

African Journal of Law and Justice System (AJLJS)

ISSN 2753-3115 (Print) ISSN 2753-3123 (Online)

Indexed by SCOPUS, IBSS, EBSCO and SABINET

Volume 5, Number 1, April 2026

Pp 347-370

Balancing Livestock and Livelihoods: The Human Rights Dimensions of Anti-Grazing Laws in Nigeria

DOI: <https://doi.org/10.31920/2753-3123/2026/v5n1a19>

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Abstract

This study examines the relationship between livestock production, livelihood security, and human rights protection in Nigeria, with particular focus on anti-grazing laws enacted by several State governments. These laws emerged in

response to recurrent and violent conflicts between farmers and pastoral herders over land and water resources, which have resulted in loss of lives, displacement, destruction of farmlands, and food insecurity. While anti-grazing laws were introduced primarily as security and conflict-management measures, their implications for constitutionally protected rights and livelihoods remain contested. The study adopts a qualitative research design and relies on secondary sources, including State statutes, constitutional provisions, judicial decisions, policy documents, and relevant scholarly literature. Data were analysed using content and thematic analysis. The study is anchored on the Sustainable Livelihoods Theory and complemented by a human rights-based governance framework. The findings indicate that anti-grazing laws are not inherently unconstitutional, as they fall within State regulatory powers to protect life and public order. However, their effectiveness and legitimacy depend on proportional enforcement, inclusive implementation, inter-State coordination, and the availability of viable livelihood alternatives for pastoral communities. The study concludes that rights-sensitive and livelihood-responsive implementation is essential for sustainable conflict reduction in Nigeria.

Keywords: *Anti-grazing, Decent work, Farmers, Herders, Human rights, Economic growth, SDG8*

1.0 Introduction

The relationship between farmers and pastoral herders in Nigeria has historically been characterised by seasonal cooperation and negotiated access to land and water resources. For decades, pastoralists moved their livestock along established grazing routes, while farming communities accommodated these movements through informal arrangements. However, since the return to democratic governance in 1999, these relations have increasingly degenerated into violent confrontations across many parts of the country. The recent atmosphere of violence between the groups in Nigeria is unprecedented.⁸⁹⁵ What was once a manageable socio-economic interaction has transformed into one of Nigeria's most persistent internal security challenges.

The intensity and prevalence of the conflict between the farmers and herders have spread geographically across various ethnic nationalities in Nigeria, weakening the already fragile relations among ethnic groups.⁸⁹⁶

⁸⁹⁵ L Brottem, 'The Growing Complexity of Farmer-Herder Conflict in West and Central Africa' (Africa Center for Strategic Studies, Africa Security Brief No 39, 2021).

⁸⁹⁶ International Crisis Group, *Herders Against Farmers: Nigeria's Expanding Deadly Conflict* (Africa Report No 252, 2017).

Multiple interrelated factors have driven the escalation of farmer-herder conflict. Climate change and desertification in Northern Nigeria have reduced available grazing land, forcing pastoralists to migrate southwards in search of pasture and water.⁸⁹⁷ The herdsmen, who are mostly of Fulani origin, practice pastoral farming, which requires extensive open grazing and the rearing of livestock. At the same time, population growth, urban expansion, and the intensification of commercial agriculture have significantly reduced the amount of open land available for grazing, and herdsmen require vast amounts of land and water for their cattle.⁸⁹⁸ These developments have heightened competition over land and water resources, often leading to livestock destroying cultivated farmland and farmers retaliating against herders.

Crop produce worth over 40 million naira was lost in some Southern States the North Central due to reduced productivity in the agricultural sector and insecurity arising from the conflict.⁸⁹⁹ Nigeria has recorded one of the highest fatality rates from farmer-herder violence in West and Central Africa, with over 2,000 deaths reported in 2018 alone.⁹⁰⁰ States within the Middle Belt and North Central such as Plateau and Nasarawa have witnessed the most intense and violent confrontations between farmers and herders. This is because they host most of the international transhumance routes in West Africa and the Sahel, and consequently thousands of pastoral migrants. In the report by Amnesty International, over 6,500 persons died in the country between 2010 and 2015 due to the farmers-herders conflict. Also, an estimated number of 3,641 persons were said to have lost their lives as a result of the conflict from 2016 to 2018. Of the estimated number of deaths between 2016 and 2018, it was noted that only Benue State accounted for 20 percent of the figure.⁹⁰¹ In addition to loss of lives, the conflicts have led to mass displacement, destruction of farmlands, disruption of agricultural productivity, and

⁸⁹⁷ I Muhammed, B Ismaila and M Bibi, 'An Assessment of Farmer-Pastoralist Conflict in Nigeria Using GIS' (2015) 4(7) *International Journal of Engineering Science Invention* 23-33; A S Aliyu, *Causes and Resolution of Conflict Between Cattle Herders and Crop Farmers in Katsina State* (MSc Dissertation, Ahmadu Bello University 2015).

⁸⁹⁸ Aliyu (n 3).

⁸⁹⁹ D Shimawua, 'Herders/Farmers Conflict: A Threat to Democratic Governance in Nigeria' (2019) 2(1) *Veritas Journal of Public Administration and Development* 1-26.

⁹⁰⁰ M I Ugbedu, 'The Role of Benue State Anti-Open Grazing and Ranches Establishment Law in Enhancing Peace-Building in Benue State' (2021) 2(6) *Journal of Global Social Sciences* 35-50.

