

ROLE OF ISLAMIC LAW IN THE PROTECTION AND PRESERVATION OF THE ENVIRONMENT IN NIGERIA: A LEGAL AND EMPIRICAL ANALYSIS

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Abstract

Environmental preservation is an urgent global issue due to the challenges posed by ecosystem degradation, pollution, and climate change. This study examines the role of Islamic law in the protection and preservation of the environment in Nigeria, exploring its legal and ethical foundations and assessing its practical implementation within the country's environmental policies. Islamic law, rooted in the Qur'an, Hadith, and classical jurisprudence (Fiqh), provides a strong ethical framework for environmental conservation, emphasizing principles such as stewardship (khilafah), ecological balance (mizan), and prohibition of waste (israf). However, despite the rich Islamic environmental jurisprudence, its integration into Nigeria's formal environmental policies remains weak. This research employs a qualitative methodology, incorporating doctrinal legal analysis and empirical field research. Data was collected through semi-structured interviews with Islamic scholars, policymakers, legal experts, and environmental activists in Nigeria, along with case studies and legal document analysis. The findings reveal that Islamic law plays an influential yet underutilized role in environmental governance. While Islamic institutions contribute to public awareness, their influence on policy development and enforcement remains limited. The study identifies key barriers such as lack of awareness among policymakers, weak enforcement mechanisms, and limited collaboration between Islamic institutions and government agencies. The research concludes that incorporating Islamic legal

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principles into Nigeria's environmental policies can enhance sustainability efforts by leveraging religious ethics for greater public compliance. The study recommends strengthening collaboration between policymakers and Islamic institutions, developing Shariah-based environmental legal frameworks, and utilizing Islamic financial mechanisms such as Zakat and Waqf for funding sustainability projects. These measures would help bridge the gap between Islamic environmental ethics and formal governance structures, contributing to long-term environmental sustainability in Nigeria.

Keywords: Islamic law, environmental conservation, sustainability, Shariah governance.

1. BACKGROUND

Environmental sustainability has emerged as a critical global concern in light of widespread ecological degradation, climate change, and resource depletion. Various legal frameworks and international policies have been established to combat environmental crises, yet these efforts often lack a moral and ethical foundation that ensures long-term adherence to environmental principles. In this regard, Islamic law offers a comprehensive legal and ethical framework for environmental protection, deeply rooted in divine injunctions and moral responsibility. Islamic teachings emphasize the duty of humans as khalifah (stewards) of the Earth, mandated to preserve the natural world and maintain ecological balance (mizan) as ordained by Allah.¹ Despite the richness of Islamic environmental jurisprudence, its practical application in contemporary legal systems remains underexplored.

¹ The Holy Qur'an. (n.d.). *Saheeh International Translation*. Jeddah: Abul-Qasim Publishing House. "And He has set up the balance (mizan), in order that you may not transgress (due) balance. So, establish weight with justice and fall not short in the balance."

The role of Islamic law in environmental preservation is particularly significant given its emphasis on stewardship, prohibition of wastefulness (*israf*), and the obligation to prevent harm (*darar*). The Qur'an and Hadith repeatedly stress the importance of protecting natural resources, with explicit directives against pollution, deforestation, and excessive consumption.² Prophet Muhammad (peace be upon him) himself exemplified sustainable environmental practices, advocating for tree planting, water conservation, and the humane treatment of animals.³ However, despite these clear injunctions, modern environmental governance in many Muslim-majority countries has yet to fully integrate Islamic legal principles into formal legal and policy structures. This gap raises important questions about the role of Islamic jurisprudence in shaping contemporary environmental laws and whether its principles can be harmonized with existing environmental regulatory frameworks.

This study seeks to examine the role of Islamic law in environmental protection and preservation by analyzing key Islamic legal principles related to sustainability and assessing their practical implementation in Nigeria. Utilizing a qualitative research approach, the study employs case studies, document analysis, and interviews with religious scholars and policymakers to explore how Islamic environmental principles influence modern ecological policies. The findings aim to contribute to the broader discourse on environmental law by demonstrating how Islamic legal principles can serve as a viable and ethical foundation for sustainable environmental governance.

2. CONCEPTUAL FRAMEWORK

² Al-Qurthubi. *Al-Jami' li Ahkam al-Qur'an*. Beirut: Dar al-Fikr. (1995).

³ Al-Bukhari, M. I. (n.d.). *Sahih al-Bukhari* (Vol. 1). Riyadh: Darussalam "The Prophet (peace be upon him) said: 'Whoever plants a tree and it grows, providing shade and bearing fruit, it will be counted as charity (*sadaqah*) for him.'"

