

**FARMERS AND HERDERS IN GHANA: EXAMINING THE IMPACT OF
LIVELIHOOD AND AUTOCHTHONY ON THE LAND CONFLICT BETWEEN
INDIGENES AND MIGRANTS**

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Abstract

This study examines the underlying drivers of the conflict between Indigenous farmers and Fulani herders in two districts in Ghana: Asante Akim North and Gushegu districts. These two districts have witnessed the most violence in Ghana between 2001 and 2020. The research is anchored on land-use and land access theories, as well as autochthony and narratives of "Sons of the Soil". Based on data gathered from forty-five (45) media sources of local, national and international news articles in newspapers and online, including transcripts of extended interviews of leaders of both Indigenous farmers and Fulani herders done on national television and documents from the police, judicial service, traditional Council and Regional Security Council. This Study argues that the differences in the livelihood of the two groups of land users and the use of autochthony identity to deny Fulani herders access to land are the underlying drivers of the violent conflict between farmers and herders. Both farmers and herders need land for their livelihood; however, land access and use are contested and interpreted continuously within the spheres of identity. The focus on the farmer-herder conflict in Ghana emphasizes that theories that seek to identify and explain the causes of group conflict must go beyond simple linear explanations to include complex multi-dimensional explanations.

Keywords: farmers, herders, conflict, Fulani, livelihood indigenous, land-use, Asanti-Akim North, Gushegu, migration, Ghana, land access, autochthony, sons of the soil.

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List of Abbreviations

AAND	Asante Akyem North District
ACP	Assistant Superintendent Of Police
ATC	Agogo Traditional Council
CFAG	Cattle Farmers Association Of Ghana
DCE	District Chief Executive
ECOWAS	Economic Community Of West African States
FRS	Fondation Pour La Recherche Strategique
GD	Gushegu District
GFAP	Ghana Federation Of Agricultural Produce
GSS	Ghana Statistical Service
GTC	Gushegu Traditional Council
HIC	High-Intensity Conflict
IDO	International Development Organization
IPCC	Intergovernmental Panel On Climate Change
IRIN	Integrated Regional Information Network
LIC	Low-Intensity Conflict
MOFA	Ministry Of Food And Agriculture
MSSD	Most Similar Systems Design
NDC	National Democratic Congress
PFAG	Peasant Farmers Association Of Ghana
REGSEC	Regional Security Council
SIDA	Swedish International Development Cooperation Agency
UNEP	United Nations Environmental Programme
UNFCCC	United Nations Framework Convention On Climate Change

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CHAPTER ONE

GENERAL INTRODUCTION

1.0 Introduction

Since the start of 1980, more than 28 Sub-Saharan African states have been at war, according to the International Development Organization, ID21¹(IDO, as cited in Sani, 2013, p. 122). Ghana is considered one of the more stable countries in West Africa since its transition from military rule to the multi-party electoral system in 1992 (Global Peace Index, 2015 -2017). Compared to most of its neighbours, Ghana is politically stable and stands out in a chaotic region. Nevertheless, the periodic escalation of conflicts into serious violence has become a source of worry. One such conflict is the conflict between migrant Fulani herders and indigenous farmers, popularly known in Ghanaian media as the “Fulani menace.”

The relationship and interactions between farmers and herders are not new in Ghana and the West African region in general. The relationship between indigenous farmers and migrant Fulani herders in Ghana is generally marked by conflict, cooperation and “complementarity” (Tonah, 2002). Competition in many parts of Africa has replaced the past mutual beneficial relationship between these two groups in contemporary times. In West Africa, the farmer-herder conflict is not only rampant but, according to some scholars, on the increase (Shettima and Tar,

¹ Id21 is a fast-track research reporting service funded by the UK Department (DFID)

2008).² This “low-intensity conflict” (LIC)³ has attracted the attention of researchers and policymakers. However, it has been obscured by the prevalence of “High-Intensity conflict” (HIC) or “complex political emergencies” that beset the West African subregion in the 1990s (Shettima and Tar, 2008). In Sub-Saharan Africa, cases of farmers-herders conflict are widespread (Tarhule, 2002). For instance, in 2013, approximately 300 people were reported dead in Nigeria due to the farmers-nomads conflict (Okoli and Atelhe, 2014). Again, in 1989 clashes between herders and farmers at the borders between Senegal and Mauritania resulted in multiple deaths, scores of wounded people, and destruction of properties when reactions extended across the borders (Homer-Dixon, 1999; Salmone, 2010). In December 2009, 32 people died, many injured, houses burned, and several farms destroyed in a clash between pastoralists and farmers in Udeni-Gida, a town in central Nigeria’s Nasarawa State (IRIN, 2012). The spate of violence between the herders and farmers in Nigeria is showing no signs of decline. In one of the recent and bloodiest occurrences yet, on June 23, 2018, over 200 people were left deceased after an attack on some villages in Plateau, a state in Nigeria’s middle belt. This follows an earlier attack in January 2018, where 73 people were killed in Benue, another state in central Nigeria, sparking the rhetoric of genocide (BBC News, June 2018).

In Ghana, the conflicts between nomadic Fulani herdsmen and farmers have been a significant problem and challenging to resolve not only for the societies in which they occur but also for the government at the national level. Several confrontations and conflicts resulting in many

² The claim that the conflict between farmers and herders is on the increase in Africa has been challenged by some scholars.e.g. Hussein (1998)

³ According to a release by the Environment, Conflict and Cooperation (ECC) library in 2014, low-intensity conflicts are disagreements which are mostly local, sporadic and without the direct involvement of governments and government security forces (ECC document, 2014). LIC is below conventional war, and above the routine, peaceful competition among groups and also involves protracted struggle of competing principles or interests (Global security organization, 1996)

deaths and the destruction of crops and properties have been reported in different countries. Citing the case of the Fulani-Konkomba conflict in Ghana in 2011, investigation reveals thirteen (13) deaths, while eleven (11) people were seriously injured. Many houses were burnt and properties destroyed (Abubakari and Longi, 2014, p.103; Olaniyan, 2015, p.335). In October 2017, it was reported by major news outlets in Ghana that Nine Fulani herdsman and some Kwahu farmers had been killed at Dwerebeafe, Aboyan and Mpeamu in the Kwahu East District in the Eastern region of Ghana (modernghana.com October 28, 2017). While generally similar to other conflicts that arise in the sub-region, it can be concluded that Ghana's conflicts have been on a relatively lower scale than those of its neighbours, perhaps, accounting for the relatively limited attention paid to it. However, what is new is the widespread reports of an increase in violent confrontations among farmer-herder in many parts of Ghana.

Thus, the changing dynamics of the relationship between the Fulani herders and indigenous farming groups need to be extensively analyzed. The conflict appears to be prevalent and pervasive in Ghana's northern and middle belts, mostly witnessing violent clashes between farmer and pastoral Fulani migrants. *What accounts for the incidents and prevalence of conflict between the Fulani migrant herders and indigenous farmers in Ghana? How does the struggle over land use between groups with different livelihoods lead to conflict? How does Fulani herders' migrant status contribute to the conflict? Does the use of autochthony discourses by local farmers affect the conflict? How does Fulani land access and rights in Ghana (which borders on identity/belonging) affect relations between farmers and Fulani herders in terms of conflicts increase conflict?*

While there has been much attention paid to many factors that cause the conflict, including the destruction of crops and property (e.g.Tonah, 2002 and 2006; Oksen, Agyemang, 2017,;

Oppong, 2015; 2001, Asaah et al., 2017), the inability of traditional and governmental institutions to deal with the conflict at an earlier stage (e.g. Moritz, 2010; Tonah, 2002; Hussein et al., 1999; Mwanfupe, 2015), declining interdependent relationship between farmers and nomads (e.g. Tonah, 2000 and 2006), engagement in social vices by herders (Abubakari and Longi, 2014; Ahmadu, 2011; Ofuoku and Isife, 2009; Tonah, 2000) there has been relatively less attention to the land-use among people with livelihood differences, indigenous “Sons of the Soil”(SoS) claims, and the exclusionary “autochthony” discourse employed by the local farmer’s identities, which revolves around questions of ‘first-comers’(Lent, 2005) and the concept of the indigenes as the bearer of land. The purpose of this study is to examine the causes of the conflicts between Fulani migrant herders and indigenous farmers in the two districts in Ghana: 1) Asante Akim North District (AAND), and 2) Gushegu district (GD) in the Ashanti and Northern regions of Ghana respectively. These districts have gained much coverage in the media over these conflicts in recent times. This research attempts to explain the underlying drivers of these conflicts. This study hypothesizes that the farmer-herder conflict (dependent variable) in these areas of study is caused by land-use disagreement and land access and compounded by livelihood differences and the use of identity as the determiner for land access (independent variables). It argues that although the difference in livelihood activities and land-use disagreement are relevant causes of the conflict, the non-indigenous outlook of the migrant Fulani herdsman is at the core of this. They are regarded as non-autochthonous in the two study areas and thus have no land rights and limited land access and use. The study examines specific instances of land conflict compounded by autochthony claims and questions surrounding the identity of Fulani herders. Hence, this thesis aims to treat the farmer-herder conflict as land conflict (its use and right), using autochthony claims and livelihood differences.

According to Ericksen(1997), the term “Fulani” is generally used to classify the pastoral/herder migrants and their relationship with each other (Ericksen, 1997. P.34). The Fulani categorization is widely accepted in Ghana and the West African region (Oppong, 2002). Thus, it is difficult to discard. Traditionally, the Fulani inhabit the ‘Sudano-Sahelian’⁴ region north of Africa (Soeters et al., 2017; Tonah, 2006a). From the pre-colonial period until today, the Fulani’s livelihood traditionally is based on seasonal transhumance. During the dry season, Fulani herdsmen migrate into the southern Savannah belt, including in Ghana, searching for pasture and water for their livestock. As Tonah (2005) noted, the influx of permanent Fulani settlers in (northern) Ghana started in the 1960s; they were mostly allowed to settle on existing farming communities’ peripheries. However, during the Sahelian droughts of the 1960s and 1970s, larger numbers of Fulani started settling on a more permanent basis in Northern Ghana and later migrated to the greener southern parts (Soeters et al.,2017). Ghanaian citizenship and immigration policies tend to put Fulani herders at a disadvantage. For instance, Fulanis, per the 1992 constitution of Ghana, even if born in Ghana but has none of his /her parents or grandparents born in Ghana before 1957, are explicitly excluded from Ghanaian citizenship except through marriage, naturalization or adoption.

The term “Indigenous people” used in this study refer to the first people to occupy the area and are regarded as natives of the place. In this sense, it refers to people who belong to ethnic groups of Ghanaian origin. Thus, the Fulani migrants are excluded. In this study,’ Farmers’ will apply to crop farmers (local farmers), although pastoralists are also farmers (livestock farmers).

⁴ According to a Map by Hijmans et al. (2005), the Sudano-Sahelian regions of Africa stretch from the coast of the Atlantic ocean to the Red sea. The region extends across the whole northern parts of West, central and eastern Africa. The region is covered by hot deserts, semi-deserts and the Sahara (Odunkunle et al.,2008)

The term ‘farmers’ in this essay is therefore adapted to create a distinction between crop farmers and cattle herders. For this research, the term conflict will be conceptualized as a competition and disagreement over scarce resources (such as land), property (including the destruction of crops, the killing of cattle, burning of houses), and violent clashes. Conflict in this sense is understood as “an expressed struggle between at least two interdependent parties who perceive incompatible goals, scarce resources, and interference from others in achieving the goals” (Wilmot and Hocker 1998, p.34). Thus, conflict in this regard may include non-violent encounters. This thesis will examine the factors that lead to conflict escalation from non-violent into violent clashes.

1.1 Theoretical Framework and Research Argument

This research project challenges the usual trend, which uses land scarcity and climate change as the leading cause of violent conflict in most parts of Africa (Peluso and Watts, 2001; Benjaminsen et al., 2012; Okoli and Atelhe, 2009, Bukari, 2017). Komey’s work (2010) suggests that the resource scarcity argument misses an important point: resource scarcity neglects other dimensions of the causes of conflict, such as identity and claims to land and territory, which are often an integral part of land conflict. Moritz (2010) also argues that for a conflict to be fully understood, it is important to employ a multi-faceted approach that seeks to capture all critical drivers of the conflict, which may be ignored when a single cause is adopted.

For others, it is the destruction of crops that is the primary source of conflict, e.g. Tonah (2002 and 2006a); Oksen (2001). However, attributing the conflict between indigenous farmers and Fulani migrant herders to only the destruction of crops oversimplifies the conflict’s cause. It cannot explain many clashes between the two groups, mostly if the crop is not destroyed. Instead, as Assah et al. (2017) put it, the destruction of crop explanation can be classified as a “trigger” or immediate cause of the conflict. Thus, the study attempts to put crop damage issues, burning of

farming, encroaching of farmlands and grazing lands into the perspective of land use between the two groups.

In Ghana, like many West African countries, the Fulani herdsmen are regarded as ‘strangers’ (‘aliens’) and are denied equal rights of land tenure (Bukari, 2017; Tonah, 2002). According to Tonah (2002), in almost every part of Ghana, the Fulani herders and their families are considered ‘strangers’; thus, rules governing the use or ownership of the land have been formulated or have evolved to reflect the interest of indigenous crop farmers thereby neglecting the interest of other people who migrate to settle with those areas (Tonah, 2002, p. 45). Thus, to access land in many communities, one must be associated with an indigenous group.

One factor that has been identified as a major cause of group conflict is “Inter-ethnic variation” (Tonah, 2006c, p. 153). Inter-ethnic variation involves stressing the significant differences among groups, especially their livelihood and the differences in orientation, aspirations and interest of the Fulani migrant herders and indigenous farmers. Thus, the use of “autochthony” discourses has become a well-known feature of contemporary conflicts, especially in Africa and worldwide (Dunn, 2009). Autochthony discourses create a linkage between identity and space, enabling the one who employs it to establish a direct claim to territory by asserting that one is an original inhabitant, or a ‘son of the soil’ (SoS) (Dunn, 2009. p.113).

In some cases, however, the arrival of sizeable numbers of migrants tend to generate violent clashes between distinct ethnic groups, usually between indigenous populations and migrants (Côté and Mitchell, 2015). These types of conflicts involving indigenous inhabitants and in-migrant ethnic groups are commonly referred to as ‘Sons of the Soil’ (SoS) conflicts (Fearon and Laitin, 2011). According to Côté and Mitchell (2018), migration dynamics should not be overlooked in discussing the causes of violent conflicts. Thus, using the autochthony and SoS lens

provides a comprehensive framework for understanding and explaining the triggers of violent conflict between migrants and indigenous settlers (Côté and Mitchell, 2018).

This study will provide a useful perspective on the nature of group identities, highlighting the variables of migration, the character of group boundaries, identity and belonging, access to resource and the need for a theory that moves beyond assumptions of resource conflict to capture the indigenous claims and discourse that revolves around questions of autochthony, identity and claims to land as well as variations in their livelihood goals and interests.

1.2 Research Design

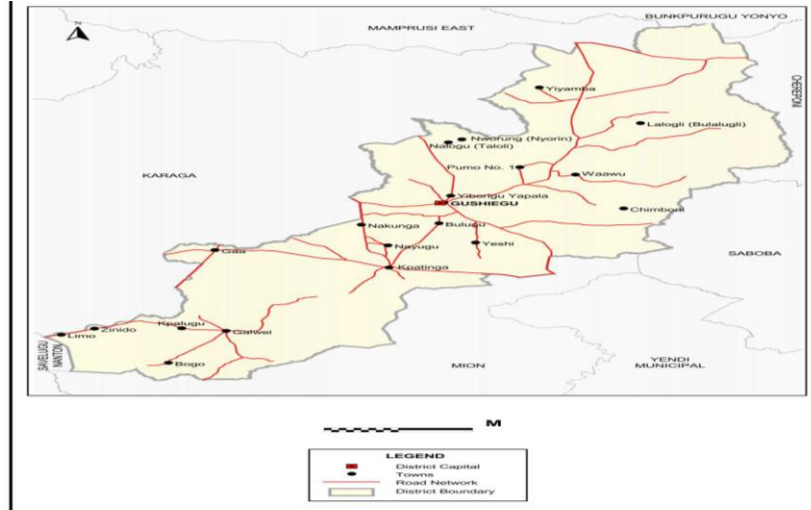
The thesis's primary analytical aim is to analyze the causes of conflict among the indigenous farming population and the migrant pastoralist groups in Ghana. The study seeks to answer in a comparative analysis two districts in Ghana: Asante Akyem North District (AAND) and Gushegu District (GD), emphasizing the underlying factors that shape conflicts between local farmers and migrant herders in Ghana. The two cases were selected because they represent different areas and local groups. However, the cases have the same dependent variable (conflict), and also, there is the presence of one or more independent variables. In all the selected districts, Fulani herders have been granted concessions of land by local chiefs leading to a widespread protest by the youth, sometimes leading to a violent confrontation between Fulani and local farmers. These areas were chosen in Ghana because they have hosted comparable farmer-herder conflicts in Ghana, many of which involve violence (Dary et al., 2017).

Source: Author's Construct, 2020

[illegible]

9

1.2. Map of Gushegu District.



Source: Ghana Statistical Service, (2014, p2)

These cases are also spread from the north (GD) to the south (AAND) of Ghana. Therefore, it is possible to extend the findings of these study to a broader theory and understand new and existing theories (Firestone, 1993 as cited in Huberman, 1994, p.27). The multiple case study offers a broader dimension of the farmer-herder conflict's complexity in Ghana and West Africa in general. By offering a broader dimension to the study of complex issues on the farmer-herder conflict, this study will also help contribute to comparative knowledge on this topic.

Like many other conflicts in Africa and other parts of the world, Ghana's farmer-herder conflicts lack reliable and exhaustive information, making it challenging to undertake a quantitative assessment of migration and conflict between the Fulani herdsman and indigenous farmers in Ghana. According to (Moritz 2006), farmer-herder conflicts are hardly ever observed firsthand by researchers. Consequently, analyses of them depend primarily on data from post hoc archives and interviews. Thus, this research uses a thorough media analysis of national and local

Ghanaian media and complementary secondary data from chapters of books and articles to analyze the underlying causes of Ghana's farmer-herder conflict.

The analysis of Ghanaian media reports involves electronic, print and online sources from 2010 to 2020 as the violent conflict between the two factions has increased in magnitude and numbers. Again, critical evaluation accounts of community leaders, reports, and accounts of people within the security agencies; the media reportage of the conflicts: print and electronic were subjected to analysis to ascertain their validity and relevance to the study. This use of media allowed this research to gather a wide range of data over an extended period within a limited period. Content analysis will be adopted to appraise the meaning and messages within the media sources themselves. This research's content analysis will allow researchers to study a broad range of 'texts,' interviews, narratives, discussions, films, TV, editorials, and contents of newspapers and magazines on the conflict between the farmers and Fulani.

1.3 Importance of Research and Relevance of The Issue

A better understanding of the conditions and factors surrounding the farmer-herder conflict would improve our knowledge of forces at work in the conflict in at least three ways. First, farmer-herder conflict is a phenomenon in its own right, generating thousands of deaths and displacements worldwide. Second, the conflict between groups can degenerate into a national conflict group (Warren and Troy, 2014). Communal conflict dynamics (such as farmer-herder conflict) involving land use have been noted as the most significant obstacles to domestic peace in divided societies. As Horowitz (2002) puts it, communal conflicts can be an effective way of gaining access to land. Many people are often displaced, even when the number of deaths is relatively limited (Horowitz 2002). Thus, ruthless political entrepreneurs, who used the local populations' grievances for land,

were the key actors in the Kenyan post-election communal conflicts (Human Rights Watch 2008; International Crisis Group 2008). A complete understanding of the farmer-herder conflict processes will thus be impossible without a better grasp of the forces generating inter-ethnic cohesion and fragmentation. Third, this research study of the conflictual relationship between migrants and indigenous farming groups in Ghana focuses on the cross-border and interstate migration of Fulani-herders from neighbouring countries as well as from the northern parts of Ghana to the forest and middle belts of the nation, rather than on merely local or provincial phenomena. It also examines the consequences of migration on the access to resources and the resulting conflict from limited access to resources (land) on the part of the migrant group.

1.4 Structure of The Thesis

This study is organized into six chapters. The first chapter introduces the research project. The second chapter will review relevant literature and theories on the factors that cause farmer-herder conflicts in Ghana and Africa. Land is an indispensable resource on which most individuals and group's livelihood and income depend on. Thus, when perceived under the identity lens, land becomes a reference point for both individual and group identity. Consequently, the question of land and identity has been the subject of conflict between farmers and herders.

The third chapter justifies the selection of two sub-national districts to investigate factors affecting conflict between migrants/farmers in the two districts under study, namely, Asante Akyem North District (AAND) and Gushegu District (GD). It also justifies the reliance on media reports of conflict, the use of qualitative analysis and the challenges encountered in collecting data.

Chapters Four and Five embody the analysis of data gathered in this research. Chapter Four will discuss the independent variables of land use and how it leads to violent conflict among

farmers and herders in AAND and GD. Here I show how the differences in livelihood goals lead to contestations for land and how that contributes to an overall understanding of farmer-herder relations and conflict. The two cases will emphasize the differences between groups in terms of livelihood goals and interest and the consequences of competition over land use. This paper argues that land use among the two groups leads to triggers, which translate into conflict.

The fifth chapter discusses another important driver of farmer-herder conflicts that is intricately linked to land use. Unlike Chapter Four, which addresses how land-use issues contributing to farmer-herder violence in Ghana, in this chapter, I elaborate on how land access and rights in Ghana (which borders on autochthony and belonging/citizenship) affect relations between farmers and Fulani herders in terms of conflicts. I highlight the migration of the Fulani herders to the communities being studied in this research, how land tenure laws are formulated to favour indigenes, the use of autochthony discourses by indigenous (Sons) farmers and how that set the stage for the escalation of the conflict. I also examine how land tenure insecurity on the part of Fulani migrant herders, which is a result of their lack of land rights and limited access, affect the conflict

The conclusion in this study will sum up the main findings, make suggestions for further studies and introduce multiple caveats with regards to the study of farmer herder conflicts. The arguments advanced here can inform future research on migration victim profiles (their livelihood and rights) and serve as a basis for making predictive models on migration and conflict risk using sons of the soil and autochthony theory and the difference in livelihood activities between local farmers and migrant herders.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

An extensive body of literature on Sub-Saharan Africa has consistently acknowledged farmers' and herders' historical co-existence in symbiotic relationships (Bassett, 1988). Tonah (2006) acknowledges the long historical record of fluctuating conflict, competition and cooperation between settled (indigenous) farmers and Fulani migrant herders in West Africa. Similarly, Turner et al. (2006) concluded that the relationship between farmers and herders has been multi-dimensional, comprising cooperation and conflict. Farmers and herders forged a healthy relationship through reciprocity, exchange and support (Barrot, 1992; Moritz, 2010). According to Turner (2004), the relationships between farmers and herders in Sub-Saharan Africa, like most social relationships in other parts of the African continent, have been characterized by cooperation and conflict. Tonah (2006) indicates that conflicts between farmers and herders have been a common feature of economic livelihood in West Africa. In recent decades, farmer-herder conflicts in many parts of Sub-Saharan Africa have escalated into widespread violence, leading to property loss, massive displacement of people, and loss of lives (Hussein, Sumberg and Seddon, 2000). This chapter intends to review theories about the causes of farmer-herder conflict in Africa and develop a conceptual framework to guide the research in the study areas, namely Asante Akyem North District (AAND) Gushegu District (GD) in Ghana.

As indicated in the previous chapter, the popularity of the farmer-herder conflicts in Africa has triggered various viewpoints from scholars from different fields of study. While some scholars focus on the causes of the conflict between these two groups, others also focus on the escalating

violence that characterizes the farmer-herder conflict in recent times. Others have also focused on the effects of the conflict on the societies and finding practical solutions and remedies to the conflict. This conflict is caused by the complex interaction of factors, some of which are related and overlaps. Although the literature on farmer-herder interaction and conflict touches on the origin and migration of the Fulani to their present-day locations, this research focuses on factors that cause conflict between farmers and herders. However, this chapter will touch briefly on the history of the Fulani herders in present-day Ghana.

2.1 History of Fulani in Ghana

According to Tonah (2005), the Fulani's migration to present-day Ghana predates colonialism. However, as compared to other West African states, the movement of the Fulanis into Ghana is quite a recent phenomenon (Tonah, 2005, p.14). The Fulanis first settled in the Northern parts of Ghana (Tonah, 2005, p.14). For instance, the Lawra-Tumu district census report in Ghana estimated the population of settled Fulani rising from 100 persons in 1911 to about 302 persons in the 1921 census (Tonah, 2005, p.15). According to Tonah (2005, p.15), the Fulani were the largest non-centralized ethnic group in the Lawra-Tumu district. However, their population was less than 1% of the total population of the entire district. This figure is said to have increased to 784 in the 1931 census, made up of 400 males and 384 females, indicating that they might have probably moved with their entire families (Tonah, 2005, p.15). By the 1920s, the Fulani had permanently settled in the Northern territories (Tonah, 2005, p.15).

Fulani pastoralists started migrating to Ghana's southern parts in the early 1990s, mainly Eastern and Ashanti regions (Tonah, 2005, p.16). According to Tonah (2005), most of them settled in the forest zone of Asanti Akim and Kwahu Afram Plains during the same period. Fulani herders

from neighbouring countries and northern Ghana migrated to Ghana's forest zones due to pasture availability and settled with indigenous cattle owners and chiefs' help. Although the Fulani population in the area has increased, the number of the Fulani herders in Ghana is unknown since the recent Population and Housing Census conducted in 2000 and 2010 did not capture Fulani herdsmen due to their frequent movement (GSS, 2014).

In recent time the relationship between farmers and herder in various parts of Ghana have led conflict and violent clashes between them. Among the notable areas of the conflict between herders and farmers include Asanti Akim North and Gushegu. The various factors advanced as the causes of the violent conflict between local farmers and migrant Fulani herders have been categorized into four in this chapter. Namely; environmental factors and climate change (Okoli and Atelhe, 2014; Benjaminsen, 2009; Tonah, 2006a; Moritz, 2012), resource scarcity (Homer-Dixon, 1999; Kahl, 2006; Beachler, 1998; Shettima and Tar, 2008; Peluso and Watts, 2001; Nmona, 2008), Land tenure and land insecurity (Desinger and Castagnini, 2006) and stereotype and prejudice attached to a faction (Kaplan, 1994, Bukari and Schareika, 2015). These factors are explored in turn in the rest of the chapter.

2.2 Role of Climate Change in Violent Conflict

During the past few decades, violent conflicts have escalated between various groups, particularly between farmers and herders and linked to climate change (Benjaminsen et al., 2012). According to the United Nations Framework Convention on Climate Change (UNFCCC), Climate change refers to "the change in climate over time, whether due to the natural variability of as a result of human activity" (UNFCCC, 2011, p.1). Climate change has led to unfavourable weather conditions for particular groups of people in most regions, leading to migration and affecting

resources' availability. Thus many scholars and civil servants have been attracted to the idea that there is a causal link between climate/environmental change and violent conflict (Benjaminsen, 2009; Moritz, 2012; Fabusoro and Oyegbami, 2009;). According to Moritz (2012), the conflict between the farmers and herders can be classified as a climate-change-induced conflict. Climate change is an essential factor that influences the availability of resources for farmers' and herders' livelihood. Scholars, including Okoli and Atelhe (2014) and Abbass (2014), noted that climate change leads to the shrinking of environmental space and natural resources, further increasing competition and pressure on the available natural resources and conflict among those who use. According to Moritz (2012), although climate change is taking place everywhere, it has been volatile in the Sahel regions of Africa. In those regions, climate change leads to conflict as it gives the incentive to groups (especially Fulani herders) to migrate from areas affected by drought to new places where their livestock can have access to pasture. Across the entire West African sub-region, the Fulani generally practice nomadic or semi-nomadic cattle-raising⁵ due to arid and semi-arid conditions of the West African region (Dafinger, 2004, p.189). The Fulani herders migrate southwards to the forest regions. The southward migration of the Fulani herders has been cited as a major factor in increasing farmer-herder conflict rates in sub-Saharan Africa (Moritz, 2010, Benjaminson et al., 2012)

Similarly, the United Nations Environmental Programme (UNEP) draws a similar link between environmental/climate change and conflict in many parts of sub-Saharan Africa. In 2007, the former United Nations Secretary-General, Ban Ki-Moon, in an article published by

⁵ Mabe (2003, p.143) explains a nomadic lifestyle as a practice of having no fixed location or settlement and moving from place to place without returning to any fixed location, whereas a semi-nomadic lifestyle can include a fixed settlement of non-temporary materials and the practice of transhumance usually within a distances of up to 100 km from their settlement.

Washington Post, suggested a direct correlation between global warming and the conflict between the Sahel's farmers and nomadic groups regions (Ki-Moon, 2007). In that same year, the former vice president of the United States, Al Gore and the Intergovernmental Panel on Climate Change (IPCC) was awarded the Nobel Peace Prize based on the link between climate change conflict (Benjaminsen et al., 2012). Defending the decision to award the 2007 Nobel Peace Prize to Al Gore, the chair of the committee, Danbolt Mjøs, declared that "environmental change/global warming not only has negative consequences for human security but also can fuel violence and conflict within and between states" which he referred to as "climate war" (The Nobel Peace Prize, 2007)⁶. This suggested a link between climate change and conflict.

However, in a working paper by the Swedish International Development Cooperation Agency (SIDA) in 2018, the researcher Johan Schaar found out that there is no direct and linear relationship between climate change and violent conflict, but under certain circumstances, climate-related change can influence factors that lead to or exacerbate conflict. To buttress this, Danbolt Mjøs, in attributing conflict in the Darfur and Sahel region to environmental change admitted that, the conflict in the region is caused by a clash of different ethnic groups suggesting that there are different dimensions to the conflict and not just environmental change. In a study set out to examine the alleged relation between environmental/climate change and violent conflict, Goldstone (2001) questions some of the most popular climate change-conflict arguments. Attributing all conflict between migrant herders and host entirely to climate change can overshadow social processes that are important in bringing about large-scale conflicts, such as leaders' role in exploiting the conflict for personal gains, breakdown of traditional authority,

⁶ Speech by Ole Danbolt Mjøs in 2007, The Nobel Peace Prize 2007. NobelPrize.org. Nobel Media AB 2020. Tue. 5 Nov 2019. <<https://www.nobelprize.org/prizes/peace/2007/summary/>>

alliances and state weakness. Again, (Goldstone, 2001) stressed that high-profile climate change issues might only serve as a scapegoat or rallying point for actors with hidden agendas.

Also, Reuveny (2007) noted that whether adverse climatic changes and subsequent migration will result in any social effects will depend mainly on the affected area's characteristics. For instance, as Buhaug et al. (2008, p.20) explained that "economically developed" and "politically stable" societies can manage and adapt to conceivable environmental conditions. Thus it is not expected that there will be an influx of migrants resulting from climate change, increasing climate variability, and worsening conditions to constitute a significant security threat in these countries. Contrarily, societies that are characterized by other conflict-promoting conditions, such as bad governance, extreme social inequalities, large and heterogeneous populations, and a history of violence, constitute probable cases where climate-induced conflict might occur Buhaug et al. (2008). Therefore, climate change exacerbates conflict risk by reducing the supply of livelihood resources, increasing economic loss, and weakening government institutions in societies with pre-existing tensions. In sum, climate change may be an intermediary factor leading to conflict and not necessarily the root of violent conflict. This is because climate change only leads to violence or conflict under certain pre-existing conditions and has to interact with several socio-political and economic factors.

2.3 Resource Scarcity and Violent Conflict Argument

Most scholars often present conflict between farmers and herders groups as a typical illustration of resource scarcity conflicts, that is in tune with the dominant argument of the 'environmental scarcity' literature (Bächler, 1998; Homer-Dixon, 1999; Percival and Homer-Dixon, 1998; Kahl, 2006). Resource scarcity has been put forward as the main cause of violent

conflicts in the literature in various parts of Africa, including the Rwandan genocide (Bächler, 1999), clashes in Kenya (Kahl, 1998, 2006), violence in South Africa (Homer-Dixon and Blitt, 1998, Percival and Homer-Dixon, 1998), and the civil war in Sudan (Suliman, 1993). Proponents of the resource scarcity theory argue that an increase in population growth, shortage or reduction in the quality of renewable resources as well as unequal access to resources results in environmental scarcity. Environmental scarcity then leads to a decrease in economic productivity and or migration which acts as underlying factors of violent conflict (Homer-Dixon, 1999; Theisen, 2008). Homer-Dixon and Blitt (1998) argues that scarcities put additional stress on already fragile societies, limiting their capacity to cope with negative changes in resource access, thus reducing agricultural and economic activity and, in the end, weakening the state (Homer-Dixon and Blitt, 1998. p.280).

