

Herdsmen – Farmers Conflicts and the Call for State Police in Nigeria

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Abstract

The paper examined the protracted herdsmen-farmers clashes in some parts of the country, especially middle belt (Plateau, Nasarawa, Benue, Kogi and Taraba) where thousands of people have lost their lives in the course of the violent confrontations. The implications of this for national cohesion and survival were highlighted. Available records and position papers presented by stakeholders suggest that massive movement of herdsmen to the south with their cattle for grazing over farmlands is the main cause of the violent clashes. It was recommended that decisive government intervention is needed to put an end to the violent clashes. Besides, there should be deliberate efforts by government to promote harmonious relations between herdsmen and farmers by bridging communication gap which breeds misunderstanding, distrust, and ethno-religious acrimony.

Keywords:

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Background to the Study

The protracted Herdsmen-farmer's violent clashes in Nigeria in recent years have attracted national and international attention and condemnation because of the danger the lingering situation poses to national survival and cohesion. Although there have always been episodes of herdsmen-farmers conflicts even during the pre-colonial period, the dimension and scope the attendant calamities have assumed in recently years, particularly from the year 2011 is, to say the least, alarming in view of its catastrophic consequences for human lives and properties, arable land, free movement of people, goods and services.

Despite efforts being made by security agencies of government and well-meaning Nigerians to put an end to the catastrophe, the orgy of violence has continued unabated as thousands of farmers and pastoralists are still being killed mostly in the middle belt, especially in the states of Benue, Nasarawa, Taraba, Plateau and even in Kaduna and Zamfara States (Archived, 2015). The reasons that are said to be responsible for the persistent herdsmen-farmers clashes in Nigeria and in most parts of the Sahel region (Ghana, Mali, Niger, Nigeria, Mauritania, Ivory Coast, and Senegal) include phenomenal increase in population which puts increasing pressure on land and water resources used by both farmers and pastoralists; the blockage of transhumance routes and encroachment on cultivable land meant for agricultural activities; mass movement of pastoralists towards the southern part which has in many instances led to violent clashes between the herdsmen and farmers in the local communities due to destruction of farm products by the cattle (Foreign Affairs, 2015). The militant herdsmen who are mostly of Hausa/Fulani extraction that are believed to be responsible for most of the killings claim that they are compelled to carry arms for self defence in the event of sudden attacks by farmers (Star, 2016).

Unfortunately, the response of government to the imbroglio is only *ad hoc*, half-hearted and ineffective, thereby allowing the violent attacks to continue unabated. This is the situation that has prompted the popular agitation by well-meaning Nigerians for creation of state police as a necessary option for containing the ugly situation.

The Problem

As highlighted earlier in the paper, the genesis, persistence, and consequences of the herdsmen-farmer's conflicts are multidimensional and far-reaching. Among these is uncontrolled population growth which has led to enormous pressure on grazing lands and farm lands in a country of about 192 million people. The relatively low rainfall in the far North and the concomitant impact of desertification as well as energy crisis which is causing deforestation as a result of massive cutting of trees for firewood are pushing many pastoralists to migrate southward in search of water and green grass for their herds. The resistance of farmers to indiscriminate encroachment on, and the destruction of, their farm lands and crops by herdsmen in the course of searching for grazing lands for their herds has often triggered violent clashes between the two sides resulting in the loss of lives of many innocent people in the local communities (Thandiubani, 2016). This has continued to fuel animosity and insecurity of lives and properties in the affected areas.

Similarly, the absence of grazing reserves which would provide the opportunity for practicing a limited form of pastoralism and animal husbandry is partly responsible for open grazing and unrestricted movement of herders resulting in constant conflicts between the herders and farmers. Grazing reserves are areas of land demarcated, designated and reserved for exclusive or semi-exclusive use by pastoralists. This is the common practice in other countries such as India, Pakistan, Canada and the US, where pastoral nomadism has been modernized and violent clashes between herdsman and farmers forestalled or reduced to the barest minimum. By the provisions of the 1965 Grazing Reserve law, Nigeria has a total of 417 grazing reserves across the country out of which only 113 have been gazetted. However, the enforcement of the grazing reserve law by both successive federal and state governments has been lackadaisical. This has created room for open grazing with all its catastrophic consequences.

