

AN APPRAISAL OF THE (IR)RELEVANCE OF POLICY ON RURAL GRAZING AREA (RUGA) IN NIGERIA

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ABSTRACT

This study researched on the historical trend of incessant clashes between herders and farmers throughout the Nigerian polity. It traced the conflicts back to the early days when they first came to lime light and analysed the various arguments that have been put forward by the media, legislature, executive, judiciary, opinion formers and public affairs analysts. It observed the position of the executive on the controversial issue of “RUGA” (Rural Grazing Area) and the National Live Stock Transformation Plan (NLTP), to establish the existence of any such laws, whether the existing laws are of general application throughout the Federation of Nigeria or have been abolished or rendered obsolete by subsequent legislations on same subject matter. It went further to discuss the practicability of establishing “RUGA” amidst population growth, increase in agricultural activities, urbanization rate and whether the Federal Executive has the constitutional powers to carry out such establishment in view of the land use Act of 1978, which vested the ownership of land on the states vis-à-vis section 315(5)(d) of the 1999 constitution which subsequently incorporated the former making it an Act of National Assembly and a Statute of general application. The research concludes on the note that the establishment of RUGA (Rural Grazing Area) or setting up of the National Live Stock Transformation Plan (NLSTP) or cattle colonies, will not put an end to the crisis between herders and farmers, the solution lies in ranching, which is the best practice globally. Amongst other things, it was suggested that this is the way forward for Nigeria as well as the best practices which are successfully implemented worldwide.

KEYWORDS: RUGA, Land Use Act, Farmers, Herdsmen, Land.

1.0 INTRODUCTION

Coexistence between herdsmen/pastoralists and farmers/agriculturalists date as far back as from time immemorial. In the early days there was a form of social understanding between the parties in a given community to set parcels of land apart from one another to avoid encroachment from either side.

There were however no formal written laws to back up the rules of engagement but both parties did understand the need to adhere strictly to their area of operation to avoid conflicts and clashes (Ingawa,et al,1988).

Consequently, as a result of population growth, urbanization, increased agricultural crops

cultivation, climate change/desertification and lack of any legal backing to protect any part of the land for pastoral purpose there was encroachment and the available land for grazing continued to dwindle thereby forcing herdsmen to migrate in search of new grazing areas. This migration in turn triggered clashes between herdsmen and farmers as mass movement of herds more often occasion damages to crops (Kjentad, 1988). This development led to the passing of the Grazing Reserves Act of 1964, for Northern Nigeria, which was adopted by most states in the present day North East, North West and North Central but was not gazzeted by all the states. The intendment of this law was to create a stable environment for the pastoralists and prevent nomadic movement to avoid conflict. “RUGA” is a Fulani word for human settlement and also an acronym for “Rural Grazing Area” (Vanguard newspaper, 2019) which was introduced by the Federal Executive aimed at settling the conflict between Fulani herdsmen and farmers.

2.0 LITERATURE REVIEW

The Grazing Reserve Law of 1964 has been the law in operation for the defunct Northern Region when Nigeria practiced regionalism in the First Republic. The law was meant to ameliorate the friction between herders and farmers and to prevent clashes between both parties by creating foddors and grazing reserves for pastoralists.

The enactment of the Land Use Act of 1978, has now placed ownership of land on the state government, and the Act has laid down the procedure for acquisition of undeveloped land which has to be done through the local government authorities by issuing a statutory right of occupancy and depending on the size of land involved, if the

land in question exceeds a maximum of five hundred hectares (500ha) for agricultural purposes and five thousand hectares for grazing purposes, the consent and approval of the state governor must be obtained. Worthy of note is the provisions of Section 6(b) which empowers the local government to grant a customary right of occupancy to either an individual, organization, for grazing and other purposes connected with agriculture “as may be customary in the local government area concerned”. It is clear from this subsection that it is not mandatory for instance, for a local government in the Southern part of the country to grant a customary right of occupancy for grazing purposes if grazing is not customary that local government area. The Land Use Act of 1978 was subsequently incorporated into the 1999 constitution and the provisions of the constitution are explicit on the issue of federal laws which are of general application throughout the federation of Nigeria. It makes it clear that only the National Assembly and the House of Assembly remain the body saddled with the responsibility to make laws for the federation of Nigeria.

Any law that is deemed federal, even if it came into operation before the 1999 constitution, will either be incorporated into the constitution, modified or be repealed to the extent of its inconsistency. If the 1964 Grazing Act was intended to be applicable throughout the federation of Nigeria it ought to have been incorporated into the 1999 Constitution just as the constitution absorbed other laws which came into force at an earlier date, like the Land Use Act of 1978. It is apparent therefore from the forgoing that it will practically be impossible for the Federal Executive to establish the Rural Grazing Area plan as the Grazing Reserve Law of 1964 does not find its application in all the states of the Federation of Nigeria, as it was not incorporated into the 1999

Constitution and has no support from the Senate as well as the general populace. Even if the Federal Executive decides to opt for an amendment to accommodate and incorporate the Grazing Reserves Act, the requirement will be two third of majority votes and support from both houses of assembly and the states of the Federation of Nigeria, which might be impossible in the face of overwhelming opposition.

3.0 CONTEXTUAL ANALYSES OF VARIOUS ARGUMENTS

It has been criticized that the major reason for the total rejection of the Federal Government proposal to implement the Grazing Reserves Law of 1964, by way of establishing Rural Grazing Area (RUGA) is that it was an attempt to grant unmerited right to the Fulani herdsmen over the indigenous people and host communities across the various states of the Federation. Both farmers and herdsmen are in private business and none of the parties must be given preferential treatment. There are many farmers in the Southern part of Nigeria who do not own any farm land but who hire or get a lease of farm space from time to time. “RUGA” is said not to be an offshoot of the National Live Stock Transformation Plan (NLTP) headed by Vice President Yemi Osibajo, as claimed by the information minister.

