

EFFICACY OF THE EKITI STATE ANTI-GRAZING LAW: KEY STAKEHOLDERS' PERSPECTIVES

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The study examines the perceived efficacy of the Ekiti state Anti-grazing Law (EAGL) as a strategy for managing farmers-herders conflict among stakeholders. Quantitative information was obtained from 148 crop farmers and 73 Fulani pastoralists selected through a multi-stage sampling procedure, while a total of five Focus Group Discussion sessions and In-depth Interviews were also conducted. Analyses of results were carried out using frequency counts mean t-test and Tobit regression. A significant proportion (82.4%; 90.4%) of crop farmers and herdsmen, respectively had a high level of knowledge of the EAGL, perceived the EAGL to have substantial limitations (97.3% crop farmers; 100.0% herdsmen) as measures adopted for conflict management, with poor consultation and mobilization of stakeholders as the most rated factor. Also, 70.3% of crop farmers, but only 8.2% of herdsmen rated the efficacy of the EAGL as high. Farmers and herdsmen were significantly different in their perceived limitation ($t = 12.44$) and efficacy ($t = 11.84$) of the EAGL. Years of experience ($\beta = 0.102$), farm size ($\beta = 0.0001$), herd size ($\beta = -0.112$) and perceived limitation ($\beta = 0.228$) and being a crop farmer ($\beta = 6.689$) were predictors of the perceived efficacy of the EAGL. A robust stakeholder analysis and engagement is advocated for the sustainable management of conflicts and commons in future interventions.

KEY WORDS: PERCEIVED EFFICACY, CROP FARMERS, HERDSMEN, CONFLICT

Introduction

Conflicts between farmers and pastoralists (often referred to as herdsmen) are recurrent issues and are becoming increasingly complex in sub-Saharan countries such as Nigeria, Mali, Sudan, the Democratic Republic of Congo and Ghana. This occurs in line with the historical, economic and political contexts in which they take place. In recent decades, farmer-herder conflicts in many parts of Sub-Sahara Africa have escalated into widespread violence, loss of property, destruction of farms, massive displacement of people, and loss of lives (ACAPS, 2017; Adelakun et al., 2015; Akov, 2017; Higazi, 2016; International Crisis Group, 2017; Sangotegbe et al., 2013). Kasarachi (2016) attributed causes to climate change, increasing pressure on resources, population pressure, decreasing efficiency of traditional conflict-management mechanisms, and the diversification of rural land use patterns including expansion of settled and ranching farming, national parks, towns and settlements. As a result, access to pasture and water for livestock has dimin-

ished, prompting pastoralists to migrate to the southern parts of Nigeria. This situation, described as the “squeezing out of pastoralists from their traditional grazing lands” (Higazi, 2016) is one of the primary reasons for frequent and recurrent conflicts between farmers and herders

Interestingly, in the past farmer-herder relationships were cordial and harmonious . Farmers and herders of today grew up together in the same areas, enjoyed a peaceful and harmonious social and economic relationship (Blench et al., 2003; Hoffman, 2004; Shettima & Tar, 2008) and conflicts were rare. By and large, they lived in a peaceful, symbiotic relationship such that herders’ cattle would fertilize the farmers’ land in exchange for grazing rights. Blench et al. (2010) noted that while the states in the central and southern regions of the country harvest most of the country’s tuber and vegetable crops, pastoralists in the north harvest most of its grains and livestock. This enabling environment between producer communities then created a socio-economic development and sustainable food production, as well as food and nutritional security. However, this desirable relationship between crop farmers and herders changed in nature over time, and currently, it is as if such a mutually beneficial relationship had never existed, given that, similar to other sub-Saharan Africa nations, conflicts have dominated discussions and discourses of their relations (Ajibefun, 2018; Audu, 2014; Blench, 2010; Garba et al., 2015; Higazi, 2016; International Crisis Group, 2017; Lindfors, 2019). This relationship has worsened to the point that in recent years the conflict has deteriorated into a situation in which lives have been lost (Okereke, 2012; Kasarachi, 2016). This poses a serious threat to the sustainability of commons and other natural resources and hence food security, because the majority of farmers, for fear of attack, can no longer farm freely and harvest their farm produce. Present developments, characterised by increasing cases of pillaging, rape, many incidences of kidnapping, involving the use of sophisticated assault weapons, are clear indications that cases of attacks are on the rise (Ukoji et al., 2019). One of the most brutal attacks occurred in February 2018 in Benue, Taraba, Plateau, Adamawa and Nasarawa states with a record of 582 victims (for both Adamawa and Taraba), while violent deaths and several fatalities were recorded in the other identified states. Unfortunately, reprisal attacks and jungle justice (Doherty-Odueko, 2019) by the locals have also further aggravated situations, thereby causing tension and creating an atmosphere of rivalry and social disharmony (Innocent-Franklyn & Orizu, 2018).

