

## **CONSERVATION AND MANAGEMENT OF BIODIVERSITY RESOURCES IN NIGERIA: THE ISLAMIC LAW PERSPECTIVES**

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### **Abstract**

Shariah being an all encompassing system segregates not among the whole God creations beneath the sun as it provides each with certain rights and obligations. Among all these creations, man being a khalifah (vicegerent) of God on earth will necessarily account for his dealings as regards those obligations placed on him by God Almighty who places him on earth. As vicegerent, Man is conferred with the rights of use 'in need' and duty of conservation or care of all non human animals and plants by the God Almighty and this also translates man as a trustee of nature. Man is therefore, empowered to in good -faith make use of the environment for his sustenance and to conserve it as a trustee as commanded by the God Almighty. In a broad term, the aim of this paper is to determine how effectively Nigeria has been able to ensure implementation of the Laws on conservation of biodiversity which the country has over the years enacted with particular focus on Qur'anic provisions and Sunnah of the holy prophet (SAW) which form the essence of its primary objectives. This paper aims also at assessing the numerous provisions laid down by the religion of Islam towards the man's duty of biodiversity conservation as the religion left out nothing out of its fold. This will be achieved through the use of doctrinal method of research by making reference to both primary and secondary materials. Findings of the paper revealed instances where there is compliance through promulgation of policies and establishment of facilities for conservation, fundamental problems such as lack of proper enforcement and poor management culture are evident. The paper recommends how to improve the present level of compliance with the laws in Nigeria by taking a cue from the Islamic perspectives.

**Keywords:** *Biodiversity Resources, Conservation, Management, Nigeria, Islamic law.*

### **1. Introduction**

Nigeria is the most populous country in Africa, with an estimated population of around 200 Million people. It is a biodiversity rich country; this can be attributed to the

various ecological and climatic zones available within the country. Apart from wild life biodiversity, the country is equally rich in forest and agro biodiversity. While biodiversity has played a major role in sustaining

human existence on earth, the world has witnessed the decline of these biological resources with several species of flora and fauna driven into extinction while others are either endangered or vulnerable. Concerned with the situation, the international community through the platform of the United Nation convened the Earth Summit in Rio de Janeiro, Brazil, in 1992 to address the numerous challenges faced by the environment, including biodiversity loss. During the Summit, the Convention on Biological diversity was signed by Nigeria and subsequently ratified in 1994. However to date, Nigeria has not domesticated the International instrument as its local law. This paper looks at the importance of conservation of bio-resources in the main sources of Islamic instructions, namely the Quran and Prophetic hadith. These texts turn out to be on the side of conservation the emphasis being on respect for creation, the protection of the natural order and avoidance of all wasteful activities which may cause injury to the environment. The paper makes valuable recommendations for improving Nigeria's compliance with the objectives of Islam by identifying bio-conservation in the Qur'an and Sunnah of the holy prophet (SAW).

The principles in Islamic teaching establish guidelines for humankind on how to manage the Earth and use all the resources therein to ensure protection of all the communities of God's creation which includes the present and future generations. These guidelines are also enshrined in the *maqasid al-shari'ah* wherein the main objective is to govern human life and

protect humankind interests or *Maslahah*.<sup>1</sup> This concept of *Maqasid* which is the objectives of Islamic Law shows the aims of the *Shari'ah* are to protect five (5) main principles, i.e. protection of life, religion, progeny, intellect and property. Protection of the environment would relate to the protection of life. This is so because, if the environment is not protected, every human life will be affected. Also, the protection of progeny also entails the protection of environment.

For ease of analysis, the paper is divided into four parts, the first being the introduction, while the second part is an appraisal of the Nigeria's legal framework on the conservation and management of biodiversity and the challenges, the third segment is on analysis of the Islamic concept of biodiversity as an ayah (sign of God's existence and lordship on earth. The fourth part is the conclusion and recommendations.

## **2. Conceptual Clarification of Key Term**

Biodiversity, which is the short form of biological diversity, is defined in Article 2 of the Convention on Biological Diversity 1992 as:

The variability among living organism from all sources including inter alia, terrestrial, marine and other aquatic ecosystem and the ecological complexes of which they are part, that includes diversity within species, between species and ecosystem<sup>2</sup>.

Okiwelu and Anyewu, defined biological biodiversity as:

The variation among living organism which encompasses

species diversity (the number of different species) and genetic diversity (genetic variety of interaction among living thing in natural communities)<sup>3</sup>.

