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Conservation Environmental Sustainability in The Perspective of Islamic Legal Philosophy

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Abstract: This paper is motivated by the existence of central issues regarding environmental damage that are increasingly concerning, both those reported through the mass media and those circulating on national and international television broadcasts. Therefore, it is necessary to have a solution for handling and to bridge environmental issues studied across various disciplines of knowledge, in this case, using an Islamic legal philosophy approach. This research method is a normative legal study using the perspective of Islamic legal philosophy. This study indicates that religion has tended to focus more on matters of ritual aspects without looking further at the meanings of the symbols of religious teachings themselves, particularly if they are associated with awareness to conserve the environment adequately because it involves the benefit of many people. This paper aims to reveal the sides of religious teachings, especially Islamic teachings that raise awareness of the environment. Because in Islamic doctrine, it is taught about how to behave by values or norms concerning human relations with the universe (*hablu minal 'alam*). The philosophical view of Islamic law is that humans are essentially entrusted with managing the planet and its contents as caliphs on earth, particularly in maintaining and managing the natural resources in a trustworthy manner to avoid *mafsadah* (damage) that threatens all human life. The findings of this study indicate that the Islamic legal philosophy provides a living guide for how to treat the environment in both peaceful and emergency situations. This can be accomplished by not destroying plants (trees), not throwing dirt anywhere, managing the land to be productive, removing obstacles in the flow of people's movement, and sharing responsibility for sustainably managing forests, water, and energy.

Keywords: Environmental conservation, environmental issues, philosophy of Islamic law

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Abstrak: *Tulisan ini dilatarbelakangi dengan adanya isu-isu sentral tentang kerusakan lingkungan hidup yang semakin memprihatinkan, baik yang diberitakan melalui media masa maupun yang beredar pada media yang berskala nasional maupun internasional. Oleh karena itu diperlukan adanya sebuah solusi dalam penanganan dan menjembatani isu-isu lingkungan yang dikaji berbagai lintas disiplin ilmu pengetahuan, dalam hal ini menggunakan pendekatan filsafat hukum Islam. Metode Penelitian ini merupakan kajian hukum normatif dengan menggunakan perspektif filsafat hukum Islam. Kajian ini menyimpulkan bahwa selama ini hukum Islam lebih cenderung dititikberatkan pada persoalan sisi-sisi ritual saja, tanpa melihat lebih jauh makna dari simbol-simbol ajaran agama itu sendiri, terutama jika dikaitkan dengan kesadaran untuk menjaga lingkungan dengan baik karena menyangkut kemaslahatan orang banyak. Tulisan ini bertujuan untuk mengungkap sisi-sisi ajaran agama, khususnya ajaran Islam yang membangkitkan kepedulian terhadap lingkungan. Karena dalam ajaran Islam diajarkan tentang bagaimana berperilaku dengan nilai-nilai atau norma-norma yang menyangkut hubungan manusia dengan alam semesta (hablu minal 'alam). Pandangan filosofis hukum Islam, bahwa manusia itu pada hakekatnya disertai tugas sebagai khalifah di muka bumi yakni sebagai pengelola bumi dan isinya, terutama dalam menjaga dan mengelola sumber daya alam ini dengan amanah, sehingga terhindar dari mafsadah (kerusakan) yang mengancam seluruh kehidupan manusia. Karena itu, filsafat hukum Islam memberikan panduan hidup bagaimana bersikap dan berperilaku terhadap lingkungan, baik dalam situasi damai maupun dalam situasi darurat, dengan cara tidak merusak tumbuhan (pohon), tidak membuang kotoran di sembarang tempat, mengelola tanah menjadi produktif, menghilangkan hambatan dalam arus pergerakan manusia, tanggung jawab bersama dalam mengelola hutan, air dan energi secara berkesinambungan.*

Kata Kunci: *Pelesatarian lingkungan, isu-isu lingkungan, filsafat hukum Islam*

Introduction

In the current era of globalization, every country, especially developing countries, must be able to advance development in order to pursue development alongside developed countries in order to support national stability, both by exploiting forests legally and illegally.¹ It is so that the impact of environmental damage issues has become a problem for every country that requires special attention and management. The technological advancements of the 20th century, which resulted in a multidimensional crisis, demonstrate this. For instance, the

¹ Fachruddin Majeri Mangunwijaya and Jeanne Elizabeth Mckay, "Reviving Islamic Approach for Environmental Conservation in Indonesia," *Worldvies* 16, No. 3 (2012), p. 286-305. Ifrani and Yati Nurhayati, "The Enforcement of Criminal Law in the Utilization and Management of Forest Area Having Impact toward Global Warming," *Sriwijaya Law Review* 1, no. 2 (2017), p. 157-167.