In the south, the incident of May 20, 2016 on Oke Ako community Ekiti state, in which two people died and others sustained various degrees of injury, is an obvious signal that Ekiti state could serve as a gateway to such conflicts in other south-western states in Nigeria if nothing drastic is done. In a bid to minimize conflict and ensure the sustainability of commons, the government of Ekiti state, led by Governor Ayodele Fayose, promulgated the Ekiti state Anti-grazing Law (EAGL). The EAGL (Ogunjobi, 2016; Ojomoyela, 2016), tagged “The Prohibition of Cattle and other Ruminants Grazing in Ekiti State” was passed by the Ekiti State legislative assembly and signed into law by the state Governor, Ayodele Fayose on 30th October, 2016. It was the outcome of an executive bill sponsored by the Ekiti State Government to regulate, prevent, and control indiscriminate

cattle grazing and other matters connected therewith (Ogunjobi, 2016). The law which contains eight major sections states in part:

- (i) Prohibits uncontrolled grazing, that is, no person shall cause or allow any cattle or other ruminants belonging to him or under his control to graze on land in which the government has not designated as ranches;
- (ii) Provides for impounding of cattle and/or other ruminants that engage in indiscriminate grazing;
- (iii) Provides that no cattle or other ruminants shall by any means move or graze at night;
- (iv) Provides for the confiscation by government of any cattle or other ruminants found to be grazing freely;
- (v) Provides that cattle movement and grazing are restricted to the hours between 7:00am and 6:00 pm;
- (vi) Forbids herdsmen to carry firearms and other offensive weapons such as AK 47 while grazing animals, making offenders prone to the charge of terrorism. This was directed towards criminalizing the carrying of various class of weapons;
- (vii) Makes provision for the valuing and payment of compensation by herdsmen for property or farm produce destroyed by herdsmen and, or their cattle;
- (viii) Provides for penalty in case of breach of any of the provisions of the law, such that any herdsman who contravenes is liable on conviction to imprisonment for a period not less than six months without any option of fine.

The decision to sign the bill into law was widely lauded by some sections of the stakeholders within Ekiti and outside the state. However, other reactions indicate that the law is seen by some others as having political undertones and is believed to have included threats of reprisals, indicating a calculated attitude of ethnic racism that would see continued violence rather than unity and peace in the state. This seeming division in opinions across different stakeholders, a possible indicator of efficacy (or otherwise) of the law, has not been empirically validated.

Efficacy has been used as a jurisprudential concept to mean the capacity of legal norms to produce effects and achieve their goals. Burazin (2017) asserted that legal norms are said to be efficacious if their addressees actually behave as norms prescribe, while Grabowski (2013) averred that a legal norm is efficacious if and only if citizens comply with or observe it. This definition points to the fact that not every law produces desired outcomes, and that their result-yielding abilities vary being often dependent on the process of legislation adopted. While some laws may simply be ineffective, lacking the ability for correcting targeted social anomalies, others may be counter-productive, leading to non-desirable results. Globally, stakeholder participation has been recognised as a key and integral part of any legislation and public policy process, and the outcome of any resultant law has therefore been linked to robustness in this regard. This is also considered important due to the central role of participation for awareness creation, mobilization and acquaintance with the contents of the law in its different dimensions (Burazin, 2017; Fung, 2006; Hutahaean, 2017). A participatory process has obvious positive consequences on

the efficacy and sustainability of resultant laws. This is corroborated by Fung (2006) that the participation of public and in particular key stakeholders in governance may foster three democratic principles which include legitimacy, justice and effectiveness. Aparajit et al. (2011) also averred that a transparent, fair, accountable and participatory legislative process is needed to enact laws that will bring about real change.

This study is anchored in the assumption that the legislation process which produced the EAGL was as participatory as was required for a standard process. Given this background, primary stakeholders, particularly the settled pastoralist Fulani community, crop farmers and traditional heads of both camps, are better positioned than other stakeholders to assess the extent to which the law is perceived to be achieving its objectives of conflict management and sustainable management of commons in Ekiti state, Nigeria. The efficacy of any participatory process is better captured through a triangulation of opinions of key stakeholders with a view to identifying synergy of opinions. This approach has been advocated (Bryde & Robinson, 2005; Turner, 2009) and adopted (Alumbugu et al., 2015; Sangotegbe et al., 2015) in the recent past, although more attention was given to project planning and the execution process. Specifically, Alumbugu et al. (2015) argued that there is no better or simpler way to measure value than to engage stakeholders for relevant information, as their satisfaction is the acid test of the value created. It is against this background that this study seeks to assess the perceived efficacy of the EAGL among identified primary stakeholders. The study achieved the following specific objectives: ascertained the socioeconomic characteristics of farmers and settled Fulani pastoralists; assessed key stakeholders knowledgeable of the contents of the EAGL; examined stakeholders' perception of the EAGL as limited in terms of a conflict management strategy; and evaluated the extent to which stakeholders perceive the EAGL as an effective conflict management strategy.

The following hypotheses were also tested:

1. Ho1: There is no significant difference between farmers and pastoralists in the study area by knowledge of the EAGL;
2. Ho2: There is no significant difference between farmers and pastoralists in the study area by their perceived limitation of the EAGL;
3. Ho3: There is no significant difference between farmers and pastoralists in the study area by perceived efficacy of the EAGL;
4. Ho4: There is no significant individual and collective effect of stakeholders' selected socioeconomic characteristics, knowledge and perceived limitation on perceived efficacy of the EAGL in the study area.