I) Islamic Law (Shariah)

Islamic law (*Shariah*) is a comprehensive legal and ethical system derived from divine revelation, primarily the Qur'an and the Hadith (sayings and actions of the Prophet Muhammad, peace be upon him). It governs all aspects of human life, including environmental management, by providing moral and legal guidelines that promote ecological balance (*mizan*), prohibit wastefulness (*israf*), and emphasize responsibility (*amanah*) toward natural resources.⁴

II) Environmental Protection and Preservation in Islamic Law

Environmental protection refers to proactive legal, social, and ethical measures aimed at safeguarding natural resources and ecosystems from degradation, pollution, and depletion.⁵ In Islamic teachings, the concept is deeply embedded in divine injunctions that emphasize conservation and sustainability. The Qur'an warns against corruption (*fasad*) on Earth, attributing environmental degradation to human actions.⁶ Preservation (*hifz al-bi'ah*) within the Islamic framework extends beyond protection to ensuring long-term ecological balance, recognizing nature as an entrusted gift rather than a commodity for exploitation.⁷

⁴ Al-Qurtubi, M. A. (1995). *Al-Jami' li Ahkam al-Qur'an*. Beirut: Dar al-Fikr. (1995).

⁵ Nasr, S. H. *Man and nature: The spiritual crisis of modern man*. Kazi Publications. (1997).

⁶ The Holy Qur'an. (n.d.). *Saheeh International Translation*. Jeddah: Abul-Qasim Publishing House. "Corruption has appeared on land and sea because of what the hands of people have earned, so that He may let them taste part of the consequence of what they have done, that perhaps they will return [to righteousness]."

⁷ Izzi Dien, M. *The environmental dimensions of Islam*. Cambridge University Press. (2000).

III) The Concept of Stewardship (*Khilafah*) and Human Responsibility

Islamic law assigns humans the role of stewards (*khalifah*) on Earth, mandating them to manage its resources responsibly.⁸ This principle establishes an ethical obligation to preserve nature, as stewardship is viewed as a divine trust (*amanah*). Violations of this trust, such as pollution, deforestation, and excessive resource extraction, are considered acts of injustice (*zulm*) against both nature and future generations.⁹

IV) Wastefulness (*Israf*) and Prohibition of Environmental Harm

Islamic teachings strictly forbid wastefulness (*israf*), urging humans to consume resources efficiently.¹⁰ The principle of harm prevention (*dar' al-mafasid*) further prohibits actions that cause environmental destruction, aligning with the Prophetic traditions that advocate for tree planting, water conservation, and humane treatment of animals.¹¹

3. THEORETICAL PERSPECTIVES AND SECULAR SYNERGIES

1. Maqasid al-Shariah and Environmental Protection

⁸ The Holy Qur'an. (n.d.). *Saheeh International Translation*. Jeddah: Abul-Qasim Publishing House. "And [mention, O Muhammad], when your Lord said to the angels, 'Indeed, I will make upon the earth a successive authority (*khalifah*).' They said, 'Will You place upon it one who causes corruption therein and sheds blood, while we declare Your praise and sanctify You?' He said, 'Indeed, I know that which you do not know.'" Qur'an 2:30

⁹ Kamali, M. H. *The parameters of halal and haram in Shariah and the halal industry*. International Institute of Islamic Thought (IIIT). (2013).

¹⁰ Holy Qur'an. (n.d.). *Saheeh International Translation*. Jeddah: Abul-Qasim Publishing House. "Indeed, the wasteful are brothers of the devils, and ever has Satan been to his Lord ungrateful."

¹¹ Al-Bukhari, M. I. (n.d.). *Sahih al-Bukhari* (Vol. 1). Riyadh: Darussalam.

The theory of Maqasid al-Shariah occupies a central position in contemporary Islamic legal thought. It refers to the higher objectives and purposes that Islamic law seeks to achieve in promoting human welfare and preventing harm. Classical scholars such as Al-Ghazali and Al-Shatibi identified the protection of religion (din), life (nafs), intellect ('aql), lineage (nasl), and property (mal) as the primary objectives of Islamic law. Contemporary scholars have expanded these objectives to include environmental protection, recognizing that ecological degradation threatens human survival, public welfare, and the rights of future generations (Auda, 2008; Kamali, 2010).¹²

From a Maqasid perspective, environmental protection is not merely a desirable social objective but a legal and moral obligation. Environmental degradation affects human health, food security, economic livelihoods, and social stability, thereby undermining several objectives of Islamic law. Consequently, principles such as stewardship (khilafah), ecological balance (mizan), public interest (maslahah), and the prohibition of wastefulness (israf) provide normative foundations for environmental governance within the Islamic legal tradition. The Maqasid framework is particularly relevant to this study because it enables environmental protection to be viewed as part of the broader pursuit of justice, welfare, and sustainable development. It also provides a flexible mechanism through which Islamic legal principles can respond to contemporary environmental challenges that were not specifically addressed in classical legal texts.

2. Sustainability Theory

In addition to Islamic legal theory, this study draws upon sustainability theory, which emphasizes the responsible use of natural resources in ways that meet present needs without compromising the ability of

¹² Kamali, M. H. *The Principles of Islamic Jurisprudence* (3rd ed.). Cambridge: Islamic Texts Society. (2010).

future generations to meet their own needs. The concept gained global prominence through the report of the World Commission on Environment and Development (1987), commonly known as the Brundtland Report.¹³ Sustainability theory rests upon three interconnected pillars: environmental protection, economic development, and social equity.¹⁴ It recognizes that environmental challenges cannot be addressed solely through legal regulation but require coordinated efforts involving governments, communities, businesses, and civil society organizations.¹⁵ Sustainable development therefore seeks to balance ecological preservation with economic growth and social well-being. The relevance of sustainability theory to this study lies in its emphasis on intergenerational responsibility, resource conservation, and long-term environmental planning. These principles closely correspond with Islamic concepts of stewardship, trust, moderation, and accountability.

