

## **THE PROBLEM OF ENFORCEMENT OF ENVIRONMENTAL LAWS IN FCT USING ZUBA AS CASE STUDY**

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DOI: <https://doi.org/10.5281/zenodo.13142443>

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**Abstract:** This study focused on the problems of enforcement of environmental laws in FCT using Zuba as a case study. A Total of 200 people comprising all stakeholders in the enforcement of environmental law in the area were involved. Data collection was done using constructed questionnaires, the data collected were analysed and responses weighted using a five (5) scale likert with criterion acceptance means of 3.0 in order to verify the postulate. Hypothesis, T-test and ANOVA were using to test the hypotheses at an alpha level of .05. Study revealed that social, Geopolitical, Economic, Administrative, inadequate staff and legal constitute are the major problems of enforcement of environmental law in Zuba. The research also revealed that law enforcement agencies had no significant influence on the problem of enforcement of environmental law .Consequent to the findings, it recommend that employee of environmental and planning law, special guard, patrol officers, provision of more vehicles, increased in finance is very important to solve the problem of enforcement of environmental laws in Zuba.

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**Keyword:** Enforcement, Environmental, Laws, FCT, Zuba, Nigeria

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### **Introduction**

We live in a society where everything is taken for granted. In decades past, it was popularly thought that the environment had an infinite capacity to absorb environmental excesses without any resultant harm. Now it is known that irreparable damage can and has already been done and that the earth's resources must be managed carefully, for the sake of future generations therefore. Problems of environmental pollution are of greater significance now than before, the 1999 constitution of federal Republic of Nigeria has a Fundamental Human Right provisions which guarantees right to life. However, if we must have a meaning guarantee life, the constitution must also guarantee to us an environment that will not be a threat to our life. If our life is threatened and the government is unable to enact appropriate laws or formulate a sound and pragmatic environmental policy and legal frame work to deal with such threat to the environment, invariably our life is threatened because our existence and sources of our livelihood is dependent upon the environment. Similarly, if the legal framework is

there, no matter how flawless couched, and without enforcement, the law would just be as good as the color and shape of the statute book. Consequent upon myriad of environment problems generally and FCT (Zuba as a case study) which we would examine in the cause of the discussion. It becomes necessary to examine the problems associated with enforcement of the laws which are already in the statute books, so as to awaken the consciousness of all environmental stakeholders to effective enforcement. The researcher knows that the problem is not that laws are not there to guard against environmental pollution and haphazard land development, but the problem is that the laws are improperly enforced, if enforced at all. Why the improper enforcement?? this among other questions is the gamut of this paper. We need to know this because if the legal framework is there, no matter how beautifully couched, and without enforcement, the law would just be as good as the colour and shape of the statute book

Failure to plan, it is said, is planning to fail and a planless life is a wasted life. Planlessness occurs where there is no pre-conceived vision, and any mission without a vision is an illusion or an effort in futility. These strong worded adages on planning show clearly its importance and subsequent consequence, which cannot be undermined. Planning is the nugget or nucleus of every sphere of life if orderliness and aesthetics is to be achieved in any society. There are various types of planning which include political, socio-economic and physical planning. Planning law is aimed at providing a balanced view of Law and planning, and the interaction between the both. In the case of urban and Regional planning Law; Nigerian Urban & Regional Planning (2004) land is the resource being planned for, since plans are people oriented and as man's needs are dynamic, so also plans cannot be static, but must change as man's need change. If proper environmental planning is done and written in the most rigid law without proper machinery of enforcement. It would be mere empty threats or what would be known as a bark of a toothless bulldog.

In view of the foregoing, the twin problem of development and environmental protection are the major problems confronting contemporary international community. The world is so much concerned as to the prospects of safe existences that all minds are very busy on how to contain the situation.

