

Environmental Fiqh and Protecting Nature: How Islamized View on Nature Implemented

Fikih Lingkungan dan Perlindungan Alam: Bagaimana Pandangan Islam tentang Alam Diimplementasikan

Bahrum Subagiya

Universitas Ibn Khaldun Bogor, Indonesia

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Abstract

An important cause of the destruction of nature begins with a materialistic human worldview. Nature and the environment are only seen as objects to fulfill human life. Thus nature is overused, in order to satisfy lust without looking at its sustainability in a sustainable future. This study examines several fatwas of the Indonesian Ulema Council (MUI) related to the environment. With a library research approach, researchers found that the MUI fatwa has an important role in changing the way humans view nature and the environment. The nature of nature is not only a physical essence that is materialistic, but nature is an important part of human life that has spiritual values. Nature is entrusted by Allah, not the property of humans, but Allah gives wide authority in its management. Therefore, nature management cannot be separated from the guidelines of the Shari'ah, in this case what is already contained in the Qur'an and Hadith.

Keywords

Environmental Fiqh, Nature Conservation, Environmental Friendliness, Islamized View on Nature

Abstract

Penyebab penting dari kerusakan alam berawal dari pandangan hidup manusia yang materialistik. Alam dan lingkungan hanya dipandang sebagai objek untuk memenuhi kebutuhan hidup manusia. Akibatnya, alam dieksploitasi secara berlebihan demi memuaskan hawa nafsu tanpa memperhatikan keberlanjutannya di masa depan. Penelitian ini mengkaji beberapa fatwa Majelis Ulama Indonesia (MUI) yang berkaitan dengan lingkungan. Dengan pendekatan studi pustaka, peneliti menemukan bahwa fatwa MUI memiliki peran penting dalam mengubah cara pandang manusia terhadap alam dan lingkungan. Hakikat alam bukan hanya esensi fisik yang bersifat materialistik, melainkan alam merupakan bagian penting dari kehidupan manusia yang memiliki nilai-nilai spiritual. Alam adalah amanah dari Allah, bukan milik manusia, namun Allah memberikan kewenangan yang luas dalam pengelolaannya. Oleh karena itu, pengelolaan alam tidak dapat dipisahkan dari pedomannya syariat, dalam hal ini yang telah termuat dalam Al-Qur'an dan Hadis.

Keywords

Fikih lingkungan, pelestarian alam, kepedulian terhadap lingkungan, pandangan Islam tentang alam

*Corresponding Author

Bahrum Subagiya, bahrum.subagiya@uika.bogor.ac.id

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Introduction:

Human life on earth is very dependent on the natural resources that Allah has created. Humans and nature have the same position, namely both as creatures of God. However, humans are given advantages by Allah in utilizing nature for the benefit of their lives, both in this world and in the hereafter. The relationship between humans and the surrounding natural environment should provide mutual benefits. Nature provides various human life needs for its survival, as well as humans in treating nature, they must be able to care, maintain, and preserve the natural environment for the continuation of long-term life that is mutually beneficial.

However, the condition that occurs is that there is disharmony between humans and their environment. Most humans have done injustice to nature by destroying, exploiting, and extracting natural wealth for their own benefit, without thinking about restoration and re-preservation. As a result, the environment is damaged. Environmental damage that occurs on earth is largely caused by anthropogenic factors (human activities). Damage to marine ecosystems, for example, occurs due to fishing with fish bombs, beach sand mining, coral mining, and mangrove tree felling.¹ Also with the destruction of forests caused by illegal logging, deliberate burning for the preparation of plantation land, disappointment with forest management, has resulted in disruption of the availability of clean water, floods, and also landslides.² Likewise with river pollution due to household waste, this situation still

¹ Netty Dahlah Uar, Sigit Heru Murti, and Suwarno Hadisusanto, "Environmental Damage Due to Human Activities in Coral Reef Ecosystems," *Indonesian Geography Magazine* 30, no. 1 (October 29, 2016): 88–96, <https://doi.org/10.22146/MGI.15626>; Nailul Maram, "Study on Coastal Environmental Damage and Its Causative Factors on Kangean Island, Madura" (2010).