3. Environmental Governance and Collective Responsibility

Contemporary environmental governance scholarship emphasizes the importance of participatory approaches involving multiple stakeholders in environmental decision-making. Rather than relying exclusively on state institutions, environmental governance recognizes the role of communities, religious organizations, traditional institutions, non-governmental organizations, and private actors in promoting sustainable environmental practices.¹⁶ This perspective is

¹³Brundtland, G. H. (1987). Our common future: Report of the World Commission on Environment and Development. *United Nations General Assembly Document* (1987). A/42/427.

¹⁴ Mensah, J. Sustainable development: Meaning, history, principles, pillars, and implications for human evolution: An overview. *Cogent Social Sciences*, (2019). 5(1), 1653531.

¹⁵ United Nations. Transforming our world: The 2030 Agenda for Sustainable Development. *UN General Assembly Resolution* (1995). A/RES/70/1.

¹⁶ Ladan, M. T. Reframing environmental governance through lived landscapes in Nigeria: Bridging institutional policies and community-based adaptation

particularly relevant in Nigeria, where religious institutions often possess significant social influence and community legitimacy.¹⁷ Islamic scholars, mosques, faith-based organizations, and community leaders can therefore complement formal governmental institutions by promoting environmental awareness, encouraging behavioural change, and supporting environmental conservation initiatives.¹⁸

The theory also highlights the importance of collaboration between governmental and non-governmental actors. Effective environmental governance requires institutional coordination, public participation, transparency, accountability, and community ownership of environmental programmes.

4. Secular–Religious Synergies in Environmental Governance

Although Islamic environmental ethics originate from religious sources, many of their core principles correspond closely with contemporary secular environmental frameworks. Concepts such as stewardship (*khilafah*), public welfare (*maslahah*), prevention of harm, and ecological balance (*mizan*) share common objectives with modern principles of sustainable development, environmental justice, intergenerational equity, and responsible resource management.¹⁹ Rather than viewing Islamic environmental ethics and secular environmental governance as competing approaches, this study adopts

mechanisms. *International Journal of Geography and Environmental Management*, (2026). 12(1), 114–135

¹⁷ Aminu, M. D. The role of faith-based organisations in climate advocacy. *Premium Times Nigeria*. (2025).

¹⁸ Nigerian Conservation Foundation. Mobilizing the Nigerian Interfaith Initiative for the Environment (NIFIE): Bridging state regulation and grassroots faith groups. *NCF Nigeria Institutional Reports*, (2025). 34–41.

¹⁹ Ibrahim, A. M., & Bello, Y. S. Can faith be the key to environmental stewardship and sustainability? Evaluating religious institutions in contemporary Nigeria. *Social Science Research Network (SSRN) Electronic Journal*, (2026). Article 5633570, 1–19.

the position that they are potentially complementary. In a religiously diverse and constitutionally secular state such as Nigeria, Islamic environmental principles can contribute to environmental governance by reinforcing ethical responsibility, community participation, and public awareness while remaining consistent with constitutional values and universal environmental objectives.²⁰ This approach is particularly important because it avoids presenting Islamic law as an exclusive or sectarian framework. Instead, it highlights the capacity of Islamic environmental ethics to operate alongside statutory environmental regulations and international environmental standards in promoting environmental sustainability.

The integration of Maqasid al-Shariah, sustainability theory, and environmental governance theory provides a multidimensional framework for analysing the role of Islamic law in environmental protection and preservation in Nigeria. While Maqasid al-Shariah explains the normative and ethical foundations of environmental responsibility within Islam, sustainability theory and environmental governance perspectives provide practical tools for understanding policy implementation, institutional coordination, and community participation.

4. RESEARCH METHODOLOGY

This study adopts a qualitative socio-legal research methodology, combining doctrinal legal analysis with empirical field research. The doctrinal component examines primary Islamic legal sources, including the Qur'an, Hadith, classical and contemporary Fiqh, alongside relevant Nigerian environmental legislation, particularly the

²⁰ Ladan, M. T. Reframing environmental governance through lived landscapes in Nigeria: Bridging institutional policies and community-based adaptation mechanisms. *International Journal of Geography and Environmental Management*,(2026). 12(1), 114–135.

NESREA Act 2007, Environmental Impact Assessment Act 1992, and Harmful Waste (Special Criminal Provisions) Act 1988. This facilitates an assessment of the relationship between Islamic environmental principles and Nigeria's environmental governance framework. The empirical component explores stakeholders' perceptions of the role and application of Islamic law in environmental protection through interviews and Focus Group Discussions (FGDs).

I. Research Design

An exploratory qualitative research design was adopted because of the complex relationship between law, religion, and environmental governance. The socio-legal approach enabled the study to examine both the normative requirements of Islamic law and their practical perception and implementation in contemporary Nigeria.