Literature review

Background to farmer-herder conflict in Nigeria

Globally, rapid population growth exerts much pressure on the land and associated commons and there have been consequences of varying dimensions to this pattern. In sub-saharan Africa, and particularly Nigeria, the farmer-herdsmen clash is one of the most common direct consequences of the intense competition over land. The conflict,

which has become widespread in the 20th century (Tonah, 2000), as against what was achieved in the past (Blench, 2010) has pervaded the entire geographical space with attendant negative economic and social effects (Adelakun et al., 2015). Climate change, with its characteristic extended dry spells in the northern belt, where the bulk of Nigeria's livestock is produced, has also contributed significantly to this trend. Due to increasing water scarcity in the north, herdsmen are often forced to navigate undefined routes to the southern belt in search of feed in green vegetation for their livestock, commonly cattle, sheep and goats (Lindfors, 2019; Musa et al., 2016). In the process, there have been reported cases of the invasion of crop farms, disruption and pollution of water bodies meant for humans, among others. This obvious competition over commons has led to frequent cases of conflict, resulting in loss of human lives and valuable property (Audu, 2014; West Africa Network for Peace Building (WANEP), 2019; Sunday Orji, 2019). Other social ills such as reprisal attacks on humans, cattle rustling, rape, theft and kidnapping, among others (Adisa, 2012; Ofuoku, 2009; Sangotegbe et al., 2015; Tonah, 2000) have been reported as secondary consequences. While the cause of the social ills may have been associated more with the transhumant pastoralist groups, their settled counterparts, many of whom have co-habited peacefully with the indigenes, are not completely insulated from resultant public rage and backlash. This and many other associated social misfortunes have severed farmers-herdsmen relationship, now characterized by suspicion, social tension and frequent conflicts.

Importance of legislation to management of commons

Realising the effects of increasing pressure on commons and its threats, proponents of sustainable development have, among others, identified the development of a legal framework for effective management to have optimal and sustainable benefits. Dernbach & Mintz (2011) corroborate this by arguing that promulgation of environmental law alone is only one part of the requisite legal framework. It is argued that to ensure sustainability, a holistic legal structure that includes a wide range of other laws, including land use and property laws, tax laws, laws involving governmental structure, and the like, is required. Summarily, the following were highlighted by Dernbach & Mintz (2011) as required for the sustainability of a law:

- 1) Use of Law to Require Integrated Decision-Making, which advocates that the integration of multiple national objectives necessarily opens up more space to solve associated problems.
- 2) Use of Pre-existing Laws to Foster Sustainability. This emphasizes that new challenges can be addressed by making modifications to the existing laws.
- 3) The Need to Use Law to Protect and Restore Ecological Integrity.
- 4) The Importance of Sustainability Assessment Tools and Institutions Before and After Laws Are Adopted. The emphasis here is that to simply throw out laws at a problem is not a sufficient measure on its own. It reiterates that laws must be designed and drafted with care to achieve particular results, and they must be evaluated carefully afterwards to see if they have actually achieved the desired results.

Multi-stakeholder perception as an indicator of efficacy

Accounting for multi-stakeholder perception as an indicator of efficacy of interventions has been justified as one of the most reliable indicators of success. This approach takes to the popular 360 evaluation approach, an evaluation design for gathering feedback from co-workers, including supervisors, peers, subordinates, and others in the organization (Tyson & Ward, 2004). It has also been used in business sectors as it enables managers to examine leadership behaviour and style by multiple stakeholders (Fletcher & Baldry, 2000). According to Fletcher & Baldry (2000), the multiple stakeholder perspective has been identified as a critical component of accurately representing performance and understanding the efficacy of leadership (Alimo-Metcalf, 1998). Hoffman (1995) maintains that this multi-rater evaluation system arguably has the potential to provide summative assessment data as well as formative developmental feedback if the measures are developed appropriately. A large number of studies have adopted this approach for evaluating projects (Alumbugu et al., 2015; Sangotegbe et al., 2015), education process (Browns, 2010) and situation analysis (Lupo et al., 2016).

Theoretical and conceptual framework

Theoretical literatures have different definitions of the efficacy of a law (often indicated by rule of law). Hence, scholars seem to assume different positions in its conceptualization (Rodriguez et al., 2010). One of the reasons for this problem is the fact that rule of law as a concept is under-theorised. Versteeg & Ginsburg (2017) posited that due to the challenging nature of its conceptualization, the few available studies have used only as templates countries and institutions where rule of law is generally believed to prevail. However, rule of law has been argued to go beyond using institutions and countries as examples, but rather that the rule of law should be context, time and place specific (Hadfield & Weingast, 2014; Tamanaha, 2004). This therefore allows for flexibility in the conceptualization of the variable in a way that shows consistency and proven potential to address specific contexts. On a general note, Fuller (1969) identified eight requirements for the rule of law:

- 1) Generality, that is, conduct is stated in rules that are impartially applied;
- 2) Publicity, that is, rules are publicly announced;
- 3) Prospectivity, that is, rules will not be changed retroactively;
- 4) Clarity, that is, rules are understandable for all;
- 5) Consistency, that is, rules are not inconsistent or contradictory;
- 6) Possibility of compliance, that is, no rules can demand conduct that is beyond the ability of those who they apply;
- 7) Stability, that is, rules are stable and not subject to frequent change;
- 8) Congruence between the rules as announced and their actual administration.

