

## Toward Ecocentric Islamic Jurisprudence: Revitalizing *Ḥimā* through Maqāṣid-Based Legal Reconstruction amid Extractive Development in Indonesia

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### Abstract

This study aims to analyze the roots of the ecological crisis in Indonesia driven by the paradigm of extractive development and to evaluate the limitations of modern regulations in providing equitable environmental protection. Although numerous studies have examined the tension between economic development and ecological sustainability, a research gap remains regarding the integration of classical Islamic legal concepts, particularly *ḥimā*, into a contemporary environmental law framework grounded in an ecocentric approach. Therefore, this study contributes by proposing a conceptual reconstruction of Ecocentric Fiqh through the revitalization of the *ḥimā* instrument as an alternative mechanism for protecting Community-Managed Areas (*Wilayah Kelola Rakyat / WKR*) amid the expansion of extractive development in Indonesia. This research employs a qualitative method using a juridical-normative approach and library research. Data were collected from strategic environmental reports, including *Environmental Outlook 2025* published by WALHI, and were examined alongside contemporary Islamic legal literature and reputable international journal sources. The analysis was conducted to connect empirical ecological crisis data with the normative construction of Islamic law in the context of environmental protection. The findings reveal that

development policies centered on economic growth have generated significant ecological debt, marked by extensive deforestation, agrarian conflicts, and investment dominance in natural resource governance. Existing positive law tends to be anthropocentric and has not yet provided substantive ecological protection. As a key finding, this study demonstrates that revitalizing the concept of *hima* within the framework of Ecocentric Fiqh offers a more inclusive model of territorial protection by positioning nature as an entity with intrinsic value. The contribution of this study lies in developing a theoretical framework for Islamic environmental law that is not merely normative but also relevant for addressing contemporary ecological challenges in Indonesia.

**Keywords:** Ecocentric Fiqh, Hima, Ecological Crisis, WALHI (Indonesian Forum for the Environment), Environmental Law, People's Managed Areas

## Introduction

The world is currently witnessing the collapse of the global ecological order, a crisis that is pushing humanity toward the brink of mass extinction.<sup>1</sup> This crisis stems from the failure of secular legal systems to restrain human greed toward the natural world.<sup>2</sup> This concern has been emphasized in international legal discourse, which calls for a renewed exploration of religious values as a more robust ethical foundation for environmental protection. Theoretical studies suggest that religion possesses an intrinsic capacity to redefine the relationship between human beings and the Earth through a spiritual approach.<sup>3</sup> Environmental degradation is therefore understood not merely as a technical failure, but also as a consequence of the legal and ethical frameworks through which humans conceptualize and treat nature.

Within this context, this article employs the approach of Ecocentric Fiqh, an extension of *maqāṣid al-sharī'ah* that positions environmental protection (*hijz al-bi'ah*) as an integral objective of Islamic law rather than merely an ethical complement.<sup>4</sup> This approach is combined with a progressive theological perspective that views religion as a source of critical ethics responsive to social change and contemporary crises, as well as with the concept of extractive development, which refers to a development model based on the intensive

<sup>1</sup> Arifin Muhammad Ade, *Narasi Ekologi: Kiamat Serangga Dan Masa Depan Bumi* (Samudra Biru, 2020).

<sup>2</sup> Alistair McGrath, *The Reenchantment of Nature: The Denial of Religion and the Ecological Crisis* (Image, 2002).

<sup>3</sup> Seyyed Hossein Nasr, "The Spiritual and Religious Dimensions of the Environmental Crisis," *The Ecologist* 30, no. 1 (2000): 18.

<sup>4</sup> Halim Murrachman, S T Firdaus, and Duski Samad, "Menuju Fikih Hijau: Pembacaan Eko-Hermeneutika Terhadap Ayat-Ayat Kosmologi Al-Qur'an," *Advances In Education Journal* 2, no. 3 (2025): 1363–69.

exploitation of natural resources without regard for ecological carrying capacity. These three frameworks are used to demonstrate that the environmental crisis arises not only from the failure of technical policies, but also from the dominance of anthropocentric and capitalistic paradigms of development and law.

Indonesia is experiencing a similar condition, where ecological degradation continues to expand, as reported by WALHI in 2025, showing that environmental destruction has spread from upstream areas to coastal regions.<sup>5</sup> This crisis results from a national development agenda that has deliberately betrayed constitutional mandates in pursuit of short-term financial gains.<sup>6</sup> The situation is closely linked to a development orientation that prioritizes immediate economic growth over ecological sustainability.<sup>7</sup> The government's target of 8 percent economic growth, which has become a central indicator of development success, intensifies pressure on environmental carrying capacity and increases the risk of ecosystem degradation. In practice, development policies often treat nature as a mere economic resource rather than as a living system whose balance must be preserved.<sup>8</sup>

Legal instruments such as the Job Creation Law (*Undang-Undang Cipta Kerja*) and National Strategic Projects (*Proyek Strategis Nasional* or PSN) have systematically facilitated environmental destruction in order to ease foreign investment. These regulations function as legal umbrellas that weaken environmental oversight and eliminate public participation rights in decision-making processes. The militarization of natural resource governance has further narrowed civic space and created an atmosphere of fear among local communities. The involvement of armed forces in strategic food and energy projects reflects a repressive security-based approach to managing natural wealth. WALHI notes that criminalization, civil lawsuits, and even physical violence have become the primary tools used to silence criticism of the state's extractive policies.<sup>9</sup> This securitization of natural resources directly threatens environmental recovery by disrupting the harmonious relationship between Indigenous peoples and their customary lands. The use of military force in agrarian conflicts demonstrates the state's failure to prioritize dialogue and legal justice.