II. Population, Sample and Sampling Technique

The study population comprised Islamic scholars, environmental policymakers, legal practitioners, academics, environmental NGOs, and community leaders. Participants were purposively selected from Kano, Sokoto, Plateau, and Borno States, based on their significant Muslim populations, environmental challenges, and relevant Islamic institutions. A total of 28 participants were selected, comprising eight Islamic scholars and Shariah experts, six environmental policymakers and government officials, five legal practitioners and academics, four NGO representatives, and five community leaders. The study primarily involved Sunni Muslim participants. Consequently, the findings should not be regarded as representing all Islamic traditions or all Nigerian regions. The purposive sampling technique and geographical concentration also limit generalisability.

III. Methods of Data Collection

Both primary and secondary data were employed. Primary data were obtained through semi-structured interviews, FGDs, and case studies of selected faith-based environmental initiatives, including afforestation programmes, mosque-based environmental awareness campaigns, and Islamic philanthropic environmental projects. Secondary data comprised the Qur'an, Hadith, classical and contemporary Islamic jurisprudential literature, Nigerian environmental legislation, regulations, policies, judicial decisions, and relevant scholarly publications.

IV. Instruments for Data Collection

Data collection was guided by a semi-structured interview schedule, an FGD protocol, and a document-analysis checklist. Open-ended questions explored environmental stewardship, legal implementation, institutional cooperation, and policy challenges. Field notes and observation records were also maintained where appropriate.

V. Validity and Reliability

Methodological triangulation was employed to enhance validity by comparing interview and FGD findings with legal texts, policy documents, scholarly literature, and case studies. Reliability was strengthened through pilot testing of the interview instruments, refinement of ambiguous questions, and repeated review of transcripts and field notes.

VI. Ethical Considerations

The study complied with relevant ethical standards. Informed consent was obtained from participants, who were informed about the study's purpose, voluntary participation, and right to withdraw. Confidentiality and anonymity were maintained by excluding identifying information from research records and published findings.

VII. Data Analysis

Data were analysed thematically using NVivo qualitative analysis software. Interview and FGD recordings were transcribed and subjected to open coding, followed by categorisation and development of broader themes. Key themes included Islamic foundations of environmental protection, institutional influence on environmental awareness, barriers to policy integration, and opportunities for incorporating Islamic environmental ethics into governance. Findings were subsequently compared with Nigerian environmental laws and relevant international instruments, including the Paris Agreement and Sustainable Development Goals (SDGs).

VIII. Methodological Limitations

The qualitative design does not permit statistical generalisation across Nigeria. The purposive sample and concentration on four states may also limit representation of the country's diverse Islamic environmental practices. Furthermore, the study relies substantially on participants' perceptions rather than quantitative environmental measurements. Future studies may employ larger samples, quantitative methods, and comparative research involving other jurisdictions.

5. ENVIRONMENTAL PROTECTION AND PRESERVATION FROM AN ISLAMIC POINT OF VIEW

The environment, from an Islamic perspective, is not merely a physical space occupied by living beings; rather, it is a divinely created system governed by balance (*mizan*) and harmony as ordained by Allah. The Qur'an repeatedly affirms that the natural world is a sign (*ayah*) of divine wisdom, meant to be observed and respected by humankind.²¹ Islam establishes a holistic approach to environmental stewardship, integrating ethical, spiritual, and legal dimensions into

²¹ Holy Qur'an. (n.d.). *Saheeh International Translation*. Jeddah: Abul-Qasim Publishing House. "Indeed, within the heavens and earth are signs for the believers."

the interaction between humans and nature. Unlike secular environmentalism, which is often rooted in human-centered sustainability models, Islamic environmental ethics emphasize divine trusteeship (*khilafah*), wherein human beings act as stewards of the Earth, entrusted with its preservation.²² This trusteeship necessitates adherence to principles that ensure the protection of the environment, as any form of ecological destruction is considered a violation of divine trust (*amanah*).²³

1. Qur'anic Foundations of Environmental Protection

The Holy Qur'an provides a comprehensive ethical framework for environmental protection based on balance (*mīzān*), stewardship (*khilāfah*), justice, moderation, and responsible resource use. Islamic environmental scholarship identifies these principles as central to the Qur'anic understanding of humanity's relationship with creation (Foltz, 2000; Khalid, 2017).²⁴

The Qur'an presents the natural world as an ordered system established in balance. It states that Allah "set therein mountains firm" and produced fruits "in pairs", while affirming that "all things We have created in proportion and measure". These verses establish *mīzān* as a foundational ecological principle, requiring humans to avoid actions that undermine the natural equilibrium. Similarly, the Qur'an describes the Earth and its resources as divine provisions entrusted to humanity.²⁵ Environmental degradation is expressly connected to

²² Qur'an 2:30

²³ Kamali, Mohammad Hashim, *Environmental Law in Islam: Principles and Applications*. Islamic Texts Society. (2023).

²⁴ Khalid, F. M. Exploring environmental ethics in Islam: Insights from the Qur'an and the practice of Prophet Muhammad. In J. Hart (Ed.), (2017). *The Wiley Blackwell Companion to Religion and Ecology*. Wiley.