⁹⁰¹ Amnesty International, *Amnesty International Annual Report 2015/2016* (Amnesty International 2016); International Crisis Group (n 2)

worsening food insecurity. Several communities in Benue, Plateau, Nasarawa, Taraba, and parts of southern Nigeria have been forced into internally displaced persons (IDP) camps, losing both homes and livelihoods.⁹⁰² It was reported that, as a result of the conflict, more than 62,000 individuals were displaced between 2010 and 2015. These statistics are said to be higher than in 2016 and 2021, as the rate of attacks increased during this period. In 2018, Benue state recorded more than 176,070 persons who were registered at all the internally displaced camps in the state, forcing children in hundreds of thousands out of school because of the destruction of their schools and being displaced from their homes.⁹⁰³ Also, the case of livestock theft by cattle rustlers spurred more conflicts as the herdsmen avenged their losses by attacking, raping, killing farmers, and decimating farmlands and properties owned by the members of those communities.⁹⁰⁴

Efforts by the Federal Government to address the crisis through security deployments, peace committees, and policy proposals such as grazing reserves and RUGA settlements have produced limited results. The perceived inability of the central government to provide adequate security prompted several state governments to adopt legislative measures to regulate livestock movement within their territories. Consequently, beginning in 2016, a number of states enacted anti-grazing laws prohibiting open grazing and promoting ranch-based livestock management systems.⁹⁰⁵

Four states in the Middle Belt, Edo, Ekiti, Taraba, and Benue, passed laws that prohibit nomadism within their state borders. Other states, such as Oyo, Bayelsa, and Ondo, among others, soon adopted similar strategies to implement anti-grazing laws within their boundaries. In 2021, seventeen (17) state governors in Southern Nigeria jointly issued a resolution to ban open grazing in their state territories.⁹⁰⁶

While these laws were introduced with the stated objectives of restoring peace, protecting farmlands, and modernising livestock

⁹⁰² C M Ekpendu, 'Open Grazing Prohibition Legislation in Nigeria: A Panacea for Conflict and Insecurity' (2020) 1 *International Journal of Law and Clinical Legal Education* 159-164.

⁹⁰³ Ekpendu (n 8).

⁹⁰⁴ D Daga, *Farmers—Herdsmen Conflict and Development in Benue State: A Study of Guma Local Government Area* (MSc Dissertation, National Open University of Nigeria 2018).

⁹⁰⁵ Shimawua (n 5).

⁹⁰⁶ J Nwanegbo, I Umara and T Ikyase, 'Security and the Challenges of Securing the Nigerian State: Appraising the Activities of Fulani Herdsmen in North Central Nigeria' (2017) 3(1) *Studies in Politics and Society* 203-217.

production, they have generated intense controversy. Pastoralist groups, particularly Fulani herders, have argued that the anti-grazing laws violate their constitutional rights to freedom of movement and property ownership and threaten their traditional means of livelihood.⁹⁰⁷

Despite the growing literature on farmer-herder conflict and grazing regulation in Nigeria, there remains a lack of clarity on how anti-grazing laws function within a human rights framework. Existing studies have largely focused on security outcomes, peacebuilding, or constitutional debates, with limited attention to the broader question of whether anti-grazing laws function as rights-protective governance mechanisms or as exclusionary legal instruments against pastoral livelihoods. Hence, the objective of this study is to examine the balance between livestock and livelihoods as well as consider the human rights dimension of anti-grazing laws in Nigeria. This study addresses this gap by examining anti-grazing laws as regulatory instruments situated at the intersection of security, livelihoods, and human rights. Specifically, it assesses whether these laws represent legitimate state interventions aimed at protecting fundamental human rights or constitute disproportionate restrictions on pastoral livelihoods.

2.0 Methods

The study adopted a qualitative method, which is a secondary source of data collection. The data, which was collected from secondary sources such as peer-reviewed journal articles, newspapers, official documents, and academic published books, among others, were further subjected to a qualitative analysis, using a content and thematic pattern of analysis to present and analyse the data descriptively. Content analysis was used to analyse the meanings and themes in the study, as well as to establish the relationships among the variables of the subject matter. The study's themes were derived from issues identified in the literature reviewed.

2.1 Sources of Data

The study relies exclusively on secondary sources, including state anti-grazing statutes, relevant provisions of the 1999 Constitution of the Federal Republic of Nigeria (as amended), judicial decisions, official policy

⁹⁰⁷ S K Agwu and C E Wilson-Okereke, 'Human Rights Considerations to Anti-Grazing Laws in Nigeria: The Way Forward' (2019) *SSRN Electronic Journal* 1-11.

documents, reports from international and civil society organisations, and peer-reviewed academic literature.

2.2 Case Selection

Ekiti, Benue, Taraba, Edo, and Oyo States were purposively selected for analysis. These states represent diverse geographic regions of Nigeria and have formally enacted anti-grazing laws at different points in time. Additionally, they have experienced varying intensities of farmer-herder conflict, making them suitable for comparative legal and policy analysis.

2.3 Analytical Technique:

Data were analysed using content and thematic analysis. Statutory provisions were examined to identify recurring legal themes, including restrictions on movement, property rights, enforcement mechanisms, sanctions, and safeguards for affected populations. These themes were subsequently evaluated against constitutional and international human rights standards, particularly the principles of proportionality, legality, and non-discrimination.

