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ANTI-OPEN GRAZING POLICY AND THE MENACE OF FULANI HERDSMEN IN NIGERIA: A CASE OF BENUE STATE, (2015 -2019)

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Abstract

The relationship of herdsmen with their host communities/farmers has gradually degenerated over the years to one of mutual suspicion, conflict over resources, orgies of violence and killings. The attacks by the herdsmen on the sedentary communities have continued unabated especially in Benue State. They constitute a grave national security threat which requires a national emergency. It was against this backdrop that the Benue State Government promulgated the open grazing prohibition and ranches establishment law in November 2017 to guard against the menace. Therefore, this paper did a holistic evaluation of the impact of the law in tackling the farmers/herders imbroglios and findings showed that, the law unfortunately aggravated the crises in the state due to poor timing and implementation mechanism. The study adopted the Frustration-Aggression Hypothesis in explaining the subject matter and utilised both primary and secondary data. Ultimately, the study recommended that, the federal government should declare herdsmen menace as a national emergency which needs full scale response of her action, amending the discriminatory sections of the Benue anti-open grazing law, massive and compulsory basic education for herdsmen in order to reduce their aggressive tendencies which are akin to base animal behaviour for peaceful co-existence with the agrarian communities.

Keywords: Anti-open grazing policy, Fulani Herdsmen, Farmers, Ranching, Conflict, Insecurity, Agrarian Communities

1. Introduction

From warm acceptance, mutual tolerance, co-habitation and cooperation many decades ago, the relationship of herdsmen with their host communities has gradually degenerated over the years to one of mutual

suspicion, conflict over resources, destruction of properties, orgies of violence and killings. There are various reasons for such conflicts. For example, there is struggle for land as a major resource; it is arable farmland for native

farmers while it is grazing land for cattle and their herders. In the process, conflicts erupt between the two groups when cattle destroy farmlands and eat up crops. In the time past, beginning from the 1980s, the conflicts had escalated both in number and scope for various reasons including the possession of arms and ammunition by herdsmen, including unlicensed guns and automatic rifles. With such ammunition, they had a sense of power over the native farmers and their host communities whose members were often killed in ensuing scuffles. However, Benue State is worst hit in recent times as scores of lives and properties were lost in different parts of the State. Obviously, the federal, state and local governments had not done enough to end such conflicts. The menace had degenerated into a grave national security threat which requires a national emergency if national stability is to be maintained (Seddon and Sumberg, 1997; Blench, 2003; Gbaka, 2014).

As Blench (2003: 11) argued, the federal government is either unable or unwilling to act decisively to end the crisis because of "self-absorption in local matters and self-interest". He argued further that, where government had sponsored dispute resolution mechanisms until the 1970s, such were weighted towards herders'

interests. Yet, the role of government remains pertinent in resolving the problem.

According to Global Terrorism Index (2015), Fulani herdsmen or nomadic cattle grazers, had been named one of the deadliest terror groups in the world comparable to Boko Haram, ISIS, the Taliban and Al-Shabaab. The group has wreaked enough havoc to be acknowledged by the global community as the fourth deadliest terror group in the world ((Global Terrorism Index 2015). The "Fulani militants", as they have come to be known, are made up of members of the Fulani or Fula ethnic group, a tribe of over 20 million people, 70 percent of whom are nomadic grazers, who are native to at least seven West African countries such as Nigeria, Ghana, Togo, Niger Republic, Benin Republic, Burkina Faso, Cote d' Ivoire, etc.

Between 2010 and 2013, Fulani militants killed about 80 people in total, but by 2014 they had killed 1,229 people and between 2015 and 2019, over 5000 people had lost their lives. Benue, Taraba, Nassarawa, Plateau, Kaduna and Katsina States were mostly affected, having suffered devastating attacks by the Fulani herdsmen with a heavy toll in human lives and property. Fulani herdsmen brutally kill natives of invaded farming communities including women and children in various

states across the country (Global Terrorism Index of 2015, BBC 2016, Amnesty International 2017 and Bukola, 2017).

