

The Implications of Fulani herdsmen and farmers Clashes in Nigeria: A Case Study of Iseyin Community in Oyo State

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Abstract

The Fulani herdsmen and farmers' clashes in Nigeria, particularly in Iseyin Local Government Area of Oyo State, have caused significant disruptions. This study aims to investigate the Criminalities and Implications of Fulani Herdsmen and Farmers Clashes on Criminal Justices System in Nigeria. The population under study includes residents of Iseyin city, encompassing Fulani herdsmen, farmers, police officers, prison officials, and lawyers. A sample size of 400 respondents was determined using the Taro Yamale method. Questionnaires were the primary data collection tool, and Descriptive Statistical Analysis was employed, including percentages, frequency tables, and arithmetic mean calculations. Multiple regression analysis was used to test the study's hypotheses. The results indicate a significant relationship between Fulani herdsmen attacks and farmers' crises in Iseyin, leading to the rejection of hypothesis. Furthermore, there is a significant relationship between the level of awareness among Iseyin residents and Fulani herdsmen and farmers' clashes, rejecting hypothesis. However, there is no significant effect of Fulani herdsmen and farmers' clashes on the criminal justice system in Nigeria, as hypothesis was rejected. To mitigate Fulani herdsmen and farmers' clashes in Iseyin, improved communication through understanding different languages, awareness of climate change, and mutual accommodation could reduce conflicts and enhance farming experiences. The ongoing clashes have deterred Iseyin residents from farming due to safety concerns. The Oyo state government can enact by-laws to establish ranches, define grazing lands, and designate grazing routes. Civil actions against Fulani herdsmen can also be pursued to deter recurrent attacks.

Keywords: Herdsmen Farmers' Clashes, Criminalities, Criminal Justices System

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1. INTRODUCTION

Land in Nigeria as it obtains throughout Africa, is a primary resource for survival and a major source of income and livelihood for the rural population. Land is not only a source of livelihood and valuable economic asset but also carries spiritual values with it. Therefore, access to landed resources is not merely a matter of productive use of the ecological environment; it involves power and symbolic relations¹. Due to increased population pressure, environmental conditions and diversification of the rural land use patterns in Nigeria, adequate access to pasture and water for livestock has diminished thus prompting herdsmen to migrate to the north central, southern and western part of the country. The squeezing out of herdsmen from their traditional grazing lands has spurred the tension and conflicts with farming communities in the last decades.

Land, crops, livestock, water resources and vegetal resources play key role in the development, maintenance as well as sustainability and projection of the socio-economic strength of a society². Hence, resource ownership and its utilization have resulted in to conflicts involving man since time immemorial. As earlier stated, of all the aforementioned resources, land has remained an overwhelming source of conflict among various user groups as well as individuals. In other words, conflicts between farmers and herdsmen over the control of land that leads to diverse attack is becoming fierce and increasingly widespread in Nigeria largely due to the intensification of production activities that are necessitated by the entrenchment of capitalist relations coupled with an increasing human population³. Farmers are indigenous members of the community where they reside, and are found in almost all the rural settings where they cultivate mostly at a subsistent level. Herdsmen, on the other hand, are people who rear livestock and are mostly of the Fulani extraction. The particular group in this study is the transhumant category and not the sedentary type. This is because, the sedentary ones have little record of clashes with their host communities compared to the transhumant category that graze livestock and shifts from one location to another where they can get feeds for their animals.

The vast geographical area of Nigeria has placed farmers in a situation to live with the Fulani herdsmen particularly during the dry season. More so, the Fulani herdsmen still practice the free range system; they move from one place to another in search of pasture and water. This development usually forces them to migrate from the North to the South Valleys, particularly Oyo State, where both pasture and water resources can be found. As a result, this has increased the competition for land between the Fulani herdsmen and farmers resulting in the existing clashes and economic friction among the two groups in the state. .

However, this conflicts between farmers and herdsmen emanated as a result of the increase in population of both the farmers and the herdsmen. This was sequel to the increase in the

need for more farmland. Other causes of the conflict include: change in climate condition leading to drought and desert encroachment; improvement in technology that brought about irrigation; the need to cultivate and produce more of the cash crops newly introduced. Conflict between farmers and herdsmen is also reinforced by the farmers' habit of extending the boundary of their farms to livestock route and the herdsmen's habit of allowing cattle to veer into the farmers' farm to eat their plants and drop their dung either on the farm or on the pedestal route ¹⁰. Take for example, the farmers-herdsmen conflict in Riyom Plateau State; Agatu in Benue State, Nimbo in Enugu State and the alleged kidnapping of Chief OluFalae (who is a farmer), by suspected herdsmen in Ondo State, this pose new twist to the incidents of farmers-herdsmen conflicts which affirm the fact that farmers-herdsmen conflict is assuming a national integration threatening dimension in Nigeria ⁴.

Nevertheless, the recent farmers-herdsmen attacks in Oke-Ogun area of Oyo State, pose threat to the peaceful co-existence of the different ethnic nationalities in Nigeria. Thus, Nigeria seems to continue to struggle with upholding its laws amid myriad criminality that seem beyond the power of the Criminal Justice System to solve. The principal actors in the Nigeria Criminal Justice System charged with the responsibility of maintaining one aspect of the law or the other including: the Economic and Financial Crime Commission (EFCC), the Federal Road Safety Commission (FRSC), the Police, the judges, the prisons and so on are often said to be enmeshed in ineptitude, corruption, and injustice. However, this study focuses on the criminalities of fulani herdsmen and farmers clashes and its implications on criminal justices system in Nigeria.

Based on the foregoing, this paper examines the criminalities and implications of Fulani herdsmen and farmers clashes on criminal justices system in Nigeria using Iseyin Community in Oyo State as Case Study.

2. CONCEPTUAL REVIEW

2.1 *The Fulani People of Nigeria: A Brief History*

According to historical accounts, the Fulani people constitute a distinct ethnic group in Nigeria and are found in several other African countries, including The Gambia, Mali, Sierra Leone, Benin, Burkina Faso, Cameroon, Côte d'Ivoire (Ivory Coast), Niger, Togo, the Central African Republic, Ghana, Liberia, and The Sudan. In general, they are minorities in the countries they are found. In terms of language, they speak Fule. ⁵ It should be noted that the popular name Fulani is a corruption of the local name of the people which is 'Fula' (also spelt Foulah or Fulah). Etymologically, the name Fulani was partly borrowed from Hausa language and from Mandingo language. ⁵

In modern times the Fulani people may be categorized into two groups, namely, (1) the nomadic/cattle-rearing Fulanis (the Bororoje); and (2) the sedentary/urbanized Fulanis (the Gida). Of these two groups, however, the nomadic/cattle rearing or mobile Fulani are closer to the traditional way of life of the Fulani people than the sedentary Fulani who now dwell in cities and engage more in agriculture, trade and politics than in the traditional Fulani nomadic lifestyle⁶.

There are different versions of the origin of the Fulani people and this seems to vary from country to country where they are found. The Fulani people first entered Hausa-land in present day Nigeria in the 15th century and settled in established Hausa city-states such as Kano, Katsina and Zaria; some of them as Islamic clerics. This continued in the 16th and 17th centuries with new arrivals that settled and intermingled with local Hausa people. Through the process of time, most of the nomads became acculturated and increasingly sedentary⁷.

The urban culture of the Hausa was attractive to many Fulani. These Town or Settled Fulani became clerics, teachers, settlers, and judges—and in many other ways filled elite positions within the Hausa states. Soon they adopted the Hausa language, many forgetting their own Fulfulde language. Although Hausa customs exerted an influence on the Town Fulani, they did not lose touch with the Cattle or Bush Fulani⁷.

It should be noted that this development was to lay foundation for future spread and political domination of the Fulani people in Nigeria. Also 99% of Fulani people are Muslims. In fact, it can be said that a cultural or religious identity of Fulani people is Islam. As time proceeded in the 18th and 19th centuries, the Fulani people began to resent being ruled by their host Kings who were regarded as infidels (imperfect Muslims). In 1804, that resentment snowballed into jihad (religious or so-called holy war) launched and led by a Fulani cleric, Usman Dan Fodio, to overthrow the Hausa Kings. The jihad was successful, as most Hausa states were conquered and a new powerful state called Sokoto Caliphate established. To this day the Caliphate exists as the centre of Islamic leadership in Nigeria under an Emir/Caliph. Anter rightly notes that the ties between the nomadic/cattle rearing Fulani (also called pastoral Fulani) and the sedentary/urban Fulani became helpful during the 19th century jihad when the latter joined the jihad. In his words, ‘they tied their grievances to those of their pastoral relatives. The cattle Fulani resented what they considered to be an unfair cattle tax, one levied by imperfect Muslims⁸’.