excessive use and disposal of emission gases from industries (businesses) and vehicles, as well as the usage of domestic appliances that release excessive Carbon dioxide and illegal harvesting of forests (illegal logging), contribute significantly to the destruction of the forest environment (nature).²

Humans are one of the determining factors in efforts to preserve the environment and have a role and responsibility to empower environmental wealth for the ecosystem's survival. In reality, the great desire to fulfill life satisfaction often triggers humans to dominate nature, which tends to cause damage due to selfishness without regard to survival. The invention of various technological instruments has even changed the natural environment according to human needs. The attitude of dominance fostered by the desire to dominate nature in order to achieve satisfaction promotes the exploitation of environmental resources.³

Accordingly, advancements in science and technology do not always positively impact human life and the environment. Occasionally, it also generates other environmental problems. Human activities are primarily responsible for the occurrence of a number of environmental issues at the local, national, and global levels. Pollution and environmental destruction in the sea, forest, atmosphere, water, land, and other environments are the result of reckless and selfish human conduct. Allah SWT issues a stern warning to humankind over the damage their actions have caused to the planet. The phenomenon of the modern world, supported by high technological sophistication in its use, has ignored ethics, aesthetics, and the balance of nature. This has caused damage to global ecosystems and the evolution of life, which can threaten the ecological balance and human life.⁴

Ecological problems should be given serious attention considering their various damages have reached such an alarming level. From year to year, the destruction and violence against the ecology are not decreasing; rather, they are increasing drastically. Fires, deforestation, mining and chemical factories, water pollution, air pollution, and numerous other environmental issues may be common phenomena in Indonesia. Today's natural disasters are intimately tied to the degradation of the environmental quality caused by human activities. The occurrence of disasters results in additional implications; humans must alter their behavior and outlook on nature. Religion, a belief meant to guide every

² M. Arief Soleh, et.al., "Implementation of Islamic Religious Values on Governance of Law and Environmental Issue, *Journal of Islamic Law Studies* 2, No. (2021). Hartini, "Eksistensi Fikih Lingkungan Di Era Gloalisasi," *Jurnal Al-Daulah* 1, No. 1 (2013), p. 38.

³ Abdul Karim, "Mengembangkan Kesadaran Melestarikan Lingkungan Hidup Berbasis Humanisme Pendidikan Agama," *Edukasia: Jurnal Penelitian Pendidikan Islam* 12, No. 2 (2017), p. 310. Maimunah, et.al., "Environmental Jurisprudence Approach in Maslahat-Based Development," *IOP Conf. Series: Earth and Environmental Science* 456 (2020) 012086.

⁴ Abd Kalim, "Fiqh Berwawasan Spritualitas Ekologi (Kajian Materi Fiqh Ekologi)," *Genetika: Jurnal Tadris Biologi* 1, No 1 (2017), p. 189–90.

action of its adherents, is sometimes accused of lacking concern for the environment. When religion, through its diverse teachings, attempts to control how humans should act, environmental concerns are rarely addressed. However, ironically, humans seem never to reflect and take lessons (*i`tibar*), let alone feel deterred by a calamity. Natural disasters are cyclical. Human life has been jeopardized by natural disasters. Various signs of nature's resistance to human exploitation are now familiar to us.

There are several reasons behind the ecological crisis that has occurred in the current decade. First is the fundamental philosophical problem, which is rooted in human error in the way humans perceive themselves, nature, and their position within the entire ecosystem. The human perspective that considers itself superior has encouraged humans to be hegemonic to the inferiority of nature. As a result, human behavior patterns tend to be consumptive and exploitative towards natural resources. This understanding is supported by the notion of materialism. Second, the problems of global economic politics. As the impact of materialism, capitalism, and pragmatism, developed countries (the West) have established industrial factories that have caused pollution and environmental damage. Third, the problem of religious understanding.

Among Muslims, there are still groups that adhere to a theocentric understanding of theology. People with this understanding understand natural disasters such as tsunamis, floods, and many others as God's destiny and do not view this ecological crisis as the result of a humanitarian crisis, a crisis of social morality, and human failure to understand the laws of nature. Islamic philosopher Seyyed Hossein Nasr voiced his dissatisfaction in response to this. According to him, the Qur'an describes the inextricable connection between mankind and nature. The current environmental issue is not the result of a theological failure, but of a human error that has abandoned the spiritual tradition of religion (Islam).⁵

Numerous scientific journal publications debate it regarding normative standards and empirical research. Yunita and Zahratul Idami, for instance, argued that Islamic law provides rules relating to environmental management that emphasize the significance of harmonizing nature and humanity to prevent environmental damage. This procedure is performed to ensure the continued existence of human life.⁶ Furthermore, Akhmad Hulaify emphasized the rules related to maintaining the environment, highlighting the idea of *maqāṣid al-syarī'ah* (goals or objectives of sharia), which includes the part of *hifz al-bi'ah* (maintaining the environment).⁷

⁵ Abd Kalim, *Fiqh Berwawasan Spritualitas Ekologi...*, p. 190.