² Alfasis P Romarak et al., "The Impact of Deforestation on Flood Disasters in the Cycloop Mountains Nature Reserve," *Community Development Journal : Community Service Journal* 2, no. 2 (June 29, 2021): 446–52, <https://doi.org/10.31004/CDJ.V2I2.1905>; Siti Nor Anisa, "Landslides in Tanah Laut Regency Caused by Coal Mining and Logging of Protected Forests," 2022, <https://doi.org/10.31219/OSF.IO/DVQ9M>; Fachmi Rasyid, "Problems and Impacts of Forest Fires," *Widyaiswara Ring Journal* 1, no. 4 (2014): 47–59.

continues to occur in the midst of the community and needs intensive awareness.³

When studied in depth, the crisis and environmental damage that occurs on earth, the biggest trigger is caused by human behavior errors. Errors in human behavior, if carefully traced, stem from errors in perspective or paradigms of thinking. Therefore, one of the most important things that needs to be done in overcoming environmental damage is to change the way of looking at or the paradigm of thinking towards the surrounding natural environment, which in this case, will automatically change its behavior in interacting with the environment.⁴

Currently, the condition of religious consciousness of the majority of modern humans is far from ecological wisdom. In all forms, the religious views of modern man have been "infiltrated" by the consciousness of capitalism in seeing nature. They consider material profit and loss in managing nature. Therefore, an ecological scholar, Said Nursi, reminded us that the ecological crisis begins from the human perspective in understanding nature. According to him, the best way to overcome this environmental damage crisis is to improve his mind and heart. The view of materialism that exists in humans must be replaced with spiritual awareness, namely faith that is firmly

³ Novrizza Yulida, Agus Suwarni, and Sarto Sarto, "Community Behavior in Throwing Waste in the Batang Bakarek-Karek River Flow, Padang Panjang City, West Sumatra," *Community Medicine News* 32, no. 10 (2016): 373, <https://doi.org/10.22146/bkm.7298>; Anita Wijayanti et al., "Efforts to Minimize Waste Pollution in the Jenes River, Laweyan Village, Surakarta City," *Barelang Service Journal* 3, no. 01 (January 28, 2021): 14–19, <https://doi.org/10.33884/JPB.V3I01.2705>; Muhammad Fauzi et al., "Introduction and Understanding of the Dangers of Plastic Waste Pollution in Waters in Kampung Sungai Kayu Ara, Siak Regency," in *Unri Conference Series: Community Engagement*, vol. 1 (Institute for Research and Community Service, University of Riau, 2019), 341–46, <https://doi.org/10.31258/UNRICSC.1.341-346>.

⁴ Sonny Keraf, *Environmental Philosophy: Nature as a System of Life* (Yogyakarta: Kanisius, 2014).

embedded in the heart and mind. Without improving the human heart and mind, the recovery of the ecological crisis will be impossible and futile.⁵

The right step to improve it all is by understanding this environment well and the scholars have tried to make it happen by compiling the work of *fiqh al-bi'ah* (Fiqh of the environment). In Indonesia itself, the Indonesian Ulema Council (MUI) tries to apply this environmental fix in its fatwa decisions, which are related to the environment. Of course, this is an interesting research theme for the author in writing this article.

Research Methods

This paper is a library *research*, namely by collecting, studying, and processing library data which includes fatwa documents, books, journals and other written sources.⁶ This method aims to explain the problems that arise today, namely environmental damage that occurs globally and especially in Indonesia, as well as provide an alternative offer to overcome the crisis of environmental damage by re-voicing environmental conservation from an Islamic perspective, in this case environmental fiqh (*Fiqh al-bi'ah*). In elaborating on the source of the literature, the first step that the author takes is to explore a number of literary sources that have been published by researchers that focus on environmental damage. Second, the author traces the works of scholars within the scope of environmental fiqh that have been written and published in the form of books. Third, the author analyzes the fatwa documents that have been issued by the MUI related to the environment and discusses them in the view of environmental fiqh. Furthermore, the author sorts out the texts, reducing the theoretical data from a number of literatures in accordance with the interests and objectives of writing this article.

