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A Critical Analysis of the Policy Framework for Protecting the Physical Environment: Evidence from Nigeria

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KEYWORDS

Pneumatosis
cystoides

A B S T R A C T

This research work is “A critical analysis of the policy framework for protecting the physical environment: Evidence from Nigeria”. Specifically, the study seeks to pursue the following objectives: to establish the need for protecting the physical environment in Nigeria, to ascertain the major challenges for protecting the physical environment in Nigeria, to examine the extent of relationship between the policy framework and the physical environment in Nigeria. The study had population size of 165 out of which a sample size of 117 was realised using Taro Yamene’s formula at 5% error to tolerance and 95% level of confidence. Instrument used for data collection was primarily questionnaire and interview. 117 copies of questionnaire were distributed while 106 copies were returned. The descriptive research design was adopted for the study. Three hypotheses were tested using Pearson’s product moment correlation coefficient and chi-square statistical tools. The findings indicate that destroying and exploitation highlight significant need for protecting the physical environment. Illiteracy, corruption and population explosion are the major challenges for protecting the physical environment in Nigeria. There is a positive relationship between the policy framework and the physical environment in Nigeria. The study recommends that government must promote, implement and enforce environmental policies in a transparent manner. This calls for accountability and transparency in the environmental law making process, environmental policing and environmental prosecution.

Introduction

Environment is the life support system given by the Creator to mankind. Sometime in the past, the three components of the environment- air, soil and water were pure,

virgin, undisturbed, uncontaminated and basically most hospitable. But, the reverse is the case today because progress in science and technology is also leading to

environmental degradation and serious ecological imbalance which in the long run, may prove disastrous for mankind (Sharma, 2002). Environment is the surrounding, the earth which human beings live and interact with one another; exploiting in the process, natural resources or endowment, for the benefit of mankind. It is the source of living for all creatures (man and animals) and power point for industrial growth as all economic activities of every nation depend on the environment (Okeke, 2006).

To achieve economic growth by any nation means that the environment has to be sustainable and protected. Sustainable development here means meeting the needs of the present without compromising the welfare of future generations. This concept recognizes that the economic growth and environmental protection are inextricably linked and that the quality of present and future life rests on meeting basic human needs without destroying the environment on which all life depends. To achieve this goal means that new forms of cooperation between government, business and society are required (Schmidheiny, 1992).

Unfortunately, all these economic activities or human endeavour to create wealth for the overall well being of a society invariably bring about waste generation which lead to environmental pollution and human beings undoing. These wastes in the form of gaseous and solid forms and reckless disposal into the environment bring environmental pollution and the associated health hazards and other costs to the society.

The increased concern to reduce these problems of environmental pollution in Nigerian prompted the Federal Government, in 1988, to establish the Federal Environmental Protection Agency (FEPA) charged with the responsibility of

safeguarding Nigerian environment. Subsequently, in 1999, the Ministry of Environment was created to absorb and takes over the functions of FEPA, with the additional responsibility of administering and enforcing environmental laws in Nigeria. Various organizations have also spearheaded policies, activism and campaigns for changes in policies, laws, technologies, and development strategies to enhance environmental qualities.

Environmental laws are put in place to mitigate or prevent the threatening environmental problems which emanate from human activities in the quest for economic growth and development. These laws which are formulated to address perceived crisis and environmental problems involve many stakeholders with varying interest and power. Because of this difference in interests, many stakeholders bear the wrought of the laws while others benefit. These human activities such as oil exploration and exploitations, fishing, quarry, constructions, urban developments, drilling, forests exploitation etc, which cause environmental problems can be controlled or prevented, or even modified and improved so that they will not cause severe problems to the environment which in turn affect the inhabitant of the environment (Nwabude, 2007).

