organised protests and demonstration to Benue State Government House and the State House of Assembly demanding for government’s spontaneous and undelayed intervention to protect the lives and properties of the residents and indigenes of Benue State (Baba & Abeyisinghe, 2017). These and other activities of MAFO, stakeholders, community traditional leaders etc. therefore greatly influenced for the enactment of the Open Grazing Prohibition Law. The State Governor on seeing the evil unleashed on his people, he wept, decried the situation saying: “I know that the killings, the destructions and all sorts of evil that was going on became too much for us. So we had to put this law in place. We had tried other ways of finding peace amongst the people but there was none” (Sule, 2021, p. 543). As a result, the state never hesitated to take this bold step following the nationwide perception of unseriousness and unwillingness by the Federal Government to take decisive and proactive action against the dreaded Fulani herders for

unleashing unmitigated violent terror against communities across the country on the ground that they (Fulani herders) are his (Buhari) kinsmen. In contrast to the military operations conducted against the Boko Haram and other matters of national significance such as the Biafra agitation movement in Niger Delta Avengers, the institutionalization of the Benue State Open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPRL) serves as a final measure to put an end to the violent activities carried out by Fulani herdsmen in the state. This was achieved through the implementation of a state legislation.

The Imposition of Stiff Penalties on the Free Movement of Livestock and the Reduction of Farmers-Herders Conflicts in Benue State

According to Ugbudu (2021), since the return to democratic rule in 1999, after years of military junta, the mainstream media, social media, electronic and print media has consistently been awash with screaming headlines on violent attacks on villages and communities by herdsmen, particularly in Benue State. The situation which became intensified as the militia sacked and killed about 52 and burnt 300 houses in Benue State only in one day in 2015. Furthermore, killing over 500 people following a siege on Agatu Local Government Area of Benue State. Out of which many communities such as Alia, Akwu, Adagbo, Okokolo, Ugboju, Odugbeho, Obagaji and Egba were greatly affected (Premium Times, 2016). The most recent attack that broke the Carmel's back in 2017 was that which 15 out of 23 local government areas were severely attacked and displaced completely (Ugbudu, 2021). Thus, against this premise was a need to salvage the situation through a legal framework of Anti-Open Grazing Law in the State.

Therefore, the anti open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL) was promulgated as a peculiar last resort to halt the ravaging violent onslaught of herdsmen on the people of Benue State. The Law strictly prohibits and criminalizes open grazing and rearing of livestock, and seeks the establishment of organized ranches and the general administration of livestock farming. It also received both praises and condemnations. For instance, while the people of the state sing praises for OGPREL, however, Miyetti Allah Kautal Hore, a Fulani socio-cultural association rejected it, thus vowed to resist the law describing it as "wicked, obnoxious and repressive" meant to criminalize the means of survival of the Fulani people, and further described it as the "most wicked act any government can do to them and their economic interest" (*The Nation*, 2017) (in Ugbudu, 2021, p. 46).

Amazingly, the promulgation of OGPREL led to mass exodus of the herdsmen out Benue State on the ground that they cannot to the law. Akin to the above, Search for Common Ground (2017) and the Forum on Farmer and Herder relations in Nigeria (FFHRN) (2017) in their early assessment of the Anti-Open Grazing in Benue State that; the prohibition of open grazing has significantly led to mass exodus of herders with their cows from the state, and this has brought relative peace to the State. Thus, judging from this, we can validly affirm that the promulgation of OGPREL in Benue State was actually a positive panacea to the incessant Herders-Farmers crises in the state, as it aided in the drastic reduction of the conflict that led to bloody attacks in the state. The law also prevented the destruction of crop farmlands, communities, ponds, settlements and properties that were indiscriminately destroyed during open rearing and grazing of livestock. The law also protected the environment from degrading and pollution caused by open rearing and

overgrazing of livestock; it helped in optimising the use or appropriation of land resources in the face of worrisome overstretched land and increasing population; and also prevented, controlled and managed the wide spread of diseases as well as the implementation of related policies that enhanced the production of competitively high quality and healthier cattle and other varieties of animals for both domestic and international markets (Sule, 2021).