²⁵ Qur'an. 13:3; 54:49; 40:64;

human conduct: “Corruption has appeared on land and sea because of what the hands of people have earned”.²⁶ The verse provides an important ethical basis for viewing environmental destruction as a consequence of irresponsible human activity and as a matter requiring corrective action. Contemporary Islamic environmental scholarship similarly links fasād (corruption), mīzān, and khilāfah to responsible environmental stewardship.²⁷

The Qur’an also recognises the intrinsic significance of non-human creation, declaring that animals and birds constitute “communities like you”.²⁸ This supports an understanding of nature that extends beyond purely human utility. Foltz argues that Islamic environmental ethics derive from scriptural principles that assign value to the natural world and encourage non-exploitative human conduct.²⁹ Accordingly, Qur’anic environmental ethics provide a normative foundation for sustainable resource management, conservation, prevention of environmental harm, and intergenerational responsibility. These principles have contributed to the development of contemporary Islamic environmental thought and the emerging field of *fiqh al-bi’ah* (Islamic environmental jurisprudence).

2. Hadith and Environmental Protection

The Hadith, comprising the sayings, actions, and approvals of Prophet Muhammad (peace be upon him), provides important ethical and practical foundations for environmental protection. His teachings reinforce Qur’anic principles of stewardship, moderation,

²⁶ Qur’an. 30:41.

²⁷ Khalid, F. M. Exploring environmental ethics in Islam: Insights from the Qur’an and the practice of Prophet Muhammad. In J. Hart (Ed.), (2017). *The Wiley Blackwell Companion to Religion and Ecology*. Wiley.

²⁸ Ibid, 6:38

²⁹ Foltz, R. C. Is there an Islamic environmentalism? *Environmental Ethics*, (2000). 22(1), 63–72. <https://doi.org/10.5840/enviroethics200022149>.

conservation, cleanliness, and responsible use of natural resources. The Prophet strongly encouraged tree planting and afforestation, teaching that when a Muslim plants a tree or cultivates land from which people or animals' benefit, it constitutes charity (*sadaqah*).³⁰ This demonstrates that environmental conservation can constitute an act of worship and social responsibility. He also encouraged planting even in circumstances where immediate benefits might not be realised, reflecting the enduring value of environmental stewardship.³¹

Water conservation is another significant principle. The Prophet warned against unnecessary water consumption, even during ablution,³² thereby establishing moderation (*israf*) as an important environmental ethic. He further prohibited practices that contaminate water sources and public spaces, demonstrating the Islamic concern for sanitation and protection of communal resources.³³ The Hadith also establish principles of animal welfare. The Prophet condemned cruelty towards animals, including the mistreatment of a cat,³⁴ while narrating the divine reward associated with providing water to a thirsty animal (Sahih Muslim 2244).³⁵ These traditions support humane treatment and responsible interaction with animals and wildlife.

Furthermore, the Prophet encouraged public cleanliness, declaring that removing harmful objects from roads constitutes charity.³⁶ His recognition of *hima*, protected areas in which certain activities were

³⁰ Al-Bukhari, M. I. *Sahih al-Bukhari*. Dar Ibn Hazm, 2003.

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³² Ibn Majah, M. *Sunan Ibn Majah*. Dar al-Kutub al-Ilmiyyah, 2007.

³³ Muslim, I. H. *Sahih Muslim*. Translated by A. H. Siddiqi, Sh. Muhammad Ashraf, 1971.

³⁴ Al-Bukhari, M. I. *Sahih al-Bukhari*. Dar Ibn Hazm, 2003

³⁵ Muslim, I. H. *Sahih Muslim*. Translated by A. H. Siddiqi, Sh. Muhammad Ashraf, 1971.

³⁶ Ibid

restricted, also reflects an early Islamic approach to conservation and habitat protection.³⁷ These traditions provide a practical framework for environmental ethics based on conservation, moderation, cleanliness, animal welfare and sustainable resource management. Their principles can inform contemporary environmental policies and community-based conservation initiatives within appropriate legal frameworks.

3. Islamic Scholars' Perspectives on Environmental Protection and Preservation

Islamic scholars throughout history have emphasized environmental conservation as an integral part of Shariah, reinforcing the principles established in the Qur'an and Hadith. Their interpretations highlight the divine responsibility entrusted to humankind, the principle of balance, and the prohibition of wastefulness. Scholars from different Islamic schools of thought have elaborated on the legal and ethical duties of Muslims toward nature, arguing that environmental degradation constitutes a violation of divine law. One of the most prominent classical scholars, Imam Abu Hamid al-Ghazali, discussed the interconnectedness of humans and the natural world in his work *Ihya' Ulum al-Din* (The Revival of Religious Sciences). He argued that nature is a sign of God's wisdom and that its misuse is an act of injustice not only toward creation but also toward future generations.³⁸ He further stated that the purification of the soul includes purifying one's surroundings, thereby linking spiritual well-being with environmental ethics.³⁹

Imam Ibn Taymiyyah also addressed environmental issues in his legal rulings (fatwas), emphasizing the Shariah obligation to prevent harm (dar' al-mafasid). He argued that destroying natural resources,

³⁷ Abu Dawud, S. I. A. *Sunan Abu Dawud*. Dar al-Hadith, 1999.

³⁸ Al-Ghazali, A. H. (1998). *Ihya' Ulum al-Din*. Cairo: Dar al-Kutub al-'Ilmiyyah.