According to a report compiled by the Benue State Bureau for Local Government and Chieftaincy Affairs in 2015, the State lost more than 500 lives and property worth more than N95billion in 10 of its local government areas in that year's attacks alone. All the significant houses, schools, hospitals and clinics as well as churches in the affected areas were destroyed during herdsmen attacks. The attacks were sometimes shrouded in mystery and diabolism. A situation where a multitude of community men were held helplessly captive and slaughtered without any resistance or gun shots depicts elements of

clairvoyance and necromancy. This is because most of the persons that were slain by their assailants during the crisis at Ayilamo were captured with little or no resistance...to prove this, there were no bullet wounds on some of the bodies that were recovered (Vande-Acka 2015).

The foregoing led several groups to demand ranching and the then Samuel Ortom administration, which grappled with the consequences of the clashes, responded swiftly by enacting the Open Grazing Prohibition and Ranches Establishment Law of 2017 through the State House of Assembly, as a permanent solution to the problem in line with international best practices on livestock management.

2. Literature Review

The Menace of Fulani Herdsmen in Nigeria

Historically, the menace of Fulani herdsmen shows that the phenomenon has progressively metamorphosed from rudimentary communal skirmishes to organized armed confrontation in its apparent dynamics of degeneration (Chukwuma, 2016:22). In its latest manifestation, the phenomenon depicts a genre of violence characterized by immense arms bearing and brutal

sophistication (Okoli & Atelhe, 2014). In almost every state in Nigeria, Fulani herdsmen graze where they like, destroy crops, block traffic, rape women, beat up hunters and occasionally unleash deadly attacks on villagers where there is slightest resistance to their depredations (Okeke, 2014:73).

According to Bolarinwa (2012:10), Nigeria has recorded several violent-conflicts in many rural communities since 1999 till date. Conflicts that had resulted in over 10, 000 deaths and the internal displacement of over 300, 000 Nigerians

had been recorded. From late 2012, the killing by the Fulani herdsmen in the Middle Belt began to take on a systematic and methodical pattern that increasingly looks like a deliberate plan to wipe out native ethnic groups either by killing or displacing them in order to take control of lands and fields in the region. On March 28, 2015 the clashes between Fulani and Tarok in Plateau State resulted in deaths of 18 persons. Similarly, the clashes between Fulani herdsmen and natives in Bokkos areas of Bokko Local Government Area (L G A) in Plateau State led to the deaths of 18 persons.

According to Leadership Newspaper of March 12, 2014, over 30 persons were reportedly killed in Kwande, Kastina Ala and Logo L G A of Benue State when suspected Fulani mercenaries dressed in military uniform sacked six villages in three council areas. According to an eye witness, the herdsmen also burnt farmlands, houses and huts in the affected communities. It was reliably gathered that, the invaders who had earlier attacked the southern part of the state, moved up north and headed towards the country home of the former Governor of the State - Gabriel Suswam in Logo and that of the former Minister of Steel, Wantaregh Paul Unongo in Jato Alla. According to the source, "eighteen people were killed at Iselbor,

Tombo and Mbawa all in Logo LGA, while another seven were killed at Ayiase near Kashimbilla in Kwande LGA".

The communal conflicts caused by Fulani herdsmen in Benue State claimed the lives of more than 5000 victims in the first half in the year 2015. The victims include women and children, and they sacked more than 100 communities and had thrown thousands of refugees into Internally Displaced Persons (IDPS) camp located in Makurdi (Nte, 2016:27). Earlier more than 200 people were killed by Fulani herdsmen in Shengev Community in Gwer West Local Government Council with strange substance that looked like bio-chemical weapons (Akevi, 2014). On 24th April, 2018, two Catholic priests and 17 worshippers lost their lives after the herdsmen invaded St. Ignatius Catholic Church, Makurdi and on 4th March, 2019, no fewer than 16 persons were killed by herdsmen in Agagbe community, Gwer West L G A and the killing is still ongoing. The situation is not different in Taraba which had also witnessed series of attacks and killings by Fulani herdsmen. The southern senatorial zone of Taraba State witnessed unprecedented and sudden influx of Fulani herdsmen and the relationship between the Fulani and Tiv in both Benue and Taraba States had become strained because of incessant attacks on the

Tiv by the Fulanis with very high human casualties and loss of properties (Nte 2016). The destruction of lives and properties made the Tiv from Taraba State abandon their homes and searched for alternative safe places.