Statement of the problems

Nigeria environmental laws accordingly can favorably compare to standards and regulations obtainable in the advance western world. It is the lack of enforcement of these environmental laws in Nigeria that has been seen by many environmental experts as one major reason why the Nigeria environment has continually faced massive degradation. However, the need for an effective environmental enforcement

programme is imperative. Despite government responses towards environmental problems through the creation of the Federal Environmental Protection Agency (FEPA) which was merged with the Ministry of Environment in 2000, and more recently the creation of the National Environmental Standards and Regulations Enforcement Agency (NESREA), there have been little impacts, if any, of this agencies activities on the environmental hazards and health effects on the people. The Nigerian government enacted many environmental and civil laws to monitor the actions of the environmental pollution and to improve the environmental state and condition. In spite of this, Nigeria environmental Law has performed below expectation which might be attributed to challenges such as Corruption on the part of the government and its officials, Illiteracy, Costliness, Population Explosion, Government Inertia, Problems of Recycling Facilities and Poverty. The study seeks to critically analyze the policy framework for protecting the physical environment in Nigeria.

Objective of the study

1. To establish the need for protecting the physical environment in Nigeria.
2. To ascertain the major challenges for protecting the physical environment in Nigeria.
3. To examine the extent of relationship between the policy framework and the physical environment in Nigeria.

Research questions

1. What are the needs for protecting the physical environment in Nigeria?
2. What are the major challenges for protecting the physical environment in Nigeria?

3. What is the nature of relationship between the policy framework and the physical environment in Nigeria?

Research hypotheses

1. H₁: Destroying and Exploitation are the significant need for protecting the physical environment.
H₀: Destroying and Exploitation are not the significant need for protecting the physical environment.
2. H₁: Illiteracy, Corruption and Population Explosion are the major challenges for protecting the physical environment in Nigeria.
3. H₀: H₁: Illiteracy, Corruption and Population Explosion are not the major challenges for protecting the physical environment in Nigeria.
4. H₁: There is a positive relationship between the policy framework and the physical environment in Nigeria.
H₀: There is no positive relationship between the policy framework and the physical environment in Nigeria.

Review of related literature

Conceptual framework

The physical environment refers to all the living and non-living aspects of life including the atmosphere, soil, water, forest and other renewable and non-renewable natural resources. Environment therefore means the natural systems that provide the underpinnings or the setting (or both) for human activity. These systems include not only forest ecosystems and watersheds, but geophysical systems such as meteorological systems and coastal systems. Natural resources equally include a wide array of physical endowments provided by nature: soil, water, minerals, timber, and wild

animals. They may be living timber or nonliving fossil fuels (Nwabude, 2007).

However, from whatever angle one perceives the term environment, it simply depicts what surrounds us. Obi (1994) states that environment is the sum total of all conditions that surround man at any point in time on the earth's surface. Miller (1976) sees environment as the aggregate of external conditions that influence the life of an individual or population, specifically the life of man and other living organisms on the earth's surface.

The Federal Environmental protection Agency (FEPA) Act of 1990, under section 38 also gave a very lucid definition of environment, thus; Environment includes water, air, land and all plants and human beings and/or animals living there in and the inter-relationships which exist among these or any of them. From the above definitions, the term environment comprises land, air, water and all the physical structures surrounding us.

Due to economic and other human activities in Nigeria and other developing and even the developed countries, the environment is exploited, degraded and therefore polluted and not properly protected.

Today, the capacity of the environment to sustain current population is seriously strained. As the industries try to stretch this capacity through extensive use of the earth's resources and technological advances, the problems of resources depletion and environmental destruction rear their ugly heads. Both the developed and the developing nations, due to economic activities, have turned to throwaway economies. Energy and raw materials are fed into the production/consumption system at one end (Bryne and Stone, 2008).

Concept of environmental policy

An environmental policy can be an instrument of power to solve some perceived problems in the environment. The policy covers the legislations, standards, regulations and administrations adopted to control activities with potentials damaging effects on the country's environment (Shore and Wright, 1997). Eneh (2010) states that Environment law have been formulated to deal with a variety of environmental pollutants, such as toxic chemicals, noise, etc; control particular activities such as mining, power generation, etc; and provide general guidelines for protecting basic natural resources, such as air, land and water.

Nwaobi (2005) defines policy as planed actions to be followed by institutions with the objective of achieving a target. Based on this definition, environmental policy is action to foster and improve the quality of the environment, with the thrust of balancing economic and social issues.