⁶ Yunita and Zahratul Idami, "Pengelolaan Lingkungan Dalam Perspektif Fiqih," *Jurnal: Samudra Keadilan* 15, No. 2 (2020).

⁷ khmad Hulaify, "Etika Lingkungan Perspektif Hukum Islam," *Jurnal Al-Iqtishadiyah* 4, No. 1 (2018).

Moreover, Hardiansyah argues that there is a connection between philosophy and ecology. Furthermore, philosophy itself is the origin of science. Philosophies as an alternative to preventing environmental damage are in dialogue with one another, like a cycle that cooperates in overcoming human ecological issues to avoid exploitation on a large scale.⁸

Islamic legal philosophy raises awareness of environmental conservation. Islamic legal philosophy teaches us to behave by abiding the values or norms concerning human relations with the universe. This view is often referred to as the Islamic principle of *rahmatan lil alamin*.⁹ In the philosophical view of Islam, man is essentially entrusted with the task of the caliph on earth, managing the earth and all of its resources in a trustworthy manner to avoid *mafsadah* (damage) that threatens all human life.

If the legal reality described above is examined and highlighted further, it demonstrates that one of the elements contributing to environmental harm is a lack of public understanding of a religion, particularly in relation to sustainability and environmental care. Therefore, the author to reveal that, philosophically, religious ideas have provided guidance and guidelines in bringing about a greater awareness among people of the need to conserve and preserve the environment.

This research method is a normative legal study using the perspective of Islamic legal philosophy.¹⁰ Regarding this research, the author uses multiple sources to discuss and examine writings linked to the topic of the discussion, which are then contextually reviewed and analyzed and written based on the author's analysis of a subject under investigation. This research material refers to study sources that are directly relevant to the research as well as supplementary reference sources.

Environment in Islamic Law (*fiqh al-bi'ah*)

The environmental crisis has become a hot topic over the past decade and has been widely debated in numerous circles, including those of clergy, academics, and practitioners. Undoubtedly, this is still felt by humans in regions of the world afflicted by natural disasters such as floods, landslides, droughts, and tsunamis, which are frequently discussed in the news media. There has been a dramatic decrease in global environmental conditions undergoing

⁸ Hardiansyah, "Filsafat Menjadi Alternatif Pencegah Kerusakan Lingkungan," *Jurnal Substantia* 14, No. 2 (2012).

⁹ Hisam Ahyani and Memet Slamet, "Building the Values of *Rahmatan lil 'Alamin* for Indonesian Economic Development at 4.0 Era from the Perspective of Philosophy and Islamic Economic Law," *al-Ihkam: Jurnal Hukum dan Pranata Sosial* 16, No. 1 (2021).

¹⁰ Zainuddin Ali, *Penelitian Hukum*, Jakarta: Sinar Grafika, 2014. Faisar Ananda Arfa and Watni Marpaung, *Metodologi Penelitian Hukum Islam*, Jakarta: Kencana, 2016. Krippendorf Kraus, *Content Analysis: Introduction Tolts Theory and Methodology*, Translated by Farid Wajidi, Jakarta: Raja Grafindo Persada, 1993.

transformation. This is seen in the depletion of the ozone layer, global warming, modifications to the greenhouse effect, and other ecological alterations.

The concept of the environment cannot be separated from the Islamic view of nature, and the environment will not be fully understood without relating it to the Islamic concept of human beings. Religion has long viewed humans as managers of nature, but in recent times there has been a paradigm shift in which humans have become natural destructors of their environment. Islam itself regards mankind from two perspectives, notably as aggressive-active representatives of God (Al-Baqarah [2]:30) and, at the same time, as passive servants of God (Al-A'raf [7]: 172).¹¹

The topic of the environment has been discussed in Islamic law for quite some time. Long discussions have occurred within the context of Islamic law regarding environmental protection and human responsibility towards nature. However, in numerous interpretation and *fiqh* (Islamic jurisprudence) texts, environmental issues are only referenced in a generic and not yet specific context as a legally binding rule. Classical *fiqh* addresses these concerns in distinct chapters rather than in a single book. This is acceptable given that the setting of the growth of society's structure at the time did not yet face the environmental problem that it does now.¹²

According to Yusuf Qardhawi, the environment is a sphere in which humans exist, whether they are traveling or isolating themselves, and serves as a place to return to, whether voluntarily or involuntarily. He distinguished between living (dynamic) and static environments (dead). A dynamic environment is one that includes habitats for humans, animals, and vegetation. According to environmental specialists, the dynamic environment consists of both the biotic (living) and abiotic (nonliving) environments. While the static environment consists of God-made nature (*tabi'ah*), the industry was produced by humans. Allah created the environment on earth, the universe, and the sky, which contains the sun, moon, and stars. Meanwhile, the manufactured business encompasses everything from river exploration to tree planting and home construction.¹³