According to the requirements provided by Fuller (1969), publicity and clarity (which both mirror good knowledge of the law) are key variables in the study. Knowledge has a place in this conceptualization with the intent to account for an uninformed consent situ-

ation. Other variables such as prospectivity, generality, consistency, possibility of compliance, stability and congruence, are not specifically measured individually in this study. They are however implied in the two key variables, which are perceived limitations and perceived efficacy of the EAGL. A triangulated view of farmers, herdsmen and community heads from both camps was used to draw conclusion for efficacy of the EAGL. The conceptual framework (Figure 1) better explains the focus of this study.

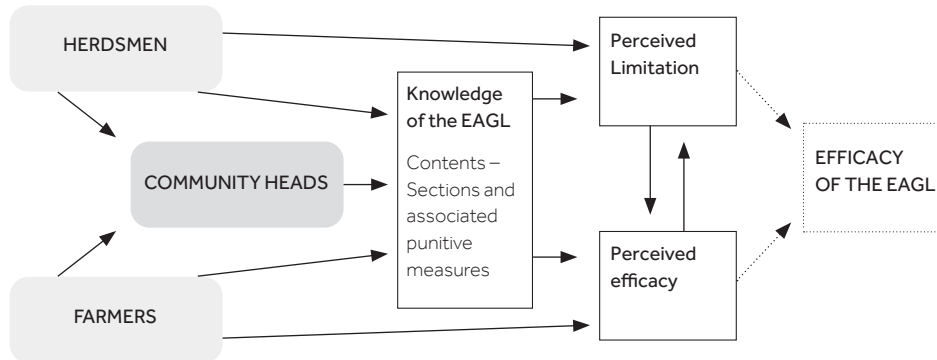


Figure 1: Conceptual framework for perceived efficacy of the Ekiti state Anti-Grazing Law

Method

The study area was Ekiti State, one of the six states in the southwest sub-region of Nigeria. Nigeria has a total of six geopolitical zones. The state was created on 1st October, 1996, and shares boundaries between Ondo, Kwara, and Kogi State to the South, North and East, respectively. According to the Government of Ekiti State (n.d.), Ekiti state is located between longitudes 40°51' and 50°451' East of the Greenwich Meridian and Latitudes 7°151' and 8°51' North of the Equator, with a total land area of 5887.890 sq km. The estimated population according to Population.City (2020) in 2020 is 3,702,739 people. It has sixteen local government councils. The population of the study comprised entirely of herdsmen and crop farmers in Ekiti state. Data were collected using mixed methods, both quantitative and qualitative.

Sampling was done using a multi-stage procedure. The first stage involved purposive sampling of Zone III from the three (3) ADP zones. This was due to evidence of the reported prevalence of herdsmen-farmers conflicts in recent years. At the second stage, 50% of the six blocks were randomly selected to get three blocks which are Ikole, Oye and Ido-Osi. In the third stage, 20% of crop farmers were selected from each cell (Oke Ako, Irele, Aiyegbaju, Oye, Ido and Orin farm) using proportionate sampling to size which gave a total of 148 crop farmers. The pastoralists were also selected from the same cells as farmers, and the method was cluster sampling technique. This was due to the nature of Fulani settlement pattern, economic activities and grazing location. A list of the herdsmen was obtained through the Serikis (Heads of Fulani) and 70% of herdsmen were ran-

domly sampled from each cluster. A total of 73 herdsmen were selected from the clusters. In all, 221 respondents, comprising both farmers and herdsmen were selected for quantitative data gathering which employed the use of close-ended, well-structured, construct and content-validated questionnaires administered as interview schedules. This is because the majority of the respondents had no (or only a low level) of formal education. Key variables measured were knowledge, perceived limitation and perceived efficacy of the EAGL. Qualitative data were sourced from Focus Group Discussion (FGD) and the use of Key Informant Interviews (KII). A total of three (50% of the sampled communities) FGD sessions were conducted with farmers, while two were conducted with the herdsmen. The number of discussants for the FGD was limited to ten per meeting, making a total of 30 for farmers and 20 for the pastoralists as researchers sought to maintain a balance between good representation, robustness of discussion and control of discussion. Each FGD session comprised individuals of different age and socio-economic classifications. The KII sessions were also conducted with community leaders in each of the Yoruba (crop farmers) settlements and Fulani (pastoralists) settlements. The Guide for both the FGD and Key Informants Interviews (KII) contained questions on knowledge, perceived limitations and perceived efficacy of the EAGL in sessions 2, 3, and 4, respectively for both FGD and KII. The key differentiating feature between the guides for the two methods is that while the KII was a direct one-on-one conversation with each key informant, the FGD included the use of different participatory tools and exercises among discussants. Section 1 for the two methods obtained information on demographic variables. All sessions for both FGDs and KIIs were captured via tape recording and note taking. Transcriptions of tape-recordings were compared with written notes immediately after each session to take care of discrepancies and missed information, after which handwritten notes were expanded into more complete narratives, from which excerpts were then used to complement the quantitative data. The questions were prepared by the researchers and preparation was guided through a careful content analysis of the EAGL. The use of FGDs and KII in this study is in line with Galpaya & Samarajiva (2012) who advocated the use of informed stakeholders for robust data gathering.