Consequently, environmental protection problems have been accorded due priority within the framework of the United Nations. Thus, the world body in Article 25 of its Charter declared that everyone has a right to a healthy standard of living UN Charter (1948). The provision is sacred in the UN Universal Declaration of Human Rights. Similarly, Article 12 of the United Nations International Covenant on Economic, Social and Cultural Rights (1966) provides that state parties to the covenants recognize the rights of everyone to the highest attainable standard of physical and mental health. It also stipulates that steps be taken by the state parties to the covenants to achieve the full realization of this right. Such steps should include the improvement of all aspects of environmental hygiene and the prevention, treatment and control of epidemic. An endemic, occupational and other disease, this provision is in material conflict with Article 11 of the European Social Charter. However, the Africa Charter on Human and Peoples Rights (1981) makes its position even more explicit. It provides that

*'All people shall have the right to a general satisfactory environment favourable to their development'*

As time progressed, there was an increased awareness of the dangers of a deteriorating environmental situation in the 2000s, the over environmental abuse, exhaustion of natural resources and alteration of nature's balances grew. Therefore, in June 5<sup>th</sup> to 16<sup>th</sup> 1972, the international community came together in Stockholm in Sweden to consider among other things. The threat of increasing population vis-à-vis decreasing natural resources, human

impact on animal population and natural landscape, deforestation and threat to endangered species, consequent increase in the use of hydrocarbon fuel, threat of food insufficiency and good housing and various aspects of resource depletion. Umar (2020)

The conference confirmed the emergency of the legal protection of the environment as a new focus of worldwide legal activity. It brought both the developed and developing nations under one forum to consider the right of every human being to a healthy and productive environment, after the Stockholm conference, many countries took steps to widen the scope and effectiveness of legislation meant for environmental protection. Significantly the Stockholm conference unanimously recommended the 5<sup>th</sup> of June every year as world's environmental day. Member countries took concrete steps to strengthen and increase the implementation of their environmental protection laws. For example UK control of pollution Act (1974) and similar measures were taken by European countries to harmonise their environmental protection laws, In Germany and united State of America, environmentalism is already in top gear and a popular culture due to the present environmental protection consciousness pervading all nations of the world Umar (2017)

According to Umar (2020) the distortion of the state of nature that was the lot of man's environment could be traced to industrialization. The learned author opined that after the Berlin conference partition and colonization (1814-15) in ruthless and rapid exploitation of the natural resources of Africa by the European over-lords, the face of Africa never remained the same again. On attainment of independence, independent governments thought that rapid development was synonymous with indiscriminate exploitation of mineral resources in their supposed effect to 'quickly catch up' with the western nations. Non-sustainable developments become the order of the day. Man who created nothing began to destroy all for his selfish purpose, he, being prominent of all primates, used his position as a trustee to plunder the earth, the Almighty Allah in his infinitive mercy gave the earth in trust to man for him to be responsible for its sustenance, honest and full utilization. That the Lord doing

According to Umar et al (2017) large tracts of Nigeria's rain forests have been cleared and forests remain only small – isolated reserves. Available data reveals that only 1.7% of Nigeria's land area is included within protected areas. Worse still, most of these protected areas are being pilfered by poaching, illegal, hunting. Farming, grazing, road construction and at times, housing. Consequently. Some of the best reserves are suffering damage and encroachment. At least for now, there is no gainsaying that the contemporary world is a beneficiary of a fairly rich earth. Unfortunately, this relatively beautiful earth is being despoiled at an appalling rate by man in a mindless and mad pursuit of modern ways of life. The same can be said of development and man's environment. Haphazard planning has led to the growth of slums in most cities of the world especially in developing countries like Nigeria, India, Mexico and Asian Countries. The effect of these to the human population health wise, socially and aesthetically cannot be over-emphasized. In fact, in so many ways, we are destroying the very basis of our future survival so much so that even the maker of all things had to complain bitterly in the Book of Jeremiah

In FCT like most North-central states of Nigeria, erosion ravages is a big threat to the environment and adequate steps are not being taken to contain coastal erosion. In the area of urbanization, it has its ugly report. People in urban areas generate unwanted and dangerous wastes: effluents, fumes, air laden with particles of noxious fumes and dangerous gases in the process of production. Fossil fuel, which is the main source of energy used in Zuba in turn generates carbon dioxide, carbon monoxide, methane and chlorofluorocarbons which contributors to global warming and ultimately ozone depletion Umar (2017)

A stroll along most street of Nigeria would clearly reveal that our environmental laws are not being enforced. Zuba is not an exception in fact most major streets in Zuba FCT reveal just a ghost of its past. Gutters are unkept, Fig 1



Diagram showing Gutter unkept in Zuba metropolis

Source: Researcher's Field Survey, 2024

human sewage litter everywhere as a result of usage of antiquated bucket toilet system or leakage of lavatory septic tanks, garbage and industrial wastes are common place, dust of unprecedented nature foul the air as a result of the impact of the quarry industry among environmental bizarre. There is health hazard that annually take the lives of inhabitants almost on regular basis, due to cholera epidemics.