The communal conflicts orchestrated by Fulani herdsmen in Wukari led to gruesome murder of dozens of people and wanton destruction of property. According to Agi cited in Nte (2016: 28) about 77 people lost their lives in Taraba State during the crises between some Fulani herdsmen and the indigenous people of the area in 2016. More than 40 people were treated for various degrees of injuries sustained because of the attacks by Fulani herdsmen. In 2017, it was reported that, more than 200 hundred villagers of Zamfara State were killed by Fulani herdsmen in an orgy of violence that lasted for three days. Some of the worst hit communities were Dansadau and Yargaladima villages in Dansadau Emirate of Maru Local Government Area (Nte, 2016). Jigawa State is not an exception, more than 70 cases of conflicts were recorded during the 2015 farming season. These cases bordered on encroachments into farms by cattle and farmers misuse of cattle routes (Ezeonwuka & Igwe, 2016:208). The story is not different in Kaduna State, where Fulani herdsmen

caused communal conflicts. According to Shiklam (2014), rampaging gunmen suspected to be Fulani herdsmen on 24th April, 2014 killed about 123 people in seven villages in Sanga Local Government Area of Kaduna State. Earlier, the Fulani herdsmen had killed 38 people in Kabamu and Ankpong villages of the State

The Eastern Nigeria is not immune from the menace of Fulani herdsmen. There is hardly any community where Fulani herdsmen are not found. The activities of these herdsmen in some parts of Abia State had become worrisome. This is because the cattle belonging to these herdsmen had inflicted huge damage on crops and farmlands. There had been reports of clashes between the herdsmen and farmers across the State. For instance, Abia communities of Uzuakoli in Bende Local Government Area, Ebem and Akanu in Ohafia and Umuchieze in Umunneochi, there were cases of deadly clashes between rural farmers and the cattle breeders (Nwopara & Okoli, 2015).

The menace of Fulani herdsmen in Enugu State assumed a dangerous dimension. For example, in Ezeagu Local Government Area of the State, consisting of more than forty communities, the aggressions of Fulani herdsmen retarded agricultural and economic activities. The herdsmen were equipped with sophisticated weapons and

government did not and still not making any serious efforts to address the problem. People could not go to farm nor sleep well

3. Theoretical Framework

The theory most suitable for the study is the theory of Deprivation, Frustration and Aggression. The frustration-aggression (F-A) theory otherwise known as frustration-aggression hypothesis is based on the work of Dollard, et al (1939) and suggests that all aggression is the result of feeling deprived or frustrated which is defined as “any event or stimulus that prevents an individual attaining some goal and its accompanying reinforcing quality”. Barriers may be real or imaginary and prevent an individual from achieving his aim causing frustration which then needs to be relieved in a cathartic way i.e. through the display of aggression. Stated differently, the theory posits that, aggression is the result of blocking, or frustrating a person's efforts to attain a goal.

4. Objectives of the Study

The study was guided by the following objectives:

1. To evaluate the timing of the implementation of the anti-open grazing policy in Benue State.

2. To ascertain if the anti-open grazing policy had tackled the Farmers-Herders conflict in the State.
3. To investigate the implications of the policy for Farmers-Herders relations in Benue State.

5. Research Methodology

The study adopted the descriptive research design. Qualitative data were collected and used to describe the phenomenon under investigation. Data were generated from primary and secondary data. Primary data were generated from interview and observation while secondary data were sourced from journals, textbooks, the internet and edited books, etc. A sample of 386 out of the total population of 8,500 was used for the study and simple random sampling was employed.