For the quantitative data gathering, items which make up the measurement scale for each variable were constructed individually by the researcher; a research instrument was then developed in the form of an interview schedule, which comprised of close-ended questions. All questions were informed by the content of the EAGL. The quantitative instrument was tested for content and construct validity with the help of experts in the field of conflict studies, rural sociology and agricultural extension, and suggested amendments were effected. Reliability of the instrument was determined by conducting a pretest of the instruments in Efon Alaaye, a community outside of the selected communities, but still within Ekiti state. The pretested data were subjected to statistical analysis using the Statistical Package for Social Scientists (SPSS). A Cronbach Alpha value of 0.65, 0.71 and 0.89 was obtained for the knowledge, perceived limitations and perceived efficacy scales, respectively. Hence, the instruments were judged reliable.

In measuring knowledge of the EAGL, nineteen validated knowledge items considered

representative of the content of the EAGL were presented to respondents with response options “True”, “False”, and “I don’t know”. As the knowledge scale contained mixed items, in which either true or false could be correct, the items were later re-coded during analysis in which case the correct answer was 1 and the incorrect answer 0. The “I don’t know” response category took a default score of 0, as it serves as a control for occurrence of forced response which could have been the case if the options were just the two categories of “True” and “False”. The knowledge score was computed for each respondent and the overall mean obtained served as a benchmark for categorizing respondents’ level of knowledge as high and low. For perceived limitation, respondents were presented a list of possible limitations of the EAGL. Responses were scored, using a Likert-type scale of “Strongly agree”, “Agree”, “Unsure”, “Disagree”, and “Strongly disagree”, 5, 4, 3, 2 and 1 assigned, respectively for positively worded statements and the reverse order for negatively worded statements, in line with measures of disposition as described by Fadairo et al., (2015) and Olutegbe & Fadairo (2016). A list of items on possible efficacy was also presented to respondents and respondents indicated for each on a three point scale of “To a large extent”, “To a lesser extent” and “Not at all”, with scores of 2, 1 and 0 assigned, respectively. The scores (now represented at interval levels) were then computed for each variable: knowledge of the EAGL, perceived limitation and efficacy (which is a function of total number of items responded to and value assigned to each response); and the mean was used as a benchmark for categorising respondents into high and low levels of the measured variables, respectively. Frequency and percentages were used in presenting data for all the specific objectives of the study, and simple narratives were used in presenting qualitative data which included the KII and FGD. Independent t-test was used to analyse significant differences between the crop farmers and herdsmen knowledge, perceived limitation and efficacy of the EAGL. All analyses were done using SPSS version 16, except the fourth hypothesis whose Tobit regression estimation was analysed using the “CensReg” package on ‘R’ Statistica. All hypotheses were tested at 5% significance level. The model specification is indicated:

$$Y = \beta(X_1 + X_2 + X_3 + X_4 + X_5 + X_6 + X_7 + X_8, + X_9, + X_{10} + \dots X_{12}) + e_i,$$

Where Y = Perceived efficacy of the EAGL

The description of operationalisation for the Tobit regression is presented in Table 1.

Variables	Operationalisation
X ₁ = Sex	Male = 1 and female = 0
X ₂ = Knowledge of the EAGL	Scores
X ₃ = Marital status (married = 1, otherwise = 0)	Married = 1, otherwise = 0
X ₄ = Years of experience	Years
X ₅ = Age of respondents age	Years
X ₆ = Religion	Christianity = 1, Otherwise = 0
X ₇ = Herd size	Number of livestock in owned
X ₈ = Farm size	In Hectares
X ₉ = Land access	Yes = 1, No = 0
X ₁₀ = Perceived limiting factors to effectiveness of the EAGL	Scores
X ₁₁ = Household size	Number per household
X ₁₂ = Education	Dummy (formal education = 1, otherwise = 0)
e _i = Error term	

Table 1: Model specifications for determinants of perceived effectiveness of the EAGL among stakeholders in Ekiti state, Nigeria

Results

Table 2 reveals a wide margin in knowledge of some components of the anti-grazing law between crop farmers and herdsmen. A large proportion (93.9%) of crop farmers displayed good knowledge of litigation of cases of violations while herdsmen had a low level of knowledge (57.5%) in this regard. Also, the study reveals that a low proportion (49.3%) of crop farmers displayed good knowledge of the ‘no fine’ option in lieu of the prison sentence while a significant proportion (74.0%) of herdsmen displayed a high level of knowledge of this content. It is worth noting that an overwhelming proportion (96.6% of crop farmers and 76.7% of herdsmen), were aware that the law contains regulations and criminalizes cattle grazing during the day. 95.3% of crop farmers and 75.3% of herdsmen knew it aims at reducing indiscriminate bush burning. Table 2 also shows that a significant proportion (64.2% and 67.1% for crop farmers and herdsmen respectively) agreed that the EAGL allows for self-protection against attacks. Similarly, 67.6% and 71.2% of crop farmers and herdsmen, respectively, as against the content of the law, opined that the EAGL allows for self-defense like setting of traps for animals. This is in accordance with the reports of the FGD, as one of the discussants argues:

“... after passing the law, the state government failed to provide us a grace period to get acquainted with the law and make pragmatic preparation with the law for livestock breeding through ranching. The law was made in a rush and targeted against us the pastoralists, with even the facilities such as ranches mentioned in the law not provided. Even with the process adopted during the promulgating of the law by the last administration, the pastoralists through their Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN) in accordance with their perception rejected the law...”

