

Waste Control and Management in Places of Worship within Ilorin Metropolis of Kwara State, Nigeria

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Abstract

The paper examines the position of Islam in the management of wastes and sanitation in the places of worship in Ilorin Metropolis. It also examines the laws and institutions that regulate wastes management in Kwara State. A visit to some mosques revealed that waste management measures are poor and pollution from urine is becoming a recurring decimal. In doing this, the paper places reliance on the Qur'an, Hadith, text books, articles in journals and internet facilities. The paper revealed that, most Mosques channel their waste into gutters or defecate in the open places which have adverse effects on the people and the environment at large. Waste management in places of worship is at variance with the Islamic religious injunctions. The paper recommends that an environmental assessment on construction of places of worship must be done and must take care of waste disposal. The paper concludes that lack of observing cleanliness is one of the major causes of pollution and general deterioration of the environment.

Keywords: Islam, environment, cleanliness, statutes, wastes management

Introduction

Islam catch-phrase from time immemorial is that, cleanliness is next to Godliness. Islam, being a way of life emphasizes a comprehensive cleanliness not only of the body but also of the environment and anything that relates to it. Hygiene is a bridge to holiness which must be stressed in every activity of Muslims in order to fulfil religious rites. Islam stresses cleanliness and protection of the environment as a means of ensuring healthy living and prevention of diseases that could result from pollution.¹ Meaning that, the end results of human activities should not amount to pollution or damages. The protection of the environment was first discussed internationally at the United Nations Conference on the Human Environment, held in Stockholm, where the need to protect the peoples of the world through conservation and development of human environment was emphasized.² The Conference asserted that for a man to enjoy basic rights his environment must be clean and free of pollution.³ To this end, a number of global agreements protecting the environment and the entire ecosystem are copious.⁴

In relation to Nigeria, there was no evidence that environmental issues were accorded any importance before 1988. There was neither a National Environmental Protection Policy nor comprehensive Environment

¹Fatimah, N. K. "Environmental Ethics in Islam: Protection and Sustainability of the Ecosystem," (Master Degree Thesis, International University Malaysia, October, 2010).

²See Stockolm Declaration, 1972. The declaration recognizes environmental protection as sacrosanct in the realization of basic human rights and the declaration has led to the emergence of a range of International Legal Instruments both at the regional and global level. Also see Philipe, S. Principles of International Environmental Law, (2nd) (Cambridge University Press, 3003), 25.

³Ibid.

⁴These include the Vienna Convention on the Protection of the Ozone Layer, the Montreal Protocol on Substances that deplete the Ozone Layer with the London Adjustment and Amendments, the Protocol on Environmental Protection (with annexes) to the Antarctic Treaty, the Framework Convention on Climate Change, the Convention on Biological Diversity; and the London Guidelines for the Exchange of Information on Chemical in International Trade.

Protection Statutes.⁵ Hence, there were no exclusive and noticeable clear ambitions for the Nation's Environment until the acceptance of the need for National Policy on the environment in 1989.⁶ Towards the late 1980s, the Government began to advance and develop national strategies to address environmental issues in Nigeria.⁷ This move signifies a landmark in environmental protection for the country and the Government established a National Agenda for Environmental Management⁸ which includes the Federal Environmental Protection Agency (FEPA)⁹ at the Federal level, State Environmental Protection Agency (SEPA)¹⁰ at the States level and the subsequent adoption of National Policy on Environment for Nigeria. This simply shows that, a formidable institution is fundamental in the regulation, management and control of activities likely to diminish the quality of environment.

The paper therefore examines the meanings of environment, national and international moves in the protection of the environment and the position of Islam and other relevant instruments with regard to cleanliness and purity. The paper also discusses Waste management in places of worship and preventive measures of environmental pollution through the Impact Assessment of Construction of Places of Worship. More so, it highlights the challenges and way-forward on waste management, particularly in places of worship in Ilorin, Kwara State-Nigeria.