In contemporary times, the Fulani people resent and oppose the anti-grazing laws enacted in Benue State, Taraba State, Plateau State, and some other States in Nigeria to check the frequent clashes between farmers and Fulani herdsmen. As the International Crisis Group (ICG) argues, some of the attacks and mass killings in recent years are traceable to this resentment.

In the political arena, the Fulani people of Nigeria occupy high political offices since the time of their victory in the 19th century jihad. Before the formation of Nigeria, the Caliph of the

Sokoto Caliphate was the highest religious and political leader of the Hausa/Fulani Kingdoms. This pre-eminent leadership position continued after the formation of Nigeria and up to the present day, with Fulani people occupying the highest political office of the land and several other high-ranking political offices. Specifically, at independence on 1 October 1960 Alhaji Tafawa Balewa (a Fulani man) became the first Prime Minister of Nigeria and served till 15 January 1966 when he was killed in a military coup. In more recent years, it is noteworthy that President Umaru Musa Yar'Adua (2007-2010) was a Fulani man, and the sitting President of Nigeria, Mohammad Buhari, is also a Fulani man⁹.

To conclude, there are indications to suggest that there is an alliance between the nomadic/cattle rearing Fulanis (herdsmen) and the urban/sedentary Fulanis who control the coercive force of government in the ongoing recurrent killings by the herdsmen. Firstly, President Buhari (urban/sedentary Fulani man) owns cattle which are herded by the herdsmen and he is a patron of *Miyetti Allah* (an association of Fulani herdsmen). Secondly, President Buhari is manifestly unwilling to take any decisive security action against the impunity, massive and recurrent killings of innocent Nigerians perpetrated by Fulani herdsmen. Thirdly, he is unwilling to declare Fulani herdsmen as a terrorist group and rejects any suggestion that Fulani herdsmen attacks are a continuation of the Fulani 19th century jihad. Notably, apart from President Buhari's support, similar support for the Fulani herdsmen abound among other urban/sedentary Fulani people in high political positions and other high offices in Nigeria. Finally, the alliance can also be seen in the fact that the Fulani herdsmen are known to use sophisticated weapons—such as AK47 assault rifles and other weapons of violence and mass destruction—in the various attacks, which they cannot possibly acquire personally given their lack of education and nomadic lifestyle except someone (most likely their sedentary Fulani brothers) helped them to acquire and trained them on the use¹⁰.

Importantly, notwithstanding denials by President Buhari, the Sultan of Sokoto, and some other Muslims historical statement by a Fulani man – Alhaji Ahmadu Bello, who was the Sarduna of Sokoto and Premier of the Northern Region of Nigeria –coupled with recent declarations of the leadership of *Miyetti Allah* as noted above, arguably supports the proposition that the Fulani herdsmen are currently engaged in jihad. In the 1962 historical statement, Ahmadu Bello said: 'When the time comes I will mobilize the people of the region [Northern Nigeria/Muslims/Fulani people] so that they can play their full part in this all-important task which might be likened to a jihad... A jihad is war waged for some sacred interest to protect the faith, life, property, liberty and self-respect [interest]' ¹¹. Having regards to recurrent mass killings by Fulani herdsmen and the tacit support of President Buhari and other influential and powerful Fulani people, it may be that for the Fulani successors of Ahmadu Bello the time may have come

to mobilize Fulani herdsmen and other Muslims for jihad¹². In any case, having regards to the foregoing background one needs to consider the possible legal implications of recurrent mass killings in Nigeria by Fulani herdsmen¹³.

2.2 5 Some Recorded Incidents of Mass Killings by Fulani Herdsmen in Nigeria

Isolated incidents of mass killings by Boko Haram are still occurring in Nigeria, especially in the north-eastern states of Nigeria. However, as already noted, the most worrisome, nation-wide and recurrent source of mass killings in Nigeria in recent years is the violent campaign of armed/militant Fulani herdsmen¹⁴. This point was well-made by Gadzama, a former Director-General of State Security Service, thus:

Attacks by herdsmen without doubt have become the most potent threat to national security in the last couple of years. What makes the attacks by herdsmen very disturbing are, the frequency, the level of destruction and sheer brutality. The development in almost all cases is characterized by high casualty rate and massive displacement of communities. One can say with certainty that never has the country experienced this level of destruction and social dislocation. What however is so disturbing with the development is how the attacks in almost all cases took place under the eyes of security agencies.

Similarly, in a report published on 26 July 2018 the International Crisis Group (ICG) notes that the Fulani herdsmen have killed more people in recent times than Boko Haram. In its words: The conflict between herders and farmers in Nigeria, centred in the Middle Belt [also known as north central states, consisting of Benue, Kwara, Kogi, Niger, Nasarawa, and Plateau States and the Federal Capital Territory Abuja] but spreading southward has escalated sharply. Since September 2017, at least 1,500 people have been killed, over 1,300 of them from January to June 2018, roughly six times the number of civilians killed by Boko Haram over the same period. The first half of 2018 has seen more than 100 incidents of violence and more fatalities than any previous six-month period since the conflict started worsening in 2014. The surge of violence is concentrated in Plateau, Benue and Nasarawa states in the North Central geopolitical zone and in the adjoining Adamawa and Taraba States in the North-East zone. [In the North-West zone, Zamfara State is also a major victim of the violence]¹⁵.

For purposes of this study, it is sufficient to outline some incidents and criminality offences of mass killing perpetrated by the Fulani herdsmen in order to illustrate the gory picture of the problem. Noteworthy, the killings are mostly targeted at people of non-Fulani ethnic group and Christians. In May 2013 Over 200 herdsmen surrounded Ekwo-Okpanchenyi, Agatu LGA of Benue State and killed 40 indigenes. Also in July 2013 20 people were killed in a clash between Tiv farmers and Fulani herdsmen at Nzorov, Guma local government area of Benue state. In July 2013 Fulani herdsmen invade 2 villages in Agatu local government area of Benue State and killed

8 villagers¹⁶. They claimed this to be in retaliation for the killing of 112 cows. By January 2014 In Gbajimsba, Guma local government area of Benue State, Fulani herdsmen killed 25 persons and injured over 50, using sophisticated weapons. In March 2014 Fulani herdsmen attacked 4 villages in Agatu local government area of Benue State; killed 19 persons and abducted 15 others.

January 2015 17 persons killed in attacks by Fulani herdsmen on Abugbe, Okoklo, Ogwule and Ocholoyan in Agatu local government area of Benue State. In January 2015 Over 100 attackers stormed 5 villages in Logo local government area of Benue State, killing 9 persons in the attack. March 2015 Egba village in Agatu local government area of Benue State was sacked by herdsmen and over 90 local people, including women and children, were killed. April 2015 28 persons were killed by Fulani herdsmen in attack on 3 villages at Mbadwem, Guma local government area of Benue State; additionally, houses and farmlands were razed. May 2015 Ikoyawen community in Turan Kwande local government area of Benue State invaded by Fulani herdsmen; 5 persons were killed and 8 others wounded. May 2015 100 persons were killed in an attack by Fulani herdsmen in villages and refugee camps at Ukura, Gafa, Per and Tse-Gusa, Logo local government area of Benue State¹⁷.

July 2015 1 person was killed and several others injured following an attack on mourners in Imande Bebeshi in Kwande local government area of Benue State. November 2015 12 persons were killed and 25 others injured in Buruku local government area of Benue State following an attack by Fulani herdsmen. February 2016 10 persons were killed and over 300 persons displaced in clash between herdsmen and farmers at Tor-Anyiin and Tor-Ataan in Buruku local government area of Benue State. 24 February 2016 Over 500 locals were killed and 7000 displaced in an attack on Agatu local government area of Benue State by Fulani herdsmen. Moreover, over 7 villages were razed during the attack. February 2016 11 persons were killed in Edugbeho Agatu local government area of Benue State, including a police inspector. March 2016 Houses burnt in Agatu local government area of Benue State¹⁸.