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<sup>5</sup> Adam Kurniawan Dkk., *Melanjutkan Tersesat, Atau Kembali Ke Jalan Yang Benar Untuk Kedaulatan Bangsa Dan Lingkungan Hidup Yang Lebih Baik* (Jakarta Selatan: Eksetif Nasional WALHI, 2025).

<sup>6</sup> Indah Dwiprigitaningtias and Firdaus M Iqbal, "Mewujudkan Green Konstitusi: Kajian Interdisipliner Dalam Perspektif Hukum, Politik, Dan Sosial," *JIM: Jurnal Ilmu Multidisiplin* 1, no. 3 (2025): 81–98.

<sup>7</sup> Hari Hidowati, "WALHI: Ambisi Pertumbuhan 8% Legalkan Deforestasi Dan Perparah Krisis Ekologis," *Msn*, 2026.

<sup>8</sup> Dkk., *Melanjutkan Tersesat, Atau Kembali Ke Jalan Yang Benar Untuk Kedaulatan Bangsa Dan Lingkungan Hidup Yang Lebih Baik*.

<sup>9</sup> Dkk..

In academic discourse, this phenomenon is understood not merely as a sectoral policy problem, but also as a reflection of a broader paradigm shift in resource governance that privileges the political-economic logic of development.<sup>10</sup> Accordingly, an analytical approach is needed that can examine the interconnections among law, development, and ecology in a more systemic manner.<sup>11</sup> In this context, Ecocentric Fiqh may be positioned as an alternative analytical framework for reassessing the fundamental assumptions underlying development policies, without necessarily being construed as a rejection of the existing legal system.

Islamic thought offers the perspective of Ecocentric Fiqh as a response to the inability of positive law to halt the ongoing destruction of the Earth. Islam views nature not merely as an object for the satisfaction of human desires, but as a subject possessing sacred value because it constitutes one of the signs of God's greatness. The principle of *lā ḍarar wa lā ḍirār* (there should be neither harm nor reciprocating harm) should be interpreted broadly to include the prohibition of damaging ecosystems that sustain life.<sup>12</sup> Therefore, reconstructing Islamic law in an environmentally oriented manner becomes a theological necessity in this era of ecological crisis.

The classical concept of *ḥimā* in the Islamic tradition represents one of the earliest legal instruments for protected areas and possesses remarkable relevance for modern conservation. During the time of the Prophet Muhammad (peace be upon him), *ḥimā* was established to protect biodiversity and to safeguard public resource sovereignty from individual monopolization.<sup>13</sup> In the modern context, however, the values embodied in *ḥimā* are often marginalized by development paradigms driven solely by financial gain. Revitalizing the concept of *ḥimā* means restoring environmental sovereignty as a fundamental form of social worship. The integration of environmental sovereignty and social justice constitutes the core of transforming the concept of *ḥimā* into a framework for protecting Community-Managed Areas (*Wilayah Kelola Rakyat*, WKR). In the twenty-first century, *ḥimā*

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<sup>10</sup> Auzan Qasthary et al., "Problematika Hukum Dalam Tata Kelola Sumber Daya Alam Berkelanjutan," *MIKHAYLA: Journal of Advanced Research* 2, no. 2 (2025): 129–37.

<sup>11</sup> Mari Elizabete B Seiffert and Carlos Loch, "Systemic Thinking in Environmental Management: Support for Sustainable Development," *Journal of Cleaner Production* 13, no. 12 (2005): 1197–1202.

<sup>12</sup> Muhammad Muhiddin and Bustanul Arifin, "FIQIH LINGKUNGAN DAN TANGGUNG JAWAB SOSIAL: PERSPEKTIF HUKUM ISLAM DALAM PENGELOLAAN EKOLOGI BERKELANJUTAN," *SIGARUDA JOURNAL: Jurnal Ilmiah Bidang Sosial, Ekonomi, Budaya, Teknologi Dan Pendidikan* 1, no. 1 (2025): 247–52.

<sup>13</sup> Abdul Basir Mohamad, "Konsep Hima Dalam Islam Dan Hubungannya Dengan Pemeliharaan Alam Sekitar (The Concept Of Hima Dalam Islam Dan Hubungannya Dengan Pemeliharaan Alam Sekitar (Public Reserve Land) In Islam And Its Relationship With Environmental Preservation)," *Asian Journal of Environment, History and Heritage* 2, no. 1 (2018).

should not be understood merely as a rigid conservation zone, but rather as a living space for communities protected from corporate intervention.

Operationally, the concept of *hīmā* advanced in this study goes beyond the universal rhetoric of environmental protection and refers instead to the demarcation of specific ecological spaces encompassing three principal domains: forest buffer zones (*hīmā al-ghābah*), water resources (*hīmā al-miyāh*), and coastal areas. In this context, *hīmā* is conceptualized as a legal instrument for designating “restricted zones” in which large-scale extractive activities—such as mining and monoculture plantations are prohibited in areas with high hydrological and biodiversity significance.<sup>14</sup>

Several previous studies on environmental law include Fachruddin Majeri Mangunjaya and Julie McKay (2012), “Reviving an Islamic Approach for Environmental Conservation in Indonesia”; Abdul Basir Mohamad (2018), “Konsep Hima Dalam Islam Dan Hubungannya Dengan Pemeliharaan Alam Sekitar”; and Fachruddin Majeri Mangunjaya (2011), “Developing Environmental Fiqh (Islamic Law) from Islamic Schools.” These studies demonstrate the effectiveness of religious values in enhancing ecological awareness within society. However, most of them focus primarily on normative dimensions and individual ethics, and do not examine in depth the relationship between Islamic law and the policy structures of the modern state that are oriented toward natural resource exploitation.