⁵ Parid Ridwanuddin, "Ecotheology in the Thought of Badiuzzaman Said Nursi," *LANTERN* 1, no. 01 (May 12, 2017), <https://doi.org/10.21093/LENTERA.V1I01.832>.

⁶ Sugiyono, *Quantitative, qualitative, and R&D research methods* (Bandung: Alfabeta, 2017).

Finding and Discussion

A. Fiqh on the Environment and Human Awareness of Protecting Nature

Fiqh al-bi'ah is part of contemporary problems written by scholars in dealing with environmental problems that are increasingly damaged compared to previous centuries. The environmental damage was so serious, it emerged during the industrial revolution in the West, where nature was exploited on a large scale for the sake of industrialization. The consequences caused by human activities lead back to the survival of human beings themselves, posing a serious threat to the survival of mankind. Thus, the scholars of *ijtihad* collect and assemble the principles, values, norms, and legal provisions of the *fiqh* treasures as a new paradigm to understand environmental problems and as a solution in handling them (rescue and preservation).⁷

Environmental *fiqh* initiated by scholars is a noble effort to make people who believe to realize that environmental problems cannot be separated from their responsibilities and is a mandate that they carry out to maintain and protect nature that has been bestowed by Allah SWT for the benefit in this world and also in the hereafter. Allah requires believing people to function their faith by believing that saving and preserving the environment is part of faith itself.⁸ Some of the literature that has been written by scholars related to environmental *fiqh* is as follows.

Table 1. Several books in Arabic related to environmental jurisprudence

It	Heading	Writer
1	<i>Riāyah al-bi'ah fī sharia al-islāmiyah</i>	Yusuf Al-Qordhowi
2	<i>Al-fiqh al-bi'ah</i>	Muhammad Al-Husyaini Al-Shirāzi
3	<i>Ahkām al-bi'ah fī al-fiqh al-islāmi</i>	'Adnān bin Sadiq Dhāhir
4	<i>Al-bi'ah wa al-bu'd al-islāmiy</i>	Fuād Abdu al-Latīf Al-Sarṭāwi

⁷ Ali Yafie, *Pioneering Environmental Fiqh* (Jakarta: Ufuk Press, 2006). p. 161

⁸ Yafie. p. 162

5	<i>Himayatu al-bi'ah al-ṭabi'iyah fi al-syariah al-islamiy</i>	Şafā' Mauzah
6	<i>Ahkām al-bi'ah fi al-fiqh al-islāmiy</i>	Abdullah bin Umar bin Muhammad al-Suhaybani

These scholars have tried to explore the understanding of the law regarding the environment from the source of the Qur'an, hadith, books of fiqh and its rules. Yusuf Al-Qardhawi, for example, explained the concept of environmental maintenance from various scientific perspectives, starting from the science of *ushuluddin*, ethics, fiqh, *ushul fiqh*, the Qur'an and also the sunnah. He emphasized that protecting the environment has the same urgent importance in this era by maintaining the five basic goals of Islam (*maqasid al-syariah*) or better known as *al-dharuriyyah al-khamsah*.⁹ In Indonesia itself, Muslim scholars and scholars have also tried to develop and introduce environmental fiqh to the community, namely by popularizing it in the form of published books. Among the several books that are scattered, discussing environmental fiqh, namely.

Table 2. Some books related to environmental jurisprudence in Indonesia

It	Heading	Writer
1	<i>Pioneering Environmental Fiqh</i>	Ali Yafie
2	<i>Fiqh Ecology Ethics of Environmental Utilization on the Slopes of Mount Kelud</i>	Abbas Sofwan Matla'il Fajar
3	<i>Islam: A Religion that Cares for the Environment</i>	M. Abdurrahman
4	<i>Environmental Fiqh: A Spiritual Guide to Living Environmentally Conscious</i>	Mujiyono Abdillah
5	<i>Fiqh of Ecology: Keeping the Earth Understanding the Meaning of the Holy Book</i>	M Talhah & Achmad Mufid
6	<i>Environmental Theology Environmental Management Ethics Islamic Perspective</i>	Muhjiddin Mawardi & Gatot Supangkat Sanidjo

⁹ Yusuf Al- Qordhowi, *Riāyah Al-Bi'ah Fi Syariah Al-Islāmiyah* (Cairo: Dār Al-Syuruq, 2001).

