

INCORPORATING ISLAMIC PRINCIPLES IN DEVELOPING ROBUST POLICIES ON CLIMATE CHANGE IN NIGERIA

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Abstract

This paper examined the legal issues related to climate change, particularly the incorporation of Islamic principles in developing robust policies on climate change in Nigeria. This is because climate change challenges also transcend historical legal approaches and require judges to incorporate not just the views of different parties, but also the interests of the collective and future generations, particularly an Islamic-oriented view to that effect. This paper applies doctrinal legal research methodology to examine and analyze Islamic principles in developing climate change policies in Nigeria. Specifically, the paper analyses the following questions: to what extent do the legal frameworks on climate change in Nigeria address climate change challenges? How do Islamic principles influence climate change policies in Nigeria? What role does Islam play in mitigating climate change and promoting sustainable development? Therefore, this paper found, among other things, that there are inadequate climate change policies and enforcement mechanisms in Nigeria among other findings. On the basis of these findings, the paper concluded that integrating Islamic-based principles and ethics can promote more inclusive and justice-oriented climate change policies. Finally, the paper recommends that involving all climate change stakeholders in addressing the challenges of climate change will go a long way in strengthening the policies and further reduce the activities leading to environmental changes.

Keywords: Climate Change, Islamic Principles, Robust Policies, Nigeria and Legal Issues

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1.1 INTRODUCTION

This paper examined the legal issues related to climate change, particularly incorporating Islamic principles in developing robust policies on climate change in Nigeria. Climate change has become one of the greatest global environmental challenges, and Nigeria is strongly predisposed to intense negative impacts of climate change due to its fragile economy, weak resilience, and low adaptive capacity.¹ Nigeria being a multi-religious country stems from the singular fact that the nature of our Constitution recognizes the existence of religious bodies, provided it does not infringe on the right of existence of other religions. Section 10 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) provides that the government of the Federation or of a state shall not adopt any religion as state religion. This simply means that citizens of the nation are at liberty to have and practice a form of religion.² Principles of the Islamic religion have been the tool or instrument used in most cases in shaping the behaviors of the people with regard to climate change and environmental protection in Nigeria.

Undoubtedly from the foregoing that the environment is of great benefit to humans in their continued survival; just as humans are to the environment for its sustainability. The effects and impacts of climate change has been the greatest challenge facing Nigeria, but principles of Islamic religion in the developing robust climate change policies have been deliberately neglected in addressing the menace. However, there is the need for principles of Islamic religion to be involved and take the lead far more than they have been, in mitigating the challenges of climate change and protection of the environment

¹ National Policy on Environment (2016) reversed p.36

² Emilie, C.I.N, (2019) Nigeria's Multi-Religious practice: A challenge to sustainable Environmental Protection. AJLHR 3(2) p. 115

generally. This is because principles of Islamic religion would take advantage of its wider spread and influence in society to positively engage in climate change advocacy. It has done so to the culture of the people as well as their education. As such, through the timely intervention of Islamic religion on climate change-related issues, humanity can be guided away from definite activities that are inimical or harmful to the environment.

The challenges of climate change are mainly caused by human activities/ interference, which have exceeded the bounds of natural variability. Greenhouse gases play a significant and crucial role in keeping the Earth warm and conducive. The greenhouse gases are made up of methane, nitrous oxide, ozone, and carbon dioxide. Currently, the level of these gases has tripled in recent decades. It is pertinent to state that climate change, as a profound driver of change, presents both hazards and potential opportunities. Climate change is a complex phenomenon which has multiple effects on countries of the world, particularly the developing countries.³

On the other hand, climate change is an adverse environmental phenomenon that is causing enormous global concerns. This phenomenon is refers to some anomalies in the climate system that are a result of human activities.⁴ Nigeria has been recognized as being vulnerable to climate change, and global warming, if left unchecked, will cause adverse effects on livelihoods in Nigeria, such as crop production, livestock production, fisheries, forestry and post-harvest activities, because rainfall regimes and patterns will be altered; floods that devastate farmlands will occur; increases in temperature and humidity, which increase pests and diseases, will occur and other

³ Nigeria-Climatology-Climate Change Knowledge Portal, <
<https://www.climateknowledgeportal.worldbank.org>. Accessed on 24 June, 2025

⁴ Idowu, A.A, *et 'al* (2011) Impact of Climate Change in Nigeria. Iranian Journal of Energy & Environment, Researchgate 2 (2) p.145-152

natural disasters like floods, ocean and storm surges, which not only damage Nigerians' livelihoods but also cause harm to life and property, will occur.⁵