Clarification of Terms

Concept of environment

The term 'environment' has no definite meaning, as it is a relative concept without a universally acceptable definition. In Islam, the idea of environment includes the earth, sky, mountains and all creatures.¹¹ The Holy Quran says:

“Behold! In the creation of the heavens and the earth, in the alteration of the night and the day, in the sailing of the ships through the ocean for the profit of mankind, in the rain which God sends down from the skies, and the life which He gives therewith to an earth that is dead, in the beasts of all kinds that He scatters through the earth, in the change of the winds and the clouds subjugated between the sky and earth indeed are signs for the people who think.”¹²

⁵ Relevant laws are scattered in several legislations, among them are: Criminal Code, Cap 77, LFN, 1990, National Environmental Protection (Effluent Limitation) Regulations, 1991, the River Basin Development Authorities, 1987, The Oil in Navigable Water Decrees, 1968, The Harmful Waste (Special Criminal Provision) Decree, 1998.

⁶ Margaret, F. Law of Environmental Protection (Nigeria, Caltop Publication Limited, 1998), 56.

⁷ Adeola, O. A., “Assessing Environmental Protection and Management System in West Africa: A Case Study of Nigeria” (Unpublished MSc thesis submitted to Southern Illinois University Carbondale, United States, 2008), 18-52.

⁸ This was induced by the involvement and attendance of Nigeria in the United Nations Conference on Human Environment held in Stockholm. The Conference awakens Governments to be more constructive and concrete in their approach to addressing the issues concerning the environment.

⁹FEPA was created in 1988 by Decree No. 58 for the protection of environment. The foremost goal of FEPA was to protect, control and manage the Nigerian environment and made recommendation to the Federal Government on national environmental policies and priorities. This has been replaced with National Environmental Standard Regulation (Establishment) Agency (NESREA) Act, 2007.

¹⁰The States have taken a clue from the Constitutional Provision and practice at the Federal Level and created their own States Environmental Protection Agencies, to manage and co-ordinate environmental activities in the States. They are also responsible for the protection of their local environment areas. For example, the Lagos State Environmental Protection Agency (LASEPA) was established in 1996 through Lagos State Edict, Kwara State Environmental Protection Agency was established in 1992.

¹¹Abdulsalam, M. “Islam and Environment Conservation” Journal of Muslim Soldiers. Flak, L.

in Milad, A.S., et al (eds), *Some Islamic Views Environmental Responsibility*, 2nd International Conference on Environments Science and Biotechnology, IPCBEE, IACSIT Press, Singapore, Vol 48, (2012).

¹² Q. 2:164.

The declaration of the United Nations Stockholm Conference on the Human Environment does not include a definition of the word environment but its principle 2 simply mentioned the natural resources on the earth to include land, air, water, flora, fauna and natural ecosystems. Also, the Long-Range Trans boundary Air Pollution Convention portrays environment to include agriculture, forestry, aquatic and other natural ecosystems.¹³ The Convention on the Regulation of Antarctic Mineral Resources Activities defines damages to the Antarctic environment as a blow on the living or non-living constituents or elements of that environment.¹⁴ ‘Environment also consists of natural resources both biotic and ‘abiotic,’ thus covering not only the natural environment but also the man-made landscape, buildings and objects which form part of man’s natural heritage.¹⁵

Various national environmental laws also attempt to provide some definitions of the term environment. A good example is where environment was described to include all or any of the following media, namely: the air, water and land.¹⁶ The Indian Environmental Protection Act states that, environment includes water, air, land and interrelationship which exist among them.¹⁷

In Nigeria, the National Environmental Standards and Regulations Enforcement Agency (NESREA) defines ‘environment’ to include ‘water, air, land and all plants and human beings or animals living therein and the inter-relationships which exist among these or any of them.¹⁸ In other words, environment is intricate in nature and it involves three inter-related media which are equally shared by the Environmental Impact Assessment Decree, 1992 (Now Environmental Assessment Act) that defines environment as the components of the earth that comprises of water, air, land, atmosphere, organic, inorganic matter and other living organisms.¹⁹

It is therefore apparent that the term environment may mean different thing to different people, but nevertheless, one common idea that runs across jurisdictions is that, there exist affinity between man and his environment, and just as Stockholm Declaration precisely puts it, “man is both the creature and moulder of his environment.” This would imply that man’s physical sustenance is dependent on how he makes and shapes his environment.²⁰ Hence, the great need for man to put his environment into consideration in his daily activity not only in the interest of the existing generation but also that of forthcoming generation.