Below are the notable indicators upon which we shall further validate how the imposition of stiff penalties on the free movement of livestock has aided in reducing the Farmers-Herders conflict in Benue State, 2017-2020. Such indicators include the following:

- Arrest of the offenders leads to reduction of attacks in Benue State
- Prosecution of offenders reduces farmers-herders conflicting Benue State
- Severe penalties for open grazing prevents open livestock herding

Arrest of the Offenders Leads to Reduction of Attacks in Benue State

With the aid of Section 24 of the law, a Special Livestock Open Grazing Prohibition Task Force was established having units in each of the 23 Local Government Areas of the State. The composition of the Special Task Force is as follows: the Chairman will be the Special Adviser to the Executive Governor of the State on Security, and other persons which will include the State Chairman of the State Community Volunteer Guards, a direct representative from the Commission of Police, a direct representative from the Nigerian Security and Civil Defense Corps(NSCDC), a representative from the State Chairman of the Nigerian Legion of ex-service men, and a secretary who will be a representative from the Commissioner of Agriculture, holding a rank no lower than deputy director (Ugbudu, 2021). The Specially created Task Force has the authority to arrest and detain any individual or group of individuals found to be in violation of the law, and they will subsequently be transferred to the police or sister relevant security agencies without delay (Ugbudu, 2021).

Meanwhile, prior to the passage of the law, benue State has often been the highest hit of Farmer-Herders attacks. For instance according Udeh, Odey, Juluku, Omenka & Bassey (2024) apart from the popular 'Benue massacre' in 2016, this left almost entire Agatu LGA dead. There were other series of attacks in the State, this includes amongst the following:

- On the 2nd of March, 2017; around ten (10) persons were killed in an unprecedented renewed hostility between herdsmen and farmers in Mbavihin Community, Gwer East Local Government Area.
- On the 11th of March, 2017; around seven (7) persons were confirmed brutally murdered when herdsmen attacked a community in Tiv, Mkovur Village in Buruku Local Government, Benue State.
- On the 7th May, 2017: a total of three (3) persons were confirmed killed by the dreaded herdsmen in Tse-akaa village, Ugondo, Mbaman District of Logo Local Government, Benue State.
- On the 13th May, 2017: twenty (20) people were violently killed in a conflict involving the Tiv farmers and herdsmen at Nzorov in Guma Local Government Area.

- Around 24th June, 2017: a total of fifteen (15) persons were brutally killed by rampaging Fulani herdsmen who ambushed and attacked farmers in the remote Ipiga Village in Ohimini Local Government Area, Benue State, Nigeria (Ugbudu, 2021, p.46).

Moreover, apart from the aforementioned incidences of violent attacks, on the 1st of January, 2018, while the entire global community was in celebration of a brand new year, Benue State was thrown into drastic chaos with deep seated mourning, as the dreaded fulani herdsmen marauders invaded and unleashed a well planned and unrestrained attacks on the helpless six (6) Communities of Akor, Tomatar, Umenge Villages in Guma Local Government and Ngambe-tiev, Ayilamo, Turan in Logo LGA of the State, leaving over seventy three (73) persons dead, scores of persons badly injured with numerous houses and properties brazenly destroyed (Daga, 2018). He further maintained that a staggering total of forty-nine (49) violent attacks by herdsmen between 2017 and 2018 were recorded in the State. Thereafter, two Catholic Priests and 17 others were violently killed at Mbalom in Gwer East Local Government in the same month (The Guardian, January 2nd, 2018).

However, with the aid of the state's legal instrument known as "The Benue State Anti-Open Grazing Law, 2017", which cloak and empowers the established Special Task Force to undertake an arrest and equally effect detention of any person or group of persons who contravene or violates the provisions of the law in the State. There were absolute serenity and relative peace in the state due to the commitment of the law enforcement agents to arrest and detain the offenders of the law. In agreement with the aforementioned statement, Ohu (2020) argued that despite facing significant opposition, the law has played a crucial role in reducing attacks by herdsmen in the last two years since its implementation, particularly when compared to the years 2016 and 2017. Reflecting on the circumstances that led to the enactment of the law, Mr. Michael Gusa, the Benue State Attorney-General and Commission for Justice, highlighted that from around Feb., 2013 to May 13, 2017, the State of Benue had witnessed approximately 46 attacks carried out by suspected dreaded Fulani herdsmen. These attacks lead to tragic loss of more than 1,541 lives and widespread destruction of houses and properties, farmlands across fifteen out of the twenty three LGAs of the State were affected (Ohu, 2020). Mr. Gusa also emphasized that the effectiveness of the Benue State Open Grazing Prohibition and Ranches Establishment Law (OGPREL) has been successfully demonstrated in the court of law, therefore yielding remarkable outcomes. According to him, between November 1, 2017, and October 27, 2020, over 400 herdsmen were apprehended for violating the OGPREL. Out of which 261 individuals were convicted, 21 were discharged, 36 cases are still pending, and investigations are still ongoing for other cases. Many of the convicted offenders were able to pay fines and subsequently released, while those unable to pay were sentenced to prison terms spanning from average of six months to two years (Ugbudu, 2021). Furthermore, during this period, 7,629 cows, 210 sheep, and various other livestock were seized by the law enforcement agents. Additionally, the legal instrument has led to the nabbing, prosecution, and sentencing of over 5 cattle rustlers, primarily of Fulani extractions, who openly admitted their involvement, and face the prospect of imprisonment (Sule, 2021). For instance, the table below shows year to year herdsmen attacks and the consequent deaths implication on the innocent citizens, between 2013-2020.

