

# Linking Research in Islamic Law with Action for Sustainable Development in Uganda in Relation to Environmental Conservation

Kasozi Ediriisa Sinaani

Faculty of Law, Islamic University in Uganda

## Abstract

*Sustainable development is a normative conceptual framework for integrating economic development, social well-being and environmental protection in decision making. Sustainability is intended to address two significant and related problems that is, wide spread environmental degradation including climate disruption and large-scale extreme poverty. Pursuant to sustainable development agenda, Uganda has enacted numerous laws to enforce the local agenda of sustainable development. More so, many researchers have conducted studies on sustainable development in respect to the environment but less has been done in the perspective of Islamic law which has got a lot to offer. Therefore, this paper is aimed at analysing the role of research in Islamic law on the conservation of the environment in Uganda. Specifically, the article examines the Islamic law principles on the environment to highlight on how these principles may be useful in the debate on protection and conservation of the environment. It argues that Islamic law should be incorporated in the research agenda to advocate for environmental conservation in order to enhance sustainable environment in Uganda. This calls for the need to enrich existing research with other key actors including the religious-based institutions such as the Islamic University in Uganda which have the responsibility of advancing knowledge through research.*

**Keywords:** Islamic Law; Sustainable Development; Environment.

## Introduction

*Man's attitude towards nature today is critically important simply because we have now acquired a fateful power to alter and destroy nature. But man is part of nature, and his war against nature is inevitably a war against himself.  
Rachel Carson, Silent Spring<sup>1</sup>*

Sustainable development is an international phenomenal crafted on redirecting development as well as economic growth to ensure that the economic and social development that meets the present generation does not destroy the ability of the future generations to meet their own needs<sup>2</sup>.

The ever-continuing imbalance between human development and ecological limits has pointed to the growing environmental problems and possible consequences with disastrous proportions.<sup>3</sup> In Uganda for instance 16% of the forest cover has been depleted within the past two decades out of the economic and social development pressures<sup>4</sup>. Uganda in response, in the 1990s enacted legislation to first track on the drive for a sustainable development agenda. However, there has been little work that has been done by Islamic Law researchers in Uganda in filling the existing gap in literature on linking Islamic law to the sustainable development agenda as well as environmental conservation. The purpose of this research paper is to analyze the existing legal and regulatory frame work that protects the environment in Uganda;

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<sup>1</sup>Books, Carson R. Silent Spring. New York: First Mariner. Silent Spring. New York: First Mariner Books (1962).

<sup>2</sup> United Nations, "WCED World Commission on Environment and Development: Our Common Future" (1987). In 2015, 193 leaders around the World came to face the future and they created what they termed as Sustainable Development Goals (SDGs). This 17 set of goals imagines the future just 15 years off that would be rid of poverty and hunger and safe from the worst effects of climate change.

<sup>3</sup> Dr. Layllah Rkiouak, "Bridging the Gap: An Islamic Sustainable Development Model for the Wana Region" Available at [www.wanainstitute.org](http://www.wanainstitute.org).

<sup>4</sup> Wilson Manishimwe, "Uganda's forest cover depleted to 8%, environment minister warns encroachers" NewVision Newspaper, Thursday, June 06, 2019.

demonstrate how Islamic research can enhance sustainable development through environmental conservation.

## **The Legal and Regulatory Environmental framework in Uganda**

### **Historical Development of Environmental Law and Sustainable Development in Uganda**

The laws on environmental conservation were part of the received law that Uganda inherited from its colonial masters. These legislations included the Forest Act of 1947, the Game, (Preservation and Control) Act 1959 (as amended by Decree 13 of 1975), the Land Reform Decree of 1975, the Timber (Export) Act Cap. 247 and the National Parks Act, 1952. These legislations were adopted and embraced in Uganda prior to the rise of the sustainable development agenda that has only received recognition by the United Nations in the 1970s<sup>5</sup>.

The above laws were as such out modeled, and would not first track the sustainable development vision embraced by different states within the 21<sup>st</sup> century because of the following observations that stood prominent in the said Acts;

- (i) They mainly focused on natural resource utilization rather than conservation, (ii) they lacked effective sanctions to deter infractions, (iii) they did not involve the role of the people in environmental conservation (iv) they lacked an efficient and effective mechanism for comprehensive coordination and (v) they were not comprehensive enough<sup>6</sup>.

