

# EFFECTS OF ENVIRONMENTAL LAW ON ECOLOGICAL CONTROL: AN EMPIRICAL ANALYSIS ON OIL PRODUCTION COMMUNITIES IN ONDO STATE, NIGERIA

BY

OLANIYAN, OLAOLU DAMILOLA

*Department of Curriculum and Instruction,  
Adeyemi College of Education, Ondo, Ondo State, Nigeria*

&

ERINSAKIN, MARTINS OJO Ph.D

*Department of Continuing Education/Adult and Non-Formal Education,  
Adeyemi College of Education, Ondo, Ondo State, Nigeria*

&

AKINYOMBO, DUROJAYE SEGUN Ph.D

*Department of Geography  
Adeyemi College of Education, Ondo, Ondo State, Nigeria*

&

MRS. OBE, OYEDUNNI ADEBUNMI

*Department of Curriculum and Instruction,  
Adeyemi College of Education, Ondo, Ondo State, Nigeria*

## Abstract

*Ecological challenges remain a tropical issue of a global concern, Nigeria, inclusive, with different peculiarities among the regions in Nigeria. This paper therefore focused on effects of Environmental law on ecological control: An empirical analysis on oil producing communities in Ondo State, Nigeria. Descriptive survey research design was adopted for the research. The study population comprised, people at the oil producing communities at the two Local Government Areas of the state, where there is a large deposit of natural mineral resources thus, making the communities in the LGAS prone and susceptible to environmental challenges. The sample size for the study was Three hundred and eighty (380) respondents, selected through a simple random sampling technique. Nine communities were selected from each of the two Local Government Areas of Ondo State, Nigeria. From each of the communities, ten (10) respondents were selected. Three research questions were formulated. Data for the study was collected through, self-developed questionnaires by the researchers entitled, "Questionnaire on Effects of Environmental Law on Ecological Control: An Empirical Analysis on Oil Producing Communities in Ondo State, Nigeria", structured on four points likert rating Scale (Strongly Agreed – SA, Agreed – A, Disagreed – D, and Strongly Disagreed – SD). The research instrument was validated by two experts in Test and Measurement at Adeyemi College of Education, Ondo, Ondo State, Nigeria, while the reliability of the research instrument was determined through, test retest method of two weeks interval. 0.70 coefficient reliability was obtained. The research questions were analyzed, using descriptive statistics (frequency counts, simple percentages and mean). Based on the results, conclusion were made that people could put natural resources into a judicious use, environment could be protected and people's behaviours could be changed towards the environment through, Environmental law. Recommendations were made, therefore, based on the results that public should be made to aware of the existing environmental laws through the media, logistics that would made the Environmental Authorities and Agencies, saddled with the responsibilities of protecting the environment carry out their tasks, effectively etc.*

**Keywords:** *Environment, Law, Ecological control, Oil exploration, Environmental pollution*

## Background to the Study

Ecological challenge is an issue of a serious global concern, Nigeria is not an exception. Erinsakin and Awogoke (2017), noted that ecological problems transcends beyond a nation. It has no terrain or geographical location. The resultant effects of ecological problems on individuals and sustainable development of nations has attracted diverse reactions from stakeholders in environmental matters in Nigeria, especially, governments. Ibimilua and Ibimilua (2014), noted that Nigeria is not left out in the spatial-temporal distribution of environmental challenges. An ecological problem simply refers to environmental challenges which its manifestation takes different patterns (depletion of ozone layers, air and water pollutions, deposition of combustible items, toxic waste, overgrazing, deforestation, oil spillage etc).

Ecological menace is strongly noticeable in the South-South or Niger Delta region of the nation, Nigeria, which Ondo State belong to, due to high presence of multi-national oil exploring companies in the region, thus, makes the region very volatile to environmental problems. The Niger- Delta region of the country has been suffering for decades from oil an spill which occurs both on land and off-shore. Oil spills destroy crops and damage the quality and productivity of soil that is being used for farming in the region. Each region of the nation has peculiar environmental problems, based on the prevailing geological, vegetal, hydrological or climatic condition. Ondo State being one of the six states that constitute South-South region of the country. Other states are: Edo, Delta, Rivers, Bayelsa, Akwa-Ibom, and Cross Rivers. These states are the hosts states of multi-national oil companies. The resultant effects of the oil exploration is characterized with oil spillages, siltation of water bodies, over fishing, land degradation, biodiversity loss, increased watered shed instability and s gradual extinction of flora and fauna.