Climate change has brought a lot of disruptions in the physical, ecological, and social systems in the world.⁶ Human activities have been recognized as the major driver of climate change, primarily due to ineffective environmental protection and also the burning of fossil fuels like coal, oil, and gas.⁷ Whereas environmental protection needs to take account of all aspects in order to be successful and to ensure sustainable development, which accounts for why public participation is especially important, the Islamic religion views on developing robust policies associated with climate change. This is because climate change challenges also transcend historical legal approaches and require judges to incorporate not just the views of different parties, but also the interests of the collective and of future generations, particularly an Islamic-oriented view to that effect.⁸

Nigeria, like the rest of the countries in the world, is making commitments to mitigate climate change by enacting various laws and policies such as the National Environmental Standards and Regulation Enforcement Agency (NESREA) Act 2007, Climate Change Act 2021, United Nations Framework Convention on Climate Change (UNFCCC), and National Climate Change Policies for Nigeria 2021-2030, among other laws and policies. As the ground norm, the

⁵ "Op.cit." p.145

⁶ Adger, W.N et al (2011) Under-representation of Identity and Meaning in Climate Change Decision Making, *Global Environmental Politics* 11(2) p. 13

⁷ United Nations climate action. Available at [un.org. /en/climate change/what-is-climate-change](https://un.org/en/climate-change/what-is-climate-change). Accessed on 2/7/2025

⁸ Oluduro, O.F (2015) *Mitigating the Effects of Climate Change in Sub-Saharan Africa Via an Effective International Legal Standard: A Case Study of Nigeria*. Being a doctorate dissertation submitted to the Faculty of Law Ghent University, Belgium. p.80

Constitution charges the government with the duty of protecting and improving the environment, including wildlife, forestry, air, water and land.⁹

Mostly, in Nigeria, the majority of the Muslim faithful is found in the Northern part of the country, where we have recurrent ecological problems such as drought, flood, desertification, erosion, and deforestation, among others. Therefore, according to the teachings of Islam, every Muslim is expected to see a free ecological problem zone in the northern part of Nigeria, populated by about seventy-five to eighty percent of the adherents of Islam. Hence, the presence of challenges related to climate change in Nigeria, particularly the north, calls into question the religion “Islam” since it is the primary source of values that determines the adherents’ decisions regarding the environment. In fact, the Islamic religion is being implicated in view of the fact that the decisions of its adherents on anything that pertains to life and the natural environment are based on the value systems and ethical principles from the religion.

Although, climate change is an alteration in the statistical properties of meteorological variables over a long period of time, irrespective of the cause.¹⁰ However, in spite of numerous laws, regulations, and policies developed in Nigeria towards mitigating the effects and impacts of climate change, none have considered incorporating Islamic principles in developing robust policies on climate change in Nigeria, which, in our view, is inimical to a positive response to the climate change menace. Evidently, mitigating climate change impacts requires not only robust International and national frameworks; however, the role of Islamic principles, which offer a unique view on climate change

⁹ Section 20, Constitution of the Federal Republic of Nigeria 1999. (As amended).

¹⁰ Princeton, B., (2022). “Awareness on the Recent Trends of Global Climate Change”, *Journal of Educators, Teachers and Trainers*, Vol. 13 (6) p.13

governance that prioritizes equity and communal responsibility, bridges gaps in existing global policy frameworks.¹¹

It is within this background that this paper seeks to analytically examine the legal framework related to climate change in Nigeria and further explores the principles of Islam in developing robust policies on climate change and further evaluates the measures and the level of awareness of legal mechanisms (laws, policies, regulations, and institutions) related to climate change that would enhance global best practice in Nigeria in line with the international climate change obligations. As such, this paper adopted and applied a doctrinal legal research methodology to examine and analyze the incorporation of Islamic principles in developing robust policies on climate change in Nigeria.

2.1 CONCEPTUAL AND THEORETICAL FRAMEWORK

Climate change has been a global menace, which necessitated the countries across the world to enact laws and policies with view to be in sync with global best practice in mitigating the issues depending on the peculiarity of each nation nature of the climate change, be it global warming, desertification, increased flooding, erratic rainfall patterns, rising temperatures, and droughts, which significantly affect agriculture, economy, and overall livelihoods, highlighting the need for robust climate change policies and adaptation strategies to mitigate these effects; key areas of focus would include managing deforestation, flooding, desertification, promoting sustainable agriculture, and developing climate-resilient infrastructure.¹²

¹¹ Hussein, J.M, et al (2024), Islamic Perspectives on Climate Change and Global Policy Frameworks. *Al-Istinbath Journal Hukum Islam*, Vol. 9 (2) ResearchGate. p. 724

¹² Idowu, A.A, et al, (2011) Impact of Climate Change in Nigeria. *Iranian Journal of Energy & Environment*, Vol. 2 (2) Researchgate. p.145-152

2.1.1 Climate Change

However, climate scientists always aim to communicate their expertise to people without giving sufficient background on the meaning of climate change. To fully understand and appreciate the concept of climate change, it is necessary to first define the term „climate“ and highlight its difference with other related terms such as “weather”. Climate refers to the long-term regional or global average temperature or weather over a long period (30 –50 years) in a region. It is the average weather patterns and trends over an extended period of time.¹³ Climate change is the long-term shift or alteration of temperature and weather conditions in a given region. These alterations, however, lead to global warming, altered precipitation patterns, and extreme weather conditions.