³⁹ *ibid*

polluting water, or harming wildlife violates Islamic legal principles and should be legally sanctioned.⁴⁰ In his view, environmental protection is not merely an ethical recommendation but a legal duty, and the state has a responsibility to enforce environmental conservation laws. In contemporary scholarship, Dr. Yusuf al-Qaradawi has extensively written on Islamic environmental jurisprudence, highlighting that the objectives of Islamic law include the protection of life and resources. He argues that Islamic governance must integrate sustainable policies into national laws, ensuring that Muslim societies uphold their religious duty to the environment.⁴¹ Similarly, Mohammad Hashim Kamali contends that Islamic law provides a strong foundation for environmental sustainability, but modern legal frameworks in Muslim-majority countries often fail to implement these principles effectively.⁴²

Scholars of Usul al-Fiqh (principles of Islamic jurisprudence) have also deliberated on resource management and environmental justice. Imam Al-Qurtubi, in his exegesis Tafsir al-Qurtubi, explains that the Qur'an's repeated warnings against corruption, explicitly condemn pollution and overconsumption.⁴³ Ibn Kathir, in his Tafsir al-Qur'an al-Azim, reinforces this by interpreting Surah Al-Baqarah 2:205 as a direct prohibition against actions that cause destruction to the land.⁴⁴ Thus, Islamic scholarship across generations has consistently upheld environmental conservation as a religious duty, rooted in Qur'anic injunctions, Prophetic traditions, and legal rulings. By integrating these perspectives into contemporary policies, Muslim communities

⁴⁰ Ibn Taymiyyah, T. D. *Majmu 'al-Fatawa*. Riyadh: Dar al-Watan. (1997).

⁴¹ Al-Qaradawi, Y. *Fiqh al-Bi'ah fi al-Islam (Islamic jurisprudence on the environment)*. Cairo: Maktabah Wahbah. (2001).

⁴² Kamali, M. H. *Environmental law in Islam: Principles and applications*. Islamic Texts Society. (2003).

⁴³ Al-Qurtubi, M. A. (1993). *Tafsir al-Qurtubi*. Beirut: Dar al-Fikr.

⁴⁴ Ibn Kathir, I. *Tafsir al-Qur'an al-Azim*. Beirut: Dar al-Kutub al-'Ilmiyyah. (1999).

can revive their historical legacy of environmental stewardship and ensure that Islamic environmental ethics remain central to global sustainability efforts.

6. LEGAL FRAMEWORK FOR ENVIRONMENTAL PROTECTION AND PRESERVATION IN NIGERIA

1. National Environmental Standards and Regulations Enforcement Agency (NESREA) Act, 2007.

Nigeria's environmental protection and preservation legal framework is primarily governed by the National Environmental Standards and Regulations Enforcement Agency (NESREA) Act, 2007, which establishes NESREA as the country's principal regulatory body for enforcing environmental laws and policies. The NESREA Act replaced the Federal Environmental Protection Agency (FEPA) Act, granting NESREA the mandate to monitor compliance, regulate environmental standards, and enforce penalties for violations.⁴⁵ The Act empowers NESREA to take corrective and preventive measures against environmental infractions, including issuing stop-work orders, prosecuting offenders, and setting industry-specific environmental guidelines.⁴⁶ In addition to NESREA, other laws complement Nigeria's environmental governance, such as the Environmental Impact Assessment (EIA) Act (1992), which mandates an environmental assessment for major projects to prevent ecological harm.⁴⁷

Furthermore, the NESREA Act aligns Nigeria's environmental policies with international environmental agreements, ensuring compliance with treaties such as the Paris Agreement on Climate

⁴⁵ National Environmental Standards and Regulations Enforcement Agency (NESREA) Act, 2007. Section 1

⁴⁶ Ibid, Section 1

⁴⁷ Environmental Impact Assessment (EIA) Act (1992), Section 2

Change, the Convention on Biological Diversity, and the Basel Convention on Hazardous Wastes.⁴⁸ To promote sustainable development, the Act enforces penalties for offenses like illegal waste disposal, industrial pollution, and deforestation, with fines reaching ₦1,000,000 for individuals and ₦5,000,000 for corporate entities, alongside prison terms for severe violations.⁴⁹ The Act also grants NESREA the authority to collaborate with the Federal Ministry of Environment, State Environmental Protection Agencies (SEPA), law enforcement agencies, and non-governmental organizations (NGOs) to enhance environmental governance.⁵⁰

11. Environmental Impact Assessment (EIA) Act 1992

This Act establishes the legal requirement for environmental impact assessments before the commencement of projects that could have significant environmental effects. Section 2(1) of the EIA Act states that no public or private project shall be undertaken without prior environmental consideration, ensuring that decision-makers evaluate potential environmental consequences before approving any activity.⁵¹ The Act applies to all sectors, including industrial, agricultural, and infrastructural projects, emphasizing the need for sustainability.