Knowledge items	Farmers	Herdsmen N=
A. Content of the Anti-grazing Law (EAGL)		
One of the aims is to reduce indiscriminate bush burning	141(95.3)	55(75.3)
Contains regulations and criminalizes cattle grazing during the day	143(96.6)	56(76.7)
Allows for self – protection against attack	95(64.2)	49(67.1)
Aims to prevent cattle rustling	107(72.3)	70(95.9)
Allow animals to graze only in government designated ranches	98(66.2)	59(80.8)
Disallow carrying of fire arms and offensive weapons while grazing animals	133(89.9)	52(71.2)
Covers for relocating farms or herds to a new farm land	75(50.7)	44(60.3)
Disallows herd by any means to move or graze at night	118(79.7)	61(83.6)
Disallows for self-defense like setting of traps for animals	100(67.6)	52(71.2)
Restricts cattle movement and grazing between 7.00am and 6.00pm	121(81.8)	55(75.3)
Disallows unrestricted grazing	116(78.4)	49(67.1)
Protects the environment from degradation and pollution	113(76.4)	56(76.7)
Provides for the establishment of ranches and livestock administration	89(60.1)	53(72.6)
B. Penalties for violation		
Allows impounding of cattle which graze freely by the government	87(58.8)	51(69.9)
Allows offenders who are found with firearms and offensive weapons prone to the charge of terrorism	91(61.5)	57(78.1)
Provides for the valuing and compensation for damage of farm produces	109(73.6)	72(98.6)
Allows for prosecuting the violators of the law and for destroying the farm produce	139(93.9)	42(57.5)
Provides for penalty in any breach of the provision of the law that whoever contravene is -liable on conviction to 6 imprisonment or more	114(77.0)	61(83.6)
Provides for no fine option in lieu of the prison sentence	73(49.3)	54(74.0)

Source: Field Survey, 2019.

Table 2: Distribution of respondents' responses to knowledge items on the EAGL

Results in Table 3 reveal the limitations as perceived by the crop farmers and herdsmen. The top three items which crop farmers perceived as limitations included lack of involvement of crop farmers and herdsmen in the making of the EAGL ($\bar{x} = 4.42$), low literacy levels in understanding the content of the EAGL ($\bar{x} = 4.36$) and herders claiming the land as a common property ($\bar{x} = 4.30$). On the other hand, herdsmen added a lack of involvement of crop farmers and herdsmen in the making of the EAGL ($\bar{x} = 4.84$), ethnic rivalry between the two groups ($\bar{x} = 4.81$) and non-provision of social facilities in designated ranches ($\bar{x} = 4.60$). Also, crop farmers least perceived the following limitations: lack of robust protection for herdsmen in the EAGL ($\bar{x} = 2.70$), inadequate space for ranching ($\bar{x} = 2.64$), the ranching areas being an unsafe environment for herding ($\bar{x} = 2.30$), while

Limitations of the EAGL	Farmers	Herdsmen
	Mean	Mean
Ethnic differences between the two groups	3.80	4.81
Language barrier to effectively convey and interpret the EAGL	4.24	4.42
Declining influence of traditional rulers	4.25	3.92
Low literacy level in understanding the content of the EAGL	4.36	4.60
Severity and probability of environmental challenges can limit available pasture in the ranches	3.97	4.21
Limited access to inform	3.73	4.59
Lack of robust protection for herdsmen in the EAGL	2.72	4.29
Inadequate space for ranching	2.64	4.04
The ranching areas is unsafe for herding	2.30	4.51
Herders claiming the land as a common property	4.30	4.27
Lack of involvement of crop farmers and herdsmen in the making of the EAGL	4.42	4.84
Tradition basic cultivation patterns and mind sets	4.23	4.08
Limited fodder production	3.55	4.75
Fear of lack of social facilities in the designated ranches	3.27	4.60

Source: Field survey, 2019.

Table 3: Distribution of respondents according to their perceived limiting factors effectiveness of the EAGL

declining influence of traditional leader ($\bar{x}= 3.92$) and inadequate space provision for ranching ($\bar{x}=4.05$) are the least ranked limitations of the EAGL by herdsmen.

The results on categorization of knowledge of the EAGL as shown in Table 4 reveals that 82.4% of crop farmers and 90.4% of herdsmen had a high level of knowledge of the EAGL. Also, all (100%) herdsmen perceived the EAGL to be highly limited, against 97.3% of crop farmers in this category. However, in spite of the high level of limitations of the EAGL as perceived by farmers, 98.8% perceived the law to be efficacious, while only 8.2% of herdsmen share this disposition.

Testing the hypothesis at 5% significant level shows that (Table 5) the limitations of the EAGL as perceived by herdsmen is significantly ($t = 17.448$) higher than that of crop farmers. The results further reveal a significant difference ($t = 7.811$) between perceived efficacy of the two categories of respondents, meaning that crop farmers perceived the EAGL to be more efficacious compared to their herdsmen counterparts. This finding is corroborated by the FGD report where one of the herdsmen reported:

“the government did not carry all stakeholders along before implementation of the EAGL. The government used a “top down” rather than “bottom up” approach where collaboration, democratization and sharing of knowledge of different stakeholders could be enhanced to counter the cause of the conflicts between the two groups...”