2.4 Theoretical Framework

This study is anchored on the Sustainable Livelihoods Theory, as developed by Chambers and Conway.⁹⁰⁸ The theory explains livelihoods as the capabilities, assets, and activities that individuals and communities use to secure a means of living. According to Chambers and Conway, a livelihood is considered sustainable when it can cope with and recover from stresses and shocks, maintain or enhance its capabilities and assets over time, and contribute to the well-being of both present and future generations.⁹⁰⁹

The relevance of Sustainable Livelihoods Theory to this study lies in its focus on how policies, institutions, and laws shape access to livelihood resources and influence livelihood outcomes.⁹¹⁰ Anti-grazing laws directly

⁹⁰⁸ R Chambers and G Conway, 'Sustainable Rural Livelihoods: Practical Concepts for the 21st Century' (IDS Discussion Paper No 296, Institute of Development Studies 1992).

⁹⁰⁹ Chambers and Conway (n 14)

⁹¹⁰ Department for International Development (DFID), *Sustainable Livelihoods Guidance Sheets* (DFID 1999).

affect key livelihood assets of both farmers and herders, particularly access to land, water, livestock, and security. By regulating grazing practices and promoting ranching systems, anti-grazing laws alter existing livelihood strategies and require affected groups to adapt to new forms of production.

The theory is particularly suitable for this study because it allows an assessment of whether anti-grazing laws enhance or undermine livelihood sustainability. It helps explain how restrictions on open grazing may reduce vulnerability for farming communities by preventing crop destruction and violence, while at the same time increasing vulnerability for herders if adequate alternatives such as ranches, compensation mechanisms, and institutional support are not provided. In this sense, the theory provides a balanced lens for examining livelihood trade-offs created by legal interventions.

In addition to the Sustainable Livelihoods Theory, the study adopts a human rights-based governance framework as an evaluative approach. This framework is used to assess whether anti-grazing laws and their enforcement comply with constitutional and international human rights standards.⁹¹¹ It emphasises legality, proportionality, non-discrimination, and accountability in state action.⁹¹² While the Sustainable Livelihoods Theory explains how laws affect livelihoods, the human rights-based governance framework evaluates whether such legal interventions are justified, fair, and consistent with the protection of fundamental rights.

Together, the Sustainable Livelihoods Theory and the human rights-based governance framework provide a coherent analytical foundation for this study. The theory explains the livelihood implications of anti-grazing laws, while the framework assesses the human rights consequences of those implications. This combined approach enables a systematic examination of whether anti-grazing laws in Nigeria achieve a sustainable balance between livestock management, livelihood protection, and human rights guarantees.

⁹¹¹ United Nations Development Programme (UNDP), *Applying a Human Rights-Based Approach to Development Cooperation and Programming* (UNDP 2006).

⁹¹² African Commission on Human and Peoples' Rights (ACHPR), *Guidelines and Principles on Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights* (2011).

3.0 Literature Review

3.1 Anti-Grazing Laws

Open grazing is the management of livestock through processes such as growing farm crops, shrubs, grass, and herbs in open lands without restrictions.⁹¹³ Ogo-Oluwa opined that the anti-grazing law is a policy enacted to prohibit open grazing by herdsmen, in order to curb persistent conflicts between herders and farmers within a State.⁹¹⁴ Similarly, Aligba, Omanchi, and Gbakighir noted that anti-grazing laws entail the prohibition of open breeding and grazing of all kinds or species of ruminant animals.⁹¹⁵

Following the escalation of violent conflicts between farmers and herders, several Nigerian States enacted legislation to restrict the practice of extensive livestock rearing and grazing within their territories. Ekiti State enacted its law prohibiting cattle and other ruminants in 2016; Taraba State enacted the Open Grazing Prohibition and Ranches establishment law in 2017; Benue State passed its anti-grazing and ranches establishment law in 2017; Edo State enacted its law regulating nomadic cattle grazing in 2018; and Oyo State enacted its anti-grazing land regulation law in 2019. Other States, such as Bayelsa, Abia, Ondo, and several Southern States, have adopted similar legislative measures aimed at controlling nomadic rearing and open grazing practices.⁹¹⁶

From a policy perspective, these enactments represent a clear shift in how Nigerian States seek to govern livestock production. Rather than relying on traditional pastoral mobility, anti-grazing laws promote a regulated system that emphasises ranching, controlled movement, and fixed land use.

Although anti-open grazing laws differ across States in terms of structure and enforcement mechanisms, there are notable similarities in

⁹¹³ J I Tyomlia, 'Nigerian Security Architecture and the Challenge of Open Grazing' (2018) 3(1) *International Journal of Advanced Research in Public Policy, Administration and Development Strategies* 53-64.

⁹¹⁴ S O Ogo-Oluwa, 'Anti-Grazing Policy and Conflict Resolution Between Fulani Herdsmen and Farmers in Ekiti State' (2017) 4(1) *Asian Research Journal of Arts & Social Sciences* 1-13.

⁹¹⁵ A Aligba, M Omanchi and T Gbakighir, 'The Open Grazing Prohibition and Ranches Establishment Law, Benue State 2017 and Ruga Settlement Policy of the Federal Government: Constitutional Implications' (2020) *Benue State University Law Journal* 172-197.