6. Hypotheses

This study was guided by the following hypotheses:

H01. The timing of the implementation of the anti-open grazing policy in the State was faulty.

H02. The implementation of the anti-open grazing policy in Benue State heightened the conflict between the Herdsmen and the farmers.

H03. There are varieties of implications of the policy for Farmers-Herders relation in Benue State.

7. Discussion

Hypothesis one

The timing of the implementation of the anti-open grazing policy in Benue State was faulty.

In response to the growing violence in Benue State and the wider Middle Belt region, the Benue State Government passed the Open Grazing Prohibition and Ranches Establishment Law on 1st November 2017 and began its implementation forthwith. The Law prohibits open rearing and grazing of livestock and calls for the establishment of ranches and livestock administration, regulation, and control.

Consequently, reactions trailed the passage cum implementation of the law in the State. About 70% of the comments accessed via the media platforms such as Facebook, Twitter, Instagram, Newspaper and Television, etc. expressed considerable support for the law. The commenters proposed that the law be replicated in all States experiencing farmer-herder conflict, especially in nearby Plateau and Nasarawa States. Of those that opposed the legislation, they primarily argued on three lines: (i) it was a deliberate attempt to evict

and ostracize a portion of the population from Benue State; (ii) it contradicted the constitutional provision of the freedom of movement; and (iii) the process lacked effective consultation and input of herders before the passage of the bill into law (Joseph, 2017).

Many of the comments opposing the legislation were concerned with the economic inability of most livestock owners to establish their own ranch, which is beyond the economic means of most of them in the State. While the law proposed ranches as an alternative to open grazing, the time frame between passage and implementation did not give enough time for the state government to make provisions for the herders to overcome the social and economic barriers (Folami, 2018).

Similarly, the Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN) and the Miyetti Allah Kautal Hore, the two most prominent Fulani and herder socio-cultural associations, expressed different public positions on the Open Grazing Prohibition Law. On the one side, the MACBAN expressed its willingness to obey the law, but requested that the implementation date be shifted to allow sufficient time for sensitization of herders on alternatives to open grazing. On

the other hand, the Miyetti Allah Kautal Hore openly opposed the law and threatened to prevent its implementation on the grounds that it contradicted the constitutional provision for freedom of movement. The group viewed the law as discriminatory and counterproductive to peaceful coexistence of the herders with the other citizens and called it obnoxious and a recipe for anarchy (Agande, 2017; Kwaja & Bukola, 2017).

Finally, according to the Miyetti Allah's secretary, Saleh Alhassan- anti-grazing laws are nothing but populist agenda designed by visionless and desperate politicians to destroy their means of livelihood. The laws are oppressive and negative and are fundamentally against their culture as Fulani pastoralists (Bukola, 2017)

Hypothesis two:

The implementation of the anti-open grazing policy in Benue State heightened the conflict between Herdsmen and Farmers.

Since the enforcement of the anti-open grazing law began in November 2017, the frequency of attacks, destruction of lives and properties increased geometrically. According to Cable Network News (CNN), a mass burial was held on Thursday the 4th day of January, 2018 for the 73 people

killed in clashes between the Herdsmen and Farmers on 1st and 2nd of January, 2018. In the words of the erstwhile Governor of Benue State - Samuel Ortom, "the clashes occurred following the enforcement of the anti-grazing law. They (Herdsmen) threatened to wipe out the whole state if we did not repeal the law and allow their cattle to graze wherever they like. They said, cows are more precious than human beings". Governor Ortom who fought back tears as he spoke, said killer herdsmen had continued to rain terror on the people of the State despite efforts by his government to stem the tide (Nwokpara & Okoli, 2015).

On the 7th of March, 2018, no fewer than 29 persons were massacred by herdsmen in a bloody attack on Omusu village, at Ojigo Ward, Edumoga in Okpokwu Local Government Area of the State. Several persons got injured and many others missed, the entire community deserted, several houses, huts and food barns were set ablaze by the marauding herdsmen (Bukola, 2017).