The idea that resource scarcity leads to violent conflict, in general, can be regarded as an extension of the Malthusian concept of resource scarcity as a cause of environmental degradation, increased poverty, population growth and an escalating struggle for resources (Homer-Dixon, 1994). Homer-Dixon further noted that decreasing access to renewable resources increases frustration, which, in turn, creates grievances against the state, weakens the state and civil society and increases the opportunities for instigating an insurrection. Like Homer-Dixon (1999, 1994), Tonah (2006) maintains that conflict theory views constant competition over scarce resources as the main source of conflict between users of those resources. The users of land resources here refer to farmers and herders. The assumption that an increase in resource scarcity due to lack of renewable resources, primarily agricultural land, is the leading cause of violent conflicts in most of Africa and most parts of the world. This assumption formed a common description in the debates over conflicts since the early 1990s (Peluso and Watts, 2001; Percival, 1996). Land scarcity is

alleged to be rapidly increasing in many parts of the developing world due to the ongoing modernization and population growth processes, which lead to unequal access in these societies. For example, Hagberg (1998) argues that conflicts between farmers and herders stem from competition for resources that are mostly caused by population growth, migration, and a decrease in land resource quality and quantity.

Other scholars have attributed resource scarcity to the rapid rate of population growth in many parts of Africa, resulting in pressure and reduced quality on the resource. Hagberg (1998) noted that since the beginning of the 1950s, there has been an increase in human and livestock populations and livestock populations in West Africa. According to Adebayo (1997) and Breuser et al. (1998), the increase in population among countries located on the coast of the region increased pressure on natural resources, most especially land, generating rivalry between users of the land. Similarly, Ayih (2003) attributed the herder-farmer conflicts in the Middle Belt of Nigeria, to what he called “population explosion.” This he suggest is attributable to the high birth rate and migration of herders and other groups from Northern and Southern parts of Nigeria. Further, Abbass (2012) and Okoli and Atelhe (2014) noted that as the population increases in an area inhabited by farmers and herders, the demand for farmland and grazing also increases, leading to fierce competition and a constant struggle between them. Thus, the rapid population growth had led to a scarcity of farm and grazing lands, which were abundant when the population was less. The arguments above suggest that conflict is inevitable in areas where farmer and herder populations continue to grow rapidly, leading to reduced land and water resources’ quality and quantity.

However, the resource scarcity argument only captures the “resource” (land) which is being contested for by herders and farmers and fails to address sufficiently the politics of land use (Bassett, 1988) and why the different groups are mostly from separate ethnic groups as well as land access and tenure arrangement. In his research of farmer-herder conflicts in the Ivory Coast, Bassett (1988, p. 455) noted that a “weakness” of the “human ecological analysis” on the conflict between farmer and herder is that it fails to address the “politics of land use sufficiently”. This suggests that the population growth/resource scarcity argument, which focuses much on the diminishing land resource, does not adequately explain why and how some groups can gain access to land use and why others do not.

Bleach (1998) also termed the resource conflict categorization as too broad and, therefore, not useful in explaining specific cases in Africa since it neglects details. Similar to Bleach’s (1998) argument, Theisen (2008) explains that the resource scarcity argument has limited explanatory power regarding violent conflicts.

Another criticism level against the resource scarcity argument is that there is no empirical test to prove a direct link between it and internal conflict. For instance, Esty et al. (1998) and Hauge and Ellingsen (1998) conducted empirical tests that produced two different results. While Hauge and Ellingsen’s (1998) research proved that resource scarcity was next to social development in causing internal conflict, Esty et al. (1998) noted that internal conflict and resource/environmental scarcity have no direct link. Thus, defeating the idea that scarcity is a leading cause of conflict between farmers and herders. Theisen (2008) also found out that there is no direct proof that environmental/ resource scarcity and violent conflict within states.

To add to this criticism, Gleditsch's (1998) criticises the literature on the link between conflict and the environment raises at least nine (9) flaws of the argument linking environmental scarcity to internal conflict. According to him, the literature on the environment and conflict generates the following problems:

(1) there is a lack of clarity over what is meant by 'environmental conflict'; (2) researchers engage in definitional and polemical exercises rather than analysis; important variables are neglected, notably political and economic factors which have a strong influence on conflict and mediate the influence of resource and environmental factors; (4) some models so large and complex that they are virtually untestable; (5) cases are selected on values of the dependent variable; (6) the causality of the relationship is reversed; (7) postulated events in the future are empirical evidence; (8) studies fail to distinguish between foreign and domestic conflict; and (9) confusion reigns about the appropriate level of analysis (Gleditsch, 1998, p.381).

Gleditsch argues that research literature may not possess all of the flaws but may contain at least one or more of the following problems, suggesting that the environment scarcity- conflict literature offers a narrow theory for analyzing conflict. Thus, he suggests that the theory of environmental scarcity-conflict literature should widen its scope to include other factors that go beyond just resources.

2.4 Land Tenure, Land Insecurity and Weakening Traditional Institutions Argument

Closely linked to the above are the land tenure⁷ and land insecurity hypothesis. Proponents of this argument explain the causes of farmer-herder conflict in Africa as related to land tenure system. Like the resource scarcity argument, this theory is linked to rapid population growth and resulting in land scarcity. For instance, (Deininger and Castagnini, 2006) attributed the recent increase in land-related conflicts in sub-Saharan African (SSA) countries due to population pressure and its attending problem of land scarcity. Also, Fratkin and Roth's (2005) study attribute

⁷ According to Bruce (1993, p.1), 'land tenure' means the terms on which land is held.

explains that the recent rise in conflict between farmers and herders is a result of land insecurity, resulting from recurrent events of drought, which has affected the mechanism for resource sharing.

According to Deininger and Castagnini (2006), aside from resource scarcity and rapid population growth, other factors such as inequalities inherent in land tenure systems in most African countries and the lack of clarity on the roles of formal and informal institutions in land administration are also leading causes of farmer-herder conflict. The lack of clearly assigned roles to traditional informal institutions and formal institutions' power over the control and allocation of land results in difficulty in using interventions like titling and land registration. These interventions have proven to be successful in other parts of the world but have proved to be inadequate in the African contexts. The lack of such interventions to ensure adequate security of land tenure and ownership has resulted in higher conflict levels. In Africa and most parts of the developing world, land boundaries and laws of land transfer and ownership may be loosely defined. Transfers and ownership to land normally through usufructuary use based on membership of a family, clan or community rather than ownership (Deininger and Castagnini, 2006 p.323). As a result, land transfer transactions are mostly unwritten and done orally. These modes of land transactions are described as the leading causes of land conflict between farmers and herders. It does not ensure the security of tenure. Thus, people have to resort to conflict to defend their land as there are no written records of land transactions.

Deininger and Castagnini (2006) further describe that one of the main reasons behind the increased incidence of land conflict in Africa is the failure of existing land tenure systems to tackle challenges posed by the increased demand and the appreciation of the value of land in ways that improve land tenure security and ensure equitable distribution. Such an increase in land value can come about due to increased population and other factors such as a change in agriculture

techniques, improved trade terms for agriculture, and the rise in non-agricultural demand for land (such as settlement). However, Bruce and Boudreaux (2013) argue that weak institutions lead to weak land tenure arrangements that are unable to match the rate at which land value is appreciating and the growing demand for land. Thus, individuals and groups are denied essential rights and access to land.

Additionally, scholars (Benjamison et al., 2009; Deininger and Castagnini, 2006; Sone, 2012) argue that land insecurity is another cause of farmer-herder conflict in Africa. As already explained above, in most African countries, land ownership and transfer are most often based on oral transactions. When land users, mostly migrants who can only acquire land through purchase and lease agreement, fear that they may be forced to leave their lands, they engage in every activity possible to protect their land. Deininger and Castagnini (2006), noted that this is a major feature underlying the high occurrence of conflict between farmers. Sone (2012) argues that the recurrent conflicts involving farmers and cattle grazers in Cameroon's northwest region have its roots in the 'poor' application of land ownership laws to protect landowners from losing their land.

However, there is little evidence to prove a direct link between weak land institutions and laws and farmer-herder conflict. Barrows and Roth (1990) argue that studies on land tenure and land institutions leading to the conflict have provided little or no details of the relationship between land tenure policies and their consequences on conflict. According to Barrows and Roth (1990), a strict focus on land tenure institutions and laws leads to neglect of other factors such as identity that can directly impact conflict occurrence. Thus, to determine whether land tenure policies or land insecurity are the cause of a particular conflict, it is necessary to show that over and above that, the direct conflict effect caused by land tenure policies showing the processes involved, from

the land tenure laws to the conflict itself. This makes it challenging to attribute conflicts between groups or the absence of conflict to the legal framework that governs the acquisition of ownership of land without looking at other mediating factors. For instance, Aga's (2014) research on land tenure-based conflict conducted in Oromiya region in Ethiopia in 2009 and 2010, demonstrates that the continuing relevance of land tenure institutions and land insecurity debates to the occurrence or otherwise of conflict is gradually losing its significance because the farmer-herder conflict in Africa goes beyond the provisions of the land policy and efficient land institutions. Although the importance of land tenure institutions and systems in accounting for the causes of farmer-herder conflicts cannot be discredited, its overreliance on land institutions and policies thus, neglecting other factors such as the nature and relationship between the parties involved in the conflict, cannot be ignored.

2.5 Stereotype Prejudice and Crime Argument

Lastly, scholars who have also examined the conflict between the Fulani herders and farming have described the cause due to the ethnic and tribal "stereotype" attached to the Fulani ethnic group (Bukhari and Schareika, 2015) and crimes they commit in their host communities Ofuoku and Isife (2009, p.50). Complaints lodged against the Fulani nomadic migrant population include accusations of rape, armed robbery, and farmland destruction. In Opoku (2014, p.172), the causes of the farmer-herder conflict were explained as; the shooting of innocent citizens by a herdsman, destruction of food crops, raping of women on their farms, herdsmen causing bushfires, pollution of water bodies by herdsmen and cattle rustling. Agyemang (2017) states similar factors (destruction of crops, overgrazing of fallow land, contamination of streams by cattle, disregard for traditional authority, sexual harassment and rape of indigenous women by nomads, harassment of

nomads by the youths of local communities, indiscriminate defecation by cattle, theft of cattle, stray cattle, indiscriminate bush burning) as the major causes of the farmer-Fulani herdsmen conflict and cites Ofem and Inyang (2014) and Ofuoku and Isife (2009) to support this claim. This widely held perception of violence and lawlessness about the Fulani migrant herders generates tension between them and other indigenous populations.

Ofem and Inyang (2014, p.516) conducted another field research in the Yakurr region of River State in Nigeria, revealed the same factors mentioned by Ofuoku and Isife (2009, p.50). In their survey, both farmers and nomads agreed on the same factors as the causes of the conflict. Again in Nigeria, it is estimated that the conflict between nomads and farmers has accounted for more than two thousand deaths and the displacement of more than twenty thousand (Moritz, 2006, p.29; IRIN,2004) and most of these conflicts is said to have been triggered by cattle theft and other criminal activities by FulBe⁸ nomads (Moritz, 2006, p.29). These stereotype prejudices and accusations of crimes committed by Fulani herders, many scholars believe, have led indigenous communities to mobilize for self-defence against the threat from herder or even sometimes to organize reprisal attacks against the herders. This mobilization tends to increase the escalation of violence. For instance, in one report in north-central Nigeria, 64,820 cattle were stolen, leading to retaliation and killing of at least 2,991 herders (Egwu, 2016, p.417). Also, the Rural Banditry Reports by Centre for Democracy and Development, Pastoral Resolve (PARE) and Nigeria Stability and Reconciliation Programme (NSRP) disclosed that over 100 people were killed from January 1, 2016, to February 1, 2016, across Nigeria's length and breadth over cattle stealing

⁸ Fulbe is used synonymously with Fulani and refers to members of a pastoral and nomadic people of western Africa; who are traditionally cattle herders

(Kuna and Ibrahim, 2016, p.7). This data suggest that stereotype prejudice and crimes by the herder and farming groups have resulted in more violent clashes.

However, it is problematic to generalize the activities and actions related to the Fulanis because, as Bukari and Shareika (2015) puts it in most cases, the nomadic herdsman do not know each other and carry out their activities independently. There is no clear evidence that Fulani pastoralist ethnic groups have a single political agenda or belong to one unit since there are Fulani herders in almost every country in West Africa. Hence, it is erroneous to lump all Fulanis as a single militant group with a single agenda, which is to cause trouble. Also, using crime committed by an individual Fulani herder or few Fulani nomads as a principal cause of the farmer-herder conflict within a community or across a whole country fails to explain and provide details of how the conflict between individuals escalate into full-scale community conflict. Thus, this theory offers a narrow perspective of understanding the causes of farmer-herder conflict.

2.6 Theorising Different Livelihood Interests and Land use disagreement, Land Rights and Autochthony claims.

Although the above theories can explain the conflict to some extent, what is lacking is that they offer a narrow approach to understanding the conflict between indigenous farmers and migrant herders in AAND and GD in Ghana. Most of the explanations of these theories fail to treat other factors such as identity and livelihood differences as causes in their own right, thus, limiting the cause of the conflict to only the theory the scholars raised. Drawing from land use conflict

theory ⁹ (Havel, 1986; Komey, 2010), which advocates that for conflicts and wars to be fully understood and comprehended, an analysis of the history and contemporary dynamics of land policies and practices of the parties involved (Kumah, 2010). This study also uses the lens of autochthony and SOS by indigenous farmers in Ashanti Akim North District and Gushegu District to highlight the differences between indigenous farmers and Fulani migrant herders in terms of land rights, land access and land use. The article contends that although land use, land tenure, and land insecurity lead to conflict among herders and farmers, the conflict cannot be fully understood without including other specific factors such as autochthony and differences in the groups' livelihood goals involved in the conflict. Thus, this research seeks to place land use, land tenure and ownership and land insecurity within the context of livelihood interest and differences and autochthony to explain the causes of the conflict in AAND and GD.

Again, the research argues that no single strategy fits the farmer-herder conflicts in Ghana, given the complexity of such conflicts. Hence this research argues that although many factors lead to the occurrence of violent conflict between farmers and herders, as seen above, land remains at the heart of these conflicts. In light of the results, this thesis employs a multi-faceted approach towards the farmers-herder conflicts. It explains other factors such as livelihood difference and autochthony claims, which will be suitable for acknowledging the context in which the conflicts occur. Thus, efforts by scholars to explain conflict through other means, such as singular causes, miss an essential point because the causes are all dimensions of the causes of the farmer-herder conflict, but they are not singular root causes.

⁹ According to J.J.Havel, land use conflicts are defined as an interaction between groups of people with an interest in how land is used (with reference to differences perception, and timeframe of land use).

This research theorizes that land use disagreement and lack of land access rights, coupled with indigenous farmers' autochthonous claims, lead to conflict between farmers and herders. Competition over land due to the importance of land to the livelihood of both farmers and herders as well as increase in human population growth, growth in the population of herds and extension of cultivated areas are the causes of the farmer-herder conflicts. Nchi (2013, p.222), cited in Agyemang (2017, p.18), also argued that Fulani herders and settled farmers are continuously engaged in a competition for pastureland and farmlands, leading to a decrease of available land resources as the population of humans and cattle increase. While the increase in population, land tenure, climate change and land scarcity are vital in setting into motion the causes of farmers-herders conflict in Ghana, it is essential to put the land (both land-use and land access rights) conflict into the context of cultural differences and the use of identity and autochthony discourse by local farmers against migrant herders in the selected cases in this study.

Although the above theoretical explanations for the causes of the farmer-herder conflict talk about land security and tenure, and scarcity, what they fail to do is discuss other issues such as cultural differences, which will help capture the complex nature of Ghana's conflict. Baranyi and Weitzner (2001) observed that some conflicts start directly out of competition over land. However, land use is often not the sole cause of conflict; other factors, such as identity, land rights, marginalization, and differences between groups, contribute to conflict. Derman et al. (2007) noted that resource scarcity does not directly link to violent conflict but rather the presence of factors such as land use and lack of access, lack of secure land tenure right, and identity discourse concerning these factors that trigger conflict.

The ‘land question’ in many rural African communities and other parts of the developing world has for a long time been the subject of peace and war, cooperation and non-cooperation, progress or regress (Sone, 2012). The theoretical linkage between land and conflict is made more explicit by Guma Kunda Komey when he concluded that:

“The centrality of land factor in conflicts stems from the fact that rights to land are intimately tied to membership in specific communities, ranging from a nuclear or extended family, clan, or ethnic group to the nation-state ... Nothing evokes deeper passions—or gives rise to more bloodshed—than disagreements about territory, boundaries, or access to land and related resources. From national governments’ perspective, land in its entirety is a physical basis of political sovereignty and power, as well national economic wealth ... Nothing evokes deeper passions—or gives rise to more bloodshed—than disagreements about territory, boundaries, or access to land and related resources. From national governments’ perspective, land in its entirety is a physical basis of political sovereignty and power, as well national economic wealth. However, most rural communities see land as a symbol for their collective socio-cultural and political identities, as well as a basis for their economic survival. This relation among land, identity and livelihood implies that access to land is a fundamental human right. This becomes clear whereas its denial does not only deprive the affected communities from their economic and socio-cultural well-being but also endangers their very survival and existence.” (Komey, 2010, p. 2).

Komey’s argument provides the background for my analysis of how and why land access and land use can cause conflict between farmers and herders. As Derman et al. (2007) noted in their study of violent conflict that occurred in Burkina Faso, Tanzania and Kenya, that resource scarcity does not have a direct link to violent conflict but rather the presence of factors such land use and lack of access, lack of secure land tenure right and the use of identity discourse concerning these factors. This research aims to examine the farmer-herder conflict in Ghana in light of these factors.

According to Benjaminsen et al. (2012), the recent changes in land tenure systems, land rights and land use have led to the escalation of violent conflicts between farmers and Fulani herders in most parts of the West Africa sub-region. This makes it imperative to understand the role land play in conflicts. The effect of land use and land access on the conflict between and

within groups in nations or between nations can help policymakers and scholars develop strategies to reduce and manage conflict among groups, limit conflict, and potentially avoid violence (Collier et al., 2003). Land is the object of competition in several ways. For instance, it could be an “economic asset,” where users such as farmers and herders will have to compete to have rights over it, gain access to it and use it. It can also be a means through which an individual or a group can gain a “social legitimacy” and also serves as a “connection with identity” and as “political territory.” (USAID, 2013). Bruce (2013) noted that in almost all competition over land in Africa, the struggle is between any number and type of identity groups, be it ethnicity, race, gender, or religion (see USAID,2013). Therefore, there is always the possibility of competition over land escalation into a large-scale violent conflict when groups of people, rather than individuals, are involved.

Studying the causes of conflict between farmers and herders will be inadequate to examine only resource scarcity and sharing, as Gleditsch (1998) noted. Ejigu (2009) emphasizes that violent conflicts among farmers and herders in Nigeria and that of Rwanda are multi-dimensional (Ejigu 2009, p.891), meaning they go beyond just the sharing of resources to include questions about identity and resource rights. Ohlsson (1999, p. 96) also noted that although land scarcity and unequal distribution of land are significant causes of violent conflict, factors such as ethnicity and identity should be examined due to the complexity and violence that characterize farmers-herders conflicts. Thus, theories that seek to explain the causes of farmer-herder conflict must go beyond the resource's struggle to involve other dimensions of the conflict to understand land use's impact better.

Furthermore, conflict over land between farmers and herders in Africa does not take place just on the basis of resource scarcity. As Komey (2010) rightly points out, the issue of land use is

often overlaid with other features such as identity and belonging. Similarly, Tonah (2006a) noted that the persistent nature of the conflict between farmers and herders in most parts of Ghana indicate that the conflict is fueled by identity and tribal sentiments. Other dimensions such as how differences in the groups' livelihood and why and how groups mobilize to gain access and control over land and its effect on conflict. According to Buhaug et al. (2008, p.26), irrespective of the conflict's origin, identity is widely regarded as a driving force for mobilization and demarcation lines between and among contending groups. Similarly, Kahl (2006) opines that ethnic identity is an opportunity to mobilize members of a group to protest against others and engage in conflict and collective violence.

This paper identifies autochthony, that is, 'the belief that a place belongs to its original inhabitants and that they are therefore more entitled' (Dunn, 2009, Boone, 2017)-as an important new determinant of out-group prejudice and violence in conflict. According to Dunn (2009) and Geschiere and Jackson (2006), autochthony becomes the most useful asset to exploit when indigenes of a place are faced with a rapid exodus of migrant population and competition for resources.

Similarly, Côté and Mitchell (2018) noted that when migrants arrive in large numbers, there is a tendency for SoS conflict to occur. Thus, this research hypothesized that autochthony within the study areas (Asante Akim North District and Gushegu District) guarantees indigenous farmers' rights, access and control over land and predicts bias towards migrant Fulani herders of land access and use. Hence, indigenous farmers can utilize autochthony discourse to exclude their competitors (migrant herders), confiscate land they have purchased, and even ask for them to be evicted. These issues play a significant role in causing conflict between migrant Fulani farmers

and the indigenous farming population. Land-use and land access are vital in setting into motion between farmers' and herders' conflict in Ghana. This research seeks to put land-use and land access conflict into the context of differences in livelihoods autochthony claims. The use of autochthony discourse by locals against migrant herders in this study's selected cases is very critical to the research. Locals often ask for preferential treatment in terms of resource distribution and its use because Fulani herders are regarded as "aliens" in communities in which they live. Hence they do not require to be treated equally as 'citizens'.

According to Côté and Mitchell 2018, anti-immigrant sentiment is a universal and widespread phenomenon. In any community and society where migrants arrive in large numbers, there is a tendency to trigger violent clashes. Thus the 'Sons of the Soil'(SoS) and autochthony¹⁰ lens cannot be overlooked in discussing the causes of land conflict between indigenous farmers and migrant Fulani herders in Asanti Akim North and Gushegu District Assemblies in Ghana. Son-of-the-Soil conflicts can arise when people who consider themselves as 'indigenous' or 'local' clashes with a migrant group (Jackson, 2006; Côté and Mitchell, 2015). Boas and Dunn (2014, p. 8) also explain it as conflict over agricultural land taken by immigrants. The adoption of the autochthony and SoS lens for explaining and understanding the farmer-herder conflict in Ghana allows for this research to fill the gap that arises as a result of the environmental context in which this conflict occurs. That is, it captures internal migration that characterizes this case, which is

¹⁰ The concept of "Sons of the Soil" (SOS) was first introduced in the classic work of Myron Weiner (1978) *'Sons of the Soil: Migration and ethnic conflict in India'* where he focused on ethnic in- and livelihood competition as a combination capable of triggering conflict. Weiner's major concern was the response of autochthonous "sons-of-the-soil" groups to the arrival of in-migrants, when they are unable to compete with them economically. According to Côté & Mitchell, 2018 SoS conflicts combines an ethnic and indigenous components, and built around a sense of belongingness, that is if one group proclaim to be 'sons) of a particular soil, there is a sense that another group exist who are no of the soil.

usually being ignored by other arguments as well as the competition and contested claims and access to land.

The terms ‘indigenes’ and ‘citizen’ have often been used to refer to the natives of AAND and GD. On the other hand, migrant Fulani herders have been referred to as ‘strangers’, ‘foreigners’, and ‘aliens’. The use of different identity labels for the other often clearly demarcates the ethno-religious boundaries between the Fulani and their supposed indigenous farmers as well as only reinforce the SoS claims by local farmers (Bukari and Schareika 2015, p. 2). As Komey (2010) explains, land in Africa is often overlaid with the discourses of autochthony and belongingness, which feeds on the land issue. In this sense, Komey (2010) suggests that issues of autochthony and ethnicity easily propel and structure the competition over land use. Therefore, by applying the SoS lens to the analysis of farmer-herder conflict, the conflict is multiple dimensions and complexity.

Furthermore, the juxtaposition of different livelihoods among the group makes conflict more complicated as different cultures, interests and goals coexist in the same space and communities, leading to conflict (Gaye, 2018). According to Maiangwa (2017), conflicts in Africa, including herder-farmer conflict, have mostly converged around livelihood resources and identity issues. Conflict over resources is manifested in identity mobilization, as members of groups with differences in livelihood and exist and compete for those resources necessary for their livelihood. Patterns of identity-based conflicts contrived from perceived or real identity and livelihood differences have emerged with harmful consequences for nation-building projects in several African countries such as Nigeria, Rwanda, South Africa, Kenya, Mali, Senegal, and the Republic of Côte d’Ivoire. Therefore, the farmer-herder conflicts in Ghana and several parts of West Africa

represent an interesting case study for examining how identity-related issues instigate conflicts between two diverse groups in Ghana and most countries in Africa.

The Fulani migrant herders differ in identity attributes to that of the indigenous farming groups at their arrival. Many of these differences involved rather prominent characteristics: language, food, names, clothing, kinship structures, religion, and, more importantly, livelihood. Like in most parts of West Africa and Africa, both the Fulani migrant ethnic group typically pursue a set of social and economic endeavours which differs from that of the indigenes after migrating to Ghana. With these differences, and the competition over resources, access and rights to resources framed in autochthony discourse which feeds on the very process of marginalization and exclusion, conflict thus becomes inevitable (Komey, 2010). This study seeks to place land at the center of the analysis of farmer-herder conflict in the study areas, examining its use and access by farmers and herders and how this escalates into violent conflict. Although this argument to emphasize the complexity of the conflict between farmers and herders in Asante Akim North and Gushegu District in Ghana, by putting land use and land access issue into the context of livelihood difference and autochthony and identity, the research is able to provide more understanding on the conflict and address areas of the conflict mostly ignored by scholars in explaining the causes of conflict between farmers and herders in Ghana.

As shall be revealed later on in this thesis, traditional leaders/chiefs in both AAND and GD. As Berry (2017, p. 115) noted in general chiefs in Ghana “mobilize and exercise power alongside rather than through the law—working informally through personal and professional networks” with government agencies and institutions, and “their own subjects, rather ... playing a direct role in making and implementing state policy”. Thus, an important in Ghana is to act as ‘custodians’

of the land, overseeing the distribution and approval of land to clans and families as well as leasing or allocating other lands that are not under family control to migrants or corporation who are interested in using those lands. This role of chiefs is derived from the 1992 constitution to reflect the historical patterns where chiefs were in control of lands. The constitution enjoins chiefs to hold lands “on behalf of, and in trust for the subjects of the stool in accordance with customary law and usage” (Republic of Ghana Constitution Ghana, 1992, p.161). However, the role of chiefs in allocating and distributing lands which are not in use have resulted in overlapping claims to land and have been cited as a leading cause in exacerbating the conflict over land claims (Alhassan, 2017).

While fully recognizing the role, chiefs play in the governance of land in both AAND and GD and Ghana as a whole, in this thesis, the distribution and allocation of land are put in the context of land use and land access and claims to land by farmers and herders. Thus, much emphasis is placed on land use and land access and claims to land as well as mobilization based on identity.

However, as already acknowledged at the beginning of this chapter, the farmer-herder conflict in Ghana as examined by various scholars is caused by several factors that mostly overlap. Thus, the argument of this thesis, of course, are not necessarily mutually exclusive. Neither does the arguments advanced in this thesis cover all the causes of land related conflicts between farmers and herders in the study area as other factors may interact with the factors proposed in the thesis and contribute to the heightening of each other. Rather than trying to cover all the causes of farmer herder conflict in AAND and GD, this essay focus on explaining the farmer-herder conflict in

AAND, GD and Ghana as whole as a result of multiple causes, drawing attention to livelihood differences, land use, land access and autochthony claims.

CHAPTER THREE

METHODOLOGICAL DISCUSSION

3.0. Introduction

There are a number of research methods and approaches available for researchers to choose from when they wish to embark on a research journey. The methods and approach a researcher deploys will largely depend on his/her research questions as well as cases that are being studied (Creswell and Poth, 2018). As already stated in previous chapters, this research aims to identify and explain the causes of farmer-herder conflict in two districts in Ghana. For this study, I will adopt a comparative case study research design of two sub-national districts in Ghana -i.e. (1) Asante Akim North District (AAND) and (2) Gushegu district (GD)- using various Ghanaian media reports as the main source of data.

3.1 Case Study Design

This research employs a case study research design. According to Creswell, “The case study method “explores a real-life, contemporary bounded system (a case) or multiple bounded systems (cases) over time, through detailed, in-depth data collection involving multiple sources of information... and reports a case description and case themes” (Creswell, 2013, p. 97). The reason for using case studies in this research as opposed to survey research, which has been used in many studies on the farmer-herder conflict in Ghana (Bukhari and Schareika, 2015; Kuusaana and Bukari, 2017; Dary et al., 2017; Yembilah, 2012; Alhassan, 2017) is to minimize and address some

of the errors that may occur with survey research, including contradictory accounts, incomplete information, partial observation and the inability of survey research to capture the complexity and dynamics of how farmer-herder conflicts unfold (Moritz, 2006). Another significant reason for selecting case studies in this research is that they can examine causal relationships “in the real world” rather than in unnaturally created settings (Gomm et al., 2000). This is because the case(s) are studied in-depth and examines evidence over a period of time rather than at a single point. This, thus, gives the researcher the advantage of capturing cases in their uniqueness, rather than over a short period of time. This feature of a case study makes it possible to use them as a basis for more comprehensive empirical or theoretical conclusions while reducing the time required to make those conclusions (Lewis-Beck et al., 2004).

The case study research design is commonly divided into a single-case study and a multiple-case study. Recognizing that the choice of either of the two depends on the objective of the research, and acknowledging that multiple-case design is preferable when the research aims at evaluation and examination of causal relationships between the independent variables (IV) (land use and differences in livelihood, and autochthony claims in access land) and the dependent variable (DV) farmer-herder conflict, the research would employ the multiple-case study design. Thus the research will assess the conflict between migrant Fulani herders and the indigenous farmers in two (2) districts, namely, Asante Akim North District (AAND) Gushegu District (GD) in the Ashanti and Northern regions, respectively. The multiple-case study design is particularly useful for understanding the reasons for the occurrence of the issues in the two study areas and understanding the causes of conflicts. Yin (2009, p. 142) noted that when the multiple-case study design is used in research, it can develop an explanation that is general and can fit similar yet

different cases. Also, a multiple case study allows for investigating and comparing two cases in their totality as well as also enables multiple levels of analysis within a single study (Yin, 2009). Adopting a multiple case study in this research allowed for the establishment of generalization across several regions in Ghana and also to compare study of areas where there are frequent farmer-herder clashes AAND and places where there are fewer clashes as in GD. What is interesting is that these two districts are otherwise very similar. The similarities include: in both GD and AAND, farmers are indigenes and the majority, while Fulani herders are the migrants and minority; farmers and herders have a different livelihood, which results in competition for the same resource leading to conflict, and also autochthony is the defining factor for the access to land which has generated conflict. However, these factors have resulted in a variation in the escalation of conflict into a violent conflict in the two cases. GD witness less violent conflict between farmers and herders as compared to AAND. What then leads to their different frequency and intensity of farmer-herder clashes? This research, therefore, employs Mill's Most Similar Systems Design (MSSD) as this it seeks to establish a general causal relationship between the IVs (Different livelihood, land use, Autochthony claims and land access) and the DV (violent conflict between farmers and herders) in GD and AAND. According to Mills (1843), when cases with similar background and results except for one outcome of interest (DV) are selected in a study, it helps to control for many alternative explanations of the phenomenon. Although the two study areas witness conflicts between indigenous farmers and migrant herders, the selection of these two cases will help to explain how the livelihood difference and autochthony claims help in the escalation of the conflict over land (land use and land access) into a violent one since the two cases possess more similarities. These similarities among the two cases will help serve as a control for many alternative explanations of the conflict and provide results that could be applied to more cases that share as

many similarities as possible. However, Lieberman (1991, p.313-314) criticized Mill's MSSD for treating independent variables as something simple and, therefore, unable to possess multiple causes. Thus, in this study, the background IVs are kept constant as the underlying drivers of the conflict, while other plausible explanations for the variation in the escalation of violence in the farmer-herder conflict within the two districts are identified.

There have been several clashes between indigenous farmers and migrant herders in the two study areas, which is related to land-use (as this research will establish) and how to access land. However, GD (north) has fewer reported clashes than in the south (AAND). For instance, amongst the media reports gathered in three major media news archives, (Ghana web, Citi news and Myjoyonline news), seven major incidents of violent conflict was reported between indigenous farmers and herders across these three news platforms in GD between 2010 and 2020 as compared to over thirty-eight in AAND. This may partially be due to the area's remoteness and the absence of media presence to record and report conflict incidents when they occur. Hence, I chose these two cases with the hope to make the results more potent than those from a single case and demonstrates the issues across a more varied range of circumstances than a single case can provide.

3.2 Study Area Justification

As already mentioned, the research is carried out on two (2) study area, namely Asante Akim North District (AAND) and the Gushegu District (GD). These areas were selected for two reasons. First, a sizeable amount of conflict between farmers and Fulani herder has been reported in both regions from 2010 to 2020 (Bukari, 2017; Bukari and Shereika, 2015). Also, a close look at the dossier of Ghanaweb.com archive on "fulani-indigenes clashes in Ghana" gives AAND and GD as the major conflict hotspots in Ghana, registering more than Fifty percent of incidents of

conflicts reported in Ghana.¹¹ **Table 3.0** below shows a police report of conflicts, deaths, and injuries in the two districts from 2009 to 2013. Secondly, they highlight the role of land use and autochthony claims in the conflict between farmers and herders. In both cases, the Fulani group is the minority group. AAND hosts a sizable amount of farmer-herder conflicts covered in the media (Bukari and Schereika, 2015). To add to this, my media analysis of Ghanaweb.com indicates that in 5 districts in Ghana where conflict between herders and farmers occurred from 2015 to 2020, AADA and GD are the only two districts that reported more than 2 cases in every single year involving groups. This is represented in **Table 3.0 below**.