⁹¹⁶ Ekpendu (n 8).

their core provisions. First, all the laws expressly outlaw open breeding and unrestricted livestock within State boundaries. Second, they require that livestock be reared and grazed on properly fenced lands or designated ranches. Third, while the laws do not prohibit the free movement of herdsmen as persons, they require that livestock be transported in vans or trucks when moving across State borders. Fourth, enforcement agencies or task forces are established to ensure compliance with the laws. Fifth, the laws protect crop farmers by preventing the destruction of farmlands, while also recognising the rights of herders to physical safety and lawful possession of land acquired for ranching. Finally, the laws empower State Ministers of Agriculture to conduct research and recommend programmes aimed at improving livestock farming and animal husbandry practices.⁹¹⁷

Analytically, these shared features show that anti-grazing laws are not merely punitive instruments, but regulatory tools designed to restructure livestock management systems. By requiring ranching and restricting open grazing, the laws seek to reduce land pressure, minimise crop destruction, and promote more predictable patterns of livestock production. This regulatory logic aligns with the broader idea that livestock production must become more sustainable and less dependent on extensive land use, especially in densely populated and agriculturally intensive regions.

However, authors such as Ekpendu and Ugbudu caution that the success of anti-grazing laws depends not only on legal prohibition but also on the availability of practical alternatives for herders. Where ranches are not adequately provided, funded, or secured, the laws risk disrupting pastoral livelihoods without delivering lasting peace. This observation is important because it shows that anti-grazing laws operate at the intersection of security regulation and livelihood transformation.⁹¹⁸

In this regard, anti-grazing laws function as instruments that reconfigure land, livestock, and livelihoods by preventing crop destruction; they simultaneously require herders to adapt to new systems of production that may involve higher costs, new skills, and dependence on State support. Understanding anti-grazing laws in this dual sense, as security measures and as livelihood-shaping policies, is essential for assessing their broader social and human rights implications.

⁹¹⁷ Ekpendu (n 8).

⁹¹⁸ Ekpendu (n 8); Ugbudu (n 6).

3.2 Human Rights

According to Ofoegbu, human rights are non-negotiable and sacrosanct by virtue of their humanity.⁹¹⁹ These rights are universal in nature and apply to all human beings without discrimination. Human rights are embedded in both national and international legal frameworks as legal and natural rights. Onwuazombe stated that human rights provide accepted guidelines for human conduct and are regarded as natural, unalterable, rational, and inviolable, such that their abuse or denial constitutes a serious affront to justice.⁹²⁰ Similarly, Akanni describes human rights as essential rights and freedoms to which every human being is entitled, regardless of sex, nationality, race, language, religion, or other status.⁹²¹ These rights include civil, social, economic, cultural, and political rights, such as the right to life, liberty, a fair trial, freedom of expression and thought, equality, freedom from torture and slavery, freedom of religion, etc.

Anyadike, Nwachukwu, and Wogu further conceptualise human rights as norms, rules, and basic expectations designed to protect individuals from the vicious and unrelenting social, legal, and political abuses.⁹²² In this study, human rights refer to the rights of both farmers and herders as citizens of Nigeria. These include the right to life and personal liberty, freedom from torture, freedom of movement, the right to own immovable property, and the conditions under which restrictions or derogations from fundamental human rights may be justified. These rights are expressly provided for under Sections 33 to 44 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), and they are directly relevant to the subject matter of anti-open grazing laws enacted to address farmers-herders conflicts in several Nigerian States.⁹²³

The relevance of human rights to anti-grazing laws lies in the fact that such laws regulate livelihoods and everyday economic activities. Livestock rearing is not merely a cultural practice; it is a primary source of income,

⁹¹⁹ J U Ofoegbu, 'The Place of Human Rights in Nigeria's Democracy' (2013) 10 *Ogirisi: A New Journal of African Studies* 60-78.

⁹²⁰ I I Onwuazombe, 'Human Rights Abuse and Violations in Nigeria: A Case Study of the Oil-Producing Communities in the Niger Delta Region' (2017) 22(1) *Annual Survey of International & Comparative Law* 115-160.

⁹²¹ N K Akanni, 'Counter-Insurgency and Human Rights Violations in Nigeria' (2019) 85 *Journal of Law, Policy and Globalization* 15-23.

⁹²² N O Anyadike, S T Nwachukwu and J O Wogu, 'Human Rights in Nigeria and the Implications of Human Rights Education for Resource Collection by Libraries' (2021) *Library Philosophy and Practice* 1-21.

⁹²³ Constitution of the Federal Republic of Nigeria 1999 (as amended) ss 33–45.

food security, and survival for pastoral households. Under the Sustainable Livelihoods Theory, livestock constitutes a critical livelihood asset, and any legal restriction affecting its use must be carefully examined for its broader livelihood implications. However, the regulation of livelihoods through law is not prohibited under human rights law, provided it serves legitimate public interests.

Human rights law recognises that rights are not absolute. Under the Nigerian Constitution, certain rights, including freedom of movement, may be restricted where the restrictions are reasonably justifiable in the interests of public safety, public order, or the protection of the rights of others. This creates a legal balancing obligation between the rights of herders to pursue their livelihoods and the rights of farmers to protect their lives, property, and farmlands from destruction. The legitimacy of anti-grazing laws, therefore, depends on whether the restrictions they impose are lawful, necessary, and proportionate.