Vedung (1998) states that policy are set of techniques or ways by which the government of a state exercise its power in attempting to implement a particular policy it has introduced which will affect the societal values, organisation, action and beliefs thereby preventing the degradation.

Environmental policy implementation

Implementation means getting things done. It is the process of translating policy decisions made into events. The implementation is one of the important steps in the policy cycle, and this step is the process that takes effect between policy expectations and the policy result (outcome). Implementation proceeds policy formulation on the stages of policy process and it is

important because it causes policy decisions to produce successful result (Eneh, 2010).

Anderson (1990) maintains that for a policy to be effective, so much focus should be put on implementation stage. Many actors are involved during implementation of a policy, adopting many policy instruments available and applicable to enforce the decisions the moment the policy is enacted for implementation to be successful, some scholars propose bottom-up approach, emphasizing that implementation of a policy will be successful only when the people to be affected by such policy are involved. This shows that every stakeholder should be involved during the implementation for the policy to achieve its goals. These actors could be scientists, economists, government agencies, NGOs and the public. Therefore, if this stage of policy process is dominated by actors with higher influence and power, and who do not support the policy, the expected outcome of the policy can never be realized.

There are many policy instruments that could be used to implement environmental policies. The choice of any instrument depends on the goals to be achieved and the interests of actors involved, and the nature of environmental problems to be addressed. Policy Instrument can be understood as tools used in getting environmental policies' goals achieved or implemented.

The choices of instruments differ from one institutional structure to another. But in some countries especially the developing ones, the design and the selection of tools to implement policy is always complicated and important. Because of the unwieldy nature of environmental policy instruments, some social scientists have suggested categorization of these instruments to make their understanding easier. Vedung (1998) identify three main environmental policy instruments to include:

- Regulation is a traditional tool for policy implementation. In this mechanism, certain set standards are enforced upon actors for compliance.
- Economic instruments involve the use of incentives and subsidies to achieve compliance by stakeholders to the agreed standards by influencing their behaviour. These instruments also aim at modifying the costs or the benefits of complying with the prescriptions of the environmental policy.
- Information instruments involve the activation of stakeholders towards changing their perception and behaviour to environmental concerns.

Theoretical framework

An ecological perspective of change and development

The theory is concerned with issues of change and development in contemporary societies, especially as they relate to environmental changes and/or ecologically related trends of population growth and the need to devise and sort out techniques of tackling development problems. The theory states that, as the population of a society increases in size, individual members of the society exert more pressure on scarce available resources such as land and other natural endowments for survival. They directly or indirectly carry out socio-economic activities that pollute the society, and further cause harm (degradation) to the environment/society. The socio-economic activities, according to these theorists include subsistence agricultural activities of people in agrarian societies of Africa, Latin America etc and the commercial and industrial activities of people in Urban-

industrialized societies of the western-Europe and North America.

The perspective therefore posits that as the established economic system of a given environment/society is proved inadequate and productive system becomes more problematic, societies are therefore driven to change their methods. For instance, as the population of a society outgrows the available resources, especially in agrarian societies, people are forced to migrate to urban centres/cities in search of job opportunities. Some sell their labour, whereas some engage in several other commercial and agricultural investments such as livestock; some still carry out some technical and entrepreneurial businesses – all for survival.

The urban and city dwellers establish and carryout industrial activities that equally pollute the society.

Need for environmental law

According to the creation story as recorded in the Holy Bible, man was directed by God to fill the earth and to dominate it. Consequently, this means that humanity had the duty of filling the ‘deliberate’ blank spaces which the creator had left in the course of the creation, further as well as partner in the course of creation. Furthermore, it is without doubt that within the divine construct the relationship between man and the earth was designed to be symbiotic. Has it remained so? The relationship can truly and only be symbiotic when man aids the replenishment of the environment. Alas the denigration of the divine construct known as earth has today taken the matter beyond symbiosis and into the realm of parasitism. Many human activities combine to inflict irreversible harm on nature and the ecosystem: climate change and global warming are today touted

as the obvious results of the corruption that the prevailing parasitic relationship has given birth to. A beautiful description of the fate that awaits the earth and by extension, man in the face of a continued parasitic exploitation of the resources of the earth. In the course of the utilization and consumption of the resources of the biophysical environment, pollution arises. In fact, it is now obvious that pollution is unavoidable as it is a consequential of the utilization and consumption of the earth’s resources over which the Divine One had placed man. This pollution is a reflection of the entropy that has come to be within the biophysical environment as a result of the activities of man. Natural resource destruction and environmental contamination is a form of entropy. Disorder in the ecosystem is increased when common resources such as air and water are polluted. Disorder is likewise increased whenever complex natural resources are broken down into smaller parts.