Table 3.0. Media Reports of Farmer-herder Conflict in 5 Districts 2015-2019

Name of District	2019 Group conflict(s)	2018 Group conflict(s)	2017 Group conflict(s)	2016 Group conflict(s)	2015 Group conflict(s)	Total number of deaths
Asante Akim North	5	4	4	8	7	16
Gushegu District	2	3	3	3	2	2
Sekyere East	1	1	0	2	2	1
Afram Plains	0	1	1	3	2	1
Talensi	0	0	1	1	0	0

Source: Ghanaweb.com¹²

Table 3.1 Police Report of casualties in Clashes between farmers and Fulani herders between 2009-2018.

¹¹DOSSIER: Fulani clashes <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/dossier.php?ID=822>

¹² This information was gathered from my analysis of reports gathered from Ghanaweb.com archives <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/dossier.php?ID=822>

Place	Deaths	Injuries	Properties destroyed
Asante akim North District	30	51	95 farms destroyed
Gushegu District	15	9	21 houses burnt

Source: reports of violence between 2009 and 2018. Compiled from REGSEC (2012) Various media sources, Bukari (2017), Agyemang (2017).

For instance, a report from the Agogo Youth Association (AYA) estimated that in AAND (Agogo) alone, over forty people had been killed between 2000 and 2016 (Citifmonline.com, 2016). Selecting cases with similar features and outcomes allows the study to extend the analysis to more than a single case without compromising the case study's depth. Table 3.2 shows statistics of the similarities between the two districts.

Table 3.2: Features of the Study Areas

Name of district	Main Economy	No. of People in crop farming	GDP (Nominal)	Climatic condition
AAND	Agriculture (Crop farming)	74.5%	\$ 2,500 Per capita ¹³	Wet semi-equatorial climate. Double annual rainfall(1250mm and 1260mm)
GD	Agriculture (Crop farming)	88.5%	\$2,500 per capita	Double annual rainfall(900mm and 1000mm)

Source: Ministry of food and Agriculture (MOFA) Ghana and Ghana Statistical Service (GSS) 2013

¹³ GDP for individual districts were unavailable, thus GDP for the entire regions were used.

AAND is in the middle forest belt part of Ghana, specifically in the Ashanti. AAND has a distinctively agrarian economy, with over 72.7% of its population are employed in the agricultural sector, out of which 98.4% are crop farmers (Ghana Statistical Service, 2014a, p. ix). Among the predominant crops grown in the area include plantain, maize, cocoa, rice, yam, cassava, oil palm, yam, watermelon, tomatoes, and beans (Ghana Statistical Service, 2014a, p. 69). GD is located in the northern part of Ghana and shares similar socio-economic, climate, and hosts a considerable number of farmer-herder conflicts. Like AAND, agriculture remains the dominant economic activity employing more than 75% of the population with 62% engaged in crop farming (Ghana statistical Service, 2014b, p. xii).

3.3 Data Collection

The study's reliability and validity demanded that both primary and secondary sources of data be used. Herder-farmer conflict is not often observed first-hand by researchers, as such analyses of them mostly rely primarily on data from post-hoc interviews and reports (Moritz, 2006). Primary data was acquired from news reports, accounts and interviews in the media by reporters who either witnessed the events or reports containing quotes by people who witnessed the events, speeches and interviews of leaders and members of both parties involved in the conflict. The media reports and interviews gathered include electronic, print, and online sources from 2010 to 2020 on the violent conflict between farmers and herders. The media reports gathered were mainly from Ghana News Agency.org, Daily Graphic Newspaper, Graphic.com.gh, Ghana Broadcasting Cooperation (GBC), GHOne Tv, TV3 News, UTV, myjoyonline.com, Modern-Ghana.com, Peacefmonline.com, Daily Heritage, VibeGhana.com, and Ghanaweb.com. I searched for news articles that contained the keywords ‘ Fulani,’ ‘clashes’ ‘herdsmen’ ‘land’ ‘Agogo’

Gushegu,’ ‘indigenous residents,’ ‘farmlands,’ from the year 2010 to 2020. In total, forty-five (45) news articles, including eight video and audio interviews on media platforms, were collected.

Table 3.3 below provides a list of key community leaders from both camps who were interviewed by the media, along with information about the profile of those individuals. Secondary data sources were also collected and used to complement the primary sources for the analysis. These include book chapters and peer-reviewed articles on the topic.

Table 3.3 Details and profile of persons interviewed by various media

Person Interviewed	Portfolio	Media House/source	Date
Prof.Osman Bari	President (Fulani Association Ghana)	GHone TV Ghnaweb.com	February 2016 April 2016
Abraham Amaliba	Legal Practitioner	GHOne TV	February 2016
Nana Kwame Nti	Krontihene	GHOne TV, Ghanaweb.com	February 2016
Head of Fulani Association Ghana	Alhaji Osman Bin Armed	Ghanaweb.com	February 2018
Charles Yaaba	Programs Officer (Peasant Farmers Association Of Ghana)	MyJoyOnline Tv	February 2016
Joe Nti Obeng	Secretary Of The Concerned citizens of Agogo Association)	MyJoyOnline Tv	February 2016
Imam Hanafi Sonde	Chairman, National Association of Cattle Farmers)	MyJoyOnline Tv	February 2016
Alhaji Fuseini	District Chief Executive (DCE), Gushegu	Savannah News	December 2011
Francis Oti Boateng	District Chief Executive (DCE), Asanti Akim North	Kessben Tv	April 2016
Nana serwaa Afrakoma	Queen-mother, Asanti Akim North	UTV News	April 2016
Mr. Musah Issah	District Chief Executive (DCE), Gushegu	Modern Ghana.com	April 2018
Kingsley Obeng	Agogo Youth Association	Peacefmonline.com	September 2011
DSP Tanko	District Police Commander, Gushegu	Ghanaweb.com	August 2019

Chief Ahmed Osman	Head of Fulani in Ashanti Region	Ghanaweb.com	February 2018
ACP George Tuffour	Regional Police Commander, Northern Region	SavannahNewss.com	December 2011
Opanyin Kofi Oduro	Opinion Leader, Asanti Akim North	UTV News	February 2016
Ambruce Derry	Member of Parliament.	Ghana Broadcasting Cooperation	December 2011

3.4 Data Analysis Procedure

After gathering media reports, videos and interviews with leaders of both the farmers and herders, content analysis was adopted to appraise the meaning of those narratives. The content analysis used in this research allowed the research to investigate a broad range of ‘texts,’ including interviews, narratives, discussions, TV, editorials, and contents of newspapers and magazines on the conflict between the farmers and Fulani. Thus, the study will analyze the presence, meanings, and relationships of concepts being discussed, with the reports and incidents making a connection between the evidence and the hypothesis. As Krippendorff (2004) points out, content analysis allows the researcher to make valid inferences from texts in a manner that enables him/her to answer research questions. Content analysis also allows the researcher to systematically study and review different forms of recorded information to identify and compare meaning to generate and improve the reliable and objective answers to research questions (Burnette and Kolbe, 1991). Here, content analysis will follow a descriptive analysis anchored on land use and autochthony claims to land. More specifically, it will seek to explore how land use disagreement and land rights based on identity remains at the heart of the conflict amidst other factors. Content analysis is aimed to transform and classify the news reports and quotes from interviews into meaningful analysis to

show overlapping interests in the use of land between the two factions, as well as how local farmer's identities and "autochthony" discourse to either make claims to land or deny others of the right to land. Thus, incidents and interviews from members of the indigenes and migrant herders will be placed in context and explained in light of the theories proposed.

Weber (1990) explained that sometimes using content analysis poses difficulty in interpretation. The problems of interpretation arise because several interpretations can be given to a single text by different scholars making it challenging to choose the one that best fits a particular text (Weber, 1990,p.79-80). Regardless of this challenge, content analysis allows the researcher to gain a great deal of knowledge about individuals, groups, organizations, and institutions, provided that their examination is sensitive to both the context and the purpose of the study (Durepos, Mills, and Wiebe, 2010). Hence, content analysis was adopted because it allows the researcher to examine perceptual and socio-cognitive subjects that are difficult to study through traditional quantitative methods.

3.5 Conclusion

This chapter has examined in detail the methods used in collecting data for the study and how the data gathered was analyzed in respect of the theories discussed in Chapter two. The following chapters will present empirical evidence.

CHAPTER FOUR

LAND USE DISAGREEMENT AND VIOLENT CONFLICT DEBATE

4.0 Introduction

This chapter presents empirical evidence on the land-use of indigenous farmers and migrant Fulani herders to support their livelihood in the AAND and GD and how their diverse goals and interest in the use of the land escalate into violent conflict.¹⁴ As shall be discussed, one of the underlying factors leading to conflict between local farmers and migrant herders remains the competition over land use in terms of supporting their livelihood. This thesis draws from Komey's (2010) analytical premise, which explains that land resources for agriculture can be a breeding ground for conflict. This study reveals that in the act of pursuing their interests and livelihood goals, indigenous farmers and migrant herders must compete on the use of the same resource (land).

The co-existence of Fulani herdsman with crop farmers in the same area is crucial. It involves groups whose livelihood and economic survival are tied to agriculture (livestock farming and crop farming). According to Turner (2011), while the convergence of livelihood goals and interests have strengthened relationships between groups through the expansion of shared common interests and cross-group, production-related affinities, it has also arguably led to an increase in the frequency of conflict triggers. In most cases, the goals of the groups overlap and depend on the

¹⁴ Land in this research refers to arable land, thus it includes fertile land and water bodies.

same resource, which in turn increases the competition. In an agricultural setting like Ghana¹⁵, one issue mostly under contention is access and land use (Komey,2010). Thus, competition over land use triggers conflict between Fulani herders and indigenous crop farmers in Asante Akim North District and Gushegu District.

Before I look at the conflict-land use nexus from the perspective of farmers and herders' interactions, I will first detail the drivers of herders' migration to Ghana in general and the two districts in particular, because there are many views that the migration of the Fulani herders to these locations for land resources are part of the indirect drivers of the conflicts. I also present the perceptions and knowledge of both the migrant Fulani herders and indigenous farmers' livelihood assets and how this shapes their goals. Explaining the livelihood assets of the parties involved in the conflict will give the impetus to discuss how the different interest in the use of land leads to competition over land use, and more specifically, to damage over crops, burning farm products, and encroachments of grazing land.

4.1 Migration of the Fulani to Ghana (Asante Akim North District and Gushegu District)

The migration of Fulani herders into Ghana started in the early twentieth century and increased during the 1950s and 60s due to recurrent drought and worsening environmental conditions that engulfed the whole of the West Africa sub-region during that period (Tonah, 2005, Olaniyan et al., 2015). The Fulani, from their original location in neighbouring West African countries (Burkina Faso, Niger and Mali) into Ghana, initially began as a seasonal migration

¹⁵ According to the Food and Agriculture Organization of the United Nations (FAO), Ghana is predominantly an agricultural country with at least 52 % of the labour force engaged in agriculture (<http://www.fao.org/ghana/fao-in-ghana/ghana-at-a-glance/en/>)

(Tonah, 2005, Bukari, 2017. They originally moved to the northern parts of Ghana, which was closer to their original locations, to find grass for the cattle and returned later when the dry season has ended in their home country (Tonah, 2006c). Permanent migration began subsequently in the late 20th century around the 1970s and 80s following the recurrent drought in the Sahel regions (Olaniyan et al., 2015; Tonah, 2005).

After settling permanently in Ghana's northern regions¹⁶, the Fulani herders later migrated southwards to find better opportunities in areas including Sekyere Afram Plains, Kwahu Afram plain, Kumawu and AAND. However, other Fulani pastoralists migrated from outside Ghana either with their herd or in search of employment as caretaker herders by indigenous cattle owners as caretakers (Tonah, 2002; Tonah, 2005). The area had a wet climate and double season rainfall, which made it conducive to support sustaining the vegetation cover (Agyemang, 2017, Oppong, 2015). The Veterinary Service Department in AAND also confirmed that there is enough natural pasture in the area that is suitable for mass cattle production (quoted in Agyemang, 2017, p.57). According to the Meteorological Agency of Ghana and Ministry of Agriculture (Ghana), the combination of three major vegetation types (the Open Forest, the Closed Forest and the Wooded Savannah) makes the area suitable for both crop farming and animal rearing. This is consistent with Tenuche and Ifatimehin's (2009) findings, that resource endowment of an area, including land, vegetation, and water resource of an area, is most important when selecting an area for grazing. Fulani herdsmen mentioned that it was due to the availability of abundant pasture in the area that they migrated from either the northern parts of Ghana or from other neighbouring countries –

¹⁶ The Norther regions of Ghana referred to the three Northern regions, namely; Upper East, Upper West and Northern region until 2019 when a referendum was conducted to create two (2) new additional regions making it Five (5).

Burkina Faso, Nigeria and Togo (Oppong 2015, Bukari, 2017; Agyemeng 2017). The Fulani Chief confirmed this in a press briefing to media that;

There is no place like Ghana, and you cannot have any other place as peaceful as this country across West Africa. We have abled leaders who are in charge of the country. Our forefathers were here and did not leave the country, so we are not ready to also leave this country ... (Chief Ahmed Osman, Press briefing, February 7, 2018)¹⁷

The statement above indicates that the Fulani herdsmen believe that the AAND area is endowed with the natural resources required for their livelihood to thrive, hence their constant migration to the area regardless of the challenges they face in the area.

On the other hand, in GD, the Fulani herders migrated mostly from countries that share common borders with Ghana to find pasture and water and later returned. However, noticing that the conditions of GD (Northern Ghana) supported cattle rearing, most of them settled there permanently (Tonah, 2002; 2005). Although the climate of Gushegu is made up of a wooded Savannah area accompanied by a long spell of dry weather and a single rainfall season mostly lasting for only three to four months annually, it supported cattle rearing since settlements were mostly scattered (Bukari, 2017). Thus, the Fulani migrant herders who previously practice transhumance found the area conducive for cattle rearing because grass for cattle and water bodies existed throughout the year. The migration of Fulani herders to the GD, which began as a seasonal process, has since become common. Fulani herders have now settled more permanently in the area. In the GD communities, most Fulani herders migrate daily with their cattle from one community to another to find pasture for their cattle. In an interview to a freelance journalist of 'The Guardian'

¹⁷ Speaking at the National Forum, Chief Alhaji Osman Ahmed, Fulani Chief, Ashanti <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/We-are-Ghanaians-Fulanis-cry-out-624377> access on September 13, 2020. And also Daily Heritage Newspaper: <http://dailyheritage.com.gh/?p=15935>

Linus Unah published in ‘worldpoliticsreview’, one herder explained why they have to migrate to the area;

We are always trying to get the best grazing condition for our animals, and we roam from one place to another because we have no choice, ... during the dry season, we have to keep seeking pasture for our herds. Without access to land and water, our animals die. (interview with Fulani herdsman, worldpoliticsreview 24/03/2017).¹⁸

A few settled there with their herds until the rainy season and then returned to their original settlement or countries (Tonah,2002). Many Fulani herders migrate south-wards, especially to towns and located in and towards southern Ghana, including Afram Plains and AAND. Thus, Tonah (2006) and Bukari and Sheraiki (2015) believed that most Fulani herders in AAND migrated from Northern Ghana, including GD haven, stayed there for long periods, and even in most cases, some of them were born and raised there. The Foundation for Strategic Research (FRS, Fondation Pour la Recherche Strategique), in their February 2019 publication, estimated the number of Fulani in Ghana to be around 4600. However, this figure is disputed as it contradicts with early figures by researchers and officials of government. In 2015, The Joshua project data estimated the number of Massina Fulani (a sub-set of the Fulani group) in the Northern part of Ghana alone to be 4900¹⁹. Bukari and Shereika (2015) also estimated the number of Fulani herdsmen in Ghana to be 14,000. The population of Fulani herders in Ghana is unknown as all previous censuses conducted either did not account for them separately or did not include them.

4.1.1 History of Cattle rearing and nomadism in AAND(Agogo) and GD (Gushegu)

¹⁸Accessed on 18 July,2019. <https://www.worldpoliticsreview.com/migration=fulani+in+ghana>

¹⁹ Joshua Project Data, 2015; https://joshuaproject.net/people_groups/111773/GH (Accessed November 26, 2020)

Keeping cattle is not a new phenomenon in Ghana as a whole, and it has been in existence to the inhabitants of the area since the colonial era (Tonah, 2002; Agyemang, 2017). According to Tonah (2006), cattle rearing in AAND dates to the 1950s. However, during those periods, the relationship between farmers and herders was marked by peaceful coexistence and cooperation rather than competition and conflict (Tonah, 2005). This was partly because cattle rearing was done on a small scale under the semi-intensive system either for consumption or domestic purposes (Baidoo, 2014). Thus, Fulani herders or cattle owners cooperated with farmers by exchanging products such as the exchange of milk for crops. As practiced today, nomadism was not in existence because under the semi-intensive system, and cattle were confined and fed with cut grass and water (Agyemang, 2017). Sometimes the cattle were led into nearby bushes by the herdsmen to graze and return to their kraal at sunset. Consequently, the cattle grazed without destroying crops on other people's farms, neither did herders have to encroach on people's land, resulting in herders competing with farmers to use the land. Thus, the people of AAND were not familiar with the rearing of cattle on a large scale through nomadism. According to the elders and people of AAND, nomadism began in the area in 1997 due to an agreement between the Fulani cattle owners and the paramount chief of the area²⁰. The "Krontihene"²¹ of the area speaking to the researcher in an interview explained:

From my infancy, through to the 1960s and 1970s, this has been the situation. The cattle were not in the bush; they were inside a fence. So, anytime they were (are) going outside, herdsmen followed them, and by sundown, followed them back to their kraals. Cattle are animals that will not cross a fence even if it is made up of palm fronds. There was no destruction of farms, there was harmony and peace between the people. (Agyemang, 2017, p.52-3).

²⁰As shall be discussed in chapter five, in Asante Akim, and Gushegu there is the practice of customary land tenure system where control and allocation of lands are the powers of chiefs. Even though land rights are the preserve of subjects or indigenes, chiefs had the power to allocate land to outsiders"

²¹ The Krontihene is the caretaker of the land and second-in-command after the paramount chief in the leadership hierarchy of the Asante Akyem North area

The secretary of the Concerned citizens of Agogo in an interview on MyJoynews' PMexpress hosted also recounted:

[...] For us in Agogo, it is not that we hate Fulani or cattle or something. After all, from my childhood, we've lived with the Fulani and their cattle. No violent conflict occurred when crops were not destroyed. The cattle will eat everything they see on the land when you take them there (to the farm). (Joe Nti Obeng, MyJoynews, 2016, 14:30)²²

According to the elders and people of AAND, although cattle rearing has been practiced in the area for a long time, peace prevailed in the area because cattle were not raised in large numbers and they were kept in a kraal and were not allowed to move freely to graze on crops of farmers. Nomadism began when the paramount chief of the area signed a contract with at least three (3) Fulani migrant cattle owners to lease land to them for a fee.²³ The initial agreement was with these three herders. However, more herders started arriving with time since they saw the opportunity to acquire land through other means since they did not have land rights. Since these Fulani migrants were nomads and move from place to place, their presence in the area introduced a new form of cattle rearing, which was alien to the people of AAND. In the year 2000, the paramount chief of the AAND area, Nana Akuoko Sarpong, together with his council, released portions of lands (usually at the outskirts of towns and villages) to some cattle owners for cattle rearing (Agyemang, 2017). However, a formal agreement between Fulani Cattle owners and the Traditional leaders of AAND was signed in 2006 and 2007, despite herders' operations haven starting as early as 2000 (Agyemang, 2017,p.54; Indenture agreement, 2000). The land lease agreement²⁴ required each

²² MyJoy Online Documentary
https://www.youtube.com/watch?v=aI_aBPhz8KA&t=2406s&ab_channel=JoyNews

²³ The initial contract with the three cattle owners could be found in the indenture document attached to this research in appendix 3.

²⁴ The cattle owners sign an agreement with chiefs of the AAND. The Tenancy agreement document have been attached to this research as appendix 3

cattle owner or herder to pay GH¢500 approximately (US \$87) yearly as a lease period of fifty (50) years.²⁵ As part of the main terms included in the agreement are; that the Fulani are not to use the demised land otherwise than for cattle ranch farming purpose only; Not to allow anything on the demised land, which may become nuisance damage or annoyance to the chiefs or any occupier of the adjacent property; that Cattle owners were strict to ensure that the cattle are kept within the area assigned to them and to ensure that the animals do not stray into other areas, and lastly, Cattle owners were to provide facilities in such a way that they do not pollute water bodies (Indenture Agreement, 2000)²⁶. However, according to Agyemang (2017) and Oppong (2015), the cattle owners failed to confine their animals and provide them with feed and water as was initially agreed in the lease but instead brought in other Fulani herders' services to operate the open-grazing method of cattle rearing. This act attracted other Fulani herders from other parts of the country and neighbouring countries to troop to the area to be employed as herder or come with their cattle to settle. Hence, both the cattle owners and the alien nomads moved their cattle from one place to another on an open range grazing system. Thus, the agreement to lease lands to another group of land users (cattle rearing) in an area dominated by indigenous crop farmers is the genesis of the conflict –i.e. that groups with different livelihoods had to live within the same space and compete for the same resource use.

Unlike AAND, cattle rearing has been a long tradition of the people in northern Ghana (where Gushegu is located) before the arrival of migrant Fulani herders. This tradition fits well with Fulani migrant herders' livelihood, making the place an attractive destination for them

²⁵ The original amount for the lease agreement was 5 million (old Ghana cedis), but after the redenomination of the Ghanaian currency in 2007, 5,000,000 old cedis was converted to 500 new cedis.

²⁶ Indenture agreement attached in appendix 3.

(Bukari, 2017; Tonah 2002); thus, the cattle population keeps increasing in the area. According to the Medium-Term Development Plan of Gushegu (2010), the GD has the largest livestock population mostly dominated by cattle and is the largest cattle market in the Northern Region of Ghana. As already mentioned above, the Fulani herders migrated to northern Ghana on a temporal basis. However, as the occasional migrations continued, the locals and the Fulani migrant herders' interaction grew stronger; thus, cattle belonging to natives were entrusted to Fulani herders leading to settling permanently in the community²⁷.

Many Fulani herders were attracted to the area in search of employment as cattle herders; others also brought their cattle as the area was already familiar with the practice (Tonah, 2005). The arrival of many herders and cattle had implications for the relations between farmers and herders. The population of cattle in the Gushegu District by a livestock survey organized by the District was estimated to be 31,866 in 2009 (quoted from Bukari, 2017, p.80). Tonah (2002) noted that the large population of cattle in the area attracted many herders to the area, increasing the original number of cattle since most herders came to the area with their cattle. Thus, the relationship between the indigenes in Gushegu and Fulani herders, in general, was marked by cooperation for a long period because the indigenes of GD contracted the Fulani herders to take care of their cattle.

Cattle rearing is also organized on a largescale mostly kept by Fulani herdsmen and owned by themselves or by natives. Cattle rearing is mainly carried out through uncontrolled grazing, where herdsmen move with their cattle in search of pastureland (MOFA, 2016). **Table 4** gives an account of a report obtained from the Agogo district police showing more than 16 cattle owners with about 10,000 cattle in the AAND. This report clearly shows that the kind of competition crop farmers are likely to face from these cattle farmers for the land. This phenomenon contributes to

²⁷ These accounts were given by a group of Fulani as well as local inhabitants the town of Zentile in the Gushegu District in Bukari et al (2018)

the struggle for land in these areas leading to the potential conflict between the two groups of land users as they will need lands to support their livelihood goals and interests.

Table 4.0. A police report Indicate registered Cattle owners and the number of cattle owned in Asante Akim

NO.	NAME OF CATTLE OWNER	ESTIMATED NO. OF CATTLE OWNED
1	Alhaji Bugor	1000
2	Alhaji Dramani	1000
3	Ahaji Buba	500
4	Alhaji Hassan	700
5	Alhaji Addi	400
6	Alhaji Jofo	600
7	Dousseh Imoro	700
8	Alhaji Wantu	300
9	Abu	200
10	Kassim Dauda	700
11	Bube	400
12	Alhaji Innusah	1,200
13	Alhaji Sambo	500
14	Alhaji Issaka	400
15	Alhaji Grunsah	630
16	Alhaji Ahmed	200
TOTAL		9,430

Source: AAND Police report, April 2015, most of this can also be found in the Regional security council meeting attached in Appendix 2 and also, Oppong (2015).

4.2.0 Livelihood and Assets of Indigenous Farmers and Migrant Fulani Herders in Asanti Akim North and Gushegu

This section attempts to profile the parties involved in the conflict socio-economically to establish the vital role of differences in goals and interests in the use of resources (land) connecting the parties involved as well as how their interaction leads to competition. Carney et al. (1999, p.4) define livelihood as “comprising the capabilities, assets (including both material and social resources) and activities required for a means of living.” Scoones (2009, p. 172) also defines livelihood as “how different people from different places live.” Similarly, Chambers (1995, vi) defines livelihood as “the means of gaining a living.” Thus, livelihood among indigenous farmers and migrant herders could be explained in relation to the resource required by each group as well as activities they have to undertake in order to live. Below I highlight some of the natural assets and activities of the Fulani and Local farmers, which are essential to their livelihood. An analysis of resources required and activities one has to undertake by the farmers and herders in their livelihood is necessary because it will improve understanding of how diversity among groups leads to competition and subsequently conflict (Scoones, 2009). Thus, this discussion is important as it will set the pace for further discussions on how the difference between the livelihood of the indigenous farmers and migrant herders generates competition for resources and how it contributes to the immediate drivers of conflict in the two study areas.

4.2.1 Fulani Livelihood and Assets

The Fulani are the main pastoralist or nomadic group across the West African sub-region and have dominated cattle production in the sub-region for centuries, including countries like Nigeria, Ghana, Mali, Burkina Faso, Ivory Coast, Senegal, Niger etc. (Abbass, 2014). The Fulani's natural

assets in Ghana comprise land (grassland), grazing reserves, natural water bodies, and livestock. Land is the most significant natural asset to ensure the security of livelihood for a Fulani (Fabusoro and Oyegbami, 2009). However, due to their nomadic lifestyle, Fulani herdsman are regarded as non-indigenous and are, therefore, 'landless' in many places they go. The need to find grazing areas for their cattle leads them to migrate from one location to another as they continue to search pasture and grazing land. In his research in southern Nigeria, Majekodunmi et al. (2014) found out that livestock proceeds were the most crucial income source amongst Fulani households. According to Adogi (2013), a "man's" wealth among the Fulani is measured by the number of cattle he possesses. This means that the more cattle Fulani herders kept or owned, the more income they had. Speaking to Integrated Regional Information Network (IRIN)²⁸, a Fulani nomad from Nigeria said, "Our herd is our life because to every nomad life is worthless without his cattle. What do you expect from us when our source of existence is threatened?" (HameSaidu, a Pastoralist, 2009-IRIN, 2009). Similarly, Nori et al. (2005) also noted that animal sale proceeds overwhelmingly represent the most significant income source for Fulani herders either by owning them or shepherding them for other people.

According to Fabusoro and Oyegbami (2009), the pastoral production system is accompanied by a nomadic way of life during the dry season. The nomadic lifestyle of Fulani herders involves double transhumance; that is, "internal transhumance" (from northern regions of the country to pastures affluent areas in the southern regions); and a "longer transhumance" from the neighbouring countries (namely, Nigeria, Burkina Faso, Ivory Coast, Niger, and Togo). As an essential aspect of a Fulani herder's life, mobility allows the Fulani herder to move their cattle from

²⁸ IRIN is a humanitarian News and Analysis affiliated to the United Nations Office for Coordination of Humanitarian Affairs charged with the responsibility of providing news and analysis about sub-saharan Africa, East Asia and the Middle East.

one place to another in search of pasture and water. Thus, land constitutes the single most important natural asset for Fulanis to sustain their livelihood.

Nori et al. (2005) noted that Fulani herders, due to their pastoral lifestyle, control their economic assets, that is, their cattle, but do not have control over natural resources (land) needed to enhance their economic assets (Turner et al. 2009). When they arrive in their host communities (as shall be discussed in detail in chapter five), Fulani herders struggle to access land since they do not have land rights²⁹. In both AAND and GD, the only way Fulani migrant herders can gain access to land is through short or long-term lease agreements with traditional authorities or individual landowners in the communities they settle (Tonah, 2006c). The purchase is mostly through the land leasing system, where the Fulani are given a specific number of years to use the land³⁰. Hence in most cases, they must share with other users (in this case, indigenous crop farmers) in their host communities. Their inability to control land resources is partly due to their nomadic or semi-nomadic lifestyle, making them settle down temporarily at particular times of the season and wander away from a fixed location. The ability of the Fulani to settle in a fixed location is dependent on factors such as the availability of unoccupied land which can support livestock breeding (in terms of a constant supply of pasture and water reserves) that the areas are free from the recent outbreak of diseases, and low possibility of conflict with crop farmers (Fabusoro and Oyegbami, 2009, p.8). Thus, this suggests that Fulani herders are likely to settle permanently in areas with land fertile enough to support grazing and a constant water supply for the cattle all year round.

²⁹ Land Rights and Access is discussed in more detail in chapter five.

³⁰ Detailed discussion of land tenure and land ownership can be referred to in chapter five.

4.2.2 Livelihood Assets and Interests of Indigenous people in AAND and GD

Ashanti Akim North District is predominantly an agrarian community, with over 70% of inhabitants engaged in agriculture (GSS, 2014a, p.ix). According to the Ministry of Food and Agriculture (MOFA) of Ghana, “Agriculture is the dominant sector employing about 70% of the total number of people employed. About 15,186 hectares of land are under cultivation of staple food crops, namely maize, cassava, plantain, cocoyam and yam” (MOFA).³¹ Therefore, the majority of the household in AAND earn their incomes from crop farming. For instance, MOFA reports (2012) put the number of rural households involved in agriculture at 79.7%. The report further estimates that crop farming is the highest type of agricultural activity in the District (98.4%), followed by animal rearing (21.7%). Thus, many inhabitants rear animals in addition to crops, but not for commercial purposes. In an interview with MyJoy news, Mr. Joe Nti Obeng (Secretary of the Concerned citizens of AAND) claimed:

[...] basically the Asante Akim North, Agogo and the Afram plains, they are crop farmers, and for many years now, we’ve been having these problems of the free-ranging Fulani herdsmen. They have been ravaging our farms, and you know most of these farms have been done with bank loans, that’s peoples livelihoods ...”. (Joe Nti Obeng, MyJoynews, 2016, 2:25)³².

The Kontihene of the are also reiterated this when he met the president of Ghana:

³¹ Ministry of Food and Agriculture (MOFA) official web page: <https://mofa.gov.gh/site/sports/district-directorates/ashanti-region/150-asante-akim-north>

³²
https://www.youtube.com/watch?v=aI_aBPhz8KA&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=80

[...] Nana help us... it will be of immense benefit to the populace, because the cultivation of tomatoes and plantain happens to be the mainstay of residents of Agogo. (Ghanaweb.com, 2019)³³

Farmers in the area engage in commercial crop farming. As already mentioned, crops cultivated in the area include maize, cassava, cocoyam, plantain, tomatoes, watermelon, and other fruits and vegetables. This crop farming system in the study areas is linked to a sedentary lifestyle of crop cultivation³⁴. Similar to AAND, GD was predominantly an agricultural setting. According to MOFA, the people of GD are engaged in crop production and raising a wide variety of livestock. The area's vegetation resembles that of the Guinea savannah, comprising of high and tall grasses and drought-resistant trees (MOFA).

4.3 Dynamics of Land Use Between Herders and Farmers

Land is a valuable resource that both herders and farmers need to increase productivity and maintain their livelihoods. As the population continues to grow, coupled with rapid urbanization rates, there is a rising demand for food crops and animal-based products (such as meat and dairy), providing market opportunities for local producers from the surrounding areas. According to Msuya (2013), generally, how a particular group of people use the land, in return, transform their livelihood. Consequently, the livelihood of indigenous farmers and migrant Fulani herders is attached to either of these two categories. Intergroup variations are significant as both farmers and herders depend primarily on the access to and use of the same resource to pursue different interests. Indigenous farmers need it to farm, while migrant Fulani herders need it to graze their cattle. The

³³ Ghanaweb.com 2019. <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Save-us-from-slavery-suffering-Agogo-Krontihene-to-Nana-456154>

³⁴ The term sedentary farming refers to the type of agriculture practiced a place by a settled farmer/farmer in which fields are not rotated. Thus, the term is mostly used to refer to primitive agriculturists in tropical Africa who farmed the same piece of land indefinitely in contrast to shifting cultivation.

indigenous farmers and migrant Fulani herders' diverse goals mean that Fulani migrant herders must adjust to their new host communities and have to compete with each other to use the land (Tonah, 2006c).