2.1.2 Religion

Religion is the set of beliefs, feelings dogmas and practice that define the relation between human being and sacred or divinity. It is the belief in the worship of a super human controlling power especially a personal God or god.¹⁴ Religion also means belief in the existence of a supernatural ruling power, the controller of the universe, who has given to man a spiritual nature which continues to exist after the death of the body. In fact, it is the belief in the existence of a god or gods, and the activities that are connected with the worship of them.¹⁵ Religion is a unified system of belief and practices relative to sacred things, that is, things set apart and forbidden. This belief unites into one single community all those who adhere to them.

¹³ Nigeria-Climatology-Climate Change Knowledge Portal, <
<https://www.climateknowledgeportal.worldbank.org>.
accessed on 24th June, 2025 at 8:00pm.

¹⁴ Emilie, C.I.N, (2019) Nigeria’s Multi-Religious practice: A challenge to sustainable Environmental Protection. AJLHR 3(2) p. 116

¹⁵ A.S Hornby, (2006) Oxford Advanced Learner’s Dictionary (7th ed), Oxford University Press, New York p.1231

2.1.3 Islamic Principles

Islamic principles is considered as one of the most important legal systems in the world, which includes a set of religious provisions and teachings that regulate the lives of Muslims in various aspects of their lives, and Sharia relies on a set of main sources, namely the Holy Qur'an, the Sunnah of the Prophet, consensus and measurement, and is characterized by containing comprehensive teachings and provisions starting from beliefs, morals, transactions, worship, rituals and others.¹⁶

2.1.4 Policies

Policies are set of laws, regulations, procedures, administrative action, incentive, or voluntary practice of governments and other institutions.¹⁷ Policies Providing the Framework for Rules: Policies set the context and establish the general principles and values that govern the organization. Rules are then developed within that framework to address specific situations and ensure compliance with the broader policies. Therefore, climate change policies are set of laws, regulation and procedure aims at addressing the global challenges of climate change.

3.1 CAUSES OF CLIMATE CHANGE

The factors that cause climate change are numerous; fundamentally, climate change is as a result of change in the earth's energy balance i.e. the amount of energy from the sun that enters the earth.¹⁸ While

¹⁶ Stardom University, Islamic Law concept and sources. Available at <https://stardomuniversity.edu.eu/islamic-law-concept-characteristics-sources-and-principles>. accessed on 30th July, 2025 b at 6:54pm

¹⁷ Available at <https://www.cdc.gov/polaris/php/policy-resources-trainings/definition-of-policy>. Accessed on 30th July, 2025 at 7:25pm

¹⁸ What is Climate Change? (Grades K-4)-NASA. < <https://www.nasa.gov>> accessed on 28th July, 2025 at 3:00pm

climate change can occur naturally, it has been indicated that human activity is a major driver of recent and rapid changes observed in the climate which has significantly contributed to greenhouse gas emissions.¹⁹

3.1.1 Human-Induced Causes:

Climate change that is as a result of human activity is sometimes referred to as anthropocentric i.e. caused by human beings.²⁰ These activities include; Burning of Fossil Fuels: This leads to the significant release of carbon dioxide (CO₂) and other greenhouse gases into the atmosphere, leading to enhanced greenhouse content and consequently, global warming. Human-induced causes can be as a result of industrial processes, deforestation and poor waste management.

3.1.2 Natural Causes

It is important to note that climate is not solely a direct effect of human activity. Some of it can be attributed to natural phenomena, though the effect is minimal, more often than not.²¹

- a) Volcanic Eruptions: in events where volcanic eruptions occur, large amounts of Sulphur dioxide (SO₂) and other particulates, this can temporarily cool the Earth but can also contribute to long term climate change through CO₂ emissions.
- b) Orbital Changes: (Milankovitch Cycles): Variations in the Earth's orbit and tilt affect the distribution and intensity of sunlight received by the Earth, influencing long- term climate patterns over extended periods of time.

¹⁹ What Causes Climate Change? Human and Natural Causes-NRDC. Available at <https://www.nrdc.org>. Accessed 30th July, 2025 at 7:52pm

²⁰ "Op.cit."