Concepts of cleanliness and purity in Islam

Cleanliness and purity could be used interchangeably. Both are characteristics of Allah. Simply put, when a Muslim observes these within himself and in his surroundings, he is doing what has been ordained by Allah and which Allah loves. Prophet Muhammed (SAW) was reported to have said: ‘Cleanliness is half of belief.’ Abu Huraira equally reported that Prophet Mohammed (SAW) said:

¹³ Long-Range Trans boundary Air Pollution Convention, 1979.

¹⁴ See Convention on the Regulation of Antarctic Mineral Resources Activities 1988.

¹⁵Convention on Civil Liberty of Environmental Damage, 1993. Also, see Thornton, J. and Beckwith, S. Environmental Law (London, Sweet and Maxwell, 199), 3.

¹⁶ See the United Kingdom Environmental Protection Act 1990.

¹⁷ Section 2 of Indian Environmental Protection Act, 1986.

¹⁸ See The National Environmental Standards and regulations Enforcement Agency, (NESREA) Act, 2007.

¹⁹ Ajomo, M. A. “Law and Changing Policy in Nigeria’s Oil Industry,” in Omotola, J. A. And Adeogun, A. A. (eds) *Law and Development (Faculty of Law, University of Lagos, University of Lagos Press, 1087), 84-99.*

²⁰ Abdulkadir, B. A., Maizatun, M. and Abdulhaseeb, A. “Protection of Human Rights and the Environment: Link and Approaches,” (Australian Journal of Basic and Applied Sciences, 6 (11) 2012), 56-65.

O people, Allah is pure and He accepts only what is pure.²¹ Verily, Allah has commanded His Messenger and He said: O you messenger! Eat of the Tayyibat (all kinds of Halal foods which Allah has made lawful meat slaughtered, edible animals, milk products, fats, vegetables, fruits, etc.) and do righteous deeds, Verily, I am all knower of what you do.²²

Islam is a strong proponent of cleanliness and wants its followers to observe cleanliness in every regard whether it is spiritual, physical, personal or otherwise. Prophet Muhammed (SAW) is reported to have said: ‘Allah is pure and likes purity, He is clean and likes cleanliness, He is generous and likes generosity, He is hospitable and loves hospitality, so clean your courtyards.²³

Thus, to achieve this injunction the concept of purification must be holistic. That is, it should be taken beyond the cleanliness of the body. Rather, it should be extended to the environment of the place of worship. In so doing, sustainable ways of managing the wastes emanating from the purification of the body should be observed in places of worship.

Therefore, lack of observing cleanliness is one of the major causes of pollution and general deterioration of the environment. It is appalling for a mosque without a functioning toilet and drainage system to operate all in the name of worship. In essence, one should not see cleansing of oneself as a means of polluting the environment. Therefore, compliance with Islamic tenets and other legal instruments in places of worship will go a long way to reduce pollution in the environment.

Waste Management Procedures in Kwara State

Waste management are the activities required to manage waste from its inception to its final disposal. These include but not limited to collection, transportation, treatment and disposal of waste together with monitoring and regulation.²⁴ Waste management has been a major environmental challenge in Nigeria and Kwara State in particular. The Government has over the years made efforts in solving this recurring problem. Agencies and policies have been put in place to protect the environment from pollution to ensure sustainable development and secure a quality environment adequate for good health and wellbeing.²⁵ Despite these efforts, even though the policies are often good on paper, the problem remains unsolved. What triggered this work was a drive around the city of Ilorin where it was discovered that most places of worship do not have waste management facilities. Wastes are channelled into gutters which constitute not only pollution but could be epidemic and this is against Islamic tenets.