There was a renewed attempt in 2016 by the National Assembly to pass a bill for an Act to establish Grazing Reserve in each of the states of the federation to improve agricultural yield from livestock farming and at the same time curb incessant conflicts between cattle farmers and crop farmers in Nigeria. But the bill was defeated following an argument that the bill if passed into law, would favour mainly the herdsman to the exclusion of non-herdsman. In any case, the Act would have been an affront to Section 41(1) of the 1999 Constitution of the Federal Republic of Nigeria which states that:

Every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit there from.

Arising from the above problem is the lack of a comprehensive policy framework for livestock production in Nigeria. Some of the legal instruments that had been established in the past to help regulate pastoralism and livestock production have been left dormant for decades. For example, the Northern Grazing Reserve law has not been updated and enforced, the Land Use Act of 1978 seems not to be working, and the ECOWAS Transhumance protocol is blatantly abused by pastoralists and migrants generally. The fact is that sectorial and piecemeal approach to dealing with problems associated with pastoralism cannot provide enduring solution to the herdsman-farmers conflicts. The anti-open grazing laws that have been passed or being processed by such states as Benue, Ekiti, Taraba and Edo will not suffice because there are likely to be flouted by the herdsman.

In addition, the stereotyping of the herders and farmers as perpetrators and victims respectively by the media only fuels ember of religious and ethnic sentiments, more so as most of the herdsman are Muslims of Hausa/Fulani stock, while the farmers are mostly Christians. This breeds suspicion and distrust, ethnic and religious bigotry which in turn often sparks violent clashes between the two sides of the divide (http, Sahara reporters, 2018).

The Call for State Police and Communal Policing

The Nigerian Police Force and the other security forces as presently constituted cannot effectively meet the expectations of the citizenry with their current strength, equipment holdings and absence of modern crime fighting capabilities (Gbajabiamila, 2018).

The above grim scenario painted by the leader of the House of Representatives of the 8th National Assembly, Hon. Femi Gbajabiamila, speaks volume about the urgent need to create state police in the country. Gbajabiamila in 2018 demonstrated his conviction about the need for state police by sponsoring a bill to that effect in that year on the floor of the House of Representatives. This bill which has passed second reading in the House, and has also been read on the floor of senate is being processed for passage by the National Assembly.

Arguments for Creation of State Police

Calls for creation of state police have been loud and clear, persistent and unambiguous, cutting across all sections of the society – politicians, the intelligentsia, community leaders, and members of the business community. The clamour for state police is, among other things, contingent on the need to decentralize the police force to cohere with the devolution principle which is one of the characteristics of the federal system anywhere in the world. This is an established practice in all other federal states in the world, be it Canada, Switzerland, or the USA (Travils, 2008) where in each case there are several police jurisdictions and personnel located in every strategic location in the country. In Nigeria, the Police Force as presently constituted is pursuant to Section 214 of the 1999 Constitution (as amended) which provides that the Inspector General of Police who is an appointee of the President is the Chief Security Officer of the Federation. Under the constitution, state governors are the Chief Security Officers of their respective states, but their directives to their state Commissioners of Police can only be carried out with the express permission of the Inspector General of Police (Peel, 2018).