March 2016 8 residents killed by Fulani herdsmen in attacks on Ngorukgan, Tse Chia, Deghkia and Nhumbe in Logo local government area of Benue State. 10 March 2016.. Two persons were killed in attack on Obagaji Agatu local government area of Benue State. 13 March 2016 6 people were killed by Fulani herdsmen in an attack on Tarka local government area of Benue State. 24 January 2017 15 persons were killed by rampaging Fulani herdsmen, who attacked farmers in Ipiga village in Ohimini local government area of Benue State. 2 March 2017 About 10 persons were killed in a renewed hostility between Fulani herdsmen and farmers in Mbahimin community, Gwer-East local government area of Benue State¹⁹. 8 May 2017 Three persons were confirmed killed by Fulani herdsmen in Tse-Akaa village, Ugondo Mbamar District of Logo local government area of Benue State. 11 March 2017 7 persons were killed when Fulani

herdsmen attacked a Tiv community, Mkgovur village, in Buruku local government area of Benue State. 13 May 2017 Less than one week after many persons were killed by Fulani herdsmen in three communities of Logo local government area of Benue State, armed Fulani herdsmen struck again on 13 May 2017 killing eight more people. 24 December 2017 A farmer identified simply as Atuanya was killed by Fulani herdsmen in Anaku in Ayamelum local government area of Anambra State.. 8 March 2018 Armed Fulani herdsmen killed five persons in Miango District of Plateau State and another six in Ganda Village in Bokkos local government area of Plateau State¹⁹.

12 March 2018 Fulani terrorists killed 25 persons, including three children and two women in Dundu Village of Kwall District in Bassa local government area of Plateau State. An injured girl later died in the hospital. This incident occurred about 7pm on a day several persons who were earlier killed in Bassa local government area of Plateau State were given mass burial. 16 March 2018 5 persons, including a University undergraduate, were killed about 7.30pm by Fulani herdsmen who attacked Ugboha, Esan South-East local government area and Odiguite Ovia North-East local government area of Edo State. Besides the dead, 12 persons sustained various injuries during the attack²⁰.

14-15 April 2018 Suspected Fulani herdsmen killed 32 persons of Tiv ethnic group in various communities in Nasarawa State. 18 April 2018 Fulani herdsmen killed four persons while they were collecting sand for construction at Jebbu-Miango Village, Bassa local government area of Plateau State, but were repelled by troops while they were moving to attack Taraba State on the same day. 2 May 2018 Fifteen persons were killed and four communities completely burnt down by Fulani herdsmen who attacked Numan local government area of Adamawa State²⁰.

23 June 2018 Over 150 persons were killed in the night and within 48 hours in about 5 villages of Gashish District of Barkin-Ladi local government area of Plateau State. 9 July 2018 Herdsmen attacked communities in Rabah local government area of Sokoto State, killing over 30 persons. 2 October 2018 At least 14 persons were killed by Fulani herdsmen in the night of Tuesday 2 October 2018 in an attack in Jol village, Rivom local government area of Plateau State. 3 October 2018 19 persons were confirmed killed in yet another fresh attack by Fulani herdsmen on 3 October 2018 in Ariri village of Bassa local government area of Plateau State²¹.

In fact, one of the key electoral promises of President Buhari was ending Nigeria. However, few months to the end of his 4-year tenure insecurity in Nigeria is increasing instead of ending. The reality is that Boko Haram insurgency has not ended and Fulani herdsmen attacks have escalated under his watch. Also the administration by President Bola Ahmed Tinubu also promised to stop insecurity in which as taking a new dimension and become a household business. The people of Nigeria are currently insecure and have no peace.

2.3 *Perceived Causes of Fulani Herdsmen Criminal Activities*

Various Scholars have tried to explain the reasons, genesis and causes propelling farmer-Fulani herdsmen conflict cum violent crimes across the country^{22,23, 24,24} found in their studies that poor resource governance was a key cause in the conflict between farmers and Fulani herdsmen. They also found that “the role of government has not been very encouraging” in tackling the problem. This poor resource governance for them is a grave “threat to both natural resources and human security” and also “detrimental to rural livelihood, food security and social co-existence”. This problem is exacerbated further when there is no institution to contain or control the situation²⁵. It is important to understand that the Fulani herdsmen “hardly request any permission to move or stay around any community, and are thus regarded as invaders by the host communities”²⁶. This on its own is an affront on the authority of the host community and enough to generate serious conflict, if not carefully handled. It is no gainsaying that the Fulani herdsmen use their cows to chase people away from their farms and thereafter take possession.

The cause to contamination of rivers by cattle, spraying of farms with pesticide and insecticides which the Fulani herdsmen see as an action which is done to prevent them from grazing and also to kill their cows through water poisoning. They also identified raping of women, burning of bushes especially grass area, communication barrier, cultivation of crops along cattle routes, cattle rustling and killing as other factors responsible for farmer-Fulani herdsmen conflict^{27,28}. The reasons are very plausible but insufficient to explain the level of violent crimes committed against host communities. It does not explain the relationship between raping of women and use of grazing land. It does not explain the rights of Fulani herdsmen to determine when or not farmers should burn their farm or bush. Every citizen has a place of birth, inheritance and possession; and when you migrate to another area, you do not use force to demand for a portion of land to build your house or keep your animals. You do not rape their wives or kidnap their children to ask for land space. You do not burn Churches or destroy communities to seek permission to use another man’s land. You do not walk in the dark of the night to attack and kill your host in the name of asking for his land to breed your cows.

Naturally, those who operate under the cover and protection of the night are evil men who engage in acts of wickedness and destruction of lives. They are common criminals and should be treated as such instead of glorifying and glamorizing their heinous crimes. These are criminal activities that are punishable under the laws of our land but nobody has ever discussed about this in like manner or even seen their criminal activity as a security threat to national development and peace. Government only sees their criminal activity as mere conflict of interests instead of viewing it as an act, chargeable and punishable under the laws of the land.

Violent conflict between farmer and Fulani herdsmen had be attributed to environmental factors,

climate change and exploitation of scarce resources. They believe that global climate change and desertification has reduced green grass areas thereby compelling pastoralists to move southward in search of pastures for their cattle. In addition, capitalist tendency in acquiring land for farming has also reduced the land space available for cattle grazing^{29,30}. This is worsened by government indiscriminate allocation of grazing lands for government layouts or reserve areas without alternative provision of grazing lands for pastoralists. The cause may also be attributed to redistribution of land resources which are the moment some persons are using violent and criminal means to acquire.

3. THEORITICAL FRAME-WORK

The study adopted the modernization theory. The modernization theory is a good testing ground to address land use clashes between the Fulani herdsmen and local farmers, because from the colonialists' point of view, the traditional land use and tenure systems practices among the Fulani herdsmen and local farmers were considered primitive, unproductive and needed to be transformed and "modernized". It is from this perspective that colonial and post-colonial governments introduced a number of interventions including resettlement programs, destocking, new land tenure systems and land policies, strengthened by the present state governments in the form of the open grazing law, which in turn has triggered incessant bloody clashes between Fulani herdsmen and local farmers. The modernization theory as attributed to anti-colonial campaign on land alienation favors the settlement, re-settlement and open grazing of Fulani herdsmen on any land as well as the attendant impacts.

3. METHODOLOGY

The Descriptive Survey Design is used to carry out the study. Population for this study are the people living in Iseyin city which also comprises of Fulani herdsmen, farmers, police officers, prison officials and lawyers in Iseyin city of Oyo state. The Fulani herdsmen, farmers, police officers, prison officials and lawyers are those accessible for this research. From the data base of United Nation with re-estimation in 2011 which was confirmed that the population of Iseyin a city in Oyo is 302,990¹. The Iseyin people, Fulani herdsmen, farmers, police officers, prison officials and lawyers to be selected will be chosen from the three districts Ado-Awaye, Iseyin and Osogun because the clashes affect all the districts in Iseyin Local government.

The population of the study is 302,990 while Taro Yamane formula was used to determine the sample size as shown below¹:

$$S = N / 1 + N(e)^2$$

Where S= the sample size

N= Population of the study

e = error margin

$$S = 302,990 / \sqrt{1 + 302,990(0.05)^2}$$

$$S = 400$$

The method of data collection is both primary and secondary sources. The primary sources employed the use of questionnaires. The questionnaires were personally administered to the people in their various districts and locations. An explanation was given to them on what they are expected to do and collection of data made on the spot to avert loss of questionnaires since most respondents are itinerant.