Over the years, the Government alone has been managing waste but its inefficiency is playing out and most times overlooked. For instance, the Government has only been paying attention to waste picking at designated centres but never focused on waste generation and management in places of worship.²⁶ To this end, a new trend of waste management must be introduced beyond dustbin picking and disposal. Recently, in Kwara State, a private organization was saddled with the responsibility of managing waste in Ilorin and its environ.²⁷ However, the impact of the company was not felt because there was no departure from the existing routine of the Government. In other words, there was nothing novel in the operation of this company to bring about change as required. It is glaring that the epileptic approaches given to waste

²¹ Sahih Muslim available at <https://www.alquranclasses.co> (accessed on March 7, 2017).

²² Q.23:51 and Q. 2:172.

²³ Reported by Abu Huraira.

²⁴ Available at <https://en.wikipedia.org/wiki/wasteandwww.conserve-energyfuture.com/waste> (accessed on March 7, 2017).

²⁵ Agency like FEPA (now NESREA) and SEPA at State level; see also the National Policy on the Environment (Section 2 (a) of Draft Revised National policy on the Environment, 1998).

²⁶ Kwara State Government has put refuse Bins at strategic place for people to dump their wastes but it is not sufficient and not well managed.

²⁷ Kwara State Government contracted management of waste to a Company named “Ola Kleen” (Alias Clean and Green).

management in Kwara State need to be addressed in order to safeguard the health and wellbeing of the populace.

There is serious health hazard associated with the method of waste disposal in Kwara State. That is, the 'Open dumping and burning method'. The objectives of the Kwara State Environmental Protection Agency Law²⁸ are to promote a safe and healthy environment for the people to live in²⁹ and to ensure sustainable development for the purposes of the use of the environment.³⁰ However, these are defeated if the wastes are not properly managed.

Therefore, there is no harm in learning from what is obtainable in other jurisdictions like the method of 'Landfilling and Thermal Treatment'.³¹ Other methods of disposing waste are; Source reduction or reuse,³² Animal Feeding,³³ Recycling,³⁴ Composting,³⁵ Fermentation,³⁶ Incineration or Combustion³⁷ amongst others.

Environmental Assessment of Construction of Places of Worship

Before 1988, there was no legal framework for the conservation and fortification of the Nigerian environment. The Harmful Wastes (Special Criminal Provisions) Act³⁸ was promulgated to proscribe the carrying, depositing and dumping of harmful waste on any land, territorial waters and matters relating thereto.³⁹ The Federal Environmental Protection Agency (FEPA) as a regulatory body was equally created in 1988 and charged with the overall responsibility of protecting the Nigeria environment but has been replaced with National Environmental Standards and Regulations Enforcement Agency (NESREA).⁴⁰ The National Environmental Standards and Regulations Enforcement Agency Act establish National Environmental Standards and Regulations Enforcement Agency (NESREA) for the purpose of enforcing environmental standards, regulations, rules, laws, policies and guidelines in Nigeria.⁴¹ It also enforces compliance with the provisions of international agreements, Protocols, Conventions and Treaties on the

²⁸ See the Kwara State Environmental Protection Agency Law, CAP. K16, 1992.

²⁹ See Section 11 (a) of Kwara State Environmental Protection Agency Law.

³⁰ . Section 11 (b) of Kwara State Environmental Protection Agency Law.

³¹ This method of waste management is the most common methods in developed countries.

³² Waste reduction is to reduce creation of waste materials thereby reducing the amount of waste generated. One can also reduce waste by reusing/ recycling old materials, repairing broken items, reusing secondhand items, etc.

³³ A situation where animals feed on the waste instead of disposing it.

³⁴ Recycling is the process of converting waste products into new products to prevent energy usage and consumption of fresh raw materials.

³⁵ Composting is an easy and natural bio-degradation process that takes organic wastes i.e. remains of plants, garden and kitchen waste and turns into nutrient rich food for plants. It is normally used for organic farming.

³⁶ It is often referred to as a type of 'composting' but it is actually an anaerobic fermentation process, resulting in a much different end product than that produced via composting.

³⁷ Incineration or combustion is a method n which solid wastes are burned at high temperatures so as to convert them into residue and gaseous products. This process is also known as thermal treatment where waste materials are converted by incinerators into heat, gas, steam and ash.