The EIA Act mandates a structured assessment process, as outlined in Sections 13–22, which include project screening, public participation, and decision-making by relevant agencies.⁵² Under Section 7, affected communities and stakeholders are given the opportunity to provide input before final project approval, promoting environmental democracy.⁵³ Additionally, Section 12 lists projects requiring

⁴⁸ NESREA Act, Section 7

⁴⁹ Ibid, Section 27

⁵⁰ Ibid, Sections 30–32

⁵¹ EIA Act, Section 2(1)

⁵² Ibid, Sections 13–22,

⁵³ Ibid, Sections 7

mandatory environmental studies, ensuring that high-impact developments undergo rigorous evaluations.⁵⁴ The Act also recognizes transboundary and inter-state environmental effects, requiring notification and consultations with affected states or local governments.⁵⁵

In addition to the EIA Act, other environmental laws complement Nigeria's regulatory framework. These include the National Environmental Standards and Regulations Enforcement Agency (NESREA) Act, 2007, which enforces environmental standards and regulations, and the Harmful Wastes (Special Criminal Provisions) Act, 1988, which criminalizes the illegal disposal of hazardous waste. Together, these laws create a comprehensive legal structure aimed at safeguarding Nigeria's environment. However, challenges remain in enforcement, funding, and compliance monitoring, necessitating stronger institutional coordination and integration of Islamic environmental ethics into Nigeria's environmental governance system.

111. Harmful Waste (Special Criminal Provisions) Act of 1988

This Act was enacted in response to the illegal dumping of toxic and hazardous waste in Nigeria, particularly the infamous Koko toxic waste incident of 1988, where large quantities of hazardous waste were illegally imported and stored in Delta State. The Act serves as a deterrent against environmental pollution, hazardous waste dumping, and transboundary environmental crimes, making it one of the strongest environmental protection laws in Nigeria.

Under Section 1 of the Harmful Waste Act, it is a criminal offense for any person or corporate entity to purchase, sell, transport, import, deposit, or dump harmful waste anywhere in Nigeria defines harmful

⁵⁴ Ibid, Sections 12

⁵⁵ Ibid, Sections 11

waste broadly to include toxic, radioactive, and corrosive substances that can pose serious risks to human health and the environment.⁵⁶ Section 6 of the Act grants the Federal Government the power to seize and destroy harmful waste, ensuring immediate mitigation of environmental hazards.⁵⁷ The Act also mandates strict penalties for offenders: Section 12(1) prescribes life imprisonment for individuals or corporate bodies found guilty of violating its provisions.⁵⁸ This study underscores Nigeria's commitment to preventing environmental pollution and ensuring public safety.

In addition to the Harmful Waste Act, Nigeria has other environmental protection laws, including the Environmental Impact Assessment (EIA) Act of 1992, which mandates that all high-risk projects undergo an environmental review before approval, and the National Environmental Standards and Regulations Enforcement Agency (NESREA) Act of 2007, which empowers NESREA to enforce environmental regulations and monitor compliance. However, enforcement remains a challenge due to weak institutional capacity, corruption, and lack of public awareness. Strengthening environmental governance through community participation, stricter enforcement, and the integration of Islamic environmental ethics can enhance Nigeria's approach to environmental protection and sustainability.

7. FINDINGS

The empirical findings reveal that Islamic environmental principles enjoy considerable moral legitimacy among Muslim communities in the study areas. Respondents identified stewardship (khilafah), ecological balance (mizan), trust (amanah), and the prohibition of wastefulness (israf) as key principles guiding environmental

⁵⁶ Harmful Waste (Special Criminal Provisions) Act of 1988, Section 1

⁵⁷ Ibid, Section 6

⁵⁸ Ibid, Section 12(1)

responsibility. Islamic scholars emphasized that environmental protection is not merely a social responsibility but a religious obligation derived from the Qur'an and Sunnah. Respondents frequently referred to Qur'an 2:30 and 30:41 to emphasise human accountability for environmental degradation and the duty to protect natural resources.

Islamic institutions were found to contribute to environmental awareness through Friday sermons (khutbahs), religious lectures, Islamic schools, and community outreach. In Kano and Sokoto States, respondents reported mosque-based initiatives promoting tree planting, sanitation, and responsible waste disposal. However, these activities remain largely informal. Islamic environmental principles currently exert greater moral than regulatory influence because they are not expressly incorporated into Nigeria's principal environmental statutes, including the Environmental Impact Assessment Act and the NESREA Act.

The findings also identified significant institutional and socio-economic barriers to effective integration. These include limited policymaker awareness, weak institutional coordination, inadequate funding, insufficient collaboration between environmental agencies and Islamic institutions, poverty, unemployment, rapid urbanisation, and inadequate waste-management infrastructure. Environmental disputes are sometimes addressed through community mediation involving Islamic leaders, but there is limited evidence of specialised environmental litigation before Shariah courts, indicating that their role remains largely informal.

The study further found substantial regional variation among Kano, Sokoto, Plateau, and Borno States. Accordingly, the findings should not be treated as representative of the entire Nigerian federation, given

differences in environmental governance, religious engagement, and socio-political contexts.

The findings demonstrate a significant gap between Islamic environmental ethics and formal environmental governance. Islamic principles possess substantial potential to strengthen environmental awareness and community participation, but their practical impact is constrained by weak institutional integration, limited collaboration, and socio-economic challenges. Effective utilisation of these principles would therefore require stronger cooperation between government agencies, Islamic scholars, religious institutions, and local communities.