### **Need for Review of the Environmental Legislations**

The Government of Uganda developed a National Environment Action Plan (NEAP) 1995<sup>7</sup> the purpose of which was to develop a road map through which Uganda's environment could be preserved in line with the sustainable development agenda<sup>8</sup>. As a result of this policy several environmental protection legislations were developed, enacted and passed including the National Environment Act Cap. 153, the Water Act Cap. 152, the Forest and Tree Planting Act of 2003, the Local Governments Act Cap. 243 and the superior of them being the 1995 Constitution of the Republic of Uganda.

### **The Enactment of Environmental Legislation in Uganda since 1995**

#### **The Constitution of the Republic of Uganda, 1995 (as amended)**

The Constitution is the supreme law in Uganda through which all other legislations derive their legitimacy. This is buttressed under Article 2 (2) of the Constitution as well as the case of *Major General David Tinyefuza vs. The Attorney General of Uganda*<sup>9</sup> both of which maintain that any law or custom that is inconsistent with any of the provisions of the constitution, the constitution will prevail and such law should be declared null and void. Objective XXVII of the National Objectives and Directive Principles of State Policy imposes a duty on the state to protect and preserve the environment for the sustenance of the present and future generations. In preserving the environment, the Constitution also calls on the state to protect the major components of the environment including land, water, minerals, oil, fauna and flora on behalf of the people of Uganda for a sustainable development<sup>10</sup>. The state fulfils this duty under the public trust doctrine which principle entrusts the state to hold all the natural resources in trust for the betterment of the present and future generations<sup>11</sup>.

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<sup>5</sup> Kenneth Kakuru and Irene Sekyana, "Handbook on Environmental Law in Uganda" Vol. 1 2<sup>nd</sup> Edition 2009.

<sup>6</sup> Kenneth Kakuru and Irene Sekyana, "Handbook on Environmental Law in Uganda" Vol. 1 2<sup>nd</sup> Edition 2009.

<sup>7</sup>The National Environment Action Plan for Uganda (Ministry of Natural Resources-Uganda, 1995) Available at <http://www.nzdl.org>. Accessed on 1/7/2019.

<sup>8</sup> Ibid

<sup>9</sup> Constitutional Appeal No. 1 of 1997.

<sup>10</sup> See: Article 245 of the Constitution of the Republic of Uganda 1995 (as amended)

<sup>11</sup> See: Advocates Coalition for Development and Environment vs. Attorney General (Misc. No.0100 of 2004)

### **The Uganda Wildlife Act Cap 2000**

The rationale for the passing of the Uganda Wildlife Act is stated in the long title to the Act as:

*“To provide for sustainable management of wildlife, to consolidate the law relating to wildlife management, establish a coordinating, monitoring and supervisory body for that purpose”*<sup>12</sup>.

The Act further creates the Uganda Wildlife Authority with functions such as; ensuring a sustainable development of Wild life conservation areas; identifying and recommending areas for declaration as wildlife conservation areas and the revocation of such declaration<sup>13</sup>.

It is because of the benefits of this Act that Uganda is now having tourism as its major external revenue earner by contributing US\$1.32 billion into Uganda’s export basket by 2016<sup>14</sup>. This revenue later helps in eradication of poverty which forms part and parcel of the Sustainable Development Goals.

### **The National Environment Act Cap. 153**

This Act is also a milestone in as far as environmental protection and conservation is concerned. The major highlight of the Act is the creation of the National Environment Management Authority (NEMA) a body entrusted under the Act to oversee environmental conservation, and management in Uganda<sup>15</sup>.

NEMA is empowered under section 6 of the Act to among others; to initiative legislative proposal aimed at protecting the environment; approve environmental impact assessment for the intending developers within the environmental sensitive areas; prescribe measures and standards for the management and conservation of natural resources and the environment.