²¹ "Op.cit."

- c) Natural Carbon Cycle Variations: Natural processes such as respiration, decomposition, and ocean atmosphere CO₂ exchanges can vary and impact the climate.

4.1 HISTORICAL BACKGROUND OF CLIMATE CHANGE LEGAL FRAMEWORKS IN NIGERIA

Notably, before 2021, Nigeria lacked specific climate change legislation for regulating climate change related matters. However, this does not mean that the Nigerian government was not making efforts to address climate change challenges. However, in year 2007, two competing bills were presented to the National Assembly to enhance the capacity of establishing, coordinating, and implementation of climate change policies in Nigeria; whereof one of the bill suggested the creation of a climate change agency under the Ministry of the Environment, while the other bill proposed to establish an independent National Commission on Climate Change²² Unfortunately, both bills faced challenges during the legislative process and were not passed.²³

However, in 2010, the National Assembly passed the Climate Commission Bill, which, regrettably, did not receive presidential assent (FGN, 2015). Another climate change bill was presented in parliament, the bill which sought to establish a legal framework for integrating climate change responses and actions into government policy formulation and implementation. Moreover, the bill suggested the creation of a council responsible for coordinating climate change governance and supporting the adaptation and mitigation of climate change's negative effects in the country. The bill was successfully

²² Ogunbode, C. A., et'al (2019). Climate change legislation in Nigeria: A critical review of the challenges and opportunities. *Journal of Climate Policy*, 3(2), pp.1018-1031.

²³ Oluduro, O. F. (2021). Combating climate change in Nigeria: An appraisal of constitutional and legal frameworks. *Wisconsin International Law Journal*, 32(2), pp.270-300.

passed into law by the lower house of the Nigerian parliament (the House of Representatives) in 2017 and eventually underwent the necessary legislative procedures in the upper house (the Senate).²⁴

Notably, 2021 when the Climate Change Act was enacted in Nigeria, climate change regulation was governed by general environmental laws. Although these laws indirectly contributed to climate change mitigation and adaptation, they also helped in achieving the targets outlined in Nigeria's Nationally Determined Contributions (NDC). For instance, the Constitution of Federal Republic of Nigeria, 1999 (as amended), holds significant influence over the enforcement of environmental rights, including those related to climate change.

Therefore, an examination of the relevant provisions of the Nigerian constitution is essential when discussing the legal framework in Nigeria.²⁵

5.1 CLIMATE CHANGE LEGAL FRAMEWORKS

The legal framework for climate change can be categorized into two; International and national.

5.2 International Climate Change Legal Framework

Climate change being a global challenge demands joint action from all countries across the world with view of addressing the menace collectively. To this effect several international measures have been established or put in place to combat climate change through legal and institutional instruments such as international agreements, protocols, policies and conventions.

5.2.1 Pre-United Nations Framework Convention on Climate Change

²⁴ "Op.cit."

²⁵ "Op.cit."

The first international conference on climate change was held in Switzerland in 1979.²⁶ It was then that the United Nations General Assembly (UNGA) recognized climate change as a common concern of mankind which required urgent action by all States. Prior to this Convention, there had been United Nations General Assembly resolutions bordering on the protection of the environment. There was the United Nations Conference on the Human Environment which culminated to the Stockholm Declaration.

After the recognition of climate change as an existential threat, there were United Nations conventions that addressed specific aspects of the environment. For example, there was the UN Convention on the Law of the Sea of 1982, the Vienna Convention for the Protection of the Ozone Layer of 1985, the Montreal Protocol on Substances that Deplete the Ozone Layer, among others. In 1990, the UNGA established an intergovernmental negotiating process for the preparation by an Intergovernmental Negotiating Committee of an effective framework convention related to climate change.²⁷ Thereafter, the United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO) established and still co-sponsor an independent scientific body called the Intergovernmental Panel on Climate Change (IPCC). The body issued its First Assessment Report in 1990. Its latest was the sixth in 2023. The Fifth Assessment in 2014 culminated in the Paris Agreement.²⁸

5.2.2 United Nations Framework Convention on Climate Change (UNFCCC)

²⁶ Asian Development Bank (2020). Climate Change, Coming Soon to a Court Near You; International Climate Change Legal Frameworks

²⁷ UN Environmental Programme, Climate Change International Legal Regime, UNITAR

²⁸ “Op.cit”

The UNFCCC was adopted in New York on 9th May 1992. It entered into force on 21st March 1994.²⁹ With the almost 198 countries having ratified the said Convention giving it a near-universal membership³⁰ with the central focus on global action for climate change. The objectives of the UNFCCC is to stabilize greenhouse gases concentrations in the atmosphere at a level that allows ecosystem to adapt naturally to climate change so that food production is not threatened, while enabling economic development to proceed sustainably.³¹ Furthermore, the parties have general commitments which include: the establishment of national inventories of greenhouse gas emissions and sinks; the formulation and implementation of policies and measures to mitigate and adapt to climate change; the sustainable management of forests, oceans and ecosystem; and the integration of climate change considerations in national social, economic and environmental policies.