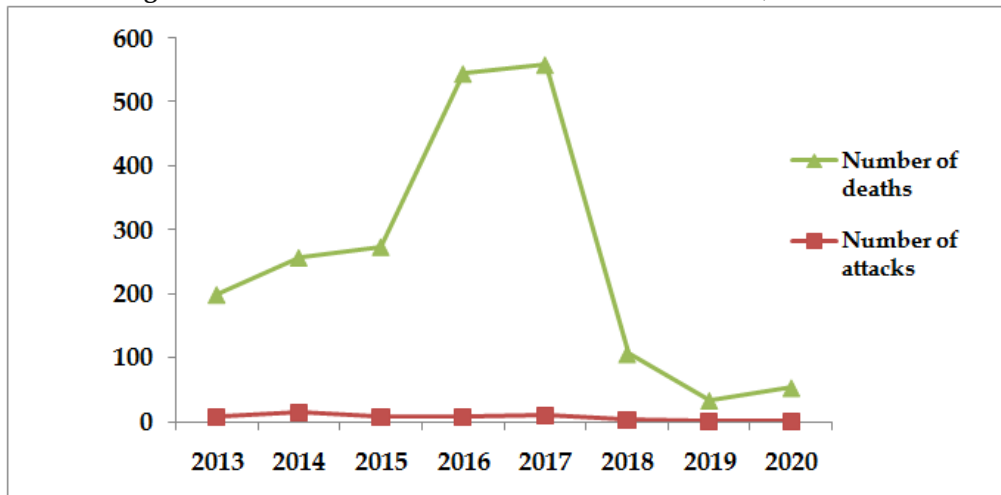
Table 3: Herdsmen Attacks on Benue State, 2013-2020

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)

The above table also aided in the production of the trend graph below, which shows the deaths trend/movement as perpetuated by herdsmen in the State. For below is the figure of death trend before and after the implementation of the anti-open grazing policy in Benue State.

Figure 2: Herdsmen attacks and death toll Benue State, 2013-2021



Therefore, the figure above shows progressive or an upward movement of deadly attacks and its resultants death toll in Benue State since 2013, it declined by chance in 2015 and increased between 2016 and 2017, this increment therefore 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 the 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.

Prosecution of Offenders; and Reduction of Farmers-Herders Conflict in Benue State

Recently, Nigeria has been inundated by the current tide of insecurity particularly in the recent times. Akin to the above, Obarisiagbon and Akintoye (2019) asserted that insecurity in Nigeria has recently assumed an alarming rate, affecting every facet of Nigerian life with no end in sight. Unarguably, insecurity, particularly as associated by the herdsman crises have heightened leading to severe unimaginable social consequences which has blighted the socio-economic sphere of Nigeria, with particular reference to Benue State, where many communities have been completely sacked with great damages by herdsman. For instance, the Benue State Attorney-General and Commissioner for Justice, Mr. Michael Gusa observed that the value of properties lost by these marauders were added up to a conservative estimate of over N400 billion from 2015 to early 2017 (Ohu, 2020). He further stated that the local government areas affected within the period prior to the promulgation of anti-open grazing law were Apa, Agatu, Otukpo, Ogbadibo, Gwer, Gwer West, Makurdi, Katsina-Ala, Tarka, Gboko, Buruku, Kwande, Ukum, Logo, Guma. Similarly, Ohu (2020) stated that several Agatu villagers and over 500 farmers were reportedly killed, and over 7000 rural community dwellers majorly farmers were also displaced in ten villages of Odejo, Odugbeho, Okokolo, Adagbo, Aila and Akwu on February 29, 2016. The development therefore led to agitation by all and sundry demanding for the interdiction of open grazing in the State through the state legal framework of law. In response to the pitiable demand of the people, the Executive Council of Benue State thus sponsored an executive bill through the Benue State House of Assembly to make “*Anti-Open Grazing Law*”, which the then State Governor Ortom Samuel finally assented to on 22nd May, 2017, not only as demanded by the people, but also as a possible panacea to halt farmers-herders incessant conflicts in the state (Ohu, 2020).