In Ali Yafie's opinion, the concept of environmental *fiqh* has existed from the inception of Islam. According to him, however, classical *fiqh* writings do not address more tangible difficulties regarding the modern understanding of the environment. Law enforcement difficulties are tied to environmental challenges. This falls under the category of *jinayat*. Consequently, if parties engage in illegal logging, deforestation, or other acts of environmental

¹¹ Achmad Cholil Zuhdi, "Krisis Lingkungan Hidup Dalam Perspektif Al-Quran," *Mutawatir: Jurnal Keilmuan Tafsir Hadis* 2, No. 2 (2012): 140.

¹² Hartini, *Eksistensi Fikih Lingkungan...*, p. 41.

¹³ Hartini, *Eksistensi Fikih Lingkungan...*, p. 40.

degradation, they must be penalized. In other words, severe penalties are imposed.¹⁴

To stop the environmental degradation, a solution is required. A pro-ecology approach to Islamic legal philosophy is used to raise awareness about the significance of caring for and conserving the environment for future human sustainability. In this situation, the principles and norms of religious wisdom must be promoted to rectify and remedy the flaws of the human paradigm in managing and utilizing nature, which leads to excessive human consumption. Based on the perspective of religion and the principles of that faith, humans must be keenly aware of the importance of maintaining nature and protecting the environment in an appropriate and effective manner. Therefore, people will begin to assume that caring for and protecting the environment is equivalent to adhering to religious precepts and is a means of worshiping and doing good for the environment.

Andrew Targowski considers it urgent to reformulate a philosophy oriented towards nature and the environment. In his writings, he argues that the contemporary human civilization is not adjusting to the natural harmony. Therefore, all levels of society require a "new injection of wisdom." In this instance, philosophy must cultivate ecological wisdom to ensure the existence of the cosmos and human civilization.

All religions have a perennial vision related to maintaining the cosmic universe. Almost all major religions contain many expressions about human and natural relationships. For example, Islam, as a universal religion, has provided well-known teachings and values regarding environmental preservation. The main messages of Islam found in the Qur'an and Sunnah, such as monotheism (unity), caliphate and amanah (guardianship and trust), shari'ah (ethics of action), *adl* and *i'tidal* (justice and moderation), are the pillars of the pillar of support for the formulation of an Islamic environmental ethic. Further study reveals that Islam is also highly supportive of nature and environmental preservation. Numerous verses of the Qur'an condemn, either explicitly or implicitly, the destruction of nature and the environment.¹⁵

Islamic Legal Philosophy Approach toward Environmental Issues

The term used by Fritjof Capra on environmental issues is eco-literacy, which means "ecological literacy." This term describes the existence of human attitudes that have reached a high level of awareness of the importance of caring

¹⁴ Ali Yafie, *Merintis Fikih Lingkungan Hidup*, Jakarta: Ufuk Press, 2006.

¹⁵ Aziz Ghufroon and Sabarudin, "Islam Dan Konservasi Lingkungan; Telaah Pemikiran Fikih Lingkungan Yusuf Al-Qaradhawi," *Millah* 6, No. 2 (2016): 55-76.

for the environment. In other words, but more meaningfully, it is also referred to as ecological literacy because the two terms are often used interchangeably.¹⁶

In the historical-sociological approach, the concept of the environment has existed since the lives of the Prophets and their companions included environmental considerations, such as the prohibition against destroying plants and trees during conflict. From the Qur'an standpoint, it is claimed that numerous *qauniyah* verses address nature and the environment as well as legal and societal issues.¹⁷

There are at least two approaches to fostering a solid desire to protect the environment. First, shifting the *ubudiyah* paradigm from something sacred-*ukhrawi* to something humanist-*ukhrawi*. Changing the paradigm of *mubah* to *sunnah* can become a shared responsibility for environmental protection and management. All social relationships must be based on needs since nature is an integral aspect of human life that cannot be separated or disregarded in the interest of the general welfare and safety.¹⁸

Allah swt created the earth and its entire inhabitants flawlessly. This is meant to ensure the continued existence of life on earth. Allah swt has entrusted mankind with the responsibility of prospering and managing the nature so that unwelcome catastrophes do not occur. Allah swt explains this through the verses of Al-Qur'an, as in Hud: 61.