The term biodiversity refers to the total variety of living organisms (plants, animals, fungi and microbes) that exist on our planet. In short, biodiversity is synonymous with the expression 'life on earth'. Biodiversity comprises the variety of genetically distinct population and species of plants, animals and micro-organism with which human beings share the earth and the variety of ecosystems of which they are functioning parts<sup>4</sup>. The concept is usually viewed at three levels, genetic diversity, species diversity, and ecosystem diversity.

### **1.2 Benefits in the Conservation of Biodiversity**

For Nigerians, Africa and the world at large, biodiversity is of critical importance to our survival. This is because our livelihood is dependent on having free and open access to a great variety of biological resources for food and medication. For example human-beings derive nutrients and vitamins such as protein, from the consumption of animal meat and diaries products and more than 120 chemical substances, which are obtained from around 90 different plants species are processed into drugs and medicine, all over the world<sup>5</sup>.

Other values of biodiversity are housing materials, economic security, subsistence and commercial agriculture, livestock production, logging and fishing which account for the bulk of employment. What is

more, majority of Nigerians particularly in rural areas depend on herbal remedies for their primary health care, while wood in the form of fuel wood and charcoal represent, by far, the largest energy sources in both rural and urban areas of the country<sup>6</sup>. The diversity of biological species is the earth's most important resources. Humans depend on the wide variety of species in healthy ecosystem for air to breathe, water to drink, and productive soil for farming.

At the aesthetic level, variety of plants and animals add to the beauty and richness of the earth common wealth. Beyond aesthetic sentiment, all plants and animals serve one or more important roles to the common wealth of nature, few examples of the importance of biodiversity stated above demonstrate the need for its conservation.

In Islam, Conservation of biological diversity and maintenance of peace by man between him and other creations on the earth, being a divine imposed obligation, will necessarily result in some tremendous benefit to man both mundanely and in the hereafter, if truthfully complied with. This is because biological diversity, in many instances, is shown to be purposefully made by design and not by accident. The mundane benefit man will derive from the conservation of biodiversity ranges from food, shelter, medicine, security and a host of others as pointed above. Giving authority to this are verses of the Holy Quran that describe the mundane benefit man should derive from the creations in his environment. In Surah an-Nahl which

bears a name of 'bee'. God Almighty said:

Q16:05 "And the cattle, He has created them for you; in them there is warmth (warm clothing), and numerous benefits, and of them you eat.,

Q16:06 "And wherein is beauty for you, when you bring them home in the evening, and as you lead them forth to pasture in the morning." Q16:07 "And they carry your loads to a land that you could not reach except with great trouble to yourselves..."

Q16:08 "And (He has created) horses, mules and donkeys, for you to ride and as an adornment. And He creates (other) things of which you have no knowledge."

Q16:10 "He it is Who sends down water (rain) from the sky; from it you drink and from it (grows) the vegetation on which you send your cattle to pasture; Q16:11 "With it He causes to grow for you the crops, the olives, the date-palms, the grapes, and every kind of fruit.

Verily! In this is indeed an evident proof and a manifest sign for people who give thought..."

Still in this chapter, 'Nahl', God Almighty again hints to us some other benefits:

"And verily! In the cattle, there is a lesson for you. We give you to drink of that which is in their bellies, from between excretions and blood, pure milk; palatable to the drinkers. Q16:66 "And from the fruits of date-palms and grapevines, you derive sugar and wholesome food. In

this is a sign for people who understand" Q16:67

On the other hand, that is for the benefits in the hereafter there is reward God reserve for doing good to, conserving the biodiversity and maintaining the balance of earth which is in compliance with His commandments. This is because being good to all the creation of God is an act worthy of reward from God Almighty. It was reported in a hadith thus "There is none amongst the Muslims who plants a tree or sows seeds, and then a bird, or a person or an animal eats from it, but is regarded as a charitable gift for him."<sup>7</sup> In another hadith the Prophet was reported to have said:

A woman felt very thirsty while she was on the way; there she came across a well. She went down the well, quenched her thirst and came out. Meanwhile, she saw a dog panting and licking mud because of excessive thirst. She said to herself, "this dog is suffering from thirst as I did." So, she went down the well again, filled her shoe with water, held it with her mouth and watered the dog. Allah appreciated her for that deed and forgave her" The Companions asked him, "Is there a reward for doing good with these animals?" He responded, 'There is a reward in doing good to every living thing.'<sup>8</sup>

Yet another important hadith was narrated thus "Whoever plants a tree and it matures, Allah plants a tree in paradise for that person."<sup>9</sup>

Despite the above stated values of biodiversity resources and the benefits of conservation, the country is experiencing a high rate of biodiversity loss. Biodiversity in Nigeria is in jeopardy, where the life support system has been badly managed, the consequences could be disastrous. Having highlighted the important roles biodiversity plays in shaping the human life as well as the threats posed to this biological richness, the next is, 'what has been done to stop the unraveling of nature's diversity?. Since a threat to biodiversity is a threat to all. Below is an analysis of Nigeria's effort in tackling loss of biodiversity resources.