From a human rights-based governance perspective, State action affecting livelihoods must be accompanied by safeguards such as fairness in enforcement, non-discrimination, and access to reasonable alternatives. The United Nations Development Programme emphasises that laws and policies impacting economic activities must respect human dignity and ensure that affected groups are not subjected to arbitrary or excessive burdens.⁹²⁴ Similarly, the African Commission on Human and Peoples' Rights affirms that limitations on rights must pursue legitimate aims and must not undermine the essence of the rights themselves.⁹²⁵

3.3 An Empirical Review of Related Literature

Ogo-Oluwa conducted a study on anti-grazing policy and conflict resolution between farmers and Fulani herdsmen in Ekiti State.⁹²⁶ The study focused on the violent attacks that occurred in Ikole and Oke Ado Ekiti on the 20th and 21st May 2016, respectively, prompting the enactment of the Ekiti State Anti-Grazing Law. Using a qualitative research design, the study collected primary data through purposive sampling and interviews with twenty-two (22) respondents. The findings revealed that the enactment of the Anti-Grazing Law, the establishment of the "Anti-Grazing Enforcement Marshal" Ekiti, and the allocation of grazing lands contributed to the reduction of conflict in the State. The study concluded that the law was largely successful in restoring peace and

⁹²⁴ UNDP (n 17).

⁹²⁵ ACHPR (n 18).

⁹²⁶ Ogo-Oluwa (n 20).

recommended improved training and monitoring of enforcement agencies.

While Ogo-Oluwa's study provides valuable insight into the immediate effects of conflict-resolution on anti-grazing laws, its analysis focuses primarily on security outcomes and institutional arrangements. The study does not sufficiently examine the longer-term livelihood implications of the law for herders, particularly how the transition from open grazing to regulated grazing affected their economic resilience.

Tyomlia assessed the challenges posed by open grazing and the capacity of Nigeria's security architecture to address farmer-herder conflicts.⁹²⁷ The study employed desk-based research and content analysis. The findings indicated that Nigeria's security institutions were largely ineffective in containing farmer-herder violence, as evidenced by persistent clashes across several States, including Enugu, Benue, Zamfara, Plateau, Taraba, etc. The study recommended stronger political commitment and security-sector reforms.

Tyomlia's work is significant in highlighting the limitations of security-based responses to grazing conflicts. However, by focusing largely on security institutions, the study gives limited attention to how legal and policy reforms, such as anti-grazing laws, reshape livelihood systems and resource use patterns.

Agwu and Wilson-Okereke examined anti-grazing laws and human rights considerations in Nigeria. The paper argued that human rights are inalienable across the globe, and it is the obligation of every country in the world to steadfastly preserve and protect human rights.⁹²⁸ The study analysed several State anti-grazing laws and concluded that these laws do not violate human rights but rather protect the lives and interests of Nigerian citizens.

Although this study offers a clear constitutional justification for anti-grazing laws, it treats human rights largely as legal entitlements without sufficiently engaging with livelihood impacts. As a result, the analysis does not fully explore how restrictions imposed by anti-grazing laws affect the economic survival and adaptive capacity of pastoral households.

Ekipendu investigated the prohibition of open grazing as a policy response to conflict and insecurity in Nigeria.⁹²⁹ Using a doctrinal research approach, the study identified competition over land and water resources, insecurity in northern Nigeria, and cattle rustling as key drivers of farmer–

⁹²⁷ Tyomlia (n 19)

⁹²⁸ Agwu and Wilson-Okereke (n 13)

⁹²⁹ Ekipendu (n 8).

herder conflict. The study argued that open grazing policies should be strictly enforced to prevent further violence and insecurity.

While Ekpendu's study provides a strong justification for firm enforcement of anti-grazing laws, it places less emphasis on the conditions under which enforcement may generate unintended social and economic consequences. In particular, the study does not critically assess whether strict enforcement without adequate livelihood alternatives could increase herders' vulnerability.

Aligba, Omanchi, and Gbakighir examined the constitutional implications of the Benue State Open Grazing Prohibition and Ranches Establishment Law and the Federal Government's Ruga settlement policy.⁹³⁰ The study analysed constitutional provisions, the Land Use Act, and judicial decisions to assess the legality of State and Federal interventions. The findings established that State governments possess constitutional authority over land within their territories and that the Federal Government lacks unilateral power to appropriate State land for grazing settlements.

This study contributes significantly to understanding the constitutional dimensions of anti-grazing laws. However, its doctrinal focus means that issues relating to livelihood sustainability, adaptation, and long-term social stability receive limited attention.

Ugbudu, assessed the role of the Benue State anti-open grazing law in promoting peacebuilding.⁹³¹ Drawing on secondary data and structural functionalism, the study found that while the law initially reduced violence, peace gains were short-lived due to the absence of ranches and weak inter-state coordination. The study recommended harmonised policies across States and collaboration among government, private investors, and civil society to establish ranches.

Ugbudu's findings are particularly relevant because they highlight the gap between legal intent and practical outcomes. The study demonstrates that anti-grazing laws may fail to deliver sustainable peace where supporting infrastructure and livelihood support systems are absent.

Taken together, the empirical literature shows that anti-grazing laws have been examined primarily as security tools, constitutional instruments, and peacebuilding mechanisms. Scholars have analysed their effectiveness in reducing violence, their legality under Nigerian constitutional law, and their role in responding to the limitations of Nigeria's security architecture. However, relatively little attention has been paid to how these laws

⁹³⁰ Aligba, Omanchi and Gbakighir (n 21).

⁹³¹ Ugbudu (n 6).

simultaneously protect certain livelihoods while transforming or constraining others.

This study addresses this gap by analysing anti-grazing laws through a livelihood-focused, rights-sensitive lens. By drawing on Sustainable Livelihoods Theory, the study examines how legal restrictions on grazing practices reshape livelihood assets, strategies, and vulnerability for both farmers and herders. At the same time, the human rights-based governance framework is used to assess whether these livelihood impacts are consistent with constitutional and international human rights standards. In doing so, the study moves beyond descriptive accounts and offers a more integrated assessment of anti-grazing laws as instruments of both conflict management and livelihood regulation in Nigeria.