Based on the words included in that verse, the word *اسْتَعْمَرَكُمْ* indicates that humans are commanded to prosper the earth since they have the capacity and readiness to become constructive beings. Proper management of the environment entails carrying out development and nurturing the land in order for the planet to flourish. In order for future generations to benefit from nature, it must be safeguarded and kept so that it does not become extinct. If humans can prosper and live in peace with nature, then nature will be hospitable to us. Allah has spread out the vast earth, as well as its plants, oceans, and ecosystems. There are four natural resources: mountains, rocks, water, and air. Allah created the earth and everything on it for people, including the heavens and the earth, land, seas, and rivers, the sun and the moon, night and day, plants and fruit, reptiles and livestock. (Hijr: 19-20).¹⁹

According to this verse, Allah SWT has spread out the earth and created mountains and vegetation (trees). Humans must therefore be accountable for

¹⁶ Moh. Mufid, "Konservasi Laut: Relevansi Fiqh Al-Bi'ah Di Wilayah Pesisir Lamongan," *Al-Manahij* 12, No. 1 (2018), p. 1-16.

¹⁷ Muhammad Syukri Albani Nasution and Rahmat Hidayat Nasution, *Filsafat Hukum Islam & Maqashid Syariah*, Jakarta: Kencana, 2020.

¹⁸ Muhammad Syukri Albani Nasution and Rahmat Hidayat Nasution, *Filsafat Hukum Islam & Maqashid Syariah*, Jakarta: Kencana, 2020.

¹⁹ Istianah, "Upaya Pelestarian Lingkungan Hidup Dalam Perspektif Hadis," *Riwayah* 1, No. 2 (2015), p. 249.

managing and utilizing natural resources based on the principle of sustainability in order to achieve wealth and sustainably meet the requirements of humanity.

In the Qur'an, Allah explicitly forbids humans to do damage in any form on this earth, “*Do not spread corruption in the land after it has been set in order. And call upon Him with hope and fear. Indeed, Allah’s mercy is always close to the good-doers*” (Al-A’raf :56). However, it is explicitly stated in the verse that all sorts of damage that occur on the earth's surface are the product of human interaction with their surroundings. “*corruption has spread on land and sea as a result of what people’s hands has done, so that Allah may cause them to taste the consequences of some of their deeds and perhaps they might return to the Right Path*” (QS. Ar-Rum: 41). This verse should serve as material for reflection or introspection of humans as creatures who manage this earth by managing the environment as well as possible so that there is no damage to the universe.²⁰

The term *fasād* means خروج الشيء عن الإعتدال (something that has gone out of balance). This concerns the soul (spiritual), the body (physical), and anything that deviates from nature's proper equilibrium. In the Qur'an, if the term *fasād* is in the form of *mashdar* and stands alone, it indicates physical/physical damage, such as floods, air pollution, and others; and if it is in the form of a verb (*fi'il*) or a form of *mashdar* but previously there was a *fi'il* sentence, then most of it shows the meaning of non-physical/*ma'nawi* damage, such as infidel, shirk, hypocrite, and the like.²¹ Then, the *mufassir* (commentator) explains the varied meanings of the devastation that exists on land and sea, such as significant floods, famine seasons, water shortages, death in vain, fires, injustice, erroneous behavior, crop failures, and economic crises.

From the legal perspective of *fiqhiah*, the law must encourage people to green the environment in order to protect the environment. The words of the Prophet confirm this encouragement as alms for those who do good. In other words, planting trees and sowing seeds will be viewed as charity *jariyah*, as well as *sunnah al-hasanah* with rewards, both in this world and the hereafter, in the form of maintaining the balance of nature, food, and shelter supplies (for environmental instances).

²⁰ Dwi Runjani Juwita, “Fiqh Lingkungan Hidup dalam Perspektif Islam,” *Jurnal Studi Agama* 5, No 1 (2017), p. 27-42.

²¹ Reflita, “Eksplorasi Alam Dan Perusakan Lingkungan (Istinbath Hukum Ayat-Ayat Lingkungan),” *Substantia* 17, No. 2 (2015), p. 147-158.

حَدَّثَنَا بَهْرٌ حَدَّثَنَا حَمَّادٌ حَدَّثَنَا هِشَامُ بْنُ زَيْدٍ قَالَ سَمِعْتُ أَنَسَ بْنَ مَالِكٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ قَامَتِ السَّاعَةُ وَبِيَدِ أَحَدِكُمْ فَسِيلَةٌ فَإِنْ اسْتَطَاعَ أَنْ لَا يَقُومَ حَتَّى يَغْرِسَهَا فَلْيَفْعَلْ. (رواه أحمد)²²

Meaning: "From Anas bin Malik ra. The Messenger of Allah (PBUH) said, "If doomsday comes and you have palm saplings in your hand, then if it is possible (to happen) that the judgment will not take place until you finish planting the crops, then let it be done."