4. DATA ANALYSIS AND PRESENTATION

The Fulani headsmen and farmers clashes in Iseyin local government area has no effect on the Criminal Justice System in Nigeria.

Table 1: Chi Square summary on statement regarding the significant effect of Fulani herdsmen and farmers clashes on criminal justices system in Nigeria

Items	Response					
	SA	A	U	D	SD	Total
There is significant effect of Fulani herdsmen and farmers clashes on criminal justices system in Nigeria						
F	100	104	58	43	25	330
%	30.4	31.4	17.7	13.1	7.4	100.0
Chi Square	X²	152.110				
	df	3				
	p	< .05				

It was observed that 61.8% of the respondents confirmed that there is significant effect of Fulani herdsmen and farmers' clashes on criminal justices system in Nigeria, 20.5% felt otherwise while 17.7% are indecisive. The X² value of 152.110, df of 3 revealed a p value that was less than 0.05 level of significant. This implied that the observed variation in responses were valid for conclusion. It could therefore be summated that there is significant effect of Fulani herdsmen and farmers' clashes on Criminal Justices System in Nigeria. This negates the formulated hypothesis 4 and it was rejected.

There are no criminalities in the Fulani herdsmen and farmers clashes in Iseyin Local

government area in Oyo state**Table 2: Chi Square summary on asserting criminalities between Fulani herdsmen and farmers during clashes in Iseyin Local government area in Oyo state**

Items	Response					
	SA	A	U	D	SD	Total
There are no criminalities between Fulani herdsmen and farmers during clashes in Iseyin Local government area in Oyo state						
F	84	74	80	52	40	330
%	25.4	22.6	24.3	15.8	12.0	100.0
Chi Square	X²	148.204				
	df	3				
	p	< .05				

It was observed that 48.0% of the respondents confirmed that there are criminalities between Fulani herdsmen and farmers' during clashes in Iseyin Local government area in Oyo state, 27.8% felt disagree while 24.3% are indecisive. The X^2 value of 148.204, df of 3 revealed a p value that was less than 0.05 level of significant. This implied that the observed variation in responses were valid for conclusion. It could therefore be assumed that there are criminalities between Fulani herdsmen and farmers' during clashes in Iseyin Local government area in Oyo state. This negates the formulated hypothesis 3 and it was rejected.

Based on the research question two which inquired on the level of criminalities as a result of Fulani herdsmen and farmers clashes in Iseyin Local government area in Oyo state, the findings of the study revealed that farms are invaded by Fulani herdsmen. During these invasion rape cases, kidnapping, killing and burning of churches and houses of farmers, threat to take ownership of the community by the Fulani herdsmen in Iseyin Local government area in Oyo state. In line with this contribution Oluwole and Nathaniel (2015), assert that the criminal activities of Fulani herdsmen include violent acts which most cases have no direct bearing to their illegal occupation of land for grazing but solely for criminal purposes such as armed robbery, murder, looting, kidnapping, kidnap for ransom, rape, arson, destruction of communities and Churches. These criminal acts are subsumed under the guise of land struggle for cow grazing. However, no government security agency in Nigeria has taken punitive action aimed at apprehending, investigating and prosecuting these criminals.

Finally, based on the implications of Fulani herdsmen and farmers clashes as it affects Criminal Justices System in Nigeria, the findings of the study revealed that criminal procedure of the Criminal Justice System has not been altered till this day. They are not deficient in necessary policies and legislation, so they can facilitates fair trial of suspects, the society institutions of

social control in the community has been effective, they have been responsive in discharging their duties. In line with this, Onimajesin (2009), asserts that design of each country's Criminal Justice System should reflect its social and cultural orientation as an instrument of social control that situate within the cultural milieu in which it operates. An effective Criminal Justice policy regime requires every society to create its own institutions of social control that reflects popular societal mores and values. Criminal law legislation should holistically mirror government's policies as it relate to the control of conducts that threaten law and order in a territory.

6. CONCLUSION AND RECOMMENDATIONS

Based on the findings of the study, it can be concluded that the causes of Fulani herdsmen and farmers' clashes in Iseyin could be averted if the people would understand each other's language other than their mother tongue for easy communication. Also, clashes would be minimal if they understand climate change and be accommodating which may result to a better farming experience for both farmers and Fulani herdsmen. The Iseyin people as a result of the clashes in the community prefer to stay away from farming to be safe from being killed. Criminalities during these incessant clashes between the Fulani herdsmen and farmers include invading of farms, rapping, kidnapping, and burning of properties perpetrated by the herdsmen. Also, effect of Fulani herdsmen and farmers' clashes on criminal justice system in Nigeria has strengthened the arms of the system to support the steps flagged up to curb the clashes. Lastly, it was concluded that there is no implication of Fulani herdsmen and farmers clashes on effectiveness of the criminal justice system in Nigeria.

5.3 Recommendations

Based on the findings of the study, the following recommendations are made:

1. Federal government should adopt both short-term and long-term measures towards tackling the incessant farmers and Fulani herdsmen crisis.
2. Federal government should discharge her primary constitutional responsibility to the people by arresting and prosecuting the Fulani herdsmen who perpetrate the attacks for the various possible crimes.
3. Federal government should take the lead and ensure that grazing laws are enacted for the entire country.
4. Federal government should develop the legal structure and framework for restorative justice, to complement the extant criminal justice system in Nigeria and encourage farmers and herdsmen to bring their misgivings to the constituted authority.

5. Federal government should adopt critical policy decision (s) in collaboration with all the states of the federation and criminal justice system that could end the recurrent killings and other criminalities.
6. The criminal justice system should ensure to put in undiluted efforts in discharging their duties and ensure the enforcement of law and punishment giving by the government
7. The Oyo state government can also make complementary by-laws. These laws should clearly provide for ranches and define grazing lands, and should mark out grazing routes across the state and country.
8. The Oyo states government should follow possible civil actions against the Fulani herdsmen because it would help to curb the recurrent Fulani herdsmen attacks.

2. INTRODUCTION

Land in Nigeria as it obtains throughout Africa, is a primary resource for survival and a major source of income and livelihood for the rural population. Land is not only a source of livelihood and valuable economic asset but also carries spiritual values with it. Therefore, access to landed resources is not merely a matter of productive use of the ecological environment; it involves power and symbolic relations¹. Due to increased population pressure, environmental conditions and diversification of the rural land use patterns in Nigeria, adequate access to pasture and water for livestock has diminished thus prompting herdsmen to migrate to the north central, southern and western part of the country. The squeezing out of herdsmen from their traditional grazing lands has spurred the tension and conflicts with farming communities in the last decades.

Land, crops, livestock, water resources and vegetal resources play key role in the development, maintenance as well as sustainability and projection of the socio-economic strength of a society². Hence, resource ownership and its utilization have resulted in to conflicts involving man since time immemorial. As earlier stated, of all the aforementioned resources, land has remained an overwhelming source of conflict among various user groups as well as individuals. In other words, conflicts between farmers and herdsmen over the control of land that leads to diverse attack is becoming fierce and increasingly widespread in Nigeria largely due to the intensification of production activities that are necessitated by the entrenchment of capitalist relations coupled with an increasing human population³. Farmers are indigenous members of the community where they reside, and are found in almost all the rural settings where they cultivate

mostly at a subsistent level. Herdsmen, on the other hand, are people who rear livestock and are mostly of the Fulani extraction. The particular group in this study is the transhumant category and not the sedentary type. This is because, the sedentary ones have little record of clashes with their host communities compared to the transhumant category that graze livestock and shifts from one location to another where they can get feeds for their animals.

The vast geographical area of Nigeria has placed farmers in a situation to live with the Fulani herdsmen particularly during the dry season. More so, the Fulani herdsmen still practice the free range system; they move from one place to another in search of pasture and water. This development usually forces them to migrate from the North to the South Valleys, particularly Oyo State, where both pasture and water resources can be found. As a result, this has increased the competition for land between the Fulani herdsmen and farmers resulting in the existing clashes and economic friction among the two groups in the state. .