Worse is the attitudinal approach of the people of Zuba toward planning and poor enforcement of our planning laws. Most people undertaking developmental projects such as building, fuel stations, factories, industries etc no longer consider the impact such project will have on the environment. All they are out for is the achievement of their selfish goals, and as a result of this neglect and non enforcement of planning law, a lot of havoc have been done to the environment such as , unhealthy environment, slums, irregular development and loss of lives.

Again this background, most areas in Zuba in FCT environmental laws is not being enforced. Zuba water channels are littered and blocked with bins,

Fig 2



Diagram showing Zuba metropolis water channels littered and blocked with bins

Source: Researcher's Field Survey, 2024

sewage litter everywhere due to the usage of antiquated bucket toilet systems, leakage of septic tanks etc. similarly; air pollution of unprecedented nature is common place due to the quarry industry in Zuba

In the face of these violations, the attitude of environmental enforcer does not help matters. It is highly unfortunate that our law enforcement agents always shield polluters and those who distort city from damaging litigation where the utility of the enterprises involved in it is sensitive and vital to the growth and development of the society. The foregoing calls for critical appraisal of the problems associated with enforcement of environmental laws in Zuba in terms of problems, influence of years of experience and location, this is the crux of this paper. The research questions that is postulated for the research is

- What factors constitute problems in the enforcement of environmental laws in Zuba??
- What is the influence of location in the enforcement of environmental laws in Zuba??
- What is the influence of law enforcement agencies on the problems of enforcement of environmental laws in Zuba??

## 2.0 Systematic Review of Literature

### 2.1 The concept of Environment

The environment is the place of human, plant and animal existence. It is where we live and develop. This includes the air, land water, vegetation, our surroundings, and the entire ecosystem. In Genesis 1 the bible tell us that God created the heavens and earth and all that is in them: the green trees, the water, the light, flowers, animals etc. when he looked upon his work of creation and saw that each corresponded with his intention and that they were good. He created man (Genesis 1:11-12). God's perfect order and harmony of creation was symbolized with Garden of Eden described as beautiful Chukwu et al (2016)

Umar et al (2022) gave a broader definition of the term environment. According to them the word environment is the whole complex of physical, social, cultural, economic, aesthetic factors which affect individuals and

communities and ultimately, determine their form, character relationship and survival' Umar et al went further to categorise the dimension of the environment into four:

- ❖ The physical environment ( natural and constructed) which includes land, climate, vegetation, wildlife, the surrounding land uses and the critical character of an area, imposture/public services, air noise and water pollutions.
- ❖ The social environment includes community facilities and services.
- ❖ The aesthetic: environment-scenic area, vis-vis sa views including architectural character of building
- ❖ The economic environment, which includes employment, land ownership, pattern and land values.

## **2.2 Nature of Environmental Problem**

Environmental problems are diverse and sometimes have many unrelated causes. They arise as counter reactions to man's selfish and unguided effort to enjoy his own existence on the face of the earth. In the process, varied consequences are left in its trail, eg global warming. Pollution, natural ecological problems, desertification, improper land development and planning etc

According to Omaka (2020) some of the factors that lead to environmental problems are

- ❖ Population factor: increased population means more cars, which in turn pollute the air. A larger population creates greater demand for use of resources to provide homes, material goods, and jobs. The results is that more land allocation problems is sitting homes, industries and more land degradation problems are experienced, In disposing of solid waste and liquid wastes increased population growth also means more agricultural production to satisfy the food, clothing and other requirements of the people
- ❖ Unconfined jurisdiction: human beings, environmental problem do not know geographical boundaries. Air and water pollution do not respect international boundaries. They spread their impact across communities, local government areas, regions and even countries for example, threats to the ozone layer endanger all humanity. Pollution of the oceans and the extinction of whales are international problem.

## **2.3 Environmental Law & Environmental Protection**

Environmental Law is defined as the field of Law dealing with the maintenance and protection of the environment- impact statements, as well as measure to assign liability and provide cleanup for incidents that harm the environment. It further consider it as the field of law dealing with the maintenance, and protection of the environment including preventive measures such as to assign liability and provide clean up for incidents that the harm the environment. To Umar (2020) environmental Law is an organized way of using all the laws in our legal system to minimize, prevent, punish or remedy the consequences of actions which damage or threaten the environment, public health and safety.