7	<i>Saving the Earth Through Moral Improvement and Environmental Education</i>	Muhyiddin Mawardi, Bakti Setiawan, & Gatot Supangkat
8	<i>Environmentally Friendly Islam: From the Eco-Theology of the Qur'an to Fiqh Al-Bi'ah</i>	Wardani
9	<i>Environmental Theology: Environmental Management Ethics in an Islamic Perspective</i>	Deputy for Environmental Communication and Community Empowerment, Ministry of Environment and the Central Executive Council of Muhammadiyah
10	<i>Environmental Ethics: A Guide to Environmentally Friendly Behavior</i>	Muhiddin Mawardi, Gatot Supangkat, and Miftahul haq

Environmental fiqh, according to Yafie, includes multi-discussions, ranging from human life to the universe, and not only touches on the problem of natural destruction committed by humans but has also provided solutions to all problems. This environmental fiqh approach is also believed to be a preventive movement so that it becomes an ideal framework in environmental conservation. The contents of the law emphasize the *maslahat* paradigm. This paradigm leads a person to maintain the environment from various aspects and across space, time and matter.¹⁰

Awareness from Muslim scholars and scholars about environmental sustainability is very important, because they can have a significant influence in the community. Through the fiqh approach, which is the basis of the rules and norms of Muslim life, Muslim scholars and scholars will more easily

¹⁰ Yafie, United Kingdom *Pioneering Environmental Fiqh*; Andi Yaqub, "Environmental Fiqh in the National Development Map," *Bilancia: Journal of Sharia and Legal Studies* 11, no. 1 (2017): 1–32, <https://www.jurnal.iainpalu.ac.id/index.php/blc/article/download/297/215>.

indoctrinate the community to be involved in environmental conservation activities. This is because environmental fiqh has the force of shari'a law that has been established by Allah, either in commands or prohibitions, which is expected to encourage a change in the paradigm of life. Another hope is that the community is aware of preserving the environment as a form of love for nature, which is a manifestation of servitude to Allah SWT.

B. The Role of MUI Fatwa in Human Awareness of Protecting Nature

The MUI has appropriately established fatwas related to the environment with a conditional theological background from an Islamic perspective. MUI as a non-governmental organization that accommodates Muslim scholars, scholars, and scholars has the goal of guiding, fostering, and protecting Muslims in Indonesia, which in most of its fatwas related to the environment sits the position of human beings as caliphs on earth (*khalifah fi al-ardl*) who have the mandate and responsibility to prosper the earth as a whole.¹¹ This is an important step in human awareness, about the essence of himself as a servant who not only thinks about caring for himself (egocentric) but must also think about the earth as a mandate that has been carried by him.

It is true that the earth and its contents in the Islamic view were created to meet human needs, but it does not mean that it can arbitrarily exploit it for the satisfaction of human lust so that it becomes corrupt, because Allah does not like those who do damage on the earth. Humans are also charged with prospering, preserving, and protecting nature for the benefit of society in a sustainable manner. As a Caliph, he has the duty to *imarat al ardh* (prospering the earth) by managing and maintaining the natural environment.

¹¹ Indonesian Ulema Council, "Fatwa of the Indonesian Ulema Council No. 41 of 2014 concerning Waste Management to Prevent Environmental Damage," Pub. L. No. 41 of 2014 (2014); Indonesian Ulema Council, "Fatwa of the Indonesian Ulema Council No. 22 of 2011 concerning Environmentally Friendly Mining" (2011); Indonesian Ulema Council, "Fatwa of the Indonesian Ulema Council No. 04 of 2014 concerning the Conservation of Endangered Animals to Maintain Ecosystem Balance," Pub. L. No. 04 of 2014 (2014).