4.0 An Appraisal of Anti-Grazing Laws in Nigeria

This section evaluates selected anti-open grazing laws enacted by the states of Ekiti, Benue, Taraba, Edo, and Oyo. The appraisal focuses on the core provisions of each law, the objectives they seek to achieve, and their implications for livestock management and conflict reduction. Beyond outlining statutory provisions, the section briefly analyses how each law restructures grazing practices and livelihood arrangements, in line with the study's theoretical focus on livelihood sustainability and rights protection.

4.1 Ekiti State Anti-Open Grazing Law of 2016

The government of Ekiti State enacted the anti-open grazing law in 2016 following violent incidents involving alleged herders, which resulted in the loss of lives and destruction of property. The law prohibits the unrestricted grazing of ruminant animals within the state and makes it unlawful to graze livestock on lands not designated by the government or outside approved timeframes. The objectives of the law include preventing attacks on residents, protecting farmlands from destruction, and improving security across communities in the state.⁹³²

The law provides that no individual shall allow ruminants under his control to graze on undesignated land; grazing is restricted to the hours between 7:00 am and 6:00 pm; confiscated livestock are to be taken to designated government ranches; and herders found violating the law may be apprehended and prosecuted. It further stipulates compensation for

⁹³² A U Onyishi, K C Ezechi and A N Eze, 'Farmers–Herders Conflicts and Anti-Grazing Laws in Nigeria: Issues and Prospects' (2019) 17(3) *Journal of Liberal Studies* 504–511.

crop damage and criminalises the possession of offensive weapons during grazing activities, with violators facing imprisonment without bail.⁹³³

The Ekiti state government also collaborated with the sixteen Local government areas to allocate grazing lands and established the Ekiti Grazing Enforcement Marshall (EGEM) to enforce compliance with the law.⁹³⁴

Analytically, the Ekiti law reflects an early attempt to combine prohibition with limited accommodation through land allocation. While the law prioritises security and farmland protection, its effectiveness in sustaining pastoral livelihoods depends on the adequacy and accessibility of the designated grazing areas. Where enforcement is not matched with sufficient livelihood support, the risk of displacement or informal grazing practices remains.

4.2 Benue State Anti-Open Grazing Law of 2017

The open grazing prohibition and ranches establishment law of Benue state was enacted in 2017 in response to prolonged violent clashes between farmers and herders. The law prohibits open grazing and mandates the establishment of ranches for livestock rearing. Its objectives include preventing farmland destruction, ending farmer-herder clashes, controlling environmental degradation, improving livestock health, and promoting commercial agriculture.⁹³⁵

Implementation authority is vested in the Ministry of Agriculture and Natural Resources through its department of Livestock, which is responsible for issuing and revoking ranch permits, coordinating enforcement of the advisory committee through the Livestock Special Taskforce, and overseeing compliance. The law requires landowner consent and community approval for ranch establishment and provides for compensation where permits are revoked or where livestock cause damage to farmlands.⁹³⁶

Moreover, the law provides that the permits for ranches are to be renewed every year as their validity does not exceed a year. The herders' interests are also catered for by the law, as it stipulates that the agriculture ministry in Benue State will either reimburse the herders or waive the fee payment for the ranch, in the occurrence of a natural calamity on the

⁹³³ Ogo-Oluwa (n 20)

⁹³⁴ Ogo-Oluwa (n 20)

⁹³⁵ Agwu and Wilson-Okereke (n 13); Aligba, Omanchi and Gbakighir (n 21)

⁹³⁶ Ugbedu (n 6); Aligba, Omanchi and Gbakighir (n 21)

ranches.⁹³⁷ The law further restricts livestock movement to trucks and vans, prohibits herders from possessing firearms, and provides penalties for violations, including fines and imprisonment.⁹³⁸

The Benue law represents one of the most comprehensive anti-grazing regimes in Nigeria, combining prohibition, institutional oversight, and compensation mechanisms. However, studies indicate that the absence of sufficient ranch infrastructure and weak inter-state coordination undermined its long-term effectiveness.⁹³⁹ This suggests that legal design alone is insufficient without sustained investment in livestock production systems.

4.3 Taraba State Anti-Open Grazing Law of 2017

Taraba State enacted its open grazing law in 2017, prohibiting open grazing and requiring the establishment of ranches for livestock rearing⁹⁴⁰. The law aims to prevent farmer-herder clashes, protect farmlands and community water sources, promote modern animal husbandry, increase livestock productivity, and control the spread of livestock diseases.⁹⁴¹

The law prescribes strict penalties for violations, including fines ranging from (a) pay a fine of N500,000 or be sentenced to one-year imprisonment, for a first-time offender; (b) pay a fine not less than N1,000,000.00 or serve a two-year jail term for subsequent offences. It also requires compensation for damage to farmland, property, or polluted ponds caused by illegal grazing activities. At the same time, the law criminalises cattle rustling and the unlawful use of firearms against herders, prescribing prison sentences of not less than five (5) years.⁹⁴²

A ranching and livestock administration committee was established to oversee implementation, with the governor empowered to issue directives concerning its operations.⁹⁴³

⁹³⁷ Ekpendu (n 8).

⁹³⁸ Daga (n 10); B O Daudu, G U Osimen and K Shuaibu, 'Cyberbullying and Social Media: Implications for African Digital Space' in Mohamed Lahby, Al-Sakib Khan Pathan and Yassine Maleh (eds), *Combating Cyberbullying in Digital Age with Artificial Intelligence* (Chapman and Hall/CRC Press 2023) 243–253.