However, this conflicts between farmers and herdsmen emanated as a result of the increase in population of both the farmers and the herdsmen. This was sequel to the increase in the need for more farmland. Other causes of the conflict include: change in climate condition leading to drought and dessert encroachment; improvement in technology that brought about irrigation; the need to cultivate and produce more of the cash crops newly introduced. Conflict between farmers and herdsmen is also reinforced by the farmers' habit of extending the boundary of their farms to livestock route and the herdsmen's habit of allowing cattle to veer into the farmers' farm to eat their plants and drop their dung either on the farm or on the pedestal route ¹⁰. Take for example, the farmers-herdsmen conflict in Riyom Plateau State; Agatu in Benue State, Nimbo in Enugu State and the alleged kidnapping of Chief OluFalae (who is a farmer), by suspected herdsmen in Ondo State, this pose new twist to the incidents of farmers-herdsmen conflicts which affirm the fact that farmers-herdsmen conflict is assuming a national integration threatening dimension in Nigeria ⁴.

Nevertheless, the recent farmers-herdsmen attacks in Oke-Ogun area of Oyo State, pose threat to the peaceful co-existence of the different ethnic nationalities in Nigeria. Thus, Nigeria seems to continue to struggle with upholding its laws amid myriad criminality that seem beyond the power of the Criminal Justice System to solve. The principal actors in the Nigeria Criminal Justice System charged with the responsibility of maintaining one aspect of the law or the other including: the Economic and Financial Crime Commission (EFCC), the Federal Road Safety Commission (FRSC), the Police, the judges, the prisons and so on are often said to be enmeshed in ineptitude, corruption, and injustice. However, this study focuses on the criminalities of fulani herdsmen and farmers clashes and its implications on criminal justices system in Nigeria.

Based on the foregoing, this paper examines the criminalities and implications of Fulani

herdsmen and farmers clashes on criminal justices system in Nigeria using Iseyin Community in Oyo State as Case Study.

2. CONCEPTUAL REVIEW

2.1 *The Fulani People of Nigeria: A Brief History*

According to historical accounts, the Fulani people constitute a distinct ethnic group in Nigeria and are found in several other African countries, including The Gambia, Mali, Sierra Leone, Benin, Burkina Faso, Cameroon, Côte d'Ivoire (Ivory Coast), Niger, Togo, the Central African Republic, Ghana, Liberia, and The Sudan. In general, they are minorities in the countries they are found. In terms of language, they speak Fule.⁵ It should be noted that the popular name Fulani is a corruption of the local name of the people which is 'Fula' (also spelt Foulah or Fulah). Etymologically, the name Fulani was partly borrowed from Hausa language and from Mandingo language.⁵

In modern times the Fulani people may be categorized into two groups, namely, (1) the nomadic/cattle-rearing Fulanis (the Bororoje); and (2) the sedentary/urbanized Fulanis (the Gida). Of these two groups, however, the nomadic/cattle rearing or mobile Fulani are closer to the traditional way of life of the Fulani people than the sedentary Fulani who now dwell in cities and engage more in agriculture, trade and politics than in the traditional Fulani nomadic lifestyle⁶.

There are different versions of the origin of the Fulani people and this seems to vary from country to country where they are found. The Fulani people first entered Hausa-land in present day Nigeria in the 15th century and settled in established Hausa city-states such as Kano, Katsina and Zaria; some of them as Islamic clerics. This continued in the 16th and 17th centuries with new arrivals that settled and intermingled with local Hausa people. Through the process of time, most of the nomads became acculturated and increasingly sedentary⁷.

The urban culture of the Hausa was attractive to many Fulani. These Town or Settled Fulani became clerics, teachers, settlers, and judges—and in many other ways filled elite positions within the Hausa states. Soon they adopted the Hausa language, many forgetting their own Fulfulde language. Although Hausa customs exerted an influence on the Town Fulani, they did not lose touch with the Cattle or Bush Fulani⁷.

It should be noted that this development was to lay foundation for future spread and political domination of the Fulani people in Nigeria. Also 99% of Fulani people are Muslims. In fact, it can be said that a cultural or religious identity of Fulani people is Islam. As time proceeded in the 18th and 19th centuries, the Fulani people began to resent being ruled by their host Kings who were regarded as infidels (imperfect Muslims). In 1804, that resentment snowballed into jihad (religious or so-called holy war) launched and led by a Fulani cleric, Usman Dan Fodio, to

overthrow the Hausa Kings. The jihad was successful, as most Hausa states were conquered and a new powerful state called Sokoto Caliphate established. To this day the Caliphate exists as the centre of Islamic leadership in Nigeria under an Emir/Caliph. Anter rightly notes that the ties between the nomadic/cattle rearing Fulani (also called pastoral Fulani) and the sedentary/urban Fulani became helpful during the 19th century jihad when the latter joined the jihad. In his words, ‘they tied their grievances to those of their pastoral relatives. The cattle Fulani resented what they considered to be an unfair cattle tax, one levied by imperfect Muslims⁸’.

In contemporary times, the Fulani people resent and oppose the anti-grazing laws enacted in Benue State, Taraba State, Plateau State, and some other States in Nigeria to check the frequent clashes between farmers and Fulani herdsmen. As the International Crisis Group (ICG) argues, some of the attacks and mass killings in recent years are traceable to this resentment.

In the political arena, the Fulani people of Nigeria occupy high political offices since the time of their victory in the 19th century jihad. Before the formation of Nigeria, the Caliph of the Sokoto Caliphate was the highest religious and political leader of the Hausa/Fulani Kingdoms. This pre-eminent leadership position continued after the formation of Nigeria and up to the present day, with Fulani people occupying the highest political office of the land and several other high-ranking political offices. Specifically, at independence on 1 October 1960 Alhaji Tafawa Balewa (a Fulani man) became the first Prime Minister of Nigeria and served till 15 January 1966 when he was killed in a military coup. In more recent years, it is noteworthy that President Umaru Musa Yar'Adua (2007-2010) was a Fulani man, and the sitting President of Nigeria, Mohammad Buhari, is also a Fulani man⁹.

To conclude, there are indications to suggest that there is an alliance between the nomadic/cattle rearing Fulanis (herdsmen) and the urban/sedentary Fulanis who control the coercive force of government in the ongoing recurrent killings by the herdsmen. Firstly, President Buhari (urban/sedentary Fulani man) owns cattle which are herded by the herdsmen and he is a patron of *Miyetti Allah* (an association of Fulani herdsmen). Secondly, President Buhari is manifestly unwilling to take any decisive security action against the impunity, massive and recurrent killings of innocent Nigerians perpetrated by Fulani herdsmen. Thirdly, he is unwilling to declare Fulani herdsmen as a terrorist group and rejects any suggestion that Fulani herdsmen attacks are a continuation of the Fulani 19th century jihad. Notably, apart from President Buhari's support, similar support for the Fulani herdsmen abound among other urban/sedentary Fulani people in high political positions and other high offices in Nigeria. Finally, the alliance can also be seen in the fact that the Fulani herdsmen are known to use sophisticated weapons—such as AK47 assault rifles and other weapons of violence and mass destruction—in the various attacks, which they cannot possibly acquire personally given their lack of education and nomadic lifestyle except

someone (most likely their sedentary Fulani brothers) helped them to acquire and trained them on the use¹⁰.

Importantly, notwithstanding denials by President Buhari, the Sultan of Sokoto, and some other Muslims historical statement by a Fulani man – Alhaji Ahmadu Bello, who was the Sarduna of Sokoto and Premier of the Northern Region of Nigeria –coupled with recent declarations of the leadership of *Miyetti Allah* as noted above, arguably supports the proposition that the Fulani herdsmen are currently engaged in jihad. In the 1962 historical statement, Ahmadu Bello said: ‘When the time comes I will mobilize the people of the region [Northern Nigeria/Muslims/Fulani people] so that they can play their full part in this all-important task which might be likened to a jihad... A jihad is war waged for some sacred interest to protect the faith, life, property, liberty and self-respect [interest]’¹¹. Having regards to recurrent mass killings by Fulani herdsmen and the tacit support of President Buhari and other influential and powerful Fulani people, it may be that for the Fulani successors of Ahmadu Bello the time may have come to mobilize Fulani herdsmen and other Muslims for jihad¹². In any case, having regards to the foregoing background one needs to consider the possible legal implications of recurrent mass killings in Nigeria by Fulani herdsmen¹³.