Dimuna and Dimuna (2007), observed that environmental challenges are contending issues in the Niger-Delta or South-South region which is a source of worry to all the stakeholders in ecological issues, today. Peter (1995); Franca (2002) and Tyokumbur (2010), stated that the following as resultant negative effects of environmental challenges, infrastructure damage, loss of life, loss of housing, loss of crops, breakdown of social order, disruption of communication and epidemiological threat. Environmental challenges have resulted into several agitations which jeopardizes socio-peace stability in the region. Kidnapping of multinational expatriates is not an uncommon trend today in Niger Delta. People of the region are languishing in an abysmal of poverty. Quality of life is very annoying and disgusting among others.

This is the true picture in oil producing communities that spread across two major local governments in Ondo State (Ese-Odo and Ilaje). It should be bore in mind that Ondo State has a second to the largest bitumen. Also oil exploration and other forms of natural mineral resources in one of the communities in the two local governments are threats to the environmental and quality of life, coupled with water pollution resulting from fish farming activities. Environmental or ecological challenges have been identified to a threat or barrier to sustainable development of the region and the nation at large in its entirety. Towards ameliorating this situation several policies, laws programmes have been implemented at the three levels of governments in Nigeria. For instance, in each of the states in South-South or Niger Delta region, Ministry of Environment and Natural Resources and Allied Agencies have been created, coupled with campaign strategies that were adopted.

However, most of these measures have not fully produced the desired results. Since, ecological menaces are still persisting. Researches have also been conducted or carried out on causes, solutions and other related issues to ecological problems, especially in South-South region of the country. Most of the studies have been self-reported by the researchers, specifically, much have not been done on legal measures or framework to tackle the prevailing ecological challenges or environmental problems. In order words, researches have not been extensively carried out on the extant environmental laws to address problems pose to the environment by human actions and inactions.

Environmental law was enacted on the belief and public perception that human health and the environment were inadequately protected. Environmental law is a typology of public law that spells out or contains rules and regulations meant for the protection of the environment. It is a complex and interlocking body of treaties, conventions, statutes, regulations and common law that broadly operate to regulate the interaction of humanity and the rest of biophysical or natural environment (Lawrence et al, 2013).

Erinsakin and Awogoke (2017), stated that human behaviours and actions are majorly responsible for the most forms of environmental challenges. Hence, human behaviours needed to be regulated and modified towards the environment. It is against this background this study was carried out on effects of ecological control: An empirical analysis on oil producing communities in Ondo State, Nigeria.

### Statement of the Problem

Ecological challenges permeate the global community, Nigeria, inclusive. It is more manifested in the south-south or Niger Delta region of the country, due to the concentration of multinational oil companies in the region, coupled with or river to fish farming activities. Other forms of ecological problems in the region are: deforestation, water pollution, environmental degradation etc.

Ecological problems have been traceable to human activities and oil exploration activities, with negative resultant effects in forms of poverty, and threat to sustainable development of individuals and the region which Ondo State belongs. The desire to manage the environment and halt environmental challenges has resulted into formulations of sectoral policies and programmes implementation. It is on the realization that environmental challenges are still persisting despite the strategic measures that have been adopted that informed the enactment of Environmental laws in Nigeria, since, environmental challenges by some scholars and environmental laws are basically, meant to make laws that make encroachment and environmental abuse punishable in the country. It is against this backdrop this study was carried out.

### Objectives of the Study

The broad objective of the study was a study on Environmental laws on ecological control: An empirical analysis on oil producing communities in Ondo State, Nigeria. The specific objectives are to:

- i. determine the effects of environmental laws on protection of the environment;
- ii. examine the effects of environmental laws on curtailing people's negative behaviours towards the environment; and
- iii. investigate the influence of environmental laws on judicious use of the natural environment.

### Research Questions

Three research questions were formulated to guide the study.