5.2.3 Post- UNFCCC: The Paris Agreement COP-21

The Paris Agreement is a legally binding international agreement on climate change which was adopted on 12th December 2015, which was held at Paris Climate change Conference also known as COP-21 of United Nations Framework Convention on Climate Change (UNFCCC) in Paris.³² The purpose of the Agreement seeks to enhance the implementation of UNFCCC, to prevent dangerous anthropogenic interference with the climate system. Its long-term goal is to limit global average temperature to well below 2°C above pre-industrial levels, and to pursue efforts to limit the temperature increase to

²⁹ United Nations Framework Convention on Climate Change-UNFCCC, < <https://www.enb.iisd.org>. >accessed on 22nd June, 2025 at 11:00am.

³⁰ *ibid.* (n 1)

³¹ Article 2 of United Nations Framework Convention on Climate Change.

³² The Paris Agreement on climate change 2015 < <https://www.unfccc.int>. >accessed 12 May, 2025 at 10:00pm

1.5°C.³³ the agreement allows state parties to implement the Agreement to reflect equity according to their common, but differentiated responsibilities.³⁴ it is worth noting that one of the essential provisions of the Paris Agreement is the Nationally Determined Contribution (NDC). The concept implies that state parties should determine at the national level what actions they are able and willing to take in achieving the purpose of the said Agreement.³⁵

5.3. National Legal Framework on Climate Change

The national legal framework associated with climate change may not over emphasize herein, Nigeria, like the rest of the countries of the world, has been making commitments to mitigate the challenges of climate change by enacting numerous laws, policies and further ratified many international treaties and conventions related to climate change toward attending global best practice. The Constitution of the Federal Republic of Nigeria being the ground norm, empowered the government with the duty of protecting and improving the environment including wildlife, forestry, air, water and land among others.³⁶

5.3.1 The Constitution of the Federal Republic of Nigeria

The Constitution of the Federal Republic of Nigeria, 1999 (as amended) serves as the highest law in Nigeria. Within the Constitution, particularly the provision of Section 20 explicitly states that "The State shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria." This provision imposes a

³³ Article 2(1)(a) of Paris Agreement on climate change COP-21

³⁴ Article 2(2) of Paris Agreement on climate change COP-21

³⁵ Article 3 of Paris Agreement on climate change COP-21

³⁶ Section 20, CFRN 1999 (As amended)

responsibility on the Nigerian government to not only shield Nigeria from the detrimental impacts of climate change but also to take measures that prevent Nigeria from contributing to the causes of climate change. Consequently, Nigerians have the right to compel the government to fulfill this constitutional mandate if it fails to do so. However, it is regrettable that Section 20 is placed under Chapter 2 of the Constitution, which has been declared to contain non-justiciable provisions under Section 6 (6) (c) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).

This provision states that the judicial powers vested in the courts in Nigeria under the Constitution "shall not, except as otherwise provided by this Constitution, extend to any issue or question regarding whether any act or omission by any authority or person, or whether any law or judicial decision, conforms to the Fundamental Objectives and Directive Principles of State Policy set out in Chapter II of this Constitution."³⁷ As a result, Section 20 of the Constitution is rendered ineffective in combating climate change because it deprives individuals of the right and power to approach the courts to seek an order compelling the government to enact legislation or policies for climate change regulation and environmental protection, as may be seen in the celebrated case of *A.G. Ondo State vs A.G. Federation*.³⁸ It was held that, even where the government formulates policies or legislation to address climate change, it cannot be held accountable by failure to implement such measures or adhere to the principles of the legislation.

5.3.2 Climate Change Act 2021

The Climate Change Act was enacted in 2021, signed into law by former President Muhamadu Buhari in November 2021 to provide a

³⁷ Constitution of the Federal Republic of Nigeria, 1999 (as amended)

³⁸ (2002) 9 NWLR (Pt.772) 222

legal framework for the country to achieve its climate change goals. Additionally, the policy is to comprehensively address all possible challenges of climate change adaptation and mitigation and to provide a rock-solid foundational framework for ensuring climate change Action Plans, programs and projects, long-term social and economic sustainability and resilience. According to³⁹, the Climate Change Act is a significant and comprehensive local statute in Nigeria aimed at addressing the issues of climate change. It provides a legal and institutional framework for reducing greenhouse gas emissions and aligns with Nigeria's international climate change commitments.