### **1) An Appraisal of the Legal Framework on the Conservation of Biodiversity Resources in Nigeria**

#### **2) International Legal Frameworks**

The United Nation Conference on Human Environment (UNCED) Stockholm (1972) marked the advent of a new era in environment consciousness. It was also a major milestone in the birth of International Environmental Law and Biodiversity Conservation. Nigeria has signed various International Instruments relating to conservation of biodiversity in order to ensure the continuous existence of this only life sustaining planet. Some of these instruments signed and ratified by Nigeria include:

1. Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>10</sup>. The Convention is designed to prohibit the international trafficking in

wildlife species and products that are endangered.

2. Convention on Biological Diversity (CBD)<sup>11</sup>. Global response to curb rate of biodiversity loss at global, regional and national level. The CBD has not been directly domesticated into Nigerian law. This means that, the country does not have a national law by which it implements all the provisions of the CBD. However, there are different legislations and policies which have been put in place to conserve the country's biodiversity as could be seen from the analysis below.
3. The United Nations Convention on the Law of the Sea (UNCLOS)<sup>12</sup>
4. United Nations Convention to Combat Desertification in these countries experiencing serious drought and/or desertification, particularly in Africa (Paris, 1994)<sup>13</sup>.

Despite the unprecedented feat achieved by the above instruments, they failed to make a strict commitment toward bio- diversity conservation, their objectives and strategies were too wide and vague therefore too difficult to be directed towards specific conservation challenges. While some of the measures put in place were basically for trade and economic interest, rather than promotion of ecosystem stability and biodiversity preservation.

Conservation and management of biodiversity resources in Nigeria has a relatively short history. The history of conservation and management of

biodiversity resources in Nigeria began with the creation of the first forest reserve in Nigeria (Olakemeji Reserve) established near Ibadan around 1900<sup>14</sup>. This was followed by the establishment of other forest reserves, in various parts of what forms the present day Nigeria. In these reserves, lumbering activities were made illegal. By 1908, a Forest Ordinance, promulgated by the colonial government gave protection to all commercial timber outside the reserves.

On the other hand, protection of wildlife began in 1916, with the Wild Animal Preservation Act in eastern Nigeria<sup>15</sup>. Similar laws were enacted in western Nigerian in 1928 Game laws however, only emerged in northern Nigeria after independence. The first game reserve (Yankari) was demarcated and constituted into a game reserve in 1956, though it was opened to the public in 1962. The Wild Animal Act of 1963 gave protection to all animals within areas designated as game reserves.

### Domestic Legal Frameworks

Nigeria has set up national legal regimes for the conservation of biodiversity resources among which include:

- i. Endangered Species (Control of International Trade and Traffic) Act<sup>16</sup>, which provides for the conservation and management of wildlife and the protection of species in danger of extinction as a result of over exploitation.
- ii. The Sea Fisheries Act<sup>17</sup>, which provides for the regulation and protection of sea fisheries in terrestrial waters.

- iii. Inland Fisheries Act<sup>18</sup>, the instrument is for the protection of sea fisheries within the 'territorial waters of Nigeria and its exclusive economic zone.
- iv. River Basin Development Authority Act<sup>19</sup>, which established river basin authorities to undertake development of surface and underground water resources for multiple uses.
- v. Kainji Lake National Park Act<sup>20</sup>, The Act is for the conservation and preservation of wildlife and natural life.

The concept of biodiversity conservation is not a new phenomenon to the pre-colonial traditional Africa and by extension, Nigerian societies. According to the traditional belief of Yoruba in the South Western region, the *Oya devoties are* forbidden to eat meat from Buffalos because the goddess is considered to be the Mother of all Buffalos. Further, certain trees such as Iroko trees and some other plants are considered, as the abode of divine spirits and gods and must not be cut-off except upon the order of these gods in the interest of the community.<sup>21</sup> These customary conservation activities though, employs by traditional taboos and superstitions aided in the conservation of biodiversity resources especially in the rural areas.