2.2 5 Some Recorded Incidents of Mass Killings by Fulani Herdsmen in Nigeria

Isolated incidents of mass killings by Boko Haram are still occurring in Nigeria, especially in the north-eastern states of Nigeria. However, as already noted, the most worrisome, nation-wide and recurrent source of mass killings in Nigeria in recent years is the violent campaign of armed/militant Fulani herdsmen¹⁴. This point was well-made by Gadzama, a former Director-General of State Security Service, thus:

Attacks by herdsmen without doubt have become the most potent threat to national security in the last couple of years. What makes the attacks by herdsmen very disturbing are, the frequency, the level of destruction and sheer brutality. The development in almost all cases is characterized by high casualty rate and massive displacement of communities. One can say with certainty that never has the country experienced this level of destruction and social dislocation. What however is so disturbing with the development is how the attacks in almost all cases took place under the eyes of security agencies.

Similarly, in a report published on 26 July 2018 the International Crisis Group (ICG) notes that the Fulani herdsmen have killed more people in recent times than Boko Haram. In its words: The conflict between herders and farmers in Nigeria, centred in the Middle Belt [also known as north central states, consisting of Benue, Kwara, Kogi, Niger, Nasarawa, and Plateau States and the Federal Capital Territory Abuja] but spreading southward has escalated sharply. Since September 2017, at least 1,500 people have been killed, over 1,300 of them from January to June

2018, roughly six times the number of civilians killed by Boko Haram over the same period. The first half of 2018 has seen more than 100 incidents of violence and more fatalities than any previous six-month period since the conflict started worsening in 2014. The surge of violence is concentrated in Plateau, Benue and Nasarawa states in the North Central geopolitical zone and in the adjoining Adamawa and Taraba States in the North-East zone. [In the North-West zone, Zamfara State is also a major victim of the violence]¹⁵.

For purposes of this study, it is sufficient to outline some incidents and criminality offences of mass killing perpetrated by the Fulani herdsmen in order to illustrate the gory picture of the problem. Noteworthy, the killings are mostly targeted at people of non-Fulani ethnic group and Christians. In May 2013 Over 200 herdsmen surrounded Ekwo-Okpanchenyi, Agatu LGA of Benue State and killed 40 indigenes. Also in July 2013 20 people were killed in a clash between Tiv farmers and Fulani herdsmen at Nzorov, Guma local government area of Benue state. In July 2013 Fulani herdsmen invade 2 villages in Agatu local government area of Benue State and killed 8 villagers¹⁶. They claimed this to be in retaliation for the killing of 112 cows. By January 2014 In Gbajimsba, Guma local government are of Benue State, Fulani herdsmen killed 25 persons and injured over 50, using sophisticated weapons. In March 2014 Fulani herdsmen attacked 4 villages in Agatu local government area of Benue State; killed 19 persons and abducted 15 others.

January 2015 17 persons killed in attacks by Fulani herdsmen on Abugbe, Okoklo, Ogwule and Ocholoyan in Agatu local government area of Benue State. In January 2015 Over 100 attackers stormed 5 villages in Logo local government area of Benue State, killing 9 persons in the attack. March 2015 Egba village in Agatu local government area of Benue State was sacked by herdsmen and over 90 local people, including women and children, were killed. April 2015 28 persons were killed by Fulani herdsmen in attack on 3 villages at Mbadwem, Guma local government area of Benue State; additionally, houses and farmlands were razed. May 2015 Ikoyawen community in Turan Kwande local government area of Benue State invaded by Fulani herdsmen; 5 persons were killed and 8 others wounded. May 2015 100 persons were killed in an attack by Fulani herdsmen in villages and refugee camps at Ukura, Gafa, Per and Tse-Gusa, Logo local government area of Benue State¹⁷.

July 2015 1 person was killed and several others injured following an attack on mourners in Imande Bebeshi in Kwande local government area of Benue State. November 2015 12 persons were killed and 25 others injured in Buruku local government area of Benue State following an attack by Fulani herdsmen. February 2016 10 persons were killed and over 300 persons displaced in clash between herdsmen and farmers at Tor-Anyiin and Tor-Ataan in Buruku local government area of Benue State. 24 February 2016 Over 500 locals were killed and 7000 displaced in an attack on Agatu local government area of Benue State by Fulani herdsmen. Moreover, over 7 villages

were razed during the attack. February 2016 11 persons were killed in Edugbeho Agatu local government area of Benue State, including a police inspector. March 2016 Houses burnt in Agatu local government area of Benue State¹⁸.

March 2016 8 residents killed by Fulani herdsmen in attacks on Ngorukgan, Tse Chia, Deghkia and Nhumbe in Logo local government area of Benue State. 10 March 2016.. Two persons were killed in attack on Obagaji Agatu local government area of Benue State. 13 March 2016 6 people were killed by Fulani herdsmen in an attack on Tarka local government area of Benue State. 24 January 2017 15 persons were killed by rampaging Fulani herdsmen, who attacked farmers in Ipiga village in Ohimini local government area of Benue State. 2 March 2017 About 10 persons were killed in a renewed hostility between Fulani herdsmen and farmers in Mbahimin community, Gwer-East local government area of Benue State¹⁹. 8 May 2017 Three persons were confirmed killed by Fulani herdsmen in Tse-Akaa village, Ugondo Mbamar District of Logo local government area of Benue State. 11 March 2017 7 persons were killed when Fulani herdsmen attacked a Tiv community, Mkgovur village, in Buruku local government area of Benue State. 13 May 2017 Less than one week after many persons were killed by Fulani herdsmen in three communities of Logo local government area of Benue State, armed Fulani herdsmen struck again on 13 May 2017 killing eight more people. 24 December 2017 A farmer identified simply as Atuanya was killed by Fulani herdsmen in Anaku in Ayamelum local government area of Anambra State.. 8 March 2018 Armed Fulani herdsmen killed five persons in Miango District of Plateau State and another six in Ganda Village in Bokkos local government area of Plateau State¹⁹.

12 March 2018 Fulani terrorists killed 25 persons, including three children and two women in Dundu Village of Kwall District in Bassa local government area of Plateau State. An injured girl later died in the hospital. This incident occurred about 7pm on a day several persons who were earlier killed in Bassa local government area of Plateau State were given mass burial. 16 March 2018 5 persons, including a University undergraduate, were killed about 7.30pm by Fulani herdsmen who attacked Ugboha, Esan South-East local government area and Odiguete Ovia North-East local government area of Edo State. Besides the dead, 12 persons sustained various injuries during the attack²⁰.

14-15 April 2018 Suspected Fulani herdsmen killed 32 persons of Tiv ethnic group in various communities in Nasarawa State. 18 April 2018 Fulani herdsmen killed four persons while they were collecting sand for construction at Jebbu-Miango Village, Bassa local government area of Plateau State, but were repelled by troops while they were moving to attack Taraba State on the same day. 2 May 2018 Fifteen persons were killed and four communities completely burnt down by Fulani herdsmen who attacked Numan local government area of Adamawa State²⁰.

23 June 2018 Over 150 persons were killed in the night and within 48 hours in about 5 villages of Gashish District of Barkin-Ladi local government area of Plateau State. 9 July 2018 Herdsmen attacked communities in Rabah local government area of Sokoto State, killing over 30 persons. 2 October 2018 At least 14 persons were killed by Fulani herdsmen in the night of Tuesday 2 October 2018 in an attack in Jol village, Rivom local government area of Plateau State. 3 October 2018 19 persons were confirmed killed in yet another fresh attack by Fulani herdsmen on 3 October 2018 in Ariri village of Bassa local government area of Plateau State²¹.

In fact, one of the key electoral promises of President Buhari was ending Nigeria. However, few months to the end of his 4-year tenure insecurity in Nigeria is increasing instead of ending. The reality is that Boko Haram insurgency has not ended and Fulani herdsmen attacks have escalated under his watch. Also the administration by President Bola Ahmed Tinubu also promised to stop insecurity in which as taking a new dimension and become a household business. The people of Nigeria are currently insecure and have no peace.

2.3 Perceived Causes of Fulani Herdsmen Criminal Activities

Various Scholars have tried to explain the reasons, genesis and causes propelling farmer-Fulani herdsmen conflict cum violent crimes across the country^{22,23, 24, 24} found in their studies that poor resource governance was a key cause in the conflict between farmers and Fulani herdsmen. They also found that “the role of government has not been very encouraging” in tackling the problem. This poor resource governance for them is a grave “threat to both natural resources and human security” and also “detrimental to rural livelihood, food security and social co-existence”. This problem is exacerbated further when there is no institution to contain or control the situation²⁵. It is important to understand that the Fulani herdsmen “hardly request any permission to move or stay around any community, and are thus regarded as invaders by the host communities”²⁶. This on its own is an affront on the authority of the host community and enough to generate serious conflict, if not carefully handled. It is no gainsaying that the Fulani herdsmen use their cows to chase people away from their farms and thereafter take possession.