## **2.4 Legal policy of the Environment**

It is also clear than an ill -preserved, ill -protected, ill-managed environment does not augur well for the attainment of the spirit and intendments of the fundamental human right as provided by the constitution. The purpose of environmental Law is to improve the living condition of man, through a rational use and management of our natural resources. This is because the maintenance of ecological equilibrium is the only way open to attainment of economic and moral advancement for mankind. Economic development based on unsustainable use cannot continue indefinitely without endangering the carrying capacity of the earth. According US Environment Protection Agency, old growth patterns, must change and quickly too, if we are to ensure the long term integrity of the natural system that sustain life on earth. Environmental law is a major tool to this end. Omaka (2020)

## 2.5 The Concept of Environmental Enforcement

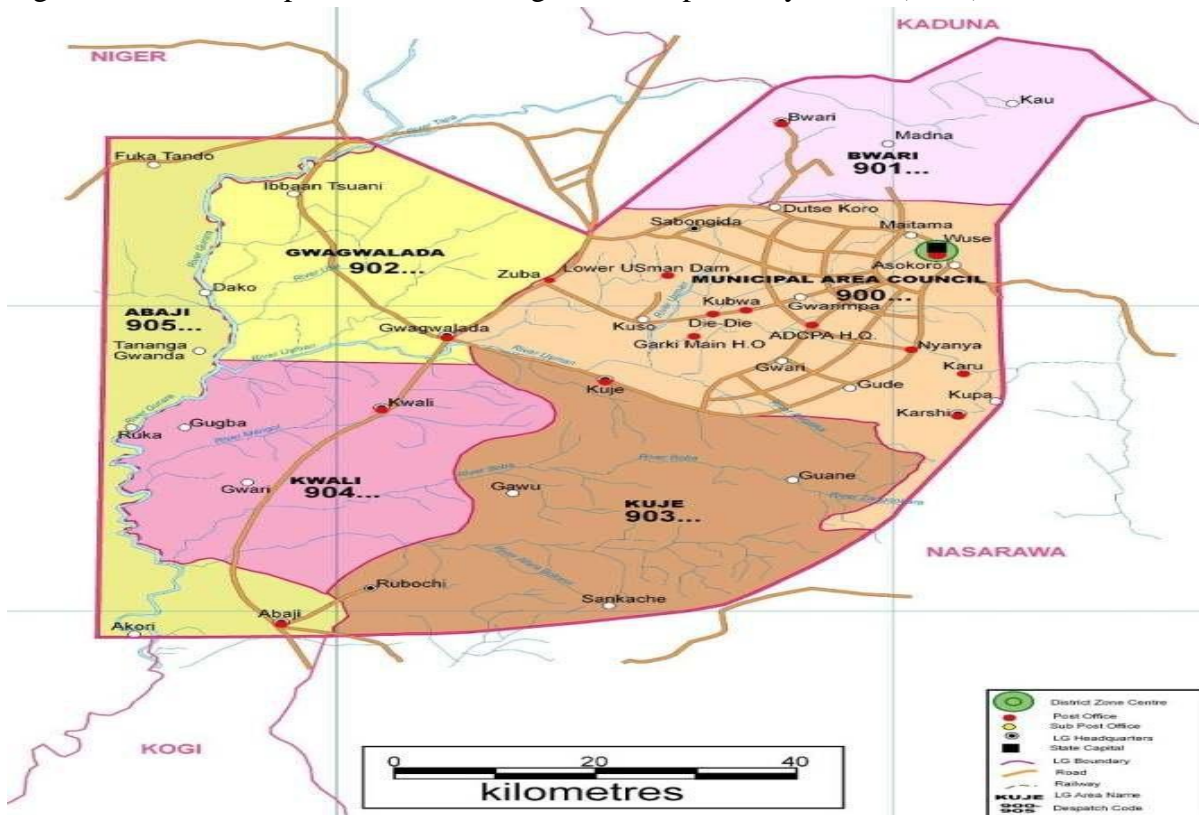
Volokh et al (2000) defined environmental enforcement holistically to them it encompasses the range of measures which government uses to punish non-compliance with environmental laws or regulations. When faced with a violation of environmental laws, enforcement agencies can often choose from a range of options from administrative action to civil fines to criminal prosecution. As in any regulatory regime, the possibility of violations exists; wherever there is an intent to harm people or intentionally violate the law a mechanism for enforcement( and sometimes, criminal enforcement) must exist. The various types of enforcement Action according to frank (2021) include informal, administrative actions, injunctions, civil judicial, criminal judicial