Based on the foregoing discussion, a significant gap remains in the literature: there has been no systematic study integrating Ecocentric Fiqh with a critical analysis of contemporary extractive development policies, including pro-investment regulations and high-growth economic agendas. Most previous research situates Islamic environmental law within a normative-ethical framework without connecting it to the structural dynamics of state policy, ecological conflict, and modern natural resource governance. In addition, there remains a limited number of theoretical models explaining how Islamic law can function as a critical instrument for challenging anthropocentric and exploitative development paradigms.

The novelty of this study lies in reconstructing the concept of *hīmā* from a traditional conservation mechanism into a transformative legal instrument for protecting Community-Managed Areas (*Wilayah Kelola Rakyat*, WKR) from the expansion of extractive industries. This study challenges the dominant development paradigm, which prioritizes economic growth while neglecting ecological sustainability and the rights of local communities. It also expands the field of Islamic environmental law by positioning *hīmā* within the framework of Ecocentric Fiqh as a model of territorial protection responsive to contemporary

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<sup>14</sup> Mohamad.

ecological crises. Through this approach, Islamic law is no longer viewed merely as a source of moral legitimacy, but as an alternative paradigm capable of offering structural critiques of exploitative development models and proposing a more just direction for environmental legal reform.

This research employs a doctrinal legal research framework (normative-dochtrinal) aimed at analyzing positive legal norms through the interpretation of statutory regulations, alongside a socio-legal approach as an analytical instrument for examining the relationship between law and socio-ecological realities in Indonesia. Epistemologically, these two approaches are positioned as complementary: the doctrinal approach is used to examine the normative structure of the law, while the socio-legal approach is employed to understand the empirical implications of legal implementation within the context of ecological crisis.

Primary data sources consist of an inventory of legal norms contained in Law No. 6 of 2023 (the Job Creation Law) and documents related to National Strategic Projects (PSN), which are then contrasted with spatial data on environmental crises drawn from WALHI's Environmental Status Report (*Laporan Tinjauan Lingkungan Hidup*). Data are analyzed using a progressive interpretive-theological model as a critical approach to legal construction, in which secular policies are evaluated through the framework of *maqāṣid al-shari'ah*, redefined ecocentrically as a normative analytical tool. Within this framework, the principle of *al-ḍarūriyyāt al-khamsah* (the five essential objectives) is analytically repositioned so that it is no longer exclusively anthropocentric, but instead opens conceptual space for *ḥijz al-bi'ah* (environmental protection) as a systemic prerequisite for the realization of *ḥijz al-nafs* (protection of life), *ḥijz al-māl* (protection of property), and *ḥijz al-dīn* (protection of religion).

## Discussion

### The Anatomy of Indonesia's Ecological Crisis: Regulatory Failure and the Dominance of the Extractive Economy

In contemporary environmental governance theory, the ecological crisis is understood not merely as a technical problem, but as a manifestation of power relations among the state, the market, and society within the framework of political ecology.<sup>15</sup> This perspective explains that environmental degradation results from unequal distributions of power in the control of natural resources, in which economic and political interests often outweigh the principles of ecological

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<sup>15</sup> Moh Isom Mudin, Mohamed Hedi Ouannes, and Nafiatus Saputri, "Paradigma Dominasi Vis As Vis Harmoni Atas Alam: Studi Kritis Perspektif Teo-Ekologi Islam," *Academic Journal of Islamic Principles and Philosophy* 6, no. 1 (2025): 91–124.

sustainability.<sup>16</sup> Accordingly, the environment cannot be separated from the political dynamics, regulatory frameworks, and economic structures that shape it.<sup>17</sup> This view is reinforced by Paul Robbins (2019), who argues that environmental degradation is a product of unequal socio-political relations in natural resource management.<sup>18</sup>

In addition, within the framework of ecological justice, justice is understood not only as a matter of relations among human beings (*intra-generational justice*), but also as encompassing justice between generations (*inter-generational justice*) and justice toward nature as an entity possessing intrinsic and enduring value.<sup>19</sup> This approach emphasizes that environmental destruction constitutes a form of structural injustice that disproportionately affects vulnerable groups, local communities, and future generations. David Schlosberg argues that ecological justice represents an expansion of the concept of social justice to include ecological dimensions.<sup>20</sup>

The escalation of environmental degradation in Indonesia has reached a systemic level. This condition is rooted in a shift in state priorities that increasingly favor economic growth over ecosystem sustainability. Reports by WALHI (2026) indicate that the crisis encompasses deforestation, coastal degradation, and the expansion of extractive industries.<sup>21</sup> From a comparative global perspective, similar patterns are found in other countries of the Global South, as reported by United Nations Environment Programme (2024), suggesting that the ecological crisis is part of a broader structural phenomenon at the global level.<sup>22</sup>

In several development policies, the state tends to treat Gross Domestic Product (GDP) as the principal indicator of economic growth. In practice, this orientation is frequently accompanied by increasing pressure on natural resources. National economic data indicate that the expansion of economic activity and

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<sup>16</sup> Avisena Ilma Rachmasari, Astry Vianti, and Hakim Wahyu Ramadhana, "Ecotheology in Islamic Environmental Law as a Reflection of Legal Philosophy on Modern Environmental Problems," *Journalum Juris Islamicum Contemporaneum* 1, no. 1 (2025): 1–21.