Another most important part, the legal basis built by the MUI in determining its fatwa is inseparable from the main source of reference in Islam, the Qur'an and hadith as well as *qaidah ushuliyyah* and *qaidah fiqhiyyah*. In addition, MUI also quotes various opinions of Islamic scholars in several books.¹² The following is a description that is the basis for consideration and legal basis sourced from the Qur'an contained in fatwas related to the environment.

Table 3. The Basis for the Determination of the MUI Fatwa from the Qur'an

It	Fatwa MUI	Basis for Consideration	Legal Basis
1	No. 22 of 2011 concerning Environmentally Friendly Mining	Allah made and subdued nature for the benefit of humans	QS. Lukman: 20 QS. al-Hajj: 65 QS. Al-Baqarah: 29
		Allah explains the existence of mining and mining goods that have benefits for humanity,	QS. Al-Hadid: 25 QS. al-Ra'd: 17 QS. Saba': 10 – 11
		Allah emphasizes the relationship between faith and prospering the earth and its contents and the negative impact caused if we do not pay attention to environmental conservation methods	QS. Hood: 61 QS. Al-Rum: 9
		Allah forbids doing harm on earth	QS. al-A'raf: 56 QS. al-Baqarah: 60 QS. Al-Qashash: 77 QS. al-Shuara': 183 QS. al-Baqarah: 195
		Allah who explains the obligation to obey ulil amri	QS. Al-Nisa': 59

¹² Indonesian Ulema Council, "Fatwa of the Indonesian Ulema Council No. 30 of 2016 concerning the Law on Forest and Land Burning and Its Control," Pub. L. No. 30 of 2016 (2016); Indonesia, Fatwa of the Indonesian Ulema Council No. 04 of 2014 concerning the Conservation of Endangered Animals to Maintain Ecosystem Balance; Indonesia, Fatwa of the Indonesian Ulema Council No. 41 of 2014 concerning Waste Management to Prevent Environmental Damage.

2	No. 04 of 2014 concerning the Conservation of Endangered Animals to Maintain Ecosystem Balance	Allah commands to do good deeds (ihsan) among fellow living beings, including in the matter of endangered animals	QS. al-An'am: 38 QS. al-Qashash: 77
		Allah has made and subdued His creation for the benefit of man, Allah commissioned humans as caliphs to prosper and maintain the balance of the ecosystem Allah affirms that all creatures created by Allah have benefits and nothing is in vain, including in the matter of endangered animals Allah forbids doing damage to the earth, including to endangered animals, including	QS. Lukman: 20 QS. Al-Baqarah: 29 QS. al-Baqarah: 164 QS. al-Baqarah: 30 QS. al-An'am: 165 QS. Ali Imran: 191 QS. al-A'raf: 56 QS. al-Baqarah: 60 QS. al-Shuara': 183 QS. al-Rum: 41
3	No. 41 of 2014 About Waste Management to Prevent Environmental Damage	Allah commissioned humans as caliphs to prosper the earth and preserve the environment God loves those who keep clean God forbids man to fall into destruction Allah affirms that nature is subordinated to the benefit of man, commands to do good and prohibits doing harm on earth.	QS. al-Baqarah: 30 QS. Huud: 61 QS. al-Baqarah: 222 QS. al-Baqarah: 195 QS. Luqman: 20 QS. al-Qashash: 7 QS. al-Isra: 7 QS. al-A'raf: 56 QS. al-Shuara: 183 QS. al-Rum: 41
		Allah forbids the act of israf and tabdzir, namely squandering wealth or wasting something that can be used	QS. al-'Isra': 27 QS. al-An'am: 141

4	No. 30 of 2016 concerning the Law on Forest and Land Burning and Its Control	Allah explains about making a living without doing damage on earth	QS. al-Baqarah: 60
		Allah explains the prohibition of doing damage on land and sea due to human actions.	QS. Al Rûm: 41 QS. al-A'râf: 56
		God explains the commandment about doing good	QS. An-Nahl: 90 QS. al-Qashash:77
		Allah explains the prohibition of indulging lust that can lead to destruction:	QS. al-Mu'minûn: 71
		God explains the threat to those who commit evil	QS. Yûnus: 27
		Allah forbids acts that harm human rights and cause damage	QS. al-Shu'arâ': 183
		Allah explained that the calamity that befell was the result of man's own actions	QS. al-Syûrâ: 30
		Allah explained the obligation to obey Allah SWT, the Messenger of Allah (PBUH) and Ulil Amri	QS. al-Nisâ': 59