The exploitation of natural resources for the provision of the basic necessities of life: energy, food, shelter, and clothing, precipitates in entropy in parts of the ecosystem. Human activities or processes compel it as it is without conjecture that man seeks to survive and that a spinoff of this is the propensity to undertake activities that cause such natural resource destruction and environmental pollution. This proposition is incontrovertible. The question now is whether it is human nature to exploit and consume the natural environment in a non - sustainable fashion. To this we respond in the affirmative. This is because humanity by nature is well adapted to perceive its present short - term needs as well as lacks the ability to look beyond the here and now and this makes humanity into a naturally self - oriented being. Premised on this, we align ourselves with the proposition that ‘nature

created within us a short - sighted set of moral instincts.

The need for environmental law can be seen as arising from the persistent gap between the parochial horizons of human nature and the much wider spectrum of the consequences of human activities. This realization gives birth to the need to 'legislate temperance'. Environmental law seeks to regulate activities that occur in the here and now to temper their potentially tragic consequences for there and then. A probable question is: 'Is law really an effective tool for the control or the prevention of a parochial and unsustainable exploitation of the biophysical environment and prevent environmental pollution and degradation which the entropy from the exploitation and utilization is bound to birth?' To this, the answer is yes. This is because the law provides standards and framework that must be complied with in relation to the use of the biophysical environment. And, in the event of non – compliance, the same law prescribes sanctions and punishment, which again is a state of affairs which the majority of humanity abhors.

Challenges for environmental protection in Nigeria

With the presence of legislations against environmental degradation in the country, the financial expenditures made and other resources spent by the government on the subject matter etc, one would have expected that the Nigerian environment would have been free from abuse and degradation and fully protected and sustainable, but this is not so. The environment is not fully protected as expected because those who are supposed to protect it are the major polluters and its destroyers – the government, manufacturing sector, the consumers of

goods and services and the members of the general public (Okeke, 1996). Among the obstacles to proper environmental protection in Nigeria are:

Corruption on the part of the government and its officials

It is not enough to establish commissions and agencies and change their names over and over again when their operators are corrupt in themselves. The misappropriation and mismanagement of funds belonging to these agencies created to protect the environment by the officials is the first challenge to better environment in the Nigerian society.

Illiteracy and unenlightenment

Many Nigerians are uneducated, illiterate and unenlightened. To them, the environment is God-given and nature takes care of itself because whatever is within the environment goes back to it. As such anything done to exploit the environment is a mere symbiotic relationship between man, animals and the plants and there is nothing in it.

Costliness

To some business organizations and individuals in the society, environmental friendly activities are more of increased costs than any other thing. As such, taking care of the degreened environment is additional costs to them and if possible should be avoided while the resources to that channeled to other profitable ventures.

Population explosion

Both the urban and rural areas are fast being over populated with increase in manufacturing and technological

developments that have their associated environmental problems. Because the cities are either not properly planned but population keeps on increasing or the already planned ones have been over taken by the increase in population, the problems are still the same.

Government inertia

Most of the laws and policies made by the government towards environmental protection in Nigeria could be better described as mere text book theories as putting them into serious practice are difficult. Some of the policies and programmes are short-lived, have political undertones, lack continuity, are not properly planned, executed and monitored and as such they become ineffective and inefficient. In most cases, the government is the greatest polluters of the environment and could therefore not punish itself.