Interestingly, the current Vice-President of the Federation Yemi Osinbajo, has lent his voice to the clarion call for state police, arguing that the exigencies of providing effective policing throughout the whole length and breadth of the country necessitate the creation of state police to, among other things, complement the role of the Federal Police Force. The National Economic Council (NEC) whose meetings are presided over by the Vice-President has also queued behind the Vice President in calling for state police in recognition of the fact that as the first line of defence for the common man, the Police Force should be expanded and restructured to spread its tentacles to all parts of the federation (Robert, 2017). Furthermore, the proponents believe that the creation of state police will provide gainful employment for thousands of youths who are daily roaming the streets and sometimes engaging themselves in social vices. Thus, according to the proponents absorbing the jobless youths in state police will be a big relief to government, the youths and their parents, and the entire society. All of this points to the fact that there has been a groundswell of public opinion in favour of state police in the country.

Among the political gladiators of the country calling for state police is the current Deputy president of the 8th Assembly, Distinguished Ike Ekweremadu (2018), who contends that the protection of lives and properties as well as promoting the welfare of the people all of which constitute the primary responsibility of government can only be fully guaranteed with an institutionalized state police which will take the act of policing to the doorsteps of the helpless people in the local communities.

In the same vein, even the top echelon of the Federal Police Force has alluded to the fact that the present police architecture in the country is over centralized (George and Wyloff), and that in addition to having state police, creating an enabling environment for community policing to also exist will go a long way in dealing with the immediate security needs of the local communities that are far away from the seat of government where there is heavy presence of police personnel. The rationale for encouraging community policing is that the outfit will be composed mostly of young men who are conversant with the local culture, language and security needs of the neighbourhood (Robert, 1994). For example, the critical role vigilante groups have been playing across the country in checking the excesses of local criminality and banditry is a clear testimony to the fact that community policing adds impetus to the protection of lives and properties of the rural dwellers (Bonnie, 1999). The quest for community policing underscores the fact that, in the words of the federal government of Nigeria, "security is every body's business".

On the whole, the overwhelming support for state police and community policing is palpable and unequivocal. State police will make the Police Force to be an all-inclusive body that will be more responsive to the security needs of the people. There can be no gainsaying the fact that state police will enhance the operational efficiency of the central Police Force. It will also mitigate the much talked about police brutality allegedly being perpetrated by the men of the central Police Force. Local disturbances, violent communal clashes, and the aggressive tendencies of militant groups, such as the herdsmen, can be swiftly responded to by state police on the order of state governors without waiting for the usually delayed directives from the Inspector General of Police in Abuja.

Similarly, kidnappings and armed robberies that have become very rampant across the country can be substantially curbed with the collaborative efforts of state police. The efforts of the Nigerian military to end the menace of Boko Haram, and the looming threat to peace and security in the North by another religious sect known as Shi'ites will more easily yield the desired result with the cooperation of State Police.

Arguments against the Creation of State Police

Much as the low and mighty of the Nigerian society are canvassing for state police, there have also been dissenting voices of people who are warning that the creation of state police will make it difficult for government to fund an enlarged Police Force in the face of the dwindling financial resources in the country. Among the vociferous critics of state police is Mustapha Yahaya (2018) who has characterized the whole essence of the envisioned state police as counter-productive and ludicrous, saying that it is a ploy by our governors to push the country into a *cul-de-sac*.

Generally, the critics are of the view that what is needed for the Police Force as presently constituted is equip it with necessary fighting and surveillance equipments and gadgets (helicopters, tracking devices, sophisticated weapons, etc) to enable it fight crimes and other social vices with incisive professional skill and maximum efficiency.

The critics argue further that state governors are likely to hijack state police and use it as a terrorist group against their real and imagined political enemies. This would mean that both APC and PDP state governors, for example, can use the state police in their respective areas of jurisdictions to orchestrate all manner of electoral malpractices, including ballot snatching and ballot stuffing in favour of themselves and their political associates contesting for elective positions, thereby engineering manipulation and falsification of results in their domains. According to the critics, intimidation, unwarranted arrests and illegal detentions based on malicious accusations by state governors and their cohorts will reign supreme in the land with the backing of State Police.