## 2.6 History of Zuba

Zuba is located Latitude 7<sup>0</sup>24' 15' and Longitude 5<sup>0</sup> 4' 1'E. Zuba is a community in Gwagwalada Local Government Area of the federal capital Territory (FCT) Nigeria. It is located in the border of Abuja central city and shares the same boundary Madalla with Niger State Nigeria .Other than being the gateway to Abuja, Zuba is also on a primary highway that connects to Kaduna- Kano as well as Kogi State to major cities of the south. The natural monolith is located in the western part of Nigeria, near the capital city of Abuja. Umar (2020)

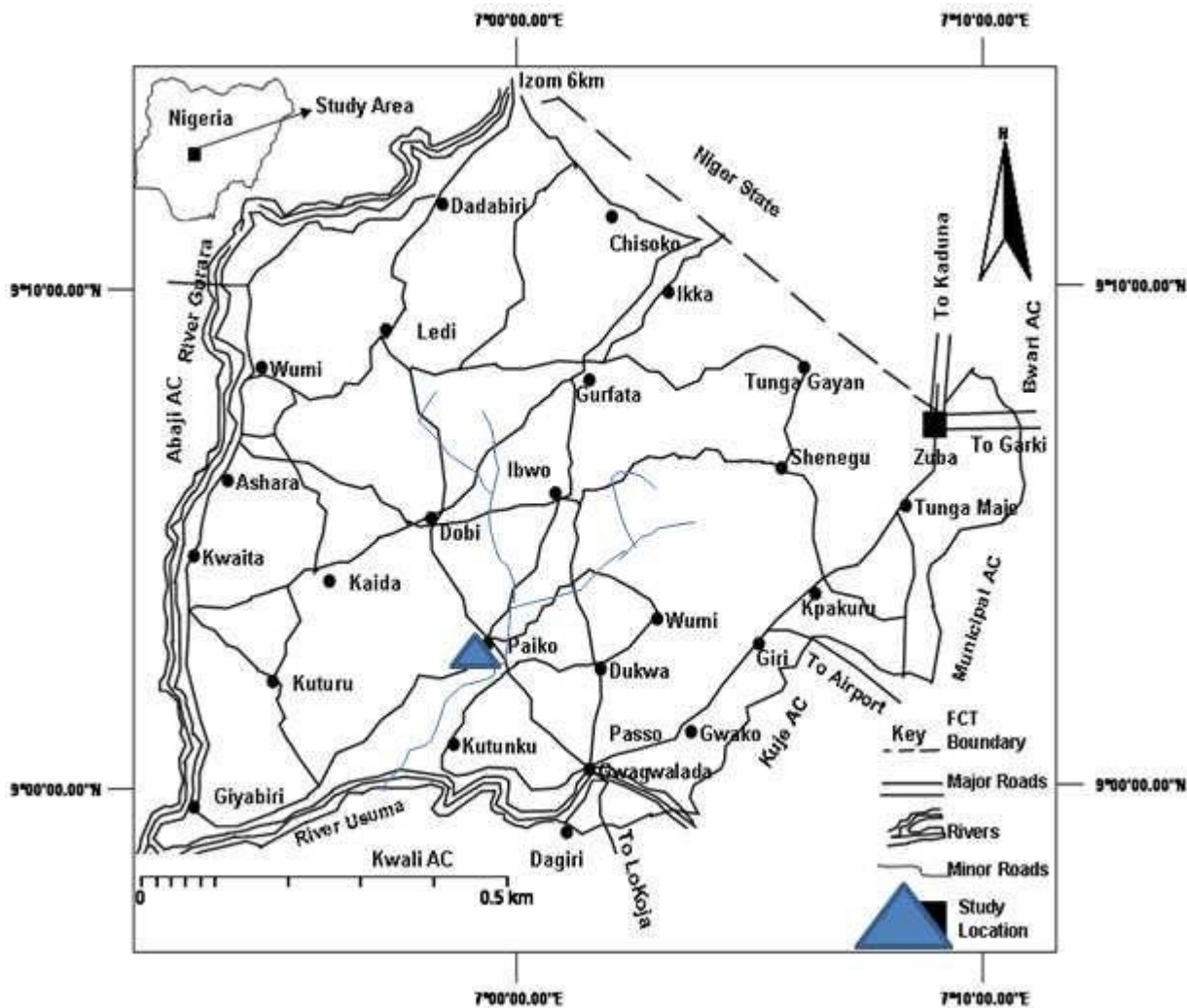
The rock was discovered in 15<sup>th</sup> Century by the good people of Zuba in Niger which they refer to as Zumwa, which simply means 'A place of guinea fowls' due to the large number of foul located there. Today the kwarafa (Kororofa) continue to spread in the entire country (Nigeria) Koro is the native language of Zuba people. However, being a commercial and transit area, it records a large number of other tribes like Hausa, Yoruba, Igbo, Igala, Ebira, Nupe etc