Over the years, Nigeria has put in place the number of environmental regulations and policies which contain provisions that are significant and very useful for ensuring conservation and sustainable use of biodiversity resources from the analysis above. But

for variety of reasons, the laws are often too ineffective or simply unworkable. Violation of wild life and forestry laws such as illegal hunting, deforestation and defoliation are still frequent. Hunters in Nigeria hunt according to market demand and prices. The best of laws cannot solve deep-seated biodiversity loss or guarantee conservation in the absence of effective enforcement. There is need to properly understand the economic, political and social factors affecting implementation and enforcement of these laws in Nigeria and proffer workable solutions. An examination of bio-conservation laws reveals the use of command and control system to environmental conservation with punitive measures. The recourse to legal remedies evident in the system is seen to be ineffective and not cost effective particularly in comparison to other approaches such as, enlightenment. The paper noted that transplanting western model of legal structures has often failed in Nigeria due to economic issues, corruption, lack of political will and sincerity on the part of the government.

This paper is of the view that, Islamic conservation ethics are capable of protecting biodiversity and the entire environment. The Islamic religious tools and opportunity are available though there is lack of awareness and commitment on the part of the Muslim community to utilise the approach to enhance the conservation of biodiversity resources. The paper however stressed that, Islamic principles should not be treated independently rather there should be link between religion and natural

resources management which is needed to establish Environmental Policy of a Nation.

It is in this wise that this paper attempts to make valuable recommendations for improving Nigeria's compliance with the objectives of Islam by identifying bio-conservation in the Qur'an and Sunnah of the holy prophet (SAW). In Islam, conservation of biological diversity and maintenance of peace by man between him and other creations on the earth, being a divine imposed obligation will necessarily result in tremendous benefits to man both mundanely and in the hereafter if truthfully complied with.

### **3.0 Biodiversity as an *Ayah* (Sign of God's Existence and Lordship on Earth)**

God Almighty Has in many verses of the Glorious Qur'an described biodiversity as an ayah i.e. signs of His existence and Lordship to all creations especially man. He enjoined man to take a look at other creations on and beneath the earth and ponder upon. Q 80:24-32

In one verse of the Qur'an, God Almighty praises those who think deeply about the creation of the earth and of the heaven thus "Those who remember Allâh (always, and in prayers) standing, sitting, and lying down on their sides, and think deeply about the creation of the heavens and the earth, (saying): "Our Lord! You have not created (all) this without purpose, glory to You!..."<sup>22</sup>

### 3.1 Islamic View on the Relation between Man and Other Creatures

In Islam, man was given dominion over all other creatures of the earth to use for his nourishment, sustenance and enjoyment. In complying with these injunction, man has over the generation used, abused, over used and over exploited these natural endowments in a care free and lackadaisical and unsustainable manner to the extent that some of them have gone into extinction while others are under severe threat of extinction<sup>23</sup>.

As a unique approach to conservation of biodiversity and in a radical departure to human theories of environmental conservation, Islam views all creations of God, man inclusive, as a community with common origin interconnected with another and all with purpose to serve their sole Creator on earth. Therefore, Islam does not view man as a master of other creations but rather as a partner. Backing this is a verse in Q4:126. 'And to Allâh belong all that is in the heavens and all that is in the earth. And Allâh is Ever Encompassing all things.' Another verse showing the relation of man with creations as partnership is Q06: 38. "There is not a moving (living) creature on earth, nor a bird that flies with its two wings, but are communities like you. We have neglected nothing in the Book, then unto their Lord they (all) shall be gathered." The two verses above especially the latter verse present other creations as a community (*ummah*) worthy of existence just like human societies.

From these Qur'anic verses we should have a view of the creations within the environment not merely as resources for man's use, but creations dependent on God Almighty and also praising, worshipping and serving His designed purpose for them on earth. To make any negative alteration or wasteful use of them and thereby altering the order in which they are set will not only cause devastating effect on the biodiversity but will also be a sin against the God Almighty since He forbids transgressing the order of his creations. For instance, God stated thus, '[And ]do not do mischief on the earth, after it has been set in order...'<sup>24</sup>. He added in another verse, '...and eat and drink but waste not by extravagance, certainly He (Allâh) likes not *Al-Musrifûn* (those who waste by extravagance).'<sup>25</sup> Conclusively on this aspect, especially as to the wordings of the latter verse, anybody who indulges in the extravagance of the biodiversity stands the danger of finding himself outside the folds of Allah's blessings.