Based on the above *Hadith*, it emphasizes that tree planting is encouraged in Islam. The style of the hadith's editorial is either hyperbole or *majazi*. How can there be people who still have time to consider planting when the end of the world is approaching? Then why did the Prophet, who surely knew man's condition before the apocalypse, encourage people to plant trees at such a critical time? Thus, the message of the hadith is clear. Planting trees is essential, not to say all-important. This hadith is an elaboration of the many verses of the Qur'an. Plants and their various related terms are frequently mentioned in the Qur'an. Sayyid Abdul Sattar al-Maliji, for instance, discovered approximately 115 verses pertaining to various parts of plants. Even the Lajnah Pentashih Mushaf Al-Qur'an Team identifies 62 vocabulary items in the Qur'an relating to plants and trees. One of the verses that indicate the function of plants to maintain the balance of the ecosystem is in Al-Mu'minun/23:19.²³

Fifteen centuries ago, before environmental conservation became a topic of discussion among scientists and environmentalists, Prophet Muhammad PBUH had received a revelation in the form of the Qur'an, which explained the task of humans as *Khalifah* (leader) on earth. This has been explained by Allah SWT in Surah Al-Baqarah: 30. Humans become caliphs on Earth after gaining wisdom. Humans are obligated to uphold religion and manage the earth and its inhabitants. Imam al-Mawardi, a prominent Muslim scholar of his time, emphasized in his book *al-Ahkam al-Sulthaniyah* that the primary responsibility of a caliph was to maintain religious teachings in accordance with the teachings provided by Prophet Muhammad PBUH. It is also responsible for administering international affairs, including environmental protection, forest conservation, and urban planning.²⁴

People have caused environmental damage, hence humans as the subject and object of this universe are at the base of the problem. As a result, humankind must be awakened and return to their true nature as servants of

²² Imam Ahmad Ibn Hanbal, *Musnad Ahmad*, Juz 20 in Maktabah Syamilah, n.d.

²³ Mardiana, "Kajian Tafsir Tematik Tentang Pelestarian Lingkungan Hidup," *AL-Fikr* 17, No. 1 (2013), p. 142-143.

²⁴ Rustam Ibrahim, et.al., "Konsep Ramah Lingkungan dalam Perspektif Al-Qur'an, Hadis, dan Kitab Kuning Di Pesantren," *Madania* 21, No. 2 (2017), p. 212.

Allah. As a result, a paradigm shift in natural resource management and utilization is required to give rise to the concept of environmental protection based on the Qur'an. In Indonesia, environmental preservation and management are regulated in Law No. 32 of 2009.²⁵

Contextualization of Environmental Conservation in Islamic Legal Philosophy

The world and its components are inextricably linked, comparable to a single body. Overall, both positive and negative influences will surely have an impact or consequence on human life as the holder of the trust in managing this earth.²⁶ Concerning environmental conservation, of course, there are efforts and shared responsibilities as well as serious attention, as has been practiced by the Prophet Muhammad PBUH through several hadiths related to environmental protection and preservation, including:

1. Revive the Dead Land

Rasulullah PBUH once emphasized that land with no owner or an owner who does not care for and ignore it must be developed in order to become productive. In the language of fiqh, cultivating land is referred to as *ihya al-mawat*. This is explained in the hadith narrated by Imam Muslim:

قال رسول الله صلي الله عليه وسلم : من كانت لو ارض فليزرعها فان لم يستطع ان

يزرعها وعجز عنها فليمنحها اخاه المسلم ولا يؤجر اياه.²⁷

Meaning: "The Prophet of Allah PBUH stated that whomever owns land should cultivate it. If he is unable to plant it, he shall offer it to his Muslim brother without charging him for the gift." (Narrated by Imam Muslim).

The hadith seeks to demonstrate, on a philosophical level, that the landowner is obligated to cultivate his land productively. If the owner is unable to cultivate the land personally, it should be given to his Muslim brethren without any rent being collected. Therefore, the principle of muhtaram extends to all living species and the surrounding natural world.²⁸

²⁵ Siti Kotijah dan Irma Suryani, *Kajian Islam Dalam Masalah Lingkungan Hidup Di Kota Samarinda*, Universitas Mulawarman, n.d.

²⁶ M. Quraish Shihab, *Tafsir Al-Misbah; Pesan Kesan Dan Keserasian Al-Quran*, Jakarta: Lentera, 2002.

²⁷ Abu al-Husain Muslim ibn Al-Hajjaj, *Shahih Muslim*, Lebanon: Dar Al-Fikr, 1993, p. 134.

²⁸ Hartini, *Eksistensi Fiqh Lingkungan...*, p. 45.