Figure 1 show the map of Zuba and Gwagwalada respectively. Umar (2020)



Map of FCT showing Zuba and its environs

Source: Researcher's Field Survey (2024).



Map of FCT showing Gwagwalada area Council and its environs

Source: Researcher's Field Survey (2024).

### 3.0 Research Methodology

Survey research design was adopted. Both qualitative and quantitative data collections were used. Collection of qualitative data was through oral interviews and non-participant observation, while quantitative data were collected using structured questionnaire and secondary sources such as books and journal articles. The oral interview targeted key senior member of the environmental agencies. Interview was conducted based on questions drawn from prepared interview guide and recorded manually. The non-participant observation data were derived using observation schedule and photographic material during several visits made to the site. Due to the constraints, study avoided inclusion of road and visitors to the areas in the interview schedules for probable need to ascertain and confirm the observed data and inferences.

### 4.0 Research Finding

From the research finding based on the table below, it show that the respondents mean score (range from 3.52 to 4.27) each dimension of social problem was above the criterion mean of 3.0 set for the research. The table also



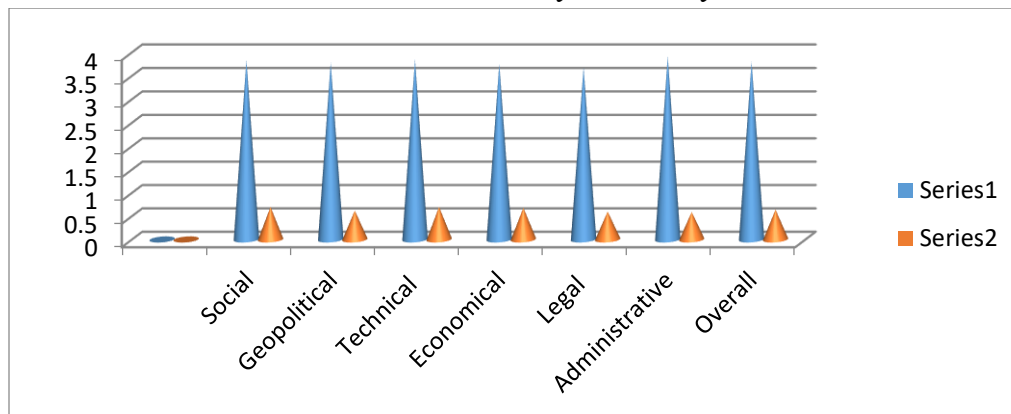
show that the respondents overall mean score for social problem constituted a problem for the enforcement of environmental laws in Zuba, especially lack of awareness of environmental laws and the danger of environmental degradation (with a mean of 4.27 and 4.17 respectively) the standard deviation show that the responses provided by the respondents did not vary so widely.

Table 1

S/N	Statement	X	SD	DEC
1	Most people are not aware of environmental laws	4.27	1.03	P
2	People do not seem to be aware of the dangers of environmental degradation	4.17	.88	P
3	Law enforcement agents are corrupt and compromising	3.60	.51	P
4	Law enforcement agents extort money from defaulter and developer	3.52	.48	P
5	Contravention orders or 'X' signs on building projects are ignored because of the knowledge that enforcers are likely to be settled by financial gratification	3.81	.60	P
6	Law enforcement are not very active	3.58	.52	P
	People are not interested in matters concerning protection of trees and wild animals	3.77	.82	P
	There is no tradition of enforcement of environmental laws among the people		.66	P
	Overall	3.85	.69	

Key x=Mean SD= standard Deviation P=Problem

Source: Source: Researcher's Field survey and Analysis 2024



**Source: Researcher’s Field Survey, 2024**

The table below shows the influence of location in the enforcement of environmental laws in Zuba urban respondents had mean scores of 3.84, 3.78, 3.85, 3.68 and 3.52 for social Geopolitical, Technical, Economic, Legal and Administrative Problem respectively.