The cause to contamination of rivers by cattle, spraying of farms with pesticide and insecticides which the Fulani herdsmen see as an action which is done to prevent them from grazing and also to kill their cows through water poisoning. They also identified raping of women, burning of bushes especially grass area, communication barrier, cultivation of crops along cattle routes, cattle rustling and killing as other factors responsible for farmer-Fulani herdsmen conflict^{27,28}. The reasons are very plausible but insufficient to explain the level of violent crimes committed against host communities. It does not explain the relationship between raping of women and use of grazing land. It does not explain the rights of Fulani herdsmen to determine when or not farmers should burn their farm or bush. Every citizen has a place of birth, inheritance

and possession; and when you migrate to another area, you do not use force to demand for a portion of land to build your house or keep your animals. You do not rape their wives or kidnap their children to ask for land space. You do not burn Churches or destroy communities to seek permission to use another man's land. You do not walk in the dark of the night to attack and kill your host in the name of asking for his land to breed your cows.

Naturally, those who operate under the cover and protection of the night are evil men who engage in acts of wickedness and destruction of lives. They are common criminals and should be treated as such instead of glorifying and glamorizing their heinous crimes. These are criminal activities that are punishable under the laws of our land but nobody has ever discussed about this in like manner or even seen their criminal activity as a security threat to national development and peace. Government only sees their criminal activity as mere conflict of interests instead of viewing it as an act, chargeable and punishable under the laws of the land.

Violent conflict between farmer and Fulani herdsmen had be attributed to environmental factors, climate change and exploitation of scarce resources. They believe that global climate change and desertification has reduced green grass areas thereby compelling pastoralists to move southward in search of pastures for their cattle. In addition, capitalist tendency in acquiring land for farming has also reduced the land space available for cattle grazing^{29,30}. This is worsened by government indiscriminate allocation of grazing lands for government layouts or reserve areas without alternative provision of grazing lands for pastoralists. The cause may also be attributed to redistribution of land resources which are the moment some persons are using violent and criminal means to acquire.

3. THEORITICAL FRAME-WORK

The study adopted the modernization theory. The modernization theory is a good testing ground to address land use clashes between the Fulani herdsmen and local farmers, because from the colonialists' point of view, the traditional land use and tenure systems practices among the Fulani herdsmen and local farmers were considered primitive, unproductive and needed to be transformed and "modernized". It is from this perspective that colonial and post-colonial governments introduced a number of interventions including resettlement programs, destocking, new land tenure systems and land policies, strengthened by the present state governments in the form of the open grazing law, which in turn has triggered incessant bloody clashes between Fulani herdsmen and local farmers. The modernization theory as attributed to anti-colonial campaign on land alienation favors the settlement, re-settlement and open grazing of Fulani herdsmen on any land as well as the attendant impacts.

3. METHODOLOGY

The Descriptive Survey Design is used to carry out the study. Population for this study are the people living in Iseyin city which also comprises of Fulani herdsmen, farmers, police officers, prison officials and lawyers in Iseyin city of Oyo state. The Fulani herdsmen, farmers, police officers, prison officials and lawyers are those accessible for this research. From the data base of United Nation with re-estimation in 2011 which was confirmed that the population of Iseyin a city in Oyo is 302,990¹. The Iseyin people, Fulani herdsmen, farmers, police officers, prison officials and lawyers to be selected will be chosen from the three districts Ado-Awaye, Iseyin and Osogun because the clashes affect all the districts in Iseyin Local government.

The population of the study is 302,990 while Taro Yamane formula was used to determine the sample size as shown below¹:

$$S = N /_{1+N(e)^2}$$

Where S= the sample size

N= Population of the study

e = error margin

$$S = 302,990 /_{1+302,990(0.05)^2}$$

$$S = 400$$

The method of data collection is both primary and secondary sources. The primary sources employed the use of questionnaires. The questionnaires were personally administered to the people in their various districts and locations. An explanation was given to them on what they are expected to do and collection of data made on the spot to avert loss of questionnaires since most respondents are itinerant.

4. DATA ANALYSIS AND PRESENTATION

The Fulani headsmen and farmers clashes in Iseyin local government area has no effect on the Criminal Justice System in Nigeria.

Table 1: Chi Square summary on statement regarding the significant effect of Fulani herdsmen and farmers clashes on criminal justices system in Nigeria

Items	Response					Total
	SA	A	U	D	SD	

There is significant effect of Fulani herdsmen and farmers clashes on criminal justices system in Nigeria

F	100	104	58	43	25	330
%	30.4	31.4	17.7	13.1	7.4	100.0
Chi Square	X²	152.110				
	df	3				
	p	< .05				

It was observed that 61.8% of the respondents confirmed that there is significant effect of Fulani herdsmen and farmers' clashes on criminal justices system in Nigeria, 20.5% felt otherwise while 17.7% are indecisive. The X² value of 152.110, df of 3 revealed a p value that was less than 0.05 level of significant. This implied that the observed variation in responses were valid for conclusion. It could therefore be summated that there is significant effect of Fulani herdsmen and farmers' clashes on Criminal Justices System in Nigeria. This negates the formulated hypothesis 4 and it was rejected.

There are no criminalities in the Fulani herdsmen and farmers clashes in Iseyin Local government area in Oyo state

Table 2: Chi Square summary on asserting criminalities between Fulani herdsmen and farmers during clashes in Iseyin Local government area in Oyo state

Items	Response				
	SA	A	U	D	SD
	Total				

There are no criminalities between Fulani herdsmen and farmers during clashes in Iseyin Local government area in Oyo state

F	84	74	80	52	40	330
%	25.4	22.6	24.3	15.8	12.0	100.0

Chi Square	X²	148.204
df	3	
p	< .05	

It was observed that 48.0% of the respondents confirmed that there are criminalities between Fulani herdsmen and farmers' during clashes in Iseyin Local government area in Oyo state, 27.8% felt disagree while 24.3% are indecisive. The X² value of 148.204, df of 3 revealed a p value that was less than 0.05 level of significant. This implied that the observed variation in responses were valid for conclusion. It could therefore be assumed that there are criminalities between Fulani herdsmen and farmers' during clashes in Iseyin Local government area in Oyo state. This negates the formulated hypothesis 3 and it was rejected.

Based on the research question two which inquired on the level of criminalities as a result of Fulani herdsmen and farmers clashes in Iseyin Local government area in Oyo state, the findings of the study revealed that farms are invaded by Fulani herdsmen. During these invasion rape cases, kidnapping, killing and burning of churches and houses of farmers, threat to take ownership of the community by the Fulani herdsmen in Iseyin Local government area in Oyo state. In line with this contribution Oluwole and Nathaniel (2015), assert that the criminal activities of Fulani herdsmen include violent acts which most cases have no direct bearing to their illegal occupation of land for grazing but solely for criminal purposes such as armed robbery, murder, looting, kidnapping, kidnap for ransom, rape, arson, destruction of communities and Churches. These criminal acts are subsumed under the guise of land struggle for cow grazing. However, no government security agency in Nigeria has taken punitive action aimed at apprehending, investigating and prosecuting these criminals.

Finally, based on the implications of Fulani herdsmen and farmers clashes as it affects Criminal Justices System in Nigeria, the findings of the study revealed that criminal procedure of the Criminal Justice System has not been altered till this day. They are not deficient in necessary policies and legislation, so they can facilitates fair trial of suspects, the society institutions of social control in the community has been effective, they have been responsive in discharging their duties. In line with this, Onimajesin (2009), asserts that design of each country's Criminal Justice System should reflect its social and cultural orientation as an instrument of social control that situate within the cultural milieu in which it operates. An effective Criminal Justice policy regime requires every society to create its own institutions of social control that reflects popular societal mores and values. Criminal law legislation should holistically mirror government's policies as it relate to the control of conducts that threaten law and order in a territory.