2. Planting More Trees (Reforestation)

Rasulullah PBUH strongly recommends that his people plant to meet the needs of food for humans and animals, as well as an effort to reforest. This is intended for the benefit of humans as inhabitants of the earth. Therefore, every plant he grows will benefit humans and all other living things. Therefore, the Prophet of Allah has emphasized that every benefit derived from plants is considered *jariyah* (alms) for the cultivator.²⁹ In one *hadith* narrated by Bukhari, the Messenger of Allah said:

حديث أَنَسٍ رَضِيَ اللهُ عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مَا مِنْ مُسْلِمٍ يَغْرِسُ غَرْسًا أَوْ يَزْرَعُ زَرْعًا فَيَأْكُلُ مِنْهُ طَيْرٌ أَوْ إِنْسَانٌ أَوْ بَيْمَةٌ إِلَّا كَانَ لَهُ بِهِ صَدَقَةٌ³⁰

Meaning: "Hadith from Anas r.a., he said: Rasulullah PBUH said: A Muslim does not grow a tree or sow seeds on the ground, and then a bird or a human or an animal consumes some of it; what is eaten is charity." (Narrated by Imam Bukhari).

In another *hadith*, it is mentioned about prohibiting illegal logging, because it causes a lot of harm and describes mafsadah to humans as inhabitants of the earth. Hadith narrated from Abu Dawud;

حَدَّثَنَا نَصْرُ بْنُ عَلِيٍّ أَخْبَرَنَا أَبُو أُسَامَةَ عَنْ ابْنِ جُرَيْجٍ عَنْ عَثْمَانَ بْنِ أَبِي سُلَيْمَانَ عَنْ سَعِيدِ بْنِ مُحَمَّدِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ عَنْ عَبْدِ اللهِ بْنِ حُبَيْشٍ قَالَ قَالَ رَسُولُ اللهِ -صلى الله عليه وسلم « مَنْ قَطَعَ سِدْرَةً صَوَّبَ اللهُ رَأْسَهُ فِي النَّارِ ». (رواه أبو داود)³¹

Meaning: From Abdullah bin Jubsyi said, Rasulullah PBUH said: "Whoever cuts a tree (sidra), then Allah will direct head to hell." (Narrated by Imam Abu Daud).

2. Do not Defecate Carelessly (water ecology conservation)

In the teachings of the Prophet, water holds a position of utmost importance. In addition to being a means for cleansing from hadas and uncleanness, water is a source of life for humanity. For the purpose of human health and safety and to assure the continuation of human life, the Islamic faith is extremely concerned about water and its conservation, particularly the prohibition against contaminating or polluting water. The Prophet explained as follows in a hadith:

²⁹ Sukarni, *Fikih Lingkungan Hidup Perspektif Ulama Kalimantan Selatan*, Jakarta: Kementerian Agama, 2011.

³⁰ Muhammad Ibn Ismail bin Ibrahim al-Mugirah bin Bardizbah Al-Bukhari, *Sahih Al-Bukhari*, Mesir: Dar al-Fikr, n.d.

³¹ Ahmad Ibn Hambal, *Musnad Imam Ahmad Ibn Hanbal Juz II*, n.d.

عَنْ مُعَاذِ بْنِ جَبَلٍ قَالَ. قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اتَّقُوا الْمَلَاعِينَ الثَّلَاثَةَ الْبَرَّازَ فِي الْمَوَارِدِ وَقَارِعَةَ الطَّرِيقِ وَالظِّلَّ³²

Meaning: "The Prophet of Allah (PBUH) said, 'Fear three things that generate curses: defecating in drains (water sources), in the middle of the road, and in the shade'. (Narrated by Abu Daud).

From the hadiths mentioned above, the Prophet PBUH teaches to revive dead land, plant trees (reforestation), and prohibit defecation and urination on roads, in shelters, under fruiting trees, in water sources, where water meets, on the banks of rivers, in soil burrows in where animals live, in water that does not flow so as not to pollute the environment. In addition, if it is philosophically contextualized in Islam, it is discovered that open defecation is forbidden. When compared to remains of manufacturing trash or hazardous chemicals that are recklessly dumped, for example, into rivers or water, it can worsen the quality of the water since they jeopardize public safety, health, and well-being. Therefore, this will undoubtedly bring *mafsadah* to human life itself.

In a hadith recounted by Abu Daud, an-Nasa'i, and Ibn Majah, the Prophet Muhammad PBUH highlighted that there is a collective/joint obligation on the part of human beings to maintain and use cleanliness in a balanced manner in order to protect the sacred potential contained in cleanliness. The Prophet of Allah stated:

وعن رجل من الصحبة رضي عنه قل غزوت مع رسول الله صلى عليه وسلم فسمعته يقول الناس شركاء في ثلاث: في الكلاء, في الماء, والنار. رواه أحمد وابو داود³³

Meaning: "From a companion ra. Who was with the Prophet Muhammad SAW. He heard the Messenger of Allah say, "Human beings associate in three things: pasture, water, and fire". (Narrated by Iman Abu Dawud).