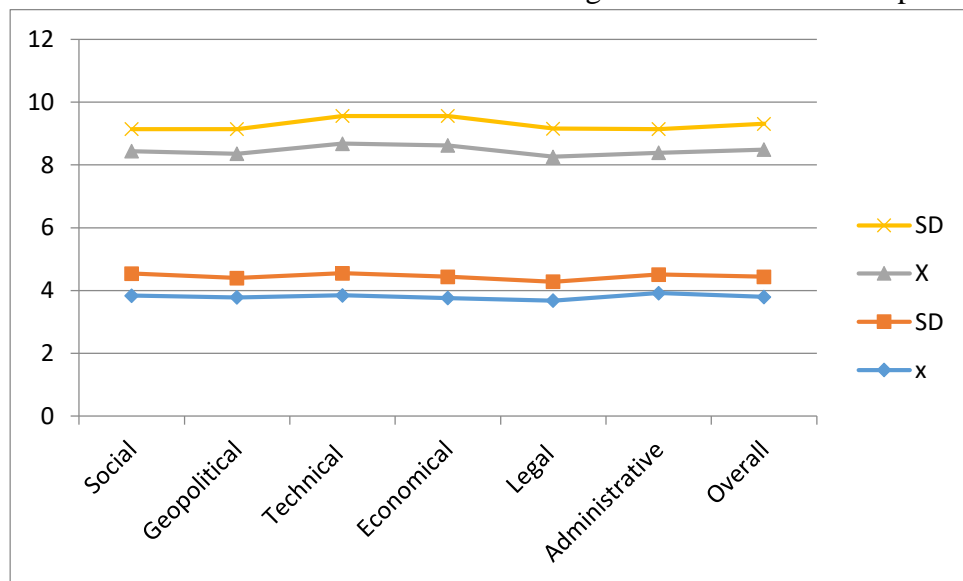
Table 2

S/N	Statement	URBAN		RURAL	
		<i>X</i>	<i>SD</i>	<i>X</i>	<i>SD</i>
1	Social problem	3.84	.70	3.90	.70
2	Geopolitical problem	3.78	.62	3.96	.78
3	Technical problem	3.85	.70	4.13	.88
4	Economical problem	3.76	.68	4.18	.94
5	Legal problem	3.68	.60	3.98	.90
6	Administrative problem	3.92	.59	3.88	.75
	Overall	3.80	.64	4.05	.82

Key x=Mean SD= standard Deviation

**Source: Source: Researcher’s Field survey and Analysis 2024**

From the above analysis it is clear that the rural respondents in Zuba are well disposed to the problems. This may be seen in the overall mean score of 4.05 as against 3.80 for urban respondents.



**Source: Researcher’s Field Survey, 2024**

**What is the influence of law enforcement agencies on the problems of enforcement of environmental laws in Zuba**

Table 3

S/N	Statement	Police		Judiciary		Agencies		MOHE		Town Plan.	
		X	SD	X	SD	X	SD	X	SD	X	SD
1	Social problem	3.95	1.01	3.92	.88	3.90	.78	3.62	1.08	3.66	1.15
2	Geopolitical problem	3.88	1.02	4.01	.92	3.98	1.04	3.44	1.11	3.72	1.14
3	Technical problem	3.96	.94	4.14	.67	4.02	.95	3.89	1.09	3.71	1.19
4	Economical problem	3.85	1.01	4.22	.80	4.09	.89	3.50	1.07	3.54	1.12
5	Legal problem	3.80	1.05	4.16	.88	3.87	1.17	3.51	1.14	3.55	1.09
6	Administrative problem	3.61	1.15	4.12	.62	3.70	1.06	3.31	1.05	3.52	1.05