The Act sets a goal of achieving net-zero greenhouse gas emissions between 2050 and 2070, which is consistent with the Paris Agreement's goal of limiting the global average temperature rise to well below 2°C above pre-industrial levels and pursuing efforts to limit it to 1.5°C.⁴⁰ One of the key provisions of the Act is the establishment of the National Council on Climate Change, which is a corporate body with the authority to make policies and decisions on all matters relating to climate change in Nigeria. The council is responsible for coordinating the implementation of sectorial targets, regulating greenhouse gas emissions, and approving and monitoring the National Climate Action Plan, and it also manages the Climate Fund.⁴¹

5.3.3 The National Environmental Standards and Regulations Enforcement Agency (NESREA) (Establishment) Act, 2007

In 2007, the NESREA Act was enacted into law as one of the most important instruments of environmental protection in Nigeria that

³⁹ Akaluzia T., (2022). The Nigerian climate change act—key highlights—Business Day NG.' available at <https://businessday.ng/opinion/article/the-nigerianclimate-change-act-key-highlights/> accessed on 24th May, 2025 at 11:00pm

⁴⁰ Federal Ministry of Environment, 2021

⁴¹ Climate Change Act 2021

replaced the Federal Environmental Protection Agency (FEPA) Act of 1988. It created the National Environmental Standards and Regulations Enforcement Agency, which is in charge of enforcing environmental laws, guidelines, policies, and standards in Nigeria. The Agency also ensures compliance with international agreements, protocols, conventions, and treaties on various environmental issues, such as climate change, biodiversity, conservation, desertification, forestry, ozone depletion, and others.⁴² The NESREA Act⁴³ gives the Agency several powers and duties, such as collaborating with relevant authorities to prosecute environmental offenders and establishing programs for setting standards and regulations for pollution prevention, reduction, and elimination.

5.4 Comparison of Climate Change between Northern and Southern Nigeria

In the Northern part of Nigeria, climate change is significantly impacting the environment, primarily through increased droughts, floods, erratic rainfall patterns, desertification, and extreme heatwaves, leading to severe consequences for agriculture, water availability, land degradation, food security, and livelihoods. This necessitates urgent environmental protection measures to mitigate these effects and promote sustainable practices. The southern part of Nigeria has a lot in common with the North related to the effects of climate change, especially the effects of gas flaring in the Niger Delta, which has long resulted in dangers of environmental pollution and further issues concerning particle pollution in Port Harcourt, Rivers State, regarding

⁴² National Environmental Standards and Regulations Enforcement Agency (NESREA) (Establishment) Act, 2007

⁴³ “Op.cit.”

urban air quality that has constituted a major environmental risk to human health.⁴⁴

Likewise, Southern Nigeria is seriously bedeviled with climatic challenges such as rising sea level, coastal erosion or flooding, and intensified erratic rainfall. Exposure to coastal inundation also threatens Southern Nigeria, including major cities of Lagos and Port-Harcourt and others, due to the lower elevation characteristics in the zone. Similar threats are faced Niger-Delta which is known for its vast marshlands vital for carbon sequestration; yet ongoing coastal erosion, rising seas, and oil pollution are destroying the Delta's mangrove forest, a major buffer against storm surge from the sea.⁴⁵ The northern region is predominantly Muslim, while the southern region is predominantly Christian; the religions provide for different practices that exacerbate the impact of climate change in the areas, such as adaptation measures; however, both regions suffered from a lack of functional legal, policy, and regulatory frameworks in place to checkmate the challenges imposed by climate change.

5.5 Comparison of Qur'anic and Biblical Provisions on the Concept of Environmental Protection

Environmental issues have always been one of the global challenges that need to be considered in this modern era. Climate change, ecosystem damage, biodiversity loss, and environmental pollution are critical issues affecting the well-being of humans and the planet. The impact is felt far and wide, from the health crisis triggered by air pollution to economic losses due to natural disasters, which are

⁴⁴ Anothony O.C and Okey, N.J., (2025) Climate change and intervention in the South-east Zone of Nigeria 2013-2023, Interrogating and Achievements. Federal International Journal of Research and Innovation in social science. p. 4

⁴⁵ Merem, E.C et'al (2019) Regional Assessment of Climate Change Hazards in Southern Nigeria with Gis. Journal of Safety Engineering 8(1) pp. 9-27

increasingly occurring.⁴⁶ The concept of environmental ethics in the Qur'an, Surah Ar-Rum, verse 41, has revealed that damage occurs both on land and sea. This could mean that land and sea are places where destruction takes place, such as murder and robbery in these two areas, or it could also mean that land and sea themselves are experiencing degradation, imbalance, and reduced benefits. The oceans are polluted, causing fish deaths and declining marine products; the land is getting hotter, resulting in prolonged droughts. As a result, the environmental balance is disturbed.⁴⁷