- i. Can environmental law protect the environment?
- ii. Will environmental law change people's negative behaviours towards the environment?
- iii. Can environmental law result into a judicious use of the natural resources?

### Significance of the Study

The findings of the study will be significant to the stakeholders in environmental issues in the following ways:

The results of the study will provide justification for the enactment of Environmental law for the Federal Governments of Nigeria.

Besides, the findings of the study will enable the public to know the importance of environmental law towards changing people's negative behaviours towards their environment.

In addition, the findings of the study will enable governments and other stakeholders in environmental issues to know that through, environmental law the natural environment could be put into judicious use.

Finally, the study will add to the extant literature on environmental issue and also be useful as a source of reference to researcher who will carry out study on environment and allied issues in future.

### Literature Review

#### Environmental Laws in Nigeria

The resultant effects of environmental or ecological menace on individual's welfare status and the economic sustainability of the nation resulting into myriads of policies and programmes in a bid to genuinely address curtail and halt the menace. Yet, the trend is still persisting, not only in Nigeria but, globally. In recent time, efforts to address environmental challenges have taken a new dimension. Specifically, in Nigeria there is a rapid shift in environmental control measure to the legal aspect i.e. a paradigm shift to environmental law. The words of a former member of International Court of Justice (ICJ), Honourable Prime Bola Ajibola lend credence to this, strongly...

*It is the policy of the administration to vigorously pursue the protection of the Nigerian environment in order to preserve the quality of life of all citizens and*

*conserve the resources for the benefit of future generations of Nigerian. It is this contention that law has roles to play in environmental protection.*

According to Thoron and Beckwith (1997:2), Environmental law is a body of laws to which the label environmental has been attached and concerned with protecting the natural resources of land, air and water, the three environmental media and the flora and fauna which inhabit them. Environmental laws draw from and is influenced by the principles of environmentalism, including; ecology, conservation, stewardship, responsibility and sustainability.

Environmental law is thus seeing as the body of laws concerned with the protection of living things (human beings inclusive) from their environment . Environmental law encompasses the whole universe including not only human beings but also plants, animals, forests shrubs, refuse bacterial diseases and insects (Ola, 1984).

Environmental protection globally, started in 1970s. Despite that environmental issue has been described as an international issue; Nigeria has not been wakened into taking action until the event of Koko Saga in June 1988. “The Koko Toxic Waste Dump”. This occurrence was a stimulant and sparked-off Nigerian Government actions and drive towards environmental protection. Since, 1988, national focus on the Nigerian environment and environmental programmes and policies cannot be overemphasized.

Okorodudu – Fubara (1998), stated categorically that “until the adoption of the National Environmental Policy on the Environment in 1989, Nigeria has no distinct and clearly articulated national policy goals for the nation’s environment. The Koko Toxic Waste Dump experience led Nigerian military government to promulgate the Federal Protection Agency Decree 1988 No. 58. Thus, Koko Toxic Waste Saga resulted into a unified law/national policies and programme on the environment which eventually resulted into the promulgation of the two basic Decrees that is Federal Environmental Protection Agency Decree 1988 no. 58. The Harmful Waste Special Criminal Provision Decree 1988, No. 42. To this end, Nigeria as a nation takes a bold step by moving away from being a mere control and compensation of hazards, but included laws to monitor, reduce and possibly prevent the environment from being polluted.

The content and scope of Environmental law is broad and extensive. It encompasses the problems of land life and soil conservation: forestry – wildlife and protection the natural area; water management, marine resources and coastal areas, sanitation and waste management; air quality; hazardous substances working environment – occupational health and safety, major sources of pollution/pollutants, includes, water pollution, air pollution, auto mobile emission and noise pollution, land degradation and planning, matters of forestation and deforestation and desertification, among others (Akinayo, 2006).