<sup>17</sup> Islamul Haq, L. Sudirman, and Muhammad Majdy Amiruddin, "Eco-Theological Insights on The Sasi Tradition: Analyzing Environmental Ethics and Sanctions Through Fiqh Al-Bi'ah and Islamic Criminal Law," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 58–80.

<sup>18</sup> Paul Robbins, *Political Ecology: A Critical Introduction* (John Wiley & Sons, 2019).

<sup>19</sup> Stefan Baumgärtner and Stefanie Sievers-Glotzbach, "The Relationship between Intra- and Intergenerational Ecological Justice," *Environmental Values* 21, no. 3 (2012): 331–55.

<sup>20</sup> David Schlosberg, "Theorising Environmental Justice: The Expanding Sphere of a Discourse," *Environmental Politics* 22, no. 1 (2013): 37–55.

<sup>21</sup> Siaran Pers WALHI, "Tinjauan Lingkungan Hidup 2026: Membayar Mahal Ambisi Pertumbuhan," *Walbi.or.Id*, 2026.

<sup>22</sup> United Nations Environment Programme (2024), "Global Environmental Outlook and Related Regional Assessments," 2024.

development across various sectors has coincided with a measurable decline in environmental quality in numerous provinces.<sup>23</sup>

Legal instruments such as the Job Creation Law (*Undang-Undang Cipta Kerja*) are widely regarded, in certain respects, as regulations designed to accelerate investment by simplifying licensing procedures.<sup>24</sup> Substantively, these regulations weaken oversight mechanisms and curtail public participation in environmental impact assessment processes. Bambang Hero Saharjo Sembiring argues that national law increasingly functions as a protector of investment rather than a protector of ecosystems.<sup>25</sup> The escalation of agrarian conflicts and the criminalization of environmental defenders provide empirical evidence of this repressive legal framework.<sup>26</sup> In this sense, the legality of contemporary development is often built upon violations of human rights and ecological rights.

The structured legalization of deforestation has resulted in approximately 26 million hectares of Indonesia's natural forests being incorporated into corporate concessions.<sup>27</sup> Global Forest Watch (2024) also identifies Indonesia as one of the countries experiencing substantial forest cover loss driven by industrial expansion.<sup>28</sup> The crisis affecting coastal areas and small islands has been exacerbated by the implementation of the blue economy policy. Traditional fishers are losing their living space as a result of land reclamation and offshore sand mining. WALHI reports that coastal mining permits now cover approximately 9.11 million hectares.<sup>29</sup> Meanwhile, Indonesia's national energy transition has been criticized for its continued dependence on fossil fuels.<sup>30</sup>

The involvement of security forces in natural resource governance has created an atmosphere of fear that obstructs community-based conservation efforts. The deployment of military and police personnel in National Strategic

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<sup>23</sup> Dkk., *Melanjutkan Tersesat, Atau Kembali Ke Jalan Yang Benar Untuk Kedaulatan Bangsa Dan Lingkungan Hidup Yang Lebih Baik*.

<sup>24</sup> Fitri Yanni Dewi Siregar, "Aspek Hukum Penyederhanaan Perizinan Badan Usaha Di Bidang Lingkungan Hidup Dalam Undang-Undang Cipta Kerja," *Jurnal Ilmiah Penegakan Hukum* 7, no. 2 (2020): 184–92.

<sup>25</sup> Raynaldo Sembiring, Isna Fatimah, and Grita Anindarini Widyaningsih, "Indonesia's Omnibus Bill on Job Creation: A Setback for Environmental Law?," *Chinese Journal of Environmental Law* 4, no. 1 (2020): 97–109.

<sup>26</sup> Avilla Deva Aryanda et al., "Sanksi Korporasi Pencemar Lingkungan Dan Perlindungan Pejuang Lingkungan Hidup Di Indonesia," *Bookchapter Hukum Dan Politik Dalam Berbagai Perspektif* 3 (2024): 25–75.

<sup>27</sup> Green Economy Insight, "Membayar Mahal Ambisi Pertumbuhan: Catatan Merah Lingkungan Hidup Indonesia 2025," *Arabkita.Com*, 2026.

<sup>28</sup> Global Foreswatch, "PRIMARY FOREST LOSS IN INDONESIA," 2024, <https://www.globalforestwatch.org/dashboards/country/IDN/>.

<sup>29</sup> Hidowati, "WALHI: Ambisi Pertumbuhan 8% Legalkan Deforestasi Dan Perparah Krisis Ekologis."

<sup>30</sup> Dkk., *Melanjutkan Tersesat, Atau Kembali Ke Jalan Yang Benar Untuk Kedaulatan Bangsa Dan Lingkungan Hidup Yang Lebih Baik*.

Projects (PSN) has frequently led to violence against residents who resist the appropriation of their land. Available data reveal a pattern of natural resource securitization in which environmental defenders are treated as enemies of the state through criminalization. This process disrupts the historical and spiritual relationship between local communities and the natural environment that they have long protected. The use of security-based approaches in ecological governance represents a significant setback for democracy and environmental protection in Indonesia.