The interpretation of Surah Ar-Rum verse 41 was equally carried out by Al-Wajiz, who opined that there had been damage that was visible in various places, such as drought, famine, fire, flood, disease, anxiety, and arbitrary actions of the enemy, all caused by human sins and mistakes. All of this is a warning from Allah so that humans feel some of the consequences of their actions in this world before they are punished in the afterlife. Surah Ar-Rum verse 41 strengthens the importance of awareness of the impact of human actions on nature and emphasizes the need to preserve the environment as part of obedience to Islamic religious teachings.⁴⁸ With human awareness and concern for the environment, we can protect and use it wisely as a gift from God. This is based on the teachings contained in the Sunnah and Qur'an, which further offer ethical-theological principles that regulate the management of natural resources and emphasize the importance of maintaining the balance of natural and environmental functions that underlines the importance of renewable natural resources.

Furthermore, Fiqh al-Bi'ah, the Islamic environmental jurisprudence, is guided by three fundamental principles rooted in Islamic teaching

⁴⁶ Yayah et'al (2024) Environmental Ethics in Tafsir of the Qur'an (Study of Surah Ar-rum Verse 41 Quraish Shihab's perspective) . Riwayat p. 1223

⁴⁷ "Op.cit" pp. 1226-1227

⁴⁸ Op.cit" pp. 1227-1228 see also surah al-A'raf verse 56

and provides a comprehensive framework for addressing climate change and environmental challenges while adhering to Islamic ethics. Fiqh al-Bi'ah is based on three principles, such as Mizan, which means balance. It emphasizes moderation and equilibrium in all aspects of life, including human interactions with the environment. Another principle is known as Amanah, which means trust. This principle underlines trust from Allah (Swt) to humanity, and lastly, the principle of Maslaha, which means public benefit; it emphasizes that actions and decisions should not only serve individual or community welfare, but should also contribute to the broader benefit of society and the environment. Fiqh al-Bi'ah thus guides Muslims to engage in activities that contribute positively to the environment, such as sustainable agriculture, responsible resource extraction, and eco-friendly practices.⁴⁹

Similarly, bible verses speak to the beauty, responsibility, and divine ownership of our environment and nature. Bible presents environmental stewardship as a sacred responsibility entrusted by God to actively protect, nurture, and sustainably manage the earth. Romans 1:20 emphasizes the creation of the world and the divine nature, while Psalm 104:24-25 further reveals that the Lord, in his wisdom, has made the earth full of creatures; yonder is the sea, great and wide, creeping things innumerable are there, living things both small and great. There are other scripture verses that remind us that God not only created the earth but also calls on us to protect it. From the Psalms to Revelation, the Bible is filled with teachings that emphasize the importance of caring for God's creation. These passages encourage believers to act as stewards of the planet, safeguarding its resources for future generations. Humanity is tasked with both developing the earth

⁴⁹ Nugroho L. (2024) How Muslims can use Fiqh Al-Bi'ah Principles to Combat the Climate Crisis

and guarding or preserving it; this means balancing resource use with active conservation and protection against destruction.⁵⁰ Bible frequently connects human sins, injustice, and greed to the suffering of the natural world. Environmental degradation is viewed as a consequence of humanity failing to uphold its moral duties to God and neighbor.⁵¹

5.6 The Role of Women and Youths in Climate Resilience

Women have played a pivotal role in addressing environmental changes and natural disasters. This involvement could be traced back to indigenous communities, where women have been the primary stewards of land and natural resources. Women possess a deep understanding of their local environment and have acquired knowledge, skills, and adaptive capacities that allow them to effectively respond to climate-related challenges.⁵² The climate crisis is not gender-neutral; women and girls bear the brunt of its impacts, which amplify existing gender inequalities and pose unique threats to their livelihoods, health, and safety. In many religions, women bear a disproportionate responsibility for securing food, water, and fuel for their families. Women are the ones who face and respond to the effects of climate change, yet their role is not understood. Notably, women generally understand better the causes and local consequences of changes in climatic conditions because of the roles they play in society (Productive, reproductive, and community).⁵³ Women are affected differently by climate change impacts, and this calls for their full participation at the decision-making table and climate change

⁵⁰ Genesis 2:15

⁵¹ Revelation 11:18

⁵² Onoh, U.C et'al (2023) Analyzing the role of Women in Climate Change Resilience Building and sustainable Farming Practice in Nigeria. IIARD International Journal of Geography and Environmental Management 9(4) p. 65

⁵³ Muniale F., (2022) The Role of Women in Climate Change adaptation and mitigation. African Forest Forum

discourse processes due to their vulnerable position in society; yet women are considered change agents in natural resource management, farming, innovation, and caregiving; therefore, women are critical for establishing resilient systems and ensuring climate change adaptation and mitigation.⁵⁴ On the other hand, the role of Youth in climate resilience cannot be overlooked; this is because youth are the driving force of climate action.