#### i. Prohibition against Wasteful Acts or Conducts

As presented earlier in the paper, humans are stewards of God on the earth, hence they will be held accountable for any wrong doing against the commandments of God on earth. This concept of stewardship and trusteeship of man on earth depicted him as one imposed with many duties by the Almighty Creator. Therefore, breach of any of the duties or trust will constitute a sin.

There is no man who kills a sparrow or anything beyond that, without its deserving it, but God will ask him



about it.<sup>26</sup> ‘The grievous things are: shirk (polytheism); disobedience to parents; the killing of breathing beings ...’<sup>27</sup> A close look at the latter hadith will reveal an unjust killing of animals and plants as one of the grievous things in the eyes of *Shari’ah* being them part of the breathing beings.

It is important to note that even during a war period, Islam commands respect to the biodiversity as it is prohibited to the warriors to kill animals, destroy plants and damaging of water or water sources. In one narration, it was reported that Caliph Abubakar (R) would always say to the Army when dispatching them that, ‘Do not drown or burn date-palm trees. Do not cut down a fruit bearing tree...’<sup>28</sup>

### **3.3 Obligations for Conservation of Biodiversity in Islam**

The principles in Islamic teaching establish guidelines for humankind on how to manage the earth and use all the resources therein to ensure protection of all the communities of God’s creations which include the present and future generations.<sup>29</sup> By this, man is also given the right of use of the environment positively for his sustenance upon a condition of conservation for future human generations, welfare of the other creations and as worship (ibadah) at the same time. It is apt to bring one hadith of the Noble Prophet here which also describes man as khalifa of God on earth. The hadith said, ‘The world is sweet and green and verily Allah Has installed you as khalifa in it in order to see how you act’.<sup>30</sup>

Another factor or principle which presents man with inherent obligation

for conservation of biodiversity in Islam is that which puts man as a trustee of God on earth. This means the earth was given to man by God as *Amanah* (trust). This has found support in an hadith that “Each of you is a shepherd and will be asked for those under his care”.<sup>31</sup> The preceding hadith buttresses the fact that the earth and its content is a trust (*amanah*) upon mankind given to them by God Almighty. It is therefore incumbent upon the whole mankind to uphold this trust obligation by among other things ensuring that they use the earth and its content in such a way that will guarantee its sustenance in the original order set down by God. Also the Prophetic hadith above which presents man as a shepherd could mean that God assigns man over the earth to look over it and take a very good care of the environment as a shepherd will do to his cattle. So any deliberate damage and wanton use of the environment such as indiscriminate cutting down of trees without taking step to multiply or even replace them, emission of carbon dioxide without care to the repercussions of that to the environment, ill treatment of domestic animals and indiscriminate killings of wild animals is a clear breach of the trust and man must pay for it here and hereafter when he returns to the God Almighty.<sup>32</sup>

The Islamic religion promulgates conservation of biological diversity since the declarations in Qur’anic revelations and other sources of Islam require environment/nature to be used in a manner that does not disturb its order, balance, and function; it emphasises moderation in, kindness

to, and preservation of nature.<sup>33</sup> In addition to safeguarding the environment, there is also an obligation to cultivate it – consistent with maintaining the balance.<sup>34</sup> The Qur’anic verse further connects the economic wellbeing of the community to the conserving order of nature, ‘...Eat and drink but waste not by indulging in excess...’ (7:31).

There are also numerous hadiths that show our obligation towards the conservation of nature. Some of which are:

‘You will not have secure faith until you love one another and have mercy on those who live upon the earth.’<sup>35</sup>

‘Whoever is kind to the creatures of God is kind to himself.’<sup>36</sup>

‘There is none amongst the Muslims, who plants a tree or sows seeds, and then a bird, or a person or an animal eats from it, but is regarded as a charitable gift for him’.<sup>37</sup> This hadith is indicating a tree plantation to be one of the acts constituting sadaqatul – jariyah i.e. continued charity that benefits man even after his demise. This is so because when ever as mentioned a bird, or a person or an animal eats from the tree or takes shelter under its shade, he should have a reward of charity.

‘If the day of resurrection comes upon anyone of you while he has a seedling in hand, let him plant it.’<sup>38</sup>

This hadith is pointing to the importance attached by Islam to the tree plantation to the extent that the Prophet is commanding that even when the last hour is arriving if one has an opportunity of planting he should do so.