⁹³⁹ Ugbudu (n 6).

⁹⁴⁰ Taraba State Government, *The Taraba State Open Grazing Prohibition and Ranches Establishment Law No 7 of 2017*.

⁹⁴¹ Taraba State Government (n 46).

⁹⁴² Onyishi, Ezechi and Eze (n 38).

⁹⁴³ Taraba State Government (n 46).

The Taraba law adopts a strongly deterrent approach, relying heavily on punitive sanctions. While this may discourage open grazing, its sustainability depends on whether enforcement is balance with access to ranching facilities and support for livelihood transition, particularly for small-scale pastoralists.

4.4 Edo State Anti-Open Grazing Law of 2018

The Edo State anti-open grazing law bans open cattle grazing and other livestock and requires that designated areas be established for ranching in the State.⁹⁴⁴ The objectives of the law include regulating livestock rearing, eliminating conflicts between herders and local communities, fostering a good relationship between farmers, herders, and members of local communities, preventing environmental degradation, and promoting commercial agriculture and investment.⁹⁴⁵

The law states that a ranch committee, chaired by a retired senior security officer and composed of representatives from security agencies, traditional institutions, vigilante groups, youth organisations, and livestock associations. The committee is empowered to determine suitable land for ranching, regulate livestock activities, and impose sanctions for violations.⁹⁴⁶

Edo State's approach emphasises security governance and community representation. While this inclusive structure may enhance enforcement legitimacy, its effectiveness depends on how well security objectives are balanced with the economic realities of livestock production and access to land for ranching

4.5 Oyo State Anti-Open Grazing Law of 2019

The Oyo State anti-grazing law was enacted in 2019, following reported cases of violent clashes, kidnappings, robberies, destruction of property, and killings between farmers and herdsman. The law criminalises open rearing and grazing and prescribes penalties, including a fine of N500,000, imprisonment for five (5) years, or both. For subsequent offenders, they will be convicted to pay a fine of N2,000,000.00 or serve a jail term of ten (10) years. The government of Oyo State, like other States with anti-

⁹⁴⁴ G Enogholase and A Ozioruva, 'Edo's Anti-Grazing Law Will Resolve Farmer-Herders Conflict, Enhance Security - Obaseki' *Vanguard* (2022).

⁹⁴⁵ Enogholase and Ozioruva (n 50).

⁹⁴⁶ G Enogholase, 'Edo Assembly Passes Anti-Open Grazing Bill' *Vanguard* (2022).

grazing laws, established a committee to monitor the activities of herdsmen and ensure the adequate implementation of the law.⁹⁴⁷

The objectives of the law include ending violence, fostering peaceful coexistence between farmers and herders, and protecting agricultural and agro-allied economic activities within the state.⁹⁴⁸

The Oyo law reflects a prohibition-oriented model, with limited statutory emphasis on mechanisms for livelihood transition. As with other states, its long-term success depends on whether enforcement is complemented by ranch development, stakeholder engagement, and interstate cooperation.

5.0 Implications of Anti-Grazing Laws on Human Rights in Nigeria

Significant attempts have been made to examine the rationale behind anti-grazing laws and the objectives they seek to achieve. However, it is equally important to examine the implications of these laws on the fundamental human rights of affected persons. The recognition and protection of human rights is a core principle of both international and domestic legal systems. This commitment is reflected in the United Nations Universal Declaration of Human Rights (UDHR), which affirms human rights as a common standard of achievement for all peoples and nations.⁹⁴⁹

The UDHR places responsibility on states to ensure that laws enacted within their jurisdictions do not arbitrarily deny or undermine fundamental rights. This requires that laws be scrutinised appropriately to ensure there are no provisions embedded in them that would negate people's human rights.⁹⁵⁰ Similarly, the 1999 Constitution of the Federal Republic of Nigeria (as amended) guarantees fundamental human rights of its citizens, as stipulated in Sections 33 to 44, including the right to life and liberty, freedom from torture, freedom of movement and right to acquire and own immovable property, and restriction and derogation from fundamental human rights.⁹⁵¹

⁹⁴⁷ R Agboluaje, 'Oyo Anti-Open Grazing Law Ineffective as Herders Ravage Farms' *The Guardian* (2020).

⁹⁴⁸ A Babalola, 'Oyo Assembly Passes Anti-Open Grazing Bill' *Punch* (2019).

⁹⁴⁹ Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217A(III)).

⁹⁵⁰ G U Osimen, O M Fulani, F Chidozie and D O Dada, 'The Weaponisation of Artificial Intelligence in Modern Warfare: Implications for Global Peace and Security' (2024) 5(3) *Research Journal in Advanced Humanities* 24.

⁹⁵¹ J U Ofoegbu, 'The Place of Human Rights in Nigeria's Democracy' (2013) 10 *Ogirisi: A New Journal of African Studies* 60-78; S I Ifejika, 'The Nigerian State and

Anti-grazing laws were enacted primarily to address persistent violence, killings of persons and destruction of properties, due to the persistent dissension between herders and farmers.⁹⁵² Section 33 of the Nigerian Constitution guarantees the right to life and states have a constitutional obligation to protect citizens from threats to life and physical security. From this perspective, anti-grazing laws can be viewed as measures aimed at fulfilling the state's positive obligation to protect life, particularly for farming communities that have experienced repeated attacks and displacement. Agwu & Wilson-Okereke argue that by reducing violent confrontations, anti-grazing laws contributed to the protection of both the citizens' right to life and right to freedom from torture.⁹⁵³

A major point of contention surrounding anti-grazing laws is the restriction on livestock movement, which critics have interpreted as a violation of the right to freedom of movement guaranteed under Section 41(1) of the Constitution. Section 41 provides that every Nigerian citizen has the right to traverse the entirety of the nation and to establish residence in any region thereof. Furthermore, no citizen shall be expelled or denied entry into any area within Nigeria.⁹⁵⁴ With the provision of Section 41(1) of the Constitution, restrictions on moving livestock across state territories appear to interfere with this right. Herders' rights in this context extend beyond freedom of movement to include the right to pursue a livelihood, preserve cultural practices associated with pastoralism, and access land through lawful and non-discriminatory processes.