The Act further requires any developer to submit a project brief to the lead agency and environment impact assessment to ascertain whether the intended project does not raise serious environmental concerns<sup>16</sup>. The authority as well as the courts of law are empowered under the Act to issue environmental restoration order as well as improvement notices to any person who violates this procedure<sup>17</sup>. The case of *Advocates Coalition for Development and Environment versus Attorney General*<sup>18</sup> where court held that where a development permit is issued without carrying out an environmental impact assessment as required by law is null and void. This is intended to protect and preserve the environment from exploitation that would arise from developmental projects. Also, in *Nyakaana vs. National Environmental Management Authority and Others*<sup>19</sup> the Supreme Court ordered the appellant to restore the damage he had caused on the environment because he never acquired the environment impact assessment before he embarked on building a storied building within the wetland. This decision from the Ugandan highest court further reinforces the spirit for environment conservation in Uganda.

The major setback that is faced by NEMA while conserving the environment is the negative political influence within Uganda that seems to support the environmental degraders. A case in point is the recent rhetoric by General Salim Saleh the brother to the president His Excellency Yoweri K. Museveni who backed the Chinese disastrous excavation of sand within Lake Victoria and called on the masses to choose between protecting sand or joblessness<sup>20</sup>. This has resulted into the continuous excavation of sand from Lake Victoria causing disastrous effects to environment.

### **National Forestry and Tree Planting Act 2003**

The long title to the Act spells its importance it provides;

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<sup>12</sup> See: The long title to the Wild life Act Cap. 2000

<sup>13</sup> See: Section 5 of the Wildlife Act Cap. 2000

<sup>14</sup> Ronald Musoke, “Uganda’s Tourism revenue figures” the independent Magazine, March 20, 2018.

<sup>15</sup> See: section 4 of the National Environment Act Cap. 153 Laws of Uganda

<sup>16</sup> See: Section 19 of the NEA act Cap 153.

<sup>17</sup> See: section 67 of the National Environment Act Cap. 153.

<sup>18</sup> Misc. Cause No. 0100 of 2004.

<sup>19</sup> Constitutional Appeal No. 05 of 2011.

<sup>20</sup> URN, “Saleh: choose between protecting sand and joblessness” The Observer Newspaper, Jan 16, 2018.

*“An Act to provide for the conservation, sustainable management and development of forests for the benefit of the people of Uganda; to provide for the declaration of forest reserves for purposes of protection and production of forests and forest produce; to provide for the sustainable use of forest resources and the enhancement of the productive capacity of forests; to provide for the promotion of tree planting; to consolidate the law relating to the forest sector and trade in forest produce; to establish a National Forestry Authority; to repeal the Forests Act, Cap. 246 and the Timber (Export) Act Cap. 247; and for related matters”.*

The National Forestry Authority (NFA) has successfully liaised with ministry of lands planning and urban development and cancelled majority of the land titles that were issued in the forest reserves as well as evicting encroachers within the gazetted forest reserves<sup>21</sup>. This initiative has helped in the restoration of protected areas such as forests where they had already been depleted which has positively impacted on environmental conservation.

### **The Water Act Cap. 152**

The Long title to the Water Act spells its importance as;

*“An Act to provide for the use, protection and management of water resources and supply; to provide for the constitution of water and sewerage authorities; and to facilitate the devolution of water supply and sewerage undertakings”<sup>22</sup>.*

Section 31 of the Act makes it an offense for a person who without authorization pollutes water in any way. This initiative has helped in the preservation of water sources from water pollution which has positively impacted on environmental conservation.

### **The Fish Act Cap.197**

The Fish Act makes provision for the control of fishing, the conservation of fish, the purchase, sale, marketing and processing of fish, and matters connected therewith<sup>23</sup>. Section 4 of the Act puts restriction on the use of certain types of fishing methods to particular lakes such as Edward, George or the Kazinga Channel such as basket fishing. Section 5 mandates that for every vessel that could be used for fishing should be licensed and lastly under Section 7 it makes it criminal to use explosive or poison as a mode of fishing without prior authority from the chief fisheries officer.

Recently the government of Uganda as a way of protecting the different endangered species within the lakes, deployed the Uganda Peoples’ Defense Forces to curb on illegal fishing. As a result, fish stocks within the lakes bounced back<sup>24</sup>. However, the government needs to first track the removal of water hyacinth that has almost covered most of the lakes in Uganda particularly Lake Kyoga and the shores of Lake Victoria<sup>25</sup>.