Thus, the critical question here is, has the Law incidentally succeeded in estopping the recurrence or continuation of extreme violent clashes between herdsman and farmers in the State? That is, has the established Law been able to enhance sustainable peace in Benue State? Therefore, in response to the above fundamental question, the Benue State Attorney-General and Commissioner for Justice, Mr. Michael Gusa, contends that ‘the efficacy of the law has been tested in law court with amazing results’, in addition to the fact that from 1st of November, 2017 to 27th October, 2020, over four hundred herdsman have been nabbed for contravening the “*Open Grazing Prohibition and Establishment Law, 2017*” (Ohu, 2020). Furthermore, he maintained that under this review period, over 210 sheep and whopping 7,629 cows and other varieties of livestock have been seized in an implementation drive. The established popular law has moreover saw the arrest, arraignment and punitive conviction of 5 culprit cattle rustlers. The convicted rustlers were revealed to be of Fulani extraction, who confessed to the violent crime in an open court of competent jurisdiction, and admitted guilty (Ugbudu, 2021). With the arrest and prosecution of over 400 herdsman who seemingly violated the law, and impounding of over 210 sheep and whopping 7,629 cows and other varieties of livestock have been able to reduce the incessant bloody clashes between the herdsman and farmers in the State. Furthermore, the prohibition of open grazing of livestock in the State and the recommendation of ranches has aided in the restoration of relative peace and calmness in the state. Similarly, Abanyam and Gwambeka (2020) explained that ranching is not only strictly in compliance with global best practices, however, it also has the advantage to strictly ensure the confinement of the livestock to designated places that are well

protected with fence. He further maintained that this will go far in isolating the cattle from having unrestricted contact on farmlands, which its destruction usually resulted to barefaced and bloody altercation between Herdsmen and Farmers that had led to the death of the people and economic losses that not only affected the state or communities alone, but also the nation at large.

Severe Penalties on Open Grazing; and Prevention of Open Livestock Herding

Generally, penalty is synonymous to punishment due for offender(s) who flaws a particular law, be it legal, traditional or customary. It serves as a caution or deterrent for social justice in the society. Severe punishment is not only seen as a channel that helps to prevent lawlessness, anarchism, but also a driving force towards achieving perfect obedience in the society. For instance, Benue State Anti-Open Grazing and Ranches Establishment Law, 2017, which imposed strict penalties for its offenders is a quintessential. The law which was aspect of critical government efforts to address the bloody and violent clashes, and restores peace, accentuate peaceful co-existence and equally enhance inter-ethnic corporation and harmony between farmers and dreaded herdsmen in the State was enacted through the State Government efforts on May, 2017, with sections and subsections that defined its objectives. In order to achieve optimally the broad and specific objectives of the said law, Section 19 (1) of the law is unambiguous and it provisions stipulates that, no group or individual shall after the commencement of this law involve in open nomadic livestock grazing or herding in the State outside the permitted ranches (Ugbudu, 2021). Similarly, subsection 2 of the aforementioned section stipulate that, any person or group of persons who contravenes subsection (1) above shall be guilty of an offence and shall, on conviction, be liable to five years imprisonment or one million Naira (1,000,000) fine or both (Ugbudu, 2021). In the same vein, Section 19 (3) further stipulate that, in a case of damage to farmlands, varieties of crops and properties of any person, the manager or the owner of such livestock shall after evaluation by the Ministry of Agriculture and Natural Resources of the destruction, pay the prevailing and ascertained value of monetary compensation of the farmland, crops and properties so damaged to the owner (Sule, 2021). Furthermore, in a situation of any form of injury to any person within the State by livestock, the manager or the owner of such shall be guilty of offence and upon conviction by court be liable to 2 years imprisonment in addition to payment of the medical bills of victim and paying relevant and appropriate compensations as the Court may determine (Sule, 2021). But in event where such grave contravention midwives the death of any person within the State, the Manager or Owner of such livestock shall be guilty of an offence of culpable homicide punishable under the established Penal Code Law.