However, constitutional rights in Nigeria are not absolute. Section 45 of the Constitution expressly permits laws that restrict certain rights, including freedom of movement, where such laws are reasonably justifiable in a democratic society in the interest of public safety, public order, public health, individual, or for the protection of the rights and freedoms of other persons. Anti-grazing laws fall within this constitutional exception, as they were enacted to address threats to public safety and to protect the rights of farmers whose farmlands and livelihoods were destroyed.⁹⁵⁵ Onyishi, Ezechi & Eze note that the restriction imposed by anti-grazing laws does not prohibit the movement of herders as persons,

International Human Rights Laws in the Fourth Republic' (2021) 29(1) *Pertanika Journal of Social Science & Humanities* 565-581.

⁹⁵² E Ikhlailae, 'Open Grazing: Cattle Rights vs Human Rights?' *The Nation* (2021).

⁹⁵³ Agwu and Wilson-Okereke (n 13).

⁹⁵⁴ Constitution of the Federal Republic of Nigeria 1999 (n 29).

⁹⁵⁵ B O Daudu, G U Osimen and A S Ameh, 'Rethinking Democratic Governance in African Politics' in Ndwaikhulu Tshishonga and Icarbord Tshabangu (eds), *Democratization of Africa and its Impact on Global Economy* (IGI Global 2024) 32-47.

but rather regulates the method by which livestock are moved, permitting transportation by vehicles.⁹⁵⁶

From a proportionality standpoint, the critical issue is not whether rights are restricted, but whether such restrictions are reasonable and balanced against legitimate public interests. International human rights standards recognise that restrictions on rights may be justified where they pursue legitimate aims and are necessary to achieve those aims.⁹⁵⁷ In this context, anti-grazing laws seek to prevent violence, environmental degradation, and livelihood destruction, which constitute legitimate public interests.

The right to own and acquire property is another important consideration. Sections 41 and 43 of the Nigerian Constitution guarantee the right of every citizen to acquire and own immovable property in any part of Nigeria. Anti-grazing laws do not prohibit herders from owning livestock or acquiring land. Rather, they regulate how livestock are reared and require herders to obtain land lawfully for ranching purposes, in accordance with the Land Use Act.⁹⁵⁸ As Aligba, Omanchi, and Gbakighir demonstrate in their analysis of the Benue State law, State governments possess constitutional authority over land within their territories and may regulate land use in the public interest.⁹⁵⁹

Nevertheless, the human rights implications of anti-grazing laws are closely tied to their mode of implementation. Where enforcement is carried out without adequate provision of ranching facilities, compensation mechanisms, or livelihood support, the laws risk imposing disproportionate burdens on pastoral communities. Ugbudu observes that in Benue state, the absence of functional ranches weakened the law's capacity to deliver sustainable peace, highlighting the link between legal enforcement and livelihood resilience.⁹⁶⁰

In summary, anti-grazing laws do not, in themselves, violate fundamental human rights. They are constitutionally justifiable measures aimed at protecting life, property, and public order. However, their legitimacy under human rights law depends on the principles of proportionality, non-discrimination, and the availability of reasonable livelihood alternatives for affected herders. Where these conditions are

⁹⁵⁶ Onyishi, Ezechi and Eze (n 38).

⁹⁵⁷ ACHPR (n 18).

⁹⁵⁸ Ikhilae (n 58)

⁹⁵⁹ Aligba, Omanchi and Gbakighir (n 21).

⁹⁶⁰ Ugbudu (n 6).

met, anti-grazing laws function as lawful regulatory instruments rather than as tools of rights deprivation.

6.0 Conclusion and Recommendations

Farmer-herder conflict continues to pose serious challenges to peaceful coexistence, agricultural productivity, and livelihood security in Nigeria. In response to violence, farmland destruction, and insecurity linked to open grazing, several State governments enacted anti-grazing laws as regulatory interventions. This study examined the human rights implications of these laws in selected Nigerian States, focusing on their legal basis and practical effects. The study finds that anti-grazing laws are not inherently unconstitutional or discriminatory. Rather, they fall within the constitutional powers of State governments to protect life, property, and public order. By restricting open grazing and promoting ranch-based livestock management, the laws seek to reduce conflict and improve security, particularly for farming communities.

However, the effectiveness and legitimacy of anti-grazing laws depend largely on implementation. While the laws aim to protect farmers' livelihoods, they also alter pastoral production systems by restricting traditional grazing practices. From a human rights perspective, restrictions on livestock movement are constitutionally permissible under Section 45 of the 1999 Constitution, provided they are reasonable and proportionate. Ultimately, anti-grazing laws can contribute to sustainable peace only where security objectives are balanced with livelihood protection and human rights safeguards.

Conflict of interest

There is no conflict of interest in this paper.

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