According to Bukari (2017), although not all disagreements over land degenerate into large scale violent conflict. However, the problem ensues when each group raises the argument that they have the right to use a parcel of land to achieve their goal. While indigenous farmers claim that they should have the right to use the land as they have been on the land for decades, Fulani migrant herders claim they should be given access to use the land as it has been rented out to them. Fulani herders mostly advance the argument of haven paid a sum of money to traditional authorities to use those lands and, therefore, should have unrestricted access to use them. The herders and farmers in AAND and GD make their livelihood within the same geographical and socio-cultural conditions. Their livelihood activity is centered around the struggle over the same resources (land) (Tonah, 2002; Homer-Dixon, 1999). The struggle for land-use within the same geographical area leads to conflict triggers between the farmers and herders. For instance, in Tonah (2002), damages to crops and killing or stealing of cattle, clearing pastureland for farmland are mentioned as the frequent reasons by farmers and herders, respectively, as triggers of conflicts.

This research aims to analyze the underlying factors that cause violent conflicts between indigenous farmers and Fulani herders in the study areas (AAND and GD). It was observed that the farmers and herders shared a common problem of resource scarcity and faced similar challenges in having to share the same piece of land in achieving their livelihood goal in both the north (GD) and south (AAND). In both districts, farmers and herders depend on a limited pool of resources (land) to sustain their livelihood goals and assumed differences in terms of cultural and traditional practices as well as pursue different livelihood goals. This is captured in the interview

of the Member of Parliament (MP) of AAND, Kojo Baah Agyemang when he was speaking to a reporter of Peacefmonline.com.

If someone gives you a piece of land to raise cattle, what you do is to fence it, so, your animals remain enclosed...You have your business, in this case cattle rearing, and another grows crops. Why do you want to destroy somebody's farm with your work? Elsewhere, cattle are fenced and fed, but free-grazing happens here. If you are in Ghana, run your business in a way that it is not at the expense of another's. Everybody has the right to work, but one's rights end where another's begin.
. (Kojo Baah Agyemang, Peacefmonline.com, 2016)³⁵.

Like many local inhabitants, the MP believes that most clashes between the two groups of farmers often come from land use. The differences of livelihood between the Fulanis and the local farmers lead to one (the herders) operating their 'businesses at the indigenous farmers' expense, which leads to confrontations. Similarly, another prominent legal practitioner and Member of the former government of Ghana (NDC) explained³⁶ to GHOne TV that:

[...]There are laws that regulating how animals should be kept in this country...I think the has been we wil need to understand the conflict is between nomadic herdsman and crop famers over the use of land...Because I know some Ghanaians are also cattle owners... so it is about nomadic herdsman who are looking for grazing places, grass to feed their cattle as against crop farmers whos occupation is sedentary... (Abraham Amaliba, GHOneTv, 2016, 50:02)³⁷.

This statement confirms the views held by Alhassan (2017) that the quest to explore land resources' use to enhance their livelihood mostly results in a 'win-lose' situation between local farmers and migrant Fulani herdsman, leading to violent conflict. However, as already stated in this research, land use itself does not directly cause conflict but provides an analytical framework for how land-use for agricultural purposes can serve as a breeding ground for violent conflicts

³⁵ Peacefmonline.com 2016: <https://www.peacefmonline.com/pages/local/news/201601/268174.php>

³⁶ The NDC National Democratic Congress is a party in Ghana that ruled the country from 2008 to 2016.

³⁷ GHOneTV, 2016:

https://www.youtube.com/watch?v=ajIu2o4GgAk&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=2&ab_channel=GHOneTV

among its users. The land-use conflict is manifested through various triggering activities, which various scholars (Tonah, 2006a; Alhassan, 2007; Bukari, 2017; Oppong, 2015; Agyemang, 2017; Dary et al., 2017) have classified as the immediate causes of the conflict among farmers and herders in AAND and GD.

4.4 Competition Over Land-Use

The evidence gathered in this research pointed out that the major cause, both as a trigger and underlying factor, of the conflict is competition for arable land. Land remains the single most important resource required by indigenous farmers and migrant herders in both AAND and GD. While farmers need land to grow their crops, herdsman require the same land for grazing their animals. The most common method of raising livestock, most especially cattle in AAND and GD, is the free grazing method³⁸. The cattle population in these areas continues to grow, leading to an increasing need for grazing lands to feed them. According to the Veterinary Service of the Ministry of Food and Agriculture Ghana MOFA (2000) and Ghana Livestock Development Policy and Strategy (2016), the number of Cattle populations in Ghana continues to increase over the years. From 804,000 cattle in 1980, 1,330,000 in 2000 to 1,677,000 in 2014 and is expected to exceed 1,721,000 in 2016.³⁹ The ministry also estimates the number of cattle coming into the country from neighbouring countries to be 127,000. There are no fodder banks or ranches within the study areas for herders to graze their cattle. Herdsman feed their cattle in the bushes or acquire land from

³⁸ Open grazing Method used here refers to the method of raising cattle where the herders move with the cattle from place to place in search of pasture. The cattle are not confined.

³⁹ The figures provided here are only estimated figures by the Ministry in 2014 and not actual figures. Census for livestock was discontinued in 1996.

landowners, mainly traditional authorities and sometimes clan heads or family heads, without the knowledge of indigenous farmers who farm on those lands.

Increased land investments for commercial or housing needs and the expansion of agriculture (both herding and farming) have led to an increase in the economic value and the competition over land in Ghana (Yaro, 2010). Bukari (2017) and Bukari and Schereika (2015) described this rise in the value of land has led to a subsequent increase in the sale of land to non-indigenous groups and agro-food industries and herdsmen who pay more for the land, unlike indigenes who have land rights and do not have to purchase land for farming⁴⁰. Thus, lands belonging to indigenous farmers are acquired by migrant herders without their prior knowledge for large-scale cattle production through chiefs (Alhassan,2017; RESAG,2012⁴¹). By leasing land to cattle owners and herdsmen for cattle grazing, different actors' conflictual interest is brought to bear as they have to contest to use the land. A statement by the leader of one of the pressure groups in AAND, Agogoman Mma Kuo, during a protest against the presence of herders, attest to this:

We have gathered here to protest for the government and chiefs to do something about these issues. Some time ago, the land of Agogo (AAND) was seen as a peaceful place. The only known thing about us was the production of food. Since the Fulani herders came here with their cattle, Agogo's peaceful land has been turned into a war zone. We all know that cattle and our crops cannot be on one land. Our chiefs gave these people (Fulani) our lands. They do not have our interest at heart. Now we have to fight cattle before we can produce food... (Mr. Kojo Oduro, UTV, 2016, 2:30)⁴²

Similarly a professor at the Department of Animal Science, University of education in Ghana, confirmed this:

⁴⁰ Indigenous farmers in both AAND and GD have usufructual land rights according to the customary land tenure systems practiced in those areas. They inherit land through their family lineage and do not have to pay for the land. Discussions on land tenure and land rights in AAND and GD can be found in chapter five.

⁴¹ Document attached in appendix 2

⁴² Protest against Fulani herdsmen: https://www.youtube.com/watch?v=7JmYoT5-PPI&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=76&ab_chanel=UTVGhanaOnline

This video was in Akan, the local language of AAND thus the translation provided here is Author's own translation.

[...] the chiefs are harboring the herdsmen on the land, therefore, their attraction to Agogo. Every piece of land belongs to or is under the care of a chief. There is no way a Fulani herdsman and his cattle can stay there without a permission... (cited in Agyemang 2017, p. 57)

The statement above indicates that farmers believe that the decision to lease out land to another group of people with a different livelihood means they would have to compete with them since both groups require the same resource. On the one hand, indigenous farmers seek to use the land for crop farming while; on the other hand, the Fulani nomads want to graze their cattle on that same land. The differences in how land should be used often lead to various triggering activities that fuel the conflict⁴³. Therefore, the smallest provocation could trigger violent conflict between the two groups. Competition over land also leads to other triggering activities that escalate the farmer-herder conflict into a violent one (Dary et al., 2017). Among the triggering activities caused by competition over land include damage to crops and farmlands, burning of farmlands and produce, the encroachment of grazing or farmlands.

4.4.1 Damage to crops and agricultural land

A major cause of farmer-herder conflicts in the two districts is crop destruction. Agriculture is exercised through farming system practices. According to Msuya (2013, p.473), farming systems describe the “decision making” and “land use units” as well as “cropping and livestock practices” that produce crops and animal products for either consumption or sale. In this regard, farming systems explain the in-depth description of agricultural practices among crop farmers or animal farmers/herders. The system of raising cattle in AAND and GD by Fulani herdsmen is the

⁴³ Dary et al (2017) explained that although the conflict between herders and farmers in the upper east region of Ghana is as a result of land use, land use does not directly lead to violent conflict but rather lead to triggering activities that in turn results in violent confrontation.

open/free grazing method. The herders follow the cattle to graze. In many cases, unsupervised cattle stray into farms and destroy crops, which farmers consider intentional acts. **Figure 4.0** shows farms that have been run over and destroyed by cattle in AAND. This affects farming, which is their primary source of income and livelihood for the indigenes. Farmers claim that herders intentionally destroy their farms, which is their source of livelihood. Consider the following statements from an interview by GHOne TV⁴⁴ in AAND in :

The Fulanis are destroying our farms, we and upon our return, we erected these barriers. The Police ordered us to demolish them, but we told them we Will not take them off... We want the Fulanis out of here else there will be no peace (Man 1, GHOneTV, 2016, 32:40)

My farm of about 7 acres was destroyed in a day. I virtually had to runaway and left my tools behind (Woman 1, GHOneTV, 2016, 32:10)

I was going to my farm when a Fulani man saw me and said to me that I was working in vain for his animals (cattle). I ask him whether he gives me a share of the money when he sells it. It ended up in a confrontation They have destroyed all my crops (plantain). My children have been sacked from school because I didn't get any money from my farm. (Woman 2, GHOneTV, 2016, 33:01)

From the comments above, indigenous farmers accuse the Fulani herdsmen of intentionally driving their herds through peoples' farms and destroying their crops, which is their livelihood source. As claimed by the locals, the Fulani herdsmen's actions negatively impact farming, which is their primary source of livelihood.

Also, in Gushegu (Northern Ghana), a similar pattern takes place. While searching for fodder for their cattle, Fulani herdsmen are accused of setting their animals onto people's farms to graze on their food crops (mainly maize, yam, millet, and sheer nut), which are the staple crops cultivated in the area. For instance, in a petition of the Peasant Farmers Association of Ghana

⁴⁴ Link to interview could be found here; GHOne interview of key players in the farmer herder conflict in AAND https://www.youtube.com/watch?v=ajIu2o4GgAk&ab_channel=GHOneTV

(PFAG) to the president of the Republic of Ghana signed by the PFAG national president Abdul Rahman Mohammed, it was stated that:

The presentation of this Petition has become necessary because of the debilitating effect of the activities of the Fulani Herdsmen on the livelihoods of farmers and property alike in the communities in which the Herdsmen operate. PFAG Members have over the years suffered many atrocities at the hands of the said Herdsmen including: Tonnes of harvested agricultural produce, on an annual basis, are burnt by Fulani Herdsmen [maize got burnt at Sape in the Northern Region]. Farmlands with growing crops and plants grazed on by cattle of Fulani Herdsmen [vegetables grazed on at Paga in the Upper East Region] ; Fulani Herdsmen unlawfully use shea nuts to feed their cows with the lame excuse that the nuts are healthy for the cows to produce nutritious milk [Northern Region]. Cattle use their horns to uproot cassava on the farms of our members in GD [Upper East Region]. Undoubtedly this account by the PFAG indicates that indigenous settler farmers in the GD and in the northern parts of Ghana face a similar ordeal posed by migrant Fulani herdsmen as their southern counterparts (Citinewsroom.com, April 24, 2018)⁴⁵.

An observation made is that crop damage is not only limited to crops on the field but extends to harvested crops. This corresponds to the findings of Turner et al. (2006). The damage to crops confirms Turner's (2004) suggestion that crop damage by cattle is common in agropastoral locations where crops and livestock are kept in the same area. Indeed, the PFAG further explained that cattle ate harvested crops while herdsmen watched on. Thus, the damage to crops by cattle of Fulani herders is a leading cause of clashes between herders and farmers. Indigenous farmers believe that the damage to crops by cattle is intentional damages caused by herders to destroy their livelihood.

⁴⁵ Peasant Farmers demonstration <https://citinewsroom.com/2018/04/peasant-farmers-demonstrate-against-nomadic-herdsmen-in-tamale/> (Last accessed on Sept 25,2019)

Figure 4.0. Images Showing farms destroyed by Cattle



Source: Ghanaweb.com, 2017 and Ampress, 2012

Further evidence from a report of REGSEC meeting in AAND corroborates the above accounts that crop damage and destruction of farmland is a leading triggering activity arising from land-use, which contributes to violent conflict between herders and farmers⁴⁶. Submissions by various Assembly members⁴⁷ who appeared before the committee to give information on the activities of herdsmen that lead to violent conflict in the area include:

The communities of Eguoso, Kronkobi and Pataban all in my electoral area are inhabited by Fulani herdsmen and their cattle. Because the land is shared by farmers and the Fulani and their cattle who graze at night after farmers have left their farms, they destroy people's farms/crops (Hon. Asare Boadu, Assembly member for Onyemso Electoral area, REGSEC report, 14/02/2012 Appendix 2).

⁴⁶ REGSEC refers to Regional Security council which is a committee established by the Security and Intelligence Agencies Act 1996 (Act 526) of the republic of Ghana and charged with the responsibility of providing early warning to the national government of the existence of any security threat Region. Each region in Ghana has its own committee which meets to discuss and investigate security matters. The report for the meeting have been attached in appendix 2.

⁴⁷ Assemblyman is a government official at the lowest level (grassroots)

The District Chief Executive (DCE) of AAND, in his account to the REGSEC, also acknowledged damage to crops and farmlands by cattle as a primary issue they have to contend with⁴⁸. He explained to the committee:

Crop destruction is the main cause of this conflict. If you conduct your activity without interfering in mine, will there be any problem? If the Fulani nomads keep trespassing on the farms of the indigene, they will definitely react (District Chief Executive, REGSEC report, 14/02/2012).

In addition to the above evidence on crop damage, data from the Ghana Police Service cited in (Oppong, 2015,p. 73) on 14 complaints received from indigenous crop farmers in the AAND between July 2014 and January 2015 (see **Table 4.1**). It is evident from the police data that the destruction of crops is a major cause of the conflict as reported by farmers. This situation is eased because farmers and herders share the same resources but engage in different activities on the same resource. Under such a circumstance, crop damage by cattle becomes inevitable and therefore translates into violent confrontation, especially when substantial compensations are not paid to the farmers.

⁴⁸ The DCE, (District chief Executive) is an appointed public servant who heads the local administrative unit, that is the District in Ghana. This position is similar to the mayor position in other countries.

Table 4.1. A Police report of complaints of damage to farms lodged by Indigenous farmers against Fulani herdsmen between June 2014 to January 2015

No.	Name of Complainant	Location of farmland/Town	Date of Incident	Area of farmland destroyed
1	Idris Mohammed	Oyemso	January 06, 2015	8 hectors
2	Ndombe	Mankala	January 07, 2015	44 hectors
3	Tabi Dufour	Mankala	January 05, 2015	2 hectors
4	Lawrence and Charity	Abrewapong	January 03, 2015	3 hectors
5	Ampong and Abena	Kowireso	December 30, 2014	6.4 hectors
6	K. Obeng	Kowireso	December 19, 2014	1 hector
7	Kwaku Amoako and two others	Abrewapong	December 13, 2014	14 hectors
8	Amoako Samuel	Brahabebome (AAND)	December 11, 2014	12 hectors
9	Kwadwo Paul	Brahabebome (AAND)	July 18, 2014	14 hectors
10	Alhasan	Bebuoso	July 12, 2014	12 hectors
11	Mr. Amakye	Nyamebekyere	July 11, 2014	40 hectors
12	Joseph	Bebome	July 07, 2014	3 hectors
13	Amoah	Pataban	June 16, 2014	1 hector
14	Cecilia	Abrewapong	June 07, 2014	1 hector

Source: Agogo Police Report cited in Oppong (2015, p.73)

Interestingly, some herders attested that a major cause of the conflict between them and the indigenous farmers is the destruction of crops belonging to farmers due to the ‘free-range method of grazing the use. However, they believed that the Fulani group is not a homogenous group as they have been labelled to be. According to them, there is the ‘Yaligonji/Jerigoji’ Fulani or the ‘abonten’ Fulani (meaning Fulani who comes from outside Ghana) who move with their cattle onto farmlands at night to graze in farms belonging to indigenes.⁴⁹ When farmers are not on their farms at night, the herders sneak in to graze their cattle and damage crops. This was reaffirmed by two leaders of the Fulani group, the president of the Fulani Association of Ghana, Professor Bari, and the leader of the Fulani herders in the Ashanti region of Ghana, Alhaji Osman Bin Ahmed in separate interviews on GHOne Tv network and Ghanaweb.com respectively.

[...] when they come they mingle with the locals. Sometimes you find it very hard to distinguish between someone who just recently came and someone who was there before. ... with the crop damage. The foreign Fulani, especially those from Nigeria, Burkina Faso and Niger, are not known by the community and are difficult to locate as they reside in the bushes. When my people meet them and greet them in our language, they don't even respond. It is very difficult to distinguish between ‘efie’(local) Fulani and ‘abonten’ (foreign) fulani, this situation makes it difficult to consult them for compensation. This results in anger and later violent clashes (Professor Osman Bari, GHOneTv, 2016, 13:24)⁵⁰

It's not that the government hates Fulanis, it is how we are going about our business that they are condemning, it's not right, and we don't want it. We want a new system in the country. We must speak the truth at all times and speak against the wrong thing at all times and speak against the wrong thing at all times. My people sometimes don't speak the truth. Herdsmen should be able to spend monies to acquire land for grazing for their livestock just as the farmers invest in their crops but for someone to invest time and resources into growing crops only for it to be destroyed by your cattle, that is

⁴⁹ ‘Yaligonji ‘ or ‘jerigoji’ is the local term used to refer to transhumance Fulani herders who come just to graze their cattle and leave (Bukari, 2017, p.108). This term is used by the people in Northern Ghana (Gushegu). In the south they are referred to as ‘abonten’.

⁵⁰ Link to video can be found here; https://www.youtube.com/watch?v=ajIu2o4GgAk&ab_channel=GHOneTV

absolutely wrong and I as their leader will not buy that idea. (Alhaji Osman Bin Ahmed, Ghanaweb.com, 2018)⁵¹

Again Peacefm online reported that a leader of the Fulani Ali Musah attributed the cause of crop damage to Fulani Strangers (Peacefmonline, 2015).⁵²

Similar in GD, there were reports in the media that there have been clashes between native farmers from the Konkomba tribe of Gushegu and Migrant Fulani herders. The headline mentioned, “One hacked, houses burnt in Konkomba-Fulani clashes” (Ghanaweb, 2018)⁵³. Recounting what could have led to the attack to the media, the District Chief Executive (DCE) of the area, Ahmed Iddi told the media:

[...] A farmer, according to sources, had tried to reprimand two fulani children for allowing some cattle to stray into his farmland and cause some destruction, but the children returned home to report they were beaten up by the farmer. This led to misunderstanding, and it resulted in the Konkomba man being butchered; so when it happened like that, the Konkombas launched something we call reprisal attack, ...

This incident indicates that just like AAND, in GD, the destruction of farms also leads to violent conflict between herders and farmers. The quote above indicates that the actions of either a few or even one Fulani herdsman or few herdsmen could escalate into widespread conflict among the groups. Both indigenous farmers and herders engage in acts of retaliation when their farms or cattle are damaged by a member of the opposite group, especially when compensation for the damage is not paid. Thus, a member of one group's action leads to revenge and violent attacks driven by the

⁵¹ <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Fulani-Chief-endorses-government-efforts-to-curb-menace-623732>

⁵² Peacefm online 2015 <https://www.peacefmonline.com/pages/local/news/201501/228547.php>

⁵³ One hacked, houses burnt in Konkomba, Fulani clashes

<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/One-hacked-houses-burnt-in-Konkomba-Fulani-clashes-640411>

assumption of collective identity held by both the Migrant Fulani herdsmen and indigenous farmers.

The quote by the president of the GFAP also is affirmed in the research of Bukari (2017, p.137), where Fulani respondents expressed their view of how the violent conflict between indigenes and migrant Fulani herders in the GD escalated in August 2011. As Bukari explained, in cases of damage to crops or farm belonging to an indigenous farmer, the herder or cattle owner is identified and asked to pay compensation based on the damage. However, when the herder or cattle owner fails to pay the compensation or continuously causes damage to the cattle's farm crops, the farmer confronts the herder, which in most cases leads to violence. The initial attack later triggers a counter or reprisal attack from the other party. At this stage, there is a mobilization of groups from the farmer's community and vice versa if the farmer is killed or is injured in the violent (Bukari, 2017, p.137).

In the summary of how damage to crops leads to violence, it can be seen that the disagreement usually occurs between individuals. However, due to mobilization along identity lines, the conflict can escalate into widespread violence throughout the community and even districts, as happens in AAND and GD. The violent attacks and reprisal attacks involve the use of weapons such as guns and cutlasses. As already mentioned at the beginning of the chapter, land use in itself does not cause the conflict but leads to a series of events that escalate the farmer/herder conflict. Thus, the destruction of crops or farmland, which arise from land use, is a significant trigger of the conflict between herders and farmers.

A further example of the competition on land leading to crop damage, the chairman of the Cattle farmers Association of Ghana said that:

You know the system of grazing animals in sub-Saharan Africa is different from that of advanced countries as we know...cattle go to the bush and graze and come back...Thus

when there is a conflict between a crop farmer and a cattle farmer I always give the blame to the cattle farmer because the farm does not move, it is the cattle that move... There needs to be more monitoring of the movements of new nomads who come in. We, the nomads here, know the number of cattle a particular community can host based on the grazing areas available. When these alien herders come, they do not regard these laws and settle anywhere and cause pressure on the use of the land of the area. This situation is giving us a lot of pressure. (Imam Hannaf Sonde, MyJoynewsTV, 2016, 10:04 and 25:28)⁵⁴

The herdsmen don't follow the cattle themselves. See how we have built a cage for our animals... Most of them send their kids to shepherd these animals, and most of the kids can't prevent the animals from entering people's farms (Fulani herder, GHOne TV, 2016, 33:28)

This quote raised further concerns on the issue of identity in the conflict between herders and farmers. It suggests that the Fulani group is not homogenous as the local farmers conceive them. However, whenever there is crop damage, farmers' attacks on the Fulani herders are based on their collective identity as 'Fulani' and not whether a local Fulani or an alien herder.

News reports and interviews collected in the two areas of the study show that crop damage results from the competition for space between the two parties who have different interests and livelihood goals. According to the quote from the chairman of the Cattle farmers Association Of Ghana (CFAG), the newly arriving Fulani groups who migrate to Ghana and mingle among other Fulani groups who have already settled, thereby adding to the already existing pressure on land use in those areas.

⁵⁴https://www.youtube.com/watch?v=aI_aBPhz8KA&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=78

4.4.2 Burning of Farm Products

Another complaint lodged against the Fulani herders by indigenous farmers is the burning of grasslands (Oppong, 2015), which is another trigger for conflict between farmers and Fulani herdsmen in the two study areas (AAND and GD). To get fresh grass to feed the cattle in the dry season, herders set fire to the bush to burn the dried grass to make way for green pastures sooner. This fire then gets out of control and extends to unintended areas, including farms belonging to indigenes. Farmers also explained that these fires destroy their crops on the field and their harvested crops since most farmers store their harvested crops in storage structures built on their farms. In a Tv interview with MyJoyOnline.com, a farmer disclosed that

I saw the fire coming from the other side this morning when I came here but I didn't think it will get here. The herdsmen are troubling us. Master (referring to the reporter), Do you see how the whole farm is burnt (pointing to his burnt farm)..When Fulani herdsmen need more, do not get grass to feed their cattle, they set fire on your farm so that new grass can grow. When we are not here (on our farms), they come to set the fire, which they do that mostly in the night, so they cannot control the fire and spread to our farms. You Come here the next morning and everything you have toiled for is If you were in our shoes what will you do? (local farmer, MyJoyOnline.com, 2016, 39:05)⁵⁵.

In a similar instance, in the Kumasi High court case involving a group of native farmers (Plaintiff) from the AAND and Fulani herder/ Cattle owners (defendants), the former made a case against the later that⁵⁶,

[...]That the Fulani herdsmen also set fire to the dry bushes in order that fresh weeds will germinate, and this has caused destruction to several farmlands, including cocoa and food crops farms as well as having caused the collapse of the Behome clinic which serves the above-mentioned villages. (Kumasi Court Ruling, 2012, p.4. Appendix 1)

⁵⁵ Author's own translation provided. MyJoyonline.com, 2016:
https://www.youtube.com/watch?v=aI_aBPhz8KA&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=78

⁵⁶ In legal terms a plaintiff is an individual or group of people who initiates a lawsuit or an action before a court to seek legal remedy. The defendant refers to the person against whom the plaintiff have filed a lawsuit.

The court identified that one of the incidents disturbing the peace of communities is the burning of crops by the Fulani herders. Subsequently, based on this evidence of the burning of bushes and the destruction of courts and others, the court ruled that the Fulani herdsmen should be evicted from the land. The court ruling shows the severity of bush burning as a trigger due to land use in sparking up the area's conflict. The REGSEC report (2012)⁵⁷ also identify bush burning in the area as one of the causes of the conflict, stating that attacks on Fulani for crop burns lead to violent reprisal attacks. Recounting events that led to clashes between herdsmen and indigenous farmers that occurred in Pataban, a village in AAND, to the members present at the REGSEC meeting the Assemblymember, Honorable Derrick Amoah Yaw, in the year 2011, two farmers set fire to the farm of a farmer. When the farmer went to the farm to see what has been done to his farm, he informed other farms who organized and attacked a nearby Fulani community (REGSEC Report, 2012, p.172). According to him, similar incidents have occurred in Onyem and Nyamebekyere, which are all towns in the area in previous years. (REGSEC Report, 2012). Thus, an attack on one group leads to the other group mobilizing its members either from the farmer's community and vice versa to attack the other.

Also, herders and farmers in Gushegu District explained that during the dry season, which is accompanied by dry spells and a general shortage of resources, fresh grass and water to feed their cattle become scarce. This is due to the grass and rivers or streams quickly drying up, making it challenging to find fresh grass and water in the dry season for cattle. They pointed out that this situation puts them into competition with indigenous farmers to use unoccupied lands and sometimes lands belonging to them. A farmer in GD recounted:

⁵⁷ Regional Security Council meeting Appendix 2

These days, we people in this community see less rain than we use to see in the past. This affects our harvest, but there is nothing we can do. But for the Fulani, when they are struggling to find grass in the dry season, what they do is burn the dried grass so that fresh grass will grow. These are our farms we are talking about. We will make sure they are no more here. They are destroying the land. In fact, there have been more conflict between the Fulani and us in this community than any community around and most is because they destroy our farms. (Interview with a 32-year-old male farmer at, Gushegu, GH Vibe.com February 2014, 0:01)⁵⁸.

Further, the farmers alleged that the numerous bushes burning by the Fulani herders have reduced the soil's fertility. This triggering activity arising from pitching two different land users resonate with several scholars (e.g. Ofuoku and Isife, 2010; Baidoo, 2014; and FAO, 2017), who argued that bush burning by herders are among the notable triggers of the conflict between herders and farmers.

4.4.3 Encroachment of Grazing Land/ Farmland

Closely related to crop destruction and bush burning is the encroachment of grazing land or farmland. Like Fulani herders being accused by farmers of encroaching and destroying their farms, Fulani herders also accuse farmers of doing the same. The two main land users (farmers and herders) acknowledged the other party encroaching on either their farm or grazing land is the most crucial source of the conflict. Farmers in AAND and GD complained that the presence and encroachment of Fulani herdsmen (who wield weapons) in their farms have brought ‘untold hardships’ among them because they have to abandon their farms due to fear of losing their lives and, as a result, been deprived of their source of income and livelihoods. In February 2016,

⁵⁸Link to interview could be found here : <https://www.youtube.com/watch?v=t1eelZvl088&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=3> (Assessed on September 10, 2019)

Ghanaweb reported that on Tuesday (February.02.2016), a 27-year old man was killed on his farm when he tried to prevent “some Fulani herdsmen with their cattle from encroaching on his groundnut farm” in the AAND (Ghanaweb.com, 2016)⁵⁹. Subsequently, other indigenous farmers held reprisal attacks on the herdsmen in the area.

In November 2017, in a statement jointly issued and copied to the Daily Graphic of Ghana by the ‘Agogoman Mma Kuo’ (Natives of Agogo) and Agogo Worldwide Association, the indigenes said that they feel neglected by the government for not coming to their aid when herdsmen have taken over their farms⁶⁰;

[...]We feel forgotten and abandoned. Fulani herdsmen have invaded our lands and chased people out of the farmlands, farms, and cottages... The atrocities committed against the people of Agogo by the alien lawless Fulani herdsmen are very well documented; and the nation is silent over them. The people of Agogo have, over the years, appealed to the government through demonstrations, protests, petitions, etc. (Statement by People of AAND, Graphiconline.com, November 2017)⁶¹.

Indigenous farmers further alleged that previously the herders lived in the bush, far away from their farms. However, the rapid increase in their population (both herders and their cattle), as well as overgrazing, had forced them to encroach on their farmlands. Farmers also claimed that many people are engaging in cattle rearing, and that has further increased the population of cattle and herdsmen. Speaking on the Citifm morning show after a reprisal attack by farmers against the Fulani herders, the Eastern Regional minister who is also a legislator said;

Cattle rearing has now become a big business in Ghana, and all manner of people are getting into it. Chiefs, assemblymen and others are all getting into the trade in Ghana....I as a person, until 1970, I hadn’t even seen a cattle before. But now cattle are everywhere, even in our offices and the methods we are using to breed and rear them are primitive,

⁵⁹ <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Agogo-Military-to-flush-out-Fulani-412624>

⁶⁰ ‘Agogoman Mma Kuo’ literally translated as Natives of Agogo group refers to a group of indigenes from “Agogo” which is the local name of AAND.

⁶¹ <https://www.graphic.com.gh/news/general-news/we-feel-neglected-and-abandoned-Agogo-residents-cry-over-fulani-herdsmen-activities.html>

and we will continue to witness conflicts (Interview with Eastern regional minister, Citifmonline, 2017)⁶².

Fulani herders in the AAND and GD area move with their cattle in search of lands to sustain their livelihood. However, most of these lands are being occupied by indigenes who are crop farmers. Thus, herders have to compete with the farmers for those new areas leading to more violent clashes. Similar to what takes place in Asante Akyem North District, in Gushegu District, there have been violent clashes resulting from the encroachment of lands by the Fulani herdsmen. In June 2016, the Daily graphic published a report of a violent clash between the ‘Konkomba’ and the Fulani herdsmen, which led to five people's death (Graphic.com.gh, 2016).⁶³⁶⁴ The report claimed that the initial conflict is said to have taken place when some Fulani herders and their cattle went to a nearby land that belonged to a native farmer on June 17, 2016. When the farmers in the area confronted the Fulani to know why they have invaded their land, the Fulani herders became offended and inflicted machete wounds on one of the farmers, which led to his death. According to the reports, this development did not go down well with the Konkomba farmers, who vowed to take revenge. In a reprisal attack, the farmers shot and killed three Fulani herders who encroached on their farms (www.graphic.com.gh, June 2016). The reports indicate that the initial clash took place when cattle belonging to some Fulani herdsmen strayed onto a Konkomba man's farm and destroyed his crops. Subsequently, the Konkombas in the area confronted the Fulani herdsmen, who became offended and inflicted machete wounds on the Konkomba farmer, leading to his death. This did not go down well with Konkombas in the area, who vowed to avenge the

⁶² Citi Fm 2017-Regional minister comment: <https://citifmonline.com/2017/10/cattle-rearing-methods-must-change-to-avert-fulani-clashes-minister/>

⁶³Graphic.com.gh, 2016, <https://www.graphic.com.gh/news/general-news/five-killed-in-afram-plains-following-clash-between-fulanis-and-konkombas.html>

⁶⁴ Konkomba is the name of one of the major tribes in the Gushegu area who are predominantly farmers.

death of their kinsman. In a reprisal attack, the Konkombas killed two Fulani herdsmen. Later, three bodies identified as Fulani herdsmen were found in the bush (Graphic.com.gh, 2016)⁶⁵. This was confirmed by the District Chief Executive (DCE) of GD when he gave the background of this attack ghana.com.gh news:

[...] In October 2015, three Fulani herdsmen were found dead in the Afram Plains in the Eastern Region, following a possible reprisal attack by residents of the area. An earlier clash between the herdsmen and farmers in the area claimed the life of a farmer and injured seven others. Cattle belonging to the Fulani occasionally destroy crops and this leads to clashes in areas where Fulani herdsmen live (Report on the background of the attack)⁶⁶.

The above evidence illustrates what farmers perceive as one of the causes of the conflict between them and the herders. Farmers claim that herders move from their original place of grazing into their farms or to lands close to their farms when they need new grazing areas. Thus, the competition between them and the herders over the land intensifies and makes conflict inevitable.