Poverty

Many Nigerians derive their source of livelihood from the natural environment which is already polluted, they are essentially farmers and fishermen. With the contaminated and pollution to the environment, they lose their source of income and become more impoverished. They live in dirty environments they have already contaminated, use wood from the forests they destroyed for energy, urinate and defecate anywhere because they could not afford better latrines, etc, and the effect of poverty continues to be the cause of their poverty and as a result of this, they deplete the environment with no plans of replenishing it.

The hurdle notwithstanding, the remediation and restoration of the Nigerian environment is a huge challenge to the government,

manufacturers of goods and services (the industrial sector) and the Nigerian citizens as a whole. It is a common knowledge that it is easier to destroy than build as protecting and sustaining the environment in the midst of such obstacles as stated above is not an easy task (Okeke, 1996).

Empirical review

The need for protecting the physical environment in Nigeria

The economic importance of vegetation to mankind cannot be under estimated. Apart from the fact that it serves as a primary source of food to man, its provision of resource base to the building, manufacturing and pharmaceutical industries and as a fuel is in exhaustive.

Through these activities; man directly and/or indirectly creates problems which are detrimental to his health/survival, well being, natural existence and stability hence the need for protecting the physical environment.

The challenges for protecting the physical environment in Nigeria

The continuous searches for farmland sometimes result to conflict and war among members of the host communities. He observes that these problems are a consequence of environmental pollution which also degenerates into environmental degradation and several other hazards such as widespread epidemics, depletion of natural habitats, and thus; impede the socio-economic development of Nigeria as a nation. The paper recommends awareness creation and change in attitudes for effective environmental and resources management strategies as a way forward hence the

challenges for protecting physical environment.

Materials and Methods

The study was carried out primarily through the survey method and interview of employees in ESMA and FEPA in Enugu State Nigeria. The study was carried out using descriptive survey design. Primary data was obtained through the use of interviews, questionnaire and observations while Secondary data were obtained through books, journals, and the internet. A sample size of 117 was obtained from the population of 165 at 5% error tolerance and 95% degree of freedom using Taro

Yamane’s statistical formula. The instrument used for data collection was questionnaire structured in 5 point Likert scale and validated with content validity of face to face approach. The reliability test was done using test-retest method. One hundred and seventeen copies of the questionnaire were distributed and one hundred and six copies were returned. The three hypotheses formulated were tested at 0.05 level of significance. Pearson chi square was used to test hypothesis one, two and three was tested using Pearson product moment correlation coefficient. A computer aided Microsoft special package for social science (SPSS) was used to aid analysis.

1. Why is it necessary to protect physical environment?

Table.1

s/no	Questionnaire items	S/A	Agree	Undecided	Disagree	S.Disagree	Freq	%
1	Destroying the human vegetation prompt for protecting the environment	31	12	6	3	1	53	50.0
2	Exploitation of natural resources is the need for protecting the environment.	18	9	2	-	-	29	27.4
3	The parasitic nature of man has lead to protecting	17	6		-	1	24	22.6
	TOTAL	66 (62.3%)	27 (25.5%)	8 (7.5%)	3 (2.8%)	2 (1.9%)	106	100

Source: Researcher’s Field Survey 2013.

The question above was set to validate or dispose why it is necessary to protect the physical environment. 66(62.3%) of the respondents strongly Agree that destroying and exploitation are the significant need for

protecting the physical environment, 27(25.5%) of the respondents Agreed on the same issue while 8(7.5%) were indifferent on the matter, 3(2.8%) and 2(1.9%) were disagreed and strongly disagreed

respectively. This shows that Destroying and Exploitation are the significant need for protecting the physical environment.

H₁: Destroying and Exploitation are the significant need for protecting the physical environment.

2. What are the major challenges for protecting physical environment?

Table.2

S/No	Questionnaire items	S/A	Agree	Undecided	Disagree	S.Disagree	Freq	%
1	Population Explosion is a challenge.	10	18	4	1	–	33	31.1
2	Illiteracy is a challenge	14	33	1	–	1	49	46.3
3	Corruption on the part of the government and its officials hinders the success of the Nigeria Law.	12	11	1	–	–	24	22.6
	TOTAL	36 (34.0%)	62 (58.5%)	6 (5.7%)	1 (0.9%)	1 (0.9%)	106	100

Source: Researcher’s Field Survey 2013.