Test variable	Crop farmers	Herdsmen	Mean	SD	Min	Max
Perceived Knowledge						
High	122(82.4)	66(90.4)	14.65	7.55	8.00	36.00
Low	26(17.6)	7(9.6)				
Perceived limitations						
High	144(97.3)	73(100.0)	55.03	7.55	37.0	70.00
Low	4(2.7)	0(0.0)				
Perceived efficacy						
High	104(70.3)	6(8.2)	15.61	4.98	6.00	28.00
Low	44(29.7)	67(98.8)				

** Figures in parentheses are percentages

Table 4: Categorization of respondents based on knowledge of the EAGL

Variables	N	Mean	SD	t – value	df	P
Knowledge						
Crop farmers	148	14.33	3.34	-1.821	219	0.07
Herdsmen	73	15.29	4.25			
Limitations						
Crop farmers	148	51.63	3.58	7.811	219	0.000
Herdsmen	73	61.93	4.56			
Perceived efficacy						
Crop farmers	148	17.95	4.10	17.448	219	0.000
Herdsmen	73	11.19	3.45			

Table 5: Test of difference between herdsmen and farmers' perceived limitations of the EAGL of the respondents and perceived efficacy of the EAGL

One of the Serikis of Fulani also expressed pessimism during the KII session on the potential of the EAGL as a sustainable conflict management strategy:

“... the administration which promulgated the law failed to identify the cause of the conflict but rather listened to the other group to formulate the law out of hostility and ethnic differences against the Fulbe ethnic group (Fulani). The law has promoted hate speech against herdsmen and is marginalized by crop farmers who used the law as an avenue to inflate cash compensation on claims of damaged crops. Several of our people have ended up in prison for injustice by virtue of roping them in a case without thorough investigation. The court itself hangs on the law to send convicted herdsmen to jail irrespective of the offences and resolution mechanism in place.”

Another discussant explains further:

“...There was a time in Orin community where a Seriki was alleged of murder of a pregnant Tiv woman, and was arrested by the security agency. It was later we got to know that the Seriki was just roped in the case out of ethnic rivalry and also because the Seriki being a relatively well-to

do man, that money can be made off him easily. The perpetrators were later discovered upon investigation” we, the herdsmen, are not getting justice from the anti-grazing law...”

Another Seriki expressed concern:

“We have viewed the anti-grazing law as a dangerous gambit, oppressive and negative which emerged as a populist agenda designed by visionless and desperate politicians to destroy the pastoralist culture and economic livelihood of the Fulani herdsmen. No herdsman was involved during the cause of its preparation to get our input. The process of making of the anti-grazing law is unconstitutional, as due process was not followed...”

The result of the FGD also suggests that even farmers do not consider the EAGL as capable of proffering sustainable solutions to the conflict. The position of FGD members suggests that the acclaimed efficacy as posited by the majority of the farmers may be short-lived. One of the FGD participants remarks:

“The EAGL was very effective when it was promulgated by the last administration, and put the herdsmen at bay by reducing their inhumane activities of persistent damage to crops and undue competition for land, among others. However, it now appears like the law is getting weaker by the day in its enforcement. Payment of compensation is no longer followed by the herdsmen. The threat posed by the herdsmen in recent times has made most farmers to diversify into coping activities such as Okada, which has exposed so many to health hazards and economic loss, some individuals have even abandoned farming while others are contemplating such.”

Table 6 reveals the result of Tobit regression which isolated the determinants of efficacy of the EAGL based on the variables proposed by the study. It reveals that years of experience, farm size, perceived limitations, education and being a crop farmer significantly determined stakeholders’ perceived efficacy of the EAGL.

Discussion

The result, which shows disparity in a number of contents of the EAGL, is a reflection of sentiments shared separately by farmers and herdsmen which is at complete variance with the supposed objectives of the Law. The result is also a possible indication of misconceptions surrounding, and misinterpretation of, the Law. This may not be a good signal for the efficacy of the Law. The result on perceived limitation of the EAGL suggests that the limitation of the law is more of an issue related to participation and advocacy, which have largely been limited by weak mobilization and awareness creation among stakeholders. This has the tendency to render the Law ineffective in spite of the efforts of the government to provide ranches and relatively safe environments, which stakeholders actually perceive as largely inconsequential. This result concurs with Aparajit et al. (2011)’s position that any legislation process devoid of adequate preparation will struggle to effect intended change.