On the other hand, herdsmen accused the indigenous farmers of farming along grazing routes and sometimes even farming on lands they purchased from the chiefs. Fulani herdsmen revealed that farmers choose to cultivate their crops close to kraals and cattle routes to fuel the conflict (TV3network, 2018). This was revealed when Fulani herdsmen held a press conference in the GD.⁶⁷ Herdsmen and cattle owners accused the indigenous farmers of purposely doing this because they (the farmers) know that cow manure fertilizes the soil, making it an excellent medium for crop production. Cattle owners and herdsmen also argued that when lands remote from

⁶²<https://www.graphic.com.gh/news/general-news/five-killed-in-afraam-plains-following-clash-between-fulanis-and-konkombas.html>

⁶⁶ Graphic.com.gh, 2016.<https://www.graphic.com.gh/news/general-news/five-killed-in-afraam-plains-following-clash-between-fulanis-and-konkombas.html>

⁶⁷ Fulani Association holds press conference in the Upper East Region
https://www.youtube.com/watch?v=M4L_SdvxTrE&list=PLkBNfmwL4ER54A4oC5wVxwvqfurRa7i18&index=38&ab_channel=TV3NETWORKLIMITEDGHANA

farmlands are obtained legally (mostly through lease) for grazing, farmers encroach such areas after few years with the main argument that all lands belong to community members and that no ‘foreigners’ have a share in it.⁶⁸

Farmers also encroach the grazing lands and often farm along routes used by Fulani herders to graze cattle. Herders argued that it is hard to prevent the animals from feeding on crops cultivated by the farmers. The herders further alleged that farmers farm close deliberate to kraals and cattle routes with the intention to make money by claiming large compensation for damaged crops. According to the National President of the Cattle Farmers Association of Ghana, Imam Hanafi, the farmers' encroachment and the influx of alien herdsmen (referring to herdsmen who come from neighbouring countries) underline the conflict. He further explained that during the time he and his friends (referring to other cattle owners) were allocated the land, the place was a ‘bush’ with no farming activity going on in the area. In his view, an increase in agricultural activities has led to the struggle for land use and survival in most areas in the country, hence the conflict (Interview with Imam Hanafi Sonde, chairman of Ghana National Association of Cattle Farmers on myjoytvonline, 2016). Another interview with ;

I can't pinpoint the exact time. As far back as the late 90s, some Fulani approached some local chiefs to give them areas to rear their cattle, and that is how they came in. Instead of keeping to the terms, they kept inviting others, and before we knew it, they were everywhere... Of course, naturally, they produce, but that won't create these problems. Even Alhaji Grunsah stated that he does that kind of business of bringing in more Fulanis who have cattle to Agogo (Joe Nti Obeng, Myjoyonline, 2016, 3:00)

The discussion above reveals how the clash of livelihoods between groups who pursue different interests (farming and herding) puts them into a competition over land use, leading to the

⁶⁸ The issue of land access between the indigenes and Fulani herders ‘foreigners’ has been discussed further in chapter 5

immediate drivers of violent conflict between them. The livelihood differences between farmers and herders and the land use in AAND and GD as discussed above do not cause the conflict directly but act as underlying drivers of the conflict by leading to triggers such as farm destruction, land encroachment, burning of farms and encroachment of grazing lands. These factors act as triggers of the conflict; however, these triggers only spark conflicts between individual farmers and herders.

As this chapter has shown, in the two cases of Asante Akim North and Gushegu, the competition between farmers and herders have resulted in violent conflict. However, there is a difference in the level of violence in the two districts. There have been more violent clashes in AAND than in GD, as I found in my study of Ghanaian media reports. In terms of numbers, between 2006 to 2013, there were 24 official reports of death as compared to 16 reports in GD.⁶⁹ Also, between 2015 to 2019, there were 18 official reports of deaths in Ghanaweb.com as opposed to 4 in GD. However, residents of AAND claim the number of deaths exceeds 40. This makes it imperative to discuss in comparative terms the differences the farmer-herder conflict in AAND and GD presents despite their similarities.

Again, the nature of historical contact between herders and indigenous farmers in GD plays an important role in mitigating the violence between them in the area. Unlike AAND, indigenous farmers in the Northern parts of Ghana had contact with the Fulani herders earlier in their history before the Fulanis later migrated southwards. Thus, the settlement of the Fulanis in the GD allowed them to establish close relations with the inhabitants of those communities through their interactions than in AAND. For instance, Bukari (2017) observed that in Gushegu, Fulani herders

⁶⁹ Figures gathered from Ghanaweb.com; Bukari, 2017; Oppong, 2015

had daily interactions as they were contracted to take care of the indigenes' cattle. This patron/client relation between indigenes and Fulani herders enabled most conflicts involving crop destruction and encroachment to be resolved before they escalate into violence. This is because most of the cattle tendered by the Fulani herders were owned by indigenes who were in those communities. Prell et al. (2009) noted that actors who have been in contact for a long period and have frequent communication can avoid inflaming conflict while actors showing signs of week ties characterized by less frequent contact and communication will lead to a lack the in-depth dialogue for the understanding of issues. Thus, any misunderstanding that developed out of crop destruction, burning of farms and encroachment could be solved amicably without degenerating into violence. On the contrary, Fulani herders in AAND lived in the bushes and the outskirts of towns and tendered either their own cattle or cattle belonging to other people who were not indigenes of Agogo. For instance, Table 4.0 above shows a list of sixteen (16) cattle owners in AAND by the Agogo District Police. Among the 16 cattle owners who own close to 10,000 cattle, none of them are indigenes of AAND. Thus, in cases of destruction of crops or encroachments of farms, it easily triggers a violent reaction since there is little or no interaction between the actors involved.

Further, I noted above that, unlike AAND, where nomadism and cattle rearing on a commercial scale is entirely a new phenomenon, nomadism and cattle rearing were practiced by many inhabitants of GD before the arrival of the Fulani herders. Thus, the people of GD had already established mechanisms to address issues of crop destruction and encroachment. For instance, Bukari (2017) noted that in Zantile, a town in GD, chiefs, elders, leaders of the farming group, Fulani chiefs and elders, assemblymen and unit committee members constituted the body set up to handle farmer-herder conflicts and are also in charge of maintaining the everyday relation

between herders and farmers. Also, were areas demarcated as grazing land, although as the population of cattle and farmers increased. On the other hand, in AAND, all the indigenous actors involved in handling conflict are behind the indigenous farmers to fight off the Fulani herders rather than acting as mediators. Hence, although the livelihood differences and land use have resulted in conflict between indigenous farmers and herders in AAND and GD, several factors such as historical contact, everyday interaction, the existence of conflict resolution mechanisms and the mobilization of primordial identity (which is discussed in Chapter Five) act as plausible explanations for the variation in the occurrence of violence in the two districts.

4.5 Conclusion

The violent conflict between farmers and herders in Ghana has a complex dimension with multiple triggers – all emanating from farmers and herders using the same resource to achieve their interests and livelihood. It is evident from the above that the migration of herders from their original settlements to AAND and GD pitches them against farmers in these communities. The two groups vie to use the land to achieve their interests. Coupled with the increase in the sizes of farms and herds and the two groups' land-use practices, competition becomes inevitable. These competitions often lead to triggering activities, which in many cases escalate to violent conflicts.

Thus, the conflict is about land resource; how is it being used by different users with different interests. The farmers need the land to grow their crops, while the herdsmen want it as grazing land. Meanwhile, they have to use the same land; but the land is fixed with no demarcations. The indigenes are made up of several ethnic groups who are predominantly farmers; however, the complaints and conflict are not between a single ethnic group and the Fulani herdsmen but the indigenous farming population against the herdsmen refuting the claims that this is an ethnic conflict. Moritz (2010, p. 141) notes that there are general patterns in how conflicts are transformed

into widespread violent engagements. According to him, those general patterns include the “development of group goals”, “enhanced group identity,” and the stakes those actors hold in the conflict. Thus, this suggests that despite the differences in group conflict and how they escalate, factors such as differences in group goals and identity are significant factors for a conflict to escalate into widespread violent conflict.

CHAPTER FIVE

MIGRATION, AUTOCHTHONY, AND LAND CONFLICT BETWEEN FARMER AND HERDER

5.0. Introduction

In the previous chapter, I have introduced the land-conflict debates in farmer-herder relations. The contest for land use between farmers and herders leads to significant triggers of violent conflicts between farmers and herders. It was evident that land use itself does not directly lead to violent attacks but instead leads to conflict triggers. As already mentioned in previous chapters, land use is not the only cause of violent conflict between farmers and herders in Ghana. Therefore, the question to ask is: what other factors interact with land use to cause violent conflict? Using cases from the two study areas in this study (AAND and GD), this chapter adopts an SoS and autochthony claims lens to discuss how land rights and land access are intimately linked with identity and territory. It also explains how the ('Autochthons' and 'strangers') frameworks define causal connections between competition over land (rights and access) and conflict. The convergence of livelihoods increases the frequency of conflict triggers among farmers and herders and draws attention to other issues such as the linkage between identity and belongingness and access to and use the land. According to Komey (2010), as land use issues are often overlaid with other features such as ethnicity, belongingness, and religion. Thus, this research tries to go beyond farmers' and herders' social and economic life to include their ethnic divisions, belongingness, and citizenship, enabling us to capture an essential aspect of the conflict.

The attempt to gain rights and access to land resources resulting from the complex struggle for one's livelihood in most African societies is intimately tied to membership of a particular group, community, or territory (Komey, 2010). This makes the discussion of identity, citizenship and migration indispensable when discussing the land conflict between farmers and herders in AAND and GD. Dunn (2009) noted that the narrative of identity and citizenship provides the discursive framework through which access to and use of resources is enabled. Also, the rights to access and use these resources are justified through identity and membership of the community. Thus, any attempt to explain rights to use or access natural resources must draw on the narrative of identity and citizenship. Autochthony claims remain central in justifying these claims when the natural resource struggle involves an indigenous population and a migrant population. Therefore, this chapter attempts to explain the causes of the violent conflict between farmers and herders in AAND and GD within the framework of identity, autochthony, and SoS claims.

In this chapter, I discuss the migration of Fulani herders from their original settlements to the study areas and how access to land and deprivation to the land lead to the escalation of violent conflict between the local farmers and migrant Fulani herders. The chapter address the specific question, "How does access to land affect the farmer-herder conflict? Here the modes of land ownership and land tenure in the study areas, Fulani land access and rights in Ghana (which hinges on identity/ belonging and land rights) are discussed using the framework of autochthony, and SoS claims. The land tenure arrangements and land rights in the host communities (AANDA and GD) favour indigenes, serving as an underlying driver of the Farmer-herders in conflicts. Further, this chapter also discusses the processual factor and how identity is used to mobilize identity as an asset in mobilizing groups for conflict. This aims to clarify how the narrative of identity and autochthony discourse contributes to land rights/ access or in-access and how that translates into a

violent conflict between migrant herders and local Farmers in AAND and GD. The chapter begins by describing the discourse surrounding Fulani migration and how they are seen as ‘strangers’ even if they are Ghanaians. This is followed by a section on land ownership and land tenure arrangements within the study areas. These discussions are essential, as it highlights the use of autochthony and SoS discourse and ‘nonbelonging, which according to Côté and Mitchell (2018), are used to emphasis “the origin of a person or persons is from a different soil” and a lack of “legitimate claim to the soil” (Land). Subsequently, the chapter discusses autochthony and conflict, which draws heavily from the first two sections.

5.1. Migration and Its Impact on Fulani Land Rights

Whether international or internal, migration can give rise to conflict (Côté and Mitchell, 2018). The migration of Fulani herders from several other neighbouring countries is mostly being driven by climate change and economic reasons (Tonah, 2006c, Bukari, 2017). While the causes of migration can vary, the influx of a new group of people, especially with a different defined set of livelihood and economic activity, into a place can lead to resentment (Tonah, 2006c). This is exacerbated when other factors such as identity differences, limited resources, and physical separation exist. Fulani pastoralists who live in the Northern arid countries of West Africa (Mostly Niger, Burkina Faso, Mali) are forced to migrate southward in response to drought and lack of pasture to feed their cattle, which is their source of livelihood (Tonah, 2006c). Most of them end up in Ghana. Fulani pastoralists are able to migrate to Ghana because of the ECOWAS Protocol

Relating to the Free movement.⁷⁰ The ECOWAS protocol allows for citizens' free movement from one member state to another without any restrictions (Ecowas Free Movement Protocol, 1979, article 2). It also allows citizens of member states to reside in member countries for a period without any documentation (visas and permits). Therefore, Fulani herders can move from their home countries to other countries within the sub-region with their cattle and reside there. The mobility of Fulani herders from other countries into Ghana has had a significant negative impact on their interaction with local farming populations.

Internal migration among Fulani cattle herders and cattle owners also occurs, especially in AAND. Fulani migrants from neighbouring countries cross into Ghana to settle in the Northern regions (including Gushegu) of Ghana (Tonah, 2002, Bukari, 2017). Subsequently, some of them migrate southwards in search of better forage in the dry season for their cattle due to the semi-arid climate in the northern region. Sward (2017) noted that internal migration from Northern Ghana to the forest and farming areas south of Ghana constitutes a major secondary internal migration pattern in the country, next to rural-urban migration to cities. The migration of Fulanis who migrated to northern Ghana and later southwards was revealed in an interview with a Fulani herder in AAND, a chief of AAND and the Fulani Herders Association of Ghana's president.

I was born in Nyemso nearly forty-one years ago. My name is Musa Amadu. This is where I come from...(Fulani herder, GHOne TV, 2016, 33:58)

I was born in Karaga in the Northern Region. I am a Fulani. My father moved to Ghana in the 1950s. We always used to come to Agogo in the dry season and go back when the weather over there is good. I decided to settle in Bebume (in AAND) in 1994

⁷⁰ Article 2 of the ECOWAS Protocol on Free movement stipulates that Community citizens have the right to enter, reside and esteerblish a territory within member states. A citizen of the the community simply refers to a person from any of the ECOWAS member states. ECOWAS is an abbreviation for Economic Community of West African States formed. The organization consists of of 15 member states including Ghana, mali, Nier, Nigeria, Burkina Faso, Togo, Benin, Cote D'Ivoire, Guinea, Senegal, The Gambia, Guinea Bissau, Liberia, Sierra Leone, Cape Verde

because of the good weather and enough pasture to feed my cattle (Interview with Fulani herder, February 02, 2013, Tribal Ghana).⁷¹

[...]Let me tell you this when it comes to the Fulani, we have the ‘efie Fulani’ and the ‘abonten Fulani.’ The ‘efie Fulani’ are those who were born and raised in Ghana and later decided to move from their birthplace due to one or two reasons. I do not know why people keep linking us to the abonten Fulani (transhumance herders). (Prof. Osman Bari, GHOne TV, 2016, 13:25)⁷²

The heterogeneity and the historical origin, and the Fulani ethnic group's presence in other countries across the West Africa continent make it difficult to classify them as in-migrants or international migrants. However, there is enough evidence to suggest that Fulani herders and cattle owners are seen as non-native or non-indigenous to these areas (i.e. internal migrants) rather than international or cross-border immigrants. For instance, there have been attempts to distinguish between ‘Ghanaian Fulanis’ and Fulanis from other neighbouring West African countries in many instances. A case in point is the submission of the report of a thirteen (13) member committee in Ghana's Parliament after a clash between Fulani herders and indigenous farmers in December 2011. The report indicated that Fulani herdsmen should not be treated entirely as foreigners who migrate from outside Ghana. Instead, there was the call for a distinction between Ghanaians who are of Fulani descent and those from outside. In his submission, the chairman of the committee pointed this out when he recounted that;

The activities of the Fulani herdsmen pose a challenge to the very existence of our peoples and others. And so, as the representatives of the people, it is important that we do our best to address that, but in doing so, we should do so in the appropriate contest. First, they are Ghanaians of Fulani descent because, at independence, the law defined a Ghanaian to be anybody of West African descent who was resident in Ghana at the time

⁷¹ Interview with Fulani Herdsman could be found here https://www.youtube.com/watch?v=dHsZh6YlwPs&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=32&ab_channel=THETRIBALISTTHETRIBALIST. Last Accessed on September 05, 2019

⁷² Professor Barri's comment could be found in https://www.youtube.com/watch?v=ajIu2o4GgAk&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=2&t=4s&ab_channel=GHOOneTV (Last Accessed on september 2020)

we should not consider every Fulani as non-Ghanaian (Ambruce Derry, Ghana Broadcasting Cooperation GBC, 2011, 0:30)⁷³

The migration of Fulani herders, whether from outside Ghana or from one community to another in Ghana in search of opportunities to secure their livelihoods, has led to challenges they would otherwise not face in their home countries. One challenge they face in both AAND and GD is that their Fulani identity has been exploited when it comes to getting rights to access and use land in these areas. As Olaniyan and Okeke-Uzodike (2015, p.59) pointed out in their essay, AAND initially was large enough to accommodate migrant herders when they migrated to the area in the 1990s. Thus, the herders were allowed to occupy the main towns' outskirts and villages' outskirts, which were not inhabited or cultivated. As the number of the Fulani herders continued to increase and at the same time, the population of indigenous farmers continued to grow, the need to expand more into lands that were not previously cultivated has led to competitions and conflict between the farmers and migrant herders. The population in the principal city of AAND (Agogo) alone was estimated to be around 10,000 in the year 2012 by a RESEC cited in (Nibelli, 2019, p.3) however, in 2017, the figure was estimated to be around 31,000 by report population (cited in Agyemang, 2017, p. 5). As expressed by indigenous farmers in the media;

We have lived with the Fulani for decades. Since my childhood, Fulanis have tended my father and Grandfather's cattle. They have children I consider as my brothers and sisters. But now you see them everywhere. I see new ones each and every time I go out. That is the problem here sir. (Interview on Ghanaweb.com, December 25, 2011).⁷⁴

⁷³ Speech in parliament could be found here https://www.youtube.com/watch?v=b9--CoEOATo&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&ab_channel=GhanaBroadcastingCorporation-Kanda Last accessed on September 5 2019

⁷⁴ Interview with native of Gushegu retrieved from: <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Government-to-Review-ECOWAS-Protocols-On-Fulanis-226360> (Last accessed on November 02, 2019)

Following several invasions on their farms, a group of local farmers in the GD attacked the Fulani communities killing more than a dozen and injuring several others. In an interview, eyewitnesses explained the reason for the attack was due to the competition over land:

This place is the largest cattle market in the region, so you understand why the Fulani are everywhere. I think the attack is due to recent happening in Kpatinga, Gbambu, Yawunga and Zamashegu. The Fulani are many in these towns and are causing problems for us. (Interview on Ghanaweb.com, December 15, 2011)⁷⁵

The above evidence is in line with Côté and Mitchell's (2018) argument that anti-immigrant sentiment and SoS tensions become heightened when migrants arrive in large numbers. As Boone (2017, p.279) observed, most conflicts in Africa that centers on land occur in places where migration has contributed to increased pressure and competition over land. Although statistical data for Fulani migrants from outside Ghana and Fulanis in-migration does not exist, there is enough anecdotal evidence to suggest that Fulani migration into farming areas in both AAND and GD have led to 'anti- Fulani' protects and tension. The ensuing paragraphs further explain how the arrival of migrants with a different identity, autochthonous claims, and herders 'strangeness' plays out in their access to land in AAND and GD and how that translates into violent conflict.

5.2. Landownership and Land Tenure in The Study areas

Land remains central to the struggle over livelihood among farmers and herders in AAND and GD. In Africa, traditional institutions are estimated to govern about 90% of all land in sub-Saharan Africa on average (Deininger,2003, p.2; Boone 2017, p.280). However, Ghana's land tenure system is legally mixed and complex, with ownership and control varying amongst different

⁷⁵<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Fulanis-attacked-again-in-Gushiegu-cattle-destroyed-225691>

ethnic groups (Kasanga and Kotey, 2001; Dosu, 2011). Although generally, traditional authorities owned and control about 80% of land forest land with resources and timber on them is held, controlled, and run by the State in trust of the traditional authorities (Agyemang, 2017; Bukari, 2017). This land arrangement is under chapter 21, articles 258 and 267 of the 1992 Republic of Ghana constitution. This section discusses land tenure and land ownership in the study areas. First, I discuss land ownership and tenure in AAND, land ownership and tenure in GD, and do a closer analysis of the land tenure system in both study areas and examine Fulani Herders' access to land in those areas. This discussion is relevant as land tenure in these areas has important implications for the conflict among local farmers and migrant herders.

According to Njor (2011, p.69), the 'indigenous groups' in Africa refer to people living in their ancestry, while 'strangers' often imply people who live in areas where they do not trace their ancestry. The indigenous group in AAND refers to the Ashantis, which is a subgroup of Akans. The Ashantis are believed to have settled in the area as far back as the early 13th century (Odei, 2004; Gedzi, 2009), making them the first comers as the area was not inhabited. (Gedzi, 2014). The native people of Gushegu, the Konkomba and Dagomba, belong to the same ancestral family known as the Mole-Dagbani, located across the length and breadth of Northern, Upper East and West regions of Ghana. Oral history has it that these groups migrated to the area of present-day Ghana from the north-east of Lake Chad between the 10th and 11th centuries AD (Twumasi, 1996). Abdulai (1986) noted that prior to the arrival of tribes such as Ashantes (AAND) and Dagombas and Konkombas (GD), who were already familiar with kingship and chieftaincy, Ghana was perhaps occupied by acephalous territorial units in which political control was exercised through segmentary lineage systems. There was, therefore, no centralized control over land. Thus, these tribes could introduce territorialism and political control, lineage, clan and family membership and

attendant rights. The land was vested in lineages or clans, internally unified by common ritual practices connected with ancestor worship (Abdulai, 1986). According to Abdulai (1986), ritual ownership of land was vested leaders of the families. Thus, heads of clans and families controlled land allocations and performed those rituals.

In general, customary land tenure is the main form of land tenure arrangement practiced in Ghana (Ministry of Land and Forestry, 2003). It is estimated that traditional rulers govern about 80 percent of Ghana's lands (Food and Agriculture Organization, UN)⁷⁶. Lands in AAND are held and managed in the form of a common property management system. Traditional leaders manage close to 70% of lands in the AAND known as Agogo stool (Bukari, 2017, p.174). Thus, the land is being commonly referred to as "Agogo Stool Lands." These lands are being administered following customary laws that govern the area. Therefore, the traditional authority (Chiefs) has the power of control and allocation of land, including leasing lands to herders. Indigenous (autochthones) community members maintain the right to use the land for farming by applying through their respective "odikro" (community chief). They thus gain the legal right to use the land due to their indigenous status.

Community chiefs (odikro) have the right to make land allocation of up to 2 hectors; however, it is only the paramount chief "Agogo Omanhene" of the area who has the power to lease out large tracts of land above (two) 2 hectors to non-indigenes (Kuusaana and Gerber, 2015, p. 853). Many families in AAND also own lands under the usufruct titles granted them by the community chief. These usufructs lands are held in trust for the families by their family heads (abusuapanin). The family heads manage these lands on behalf of their families and may lease part

⁷⁶ Retrieved from http://www.fao.org/gender-landrights-database/country-profiles/countries-list/land-tenure-and-related-institutions/en/?country_iso3=GHA

of those lands to another person in consultation with the chief. However, he does not need the consent of the chiefs.

Besides, the Government of Ghana, after the 1983 bushfires, also acquired some lands in the Agogo area for afforestation and reclaiming damaged lands (Kuusaana and Bukari, 2015, p.56). The bushfires destroyed large areas, which were previously cocoa plantations and turned the area into a savannah land. The Forestry Commission of Ghana is charged with the responsibility of managing the forest and wildlife resources on behalf of the State. Additionally, the central government took charge of several lands for developmental projects such as schools and hospitals. Apart from the above land ownership arrangements, there are other arrangements for foreigners, migrants, and settlers who do not belong to any family or clan to acquire land in AAND. These other land arrangement methods include lease or concession, sharing agreement and land purchasing or hiring.

Landownership and control in towns and communities in Gushegu District are similar to those of AAND above as it is also based on common property arrangement. However, GD has different indigenous tribes and groups, making it heterogeneous, unlike AAND, with a homogenous ethnic group with a single land ownership system. This makes the local land rights laws vary from community to community. Generally, the "skins"⁷⁷ or chiefs are the "customary trustees" who hold the land on behalf of the people (Abdulai, 2002, p.74)). For instance, among the Dagombas, the land is owned by the "Yaa Naa" (paramount chief), who is represented by the "Gushie Naa" and village chiefs down the hierarchy (Abdulai 1986, p.76; Bukari, 2017, p.176)⁷⁸.

⁷⁷ Skins are symbols of tradition power in the northern parts of Ghana just like the stool is in the south and middle areas. Thus, chiefs sit on a sacred stool or animal skin to show their authority.

⁷⁸ Gushie Naa is the name given to the paramoun chief of the Gushegu traditional area. As paramount chief, he is at the to top of the hierarchy of chiefs in the area, followed by town and village chiefs.

Writing on the Konkomba tribe in GD, who have a similar centralized political structure as the Dagomba, Abdulai (1986, p.76) observes that the Konkomba land administrative system also "emphasized on the idea of a unified territory and community with centralized leadership." There is a clear distinction between land ownership laws and land use laws in GD (Abdulai,1986). The only form of individual ownership among GD people is the land being farmed on or the land on which they have built their houses. For instance, the Gushie Naa speaking to the researcher, explained the forms of land ownership in the area:

For us Dagombas, Land belongs to the chiefs who oversee its uses and acquisition. The chief performs sacrifices on the land and has authority over all resources found on it. Land on which families have built on or farm on are included. The only problem is that these families have been farming or have lived on these lands for long periods that it has become theirs. However, these lands cannot be transferred to strangers without chiefs being consulted. The chief has the power to admit or evict anyone from the land. For migrants who want to settle in this area, they must come to see the chief for him to agree and give them the conditions before they can settle. Even if community members wish to expand their existing farms, the chief can agree or disagree. You cannot sell land unless in the big towns where you can sell for residential purposes (Interview with the Paramount chief of Gushegu/ Gushie Naa, 4/10/2013-quoted in Bukari,2017, p.177).

The above quote suggests that individual land ownership is practiced in urban communities such as the Gushegu main town but not in small communities and villages.⁷⁹ However, among the ethnic groups in the GD area, there are varied land ownership and control systems practiced. Unlike the Dagomba, where chiefs have the exclusive power over all lands, among the Konkombas, individual families have the usufruct power over land, as happens in AAND. The land ownership and tenure arrangement, as practiced in both AAND and GD, limits land ownership to members of the indigenous families, clans and ethnic groups and ownership and use of the land can be transferred to one's lineage. The rules and regulations governing the rights to access and

⁷⁹ Gushegu main town refers to the administrative capital of the GD.

use of land have favoured farmers who are mostly identified as the ‘indigenous’ or ‘autochthonous’ group. Thus, migrants who do not belong to the indigenous groups are marginalized. The lack of access to land and autochthonous claims made to land serves as an underlying driver of violent conflict between farmers and herders in AAND and GD.

5.3. Land Rights in Asante Akim North District and Gushegu District

The politics of identity and belonging are crucial in land conflict because ownership and land access are tied to it in most parts of Africa. From the above discussion, we notice that the concept of identity and belonging is translated into the rights to ownership, access, or land use. Indigenes have the right to access and use land within the study areas. According to Lentz (2005), in Ghana and most States in Africa, the oral transmission of rights and claims to land plays a vital role in land access and its use. Land rights and claims are informed by citizenship, belonging and the history of migration and settlers. Land access and use are based on what Lentz (2005) term as ‘first-comers’ (indigenous) and ‘new-comers’ (migrants) labels. Thus, settled farmers in both AAND and GD are regarded as ‘first-comers,’ ‘autochthons’ or ‘sons’ of the land and therefore have rights and claims to land use and access. This is evidence in the land tenure regimes and modes of land ownership in both AAND and GD, as discussed above. The land tenure and ownership arrangements confer legitimacy and empower indigenous farming groups (via traditional institutions whose claims to authority are rooted partially in ethnic kinship and ancestral custom) to regulate and allocate land (Boone, 2017).

According to Asante (1965, p. 852), the concept of land ownership and rights is connected with one's ancestry. This was reiterated by the former chief of Akyem traditional area Nana Sir Ofori Atta:

“Land belongs to a vast family of whom many are dead, a few are living, and countless host are unborn” (quoted in Ollennu, 1962, p.4).

The quote suggests that land is the most valuable resource of the community vested in the stool or skin (traditional leaders) and passed from generation to generation. The community's subjects enjoy usufruct rights to access and used the land for agricultural purposes⁸⁰. Asante (1965, p.854) further noted that the doctrine of usufruct in traditional Ghanaian communities meant that a clan, lineage, or family held land right. However, individual members of the clan family or lineage were not prohibited from its acquisition. The term usufruct is used in relation to the lands because it indicates the landholder has full rights (Woodman, 1966, p.457), and those rights were perpetual and secured. The rights could be transferred to a successor (who was also a member of the family), and not even the traditional ruler or chief could alienate the rights to the land without the usufruct's consent (Asante, 1965). Thus, the rights to and control of land in AAND and GD have remained in the hands of lineages and descendants of indigenous farmers referred to as “founding settlers” (Moyo et al., 2015) or ‘firstcomers’ (Lentz, 2005). The ‘firstcomer’ status of indigenes renders other tribes who migrate to those areas, later on, as ‘strangers’ or ‘latecomers.’ In fact, Fulani migrant herders have in several instances been referred to as ‘aliens’ by indigenous farmers in AAND and GD and thus do not have land rights. Let us consider these quotes;

[...] The land of Agogo belongs to the people of Agogo, it was handed to us by our ancestors, and therefore we are the rightful owners. However, what do we see now, our

⁸⁰ The use of ‘subjects’ here refers to members of the indigenous community in relation to the traditional rulers

lands are taken over by strangers and many Agogo citizens are now landless on their own soil... (Member of parliament for AAND, Ghanaweb.com, September 12, 2015)⁸¹

[...]When the IGP (police) came here they came to lie to use. They said they were going to drive the Fulanis out, but they didn't. ...We, the natives of Agogo, will not stand for our lands to be taken away from us; our forefathers fought for these lands with their blood for us to have it. I am speaking on behalf of all the indigenes of Agogo. Nobody should sell lands to these Fulanis. When you do, they will take over our land (Opinion leader, Opanyin Kofi Oduro, UTV, 2016, 2:30)⁸²

Indigenous farmers claim ownership of all lands within their territories as they believe it is their natural 'birth-right.' Since Fulani herders are not indigenous, they have no rights to access or use the land. Boone (2017) noted that permanent land rights transfer among different ethnic groups is not common in Africa. Similarly, among the people in the AAND and GD, land transfers to members of a different ethnic group, especially (non Akans among the people of AAND) and (non-Dagomba or Konkomba among the people of GD) is met with anti-ethnic or non-indigenous protests and sometimes violent reactions. For instance, there have been protests in AAND (Agogo) and GD (Gushegu) over the presence and leasing out lands to Fulani cattle herder. Most of the protests have been violent and led to the killings and injury of several migrants, Fulani herdsmen, or vice versa. An instance was in GD in 2011 and 2020⁸³ and AAND in 2019. For example, local leaders have openly expressed their disapproval for the allocation and leasing out of land to the Fulani herders in AAND in the media:

⁸¹ Minister explains that Fulanis come here, take over our lands and disturb the rightful landowners on their own land 2017-11-05 <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/More-security-officers-needed-to-tackle-Fulani-menace-Minister-597393> (last Accessed on November 05,2017)

⁸² Agogo Residents Invoke Curses on Fulani Herdsmen https://www.youtube.com/watch?v=7JmYoT5-PPI&ab_channel=UTVGhanaOnline. Author's own translation.

⁸³ <https://www.peacefmonline.com/pages/local/crime/201112/84746.php?storyid=100&> Last Accessed on 18 May 2020.

<https://www.myjoyonline.com/news/burkina-faso-requests-bodies-of-slainfulanis/> Last accessed on July 5, 2020.

<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Angry-youth-burn-Fulani-houses-over-alleged-robberies-955546> Last accessed on July 22,2020

The Fulanis herdsmen come in day in, day out. They come, and when they find the place to be good, they invite other Fulanis to come. In this way, the number keeps increasing every day. I don't blame them, when they come and get land what do you expect. We have said several times, land belongs to indigenes of Agogo (AAND) so the chiefs should make sure these Fulani who keep coming don't take over our land (Joe Nti Obeng, , MyJoynews, 2016)⁸⁴

Similarly, The DCE of GD also commented in the media;

Somewhere last year, I told your paper the presence and activities of these alien Fulani herders were threatening the security of residents in and around the Gushegu District. They come here, settle in the bushes without permission, and cut down economic trees to feed their cattle. Residents, on several occasions, have engaged in a confrontation with these herdsmen and raised concerns over their continuous stay in the district. In fact, I have had several complaints from natives about how these people come and occupy lands that they have not been given by authorities and cause havoc in those communities. (Interview with DCE of Gushegu District, Alhaji Alhassan Fuseini, SavannaNews, December 16, 2011).

The leaders' comments show opposition even by the indigenous farming group's leaders to the migration and allocation of land to Fulani migrant herders to settle within their communities.