One then wonders how decisions can be taken on crucial issues such as this without proper consultations even within the Executive in a democratic dispensation. If ‘RUGA’ then is a unilateral plan of the Federal Executive who only has control over land in the Federal Capital Territory, how does it intend to succeed in a democratic setting where his plan has no support of the Senate and criticized extensively, how does the

Federal Executive intend to circumvent the provisions of the Land Use Act which has been enshrined in the 1999 Constitution. The issue of herdsmen has led to a serious insecurity situation throughout the Federation of Nigeria as seen in the attacks on communities, kidnappings and abduction of individuals, banditry and the likes, all under the guise of herdsmen. Herdsmen must stare clear from the forest and prevented from roaming to make their monitoring easier, they must resort to ranching. Every other state that has not passed the Anti Open Grazing law must do that speedily, because the whole essence of a Republic is for the protection of human life and property which is a far cry amidst open grazing. The creation of RUGA around the federation will amount to culture intrusion because cattle rearing and grazing is alien to many cultures in Nigeria, any such move will only create more agitations and distrust especially in a country that is experiencing a high level of insecurity. Nevertheless, such communities can find protection under the Land Use Act of 1978, which gives discretion to the local government authority concern not to grant a customary right of occupancy for undeveloped land if the purpose for the usage is alien to the culture of the area. Every calculated attempt by the Federal Executive to solve the herdsmen and farmers crisis has been geared towards appeasing the Fulani ethnic group without a single effort to address displaced communities and farmers and every other Nigerians who have received terror from this tribe.

4.0 CONCLUSION

It is crystal from this research that the crisis between farmers and herders has been age long and that it has only aggravated in recent times partly due increased in population growth, agricultural activities, urbanization and climate change resulting in

desertification. That the Federal Government attempt to establish the Rural Grazing Area (RUGA), otherwise call Grazing Routes, National Live Stock Transformation Plan (NLTP), Cattle Colony, or whatever nomenclature, will not provide a permanent solution to these crisis. The solution lies in ranching. To avoid unnecessary migration, the Federal Government should partner with northern state governments where the herdsmen are originally domiciled, to establish irrigation facilities which will encourage desert reclamation thereby creating grazing areas for herdsmen. Because the principal reason for the migration is in search of forage. The major preoccupation of the Southern part of Nigeria has been agriculture in terms of annual crops cultivation and cash crops and there might not be enough undeveloped land to accommodate grazing reserves. Moreover given the insecurity situation of the country right now, it is pertinent that herdsmen remain within the locality of their origin, as Nigerians are generally fed with all the issues generated and associated with herdsmen; the killings, kidnapping, banditry, robberies and the likes.

REFERENCES

- Abdu-Rafiu (04 July 2019). *The RUGA controversy*. Retrieved from <https://guardian.ng/features/the-ruga-conroversy>
- Aidonije, A., & Ikubanni, A. (2021). *Analysing the Land Use Act, the Grazing Reserves Act and the proposed Fulani colony (RUGA Settlement) and NLTP*. Retrieved from <https://www.ajol.info/index.php/naujilj/article/view/206739>
- Grazing Reserves Act 1964. Passed for the then Northern Region in the First Republic.
- Ingawa, S. A., Tarawali, C., & Von Kaufmann, R. (December 1988). *Grazing Reserves in Nigeria: Problems, prospects and policy implementations*. A paper presented at the National Workshop on Guidelines for Development of Settlements in Grazing Reserves in Nigeria, Bauchi State. Retrieved from <https://cgspace.cgiar.org/rest/bitstreams/b3001f39-a655-499d-9c16-f2b99b1d02c2/retrieve>
- Kjentad V. (1988). *Land tenure in the sub-humid zone of Nigeria, implications for agricultural innovations: A literature review*. (Report to ILCA, Ibadan).
- Olu, F. (July 11 2019). *Ruga is a dangerous idea, Buhari was utterly wrong to moot it*. Retrieved from <https://www.vanguardngr.com/2019/07/ruga-is-a-dangerous-idea-buhari-was-utterly-wrong-to-moot-it/amp>
- Pulse News (July 2, 2019). *Controversy over Buhari's Ruga settlement explained*. Retrieved from <https://www.pulse.ng/news/local/ruga-controversy-over-buharis-settlement-explained/wircx8g.amp>
- Taiwo, H. A. (July 6 2019). *"RUGA" Steeped in the history of distrust, Nigeria's botched solution for deadly conflict*. Retrieved from <https://www.premiumtimesng.com/news/headlines/339175-ruga-steeped-in-history-of-distrust-nigerias-botched-solution-for-deadly-conflicts.html>
- Tehemba, D., & Falaju, J. (August 16 2019). *Osibanjo distances self from RUGA Settlement*. Retrieved from <https://www.pressreader.com/nigeria/thegurdianigeria-nigeria/20190816/281556587469076>



Thisday News (June 27, 2019). *Opposition to Ruga Mounts as Critics Reject FG's Cattle Settlement Policy*. Retrieved from <https://www.thisdaylive.com/index.php/2019/06/27/opposition-to-ruga-mounts-as-critics-reject-fgs-cattle-settlement-policy>

Vanguard news (July 2, 2019). *Ruga: The true meaning of Ruga and the controversy over it*. Retrieved from <https://www.vanguardngr.com/2019/07/the-true-meaning-of-ruga/amp>

Waters-Bayer, A., & Taylor-Powell, E. (1986). Settlement and land use by Fulani pastoralists in case study areas.