6.1 ADEQUACY AND PROSPECTS OF THE LEGAL FRAMEWORKS FOR REGULATION OF CLIMATE CHANGE IN NIGERIA

Nigeria's legal framework for climate change regulation faces numerous challenges; however, there are also many opportunities for improvement and action to be considered. Nigeria has ratified several international climate change treaties, but they have not been incorporated into national laws. As such, there is a need to domesticate international climate change treaties. By doing so, these treaties would have legal force and be enforceable within Nigeria, enhancing the country's commitment to climate change mitigation and adaptation.⁵⁵

Likewise, the ineffective enforcement and implementation of existing climate change laws and policies impede progress. By improving enforcement and implementation mechanisms, compliance with climate change regulations would be enhanced, ensuring that the expected impact is achieved.⁵⁶ When the extant laws are fully implemented, Nigeria would be less affected by the menace of global

⁵⁴ Gicheru, M.N., et'al (2024) Gender and Climate Change: The Role of Women in Climate Change Processes. *Asian Journal of Geographical Research*, 7 (1) pp.13-23

⁵⁵ Nriezedi-Anejionu, C. (2020). Could the non-domestication of Nigerian treaties affect international energy investments attraction into the country? *African Journal of International and Comparative Law*, 2 (1), pp.1-25

⁵⁶ Ogunbode, C. A., et'al (2019). *Op.cit* p.1034

warming compared to the present situation the country is experiencing. The adoption of clean energy technologies offers potential for the legal framework. Promoting the use of clean energy technologies would help to reduce greenhouse gas emissions and foster sustainable development. The legal framework could play a key role in incentivizing the adoption of these technologies, encouraging their widespread implementation and integration into Nigeria's energy sector.⁵⁷

6.1 SUMMARY, CONCLUSION AND RECOMMENDATIONS

Summarily, the paper examines and analyzes the legal frameworks related to climate change with a focus on incorporating the principles of Islam in developing robust policies on climate change in Nigeria. Evidently, mitigating climate change effects and impacts requires not only robust International and national frameworks, but also the role of Islamic principles, which offer unique perspectives on climate change governance that prioritize equity and communal responsibility; bridging gaps in existing global policy frameworks may not be overemphasized. This paper equally explores and evaluates the international and national legal frameworks on climate change and the effective role of religion in climate change.

Conclusively, it is a well-known fact that the world grapples with the effects of climate change; hence, the need for innovative, community-driven approaches to be embarked upon in order to mitigate the risks. Therefore, this paper found, among other things, that there are inadequate climate change policies and enforcement mechanisms in Nigeria; secondly, there is a lack of inclusiveness of Islamic principles in developing robust climate change policies in Nigeria, and there is also a total lack of awareness and understanding of the climate change

⁵⁷ Kila, K. O. (2021). Corporate regulation for climate change mitigation in Africa: A case for dilute interventionism. Routledge Press Ltd. p.57

policies. Based on these findings, the paper concluded that integrating Islamic-based principles and ethics can promote more inclusive and justice-oriented climate policies. This integrative approach underscores the potential of Islamic legal principles to strengthen and diversify international climate action, contributing to more equitable and effective solutions.

Finally, the paper recommends that involving all climate change stakeholders, which includes lawmakers, religious bodies, non-governmental organizations, international bodies, individuals, and corporate bodies, in addressing the challenges of climate change will go a long way in strengthening the policies and further reduce and mitigate the activities leading to environmental changes. Incorporating Islamic principles in developing climate change policies would significantly help governments of states, organizations, and even individuals be aware of their role and the necessary measures to be adopted to curb the climate crisis, and these measures should involve comprehensive and practical mitigation and adaptation policies and strategies.

The paper further recommended Mixed -Methods enhancement: add survey/FGDs with Muslim communities to quantify religious attitudes toward climate action. Comparative case studies analyzing successful faith-based models (e.g indonesia eco-pesantren/islamic schools) are also recommended. The paper also recommended a doctrinal deep dive: Apply Maqasid al-sharia (higher objectives) to prioritize environmental preservation (hifz al-bi'ah) as a public good. Finally, recommended policy implementation metrics to track adoption rates of Islamic climate guidelines in Northern states.