If the meaning of the *hadith* is contextualized in today's modern times, it can be expanded to suggest that "grassland" might be read as plants that serve as nourishment for both animals and humans (forest). Today, "fire" can be read as energy, allowing the hadith to be interpreted; hence, humans associate in water, food (forest products) and energy. Mankind relate water, food (forest products), and energy. Based on this interpretation, it is also possible to conclude that our food, water, and energy are not entirely ours. It is the property of humanity as a whole. Therefore, we must utilize it with caution so as not to infringe on the

³² Abu at-Tayyib Muhammad Syams al-Haq al-'Azim Abadi, *Sunan Abu Daud, Juz I*, Lebanon: Dar al-Fikr, n.d.

³³ Imam Abu Daud, *Kitab Bulughul Maram*, in Maktabah Syamilah, n.d.

rights of others in an excessive or wasteful manner. This is done to ensure the continuation and survival of human life.

Abu Hurairah narrated a *hadith* of the Prophet PBUH that discusses the removal of thorns or road obstructions in a context other than the one stated above:

عن أبي هريرة - رضي الله عنه - : أَنَّ رَسُولَ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - ، قَالَ : (())
 الْإِيمَانُ بِضْعٌ وَسَبْعُونَ أَوْ بِضْعٌ وَسِتُّونَ شُعْبَةً : فَأَفْضَلُهَا قَوْلٌ : لَا إِلَهَ إِلَّا اللَّهُ ، وَأَدْنَاهَا إِمَاطَةُ
 الْأَذَى عَنِ الطَّرِيقِ ، وَالْحَيَاءُ شُعْبَةٌ مِنَ الْإِيمَانِ ((متفقٌ عَلَيْهِ .³⁴

Meaning: "Abu Hurairah ra said that the Prophet of Allah stated that the faith includes seventy or sixty branches. The highest branch is the phrase *la illaha illallah*, while the lowest branch clears the path of thorns and other obstacles. And shyness is a branch of faith." (Narrated by Imam Muslim).

The content of the meaning contained in the *hadith* hints at actions that appear insignificant but have a big impact for the benefit of mankind of humans themselves and are of shadaqah value for those who do it. If philosophically contextualized in modern times, the meaning of the *hadith* is comprehensive. The meaning is not only interpreted textually (*zahir*) but can also be expanded to facilitate the flow of human movement in the line of life, including the integration and harmonization of law between humans and the environment. In addition to being social creatures, humans are also ecological beings who, in their application, rely on nature to provide simple access and eradicate the *mafsadah* (damages) that exist in humans and their surroundings so that they are synergized and sustainable with one another.

It is obvious from the preceding facts that Islam is a religion that teaches environmental preservation. All of these restrictions are intended to avoid illness outbreaks caused by a lack of cleanliness. Therefore, not only are humans obligated to manage the environment, but also to preserve and enhance it. The path to success can begin with the smallest environment, namely the family environment.³⁵

From a religious-philosophical standpoint, the Prophet's message raises environmental consciousness and care among his people to protect their environment. If human beings on this world could securely apply the teachings of the Prophet, they would never hear of the dangers posed by global warming, illegal logging, floods, landslides, tsunamis, air pollution, and others. Humans

³⁴ Abu al-Husain Muslim bin Al-Hajjaj, Sahih Muslim, Juz I, in Maktabah al-Syamilah, n.d.

³⁵ Istianah, "Upaya Pelestarian Lingkungan Hidup...", p. 259.

hold a prominent position since they are the vanguard in sustaining the ecological balance and carrying capacity of the environment. In managing the environment, humans act as caliphs of Allah on earth, who are obligated to preserve nature and the environment.

Conclusion

Preserving the environment and its conservation is necessary for religious people, especially in Islamic law, to be instructed how to behave respectfully and properly toward nature because nature is an integral component of human life. Consider that humans disregard religious directives and fail to manage the environment with care and respect. In such a scenario, it is equivalent to destroying human life, resulting in *mafsadah* or devastation. Many texts (*al-Qur'an and hadith*) explain the existence of environmental preservation by showing a sign or indicator of the order that must be maintained and protected in order to exist. Several *hadith* discuss the command to use land (cultivate crops), plant trees as part of a reforestation program, prohibit open defecation indiscriminately (including the disposal of industrial waste or other hazardous substances), and promote the flow of human movement and alleviate congestion. Humans are bestowed with the responsibility of serving as caliphs on earth, whose mission it is to preserve the equilibrium of the universe Allah created with perfect order. Philosophically, humans are the earth's rulers, regulators, and beneficiaries so that the earth's natural ecosystem can function in a balanced manner and benefit both humans and the environment.

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