The government has consistently disregarded scientific warnings regarding ecological thresholds that should not be exceeded in the course of development. The deterioration of air, water, and soil quality in downstream industrial zones indicates that existing regulations are ineffective in mitigating environmental risks. International studies published in the *Global Environmental Policy Review* suggest that mitigation failures in developing countries are often linked to regulatory corruption. In Indonesia, this pattern is reflected in the ease with which environmental permits are granted despite substantial deficiencies in Environmental Impact Assessment (*AMDAL*) documents. As a result, ecological disasters are no longer unforeseen events, but rather foreseeable risks that are knowingly ignored.<sup>31</sup>

The paradox surrounding the treatment of corporations responsible for flooding demonstrates that the state frequently acts as a protector of environmentally destructive entities within the broader framework of land and forest governance. The Forest Area Control Task Force (*Satgas PKH*), which is formally intended to restore order in forest areas, has in some cases focused more on the redistribution of land control than on comprehensive ecosystem recovery. In line with this, WALHI (2025) reports the continued operation of extractive activities even after permit revocations. Similar findings have been documented by the Indonesian Center for Environmental Law (ICEL) and by the Ministry of Environment and Forestry (*KLHK*), which highlight the weakness of post-permit environmental recovery mechanisms.<sup>32</sup> These practices reveal a significant gap between the normative objectives of environmental restoration policies and their implementation in practice, particularly with respect to restoring community rights and rehabilitating ecosystems.

The failure of environmental law enforcement in Indonesia is also caused by overlapping authorities among government institutions. Sectoral rivalries among ministries responsible for forestry, mining, and marine affairs have weakened and fragmented field supervision. This legal uncertainty is exploited by

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<sup>31</sup> Tomi Setiawan, Muhammad Hammam Mughits, and Hilman Abdul Halim, "Perubahan Iklim Dalam Perspektif Regulasi Dan Kebijakan Lingkungan Di Indonesia," *Ganaya: Jurnal Ilmu Sosial Dan Humaniora* 8, no. 1 (2025): 135–52.

<sup>32</sup> HUKUMONLINE, "Pengawasan Reklamasi Dan Pasca Tambang Lemah DATA Indonesian Center for Environmental Law (ICEL)," 2011.

corporations to commit violations with little fear of meaningful sanctions. Administrative fines are often less costly than proper waste management. Consequently, a culture of environmental non-compliance has become normalized in the interest of business efficiency.<sup>33</sup>

The loss of biodiversity resulting from the expansion of monoculture plantations has had significant impacts on ecosystems and local knowledge systems. In addition to findings by WALHI, studies by the Food and Agriculture Organization (FAO)<sup>34</sup> and the United Nations Environment Programme (UNEP)<sup>35</sup> confirm that the conversion of natural forests into monoculture plantations leads to biodiversity decline and ecosystem degradation. This process also erodes Indigenous knowledge systems related to the customary management of natural resources. Thus, ecological losses are not merely material, but also cultural and epistemic in nature.

Policy corruption in the natural resource sector remains one of the principal obstacles to ecological justice. Mining permits are often closely tied to electoral and political interests at both national and local levels. Legal analyses indicate that many regulations emerge from opaque corporate lobbying processes that are inaccessible to public scrutiny.<sup>36</sup> As a result, the resulting policies tend to be discriminatory and disproportionately benefit a small group of economic elites. Without meaningful bureaucratic reform to remove pragmatic political interests, environmental protection in Indonesia will remain little more than a political slogan.<sup>37</sup>

The increasingly evident climate crisis demands a fundamental transformation in the way law conceptualizes its relationship with nature. Law can no longer be understood merely as a set of rigid rules that may be modified to accommodate market interests. Principles of international environmental law emphasize that the preservation of the Earth constitutes a fundamental right for all living beings, not only for human beings. In Indonesia, however, environmental law is frequently subordinated to economic law, which often occupies a stronger institutional position. Legal transformation is therefore urgently needed to ensure

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<sup>33</sup> Annisa Fianni Sisma, "Rekonstruksi Pengaturan Sanksi Administratif Terhadap Pelanggaran Perlindungan Dan Pengelolaan Lingkungan Hidup Di Indonesia" (UNS (Sebelas Maret University), 2023).

<sup>34</sup> Fikri Haekal Akbar, "Fallacy Ekologis Dalam Redefinisi Hutan: Kritik Literatur Terhadap Klasifikasi Kelapa Sawit Sebagai Tanaman Hutan Dalam Kebijakan Rehabilitasi Lahan Nasional," *Researchgate*, 2025.

<sup>35</sup> Enny Widyati et al., "Soil Degradation Due to Conversion from Natural to Plantation Forests in Indonesia," *Forests* 13, no. 11 (2022): 1913.

<sup>36</sup> Jimly Asshiddiqie and Green Constitution, "Nuansa Hijau Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, Jakarta: PT," *Rajagrafindo Persada*, 2010.

<sup>37</sup> Philippe Sands and Jacqueline Peel, *Principles of International Environmental Law* (Cambridge University Press, 2012).

that nature has effective representation and protection within the national judicial system.

Infrastructure development in environmentally sensitive areas that is not fully grounded in rigorous Environmental Impact Assessment (*AMDAL*) studies has also become a significant concern in various environmental monitoring reports, including those issued by WALHI and the Ministry of Environment and Forestry (*KLHK*). In several cases, the acceleration of National Strategic Projects (PSN) has placed considerable pressure on environmental review procedures. As a consequence, the ecological functions of certain areas have deteriorated, particularly those related to hydrological systems and overall ecosystem balance.