The sources of Nigerian Environmental Law were derived from constitution, legislations, judicial precedents, Nigerian case law; the received English law; and the ingredients or Nigerian Legal sustain at a glance. However, in the case of Environmental law, the sources in Nigeria are: International law (Convention on the Prevention of Marine Pollution by dumping of waste and their matters 1972; International Convention for the Prevention of Pollution of the sea by oil 1954 has amended in 1962 and 1969 the nations Rio Declaration on Environment and Development; Vienna Convention for the protection of the ozone layer 1985, African Charter on Human and People’s Right; Dumping of Nuclear and Industrial Waste in Africa among others). Also, the constitution of Federal Republic of Nigeria; State laws; Case laws; Common law (Lawrence, 2003). In a nutshell, Environmental law in Nigeria covers international conventions and treaties, constitution of states, statutes, case laws and common law (Lawrence, 2003).

### **Effects of Nigerian Environmental Law on Ecological or Environmental Control**

Laws are put in place for many reasons. Some are for the public grow health and protection; others are put in place to avoid other forms of harm. Legal Career Path (2020), posited that the purpose of Environmental Law is to provide laws that will regulate humans’ interaction with their environment, thus resulting into judicious use of natural resources an improved quality of life and economic sustainable development. Environmental law does not only protest the environment from harmful actions of human beings but determine who can use the natural resources and what terms. Environmental law control pollution, the use of natural resources, forest protection, mineral harvesting, animals and fish populations.

Nwafor (2006), contended also that the development and proper application of legal instruments on ecological control would result and essential for the achievement of an environmentally sound and sustainable development. Oyebode (2018), also stressed that Environmental law enactment is very vital, as it would increase the judicious and efficiency use of environmental for the optimal maximization of social and environmental welfare.

It has also been observed by some scholars that lack of legal framework for a thorough implementation of policing and programmes on environment challenges is resulting into its persistence in Nigeria. Hence, environmental law will make the policies and programme effective thus halt environmental or ecological problems. Environmental law provides integrated rules and principles that would regulate human actions with the environment (Ola, 1984).

Suleiman (2017), stated that Environmental law protect the environment, wild life, land and beauty and also regulate human activities with the environment. "Laws are made for man; men are not made for the law". Environmental laws are preventive measure in that it enables individuals and groups to bring any purpose or public bodies, whose their actions are very harmful to the environment (Ayuba, 2005).

Generally speaking, environmental laws are enacted to protect, regulate human behaviours and interactions with the environment. Also, to serve as legal framework for achieving the target objectives by the Ministries, authorities and agencies for ecological control.

## Methodology

Descriptive survey research design was adopted for the study. Hence, every subject in the study population was not included. Therefore, results generated on the sample size for the study was generalized on the entire study population. The study population, comprised people in the oil producing communities from Ese-Odo and Ilaje Local Government Areas of Ondo State, Nigeria. The sample size for the study was Three hundred and Eighty (380) respondents selected through a snow-balling sampling technique. Ten (10) respondents were selected through a simple random sampling technique from Nine (9) communities in each of the two Local Government Areas.

Data for the study was collected through self-developed research questionnaire by the researchers, entitled "Effects of Environmental Law on Ecological Control: An Emperical Analysis on Oil Producing Communities in Ondo State, Nigeria", fashioned on four likert rating scale (Strongly Agreed (SA), Agreed (A), Disagreed (D) and Strongly Disagreed (SD)).

The instrument was validated by two experts in Test and Measure at Adeyemi College of Education, Ondo, Ondo State, Nigeria. The reliability of the research instrument was determined, through test retest method at two weeks interval and 0.70 coefficient reliability was obtained. The high value obtained made the research instrument to be adjudged to be good enough for the study. Data collected on research questions were analyzed using descriptive statistics (frequency counts, simple percentages and mean).

## Presentation of Findings and Discussion of Results

**Research Question One:** Can Environment Law protect the environment?

**Table 1: Showing frequency counts, simple percentages and mean on can environment law protect the environment?**

S/N	ITEMS	SD	D	A	SA	Mean	Remarks
1.	Environmental law can effectively protect the environment	30 8%	60 16%	89 23.4%	201 53%	3.2	<b>Accepted</b>
2.	Environment law has no effect on environmental protection	240 63.1%	85 22.3%	25 6.5%	70 18.4%	2.0	<b>Rejected</b>
3.	People are encroaching on the environment because of lack of legal framework for environmental control	24 6.3%	36 9.4%	120 31.5%	200 53%	3.3	<b>Accepted</b>
4.	With legal framework on, environmental challenges will not reduce the trend	199 52.3%	89 23.4%	52 14%	40 10.5%	1.8	<b>Rejected</b>
5.	Environmental law is the best strategy to manage the environment	50 13.1%	56 15%	41 11%	233 61.3%	3.2	<b>Accepted</b>
6.	With Environmental Law, the environment will still be mismanaged	180 47.3%	100 26.3%	56 15%	44 11.5%	1.9	<b>Rejected</b>