### **3.4 Conservation of Biodiversity as Duty Owed the Future Generations**

The Islamic holism extends to a concern about the survival and well being of future generations. The Prophet is quoted as saying: “...do not leave those who come after you a burden (of your doings) to deal with”.<sup>39</sup> As such, it is not allowed for one generation to have a monopoly of prosperity derived from nature and God’s creations at the expense of future generations. This Islamic principle has the most evident linkage to notions of sustainable development and emphasises the negativity of waste, obsessive extravagance (Israf), excessive consumerism and conspicuous consumption.<sup>40</sup>

The scope of protecting and enhancing the well-being of future generations in Islam also includes prohibition of spoiling the environment by polluting it or being aggressive to it. Furthermore, the Qur’an repeatedly indicated: “They hasten about the earth, to do mischief there: and God loves not the workers of mischief”.<sup>41</sup>

From the above, we can find an obligation on us not only to avoid harming the environment but also to make all efforts to see that we make the environment worthy of living and safe for future generations of human beings and other creations of God.

### 3.5 The Consequences of Damaging or Abusing the Biodiversity

As is almost the case of every aspect of human life, misuse or abuse of everything results to negative consequences. So is with the abuse of biodiversity which is a *fitrah* that God has set down to be in a particular manner, the abuse or exploitation of the biodiversity undoubtedly has many repercussions on us, our environment and the earth generally which we cannot deny its happening presently in this world. The same thing will also lead to another repercussion in the hereafter for refusing His commands to reform<sup>42</sup> the earth and make it habitable in upholding our obligations as His vicegerents on the earth and His prohibitions to us not to spread corruption<sup>43</sup> and mischief on the earth.

Explaining the consequences of abusing biodiversity on the basis of *Sunnatullah* (i.e. natural law), A.E.B. Lekha et al, posit that *Sunnatullah* is a concept which explains that Allah has set the *fitrah* or nature of every being. For every action there will be a resulting reaction. For example, when a seed is planted and nurtured, it will grow; it takes in the sun light and carbon dioxide to produce oxygen. If we deprive the seed from sun light, it will fail to grow, it cannot make its own food without the sun. As a result, the carbon dioxide will not be utilised and no oxygen will be released. Therefore, if the *Sunnatullah* is disturbed, there will be very serious repercussions.<sup>44</sup>

### 4.0 Conclusion/Recommendations

While the human theories of biodiversity conservation all centred

on the worldly human wellbeing as the reason of their campaign and ignore the afterlife effect of the act. Islam views it from two dimensions of the mundane life and the afterlife. Islam commands for the conservation of biodiversity and maintenance of the order of nature for the wellbeing and peaceful living of all the God's creations on the earth. On the other hand, a tremendous reward and eternal bliss and peace are for men who hear and abide by the commandments of their Lord and the teachings of His Prophet (S) which include the biodiversity conservation and respect for the creations of God. Islam thus, has the capability of helping to solve one of the greatest problems over time namely that of biodiversity loss. Islam could be of great help in educating the faithful about good environmental conservation conducts. There is nothing in the Quran which might give the impression that the environment is a mere object to be recklessly exploited. On the contrary, recklessness and cruelty are punishable in this as well in the next world.

The study while focusing on the Islamic perspective of biodiversity conservation in Nigeria has made the following findings:

1. Numerous provisions are made by the Religion of Islam on the conservation of biodiversity.
2. During the 1992 Rio de Janeiro Earth Summit, Convention on Biological diversity was signed by Nigeria and subsequently ratified in 1994. However to date, Nigeria has not domesticated the International instrument as its local laws.

3. There are existing domestic and International legal regimes and policies for conservation of biodiversity in the country.
4. The paper finds the poor or lack of enforcement of the legal regimes and policies towards the conservation of biodiversity.
5. Numerous facilities and centres for the conservation of biodiversity are found in the country, but there is poor management from the authorities concerned.
- v. Burning down bushes should be discouraged.
- vi. The lawmakers should do the needful by domesticating the provisions of the 1992 Rio de Janeiro Earth Summit Convention on Biological diversity.
- vii. Enforcement of the legal regimes and policies for the conservation of biodiversity is needed.
- viii. All centres and facilities across the country established for the conservation of biodiversity should be highly maintained.