**Table 1. Empirical Data on Environmental Degradation in Indonesia**

No	Indicator of Environmental Degradation	Data Findings	Period	Source
1	Forest Cover Loss	Indonesia lost approximately 10.5 million hectares of tree cover (including primary and secondary forests).	2001–2023	Global Forest Watch (WRI, 2024) <a href="https://www.globalforestwatch.org">https://www.globalforestwatch.org</a>
2	Forest Area Concessions	Approximately 26 million hectares of forest are covered by industrial concession permits.	2023–2025	WALHI (2025)
3	Coastal Degradation	Approximately 60% of coral reef ecosystems are under pressure and experiencing degradation.	2022–2023	UNEP (2023); FAO (2022)
4	Fossil Energy Expansion	Coal-fired power plants ( <i>PLTU</i> ) still account for more than 60% of emissions from the national energy sector.	2023	International Energy Agency (IEA, 2023)
5	Agrarian Conflicts	More than 2,700 agrarian conflicts related to natural resources were recorded.	2023	Konsorsium Pembaruan Agraria (KPA, 2023)

This crisis demonstrates that Indonesia requires a new compass for the governance of its natural resources. Reliance on economic growth figures as the primary measure of development must be replaced by a framework grounded in environmental sovereignty and social justice. The state must return to the constitutional mandate of the 1945 Constitution (*UUD 1945*) and People’s Consultative Assembly Decree No. IX/MPR/2001 (*TAP MPR IX/2001*) as the

foundation for genuine agrarian reform. Without a radical shift in paradigm, Indonesia will remain trapped in an ecological crisis that threatens the existence of future generations. The first step toward meaningful reform is to acknowledge that the current trajectory of development has strayed far from its proper course.

### **Ecocentric Fiqh: Reconstructing Islamic Law and the Legal Status of Ecological Entities**

Ecocentric Fiqh may be understood as a theoretical response to the limitations of secular legal approaches that tend to regard the natural world merely as an object of human regulation. This concept proposes a paradigm shift from anthropocentrism to ecocentrism within the framework of *maqāṣid al-sharī'ah*, in which the relationship between human beings and nature is no longer viewed as absolutely hierarchical, but as relational and mutually interdependent. Within this perspective, all non-human entities are understood to possess intrinsic value grounded in their ecological functions and in the natural order that sustains life.

In the literature of Islamic ecotheology, İbrahim Özdemir argues that nature can be understood as a manifestation of divine signs (*āyāt kawnīyyah*) that are empirically observable in the structure of the cosmos. Environmental degradation, in this framework, may be interpreted as a disruption of the ecological order that is meant to reflect the harmony of creation. Accordingly, the relationship between human beings and nature in Ecocentric Fiqh is not only ethical, but also epistemological, insofar as it concerns the ways in which humans understand and assign meaning to ecological reality.<sup>38</sup>

The principle of *maṣlaḥah* (public interest) in traditional Islamic law must be expanded to encompass the welfare of ecosystems as a whole. Historically, *maṣlaḥah* has often been narrowly interpreted as serving only human material interests, without sufficient regard for ecological balance. Ecocentric Fiqh contends that no genuine human welfare can exist if the environment in which people live has been destroyed or rendered toxic. Mustafa Abu-Sway maintains that environmental preservation constitutes an integral part of the objectives of Islamic law (*maqāṣid al-sharī'ah*).<sup>39</sup> Therefore, any policy that systematically damages the environment is, in essence, contrary to the principles of the Shari'ah.

The principle of *lā ḍarar wa lā ḍirār* (there should be neither harm nor reciprocating harm) constitutes a central legal maxim for limiting exploitative human behavior. In an ecocentric interpretation, the phrase “others” should be understood to include not only other human beings, but also non-human

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<sup>38</sup> İbrahim Özdemir, “Toward an Understanding of Environmental Ethics from a Qur’anic Perspective,” *Islam and Ecology: A Bestowed Trust*, 2003, 3–37.

<sup>39</sup> Mustafa Abu-Sway, “Towards an Islamic Jurisprudence of the Environment: Fiqh Al-Bi-Ah Fil-Islam,” *Lecture given at Belfast Mosque. Http://Homepages. Iol. Ie/~Afifi/Articles/Environment. Htm*, 1998.

creatures and future generations who will bear the consequences of ecological destruction. Large-scale deforestation and river pollution caused by corporations are clear examples of *ḍarar* (harm), which is prohibited in Islamic law. Islamic jurisprudence requires preventive measures to stop harmful actions before damage occurs. The rigor of this principle demands stricter regulation of extractive industries that threaten the survival of other living beings.

Within the conceptual framework of Ecocentric Fiqh, this perspective intersects with the notion of *kehalifah* as articulated by Seyyed Hossein Nasr, who views human beings as trustees of the Earth entrusted with an ethical mandate to preserve the order of nature.<sup>40</sup> In this view, the relationship between human beings and nature is not one of domination, but of ecological responsibility directed toward sustaining the systems of life. Accordingly, the disruption of environmental balance may be understood as a failure to fulfill humanity's divinely mandated role as responsible stewards of the Earth.