³⁸See Harmful Waste (Special Criminal Provisions, etc) Act, [1988 No. 42], Cap H1 LFN 2004. The Act was promulgated due to the illegal dumping of toxic wastes in Koko, in the former Bendel State (Now Delta State). The Act provides the legal framework for the effective control of the disposal of toxic and hazardous waste into any environment within the confines of Nigeria.

³⁹ See section 1 and 2 of the Act.

⁴⁰ See NESREA Act of 2007.

⁴¹ Section 1 (2)(a) of NESREA Act

environment in relation to hazardous wastes, pollution, and sanitation among others.⁴² It further enforces compliance with the disposal of hazardous waste.⁴³

Environmental Impact Assessment Act (EIA)⁴⁴ on the other hand is also aimed at protecting the Nigeria environment. The Act obliges the Government, its agencies, incorporated and unincorporated companies, to take significant steps before engaging in projects that may likely have environmental effects, from preliminary stage to implementation.⁴⁵ The Act is in compliance with paragraph 1 of the National Policy on Environment for Nigeria which recommends the need for a mandatory environmental impact assessment of every project. The Act makes environmental impact assessment of any project mandatory. These include land reclamation; dredging and construction; housing estate; sewage system; landfill and road construction to mention but few. In fact, all major upgrades of facilities must undergo EIA process. The Act further requires the EIA report to be presented to public for comments.⁴⁶ This is to enable interested members of the public the right to give their views on the environmental effects of the proposed project. This shows that the Act contains minimum degree of provisions which if enforced to the latter would help in checkmating the activities of the polluter.

Moving around Ilorin town shows that most places of worship do not consider the environmental impact of pollution from their activities before construction. Therefore, there is need to briefly examine the laws that regulate environmental and construction activities in Kwara State. The Kwara State Environmental Protection Agency Law (KWEPA)⁴⁷ and Town Planning Laws⁴⁸ are the major Laws that monitor and control disposal of solids, gaseous and liquid waste generated in the State⁴⁹ and the control of conveniences in the State respectively.⁵⁰ The aim and objective of KWEPA is to promote a safe and healthy environment and ensure sustainable development for the people.⁵¹ These goals of KWEPA to a large extent are far below what it has achieved in the State. For instance, the Agency in carrying out its function is expected to conduct environmental impact assessment of new and existing projects and make recommendations for corrective measures.⁵² This monitoring if religiously carried out will go a long way to enhance the Kwara State environment and promote cleanliness agitated for.

The objectives of Town Planning Law are:

- i. To plan, promote and secure the physical and environmental improvement of the State;⁵³
- ii. To monitor, control and co-ordinate physical and other development policies, plans and activities,⁵⁴ to secure and maintain proper sanitary conditions, amenities and conveniences;⁵⁵ and
- iii. To preserve buildings, objects and other places of architectural, historical, artistic or natural interest and beauty⁵⁶ amongst other responsibilities it discharges.

To this end, the Agencies saddled with the responsibilities of ensuring sustainable use and development of environment in Kwara State should carry out an audit of places of worship in the State towards finding out

⁴² Section 7 (c) of NESREA Act

⁴³Section 7 (g) of NESREA Act.

⁴⁴ See the Environmental Impact Assessment Act, Decree No. 86 1992

⁴⁵Section 1of the Act.

⁴⁶ See generally section 7, 22(3), 25 and 37 of the Environmental Impact Assessment Act, Decree No. 86, 1992.

⁴⁷ See the Kwara State Environmental Protection Agency Law, CAP. K16, 1992.

⁴⁸ See the Town Planning and Development Authority Law, CAP. T2, Laws of Kwara State, 2007

⁴⁹Section 12 (n) Kwara State Environmental Protection Agency Law

⁵⁰ Section 5 (3) (d) of Town Planning and Development Authority Law

⁵¹ Section 11 (a) (b) of KWEPA Law.

⁵² Section 13 (h) of KWEPA Law.