5.3.1. Migrants (Fulani herders) Lands Access In Ghana

With no formal or historical claim to land under both the Ashanti (in AAND) and Northern (in GD), customary land tenure arrangements which generally bestows access rights to indigenes with "first-comer" status (Afikorah-Danquah, 1997) migrant Fulani herders with ancestry from outside Ghana, typically rely on lease or sharecropping agreements which they

⁸⁴Link to video on GHOne TV
<https://www.youtube.com/watch?v=ajIu2o4GgAk&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=2&t=1943s>

secure through traditional leaders (chiefs) and family or lineage heads (Agyemang, 2017; Sward, 2017). Land access by migrants, especially the Fulani herders in Ghanaian communities, is particularly complex as the predominantly known land ownership system is vested in stools and or skins, and families and access to land are generally achieved outside a legal framework. In AAND and its environs, Fulani herders and cattle owners acquire land either from family usufructs or directly from the Agogo Traditional Council (ATC), depending on the land's location and size in question.⁸⁵ Fulani herders, just like many other migrants in Ghanaian communities, are cut off from access to land. Subsequently, herders have resorted to acquiring land from individual family usufruct holders. In an interview with GHOne Tv, Professor Bari, the President of the Fulani Association of Ghana, confirmed that he has information from his people that is the Fulani that most cattle owners in most towns in AAND acquired their pasturelands from individual landowners or families and not from the traditional Council.⁸⁶

Chiefs have the customary authority that has been conferred on them by customs to safeguard their people's welfare when it comes to land matters. However, these powers conferred on chiefs by customs in some cases conflict with their interest, which leads them to incur their subjects' displeasure when they decide to allocate lands to strangers or migrants and deny natives their land rights. For instance, the legitimate claim to land in both AAND and GD is through membership of a clan or lineage, and therefore, autochthons do not have to pay rent on the land they use for farming (Tonah,2006; Berry, 2001; Baidoo,2014). Contrarily, as the chief's clients, migrant herders have to pay tributes and rent to the chiefs.

⁸⁵ | Agogo Traditional Council refers to a council of all chiefs who fall within the AAND area.

⁸⁶Video Interview with GH one Tv downloaded from YouTube
https://www.youtube.com/watch?v=ajIu2o4GgAk&ab_channel=GHOneTV

These monetary benefits that chiefs get when they alienate land to migrants are varied and complex. In this regard, it would be worthy of examining further other ways under which migrant Fulani herders are able to obtain lands in both AAND and GD.

To acquire land in both Agogo and Gushegu, migrants have to go through several institutions and actors (Agyemang 2017; Bukari, 2017). A person who wishes to obtain a piece of land in AAND for agricultural purposes must first approach the chief and other customary custodians, including family or clan heads or their representatives, and request that piece of land or any suitable unoccupied land. The chief then consults his council of elders to discuss land availability and the terms under which the land should be given to the migrant. When the migrant header has seen the land and is satisfied with it, he begins negotiations. Once a fee is agreed upon, payments are made to the chiefs or landowner, and in exchange, the land is allocated to the migrant. The final stage of acquiring the land is cutting a thread (as is done in the south) or breaking of cola (as is done in the North). This act is locally known as *tramma/guaha*⁸⁷

From the accounts above, it is evident that land transaction between chiefs/family heads and migrant herders or cuttle owners is mostly done orally since writing and written documentation are considered alien to the people's traditional customs in the area. Cattle owners provided further evidence in a REGSAG meeting in AAND, held to listen to testimonies of Cattle owners and opinion leaders: The testimonies revealed that among the four cattle owners present (who together had a total of almost one thousand five hundred (1500) cattle, only one of them had legal

⁸⁷ According to (Ollennu ,1962, pp. 115–121) the *guaha* ceremony ,also known as *tramma*, takes place before many witnesses for both parties (the renter/buyer and the seller. The seller and renter/buyer each provide a representative usually a young boy to cut *guaha*.

documents showing that the land they operate on were leased to them even though they had paid large sums of money for the land (REGSAG, February 14, 2012).⁸⁸

As already mentioned, the Gushegu Traditional council (GTC), led by the paramount chief, controls all customary lands on behalf of the *Ya Naa*. However, all land title registrations and documentation are processed by the Lands Commission located in Yendi (the traditional capital of all Dagomba) (Bukari, 2017). A Fulani migrant herder seeking land usually comes with his host (who must be a native of the community he desires to acquire the land from) to the chief. Similar to what takes place in AAND, the chief has to consult his council. If the land in question is available to be given to the migrant herder, a contract (usually oral) is agreed upon with the herder. The contract establishes the terms under which the herder will be able to use the land.

5.3.2 Fulani Migrants Herders Land Access and Land Conflict

The allocation of land to migrant herders has various impacts on farmers and herders in both AAND and GD. Although these allocations of land to migrants have led to some positive impacts, such as opening up the economy of the areas where these migrants migrated (Tonah, 2006c; Baidoo, 2014). For instance, Baidoo (2014) argues that the alienation of lands to migrant Fulani herders has opened new opportunities for both chiefs and subjects, who have amassed wealth from the proceeds of leasing land to these Fulani herders. However, the negative impact of the allocation of land to Fulani migrant herders abound. Notable among them is the contestation of land between autochthons and the migrants, which leads to conflict. The allocation of lands in these communities

⁸⁸ This evidence comes from a REGSEC (Regional Security council) meeting in AAND. The Witnesses called to give their testimonies recent conflicts between herders and farmers in the communities and villages includes, six (6) Assembly members and four(4) cattle owners, namely Alhaji Gariba Dansofo (100 cattle), Alhaji Adam Ahmed (140 cattle), Alhaji Kassim Dauda (530 cattle) and Mr. Fusieni Hassan (700 cattle). The document have been attache to this research in Appendix 3.

has led to a shortage of lands in those areas, leading to resentments against the migrant population by the natives. In fact, as noted by Alhassan (2017), native farmers have been pitched against migrant farmers who, despite having different livelihoods have to use the same tract of land. While local farmers want land to cultivate their crops, herder, on the other hand, wants the land to graze their cattle. The allocation of these lands to migrant Fulani herders has therefore intensified the competition for fertile lands. Most often, each group tries to advance arguments on the right to access the land. The local population often challenges the legitimacy of the Fulani migrant population to have access to land and claim they have been on these lands for decades and therefore have the right to these lands. The Fulani migrants also see no reason they should be denied access to those lands as they have paid for those lands and sometimes hold contract certificates and occupancy certificates they obtained from the chiefs. For instance, the president of the Fulani group in Ghana, in an interview on GHone Tv responding to calls by the Member of Parliament for AAND that Fulani migrants should be evicted from the land of AAND stated that;

Well, I heard him and to me it is very unfortunate this is coming from a responsible officeholder who looks at it from just one angle. He is saying that the Fulani herders should be evicted from Agogo land, setting aside the fact that they have a lease tenancy agreement for 50 years. These people have paid money, and they have got a lease agreement for 50 years to graze their cattle and everything. This is clearly inhuman, we are in the 20th century, and the rights of the Fulani should be protected. Since they have paid money and agreed, they have any right to access the land just like any other person. (Prof. Osman Bari, GHoneTv, 2016, 42:09)⁸⁹.

Thus, given the statement above, it is clear that the migrant Fulani herders also believe they should have equal access to land as they have paid for it and have contract agreements to prove it. However, Alhassan (2017, p.137) observed that most of these agreements are reached on the blind

⁸⁹https://www.youtube.com/watch?v=ajIu2o4GgAk&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=2&ab_channel=GHOneTV

side of the local farming population, and the herders sometimes enter those lands they purchase or rent without the knowledge of the farmers. In an attempt to win back their lands, the indigenous groups instead attack the 'soft target' (the migrant herders) since they cannot confront the chiefs and landowners. To the local farmers, the soft target in the contest for access to land is the Fulani herders because they believe migrants cannot own lands and, therefore, should not have access since the land belongs to their ancestors. Hence, the resulting reaction in these situations is conflicts, as autochthonous groups feel their right to land has been denied them in favour of migrants who possess no such rights. In addition to conflict over land rights, the arbitrary use of the authority by chiefs to transfer common land to other land users, or in the words of farmers, 'strangers' or 'aliens,' also triggers conflict.

According to Mwesigye and Matsumoto (2016), land conflicts are caused mainly by land inheritance, land insecurity and eviction. However, Mwesigye and Matsumoto (2016) concluded that land conflicts arising from inheritance (between members of the same family or tribe) are settled amicably by clan elders and members due to the homogenous nature of the conflict. Unlike the land conflict among members of the same family or ethnic group, the conflict between Farmers and herders involves members who belong to different identity groups who practice conflicting occupations with the use of same resources. Land access and security over land rights are major issues faced by the Fulani migrant herdsman group in AAND and GD. As already mentioned, most herdsman who are able to acquire land for grazing their cattle have no formal legal title to the land. Therefore, they have no land tenure security as they are not regarded as indigenous and have no claim to the land. Thus, they are at permanent risk of being evicted without any compensation, making them further risk losing their livelihood. Land rights determine whether Fulani herders have the right to remain on the land they acquire, or they will be evicted. Without those rights,

Fulani herders' risk being subjected to autochthony discourse by indigenes, who see it as a crucial asset in the competition over claims to land access and land use.

5.4. Autochthony, And Son of the soil claims and Violent conflict

The ownership and control of land contribute to the definition of belonging and citizenship, and rights. Indigenous farmers acquire land through inheritance from family lineage and thus, have access to land. The customary mode of land tenure back “SoS” dominance over land within ethnic native territories since land ownership is vested in the stool (AAND) or skin (GD) with members of the indigenous group enjoying usufruct rights. The rights of customary institutions are captured in Ghana's constitution and given backing when the Constitution of Ghana defined the application of Customary laws as the “rules of law which by custom are applicable to particular communities in Ghana” (Ghana constitution, 1992). This, therefore, suggests that laws surrounding the control and allocation of land are grounded in the customs and traditional practices prevailing in that area. This is in line with Boone's arguments that in most African states, the usage of customary land tenure institutions (traditional institutions) means there is the recognition of SoS dominance in land tenure relations (Boone, 2017, p.280). Thus, the right to land for indigenous farmers is through the narrative of autochthony and SoS, which allows them to control and allocate lands. At the same time, Fulani herdsmen with their migrant status are left to compete to gain access or use those lands as outsiders.

The claims by indigenous farmers and how Fulani migrant herders put land rights in two regards: right-based land access of the indigenes and social relation based, which gives both autochthons and migrants access to land other resources. While Fulani migrant herders conceive their access to land in the communities, they live through leases and community agreement, settled

farmers conceive of access to land and other natural resources as their natural rights as 'sons' or citizens and not just their ability to use these resource. Therefore, the local population sees Fulani herders as 'strangers' and even non-citizens, thus excluding them from land access. Therefore, land ownership serves as a signifier of belonging to the relevant group of people with the community when (Lentz,2013). The claims and perception of rights and access to land held by each group influence the relationship between them, which is vital in fueling the conflict. This assertion is captured by several actions and claims by both indigenes and Fulani herder. I illustrate this with two major incidents in both GD and AAND, followed by an explanation and analysis of those incidents in relation to the links between the autochthony claims and the violence that accompanies them.

Incident 1: Migrant Fulani Herders Attacked in GD on December 7, 2011.

On Wednesday, December 7, 2011, all major media houses and newspapers reported that Fulani migrant herders living in communities in the GD have come under severe attack by the youth who were wielding offensive weapons.⁹⁰ According to reports, at least thirteen (13) Fulani herders were killed, and 11 others were injured. The 11 wounded were in critical condition and were transported to Tamale (the Northern region's capital city) for further care due to fear of other attacks from indigenous youth. In an interview with the media, the Northern Regional Police Commander, Assistant Commissioner of Police (ACP) George Tuffour, explained that the attack occurred at dawn on Wednesday when a group of youth who believed that the Fulani migrants are there 'illegally' and that they pose a threat to their livelihood attacked a Fulani community. He

⁹⁰ All major newspapers, Tv and radio stations across the country reported the incident. Peacefmonline.com, myjoyonline.com, citinews.com, Ghanaweb, graphiconline.com, savanahnew etc.

(the commander) further explained th most eyewitnesses who gave their statements believed that the Fulani herders who are not Ghanaians come to their communities with their cattle and their activities continue to pose problems to their farm when they want to expand⁹¹.

The District chief executive (DCE) Alhaji Fuseini Alhassan, also in an interview with Savannahnews Agency, said the incident came as a surprise to the people in the area. Although he could not tell exactly what caused the incident, he suspected that it was as a result of the “nefarious activities of the Fulani people. The DCE told the newspaper that:

Somewhere last year, I told your paper the presence and activities of these alien Fulani herders were threatening the security of residents in and around the Gushegu District. They come here, settle in the bushes without permission, and cut down economic trees to feed their cattle. Residents, on several occasions, have engaged in a confrontation with these herdsmen and raised concerns over their continuous stay in the district. In fact, I have had several complaints from natives about how these people come and occupy lands that they have not been given by authorities and cause havoc in those communities. (Interview with DCE of Gushegu District, Alhaji Alhassan Fuseini, SavannaNews, December 16, 2011).

Following the attack, the Northern Regional Security Council (REGSEC) deplored heavily armed military and Police personnel to the district to protect the lives and property of the migrant Fulani herders in the area. However, on Thursday, December 15, 2011, there were reports of a fresh attack on Fulani and their cattle in the district.⁹² According to reports, the attack was instigated by agitations by some konkomba youth who were dissatisfied with authorities allowing some Fulani herdsmen to take refuge in GD's capital after being attacked in some communities and villages a week earlier. The attacks took place in more than ten (10) communities, including; Jingboni, Toti, Makpedanya, Sugu, Offini, Damdoboli, Timya and Nnagmaya. A report on

⁹¹ Interview of the Commander of Police could be found on <https://www.peacefmonline.com/pages/local/crime/201112/84746.php> <http://savannahnewsblogspotcom.blogspot.com/2011/12/>

⁹² There were reports of fresh attacks on the alien Fulani herders by some unknown Konkombas just two weeks after a similar attack led to the Killing of 13 Fulani herdsmen. <https://www.peacefmonline.com/pages/local/crime/201112/84746.php> and <https://www.ghanamma.com/2011/12/15/fresh-attacks-on-fulanis-in-gushegu/>

PeaceFMonline.com indicated that an eyewitness told the news agency;

“[...]that though a section of the community resisted the attempt to attack the Fulani, their cattle were not spared. The attackers vented their spleen on the animals killing them indiscriminately and vowed to attack the community protecting the Fulanis if they continue shielding them”. (Interview of an eyewitness on PeaceFmOnline.com)⁹³

The new attack incident was confirmed by the Northern Regional Police Commander, ACP George Tuffour, who also confirmed that no serious injuries were recorded, and a team of officers has been dispatched to the area to restore order. The incident above depicts the critical role of autochthony and SoS claims in the conflicts between farmers and herders and how they can help mobilize one group against another group. Although the Fulani herders have been in the district for decades, they are still being attacked on land issues. At the time the Fulani herders acquired the land to settle, it was vacant. However, in a short period, indigenous farmers saw that the Fulani were a threat to them when it came to the contestation of land; thus, they decided to use the autochthon/stranger claims as a tool to attack the herders. The youth groups' mobilization to attack and drive out the Fulani herders also shows that mobilization plays a vital role in the farmer-herder conflict. The youth's attack and their employment of autochthony correspond to Dunn's (2009, p.119) argument that “the role of the youth in emphasizing questions of national belonging, employing autochthony discourses, and resorting to violence should not be underestimated”. Thus, GD's indigenes, particularly the youth, when competing for land access with the Fulani herders, employ autochthony discourse to defend their claims. These claims are used as a mobilizing tool to organize violent attacks.

⁹³ Eyewitness interview on <https://www.peacefmonline.com/pages/local/crime/201112/84746.php>

Incident 2: "Yeegye Y'asaase" (We are claiming our land) Demonstration by indigenes of AAND

On the 12th of April 2016, some residents of AAND took to the streets to demonstrate against the allocation of land to Fulani herders to settle in the area and what they call the traditional council's disregard for the indigenes of the area. The four (4) hour demonstration was dubbed "yeegye yasaase" which simply means 'we are taking back our lands' in English. The demonstration was led by several key figures in the area, notably: the Member of Parliament representing the people in Parliament (Honorable Kojo Baah Agyemang), the area's queen mother (Nana Serwaa Afrakuma), the Catholic priest of Agogo and traditional priests (Graphic Online, 2016 April 12).⁹⁴ The demonstrators protested against the Fulani herders' presence on their land, which they claimed has been given to them by their ancestors. The queen mother wore her traditional war-dress to lead Agogo's indigenes, who were also chanting war songs. In the demonstration, the people of AAND threatened to take the law into their own hands to defend their land, their farms, and their lives against Fulani herdsmen (Graphic Online, 2016 April 12). The demonstration was to put pressure on the government to drive out Fulani herdsmen from their land.

The report stated that despite the heavy rains and thunderstorm which happened during the demonstration, the determined demonstrators continued to march through the town, carrying placards, some of which had pictures of their dead relatives and some displaying messages such as "Agogo is our only home," "Fulani must go now" and others.

⁹⁴ Retrieved from <https://www.graphic.com.gh/news/general-news/Agogo-residents-demonstrate-over-fulani-herdsmen.html> (Last accessed on September 25,2020)

Figure 5.0 shows images from the demonstration that took place in AAND.



Source: United Television News, 2016

During the demonstration, many demonstrators spoke to the media, among other things the said included:

I met them and gave them a roadmap...the conflict between the Fulani and us has become very frequent in the past few years because there is no land. Fulanis are bad people because they came here, and we gave them rules to follow, but they did not obey. Some of them come from the north, while some also come from outside. They do not have lands here; they are 'squatters' on our lands. We are going to flash them out from our lands... (Mr. Francis Oti Boateng, Kessben Tv, 2016, 0:01)⁹⁵

⁹⁵Kessben TV 2016, Interview withn MP Kojo Baah-Agyemeng was retrieved from https://www.youtube.com/watch?v=rNLVVc38Ap8&list=PLkBnfmwL4ER54A4oC5wVxwvqfurRa7i18&index=18&ab_channel=TVnewsgh.com (Last accessed September 25,2020)

The land of Agogo that we inherited from our forefathers is rich, but today Fulani herdsmen and their cattle have come to occupy our land and are killing and destroying our farms. Farmers can't even go to the farm. Previously today being Tuesday, you won't even get anywhere to stand; farm produce will be everywhere. We are demonstrating today because we see it as a last resort to call on the authorities to come to our aid in driving these aliens out of our land. If they do not drive them out, we will do it on our own. We, as natives of this land, have the responsibility of protecting our land. The government should come to our aid. (Nana Serwaa Afrakuma UTVNews, 2016, 1:25)⁹⁶

The MP of the place was quoted in another media saying:

[...]we are not preaching violence...our security forces are supposed to protect us. If they are not here to protect us, we will defend ourselves. We will not rely on anybody but rely on ourselves. Let's come together to sack these Fulanis from here. (Kojo Baah Agyemang, Peacefm online, 2016)⁹⁷

The quotes above reiterate that although the conflict between farmers and herders in AAND is about land use and access, autochthony and belonging claims remain central in projecting one's right to access or use land. Indigenes claim that land belongs to them because they are 'sons of the soil' and that Fulani herders do not have rights because they are non-indigenous to the area. Subsequently, herders also lamented the difficulty they face in getting access to land due to their non-indigenous status. As the above statement shows, indigenous farmers repeatedly rejected the Fulanis as "the sons of the soil" even if they are born and raised in AAND or GD. This is because making such an admission would mean that those Fulani herdsmen have the right to compete with them for land ownership or land-use, which is the reserve of 'autochthons' or "first comers." In an interview with a group of researchers and media in response to the demonstration and the attacks after the demonstration, a Fulani migrant herder lamented how access and use of land is difficult for them in AAND.

We are being marginalized just because other tribes arrived in Ghana before us. What is more disturbing was the District Chief Executive's unpleasant utterances for the area against people of Fulani descent. I call on him to apologize for his tribal comment.

⁹⁶ UTV, 2016, UTVNews <https://www.facebook.com/watch/?v=1146277082052103>. Author's own translation

⁹⁷ Peacefm online 2016: <https://www.peacefmonline.com/pages/local/news/201601/268088.php>

When it comes to accessing national facilities and resources, Fulani persons are discriminated against, and this is a sad reality. Fulani citizens in Ghana are being treated as if they are refugees in their own motherland. We humbly appeal to the authorities to bring justice and sanity or order because we are all Ghanaians (President of Fulani Association, Ghanaweb.com, 2016)⁹⁸.

Again in a meeting with the press, the Fulani leaders shared their problems with the media;

We are appealing to the office of our in-law, the Vice President, and his wife, to intervene to remedy the problem. Government should instruct the immigration officers at our country's borders to stop intimidating and extorting monies from Fulanis. Government should immediately stop the evacuation of the herdsman in the forest... The recent unfortunate happenings in Agogo of the Ashanti region of Ghana are unacceptable. The position of the government and the utterances of the Member of Parliament of Agogo to evict the herdsman at all costs and means, and the declaration of war, are a violation of their human rights. In any case, are the authorities in Agogo saying citizens of Agogo do not own cattle? Is the government saying that cattle rearing are not part of agriculture and that it is not interested in supporting Ghanaians in the cattle industry?... (Star fm, 2018)⁹⁹

The two incidents indicate how local farmers view the autochthony and sons of the soil claims as important assets when making land claims. Contrarily, Fulani migrant herders claim to land by emphasizing to have acquired the land through a lease agreement or purchase. These two different claims to land often result in violence in both AAND and GD as it raises questions of identity and belonging, which are used to mobilize groups for the conflict. For example, in GD, a village occupied by Fulani migrant herders was attacked on August 26, 2019, by a group of angry indigenous youth after they learnt from one of their leaders that the land on which the Fulani herders were grazing their cattle in one of that village belonged to them because of their ancestors

⁹⁸ We are being marginalized <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/We-re-being-maltreated-in-Ghana-Fulani-Community-618937> (Last accessed on July 29, 2020).

⁹⁹ Starr fm 2018- <https://starrfm.com.gh/2018/01/ue-r-fulanis-sue-agogo-attack/>

(Ghanaweb. August 27, 2019)¹⁰⁰. According to the reports and confirmed by the District police commander (DSP Tanko), no Fulani herder was killed, 65 huts (houses) burnt, four herders injured, and several belongings burnt. He added that some livestock belonging to the Fulani were also killed. This report and the first incident focus on settlement history (first-comers), autochthony, and the violence associated with autochthony claims. The settlement history of Bulugu village in GD shows the indigenes' ability to claim territory even though they do not settle there. Even though migrant Fulani herders are inhabiting the village, they still consider themselves strangers to the place, although some were born and raised there. This is because the claims to territory or land in the area are tied with indigenes; thus, Fulani herders do not own resources.

Similarly, in AAND, indigenous farmers and herders have resorted to using violence to defend land claims. While farmers rely on autochthony and sons of the soil claims over land, herders mention that they have made payments to chiefs and landowners and must access the land. In a protest on September 15, 2011, three local groups, namely, Agogomman Mma Kuo, concerned citizens of Agogo and Agogo Youth Association, embarked on a protest (modernghana.com; Peacefmonline.com)¹⁰¹. Their major reasons were that Fulani herdsmen are taking over their lands, destroying their farms, engaging in robbery and raping women in the bush; thus, Fulani herders should be evicted from their land. The 'anti-Fulani' protest, which began as a peaceful demonstration, soon turned violent, leading to three herdsmen being attacked and killed. The groups also boycotted all traditional ceremonies and celebrations, including funerals and festivals

¹⁰⁰ Fulani settlement attacked; livestock, houses burnt: August 27, 2019 :
<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Fulani-settlement-attacked-livestock-houses-burnt-775617> (last accessed on september 05,2020)

¹⁰¹ <https://www.peacefmonline.com/pages/local/social/201109/71522.php>
<https://www.modernghana.com/news/351168/Agogo-residents-demonstrates-against-fulani-herdsm.html>
<https://allafrica.com/stories/201109200624.html>

(Peacefmonline.com, September 28, 2011).¹⁰² According to Kingsley Obeng, the spokesperson for one of the groups, the decision to boycott the traditional activities was to make the Chief and elders of the town, who are custodians of the land, take a swift decision and drive away all Fulani herdsmen from the land of Agogo (Peacefmonline.com, September 28, 2011).

In the examples of events in both AAND and GD above, violence appears to be an integral part of the indigenes' autochthonous claim over land. This is consistent with Dunn's (2009) suggestion of an "intimate relationship between autochthony discourse and violence" (Dunn, 2009, p.123). According to Dunn (2009), the intimate relationship between autochthony claims and violence is because the narrative of autochthony is not just portrayed as 'indigenes' versus 'strangers' but also 'victim' versus 'aggressor.' In the cases of AAND and GD, Fulani migrant herders are portrayed as criminals, robbers, rapists, and people who destroy other people's livelihood. In the two incidents and the two examples of violent attacks on Fulani herders, we notice that indigenous groups raised historical narrative of victimizations by the Fulani herders as a justification for their attacks and violence, often citing destruction of crops, previous killings of farmers, rape, and robbery. Thus, in making autochthonous claims over land, there has been the employment of historical narratives of victimization, which have often led to violent encounters between the two factions in the two study areas.

Although these protests and agitations have been organized by community groups and associations such as Agogoman Mma Kuo, Concerned Citizens of Agogo and Agogo Youth Association political actors have been actively involved. Their involvement came after numerous calls and accusations of their support of the Fulani herdsmen whom they benefit from. After a

¹⁰² <https://www.peacefmonline.com/pages/local/social/201109/71522.php>

series of pressure and accusations from indigenous groups, leaders such as the DCE, MP, traditional leaders and religious leaders were compelled to join the indigenes' protest against the Fulani herders' presence. For instance, according to the Kontihene, Nana Kwame Nti, in an interview, traditional leaders decided to join the fight against the Fulani herdsmen somewhere in 2010 when the so-called citizens of Agogo accused chiefs and government of non-commitment to control Fulani herders whose activities they believe are provoking continued clashes (Paalo, 2010, p. 8). In recent times most protests in the AAND are being mobilized by political leaders such as MPs and traditional leaders, as seen in the protests above. The involvement of these political actors has changed the scope and landscape of the farmer-herder conflict. As Bukari (2017, p. 28) observed, one such change is that farmer-herder conflicts in both AAND and GD have become arenas where actors build ties and mobilize support for their own political interests. Hagberg (1998) noted that local politicians have used the farmer-herder conflict in Ghana to garner support for their interest and that Fulani activists and politicians in Burkina Faso have also used the farmers-herder conflict in Ghana as a means to advance their political interests. As Moritz (2010) also observed, other actors' involvement, including political actors, affects the conflict. Similarly, Boas and Dunn (2013) observed that the use of autochthony and its attendant anxiety leads politicians to act in an ad hoc and tactical manner where they are able to manipulate issues surrounding land claims to achieve their personal gains. Thus, the involvement of local elite and political actors in the farmer-herder conflict who have sought to mobilize the indigenous group for support and interest has helped escalate the conflict.

5.5. Land Tenure Insecurity and Conflict

Land tenure insecurity has received widespread recognition in identifying the conflict between farmers and herders in Africa (Moyo, et al., 2015). The customary land management arrangement and usufruct land ownership system practiced in both AAND and GD suggests that individual freehold ownership of land is not encouraged. The evidence provided above indicates that across communities in AAND and GD, land rights and access are viewed mainly through the lens of politics of first-comer (autochthons) versus late-comer (migrants) claims (Lentz, 2013; Boone, 2014). Thus, Fulani herders can only acquire land through either long-term or short-term leasehold agreements between them and the Chief or landowners.

Ghana's land tenure arrangements favouring indigenes while marginalizing migrants have led to more conflicts in Ghana. For instance, Abotchie (2006) noted that there were over 600 land disputes in Ghana as of 2006, most of them relating to land tenure insecurity. Land disputes between indigenous farmers and migrant herders have often escalated violent conflict (Asante Akim North District and Gushegu District). The Government of Ghana document in 1990 attributes the Land dispute between the Fulani and indigenous farmers to undefined boundaries of customary land and arbitrary sales of land with proper documentation as well as conflict of interest between landowning groups and non-land-owning groups (Government of Ghana,1999). Yaro (2010) noted that a significant characteristic of the customary land tenure system, as practiced in many parts of Ghana, is insecurity. Thus, several evidence to support the claims that land tenure insecurity among Fulani herders due to their lack of land rights contributes to the conflict.

According to Bukari (2017), like in many places in Africa, the conditions under which farmers acquire land coupled with Fulani herders' inability to obtain legal documents for those lands remains a significant underlying driver of farmer-herder conflict in Ghana. This situation has

led to land insecurity for Fulani herders. Fulani herders' insecurity is evident in the continuous confiscation of Fulani lands by indigenous farmers who mostly claim ownership rights. For instance, a Fulani herder in AAND, in an interview with the researcher quoted in Bukari (2017);

You see this land where my cattle are, we acquired it two weeks ago. If you come back here in two weeks, you will see that we have been evicted from it. Even a week ago, some young men arrived here challenging us and asking us to leave until the landowner came to stop them (quoted in Bukari, 2017, p. 186)

According to the herder, these kinds of evictions from lands they have legally acquired are widespread in AAND. This coincides with Mwamfupe's (2015) explanation of land tenure insecurity as a primary factor for persistent conflict between farmers and herder groups. According to Mwamfupe (2015), insecurity of land tenure arises from the marginalization of one group, which is later blamed for causing the conflict after being displaced. Again, Fulani Cattle herders fail to regularize their land acquisition and go through the due process to acquire land titles. They get the land leased to them by either the chief or individual landowner without legitimizing the process by going through the legal process of land tenure acquisition. Farmers have often accused the chiefs and tradition council of giving out land to the Fulani herder without following the law.¹⁰³

According to Barume (2014), indigenous populations will not allow their land, which is their primary source of livelihood, and constitutes more than the cultural existence and identity, to be encroached or expropriated without reacting in one way or another. These reactions among indigenous communities who claim to be 'sons of the soil' have taken place in both AAND and

¹⁰³ Agogoman Mma Kuo one of the groups in AAND have often raised this issue in most of their press releases and communication with the media. see one of their press releases here <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Continuous-incursions-of-Fulani-herdsmen-on-Agogo-lands-418557>

GD in many forms ranging from demonstrations, going to court and violent clashes. An example is the protests and calls for Fulani expulsion in AAND.

5.5.1 Protests by Indigenes, Fulani Expulsion and conflict

Indigenes in AAND have embarked on several forms of options in order to get Fulani migrant herders evacuated from ‘their land.’ Among some of the forms of activities taken by the indigenes include; demonstrations, open protests, organizing press conferences and press releases, going to court and even violent attacks. Protests for Fulani expulsion from AAND began on April 29, 2010, by Agogoman Mma Kuo and the Agogo Youth Association (Daily Guide News, 2011)¹⁰⁴. The Agogoman Mma Kuo again staged another protest in January 2011 together with the Agogo Youth Association and the Concerned Citizens of Agogo, demanding and the expulsion of Fulanis from their land and calling for the paramount chief of the area, Nana Akuoko Sarpong, to be dethroned (modernghana.com, 2011)¹⁰⁵. According to a leading member of one of the groups, Kwaku Mensah, “the people say they do not want Nana Akuoko Sarpong because of his involvement in the Fulani herdsmen issue and other 'atrocities' that he and other sub-chiefs in the area have committed” (quoted in modernghana.com 2011).¹⁰⁶ Subsequently, the groups boycotted all traditional events and festivals in the area, followed by three other similar protests in April 2011,

¹⁰⁴ Daily guideNews-‘The untold story of Agogo-Fulani conflict;
<http://www.ghanaforum.com/archive/index.php/t-12302.html>

¹⁰⁵ Distoolment of Paramount Chief <https://www.modernghana.com/news/365498/1/Agogo-residents-want-nana-akuoko-sarpong-destooled.html>

¹⁰⁶ Modernghana.com, 2011:Agogo Residents call for the distoolment of Nana Akuoko sarpong:
<https://www.modernghana.com/news/365498/Agogo-residents-want-nana-akuoko-sarpong-destooled.html>

September 2011 and November 2011 and issued a press release¹⁰⁷. After exhausting all these avenues to get the Fulani herders out of their land, the indigenes resorted to court. The Kumasi High court ruled on January 20, 2012, that:

The court hereby issues mandatory injunction directed at the REGSEC, Ashanti Region, (and by implication, the Regional Coordinating Council and the Executive branch of Ghana) to take immediate, decisive efficacious and efficient action to flush out all cattle in the following villages and localities in the Agogo Traditional/Area in the Asante Akim North Municipality: Aberewapong, Mankala, Nyamebekyere, Kowereso, Adoniemu, Bebuoso, and Brahabebome. The only exceptions are cattle that have been properly confined in a permitted locality...(Oduro, Tweneboah, Obeng, Akyaaamah, Boamah, Anokye, Nyame and Danquah v. Attorney-General's Department, Kumasi and Agogo Traditional Council, 2012, p.19. See Appendix 2).