As Muslims who believed in the religion of Islam, that sets guidance on everything Fourteen Centuries ago or even before,<sup>45</sup> we can take the whole world out of the present ecological or environmental quagmire by truthfully imbibing the teachings of Islam some of which are presented above. This will make us to have a comfortable life here and eternal bliss in the hereafter. In order to achieve the above result it is hereby recommended as follows:

- i. Public sensitisation programmes should be carried on by scholars especially in Mosques and in various Islamic programs on the obligations of the conservation of biodiversity in Islam.
- ii. School children most especially those in Islamiyya should be taught the importance of conserving the biodiversity and the dangers in cutting down trees.
- iii. Massive plantations of trees need to be carried out most especially in places facing deforestation.
- iv. Cruelties to animals should be discouraged through teaching the good manners taught by the Prophet (S).

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#### Notes:

- <sup>1</sup>Patmawati Ibrahim and Asmak Ab. Rahman and Siti Arni Basir, ‘Sustainable Economic Development: Concept, Principles and Management from Islamic Perspective’ 2010 (24) *European Journal of Social Sciences*, <[www.researchgate.net/publication/sustainable\\_Economic\\_Development\\_Concept\\_Principles\\_Management\\_from\\_Islamic\\_Perspective](http://www.researchgate.net/publication/sustainable_Economic_Development_Concept_Principles_Management_from_Islamic_Perspective)> accessed 09-10-2019
- <sup>2</sup>United Nation Conference on Environment and Development 1992 at <http://www.unorg/geninfo/bp/enviro.html>(accessed on 27/11/2013.The convention was opened for signature on the 5 of June 1992.
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- <sup>4</sup>United Nations (1997), *Glossary of Environmental Statistics* (UN DOC ESA/STAT/SER.F167)
- <sup>5</sup> Emma Okafor L. C et al ‘Biodiversity Conservation for sustainable Agriculture in Tropical Rainforest of Nigeria’ (2009) *New York Science Journal*, at 2 (7) at 81.
- <sup>6</sup>Abramowitz, Jn., ‘Valuing Nature Science’ In Starke J. (eds), *State of World: A World Watch Institute Report on Progress Towards Sustainable Society*.(1997) p. 101and 102.

- <sup>7</sup>al-Bukhari, Sahih al-Bukhari, Volume 3, Chapter 39: Agriculture cited in Mohd. Azlan J. and Abdul Gulam Azad ‘Biodiversity Conservation in Malaysia: A Review from Islamic Perspective’ p.3
- <sup>8</sup> Muhammad Fathi, ‘10 Green Hadiths’ (About Islam, 13 July 2017) <[www.aboutislam.net/shariah/hadith/hadith-collections/10-green-hadiths](http://www.aboutislam.net/shariah/hadith/hadith-collections/10-green-hadiths)> accessed 27-10-2019; SahihBukhārī Vol. 3, Book 43, Hadith 646 cited in AfsanRedwan, ‘When the Earth Speaks Against Us: Environmental Ethics in Islam September’ (Yaqeen Institute, 28 September 2018) <[www.yaqeeninstitute.org/afsan-redwan/when-the-earth-speak-against-us-environmental-ethics-in-islam](http://www.yaqeeninstitute.org/afsan-redwan/when-the-earth-speak-against-us-environmental-ethics-in-islam)> accessed 14-10-2019.
- <sup>9</sup> Hadith of Imam Ahmad culled from ‘12 Importance of Trees in Islam’ <[www.azislam.com/importance-of-trees-in-islam](http://www.azislam.com/importance-of-trees-in-islam)> accessed 12-10-2019
- <sup>10</sup>Washington D.C,1973. 46 ILM 1178.- ratified by Nigeria on 9/5/1974.
- <sup>11</sup>Nairobi,1992.31 ILM.818- ratified by Nigeria on 29/8/1994.
- <sup>12</sup>MontegoBay,1982.21 ILM 1261 ratified by Nigeria on 14/8/1986.
- <sup>13</sup>Paris, 1994. 33ILM.1328. ratified by Nigeria on 8/7/1997.
- <sup>14</sup>Onokarhoraye. A., (1985) *An Outline of Human Geography*. The Geography and Planning Study Notes. Department of Geography and Planning, University of Benin.
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- <sup>16</sup> Cap. E9 Laws of the Federation of Nigeria, 2004
- <sup>17</sup>Cap. S.4 LFN,2004
- <sup>18</sup> Cap. 110 LFN, 2004
- <sup>19</sup> Cap. R.9 LFN, 2004
- <sup>20</sup> Cap. 197 LFN, 2004
- <sup>21</sup> G.O Amukaya *Environmental Law and Practices in Nigeria* (2004) 24
- <sup>22</sup> Qur’an 03:19.
- <sup>23</sup> Q 30:41
- <sup>24</sup>Q07:56
- <sup>25</sup>Q07:31 See also Q55:01-10
- <sup>26</sup> Ahmad and al-Nasai Cited in Sira Abdul Rahman, ‘Religion and Animal Welfare—An Islamic Perspective’ (2017) <[www.researchgate.net/publication/religion\\_and\\_Animal\\_Welfare\\_An\\_Islamic\\_Perspective](http://www.researchgate.net/publication/religion_and_Animal_Welfare_An_Islamic_Perspective)> accessed12-10-2019
- <sup>27</sup> Bukhari and Muslim ibid. p. 5
- <sup>28</sup>Narrated by Al-Bayhaqi in al-Sunan Al-Kubra 9:85 Hadth 17904 cited in ‘Virtues of Planting Trees in Islam’ <[www.islamonserving\\_humanity.com](http://www.islamonserving_humanity.com)> accessed 12-10-2019.
- <sup>29</sup>Ibrahim etPatmawati Ibrahim and Asmak Ab. Rahman and Siti Arni Basir; ‘Sustainable