6. CONCLUSION AND RECOMMENDATIONS

Based on the findings of the study, it can be concluded that the causes of Fulani herdsmen and farmers' clashes in Iseyin could be averted if the people would understand each other's language other than their mother tongue for easy communication. Also, clashes would be minimal if they understand climate change and be accommodating which may result to a better farming experience for both farmers and Fulani herdsmen. The Iseyin people as a result of the clashes in the community prefer to stay away from farming to be safe from being killed. Criminalities during these incessant clashes between the Fulani herdsmen and farmers include invading of farms, rapping, kidnapping, and burning of properties perpetrated by the herdsmen. Also, effect of Fulani herdsmen and farmers' clashes on criminal justice system in Nigeria has strengthened the arms of the system to support the steps flagged up to curb the clashes. Lastly, it was concluded that there is no implication of Fulani herdsmen and farmers clashes on effectiveness of the criminal justice system in Nigeria.

5.3 Recommendations

Based on the findings of the study, the following recommendations are made:

9. Federal government should adopt both short-term and long-term measures towards tackling the incessant farmers and Fulani herdsmen crisis.
10. Federal government should discharge her primary constitutional responsibility to the people by arresting and prosecuting the Fulani herdsmen who perpetrate the attacks for the various possible crimes.
11. Federal government should take the lead and ensure that grazing laws are enacted for the entire country.
12. Federal government should develop the legal structure and framework for restorative justice, to complement the extant criminal justice system in Nigeria and encourage farmers and herdsmen to bring their misgivings to the constituted authority.
13. Federal government should adopt critical policy decision (s) in collaboration with all the states of the federation and criminal justice system that could end the recurrent killings and other criminalities.
14. The criminal justice system should ensure to put in undiluted efforts in discharging their duties and ensure the enforcement of law and punishment giving by the government
15. The Oyo state government can also make complementary by-laws. These laws should clearly provide for ranches and define grazing lands, and should mark out grazing routes across the state and country.
16. The Oyo states government should follow possible civil actions against the Fulani herdsmen because it would help to curb the recurrent Fulani herdsmen attacks.

References

1. Oladele, O. T. *'Knowledge and Utilization of HIV/AIDS Prevention Techniques Among Semi-Settled Pastoralists in Southwestern Nigeria'* (Doctoral Dissertation) (2018).
2. Thisdaynews.net. *"Breaking-news-farmer-herder-conflict-sparks-nigeria-stability fears"* (2018).
3. Ihemezie, E. J., Albaladejo-García, J. A., Stringer, L. C., & Dallimer, M. (2023). *Integrating Biocultural Conservation and Sociocultural Valuation in the Management of Sacred Forests: What Values Are Important to the Public?.* **People and Nature**.
4. Vambe, J. T. (2016). *Poverty, Insecurity and National Development in Nigeria: An Overview.* **Global Journal of Applied, Management and Social Sciences (GOJAMSS)**, 13, 141-149.
5. Duke, O., & Agbaji, D. D. *Fulani Herdsmen Crisis and the Socioeconomic Development of Benue State, Nigeria.* **International Journal of Scientific and Research Publications**, 10(8), 2020, 343-357.
6. OTU, A. J., & APEH, I. I. *A Critical Analysis on Regional Policing and Crime Prevention in Nigeria.* **Journal of Public Administration, Finance & Law**, 24, 2022
7. Oladapo, S. O. *Appraisal of Conflict between Herders and Farmers in Oke-Ogun Area of Oyo State, Nigeria.* **South Eastern Journal of Research and Sustainable Development (SEJRSD)**, 9(2), 2022, 16-31.
8. OTU, A. J., & APEH, I. I. **A Critical Analysis on Regional Policing and Crime Prevention in Nigeria.** *Journal of Public Administration, Finance & Law*, 24, 2022.
9. ELISHA, O. D. (2022). *Natural Resources and Environmental Security for Sustaining Peacebuilding in Nigeria.*
10. Omokeji, G. R., & Austin, A. *Human Security and the Pervading Herders-Farmers Crisis in Igangan and Igbo-Ora Communities, Oyo State.* **FUOYE Journal of Criminology and Security Studies**, 1(2), 2022.
11. Ottuh, J. A. *Towards Ethnic Liberation Theology in Nigeria: A Polemic in a New Testament Perspective.* **Cambridge Scholars Publishing**. 2019.
12. Kasa, A. G., Egharevba, M. E., & Jegede, A. E. *Self-Defence Against Fulani Herders' Aggression: A Demand for Licenced Firearms in Plateau State, Nigeria.* **Journal of Aggression, Conflict and Peace Research**, (ahead-of-print). 2023.
13. ROSENJE, M. O., ADENIYI, O. P., & PEJU-ROSENJE, T. O. (2020). **State Fragility and the Accentuation of Conflict in Nigeria: A Critical Evaluation of Herdsmen-Farmers'**
14. Asadu, N., Ogbuke, U. M., Ngwu, L., & Onyia, M. (2021). *Dangers of Herders and Farmers Conflict to National Development in Nigeria.* **ESUT Journal of Social Sciences**, 6(3).
15. Mbaeze, N. (2018). *Herders–Farmers Conflict in Nigeria: Implication for National Development.* **Godfrey Okoye University**, 1-16.

16. Ogbuleke, L. E. (2019). *The Immediate and Remote Causes of Farmer Pastoralist Conflict in Southwest Nigeria*. **Asian Journal of Basic Science & Research (AJBSR)**, 1(1), 15-23.
17. Hansen, E. (2023). *Farmer-Herder Relations, Land Governance and the National Conflict in Mali*. **The Journal of Peasant Studies**, 1-26.
18. Bassey, I. E., Effiong, E. N., & Ekwutosi, E. O. (2021). *Fulani Herdsmen/Farmers Conflict and the Challenges of Food Security in the Middle Belt Region of Nigeria*. **International Journal of Humanities and Innovation (IJHI)**, 4(3), 134-139.
19. T. Bakare. "Why Nigeria Didn't Declare Fulani Herdsmen as Terrorists – Lai Mohammed". **The Guardian**. Retrieved from <https://www.google.com/amp/s/guardian.ng/news/why-nigeria-did-not-declare-fulani-herdsmen-as-terrorists-lai-mohammed/amp> (2017).
20. O. Eyekpimi. "History of Fulani Herdsmen and Farmers Clashes in Nigeria". Retrieved from <https://infoguidenigeria.com/fulani-herdsmen-farmers-clashes/> (2016).
21. A. J. Idowu and B. T. Kunola. *Pastoralism as a New Phase of Terrorism in Nigeria*. **Global Journal of Human–Social Science: H Interdisciplinary**, 4(2017), 17, 51-54.
22. A. J. Idowu and B. T. Kunola. *Pastoralism as a New Phase of Terrorism in Nigeria*. **Global Journal of Human–Social Science: H Interdisciplinary**, 4(2017), 17, 51-54.
23. **International Crises Group**. *Herders against Farmers: Nigeria's Expanding Deadly Conflict*. Retrieved from <https://www.crisisgroup.org/africa/west-africa/nigeria/252-herders-against-farmers-nigerias-expanding-deadly-conflict> (2017).
24. O. Lawal. *Fulani Herdsmen Need Help, Not All Are Criminals* –Gov. Bagudu. Retrieved from <https://www.sunnewsonline.com/fulani-herdsmen-need-help-not-all-are-criminals-gov-bagudu/> (2018).
25. D. Mwamfupe. *Persistence of Farmer-Herder Conflicts in Tanzania*. **International Journal of Scientific and Research Publications**, 5(2), 1-8 (2015).
26. D. Mwamfupe. *Persistence of Farmer-Herder Conflicts in Tanzania*. **International Journal of Scientific and Research Publications**, 5(2), 1-8 (2015).
27. N. Nseyen. *Defense Headquarters Speaks on Soldiers Killing Herdsmen, Cows in Nasarawa*. **Daily Post**. Retrieved from <http://dailypost.ng/2018/07/03/defence-headquarters-speaks-soldiers-killing-herdsmen-cows-nasarawa/> (2018).
28. B. K. Kamilu, O. Fapojuwo, and F. Ayanda. *Conflict Resolution Strategies Among Farmers in Taraba State Nigeria*. **OIDA International Journal of Sustainable Development**, 5(1), 11-20 (2012).
29. T. H. Jacob and R. J. Tama. *Desertification is a Major Cause of Herders-Farmers Conflicts in Nigeria*. **JournalNX**, 7(03), 280-286 (2023).
30. A. U. Bello. *Herdsmen and Farmers Conflicts in North-Eastern Nigeria: Causes, Repercussions and Resolutions*. **Academic Journal of Interdisciplinary Studies**, 2(5), 129 (2013).
31. Wikipedia, *the free encyclopedia*. 2023. <https://en.wikipedia.org/wiki/Iseyin>