The results on knowledge of the EAGL indicate that the key stakeholders i.e. farmers and herdsmen had good knowledge of the EAGL. While this may be a strong signal and an important pre-condition for efficacy, evidence from the study indicates that acquisition

Model	Coefficients (p)
Sex dummy (Male)	0.546 (1.045)
Knowledge Scores	0.119 (0.073)
Marital status (Dummy)	-1.097* (0.606)
Years of experience	0.102** (0.041)
Age	-0.001 (0.037)
Region (Dummy)	0.712 (0.615)
Number of cattle	-0.112** (0.052)
Farm size	-0.0001** (0.00002)
Land access (Yes = 1, No = 0)	1.009 (0.872)
Perceived limiting factors (scores)	0.228** (0.099)
Household size (Number)	-0.047 (0.100)
Education_dummy	1.691** (0.696)
Category of respondents (crop farmers)	6.689*** (1.175)
logSigma	1.285*** (0.048)
Constant	0.095 (3.916)
N	221
Log Likelihood	-594.859
Akaike Inf. Crit.	1,221.718
Bayesian Inf. Crit.	1,276.088

Notes:

***Significant at the 1 percent level.

**Significant at the 5 percent level.

*Significant at the 10 percent level

Table 6: Tobit regression results on determinants of stakeholders' perceived effectiveness of the EAGL

of knowledge on the EAGL is not a consequence of participation in the law making process. As non-discriminatory as knowledge is of the EAGL by either of the herdsmen and farmers, the results of the summary of perceived efficacy show that almost all crop farmers perceived the law to be efficacious while only a few herdsmen share this disposition. While it can be inferred that herdsmen's position on efficacy of the Law was consistent with their earlier stance on its limitation, that of farmers shows a high degree of inconsistency. This therefore suggests insincerity on the part of the farmers and hence further confirms the views that the law was deliberately passed to protect farmers' interests over those of herdsmen. This result which was further validated by the result of hypotheses in Table 5 could be due to the failure of the government to carry the stakeholders along in the process of promulgation of the Law as alleged by the pastoralists. This is in accordance with Godwin (2017) who reports that representatives of the nomadic pastoralists were not invited to participate in discussions leading up to the promulgation of the Law. The result also shares similarities with Sangotegbe et al. (2015) who had reported different perception levels towards the effectiveness of the Peace and Security Committee

for farmer-pastoralist conflict management in Ibadan/Ibarapa agricultural zone of Oyo state, also in southwestern Nigeria. Further, it agrees with Ogboru & Adejonwo-Osho (2018) who posited that the Miyetti Allah Kautal Hore Fulani socio-cultural group protested against a similar law in Benue state, claiming that it is fundamentally against their culture as nomadic pastoralists and against their economic interest. The group stated further that the Law is unconstitutional as it restricts their movement which they say violates their freedom of movement as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended) (Jimoh, 2017).

Simply, the implication is that the law is not achieving the desired outcome of a peaceful society due to the one-side approach and inadequate consultations and participation of key stakeholders in its formulation. This position is in line with Ogboru & Adejonwo-Osho (2018) that participation of stakeholders in developing any law is key to the successful implementation of, and compliance with, such a law.

The result on determinants of respondents' perceived efficacy of the EAGL simply means that the longer the years of experience in crop farming, the more efficacious the EAGL was perceived by stakeholders. The study further reveals that herdsmen with large herds of cattle perceived the Law to be ineffective, while farmers with large farm size perceived otherwise. It reveals that the more the the EAGL is perceived as a limited organ by both stakeholders, the less effective the Law was perceived, while education enhanced stakeholders' perceived efficacy of the Law. The result further shows that knowledge of the EAGL did not have an impact on how effective stakeholders perceived the EAGL to be. The result therefore contrasts with Fuller (1969) who had averred that publicity and clarity are key variables and required conditions for an effective law regime. This may however not be unconnected with the fact that knowledge of the Law was more largely influenced by the media, rather than through public hearing and stakeholder engagement, as it should have been. The study further affirms the result of the t-test and hence suggests that the law may have served the interests of the crop farmers better than the herdsmen, as the former perceived the law to be efficacious, as against the latter who perceived otherwise. This does not present an ideal situation for achieving the needed change in the direction of better management of commons, improved socio-economic living and conflict management. Unlike the situation in the study area, synergy of opinions among stakeholders is required to achieve efficacy or otherwise of any law, depending on direction of such opinions, while disagreement is often an indication of the failure of such a law. This corresponds to the position of Alumbugu et al. (2015) who argued that there is no better or simpler way to measure value than to engage stakeholders for relevant information and exchange of views. It can thereby be inferred that the EAGL is not effective at bringing about the much desired change for sustainable management of commons and achieving a peaceful coexistence among stakeholders in Ekiti state. This result corroborates other studies which reported ineffective approaches to managing farmers-herdsmen conflicts also in Nigeria (Sangotegbe et al., 2015; Ogboru & Adejonwo-Osho, 2018).

Conclusion

This study shows that the EAGL is not a sustainable solution option for managing commons and farmers-herdsmen conflicts in Ekiti state. This was due to the different dispositions shared by stakeholders. As established by the study, a situation where stakeholders perceive the Anti-grazing Law as favouring the other stakeholder does not proffer a good condition for a peaceful and healthy relationships and co-existence of the parties concerned. This is in spite of the non-discriminatory nature of knowledge level of the two stakeholders of the Anti-grazing Law. Therefore, more holistic, proactive and participatory measures should be adopted in governance of commons and other environmental resources in a way that will not be perceived to favour the interests of one socio-political or socio-cultural group to the detriment of the other. The study further suggests the need for farmers and herdsmen to be open to an amicable resolution of issues among themselves without having to take the conventional legal measures when misunderstanding occurs.

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