The question above was set to ascertain the major challenges for protecting the physical environment. 36(34.0%) of the respondents strongly Agree that Illiteracy, Corruption and Population Explosion are the major challenges for protecting the physical environment in Nigeria, 62(58.5%) of the respondents Agreed on the same issue while 6(5.7%) were undecided on the matter, 1(0.9%) and 1(0.9%) were disagreed and

strongly disagreed respectively. This shows that Illiteracy, Corruption and population explosion are the major challenges for protecting the physical environment in Nigeria.

H₁: Illiteracy, Corruption and Population Explosion are the major challenges for protecting the physical environment in Nigeria.

3. What is the nature of relationship between the policy framework and the physical environment in Nigeria?

Table.3

S/No	Questionnaire items	S/A	Agree	Undecided	Disagree	S.Disagree	Freq	%
1	There is positive relationship between policy framework and physical	41	11	6	3	1	62	58.5

	environment							
2	There is no positive relationship between policy framework and physical environment	4	3	2	14	21	44	41.5
	Total	45 (42.5%)	14 (13.2%)	8 (7.5%)	17 (16.0%)	22 (20.8%)	106	100

Source: Researcher’s Field Survey 2013.

The question above was set to examine the extent of relationship between the policy framework and the physical environment in Nigeria. 45 (42.5%), affirms that there is a positive relationship between the policy framework and the physical environment in Nigeria, 14(13.2%) agreed on the same issue while 8(7.5%) were indifferent on the matter, 17(16.0%) and 22(20.8%) were

disagreed and strongly disagreed respectively. This shows that there is a positive relationship between the policy framework and the physical environment in Nigeria.

H1: There is a positive relationship between the policy framework and the physical environment in Nigeria.

Table.4 Descriptive Statistics for policy framework and physical environment

	Mean	Std. Deviation	N
policy framework	1.0472	.21301	106
physical environment	1.0849	.28007	106

Table.5 Correlations for policy framework and physical environment

		policy framework	physical environment
policy framework	Pearson Correlation	1	.730(**)
	Sig. (2-tailed)		.000
	N	106	106
physical environment	Pearson Correlation	.730(**)	1
	Sig. (2-tailed)	.000	
	N	106	106

Source: SPSS Version 15.00

Table 4 shows the descriptive statistics of the relationship between policy framework and physical environment, with a mean response of 1.0472 and std. deviation of 0.21301 for policy framework and a mean response of 1.0849 and std. deviation of 0.28007 for physical environment. By careful observation of standard deviation values, it can be said that there is about the same variability of data points amongst the dependent and independent variables.

Table 5 is the Pearson correlation coefficient matrix of the relationship between policy framework and physical environment, showing the correlation coefficient, significant values and the number of cases. The correlation coefficient shows 0.730 this value indicates that correlation is significant at 0.05 level (2tailed) and implies that there is a relationship between policy framework and physical environment ($r = 0.730$). However, the computed correlations coefficient is greater than the table value of $r = 0.164$ with 104 degrees of freedom ($df = n-2$) at alpha level for a two-tailed test ($r = 0.730$, $p < 0.05$). This result indicates that there is significant relationship between policy framework and physical environment. Therefore, the null hypothesis should be rejected.

Summary findings

- (1) Destroying and Exploitation are the significant need for protecting the physical environment. ($X^2_c = 75.278 > X^2_t = 3.84$; $p < 0.05$).
- (2) Illiteracy, Corruption and Population Explosion are the major challenges for protecting the physical environment in Nigeria. ($X^2_c = 59.632 > X^2_t = 3.84$; $p < 0.05$).
- (3) There is a positive relationship between the policy framework and the physical ($r = 0.730$, $p < 0.05$).

Conclusion

Environmental law is today what it is as a result of knowledge acquired over time. The protection and preservation of the environment is now perceived as being of crucial importance to the future of mankind. This is as a result of the present realisation of humanity's dependence on the environment. In the course of the last half of the past millennium, this relationship has improved. The reason for this cannot be far from the fact that humanity has put together the construct known as environmental law to regulate and superintend its activities in and relationship with the biophysical environment

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