8. DISCUSSION

The findings confirm the central proposition that Islamic law provides a strong normative foundation for environmental protection and preservation in Nigeria. The recurring emphasis on *khilafah* (stewardship), *mizan* (ecological balance), *amanah* (trust), and prevention of waste reflects the established position that environmental responsibility forms an important component of Islamic legal and ethical thought. This is consistent with the arguments of Kamali (2003), Izzi Dien (2000), Özdemir (2003), and Auda (2008), particularly regarding stewardship, public welfare, and the preservation of life and resources.

The findings further demonstrate that Islamic institutions can influence environmental behaviour through moral persuasion and community mobilisation. Friday sermons, religious lectures, Islamic schools, and community initiatives provide established channels for environmental awareness. However, the study reveals a significant gap between Islamic environmental ethics and Nigeria's formal environmental governance framework. Although Islamic principles support

environmental protection, they remain largely absent from statutory environmental laws and public policy. This finding is consistent with observations by Bello (2024) and Edemadide (2023) concerning institutional weaknesses in Nigeria's environmental governance.

Institutional and socio-economic conditions also significantly affect environmental outcomes. Weak enforcement, inadequate funding, limited inter-agency coordination, poverty, unemployment, rapid urbanisation, and inadequate infrastructure constrain effective environmental protection. Environmental degradation therefore requires a holistic response combining legal regulation, environmental education, economic development, and community participation.

In Nigeria's plural society, integrating Islamic environmental ethics requires an inclusive approach. Islamic principles such as stewardship, prevention of harm, and public welfare can be presented as universal ethical values rather than sectarian requirements. Interfaith collaboration involving Islamic scholars, Christian leaders, indigenous representatives, environmental agencies, civil society, and academics could promote broader participation while preserving the primacy of statutory environmental law.

Theoretically, the findings demonstrate substantial convergence between Islamic environmental ethics and contemporary sustainability principles, particularly stewardship, public welfare, intergenerational responsibility, and prevention of harm. Islamic environmental ethics may therefore complement, rather than compete with, existing environmental governance. Realising this potential requires stronger institutional collaboration, policy integration, public awareness, and mechanisms for translating ethical principles into practical environmental outcomes.

9. CONCLUSION

This study concludes that Islamic law provides a strong ethical and legal foundation for environmental protection in Nigeria through principles of *khilafah* (stewardship), *mizan* (balance), *amanah* (trust), *maslahah* (public welfare), and *israf* (prohibition of waste). These principles influence environmental attitudes and community practices, but their impact remains largely moral and informal, with limited integration into statutory laws and environmental institutions. Weak coordination, inadequate funding, poor enforcement, limited awareness, poverty, urbanisation, and infrastructure deficits further constrain effective environmental governance. Sustainable environmental protection therefore requires an integrated approach combining legal regulation, institutional reform, economic development, environmental education, and community participation. Islamic environmental ethics can complement Nigeria's existing framework by applying inclusive, universally shared values, interfaith cooperation, stronger policy integration, and practical mechanisms for measurable environmental outcomes.

10. POLICY RECOMMENDATIONS

Based on the findings, the following recommendations are proposed:

I. Integrating Environmental Ethics into Policy Frameworks:

Policymakers should incorporate universally applicable values reflected in Islamic environmental ethics such as stewardship, prevention of harm, sustainable resource use, and intergenerational responsibility into existing environmental laws, education, conservation, and public-awareness programmes without creating separate religious legal regimes.

II. Strengthening Institutional Collaboration: Environmental agencies should establish structured partnerships with Islamic and

Christian organisations, traditional institutions, and civil society groups to support environmental education, afforestation, waste management, climate awareness, and community-based conservation.

III. Enhancing Environmental Education: Environmental sustainability should be strengthened within schools, universities, religious institutions, and community programmes. Religious leaders should incorporate environmental responsibility into sermons, lectures, and outreach activities.

IV. Sustainable Environmental Financing: Governments should diversify environmental funding through public resources, private investment, international climate finance, donor assistance, and community contributions. Islamic instruments such as Zakat, Waqf, and Green Sukuk may support afforestation, renewable energy, water conservation, climate resilience, and waste-management projects, subject to applicable regulatory requirements.

V. Strengthening Enforcement Capacity: NESREA, state environmental agencies, and local authorities should receive adequate funding, technical resources, and institutional support to improve monitoring and enforcement. Training should also be provided for regulators, local officials, community leaders, and other stakeholders.

VI. Promoting Community Participation: Encourage community-based conservation initiatives, local environmental committees, and volunteer programmes. Religious institutions can facilitate community mobilisation and environmental responsibility.

VII. Addressing Federalism and Legal Pluralism: Environmental policies should respect Nigeria's constitutional distribution of powers and plural legal system. Islamic environmental values should be

harmonised with existing statutory frameworks rather than creating parallel legal systems.

VIII. Phased Implementation: A three-year implementation strategy should be adopted. The first year should focus on stakeholder mapping, training, pilot interfaith initiatives, and public awareness. The second should institutionalise successful initiatives through advisory structures, referral mechanisms, and pilot Zakat-funded projects. The third should expand successful programmes, develop Green Sukuk mechanisms, conduct independent evaluations, and formulate a national framework for integrating ethical and environmental principles.