Similarly, Section 19 (4) of Open Grazing Prohibition and Ranches Establishment Law, 2017 (OGPREL) prohibits strictly the movement of livestock on foot from one destination to another in the State and such movement shall only be done by trail wagon, and 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 (500,000) fine or one-year imprisonment. Thus, if the person is a second offender, he is liable to One Million Naira (1,000,000) fine or three years imprisonment or both (Ugbudu, 2021). Moreover, Section 19 (7) prohibits strictly livestock owners, managers and ranchers from possession of any form of fire arms licensed or unlicensed on the ranch or outside

the ranch. All ranch operators or owners are required to engage the services of registered security for the protection of their ranches if they wish to do so not on compulsion or obligated. The law also proscribes cattle rustling. Section 2 (1) provides expressly that any person who rustles cattle, or other categories of animals from any ranch commits an offence and shall be strictly liable on conviction by the court for imprisonment for a term of not less than three (3) years and One Hundred Thousand Naira (100,000). While Section 21 stipulates clearly that, any livestock seen grazing, herding and wondering in an area not designated as a ranch shall be seized or impounded by the relevant Ministry of Agriculture and Natural Resources or any other person duly authorized by the Ministry of Agriculture (Ugbudu, 2021).

Aforementioned strict penalties prescribed in the law prohibit for movement of livestock on foot precisely within and around the urban centers and rural settlements prevented open livestock herding. The stiff penalties of the law led to mass exodus of herdsmen outside Benue State (Sule, 2021), as they were not ready and willing to keep to the law. In consonance with the above, the Search for Common Ground, 2017 and the acclaimed "Forum on Farmer and Herder relations in Nigeria" (FFHRN) 2017, in their early probing assessment of the institutionalization of anti-open grazing in Benue State revealed that; the tall prohibition law on open grazing facilitated the significant exodus of herders with their cows from Benue State, which therefore ushered relative peace and serenity within and across the State.

6. CONCLUSION

The anti-open grazing law implementation by government of Benue State was aimed at halting the barbaric onslaught activities and carnage orchestrated by Fulani herders-farmers' crises, which had led to wonton killings of innocent and armless farmers and other collateral damages in the state. Therefore, it was observed that the implementation of the instrument (the law) led to unprecedented large scale exodus of herders and their cattle and livestock from the state, through which some level of peace and calmness was restored in the state momentarily. Significantly, farmers can confidently engage in their farming activities and other socio-economic endeavors without panic of possibly being attacked, gang raped, maimed, kidnapped and killed in the process

However, imposition of stiff penalties on the free movement of livestock was vehemently opposed by Miyetti Allah Kautal Hore, a socio-cultural umbrella covering the Fulani herders with a view that it is a form attack on the source of livelihood and sustenance to the Fulani herders. Despite all the pressures and opposition to undermine the law, the anti-open grazing law was able to record huge and commendable successes amid all odds. And boldly sent indirect message to pastoralists the urgency to modernize and embrace global best practices to adapt with the realities of climate change in the society at large. Thus, it significantly failed to achieve optimally due to the fact the state government clandestinely underestimated the choking triangular partnership between pastoralists, the Hausa/Fulani ruling oligarchs and the international collaboration, upon this was the obvious series of resistance and reprisal attacks by the group (herders) immediately after the successful implementation of the law.

Therefore, the study revealed that the imposition of stiff penalties on free movement of livestock, the arrest, and the imposition of severe penalties on the offenders have aided in the reduction and

amelioration of farmers-herders conflict in Benue State. The study thus, recommended amongst other things that:

- Benue State Government should keep to security collaboration and synergy with all the bordering States to keep tough in the fight against Fulani extremists.
- In order to guarantee a sustainable peace and calmness in the state, particularly among herdsmen and farmers, the Government of the State should liaise with the Federal Government, organized private sector, and host communities to build general and possibly free ranches in the State to accommodate the newly upcoming herd due to the capital intensive nature of private ranches, which most herders hardly can afford.

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