The status of nature as an entity possessing ecological interests within the framework of Ecocentric Fiqh can be seen as an extension of environmental protection principles embedded in the Islamic legal tradition.<sup>41</sup> In classical Islamic history, the institution of *ḥimā* was established during the time of the Prophet Muhammad (peace be upon him) as a protected area in which resource use was restricted to preserve the sustainability of pastures, water sources, and animal habitats. In addition, Islamic law prohibits cruelty toward animals and encourages the treatment of all living beings with *rahmah* (compassion), reflecting a longstanding concern for the welfare of non-human entities within Islamic legal ethics.<sup>42</sup>

In international environmental law, the *rights of nature* approach developed in countries such as Ecuador and Bolivia explicitly recognizes nature as a legal subject possessing rights to protection and restoration.<sup>43</sup> By contrast, in state-based environmental legal systems such as that of the European Union. Environmental protection is primarily structured through regulatory mechanisms including Environmental Impact Assessment (EIA/AMDAL), the precautionary principle, and regimes of administrative and civil sanctions.<sup>44</sup>

<sup>40</sup> Nasr, "The Spiritual and Religious Dimensions of the Environmental Crisis."

<sup>41</sup> Abbas Sofwan Matla il Fajar, *Fikih Ekologi Etika Pemanfaatan Lingkungan Di Lereng Gunung Kelud* (Deepublish, 2021).

<sup>42</sup> Fachruddin Majeri Mangujaya, *Konservasi Alam Dalam Islam Edisi Revisi* (Yayasan Pustaka Obor Indonesia, 2019).

<sup>43</sup> Fatah Hidayatullah, "MENGGUGAT ANTROPOSENTRISME HUKUM: KRITIK ETIKA LINGKUNGAN TERHADAP KONSEP HAK ATAS LINGKUNGAN DALAM KAPITALISME GLOBAL," 2025.

<sup>44</sup> Elly Kristiani Purwendah, "Perlindungan Lingkungan Dalam Perspektif Prinsip Kehati-hatian (Precautionary Principle)," *Jurnal Media Komunikasi Pendidikan Pancasila Dan Kewarganegaraan* 1, no. 2 (2019): 82–94.

Compared with these two approaches, Ecocentric Fiqh offers a normative contribution rooted in religious ethics through the concepts of *mizān* (balance), *ḥimā* (protected areas), and the responsibility of *kehalifah* (stewardship), all of which can strengthen the ethical dimension of environmental governance. Nevertheless, this approach still requires institutional articulation in order to function operationally within modern positive legal systems, particularly with respect to justiciability and enforceability. Ecocentric Fiqh is therefore best understood as an alternative ethical-legal paradigm that enriches global discourse on environmental protection alongside the rights of nature approach and state-based environmental law regimes, rather than as an exclusive or definitive model.

The concept of *taskhīr* (the subjection of nature for human benefit) is often misunderstood as a license for unlimited exploitation. In Islamic thought, however, *taskhīr* signifies the divine provision of natural resources to enable human beings to fulfill their duties of worship and stewardship. This provision constitutes a trust (*amānah*) for which humanity will be held morally and legally accountable before God. Odeh Al-Jayyousi explains that the use of natural resources must be guided by the precautionary principle and by gratitude. Accordingly, any economic activity that depletes resources without regeneration represents a betrayal of the trust embodied in *taskhīr*.<sup>45</sup>

Ecocentric Fiqh also emphasizes the sovereignty of local communities in safeguarding the natural resources within their territories. Indigenous and local communities often possess traditional knowledge systems that are consistent with Islamic principles of environmental preservation. Islamic law recognizes communal rights over water, pasture, and fire (energy), which should not be monopolized by a small number of corporations. WALHI has consistently advocated for the recognition of Community-Managed Areas (*Wilayah Kelola Rakyat*, WKR) as a concrete expression of agrarian and ecological justice. The integration of religious law and community resource rights can create a powerful safeguard against environmental destruction.

The development of *Maqāṣid al-Bi'ah* (the objectives of environmental preservation) has become an urgent task for contemporary *mujtahids* in responding to the climate crisis.<sup>46</sup> The protection of religion, life, intellect, lineage, and property cannot be fully realized on a planet that has been ecologically degraded. A healthy environment is a prerequisite for the fulfillment of all dimensions of Islamic practice and for the preservation of human dignity as a whole. Jasser Auda argues that a systemic approach to *uṣūl al-fiqh* requires recognition of the close

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<sup>45</sup> Odeh Rashed Al-Jayyousi, *Islam and Sustainable Development: New Worldviews* (Gower, 2016).

<sup>46</sup> Haq, Sudirman, and Amiruddin, "Eco-Theological Insights on The Sasi Tradition: Analyzing Environmental Ethics and Sanctions Through Fiqh Al-Bi'ah and Islamic Criminal Law."

interrelationship between the health of the Earth and spiritual well-being.<sup>47</sup> Environmental objectives should therefore be treated as a priority equal to the protection of human life.

The reconstruction of fiqh must also address excessive consumption, which is one of the principal drivers of global environmental degradation. Islam strongly condemns *israf* (excessiveness) and *tabdhir* (wastefulness) in all aspects of life, including the use of energy and water. Ecocentric Fiqh calls upon Muslims to adopt a more restrained and environmentally responsible way of life that respects the ecological limits of the Earth. Every good consumed carries an ecological footprint for which individuals are accountable within the divine legal order. By transforming consumption patterns, humanity can directly contribute to reducing the ecological burdens placed upon the planet.<sup>48</sup>

Islamic law obligates the state to intervene in markets when economic practices undermine ecological and social justice. The state has the authority to revoke the licenses of corporations proven to have polluted the environment or appropriated community land without fair compensation. The principle of *al-maṣlahah al-mursalah* provides governments with the flexibility to formulate new regulations addressing climate-related threats that were not explicitly discussed in classical legal texts. Firm state enforcement against environmental destruction can generate a substantial deterrent effect. Public policy should therefore be aligned with the principles of environmental fiqh in order to ensure that development is both just and sustainable.