On the basis of its consideration, MUI reminds humans that their existence living on earth cannot be separated from the existence of Allah as the creator of the universe. This is an important perspective that must be reminded to everyone to build their awareness of nature. Without this awareness, man will only view nature as a mere material entity, which has no relationship with the supernatural, in this case Allah. This is the awareness that needs to be built, from which awareness will change the way of view, and from the perspective will change behavior that will be more concerned about the environment.

The fatwa of the Indonesian Ulema Council (MUI) related to the environment has an important role in increasing public awareness to protect the environment because this fatwa provides a strong religious and moral foundation. The fatwa issued by the MUI regarding the environment emphasizes that protecting the environment is part of the responsibility of a Muslim. MUI reminds the public that protecting the environment is not only a social obligation, but also a religious obligation that has moral and spiritual consequences.

In addition, the MUI Fatwa related to the environment provides clear evidences from the Qur'an and hadith that emphasize the importance of maintaining the balance of nature (mizan), not overdoing it (israf), and avoiding damage to the earth (façade). By providing a strong reference to Islamic law, the community will get a deeper understanding that preserving the environment is a mandate from Allah SWT that must be maintained. The MUI also prohibits behaviors that damage the environment such as illegal forest burning, river pollution, and illegal deforestation. With this haram status, people have a fear of sin if they commit actions that damage the environment. This is expected to prevent destructive behaviors and encourage people to be more concerned and responsible for nature.

The MUI fatwa on the environment also appeals to Muslims to participate in concrete actions such as reforestation, reducing the use of plastic, and maintaining environmental cleanliness. This fatwa is often a guideline for the Muslim community in planning social activities, such as environmental clean-up actions, tree planting, and environmentally friendly waste management. The environmental fatwa from the MUI is also a guide for scholars, dai, and religious leaders in delivering lectures and sermons in mosques and in various religious forums. Through lectures taken from the content of the fatwa, the community gets education about the importance of

protecting the environment from an Islamic perspective, thereby increasing collective awareness of the impact of human actions on the environment.

This fatwa also encourages the government, Islamic institutions, and other community organizations to take environmental issues more seriously. MUI appeals to relevant institutions to create environmental policies and programs that support Islamic principles on nature conservation, which can be applied by the community at large. No less important, this fatwa can be part of the Islamic education curriculum to introduce environmental ethics to the younger generation. Education about the importance of protecting the environment based on Islamic teachings can be taught in Islamic-based schools, so that from an early age Muslim children have a strong awareness of the importance of protecting the environment.

Overall, the MUI fatwa related to the environment aims to provide clear and firm guidance for Muslims in carrying out religious teachings in the context of environmental conservation. By placing environmental issues in a religious framework, this fatwa is expected to be able to form a higher collective awareness in the community, so that they are more motivated to protect the environment as a form of obedience to Allah SWT.

Conclusion

Muslim scholars and scholars have serious concerns about the problem of environmental damage. They try to compile environmental fiqh, as a real contribution in changing the way humans view nature and its muamalah with nature. Likewise in Indonesia, scholars compiled fatwas related to the environment as an effort to raise awareness of human perspectives on nature. Nature is inseparable from supernatural entities, which can be used at will without the guidance of revelation. Nature must be managed wisely with instructions that have been made by the god of the universe. Allah SWT., so that there is harmony in life between humans and nature. The MUI fatwa

related to the environment is ideal to be applied in Indonesia in overcoming the environmental crisis. This fatwa is expected to have binding legal force on every society in general and Muslims in particular in managing nature.

Author(s) Bahrum Subagiya is Lecturer at Islamic University of Ibn Khaldun Bogor Indonesia

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