In conclusion, the journey of environmental conservation is one that we should be proud of considering the regulatory successes that have been achieved so far. However, there is much effort that is still needed when it comes to the implementation side if Uganda is to realise a sustainable development that caters for the future generations.

## **Islam and Environmental Protection/Conservation**

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<sup>21</sup> NFA, issues to for people to surrender illegal land titles in Central Forest Reserves, 26, February 2019. Available at <http://www.nfa.org.ug>

<sup>22</sup> See: The Long Title to the Water Act Cap. 152

<sup>23</sup> See: the Long title to the Fish Act Cap. 197.

<sup>24</sup> Isaac Khisa, “Once declining fish stocks in Lake Victoria bounce back” The Independent Magazine 13/December/2019

<sup>25</sup> URN, “Lake Victoria fishermen struggle to remove water Hyacinth” The Independent Magazine January 14, 2019.

The story for Islamic conservation of environment has existed since 610 AD with the prophethood of Prophet Muhammad (PBUH). His prophethood was guided by the revelation to mankind the Holy Quran particularly addressing the past, present and future concerns of mankind for his betterment on this World and in the hereafter. For this Allah the exalted said;

*“Nothing have we omitted from the Book”*<sup>26</sup>

The above verse emphasizes that Allah addressed everything within the Holy Quran including issues concerning environment. The Quran is further supplemented further that the Holy prophet who never spoke about anything except it was a revelation from Allah. On this Allah said:

*“Nor does he speak of (his own) Desire. It is only a Revelation revealed”*.<sup>27</sup>

Allah while praising His creation of the environment He said;

*“Lo! In the creation of the heavens and the earth, and the difference of night and day, and the ships which run upon the sea with that which is of use to me, and the water which Allah sendeth down from the sky, thereby reviving the earth after its death, and dispersing all kinds of beasts therein, and (in) the ordinance of the winds, and the clouds obedient between heaven and earth: are signs (of Allah’s Sovereignty) for people who have sense”*<sup>28</sup>

Environment for starters is defined as the surrounding/context where human beings live<sup>29</sup>. According to Dr. Mohammad Assayad Jamil, environment can be categorized into two basic formats which are; the natural environment and the civilization environment<sup>30</sup>.

For **natural environment**; it entails the natural resources such as the earth, water, air, and living organisms, including man animals and plants. For **civilization environment** it refers to the man-made creations onto the environment including buildings, streets, factories, agriculture, technology, social, economic, and developmental institutions all of which are designed to meet the daily needs of man.<sup>31</sup> However our major discussion in this paper is only specific to the natural environment whose misuse might spell doom for the future generations<sup>32</sup>.

From the Islamic perspective, sustainable development enjoins all humans to utilize the available natural resources in the best way within the required dimensions bearing in mind what is best for not only the present generation but also preserving the same for the generations to come.<sup>33</sup> Therefore man should utilize the available resources consciously and in line with the teachings of the Quran and Sunnah.

Mohd Yaseen Gada suggests that the environment crisis manifested itself when modern man stopped to understand that on this world, he is only a ‘vicegerent’ and trustee who holds this Earth and nature in trust for the Almighty Allah<sup>34</sup>.

*And when thy Lord said unto the angels: Lo! I am about to place a viceroy in the earth, they said: wilt thou place therein one who will do harm therein and will shed blood, while we, we hymn thy praise and sanctify Thee? He said: Surely, I know that which ye know not*<sup>35</sup>

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<sup>26</sup>Quran6:38

<sup>27</sup>Najm 3-4.

<sup>28</sup>Al-Baqarah 162

<sup>29</sup> Dr. Mohammad Assayad Jamil, “A study on environmental issues with Reference to the Quran and Sunnah” Publications of the Islamic Educational Scientific and Cultural Organisation-ISESCO-1420H/1999. Pg 9.

<sup>30</sup> Ibid at 24

<sup>31</sup> Ibid at 11

<sup>32</sup> Emily Gumm, “The Use and Misuse of Wetlands in Kampala” (2011). Independent Study Project (ISP) Collection. 1022 Available at [http://digitalcollections.sit\\_collection/1022](http://digitalcollections.sit_collection/1022). Accessed on 2/7/2019.