This judgement asking for the evacuation of the Fulani herdsmen and their cattle from the land of AAND has sparked further protests and violence among indigenous farmers and migrant herders. The local people often cite the court ruling as a means to confiscate and drive out the herders from land, even if they acquired the land through from the chiefs or individual landowners, which is the right process. However, the court deemed the natives of AAND to have lived and farmed within the AAND area's lands and hold usufructuary right on those land (Kumasi High Court Ruling, 2012, p.3); thus, the Fulani herders should be expelled. Following this ruling by the High court, the government of Ghana has implemented the policy of expulsion (popularly termed 'operation cow-leg') of the Fulani herdsmen in other parts of the country, including GD, whenever tensions between the herders and farmers escalate. This expulsion (operation Cow-leg) is usually carried out by a police force and military forces who use force to carry out the order.

¹⁰⁷ Agogo Residents Boycott Funerals, Demand Expulsion Of Fulanis;
<https://www.peacefmonline.com/pages/local/social/201109/71522.php>

The incidence above and the expulsion policy that followed to evict Fulani migrant herders from lands some of them have acquired through due process as customary law demands clearly demonstrate the land tenure insecurity faced by Fulani herders in AAND communities. Herders acquire land from signing agreements with individual landowners or from the traditional leaders, but the lands are shortly taken away from them without regard to the lease. In this incident, despite many of the Fulani present in AAND have signed and paid for the lease of the land, their contracts were revoked after the Kumasi High Court Ruling without any compensation. The eviction of Fulani herdsmen from lands they have paid for has led to the Fulani's reprisal attacks. The latter believe they were not treated fairly by the indigenes of AAND. One of such incidents is the attack on indigenous farmers in Aberewanko, a village in AAND. On February 16, 2019, at around 3 pm, seven armed Fulani herders attacked the village, killed one person, injured one and set the whole village on fire (Ghanaweb.com,2019)¹⁰⁸. According to the reports, the Fulani herders who were previously occupying some lands in the village were evicted from the land by some indigenes who converted the grazing area into a farm. The Fulanis had a lease agreement but were evicted without any compensation. The Fulani herders then came back and asked the indigenes to vacate the village or be killed. This incident is a clear example of how eviction, which is based on whether a person is an indigene or not, leads to the escalation of the violence between herders and farmers in AAND.

¹⁰⁸ Fulani herdsmen kill one, injure others in Agogo; set village ablaze

<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Fulani-herdsmen-kill-one-injure-others-in-Agogo-set-village-ablaze>

724057#:~:text=Fulani%20herdsmen%20kill%20one%2C%20injure%20others%20in%20Agogo%3B%20set%20village%20ablaze,-

Listen%20to%20the&text=Seven%20armed%20men%20suspected%20to,%2C%20MyNewsGh.com%20has%20confirmed. (Last accessed on September 20,2020)

Similarly, there have been several reports of Fulanis being evicted from lands they acquired in the north (GD), resulting in violent reprisal attacks. An example is the Konkomba-Fulani clash on Tuesday, April 3, 2018 (Ghanaweb.com, 2018)¹⁰⁹. The media reports and a statement from the DCE mentioned that in January of that year, the pastureland on which a Fulani herdsman had to acquire was converted into a farm by an indigenous farmer who claimed the land was their ancestral land. Subsequently, Fulani herder defied the warning and still took his cattle to graze on the land, destroying the farmers' crops. Recounting the incident to star news, the DCE stated that: “A Fulani and Konkomba man had a misunderstanding and it resulted in the Konkomba man being butchered; so, when it happened like that, the Konkombas launched something we call reprisal attack” (quoted in Ghanaweb.com,2018). This example again highlights the frequent use of the autochthon-stranger discourse whenever there is a land argument between farmers and herders. This corresponds with Gleditsch’s (1998) suggestion that autochthony discourse is an asset to exclude competitors in the struggle between indigenes and migrants. The land tenure insecurity faced by the Fulani herders has intensified the violent conflict. Most of the major forms of land acquisition by the Fulani herders are informal. The informal nature of the contract (oral transaction) agreement makes it prone to confiscation and evictions. Thus, in addition to lack of access due to the non-indigenous status of Fulani in AAND and GD, the high land tenure insecurity associated with the process through which they acquire land in this location all contribute to the escalation of farmer -herder conflicts within the study area as the discussions have shown.

¹⁰⁹ One hacked, houses burnt in Konkomba, Fulani clashes

<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/One-hacked-houses-burnt-in-Konkomba-Fulani-clashes-640411> (last accessed on September 20, 2020)

A closer look at the incidents of conflict in this chapter helps to enhance not only our understanding of the drivers of the farmer-herder conflict in AANA and GD but also explains the variation in the frequent occurrence of violent conflict in AAND and GD. As this research has already noted, GD witness less violent conflict than AAND. The incidents above follow a trend of mobilizing groups from one side to either undertake an attack or defend an attack. The conflict often starts as a conflict between individuals over access to land and escalates into group conflict. In AAND, indigenous farmers have a single primordial identity and are of one ethnicity (Akans) Osei (2015) noted that ethnicity and tribal ties are the most substantial ties that facilitate cohesion among groups in Ghana. AAND has one indigenous ethnic group (Ashantis) who share the same history, ancestry and are of a single tribe who face competition from Fulani migrants. Thus, mobilization of members are easily done as it relies heavily on primordial identity. This can be witnessed in how members of the different youth groups and leaders of the community, including traditional leaders, politicians, and religious leaders, can come together to protest the presence of Fulanis on their land.

Contrarily, GD has two major indigenous tribes (Konkomba and Dagomba) who themselves have been in conflict over land with each other in the past (See Immigration and Refugee Board Canada, 2000). Since groups' mobilization in the conflict is heavily reliant on tribal and primordial identities, the conflict only occurs when members from one tribe take part. For instance, in Incident one, the comments reveal that members of the Dagomba tribe were consulted to take part in the attack, however because the initial encounter between the Fulani and indigene did not involve a member of their tribe, they declined. This depicts the importance of intra-group ties in the form of primordial identity driven by ethnicity. In fact, Fulani herders in GD and areas in northern Ghana tend to organize violent attacks even though they are the minority. The attack by Fulani herders

on a whole village in 2018 shows how they are able to mobilize on their identity based on their identity as Fulani, their minority and ‘vulnerable’ status in the area, thus the need to come together and defend themselves.

Identity, especially ethnic ties of both autochthones and migrants, are used as a mobilizing tool to either attack, protest or defend themselves against each other. The attack by the Konkomba tribe in GD succeeded largely due to the group being able to mobilize members of the tribe despite the withdrawal of the Dogomba tribe. Whereas violent conflicts in AANDA are viewed as indigenes versus Fulani, conflicts between farmers and herders in GD are viewed first as a conflict between one indigenous tribe against the Fulani migrant herders. Thus, all conflict between farmers and herders in AAND can escalate into a violent conflict because each faction can mobilize; and mobilization is embedded in the use of identity, driven by ethnic or primordial ties.

5.6. Conclusion

This chapter has discussed land rights, land ownership and land access centred on autochthony in AAND and GD in Ghana. Land in the study areas symbolizes one's identity and belonging to the indigenous group in the study areas. While indigenous farmers in Agogo and Gushegu have land rights and access because they are ‘first-comers’ or sons of the soil, Fulani herders have no land rights. Their access to land is limited since their access to land is conceived in terms of autochthony/belonging claims. To acquire land, they need to rely on long-term or short-term lease from traditional authorities or individual landowners. Whenever there is a misunderstanding or conflict between Fulani herders and local farmers, the Fulani herders are evicted from lands, and the lands they acquired through lease are confiscated. With no land rights and limited land access, Fulani migrant herders’ quest to find pastureland for their cattle put them

in conflict with farmers. Local farmers (autochthons) in AAND and GD claim to be ‘sons’ of the soil and therefore have rights over the land. Thus, this “politics of belonging” has triggered Anti-Fulani(migrant) sentiments and led to conflict between indigenous farmers and migrant herders when the latter arrive in large numbers searching for land for their livelihood.¹¹⁰ This chapter's evidence indicates that the conflict between herders and farmers goes beyond just the conflict triggers discussed in chapter four. Autochthony and identity claims play a major role in the conflict.

Again, high land tenure insecurity associated with Fulani migrants’ land acquisition also results in violent conflict. The expansion of farming activities, which increases the competition for land, is used justifying confiscating and evicting migrant herders, which hinges on sons of the soil claims. Indigenes use autochthony discourse as the claim to land since Fulani herders have limited property rights. The insecurity arises from the process through which Fulani migrant herders acquire land. Thus, when a Fulani migrant herder acquires land, their right to access and land use is being challenged, and even sometimes, they are evicted, leading to conflict. The eviction of Fulani herders has also exacerbated the conflict. It has led to reprisal attacks by those Fulani herders who are evicted and counter-attacks by farmers whenever herders attack them. The insecurity of land and the expulsion of Fulani herders from lands they have acquired and paid for leads to violent conflict escalation. Therefore, the main driver of farmer-herder conflicts in both Asante Akim North, and Gushegu hinges on land – whether the crop destruction, encroachment, resource scarcity, as discussed in chapter four, or land tenure insecurity, and lack of access as seen

¹¹⁰ Côté & Mitchell (2018) used the term “politics of belonging” to explain the tensions and violence clashes triggered by the arrival of large number of migrants in Middle East and Europe.

in this chapter, land is at the centre of these conflicts. Fulani herders' land tenure insecurity heightens these conflicts through continual confiscations of their lands by indigenes, evictions by landowners in times of conflicts, and Fulani's continuous migration and informal land contracts.

Thus, this research has argued that the access and use of land, which is the primary resource needed by both farmers and herders for their livelihood, is contested and interpreted continuously within the spheres of autochthony and sons of the soil discourse.

CHAPTER SIX

CONCLUSION

The violent conflict between indigenous farmers and migrant Fulani herders in Asante Akim North and Gushegu in Ghana is often attributed to resource scarcity and competition over these resources. However, a more in-depth analysis of the farmer-herder conflict in these areas reveals that the cause of the conflict goes beyond just the competition over resources to include other factors that directly or indirectly trigger violence. This MA thesis sought to examine the causes of the conflict in the Asante Akim North and Gushegu Districts in Ghana. The findings of this research show that the root of the farmer-herder conflict in these areas goes beyond just land use and land access to include other factors such as livelihood differences between the parties involved and the employment of autochthony and identity discourse to either exclude others in the distribution and access to resources. Both indigenous farmers and Fulani migrant herders depend on land for their livelihoods. The arrival of migrants Fulani herders in these areas intensified competition over land between the two groups. As they both have to rely on the same tract of land but practice different systems, the activity of each of them impedes the other. Therefore, the land use of the two has resulted in circumstances that trigger violent conflict between them. Triggers such as damage to crops, the encroachment of farming or grazing lands, and the indiscriminate burning of farms to allow for fresh grass were the immediate leading causes of the conflict that indirectly resulted from land use among two groups with different livelihoods.

Indigenous farmers who were the “first-comers” and ‘sons of the soil’ had unrestricted historic land rights and access. In contrast, Fulani migrant herders, who are regarded as ‘aliens’ and ‘strangers,’ did not have land rights and access. This meant that Fulani herders have to enter the competition for land through other means as access to land is tied to identity. The farmer-herder

conflict in Asante Akim North and Gushegu District also results from the allocation of farmlands to cattle owners and Fulani herdsmen by community chiefs. The nomadic activities of the Fulani herdsmen have caused many damages, especially the destruction of farms and crops, hence threatening the farmers' livelihoods in the area.

This research's findings are not meant to downplay other factors that have been used in the existing literature to explain the farmer-herder conflict in Ghana, such as climate change, resource and environmental scarcity argument, stereotype prejudices, and the diminishing powers of traditional authority and weak state institutions. This thesis' primary focus is to expand the conflict's explanation from the traditional argument as a land conflict to include other factors that are often ignored in the discussion of farmer-herder conflict. Issues of land use and access are often overlaid with other features such as identity, belongingness and livelihood differences (Komey, 2010). The inclusion of these factors allows the research's argument to go beyond farmers and herders' social and economic life to include their ethnic divisions, belongingness, and identity, thus enabling us to capture an essential aspect of the conflict between the indigenous farmers and migrant herders. Therefore, this thesis not only brings to the limelight the importance and contributions which are ignored in the literature of farmer-herder conflict but also contributes to the literature on land conflict and autochthony in Africa.

Although the conflicts in AAND and GD escalate under different circumstances and through different triggers, this study's major contribution is that it helps identify the underlying drivers of the conflict and how they play out in the escalation of the conflict. Thus, it goes beyond structural factors such as resource scarcity, environmental change and population growth to include multiple and processual factors (Moritz, 2010). The research provides a deeper understanding and explanation of how and why the farmer-herder conflict in AAND and GD

develops from conflicts between individual farmers and herders to group conflict by including multiple causes of the conflict.

Like any other research, this thesis is not without limitations. It is therefore important to acknowledge these limitations and to put them into proper perspective. One major limitation of this study is the lack of official data and statistical evidence on conflict and Fulani migration in study areas. Neither government agencies nor the police at the district, regional or national levels could provide comprehensive conflict data for the two districts or nationwide. Precise data on critical issues such as the Fulani population and migration both across the nation and within communities and district, data on the number of cattle and size of land required to rear them, data on conflict occurrence and the number of violent clashes and non-violent clashes could not be gathered as they were unavailable, and the research's timeline did not afford this study the time to embark on such avenues.

This research was mainly based on the qualitative research method. The lack of data and statistics to draw from and the qualitative approach analysis used for the investigation meant that this research did not yield any statistically significant finding which could be relied upon to make recommendations for conflict solutions in these areas. Despite the lack of statistical significance, this research's findings have demonstrated any attempt to discover the underlying drivers of the conflict between herders and farmers in AAND and GD requires an examination of the livelihood and identity dynamics involved in the conflict. Future research by government agencies and researchers who aim to find a lasting solution to this conflict must therefore delve much deeper into these issues and engage in attempts to gather data and statistics such as migration patterns of Fulani herders, the population of Fulani and cattle within these areas, area of land required for both farming and herding cattle, conflicts in communities and casualties recorded to identify hotspots.

This could be done by employing large respondents' statistical modelling and broader research to gather data on the clashes. These data and statistics are essential for planning and finding measured recommendations and remedies to the conflict.

This study examined instead self-reported data from people interviewed in the study areas by various media. However, self-reported data from these interviews and accounts in the media are limited because they cannot be easily verified; that is, whatever the people interviewed say or whatever accounts reported in the media has to be taken at face value. Thus, answers to interviews, statements and accounts made on media platforms are likely to be biased as members of each group (indigenous farmers or Migrant Fulani herders) are consciously or unconsciously likely to give accounts or statements that will favour their group. This limitation needs to be duly acknowledged and taken into consideration when referring to or consulting this research for further studies.

Moreover, the use of media sources as the main primary source of data meant that the most remote district among the two, Gushegu District, will have fewer data and reports due to unavailability of media, that is, there are no major accredited newspaper, radio station or TV within the district (National communication Authority, 2017). Unlike GD, AAND has several media outlets, especially radio stations, which frequently report a daily conflict between indigenes and Fulani herders. Thus, there were many more reports and interviews of people in AAND than there was in GD. The availability of information on the conflict in AAND and fewer reports on GD affected the research's findings. Also, one of the main focuses of the research was to extend the argument of the escalation of violent conflict between farmers and herders in Asante Akim North and Gushegu from just structural factors such as resource scarcity and environmental change to include analysis of other factors such as livelihood, resource use and access and mobilization of identity. This requires adopting a methodology that involved observing the conflict over an

extended period by gathering conflict data or statistics over a significantly more extended period. As already mentioned, the lack of data on the conflict and the research's timeline did not allow the researcher to research the time to engage in the observations required. However, the study adopted multiple cases, incidence and gathering news articles from media over an extended period (from 2010 to 2020). These helped to mitigate these limitations as the study gathered enough primary evidence, which was analyzed to produce a consistent result.

Other districts in Ghana, such as Afram Plains North and South Districts, which used to be hotspots of farmer-herder conflict before the establishment of cattle ranches and grazing laws, have witnessed a significant reduction in the number of conflicts within the area. The president of the Republic of Ghana, Nana Addo Dankwa Akufo Addo, in November 2018, speaking at a durbar of chiefs and the people of the place, thanked the chiefs and indigenes of Afram Plains for agreeing to release lands to be used as cattle ranches and mentioned that the project was the sure best way of solving the conflict in Ghana; hence more of such projects will be undertaken in other conflict-prone areas. He again reiterated the importance of respecting each other's livelihood and making sure that neither Fulani nor indigenes use land in such a way that will not lead to a clash of livelihoods. Thus, further studies need to be done in areas where the government seeks to prevent the two different livelihood interests from competing for the same piece of land to ascertain the full ramifications of those interventions on the occurrence or otherwise of the conflict.

Further, the research could also be extended to other districts in Ghana where the conflict between farmers and herders continue to grow. This is because the majority (an average of 70% according to MOFA) of Ghana's indigenous rural population are farmers, whereas Fulanis who relocate to these areas are herders. Also, Ghana's land laws remain largely under the customary land governance system, where land rights remain the reserve of indigenes. This means that the

theoretical premise developed in this MA thesis could be applied to many parts of Ghana. Again, the conflict between farmer-herder is not just in the two study areas and Ghana, but across the West African sub-region. With the exception of Guinea, the Fulani population remains the minority in all countries they are located in and are in conflict with other indigenous ethnic populations (Sagnary, 2019). Fulani herders remain the dominant herder population in countries where they migrate to, such as Nigeria, Ivory Coast, Togo and Burkina Faso, where the majority of other indigenous groups remain farmers. Thus, this research's theoretical premise could be extended to cases in these countries where Fulani herders have relocated to in search of pasture to sustain their livelihood (Folami and Folami, 2013, p.105).

Another area worth investigating is the current trend of the use of firearms (guns) in the conflict. Recent reports indicate that violent attacks and clashes have shifted from the use of machetes and sticks to sophisticated weapons. This is evident in the following headlines in various media: ‘Agogo farmers, youth stockpile arms against Fulanis’¹¹¹; ‘Gunmen kill Fulani man in fresh attack’¹¹²; ‘Fulani herdsman shoots farmer to death at Asatoase’¹¹³; ‘Farmers arm themselves to fight fulani herdsmen at Begoro’¹¹⁴ etc. The divisional Police commander of the Asante Akim area was quoted in (Paalo, 2020, p. 9) to have revealed how they (police) are surprised with the kind of guns used in the farmer-herder conflict;

[. . .] during violent escalations, the Fulani herdsmen have more powerful guns than our ‘men’ . . . and you wonder where they get such powerful machines from . . . with such

¹¹¹ The following news reports indicates that both groups have resorted to the use of arms: <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Agogo-farmers-youth-stockpile-arms-against-Fulanis-412753> (Accesssed 18 January, 2021)

¹¹² <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Gunmen-kill-Fulani-man-in-fresh-attack-1030417>

¹¹³ <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Fulani-herdsman-shoots-farmer-to-death-at-Asatoase-748107>

¹¹⁴ <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Farmers-arm-themselves-to-fight-fulani-herdsmen-at-Begoro-721779>

heavy machines, they can easily overcome our ‘men’ on the ground, who mostly have less powerful guns, and sometimes run out of bullets . . . the police service cannot even afford some of those guns.

The sources, proliferation and implication of the use of these arms in the farmer-herder conflict in Ghana must be examined as various scholars (Schroeder and Lamb, 2006; Austin, 2002; Ayuba et al., 2014; Nna and Pabon, 2012; Ojekarotu and Okeke-Uzodike, 2006) have all identified connection between the proliferation of arms and the escalation of conflict into a widespread national conflict. This makes the current trend of the use of arms worrying and thus needs further studies to ascertain its overall impact on Ghana's national security.

Additionally, a conflict that generates adverse outcomes such as the farmer-herder conflict in Ghana, where lives, properties and livelihoods have been lost, are conflicts that many institutions, including national governments/ local governments/NGOs/international organizations, wish to prevent or minimize. Over the years, national governments have spearheaded the attempts to mitigate the conflict between farmers and herder in Ghana. The resolution proposed and implemented by national governments in AAND and GD in Ghana has been politicized. The absence of local stakeholders mostly characterizes the policies and therefore reflects the interests of those who proposed them. Future attempts to mitigate the conflict between farmers and herders must be decentralized to include local governments, traditional leaders, local farmers, cattle owners, and Fulani herders. These interested parties are in the areas where the conflicts occur and are better positioned to understand the issues that impact the conflict between them. Further, conflict resolution mechanisms that have been proposed and implemented to curb the farmer-herder conflict, notably, ‘Operation Cow Leg’ only seeks to ‘flush out’ Fulani herders from those communities. This proposed policy has been politicized and reflects the political leaders' support for one faction in the conflict. Thus, attempts to depoliticize conflict resolution mechanisms must

involve Non-Governmental Organizations (NGOs). This is because these NGOs are unbiased and are likely to mediate and propose better conflict resolution mechanisms to improve cooperation between the farmers and Fulani herders.

In this MA thesis, I have emphasized that the farmers-herder conflict in Ghana shows that theories that seek to identify and explain group causes of group conflict must consider complex processes and factors. Critical factors such as historical experience, identity and socio-economic of the diverse actors involved in the group conflict should be considered rather than relying on simple linear explanations such as environmental factors and the immediate drivers of those conflicts. Thus, the farmer-herder conflict in AAND and GD shows that conflict between groups must be examine broadly and multidimensionally as shown through the lens of land use, livelihood, autochthony claims and land access.

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APPENDICES

APPENDIX 1: 2012 KUMASI HIGH COURT RULING

Asst. Commr. Registrar
K. Osei
26/1/2012

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE (LAND
DIVISION) SITTING AT KUMASI ON FRIDAY
THE 20TH DAY OF JANUARY, 2012.

SUIT NO. LMISC 11/2012

CORAM: ERIC BAAH, JUSTICE OF THE HIGH COURT.

IN THE MATTER OF PROVISIONS OF ARTICLE
33 OF THE 1992 CONSTITUTION

AND

IN THE MATTER OF APPLICATION FOR
JUDICIAL REVIEW IN THE NATURE OF
MANDATORY INJUNCTION BY:

1. OPANIN KWADWO ODIRO
ABEREWAPONG, AGOGO.
2. OPANIN KWAKU TWENEBOAH,
MANKALA, AGOGO
3. OPANIN KWABENA OBENG,
NYAMEBEKYERE, AGOGO
4. MADAM MARY AKYAAMAH,
KOWRESO, AGOGO
5. KWADWO BOAMAH
ADONIEMU, AGOGO
6. KWADWO ANOKYE
BEBUSO, AGOGO
7. KOFI NYAME
BEBUSO, AGOGO
8. PESE DANQUAH, BEBOME

VRS:

- | | RESPONDENTS |
|--|-------------|
| 1. ATTORNEY-GENERAL'S
DEPARTMENT,
KUMASI | |
| 2. AGOGO TRADITIONAL
COUNCIL | |

CERTIFIED TRUE COPY
[Signature]
REGISTRAR
HIGH COURT-LAND DIVISION
KUMASI

- Seidu Busanga
- Kwame Sakari
- Kume Fiape
- Kwasi Akapho
- Raphael Akpabili
- Sissala Issifu
- Kofi Obeng
- Sodzi Akpobli
- Baba and his family of six
- Gzibo

The places, the circumstances and year of the alleged killings were provided in some of the cases.

6. That Sodze Akpable (Kansanso), Kwasi Annor, Kofi Kiloka and Asante Abrewapong were shot at various times but were fortunate to have survived.
7. That recently and on 6/10/2011, Kwasi, Abu was shot and killed in his farm while Kwame Awuah was also shot and killed on 25/8/2011.
8. That the Fulani Herdsmen usually kill farmers who dare to spray their plants with insecticides or weedicides since that kills their cattle when they graze on those crops.
9. That the Fulani herdsmen also set fire to the dry bush in order that fresh weeds will germinate and this has caused destruction to several farmlands, including cocoa and food crops farms as well as having caused the collapse of the Behome clinic which serves the above mentioned villages.
10. That as a result of the activities of the Fulani herdsmen, teachers are withdrawing their services from the affected communities because they cannot farm to supplement their income.
11. That in Bebuso village, the only stream, "Ponponsua" is shared by humans and

The motion paper dated 26/10/11, is praying the Court,

"... for an order of mandatory injunction directed at the Attorney-General of Republic of Ghana and the Agogo Traditional Council compelling them to cause to be removed from the following areas:

Aberewapong, Mankala Nyamebekyere, Kowereso, Adoniemu, Bobuso, Brahabehome all in the Agogo Traditional Area all nomadic Fulani herdsmen and their cattle from the Agogo Traditional Area"

There was a prayer for any other order or order(s) that the court might consider fit to give.

In the supporting affidavit attached to the motion, the Applicants averred, inter alia,

1. That as natives of Agogo, Asante-Akim, they are variously farming on lands within the Agogo Traditional Area and hold usufructuary or possessory titles on the Agogo Stool Land.
2. That they have been farming on the land for many years; some having farmed on the land for over seventy years.
3. That prior to the advent of a large number of Fulani herdsmen in the mentioned villages, there was absolute peace and the Applicants and the other inhabitants resided in their villages, peacefully, and quietly enjoyed possession of their respective properties.
4. That the Fulani herdsmen have destroyed the peace hitherto enjoyed and have visited atrocities on the people without any provocation.
5. That since 1992, the Fulani herdsmen have either shot and killed or butchered the underlisted persons:

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"... for an order of mandatory injunction directed at the Attorney-General of Republic of Ghana and the Agogo Traditional Council compelling them to cause to be removed from the following areas:

Aberewapong, Mankala Nyamebekyere, Kowereso, Adoniemu, Bobuso, Brahabehome all in the Agogo Traditional Area all nomadic Fulani herdsmen and their cattle from the Agogo Traditional Area"

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4. That the Fulani herdsmen have destroyed the peace hitherto-enjoyed and have visited atrocities on the people without any provocation.
5. That since 1992, the Fulani herdsmen have either shot and killed or butchered the underlisted persons:

agogo *Chun...* *11/1/2012*
25/1/2012

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE (LAND
DIVISION) SITTING AT KUMASI ON FRIDAY
THE 20TH DAY OF JANUARY, 2012.

SUIT NO. 1 MISC 11/2012

CORAM:

ERIC BAAH, JUSTICE OF THE HIGH COURT

IN THE MATTER OF PROVISIONS OF ARTICLE
33 OF THE 1992 CONSTITUTION

AND

IN THE MATTER OF APPLICATION FOR
JUDICIAL REVIEW IN THE NATURE OF
MANDATORY INJUNCTION BY:

1. OPANIN KWADWO ODIRO
ABEREWAPONG, AGOGO.
2. OPANIN KWAKU TWENEBOAH,
MANKALA, AGOGO
3. OPANIN KWABENA OBENG,
NYAMEBEKYERE, AGOGO
4. MADAM MARY AKYAAMAH,
KOWRESO, AGOGO
5. KWADWO BOAMAH
ADONIEMU, AGOGO
6. KWADWO ANOKYE
BEBUSO, AGOGO
7. KOFI NYAME
BEBUSO, AGOGO
8. PESE DANQUAH, BEBOME

VRS:

- | | RESPONDENTS |
|--|-------------|
| 1. ATTORNEY-GENERAL'S
DEPARTMENT,
KUMASI | |
| 2. AGOGO TRADITIONAL
COUNCIL | |

CERTIFIED TRUE COPY
[Signature]
REGISTRAR
HIGH COURT - LAND DIVISION
KUMASI

The motion paper dated 26/10/11, is praying the Court,

"... for an order of mandatory injunction directed at the Attorney-General of Republic of Ghana and the Agogo Traditional Council compelling them to cause to be removed from the following areas:

Aberewapong, Mankala Nyamebekyere, Kowereso, Adoniemu, Bobuso, Brahabehome all in the Agogo Traditional Area all nomadic Fulani herdsmen and their cattle from the Agogo Traditional Area"

There was a prayer for any other order or order(s) that the court might consider fit to give.

In the supporting affidavit attached to the motion, the Applicants, averred, inter alia,

1. That as natives of Agogo, Asante-Akim, they are variously farming on lands within the Agogo Traditional Area and hold usufructuary or possessory titles on the Agogo Stool Land.
2. That they have been farming on the land for many years; some having farmed on the land for over seventy years.
3. That prior to the advent of a large number of Fulani herdsmen in the mentioned villages, there was absolute peace and the Applicants and the other inhabitants resided in their villages, peacefully, and quietly enjoyed possession of their respective properties.
4. That the Fulani herdsmen have destroyed the peace hitherto-enjoyed and have visited atrocities on the people without any provocation.
5. That since 1992, the Fulani herdsmen have either shot and killed or butchered the underlisted persons:

cattle which has resulted in hitherto unknown diseases in the village.

12. That within the Traditional Area, and at various times, Fulani herdsmen have raped, maimed and harassed individual farmers going about their legitimate businesses and activities.
13. That challenges raised by aggrieved farmers in respect of the destruction of their farms by the cattle are ruthlessly repressed.
14. That the Fulani herdsmen claim that certain lands have been purportedly leased to them by the Agogo Traditional Council (2nd respondent).
15. That the leases cannot affect the Applicants and other farmers who hold the usufructuary or possessory rights.
16. That the subject matter of the leases is a forest reserve but same was drafted in a manner as to deceive the authorities.
17. That all efforts made to various governmental bodies and institutions have failed to have the matter resolved.
18. That the menace of the Fulani herdsmen brought about social unrest within the Agogo Traditional Area, culminating in the setting up of a Committee of inquiry by the Ashanti Regional Security Council, which has since 31st May 2010 submitted its report to the Regional Security Council, but the recommendations of which have not been implemented to date. Portions of the report were exhibited as OKO 4. At the directive of the court however, a copy of the full report was supplied.
19. That individually and collectively, the Applicants live in total fear and despair as their right to life is being threatened every day by the Fulani herdsmen and their cattle.

20. That their constitutional right to life, to own and possess property, and engage in any economic activity of their choice is being taken away
21. That the government has the singular responsibility to protect their lives and property and their other rights enshrined in Chapter 5 of the constitution, in particular, in articles 12, 13, 14, 18 and 20
22. They ended on the note that it was in view of the preceding circumstances that the instant application has been brought under article 33 of the constitution for the enforcement of their rights under the constitution.

Annexed to the motion as exhibits were:

- (a) A deed of agreement (lease) over land between Nana Akuoko Sarpong, Omanhene of Agogo in the Ashanti-Akim District, Ashanti Region on the one part, and Alhaji Ahmed Abdul Karim Garah of the other part.
- (b) A resolution of the Agogo Mman Maa Kuo, Agogo Local Branch addressed to the Minister of the Interior, with copies to the following:
 1. The Chief of Staff, office of the President
 2. The Vice President
 3. The Majority Leader in Parliament
 4. The Minister of Information
 5. The Co-ordinator, National Security Council
 6. His Highness, Otumfour Osei Tutu II, Asantehene, Kumasi.
 7. The Chairman, National House of Chiefs-Accra.
 8. The Ashanti Regional Minister, Kumasi
 9. The Chairman, Council of State
 10. The Inspector general of Police

11. the Ashanti Regional Police Commander.
12. The Ashanti Regional Security Council
13. The member of Parliament, Asante Akim North Municipal
14. The Chairman, Municipal Security Council, Konongo
15. Army Commander, Kumasi 413M (sic)
16. The Registrar Agogo Traditional Council
17. The District Police Commander-Agogo
18. The Hon. Minister, Works & Housing.

- (c) A bill of indictment in respect of one Kofi Obeng, allegedly murdered by a Fulani herdsman
- (d) Report on Disturbances at Agogo on 30th April 2010-submitted by the Committee of Enquiry to the Ashanti Regional Security Council (REGSEC)
- (e) The following exhibits were also attached to a supplementary affidavit filed by the Applicants on 4/11/11.
 - (i) Photograph of Kofi Obeng, farmer, allegedly killed by Fulani herdsmen in 2008
 - (ii) Photograph of Kwame Awuah Solomon, allegedly shot and killed by Fulani herdsmen.
 - (iii) A photograph depicting a scene of fire set to grass, allegedly by Fulani herdsmen, so that it will generate fresh grass for their cattle to feed on.

Applicants; which is protected under article 18 (2) of the Constitution.

He contended that, cattle ranching involves the confinement of the animals at a specific area. In the instant case however, he claimed, there is no specific place to which the animals are confined. Rather, the herdsmen roam across the Traditional area during the day and the night, causing destruction to farms and water bodies; thereby creating great nuisance to the Applicants and other farmers.

He referred to the various nefarious activities allegedly committed by the Fulani herdsmen, including the destruction and burning of farms, the cutting of water melons for the cattle to use as water, rape, murder and pollution of drinking water source etc; all of which were captured by the Applicants in their affidavits.

He labeled the presence of the Fulani herdsmen on the land as illegal, and their alleged nefarious activities as confirming the fear the Traditional Council itself entertained in the lease.

According to him, even though the report of the Committee set up to investigate the issue (exhibit OKA4) recommended the flushing out of the Fulani herdsmen, the Executive arm has failed to act over a year after the report came out.

In the face of the harassment and executive in-action, he posited, the Applicants have no where else to go than to seek sanctuary at the court.