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<sup>30</sup>Sahih Muslim Vol. 6, Book of Heart Melting Traditions, Hadith 6606, cited in AfsanRedwan, 'When the Earth Speaks Against Us: Environmental Ethics in Islam September' (Yaqeen Institute, 28 September 2018) <[www.yaqeeninstitute.org/afsan-redwan/when-the-earth-speak-against-us-environmental-ethics-in-islam](http://www.yaqeeninstitute.org/afsan-redwan/when-the-earth-speak-against-us-environmental-ethics-in-islam)> accessed 14-10-2019

<sup>31</sup>Ibid Book of Government, Hadith 4496

<sup>32</sup> And as part of the price which man will pay for his reckless exploitation, pandemic, among other catastrophes which humanity have to contend with.. Bagawi : said this meaning is embedded in Q30:41.

<sup>33</sup> Ammar and Nawal H., 'Islam, Population and the Environment: A Textual and Juristic View'. In Harold G. Coward (eds) *Population, Consumption, and the Environment: Religious and Secular Responses*. (New York University Press 1995)

<sup>34</sup>Rania kamla and Sonja Gallhofer and Jim Haslam, 'Islam, Nature and Accounting: Islamic Principles and the Notion of Accounting for the Environment' (2006) (30) *Accounting Forum* <[www.tandfonline.com/doi/abs/10.1016/j.accfor.2006.05.003](http://www.tandfonline.com/doi/abs/10.1016/j.accfor.2006.05.003)> accessed 09-10-2019

<sup>35</sup>Cited in Sira Abdul Rahman "Religion and Animal Welfare—An Islamic Perspective" (2017)

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<sup>36</sup> ibid

<sup>37</sup>Bukhari Vol. 3, Book 39, Hadith 513 cited in AfsanRedwan, 'When the Earth Speaks Against Us: Environmental Ethics in Islam September' (Yaqeen Institute, 28 September 2018) <[www.yaqeeninstitute.org/afsan-redwan/when-the-earth-speak-against-us-environmental-ethics-in-islam](http://www.yaqeeninstitute.org/afsan-redwan/when-the-earth-speak-against-us-environmental-ethics-in-islam)> accessed 14-10-2019

<sup>38</sup>Musnad Ahmad , Hadith 12491 cited ibid.p.15

<sup>39</sup>Cited Rania kamla and Sonja Gallhofer and Jim Haslam, 'Islam, Nature and Accounting: Islamic Principles and the Notion of Accounting for the Environment' (2006) (30) *Accounting Forum* <[www.tandfonline.com](http://www.tandfonline.com)> accessed 09-10-2019

<sup>40</sup>Ibid

<sup>41</sup>Qur'an 5:64

<sup>42</sup>See Q26:151-152

<sup>43</sup> See also Q26:183

<sup>44</sup>Lekha Laxman and Haseeb Ansari and Majdah Zawawi, 'The Islamic Approach to Conserving Biodiversity for Global Sustainability: An Exploration' (2014) (8) (3) *AENSI* <[www.researchgate.net/publication/The\\_islamic\\_approach\\_h\\_to\\_conserving\\_biodiversity\\_for\\_global\\_sustainability\\_An\\_exploration](http://www.researchgate.net/publication/The_islamic_approach_h_to_conserving_biodiversity_for_global_sustainability_An_exploration)> accessed 09 – 10 - 2019

<sup>45</sup> Since it is believed that Islam begins with the first man on earth Nabi Adam (AS) and his wife.