<sup>33</sup> Muhammad Nouh, “Sustainable Development in a Muslim Context” Available at earth carter.org> Accessed on 9/6/2019.

<sup>34</sup> Mohd Yaseen Geda, “Environmental Ethics in Islam: Principles and Perspectives” Journal of Islamic History and Civilization, 4 (4): 130-138, 2014

<sup>35</sup> Albaqara:30

It is for the same reason that we should be made to understand that our environment can only be protected by reminding people of the Allah's calling on environmental protection. Man should be made to understand through conducting Islamic research as well as its dissemination that environmental conservation is an order from Allah and through preserving the same, he awaits a huge reward on this Earth in form of good climate and on the hereafter in form of paradise for obeying Allah's command<sup>36</sup>.

### **Quran and Sunnah on Environment**

Though the term "environment" is not specifically mentioned in the Holy Qur'an or Sunnah, the Quran and Sunnah talks about the preservation of its major components including water air, land among others<sup>37</sup>. Natural environment constitutes specifically water, trees, the atmosphere, animals, human beings and plants<sup>38</sup>. It is therefore important to put the above constituents of the natural environment into perspective by looking at what the Quran and Sunnah tells mankind in terms of their protection.

### **Water**

According to Youssef Abdel Maid Fayed<sup>39</sup>, water has been mentioned in the Holy Quran in 63 places of which Allah asserts its importance to mankind.

1. Allah mentions in one of the instances that water was the first thing to have ever existed and therefore mankind is bound to preserve it jealously. Allah says:

*"And His throne was over water—that He might try you, which of you is best in conduct"<sup>40</sup>*)

The Prophet Peace Be Upon Him said:

*"Allah was and there was nothing prior to Him; His Throne was over water; then He created earth and the heavens, and has everything written in His Book"<sup>41</sup>*

2. Allah also mentions that all living things depend on water for their lives. Allah Said;

*"We made from water every living thing"<sup>42</sup>*

3. That water is also the Source of all Vegetation. Allah said:

*"It is He who sendeth down rain from the skies: with it we produce vegetation of all kinds"<sup>43</sup>*

*"We send down rain from the sky, and produce on the earth every kind of noble creature, in pairs"<sup>44</sup>*

If human beings can take the above among the many functions of water why then would mankind go on to pollute water. It would then be a cause of his destruction.

### **Vegetation**

Vegetation is a general term that describes the whole plant cover on earth<sup>45</sup>.

Allah said:

*"And We send down from the sky rain charged with blessing, And We produce therewith Gardens and Grain for harvests"<sup>46</sup>*

*"With it He produces for you corn, olives, date-palms, grapes"<sup>47</sup>*

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<sup>36</sup> Shomali, Mohammad, 2008 "Aspects of Environment Ethics: An Islamic Perspective." available at [www.thinkingfaith.org](http://www.thinkingfaith.org) (Accessed on 6/7/2019)

<sup>37</sup> Ibid at 38

<sup>38</sup> Ibid

<sup>39</sup> Youssef Abdel Maid Fayed, Weather and Climate-Book research, Reference book on Environment for Public Education.

<sup>40</sup> Quran 11:7

<sup>41</sup> Narrated by bukhari no 7418

<sup>42</sup> Quran 21: 30

<sup>43</sup> Quran: 6: 99

<sup>44</sup> Quran 31:10.

<sup>45</sup> North Carolina Climate Office, "Vegetation: Its Role in Weather and Climate" Available at <https://climate.ncsu.edu>. Accessed on 2/7/2019.

<sup>46</sup> Quran 15: 9

<sup>47</sup> (Nahl: 11)

*“Do they not look at the earth, - how many noble things of all kinds We have produced therewith”<sup>48</sup>*

The prophet also said:

*“If a Muslim plant a tree or sows seeds, and then a bird, or a person or an animal eats from it, it is regarded as charitable gift (sadaqah) for him”<sup>49</sup>*

The prophet also while reminding Muslims of how important it is to keep the environment sanitary to maintain the community, the prophet (PBUH) said;

*“Beware of the three acts that cause you to be cursed: First, relieving yourselves in shaded places (that people utilize), in a walkway or in a watering place....”*

The prophet also gave paramount importance to street clean-ups, when he said:

*“Removing harmful things from the road is an act of charity (sadaqah)” (Narrated by Abu Dharr Al-Ghafari, Riyadh As Saliheen)*

## **Animals**

Islam is a religion that shows compassion to animals as well as their welfare. This is so because mankind depends on animals in certain aspects such as in agriculture and transportation. Allah said:

*“And cattle He has created for you (men): From them ye derive warmth and numerous benefits. And of their (meat) ye eat.”<sup>50</sup>*

*“And (He has created) horses, mules, and donkeys, for you to ride and use for show, And He has created (other) things of which ye have no knowledge”<sup>51</sup>*

Allah also said:

*“There is not an animal (that lives) on the earth, nor a being that flies on its wings, but (forms part of) communities like you. Nothing has we omitted from the book, and they (all) shall be gathered to their Lord in the end”<sup>52</sup>*

The prophet emphasized in his traditions the importance of protecting animals. The prophet said in the following traditions;

*“A good deed done to an animal is as a good deed done to a human being, while an act of cruelty to an animal is as bad as an act of cruelty to a human being” (Mishkat al-Masabih)*

*“There is a great sin for man to imprison those animals which are in his power” (Hadith: Muslim)*

*“There is a reward (ajr) for helping any living creature”<sup>53</sup>. “Fear God in these mute animals, and ride them when they are fit to be ridden, and let them go free when .... They (need to rest)”<sup>54</sup>.*

The prophet even guided mankind how best to slaughter; The prophet said

*“Verily Allah has enjoined goodness to everything; so when you kill, kill in a good way. So every one of you should sharpen his knife, and let the slaughtered animal die comfortably”<sup>55</sup>.*

As we have elucidated above, the Quran and Sunnah emphasizes the importance of the animals, therefore mankind should obey this Allah’s command and preserve the animals.

The other important issue to note is that mankind should jealously guard and protect the environment because the earth has limited resources which if not preserved the future generation would suffer because of their depletion;

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<sup>48</sup>(Shu’araa: 7)

<sup>49</sup>Narrated by Bukhari Book 41 VOL 3 no. 2320

<sup>50</sup>**Nahl: 5**

<sup>51</sup> **Nahl :8**

<sup>52</sup>**Quran 6:38**

<sup>53</sup>**Hadith: Bukhari and Muslim**

<sup>54</sup>**Sunan Abi Dawud 2548**

<sup>55</sup>(Sahih Muslim (Book 21, Chapter 11, Number 4810)

Allah makes several references within the Holy Quran on how this earth is made of limited resources. For example:

*“And there is not a thing but its (sources and) treasures (inexhaustible) are with Us; but We only send down thereof in due and ascertainable measures”*<sup>56</sup>

*“And We send down water from the sky according to (due) measure, and We cause it to soak in the soil; and We certainly are able to drain it off (with ease)”*<sup>57</sup>.

*“He set on the (earth), mountains standing firm, high above it, and bestowed blessings on the earth, and measure therein all things to give them nourishment in due proportion, in four Days, in accordance with (the needs of) those who seek (Sustenance).”*<sup>58</sup>

The above verses send a message to mankind that no matter how rich and endowed with Allah bounties, Allah’s resources are limited and scarce and they should therefore be handled rationally.

### **Protection of Environment**

Under this head, we are to address the teaching of the Holy Quran on protection and preservation of the environment. Moslems should be reminded that the violation of Allah’s stipulations as provided in the Holy Quran is sinful<sup>59</sup>. God Almighty says,

*“And Allah loveth not those who do mischief”*,<sup>60</sup>

*“But waste not by excess: for Allah loveth not the wasters”*<sup>61</sup>

*“and do no mischief on the earth after it has been set in order: that will be best for you, if ye have Faith”*<sup>62</sup>

The above verses are explicit on how Allah dislikes those who destroy His environmental natural order. Man should also remember that his present actions are bound to affect the well being of the future generations to come and as such he should optimally utilize the environment in the best way possible by avoiding doing mischief and wasteful acts against it. God Almighty says,

*“And the earth, moreover, hath He extended (to a wide expanse); He draweth out there from its moisture and its pasture; And the mountains hath He firmly fixed; - For use and convenience to you and your cattle.”*<sup>63</sup>

Human beings should also know that they exist on this World side by side with other Allah’s creatures that also have a right to share the bounties of good environment just like as the humans do. In this verse, God indicates the right of animals, which highlights Islam’s supremacy and class.