⁵³ Section 5 (3) (a) of Town Planning and Development Authority Law

⁵⁴ Section 5 (c) (d) of Town Planning and Development Authority Law

⁵⁵ Section 5 (3) (d) of Town Planning and Development Authority Law

⁵⁶Section 5 (3) (e) of Town Planning and Development Authority Law

those that have complied with the requirement of the Laws. There should also be post approval certification of compliance of construction of places of worship to ensure cleanliness.

Challenges of Waste Management

Despite the prohibition of sewage or liquid waste to be discharged into any drainage system, road gorges and water courses in the State,⁵⁷ it has become routine practice with the Government paying no attention to these ugly situations and pretending to have been assiduously managing environment in the State. It is indeed a challenge to see that most places of worship do not have adequate means of managing waste beyond the normal dustbin picking (which is not properly managed either). NESREA Act⁵⁸ EIA,⁵⁹ KWEPA Law⁶⁰ and Town Planning Law⁶¹ require a field follow-up of compliance with set standards. Most times, Town Planning Authority and KWEPA hardly make recourse to the statutory provision of the Environmental Impact Assessment Act before approvals of buildings/constructions and where they do; there is often no follow-up to ensure compliance.

Another challenge is the requirement of public awareness and environmental education on sustainable environmental management provided by the legislations which is not followed.⁶² The public will enhance the understanding of the people to know the types of disposal methods acceptable for domestic and industrial wastes.⁶³ The ridiculous penalties provided by the Laws are another limitation on the part of realization of clean and safe environment. For instance, Town Planning Law stipulates ₦100 (One hundred naira) and six months imprisonment as the penalty to be suffered or paid by any person who fails to comply with the requirements of the Law.⁶⁴ It further stated that any defiant person who wilfully contravenes any provision of the Law shall be culpable and liable on conviction to a fine of ₦500 (Five Hundred Naira) or to one year imprisonment.⁶⁵ KWEPA Law on the other hand stipulates ₦5,000.00 or six months imprisonment for individual and ₦ 50,000.00 for a corporate body, for the violation of any regulation of the Law.

It needs to be pointed out that, most individuals and corporate bodies would prefer to bribe the officers in charge than to regulate their activities that threaten the environment which makes fraud and ineffectiveness to remain the order of the day.

Lastly the will power on the part of the Government to enforce and bring to book culprits is another ugly aspect of securing neat mosque environment for this generation and the generation yet unborn.

Recommendations and Conclusion

Islam is a religion that emphasizes sustainable use and development of the environment which includes fauna and flora long before the existence of the Laws. So, it should be the responsibility of every Muslim

⁵⁷ Section 38 and 39 of KWEPA Law.

⁵⁸ Section 8 (e) of NESREA Act.

⁵⁹Section 12 and 13 of Environmental Impact Assessment Act.

⁶⁰Section 12 (n) and 15 (e) of KWEPA Law.

⁶¹Sections 5 and 6 of Town Planning and Development Authority Law.

⁶² Section 7 (l) of NESREA Act provides that: ‘the Agency shall create public awareness and provide environmental education on sustainable environmental management, promote private sector compliance with environmental regulations other In the oil and gas sector and publish general scientific or other data resulting from the performance of its functions’. See also section 13 (f) of KWEPA Law

⁶³See sections 12 (n) and 13 (b) & (f) of KWEPA Law

⁶⁴ Section 22 (1) (b) of Town Planning Law

⁶⁵Section 22(2) of Town Planning Law

to keep not only his body clean but to equally contribute to keeping the places of worship and homes clean. It is by so doing that the ultimate goal of cleanliness will be achieved.

Again, punishment should to be meted out to any staff of the Agencies that fails in his duty to ensure compliance with the Laws.

Lastly, outcome of the auditing of places of worship as suggested should be used in educating already existing mosques on the need to comply with government policies and Laws on waste management.

In conclusion, the paper has clarified some terms used in this study. It also examined some national and international instruments that deal with the protection of the environment. It discussed waste management procedures in Kwara State, it justified the environmental assessment of construction of places of worship (mosques) and identified some of the challenges of waste management in Kwara state and particularly in the places of worship within Ilorin-Nigeria.