<b>Total</b>	<b>723</b>	<b>426</b>	<b>383</b>	<b>788</b>	<b>2.6</b>	<b>Accepted</b>
	<b>31.1%</b>	<b>18.3%</b>	<b>16.5%</b>	<b>34%</b>		

Table 1 shows the results on can Environmental law protect the environment. On item (1), 201 (53%), among the respondents strongly agreed, 89 (23.4%) agreed, 60 (16%) disagreed, while 30 (8%) strongly disagreed. On item (2), 70 (18.4%) strongly agreed, 25 (65%) agreed, 85 (22.3%) disagreed, while 240 (63.1%) strongly disagreed. On item (3), 200 (53%) strongly agreed, 120 (31.5%) agreed, 36 (9.4%) disagreed, while 24 (6.3%) strongly disagreed. On item (4), 40 (10.5%) strongly agreed, 52 (14%) agreed, 89 (23.4%) disagreed, while 199 (52.5%) strongly disagreed. On item (5), 233 (61.3%) strongly agreed, 41 (11%) agreed, 56 (15%) disagreed, while 50 (13.1%) strongly disagreed.

Finally, on item (6) 44 (11.5%) strongly agreed, 56 (15%) agreed, 100 (26.3%) disagreed while 180 (47.3%) strongly disagreed. Generally speaking, the rating scale of four ( $x = 2.5$ ) is lesser than the mean of average of rating scale of four ( $x = 2.6$ ). This indicates that Environmental law could protect the environment at the oil producing communities of Ondo State, Nigeria.

The result was corroborated by the opinion of Suleiman (2007) that Environmental Laws are meant to protect the environment. Hence, the enactment of Environmental law is meant to control ecological challenges not only in Nigeria but, globally.

**Research Question Two:** Will environmental Law change people's negative behaviours towards the environment?

**Table 2: Showing frequency counts, simple percentages and mean on will environmental law change people's negative behaviour towards the environment.**

S/N	ITEMS	SD	D	A	SA	Mean	Remarks
7.	People's negative behaviors on environment is due to lack of environmental law	30 3%	50 13.1%	80 21.0%	220 58%	3.3	<b>Accepted</b>
8.	Environmental law will not change people's behaviours towards the environment	240 63.1%	100 26.3%	26 6.9%	14 3.7%	1.5	<b>Rejected</b>
9.	Environmental law will force people to be managing the environment carefully	01 0.2%	01 0.2%	59 15.5%	319 84%	3.8	<b>Accepted</b>
10.	Irrespective of environmental law put in place people will still be devastating their natural resources	199 52.3%	150 39.4%	15 3.9%	16 4.2%	1.6	<b>Rejected</b>
11.	Environmental law will not make people to develop wholesome attitudes towards the natural resources	60 16%	50 13.1%	90 24%	180 47.3%	3.0	<b>Accepted</b>
12.	People's negative interaction with the environment will not be restricted with existing legal framework on the environment	204 54%	78 20.5%	50 13.1%	48 13%	1.8	<b>Rejected</b>
	<b>Total</b>	<b>734</b> <b>32.1%</b>	<b>429</b> <b>19%</b>	<b>320</b> <b>14%</b>	<b>797</b> <b>35%</b>	<b>2.5</b>	<b>Accepted</b>