He revealed that he could not find any case to back the application, in spite of his strenuous search, but was optimistic that the application was rightly before the court. He referred to the affidavit of the 1st Respondent's legal officer confirming the rightness (at least in them) of the remedy they seek, and the failure to challenge the Applicants averments and concluded that the application ought to be granted.

He prayed that the application be granted and an order issued for the flushing out of the Fulani herdsmen as recommended by the committee of Inquiry.

I have stated supra that the 2nd Respondent did not file any affidavit in response or at all. The failure of the 2nd Respondent to file any affidavit in opposition creates the assumption that it admits the factual averments of the Applicants in their affidavits.

In FRANCIS ASSUMING & 640 & ORS V DIVESTITURE IMPLEMENTATION COMMITTEE & ORS (2008) 3 GMJ 35 THE Supreme Court held,

“(4) A party who is served with a motion supported by an affidavit but does not file any affidavit in opposition to what is deposed to against him stands a high risk of having the motion granted against him. Where no affidavit is filed in opposition to another in support of a motion, the effect in law is that no issue is joined between the parties. In the absence of any deposition in an affidavit in opposition the respondent is deemed to have admitted the supporting affidavit, albeit, sub silentio “

The failure by the 2nd Respondent to challenge the Applicants' averments only amount to admission of the factual averments; the 2nd Respondent could raise legal objections to the application under the authority of REPUBLIC V COURT OF APPEAL, ACCRA; EX-PARTE TSATSU TSIKATA (2005-2006) SCGLR 612 and BONSU V FYIFAH & ANOR (2001-2002) 1 GLR 9.

As the records indicate, the 2nd Respondent failed to turn up on the day the motion was moved, to raise any legal objections to same.

The 1st Respondent has also conceded to the right (in theory) of the Applicants to the grant of the application.

The failure of the Respondents' to contest the matter does not resolve into an automatic right of the Applicants to

the grant of the application. The court has a duty to examine the application microscopically and determine same on its merits.

In the EX-PARTE TSATSU TSIKATA case (supra), the Supreme Court held, inter alia, (holding 3),

“...where it was the court’s discretionary jurisdiction which was being invoked, the court or tribunal seized with the matter, was under a legal obligation to determine whether, in any event, on the merits, the applicant was entitled to the prayer sought”.

I proceed to discharge my duty by a consideration of the one-sided application on its merits.

The Constitution, article 18 (1) provides,

- “(1) Every person has the right to own property either alone or in association with others.
- (2) No person shall be subjected to interference with the privacy of his home, property... except in accordance with law and as may be necessary in a free and democratic society for public safety or the economic well-being of the country, for the protection of health or morals, for the prevention of disorder or for the protection of the rights or freedoms of others”

Article 13 (1) of the constitution also provides,

“No person shall be deprived of life intentionally except in the exercise of the execution of a sentence of a court in respect of criminal offence under the laws of Ghana of which she has been convicted”

The Applicants claim that their right to life and to own property and live in peace and in security are being trampled upon by Fulani herdsmen operating in the subject traditional area. They also allege that some members of the community have been deprived of their lives extra-judiciary by Fulani herdsmen. This is not the

first time people from the area have made such complaints and issued protestations. Exhibit "OKO 2" shows that on the 13/2/11, representatives of virtually all identifiable groups and associations met at the Agogo Community Centre, to among others,

"... Discuss the social, economical and environment problems caused by Fulani herdsmen and their cattle on Agogo sections of Afram Plains of Asante Akim North Municipality..."

On the agenda for discussion was the killing of certain persons allegedly by Fulani herdsmen, destruction of farms and crops, raping of women on their farm, causing of bush fires, threat to farmers who spray their crops with chemicals, close down of Heboone clinic and schools, use of weapons by Fulani herdsmen and pollution of rivers and streams, among others. In all, representatives of 21 groups and associations are listed as having taken part in the meeting.

At the end of the meeting, it was decided,

"...To this end, the various aforementioned groups and citizens of Agogo strongly appeal to the Minister of Interior working in collaboration with the Regional Security Council, the Municipal Assembly Asante Akim North and the Agogo Traditional Council to intervene with a sense of urgency by evacuating and removing all the Fulani herdsmen and their cattle from Agogo Stool lands..."

The meeting of the citizens of Agogo aforementioned had been preceded by a demonstration on 30/4/10, during which police allegedly fired some shots, injuring a number of persons. The meeting of the associations on 13/2/11 was to demand quick action on the report of the committee set by the government, pursuant to the 30/4/10 disturbances.

The Dadson Committee which was set up by the government after the events of 30/4/10, made a lot of far reaching recommendations. The seventh (vii) and

Order 67, and at the same time moved the court for judicial review under Order 55. A combination of the two applications will create a hydra-headed caricature, a monster with toxic venom which I have no means to control, direct or manipulate.

My view is that, the application should have been brought specifically under Order 33 of the Constitution and Order 67 of C.I. 47. In fact, that was what was done. What confused the application was the inclusion in the heading, of "Order 55".

The wrong heading however cannot denigrate from the substance of the application.

IN THE REPUBLIC V THE HIGH COURT, ACCRA,
EX-PARTE MILLICOM GHANA LTD
(SUPERPHONE CO LTD INTERESTED PARTY) SC
Civil Motion No. JS/43/2008, Atuguba JSC, put the matter beyond doubt when he stated at P.3,

"... If a court has jurisdiction over a matter I do not think that the erroneous citation of the relevant rule matters".

The court considers the application as having been brought for the enforcement of the fundamental human rights of the Applicants under article 33 of the Constitution and Order 67 of C.I. 47.

The presence of "Order 55" is not welcome and same and is struck off.

I understand the reason why the Applicants' counsel had to "arrest" "Order 55" and produce it in this case.

The application is praying for a "mandatory injunction", but Order 67 (8) which stipulates the specific orders the court can make, did not mention "mandatory injunction". He needed not to have worried.

When an applicant comes under article 33 and Order 67, the "directives, orders or writs" that the court may issue are as contained in Order 67 rule 8. The said rule provides,

"The court may issue such directions, orders or writs including writs or orders in the nature of habeas, corpus, certiorari, Mandamus, prohibition and quo warrant as it may consider appropriate for the enforcing or securing the enforcement of any of the provisions on the fundamental human rights and freedoms of the constitution to the protection of which the applicant is entitled"

The fact that mandatory injunction was not mentioned by Order 67 (8) does not mean that it is excluded. Clearly, the *expressio unius est exclusio alterius* rule does not apply here. The orders mentioned are among the other ones not mentioned, but which can be made. That is why the orders mentioned is preceded by the word "including". The other ones not mentioned are not excluded.

Mandatory injunction belongs to the class of prerogative writs, orders or directives such as habeas corpus, certiorari, mandamus, prohibition and quo warranto.

I conclude that, I have the jurisdiction under order 67 (8) to issue an order of mandatory injunction.

In, conclusion, the application has merit and same is upheld.

The Applicants' exhibited some confusion as to the person or body against whom the Order should be issued.

The motion paper itself prays that the Order should be issued against the Attorney-General and the Agogo Traditional Council.

The petition of the Agogo Mma Associations was directed primarily to the Minister of the Interior. Meanwhile, it is the Regional Security Council (REGSEC) which set up the committee whose recommendation the application is seeking to enforce. In his submissions, counsel for the Applicants prayed that

an order should be made for the enforcement of the recommendations of the Dadson Committee.

The Regional Co-ordinating Council has over-all responsibility for this region. The Dadson Committee was set up by the REGSEC. The Dadson Committee presented its report to the REGSEC which specifically is in charge of security issues in the Region.

Any Order for the implementation of the recommendations of the Dadson Committee, in the circumstances can properly only be made against the REGSEC.

The court hereby issues a mandatory injunction directed at the REGSEC, Ashanti Region, (and by implication, the Regional Coordinating Council and the Executive branch of Ghana) to take immediate, decisive efficacious and efficient action to flush out all cattle in the following villages and localities in the Agogo Traditional/Area in the Akim North Municipality: Aberewapong, Mankala Nyamebekyere, Kowereso, Adonienu, Bobuoso, and Brahabehome.

The only exception are cattle that have been properly confined in a permitted locality.

Anyone who engages in a trade or business must be ready for it. Those who rear cattle must do so properly. That means, confining the cattle and feeding them at the confined area. The time has come to end the nomadic cattle rearing tradition in this country. It sharply conflicts with the rights and activities of food crop farmers who constitute the majority.

Any cattle farmer without the means to confine his cattle and fend for them is not ready for that business, and must get out of that business for another one.

Professionalism and propriety cannot only be demanded of politicians, judges, lawyers, doctors, policemen, teachers and the like. Farmers, painters, cobblers and every one living under the constitution must act with

APPENDIX 2: REGIONAL SECURITY COUNCIL (REGSEC) DOCUMENT

TESTIMONIES OF ASSEMBLY MEMBERS AND CATTLE OWNERS AN OPINION

LEADER

Introduction

The following persons appeared before the Committee and gave information on the activities of Fulani herdsmen in their communities. They included six Assembly members and four cattle owners other than Alhaji Grunshi's group:

- | | | |
|-------------------------------|---|----------------------------|
| 1. Hon. Peter Abajie | - | Ananekrom Electoral Area |
| 2. Hon. Felix Akpabli | - | Aberewapong Electoral Area |
| 3. Hon. Prosper Ayikpa | - | Dukusen Electoral Area |
| 4. Hon. Asare Bouda | - | Onyemso Electoral Area |
| 5. Hon. Ahmed Navropeh Loryah | - | Behame Electoral Area |
| 6. Hon. Derrick Amuah Yaw | - | Patiban Electoral Area |
| 7. Gariba Dansufo | - | Cattle Owner |
| 8. Alhaji Adam Ahmed | - | Cattle Owner |
| 9. Alhaji Kussim Dunda | - | Cattle Owner |
| 10. Fuseini Hassan | - | Cattle Owner |

Witnesses' Accounts – 14/02/12

1. Hon. Peter Abajie – Assembly Member for Ananekrom Electoral Area

The Honourable Assembly member told the Committee that, indeed Fulani cattle rearing takes place in the following communities within his electoral area: Nsonyomeye, Baaman, Aberewenka, Serebusso, Nanyansa and Kokode. He said the cattle graze mostly at night and that is when a lot of damage to farms and water bodies occurs. Hon. Abajie also said the owners of the cattle within his electoral area were not known to him.

2. Hon. Felix Akpabli – Assembly Member for Aberewapong Electoral Area

Hon. Akpabli confirmed that cattle were in the following communities in his electoral area: Norkulla, Mpesempese, Mantukwa, Dawiso, Opokulrom and Karatsano. He reported that Alhaji Karim Grunshi and Alhaji Bouda had some of their animals in his electoral area. The

Honourable member added that Alhaji Gransah had constructed a kraal for his cattle which number about one hundred and fifty (150).

3. Hon. Prosper Ayikpa - Assembly Member for Dukusen Electoral Area

Hon. Ayikpa, in his submission, said communities like Tema, Bunso, Oforikrom, Afrisere, Akoli and Asuboe all within his electoral area were inhabited by Fulani herdsmen and their cattle. The Assembly member said that two (2) years ago, three (3) Fulani herdsmen were arrested and sent to the Police Station at Agogo for damage caused to farms by their cattle. And that one Musah Ali has a very good knowledge of the activities of the Fulani herdsmen in the Afram Plains. That he (Ali) knows the herdsmen who were arrested.

Hon. Ayikpa added that the farms that were destroyed belonged to one Kwaku Dagarti, and that Musah Ali had informed him (Hon Ayikpa) that the cattle owner had offered three cows to be sold and the proceeds paid as compensation for the farms destroyed. He said the cows were sold for a total of Two Thousand, Six Hundred Ghana cedis (GHe2, 600.00) and the money was handed over to the Agogo Police Commander (DSP Nana Yawson) but Two Hundred Ghana cedis (GHe200.00) was yet to be paid up by the butcher who bought the animals. The Assembly member said the farmer in question however received only Two Hundred Cedis (GHe200.00) as compensation.

The Committee therefore asked the Agogo Police Commander to follow up on the matter and submit a report to it.

4. Hon. Asare Boadu - Assembly Member for Onyemso Electoral Area

Hon. Boadu informed the Committee that communities like, Eguoso, Kronkobi and Patahan within his electoral area are inhabited by Fulani herdsmen and their cattle. The Assembly member also said the cattle graze at night and do destroy people's farms/ crops.

5. Hon. Ahmed Nanyinah Loryah - Assembly Member for Bebofne Electoral Area

The Honourable Assembly member in his submission said that Alhaji Adam Ahmed, a cattle owner, had his herdsmen and cattle at Nyamebekyere and that his animals number about One Hundred and fifty (150). He went further to indicate that one Yussif, another cattle owner, also runs about seventy (70) cattle at Kowreso.

6. Hon. Derrick Amuah Yaw – Assembly Member for Patuan Electoral Area

Hon. Amuah Yaw indicated in his submission that he had on several occasions sighted cattle drinking from Bontre and Onyem which are rivers within his electoral area. He also said that about a year ago, two (2) Fulani herdsmen were arrested for the destruction of farms and food crops by their cattle and sent to the Agogo Police Station. That a compensation of Two Hundred and Eighty Ghana cedis (GH¢280.00) was paid in two installments of One Hundred Ghana Cedis (GH¢100.00) and One Hundred and Eighty Ghana Cedis (GH¢180.00) to the farmer. The Honourable member further said the animals he had seen would number about Six Hundred (600).

7. Alhaji Gariba Dansofo – Cattle Owner

The cattle owner confirmed that he had about One hundred (100) animals that had been in Nyamebekyere for the past fourteen (14) years. He indicated that his area of operation was not fenced and that the animals were shepherded out daily to graze. Alhaji Dansofo produced a transfer of title document executed in 2008 which made him the owner of the land where he rears his animals. The document, on examination by the Committee, indicated that Madam Abena Gyekyawaa had transferred the said parcel of land to Alhaji Gariba Dansofo for the rearing of cattle as a fee.

This assertion was confirmed by Mr. Yebuah Antwi, an in-law to Madam Abena Gyekyawaa who represented her at the meeting.

8. Alhaji Adam Ahmed – Cattle Owner

Alhaji Ahmed confirmed that he had herdsmen tending about One Hundred and Forty (140) cattle of his confined in a fenced arena. He, however admitted that he had no water within the fenced area for the animals, and that the animals do leave the fenced area to graze and return back. Even though Alhaji Ahmed indicated that he had acquired the land about eight (8) years ago, he could not produce any valid document to support his claim.

9. Alhaji Kussim Dauda - Cattle Owner

Alhaji Dauda said he had about Five Hundred and thirty (530) cattle at Kowereso. He admitted, his animals were not confined and that he had no private source of water for them either.

10. Mr. Fuseini Hassan - Cattle Owner

Mr. Hassan told the Committee, he had seven hundred (700) cattle at Kowereso and that they were not confined. He also admitted that he had no document which legitimizes his cattle business at Kowereso.

Report by DSP A. N. E Yawson and Mr. Musa Ali – 09/03/12

11. DSP A. N. E Yawson – Agogo Police Commander

Convinced that having been handling cases reported/settled at the Agogo Police Station brought against cattle owners and Fulani herdsmen, DSP Yawson was better placed to mobilize the cattle owners and herdsmen in Agogo Asante Akim to convey to them a two-week deadline for the cattle and their attendants to voluntarily vacate the area, and therefore tasked him at its February 14, 2012 meeting to:

- a) Report back on the issue of compensation said to have been paid to one Kwaku Dagarti and the Ankobeahene of Agogo Traditional Council (reference: Witness No. 3 – Hon Prosper Ayikpa's account above) and
- b) Meet the cattle owners and herdsmen at Agogo to convey to them the two weeks deadline for their voluntary vacation from Asante Akim Agogo or be forcefully evicted.

On the compensation issue, DSP Yawson reported that Hon. Ayikpa did not turn up for the 24th February 2012 meeting of cattle owners and herdsmen he had accordingly organized at Agogo. He however told the Committee that only One Hundred Ghana Cedis (GHC100.00) was still outstanding in respect of the said compensation involving Kwaku Dagarti and the Agogo Ankobeahene. He informed the Committee that the Ankobeahene was the financier of the farmers whose property was destroyed by the cattle and apparently did have more of the compensation paid to him, and that the Ankobeahene could confirm this.

On the meeting itself, DSP Yawson mentioned that many of the cattle owners and herdsmen failed/refused to turn up for fear of arrest. And for this unfortunate impression, the sense of the

meeting was quickly shifted to the Municipal Assembly Hall at Konongo. That those who attended the meeting were therefore: (1) Abdul Rahman (2) Ali Mamudu (3) Alhaji Boubu (4) Kassim Amir (5) Fuseini Hassan (6) Tanko Zakari (7) Alhaji Meirago.

DSP Yawson said when he conveyed the deadline for the voluntary exit to the meeting, the cattle owners and herdsmen requested for an extension, but he told them he was only a messenger and could not grant the request. That they were to comply, but that he would convey their concerns to the Committee.

**12 Mr. Musa Ali – A resident of Agogo who meditates in matters of conflict between the
Fulanis and the local people (An opinion leader)**

Mr. Musa Ali told the Committee that DSP Yawson gave him the invitation letters to distribute to the herdsmen in the Agogo Afram Plains area but did not resource him. And that no specific addressees were provided. In his view therefore, the February 24, 2012 meeting failed because of poor circulation of the invitation letters and intimidating remarks from the Police and other opinion leaders at Agogo.

APPENDIX 3: INDENTURE AND LAND LEASE AGREEMENT BETWEEN
TRADITIONAL LEADERS AND FULANI CATTLE OWNERS AND HERDERS.

Dated This..... Day of.....

- BETWEEN -

NANA AKUOKO SARPONG
OMANHENE OF AGOGO
ASHANTI - AKIM DISTRICT
ASHANTI REGION

AND

ALHAJI AHMED ABDUL KARIMU GRUSAH
P. O. BOX A17
ABAOBO, KUMASI

LESSEE

SOLICITOR OF THE
SUPREME COURT

Instrument marked "A" referred to in the Oath
sworn before me this 27th day of May 2006



THIS INDENTURE MADE THE 27th DAY OF May, IN THE YEAR OF OUR LORD TWO THOUSAND AND SIX (2006) BETWEEN NANA AKUOKO SARPONG, OMANHENE OF AGOGO, IN THE ASHANTI-AKIM DISTRICT in the Ashanti Region of the Republic of Ghana with the consent and concurrence of the Principal Elders of the Agogo Traditional Council whose consent and concurrence are necessary or requisite by Customary Law for the valid grant or alienation on disposition of any land or other property of the said Stool and which consent and concurrence are hereby testified by some of the Principal members aforesaid witnessing the execution of these present (hereafter called "THE LESSOR") of the one part and ALHAJI AHMED ABDUL KARIMU GRUSAH OF BOX A17 ABOABO, KUMASI in Ashanti Region (hereinafter called "THE LESSEE") of the other part.

1. NOW THIS INDENTURE WITNESSETH

IN CONSIDERATION of rent hereinafter reserved and of the covenants conditions and stipulations on the part of the Lessee to be paid observed and performed the Lessor hereby DEMISES unto the Lessee for the purpose of Cattle farming on the land situate lying and being at NYAME BEKYERE - AGOGO, ASHANTI-AKIM in the Ashanti Region of the Republic of Ghana and bordered on the North-west by Stool Land measuring 1,800 feet more or less on the North-East by Stool Land measuring 1,200 feet more or less on the South-East by Stool Land measuring 1,800 feet more or less and on the South-West by Alhaji Fuseni Hassna's property measuring 1,280 feet more or less which piece or parcel of land with an area of 50.4 acres on the proposed Nyame Bekyere layout and is more particularly delineated on the Plan attached hereto and thereon shown edged Pink TO HAVE AND TO HOLD the same unto and to the use of the Lessee for the term of FIFTY YEARS (50) years from the day of 2006 YIELDING AND PAYING therefore unto the Lessors the yearly rent of \$ million Cedis

2. THE LESSEE HEREBY COVENANT WITH THE LESSOR

- (a) To pay the rent hereby reserved at the times and in the manner aforesaid without any deduction whatsoever.
- (b) Not to use the demised land otherwise than for a Cattle Ranch Farming Purposes only.
- (c) Not to assign sublet or part with possession of the demised land or any part thereof without the prior consent in writing of the Lessor such consent not to be unreasonably withheld.
- (d) Not to allow in or about the demised land anything which may become a nuisance damage or annoyance to the Lessor or any owner or occupier of the adjacent property.
- (e) The Lessee is strictly to ensure that the cattle are kept within the area assigned to him and to ensure that the animals do not stray into other areas which will constitute nuisance to other farmers in the neighborhood.
- (f) To provide facilities to the Cattle in such a way that they do not pollute water bodies outside the area granted.

- (g) The Lessee is strictly forbidden to extend the facilities offered him under this lease to a third party without the consent of the Lessor.
- (h) To provide such other facilities to the cattle so as not to create problems which will undermine Community cohesion and destabilise the Community Leadership because of the activities of the Cattle.
- (i) The Lessee has been made aware that there is a large body of opinion in the Agogo Traditional Area which is opposed to this grant for the simple reason that the Fulani Herdsmen roaming illegally in the area on the whole have engaged in anti-social activities which have disturbed farming activities in the area and has therefore undertaken not to justify these fears by keeping strictly to the conditions of the grant.

3. THE LESSOR HEREBY COVENANTS WITH THE LESSEE AS FOLLOWS: -

That the Lessee paying the rent herein reserved and observing and performing the several covenants condition and stipulations herein on his part contained shall peaceably hold and enjoy the demised land during the said term and any renewed term without any interruption by the Lessor his heirs successors and assigns or any person or persons rightfully claiming by under or in trust for the stool.

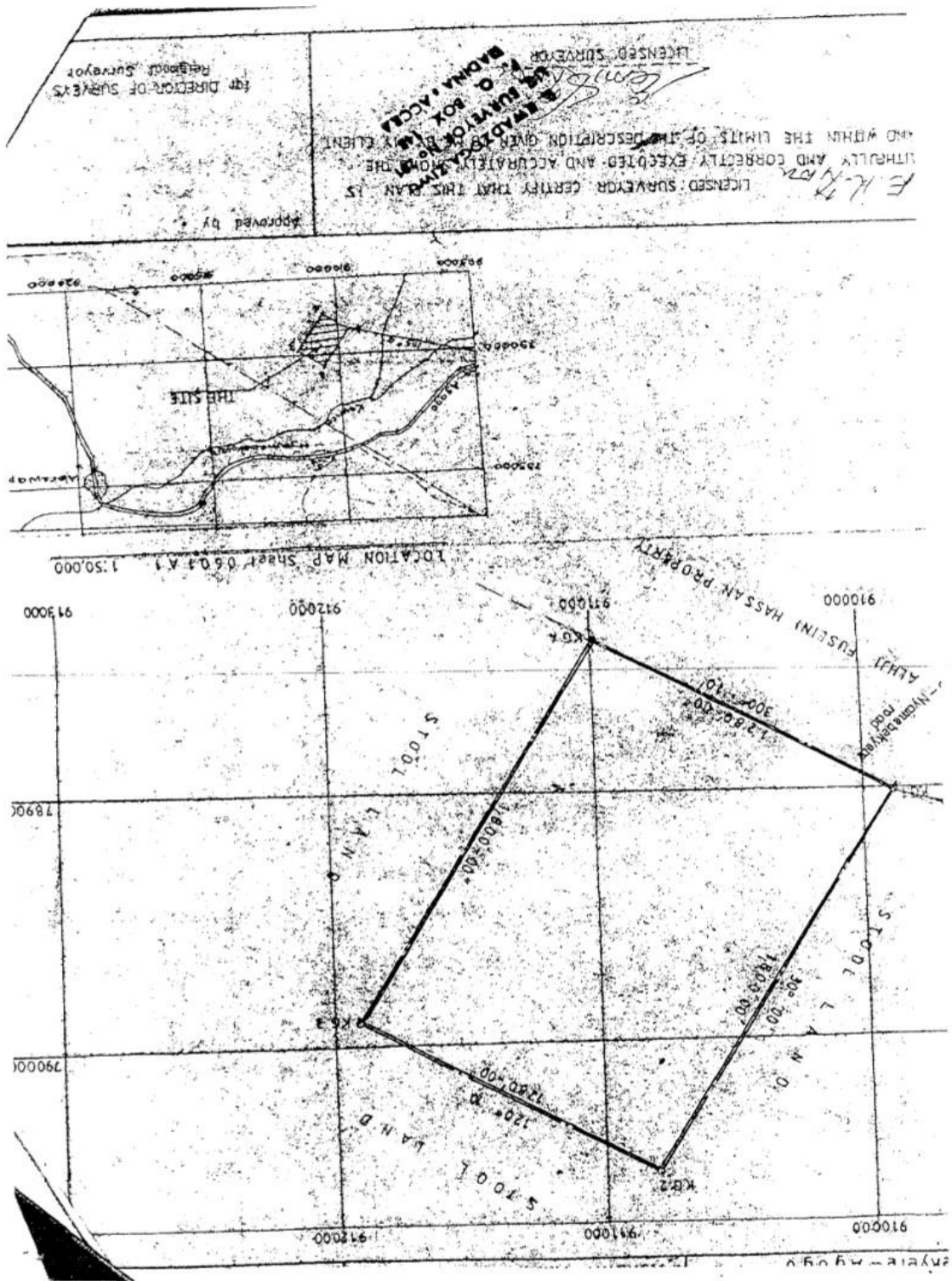
4. PROVIDED ALWAYS AND IT IS HEREBY AGREED AND DECLARED AS FOLLOWS: -

- (a) At the expiration of the term of FIFTY (50) years hereby granted upon application in writing by the Lessee for such renewal and the Lessee shall have the option of the Lease for a further term not exceeding FIFTY (50) years certain and upon terms covenants and conditions to be agreed upon between the Lessors and the Lessee.
- (b) At notice requiring to be served hereunder shall be sufficiently served on the Lessee if delivered personally or sent by registered post to him at his usual or last known place of abode and on the Lessors if delivered personally or sent by registered post to them at the usual or last known place or abode.

THE SCHEDULE ABOVE REFERRED TO:

ALL THAT PIECE OR PARCEL OF LAND SITUATE LYING AND BEING AT NYAME BEKYERE – AGOGO, ASHANTI-AKIM in the Ashanti Region of the Republic of Ghana and bordered on the North-west by Stool Land measuring 1,800 feet more or less on the North-East by Stool Land measuring 1,200 feet more or less on the South-East by Stool Land measuring 1,800 feet more or less and on the South-West by Alhaji Fuseni Hassna's property measuring 1,280 feet more or less which piece or parcel of land with an area of 50.4 acres on the proposed Nyame Bekyere layout and is more particularly delineated on the Plan attached hereto and thereon shown edged Pink TO HAVE AND TO HOLD the same unto and to the use of the Lessee for the term of FIFTY YEARS (50) years from the day of 2006 YEILDING AND PAYING therefore unto the Lessors the yearly rent of ₵

- (c) This Agreement will be reviewed after five (5) years.



WITNESS WHEREOF the parties hereto have hereunto set their respective hands and seal the day and year first above-written: -

SIGNED SEALED AND DELIVERED
NANA AKUOKO SARPONG
OMANHENE OF AGOGO TRADITIONAL
AREA in the presence of: -

1- *Nana Akwasi Baidoo*
(NIFAHENE) *Akwasi Baidoo*

2- *Nana Kwame Baamah* (AKWAMUHENE)
Nana Kwame Baamah

SIGNED SEALED AND DELIVERED
By the said ALHAJI AHMED ABDUL
KARIM GRUSAH in the presence
of: -

AHMED FARAZ

Box A.17 - Abouba K. K. K.

Nana Akwasi Baidoo
(NANA AKUOKO SARPONG)

President

AGOGO TRADITIONAL COUNCIL

ALHAJI AHMED ABDUL KARIM GRUSAH
ALHAJI AHMED ABDUL KARIM GRUSAH

OATH OF PROOF

Bawa Mahama
I, *Mahama* (Box 1704) *Nana* of *Agogo* make Oath and say that on
the *10* day of *June* 20*08* was present and saw NANA AKUOKO SARPONG duly
execute the Instrument now produce to me and marked "A" and that the said LESSOR
can read and write.

SWORN AT *Agogo* THIS *10* DAY

OF *June* 20*08*

DEPONENT



BEFORE ME

REGISTRAR OF THE HIGH COURT

DEPUTY CHIEF REGISTRAR
HIGH COURT

CERTIFICATE OF PROOF

On the *10* day of *June* 20*08* at *9:30* clock in the
noon this Instrument was proved before me by the Oath of the within-named

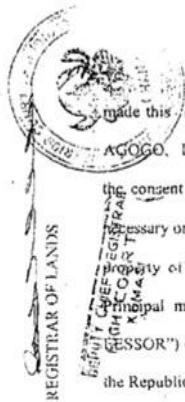
to have been duly executed by the within-named LESSOR.



REGISTRAR OF LANDS

DEPUTY CHIEF REGISTRAR
HIGH COURT
KUMASI

Indenture



This is the historical marked copy related to in the
 Cash of 1,500,000.00 without deduction
 This 6th day of July 2006

made this 6th day of July 2006 BETWEEN NANA AKUOKO SARPONG OMANHEN OF AGOGO, IN THE ASHANTI-AKIM DISTRICT in the Ashanti Region of the Republic of Ghana with the consent and concurrence of the Principal Elders of the Stool whose consent and concurrence are necessary or requisite by Customary Law for the valid grant alienation or dispositions of any land or other property of the said family and which consent and concurrence are hereby testified by some of the Principal members aforesaid witnessing the execution of these present (hereinafter called "THE LESSOR") of the one part ALHAI ALI MAMUDU of Agogo Ashanti-Akim in the Ashanti Region of the Republic of Ghana (hereinafter called "THE LESSEE") of the other part.

1. NOW THIS INDENTURE WITNESSETH

IN CONSIDERATION of rent hereinafter reserved and of the covenants conditions and stipulations on the part of the Lessee to be paid observed and performed the Lessor hereby DEMISES unto the Lessee for the purpose of farming on the land situate lying and being at NYAME BEKYERE-AGOGO, ASHANTI-AKIM in the Ashanti Region of the Republic of Ghana and bordered on the North-west by Stool Land measuring 1,150 feet more or less on the North-East by Stool Land measuring 1,150 feet more or less on the South-East by Stool Land measuring 1,150 feet more or less and on the South-West by Stool Land measuring 1,150 feet more or less which piece or parcel of land with an area of 39.2 acres on the proposed NYAME BEKYERE layout and is more particularly delineated on the Plan attached hereto and thereon shown edged Pink TO HAVE AND TO HOLD the same unto and to the use of the Lessee for the term of FIFTY YEARS (50) years from the 6th day of July 2007 YIELDING AND PAYING therefore unto the Lessor the yearly rent of GH1,500,000.00

2. THE LESSEE HEREBY COVENANT WITH THE LESSOR

- (a) To pay the rent hereby reserved at the times and in the manner aforesaid without any deduction whatsoever
- (b) Not to use the demised land otherwise than for farming purposes only
- (c) Not to assign sublet or part with possession of the demised land or any part thereof without the prior consent in writing of the Lessor such consent not to be unreasonably withheld.
- (d) Not to allow in or about the demised land or any part thereof anything which may be or become a nuisance during the term of the lease or any extension or renewal of the lease or any part thereof

(3) THE LESSOR HEREBY COVENANTS WITH THE LESSEE AS FOLLOWS:

- (a) That the Lessee paying the rent hereby reserved and observing and performing the several covenants conditions and stipulations herein on his part contained shall peaceably hold and enjoy the demised land during the said term and renewed term and without any interruption by the Lessors their successors and assigns or any person or person rightfully claiming by under or in trust for them.

(4) PROVIDED ALWAYS AND IT IS HEREBY AGREED AND DECLARED AS FOLLOWS:

- (a) At the expiration of the term of FIFTY (50) years hereby granted upon application in writing by the Lessee for such renewal the Lessor shall have the option of the discretion to renew the Lease for the Lessee for a further term not exceeding TWENTY-FIVE (25) years certain and upon term covenants and conditions to be agreed upon between the Lessor and the Lessee:-
- (b) Any notice requiring to be served hereunder shall be sufficiently served on the Lessee if delivered personally or sent by registered post to him at his usual or last known place of abode and on the Lessor is delivered personally or sent by registered post to him at his usual or last known place of abode: A notice sent by post shall be deemed to be given at the time when in due course or post it would be delivered at the address to which it is sent:-

IN WITNESS WHEREOF the parties hereto have hereunto set their respective hands and Seals this day and year first above written:--

SIGNED/MARKED AND DELIVERED)
by the said NANA AKUOKO SARPONG)
OMANHENE OF AGOGO A/A)
in presence of:)

Nana Akuko Sarpong
President
AGOGO TRADITIONAL COUNCIL

1. *J-B. Ampand*
2. *Joseph N. H.*
SIGNED SEALED AND DELIVERED)
by the said ALHAJI ALI MAMUDU)
in the presence of:)

Sw. Registrar
AGOGO TRADITIONAL COUNCIL

AMMED ABDUL KARIM
P.O. Box H.C. 17
ABOABO - KUMASI