Conclusion

Reflecting on the balance sheet of the contending issues involved in herdsmen-farmers clashes, and the arguments for and against the creation of state police, as laid bare in the paper, the logical conclusions that flow from the whole gamut of the analysis here are intriguing. First, government's interventions in the herdsmen-farmers deadly clashes have so far been half-hearted and ineffectual. This explains why the killings of innocent people in the middle belt and in other parts of the country have continued unabated. Besides, the killings and reprisal attacks have been given ethno-religious colouration, itself a real threat to national security, unity and a sense of common identity and destiny.

On the creation of state police, the arguments of the proponents are strong and unassailable and can therefore not be dismissed with a wave of the hand. But the journey that may take us there will be long and excruciating since it will require an amendment of Section 214 of the 1999 Constitution (as amended). Since the constitution is rigid and therefore difficult to amend, it means that immense pressure will have to be brought to bear on the National Assembly to effect the needed constitution amendment that will pave way for the creation of State Police. Since the bill for an Act to create state police has passed through second reading in the House of Representatives, there is a ray of hope that the idea will one day become a reality. But relentless efforts must be made to sensitive the generality of the Nigerian people, especially the critics of the agitation, on the need for the project to be pursued and accomplished, and to also embark on consensus building so that everybody will be carried along in the build up to the project. The fear of the critics should be allayed by establishing an institutional mechanism that will check reckless abuse of the well intentioned state police by state governors and other top government functionaries who may for selfish reason want to use the state police to the detriment of the interest of the vulnerable sections of the society.

Recommendations

In the light of the issues raised and discussed in the paper, the following recommendations are pertinent:

1. **Grazing Reserve Law**

Rather than the usual regional and piecemeal legislative approach in dealing with the problem of herdsmen-farmers clashes, an all-inclusive legal instrument that will be mutually beneficial to both sides can produce the needed panacea for the

incessant clashes. To this end, a grazing law should be promulgated to as a matter of urgency begin to regulate pastoralism across the country.

2. **Enhancing Pastoral-Farmer Relations**

Deliberate efforts should be made by government to promote herdsmen-farmers' relations by, for example, bridging communication gap between the herdsmen and farmers in order to promote cordial relations between them as is the case in other countries where there are also herdsmen, such as Chad, Ethiopia, Niger. This will create atmosphere intimacy, mutual understanding and trust, and a sense of oneness and harmonious relations between the herdsmen and farmers.

3. **Policing the Borders**

The North eastern axis of the country which is the abode of Boko Haram insurgents should be placed under constant surveillance by government agencies in order to put an end to arms trafficking from Libya and other neighbouring countries to both the insurgents and the arms bearing herdsmen who are dagger-drawn with farmers in the middle belt.

4. **Creation of Ranches**

Ranching should be encouraged, especially in areas where there are low population densities, as a way of limiting pastoral nomadism with all the problems associated with it. The Sambisa Game Reserve in Borno State, and the GidanJaja Grazing Reserve in Zamfara each of which accommodates a wide variety of livestock is a pointer to the fact that ranching of a good number of cattle can help to reduce the mass movement of pastoralists southward during dry season, thereby reducing to the barest minimum the incidence of violent clashes between herdsmen and farmers.

5. **Digital Tracking of Cattle**

Digital tracking of cattle involves inserting microchips in the animal skin and then tracking them with mobile phones to know their movements and locations. This will greatly reduce the incidence of cattle rustling and herdsmen-farmer's clashes. The tracking system has already been launched with significant success by Kaduna State government.

6. **Sensitization of People**

The cream of the society advocating for State Police should through rigorous sensitization galvanize the support of members of the National Assembly and the presidency towards making the dream a reality. An enabling environment should be created for community policing to flourish to complement the efforts of the central Police Force in providing peace and security in all parts of the country.

7. **State Police as a gateway to true federalism**

The agitation and push for state police should be extended to the persistent clamour for restructuring the entire federation. If this is pursued to its logical conclusion, the much trumpeted true federalism can be achieved to the relief of the sections of the country that have been yearning for it.

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