Table presents result on will environmental law change people's negative behaviours towards the environment. On item (7), 220 (58%) among the respondents responded strongly agreed, 80 (21.0%) agreed, 50 (13.1%) disagreed, while 30 (8%) strongly disagreed. On item (8), 14 (3.7%) strongly agreed, 265 (6.9%) agreed, 100 (26.3%) disagreed, 240 (63.1%) strongly disagreed. On item (9), 319 (84%) strongly agreed, 59 (15.5%) agreed, 01 (0.2%) disagreed while 01 (0.2%) also strongly disagreed. On item (10), 16 (4.2%) strongly agreed, 15 (3.9%) agreed, 150 (39.4%) disagreed, while 199 (52.3%) strongly disagreed. On item (11), 180 (47.3%) strongly agreed, 90 (24%) agreed, 50 (13.1%) disagreed, while 60 (16%) strongly disagreed. On item (12), 48 (13%) strongly agreed, 50 (13.1%) agreed, 78 (20.5%) disagreed while 204 (54%) strongly disagreed.

The results indicated that Environmental law could positively changed people's behaviours towards the environment. Since, the average rating scale ( $x = 2.5$ ) not less than the average mean of rating scale of four ( $x =$

2.5). The results was buttressed by Legal career path (2020) submission that Environmental law could regulate people's interaction with the environments, thus, resulted into judicious use of natural resources for enhanced quality of life and economic sustainable development.

**Research Question Three:** With Environmental law result into a judicious use of natural resources?

**Table 3: Showing frequency counts, simple percentages and mean of can Environmental law result into a judicious use of natural resources**

S/N	ITEMS	SD	D	A	SA	Mean	Remarks
13.	I am very careful about using natural resources because of my consciousness of its legal implications	30 7.9%	16 4.2%	84 22.1%	260 68.4%	3.6	Accepted
14.	My judicious use of natural resources has nothing to do with the existing environmental law	205 54%	89 23.4%	40 10.5%	46 12.1%	1.8	Rejected
15.	My actions on the environment use is a function of the legal implications it attracts	52 14%	46 12.1%	42 11.0%	240 63.1%	3.2	Accepted
16.	My devastating and deforesting of the environment is as a result of the fact that, I will not be punished for the act	24 6.3%	36 9.5%	20 5.3%	300 79%	3.7	Accepted
<b>Total</b>		<b>311 20.3%</b>	<b>187 12.2%</b>	<b>186 12.1%</b>	<b>846 55.2%</b>	<b>3.1</b>	<b>Accepted</b>

Table 3 shows the results on can environmental law brings a judicious use of the natural resources. On item (13), 260 (68.4%) among the respondents responded strongly agreed, 84 (22.1%) agreed, 16 (4.2%), disagreed, while 30 (7.9%) strongly disagreed. On item (14), 46 (12.1%) strongly agreed, 40 (10.5%) agreed, 89 (23.4%) disagreed while 205 (54%) strongly disagreed. On item (15), 240 (63.1%) strongly agreed, 42 (11.0%) agreed, 46 (12.1%) disagreed while 52 (14%) strongly disagreed. On item (16), 300 (79%) strongly agreed, 20 (5.3%) agreed, 36 (9.5%) disagreed, while 24 (6.3%) strongly disagreed.

Generally, the results indicate that environmental law could bring a judicious use of natural resources. Since, the average of rating scale of four is lesser than the average mean of average rating scale of four ( $x = 3.1$ ). The result is in consonance with the opinion of Oyebode (2018) that environmental law is a vital way to increase the judicious and efficient use of the environment, optimal maximization of social and environmental welfare.

## Conclusion

Conclusions were made based on the findings of the study that the enactment of environmental law could enhance judicious use of natural resources by the people of oil producing communities in Ese-Odo and Ilaje Local Government Areas of Ondo State, Nigeria. Also, that Environmental law could also modify or changes people's behaviours positively towards the environment and as well protect the environment.

## Recommendations

Based on the conclusion of the study the following recommendations are therefore made:

First and foremost, there should be appropriate legal structures that will make the implementation of Environmental law feasible and achievable, thus, protect the environment.

Besides, people should be made to be aware of legal implications on their harmful actions, behaviours and lifestyles on the environment.

In addition, public should be made to be aware and have access to Environmental law at the oil producing communities in Ondo State, Nigeria. This can be achieved through the media.

Lastly, the appropriate authorities and agencies that will enforce Environmental law should be equipped with all the logistic its demands.

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