On the 24th of April 2018, the Fulani herdsmen invaded St. Ignatius Catholic Church, Ayar, Gwer East L G A during morning mass and killed 2 priests (Rev. Frs. Joseph Gor and Felix Tyolaha) and 17 worshipers and left scores with injuries (Joseph, 2017).

On the 26th of April, 2018, the herdsmen invaded the Africa Church, Mbamondo Ukemberagya Logo Local Government Area of Benue State and killed 7 persons who were taking refuge in the church after being displaced by the raging herdsmen crisis in the area.

The attack came despite the outcry and condemnation that trailed the killing of two Catholic Priests and 17 worshippers at St

Ignatius Catholic Church in Gwer East Local Government Area of the State. The victims who were mostly women and children were all killed in their sleep, many sustained injuries, others missed and the killings had become a recurrent decimal in the State since the January 2018 attacks (Bukola, 2017). The table below captures it better.

Table 2.1

Rate of herdsmen attack in Benue State. since the implementation of the policy

Senatorial District	Reported cases of attack	Percentage
Benue North-East	25	43%
Benue-South	12	21%
Benue North-West	21	36%
Total	58	100%

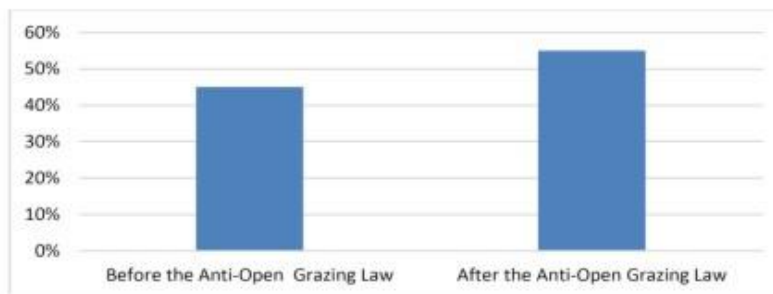
Source: Field Survey (2018).

According to Amnesty International, “clashes between herdsmen and farmers claimed at least 168 lives in January 2018 alone in the states of Benue, Adamawa, Taraba, Ondo, and Kaduna. Hundreds of people lost their lives in the preceding years and the government is still not doing enough to protect communities from these violent clashes. Worse still, the perpetrators went scot-free”.

The chart below shows the degree of herdsmen attack in Benue State before and after the passage of the anti-open grazing bill.

Figure 3.1

Degree of herdsmen attack in Benue State before and after the passage of the anti-open grazing bill



Source: Field Survey (2018).

Hypothesis three

There are varieties of implications of the policy for Farmers-Herders relations in Benue State.

According to *Kwaja, and Bukola (2017)*, there are various implications that the continued implementation of the anti-open grazing law may have on farmers-herders relations in Benue and the Middle Belt, especially if similar legislation is enacted in neighbouring states.

a. Economic Implications: the prohibition of open grazing had already led to a significant exodus of livestock owners, particularly herders from the state. As the number of livestock leaving the state rises,

the prices of livestock, and cattle in particular might increase or will continue to increase. For owners of livestock that do decide to ranch their livestock, there are significant economic hurdles to overcome, including the economic capital needed to acquire land for a ranch, pay the necessary leasing fees, put the necessary structures in place, and run it as a profitable and sustainable enterprise. This financial capital might be beyond the economic means for most livestock owners. (Kwaja, and Bukola, 2017).

b. Identity Implications: from an identity standpoint, the Law prohibits open grazing, which almost exclusively is done by Fulani herders, and places stringent conditions on non-indigenes to apply for ranching leases.