God Almighty says,

*“There is not an animal (that lives) on the earth, nor a being that flies on its wings, but (forms part of) communities like you. Nothing have we omitted from the Book, and they (all) shall be gathered to their Lord in the end.”*<sup>64</sup>

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<sup>56</sup>(Surat Al Hijr, ‘the Stoneland’, verse 21)

<sup>57</sup>(Surat Al Mumunoun ‘the Believers’, Verse 18).

<sup>58</sup>(Surat Fusselat ‘signs spelled out’, verse 10)

<sup>59</sup> Quran Surat Al-Anfal verse 24.

<sup>60</sup>(Surat Al Ma’eda ‘The Table’<sup>64</sup>

<sup>61</sup> Surat Al An’am, ‘the Cattle’, verse 141),

<sup>62</sup>(Surat Al A’raf, ‘the Heights’, verse 85).

<sup>63</sup>(Surat Al Nazi’at, verses 30-33).

<sup>64</sup>(Surat The Cattle, verse 38).



Accordingly, by the dictates of the above verse, humans must keep in mind that they hold the available natural resources on trust for other worldly creatures and they should make a greater effort to protect and preserve these resources.

Lastly for this chapter, man should also understand that his right to benefit from the environment's resources is bound by a specific timeline. Man should as such adopt a disciplined behavior when it comes to environmental utilization well knowing that at a certain time, he will have to leave this earth. God Almighty says,

***“On earth will be your dwelling-place and your means of livelihood - for a time.”***<sup>65</sup>

The above discussion, leaves no doubt that surely Islam was the first to address the issue of environmental conservation with the advent of Prophet Muhammad Peace Be upon (610 AD). Islamic Scholars, Moslem leaders, lecturers are bound to pass over this information to the entire generation to enable Muslims to understand that the issue of sustainable development is not foreign in Islam but rather Islam has called for environmental protection and conservation since time immemorial. On this the prophet Peace Be Upon said;

*“The Ulama are the heirs of the prophets. The prophets have not left gold or silver coins as bequest, but knowledge (ilm). Whoever seizes it has taken a bountiful share”*<sup>66</sup>.

*“That surely the best of mankind is one who learns the Holy Quran and the teaches it to another person”*.

When Moslem scholars follow the above traditions, Islamic research will be linked to environmental conservation and sustainable development, which is the theme for this present paper.

## **Conclusions**

In lieu of the above findings, we can conclude that:

- a) The issue of environmental conservation is part of the religion of Islam and not optional. Allah commands Moslems to preserve the environment and therefore Moslems are bound to obey His divine command.
- b) That there is still a gap that exists between Islamic Research, environmental conservation and sustainable development. Moslem scholars need to stand up to this occasion to fill this void.
- c) That Uganda has had several positive steps in legislating for environmental conservation. However, the implementation part is still lacking. And lastly
- d) The sustainable development goals that calls for eradication of poverty, respect for human rights, environmental conservation is in line with the teachings of Islam and Muslims are bound to embrace them in as far as they do not reach at the level of contradicting the teachings of Allah and his messenger.

## **Recommendations**

The paper recommends the following in lieu of achieving an Islamic Law engaged sustainable development:

- a) Global institutions such as the United Nations and other civil society organisations need to facilitate muslim scholars with financial, logistical as well as technical support to enable them carry out programmes that support sustainable development in the Islamic community.
- b) Islam scholars and preachers need to emphasize within the Moslem world that sustainable development in all its aspects is a form of worship through which people can come closer to their God.
- c) Higher institutions of learning such as Islamic University in Uganda should encourage research, dialoguing, encourage discussions and moots in this area in addition to look for financial support elsewhere to support this initiative.

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<sup>65</sup>(*Surat Al Baqara, verse 36*).

<sup>66</sup>Hadith transmitted by Abu Dawud, *Kitab al-ilm* 2682

- d) Public media campaigns are required by the key stakeholders to enlighten the Muslim World that preservation of environment is an act of worship decreed by the Almighty Allah.

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