Key x=Mean SD= standard Deviation

**Source: Source: Researcher’s Field survey and Analysis 2024**

Present mean scores and standard deviations regarding the in the influence of law enforcement agencies on the problems of enforcement of environmental laws in Zuba show that police had a mean of 3.95, 3.88, 3.96, 3.85,3.80 and 3.61 for social , Geopolitical, technical, economical, legal and administrative problems respectively and the mean scores are above the criterion mean of 3.0 set for the study while the judiciary had mean score of 3.92, 4.01, 4.14, 4.22,4.16 and 4.12 for social , Geopolitical, technical, economical, legal and administrative problems respectively and the mean scores are above the criterion mean of 3.0 set for the study. The table also shows that agencies had mean scores of 3.90, 3.98, 4.02, 4.09, 3.87 and 3.70 for social, Geopolitical, technical, economical, legal and administrative problems respectively and the mean scores are above the criterion mean of 3.0 set for the study. In the same view the ministry of Health and Environment mean scores of 3.65, 3.44, 3.89, 3.50, 3.51 and 3.31 for social, Geopolitical, technical, economical, legal and administrative problems respectively and Town planning had mean scores of 3.66, 3.72, 3.71, 3.54, 3.55 and 3.52 for social, Geopolitical, technical, economical, legal and administrative problems respectively and the scores are above the criterion mean of 3.0 set for the study. The standard deviation (range .62-1.17) which signified that each agency do not vary much from the mean

**5.0 RECOMMENDATION/CONCLUSION**

- ❖ Creation of environmental and planning special guards for policing both environmental enforcers and the people will highly reduced corruption in environmental enforcement
- ❖ All civil penalties shall incorporate the saving and other estimated economic benefit to the violator of it environmental laws or permit conditions
- ❖ These recommended civil penalties reforms should not be considered finally, they could be adjusted periodically, at least every ten (10yrs), either up or down in accordance with a pre-established civil penalty schedule.
- ❖ Ministry of environment should foster partnership internal and externally to release share responsibilities in environmental stewardship
- ❖ Create environmental department in the ministry of justice and provision of adequate staff to monitor environmental cases to the end.

Conclusively, both at governmental levels and private citizens, stakeholder in a wholesome environment is better capture in the concluding words of the former ministry of works and housing Brigadier Mamma Kotangora(1988) :

*'A new dawn have risen.*

*The government and people are now determined more than ever before to protect the nation's environment and preserve it as heritage for future generation'*

## REFERENCES

- Chukwu, K. E., Umar, T. I., & Obuka, E. (2016). An Investigation into the Environmental Standards and Control for Sustainable Management of Republic Layout (Site & Services Scheme), Enugu Urban Area. *International Journal of Advanced Research in Management and Social Sciences (IJARMSS)*, 5(11), 138-148. ISSN: 2278-6236. Impact Factor: 6.943. Retrieved from [www.garph.co.uk](http://www.garph.co.uk)
- Frank, W. H. (2021). Project Coordinating in the United States Environmental Protection Agency EPA. Publication cited in <http://www.un.org/esa/susdev/agenda21.htm>
- Omaka, C. A. (2020). Environmental Management & Urban Planning [Lecture presented at Faculty of Law, Ebonyi State University, Abakaliki, during Law Week].
- Nigerian Urban & Regional Planning Act Cap n133 LFN 2004
- United Kingdom Pollution Control Act (1974)
- Umar, T. I., Veronica, U. O., Abraham, S. S., & Baiyegunhi, M. C. (2022). Pattern of Residential Mobility in Aba, South East, Nigeria. *Nigeria Journal of Environmental Design and Management (NJEDM)*, Faculty of Environmental Design and Management Journal, Adekunle Ajasin University Akungba-Akoko, Ondo State, Nigeria, Ms NJEDM-10.
- Umar, T. I. (2020). The Characteristic of the Rural Poor in Ebbo/Kuchi in Lapai Government Area of Niger State, Nigeria. *International Research Journal of Human Resource and Social Sciences*, 7(01), ISSN (O): 2349-4085, ISSN (P): 2394-4218. Impact Factor: 5.414.
- Umar, T. I., & Olatunde, O. (2017). Enhancing Housing Availability through Effective Utilization of Indigenous Building Materials in Lapai Local Government Area of Niger State, Nigeria. *International Journal in Commerce, IT & Social Science*, 4(10), 19-33. ISSN: 2394-5702. Impact Factor: 4.218. Retrieved from <http://www.ijmr.net>
- Umar, T. I. (2017). An Analysis of the Degree of Quality of Indigenous Building Materials Used in Lapai Local Government Area of Niger State, Nigeria. *International Journal in Physical and Applied Sciences*, 4(8), 34-45. ISSN: 2394-5710. Impact Factor: 4.657. Retrieved from <http://www.ijmr.net>

Volokh, E., & Marzulla, W. (2000). Environmental enforcement: In search of both effectiveness and fairness. *The Reason Foundation Washington, Policy Study No. 2*. Retrieved from <http://www.heartland.org/pdf/23254>