The discrepancy in terms of how the law applies to indigenes and non-indigenes heightened the perception that the Law is discriminatory to herders/persons that are not indigenous to Benue State (See section 19 (4) of the Benue anti-open grazing Law). Media responses to the law stoked this perception, utilising incendiary and ethno-religiously based rhetoric with strong potential to fuel already high levels of tensions between the two parties. Attacks and displacements had already been occurring in Benue that escalated the culture of fear and vengeance, with high potential for violence along identity lines (Charles, 2017 & Joseph, 2017).

c. Socio-Cultural Implications: the transition from open grazing to ranching necessitated a shift in world view for the herding community away from their traditional social relations and lifestyle. Some herders, particularly Fulani herders, see open grazing as part of their culture and heritage dating back to antiquity and want it to remain a part of their day-to-day lives. Migration is utilized as a coping strategy in combating climate variability, which enables them to move in search of water, pasture and to escape seasonal diseases. In previous attempts to entice herders to ranching, the Federal Government instituted nomadic education initiatives to socialize sedentary cattle rearing, but lack

of progress, largely due to inadequate funding by the governments at all levels, limited the herders' ability to fully accept and integrate into a ranching or sedentary livelihood on a large scale. The Benue State Government did not develop incentive structures to entice herders into ranching or nor provided the veterinary and feed distribution facilities needed to help herders' transition from open grazing to running a ranch (Bagu, and Katie, 2017).

d. Legal Implications: the legal implications of the Open Grazing Prohibition Law are twofold – enforcement of the legal specifications and challenges to the constitutionality of the Law. Throughout November 2017, there was inconsistent enforcement of the law outside of Makurdi, the Benue State capital. The few herders that were arrested were reportedly released without charges and herders in L G As outside the capital reportedly continued to graze their cattle with little or no restriction. As the law continues in its implementation, the justice system will need to adapt and respond to the demands of implementation. The *Miyetti Allah Kautal Hore* brought one lawsuit against the Benue State Government on the grounds that it contradicted the Nigerian Constitution. It is likely that similar lawsuits would emerge in the future to challenge the validity of the

legislation (in Benue and in other States) to restrict open grazing (Bivan, 2016; Joseph, 2017).

e. Security Implications: the Benue Trough is a popular destination for both transhumant and Nigerian herders migrating within the country. As the Open Grazing Prohibition Law is implemented, it proposes that migratory access for these herders along this corridor will be denied. Movement into the Benue Trough is busiest between December and February when water recedes significantly in other grazing hubs like the Bogoro-Azare axis in Bauchi State. When enforcement of the law prevents movement of herders to the Benue Trough, there is a risk for violence especially in the short-term, if measures to prevent confrontation are not put in place. Secondly, the increasing price of cattle, from high demand coupled with out-flux of livestock from Benue, is a potential source of increased conflict and criminal activity. Skyrocketing prices for livestock over the past two decades had increased the profitability on vast stolen cattle syndicates across Nigeria and the Sahel (Odey, 2017; Jimoh, 2017).

8. Findings

As a result of the discussions above, the following findings were made:

1. The farmers-herders conflict in Benue State ensued sequel to the

invasion/destruction of farms and farmlands by Fulani herdsmen in the State and the attendant killing and rustling of their cows by farmers and hoodlums respectively, hence the reprisal attacks and passage of the open grazing prohibition and ranches establishment law by the State Assembly under the administration of Governor Samuel Ortom.

2. The implementation of the policy was ill-timed.

3. There was a strong resistance of the anti-open grazing policy by the Fulani herdsmen and this led to loss of thousands of lives and property valued at billions of naira.

4. If the policy is effectively implemented and sustained in the State, it can stop the Farmers-Herders conflict.

5. The inactions of the federal government on the issue as well as lack of adequate security personnel in the area exacerbated the crises.

6. The anti-open grazing law has grave implications/consequences for farmer-herder relations in Benue State and Nigeria in general.

7. The conflict is an encumbrance to food security in Benue State and Nigeria in general.

9. Conclusion

Conflict is an anathema, an enemy of growth and development. No meaningful

progress can be made in an atmosphere replete with violence and mutual suspicion as evident in the farmers-herders relations in Nigeria. Farmers-herders conflict has caused untold hardship and colossal loss of lives and property across the country

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