Ecocentric Fiqh encourages reforestation and the restoration of degraded lands as forms of enduring charity (*ṣadaqah jāriyah*).<sup>49</sup> Planting trees is not merely an agricultural activity, but an act of cultivating life for other creatures and future generations. The Prophet Muhammad (peace be upon him) promised spiritual reward to those who plant trees from which humans and animals benefit. This principle should be mainstreamed into national forest rehabilitation policies to restore millions of hectares of land damaged by mining activities. Ecological restoration represents one of the most tangible forms of collective ecological repentance.

Climate change should be understood as an urgent moral and theological issue rather than solely as a technical or political problem. Ecocentric Fiqh provides a normative foundation for Muslims to participate actively in the global climate justice movement. Reducing carbon emissions and halting deforestation

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<sup>47</sup> Jasser Auda, *Maqasid Al-Shari'ah as Philosophy of Islamic Law: A Systems Approach* (International Institute of Islamic Thought (IIIT), 2008).

<sup>48</sup> Muhammad Majdy Amiruddin et al., "Reforming Fiqh Al-Bi'ah (Ecological Jurisprudence) Based on Islam Hadhari: An Integration Conservation Framework of Muamalah and Culture," *International Journal of Law and Society (IJLS)* 3, no. 3 (2024): 187–205.

<sup>49</sup> il Fajar, *Fikih Ekologi Etika Pemanfaatan Lingkungan Di Lereng Gunung Kelud*.

are part of fulfilling the religious command to prevent corruption on Earth (*fasād fi al-ard*). International agreements such as the Paris Agreement may be viewed as forms of *mu'āhadah* (binding covenant) that Muslim-majority states are morally obligated to honor. Compliance with environmental commitments is therefore an expression of obedience to divine principles.

Fiqh education in Islamic boarding schools (*pesantren*) and Islamic schools should begin to integrate ecocentric values in a systematic and substantive manner. Young Muslims need to understand that caring for the environment is a fundamental component of faith. Fachruddin Majeri Mangunjaya emphasizes that religion-based ecological literacy has proven effective in increasing community participation in conservation efforts.<sup>50</sup> *Pesantren* can serve as model centers for environmentally sustainable management that is both autonomous and aligned with Shari'ah principles. Such educational transformation will help cultivate future leaders with both ecological and spiritual intelligence.

Ecocentric Fiqh offers a religious pathway for responding to the increasingly alarming ecological crisis of the modern world. This reconstruction of Islamic law accords dignity to nature and restrains human greed through rigorous ethical and legal principles derived from the Shari'ah. These values should be translated into national public policy in order to provide meaningful protection for Indonesia's environment. Only by recognizing nature as a creation of God worthy of respect can humanity achieve genuine and sustainable well-being. Ecocentric Fiqh is therefore not merely a theoretical construct, but a practical guide for safeguarding the future of life on Earth.

### **The Relevance of the Classical Concept of *Ḥimā* in Twenty-First-Century Global Environmental Conservation**

The concept of *ḥimā* as a traditional Islamic protected-area instrument possesses significant potential to be revitalized as a response to the shortcomings of modern conservation models that often operate in an exclusionary manner.<sup>51</sup> Historically, *ḥimā* was administered for the public good and for the protection of biodiversity without displacing local communities from their customary lands.<sup>52</sup> In contrast to Western-style conservation models frequently characterized as "fortress conservation," *ḥimā* emphasizes the integration of human communities and nature. Mustafa Abu-Sway explains that the effectiveness of *ḥimā* lies in its recognition of local community authority, supported by religious motivation.

<sup>50</sup> Fachruddin Majeri Mangunjaya and Jeanne Elizabeth McKay, "Reviving an Islamic Approach for Environmental Conservation in Indonesia," *Worldviews: Global Religions, Culture, and Ecology* 16, no. 3 (2012): 286–305.

<sup>51</sup> Mohd Istajib Mokhtar, *Konservasi Biodiversiti Menurut Etika-Perundangan Islam: Kajian Terhadap Kawasan Perlindungan Di Malaysia* (University of Malaya (Malaysia), 2015).

<sup>52</sup> Dwi Runjani Juwita, "Fiqh Lingkungan Hidup Dalam Perspektif Islam," *El-Wasathiyah: Jurnal Studi Agama* 5, no. 1 (2017): 27–42.

Accordingly, *hima* offers a conservation model that is potentially more just and effective in the twenty-first century.

Historically, *hima* was established by state authorities or local communities to protect grazing lands, water sources, and wildlife populations from overexploitation.<sup>53</sup> The designation of such protected areas was dynamic and based on ecological needs as well as social justice considerations, particularly for vulnerable communities. These principles closely correspond to WALHI's call for state recognition of Community-Managed Areas (*Wilayah Kelola Rakyat*, WKR) as the foundation for natural resource governance. Integrating the concept of *hima* into national spatial planning policies could provide legal protection for forests currently threatened by corporate concessions. Revitalizing *hima* thus means restoring conservation as a mechanism for safeguarding public interests and the environmental rights of future generations.

The weakness of environmental law enforcement in Indonesia, which is frequently subordinated to the interests of National Strategic Projects (PSN), may be addressed through the moral and legal force embodied in the concept of *hima*. This institution provides strong protection for essential ecosystems that should not be disturbed for short-term economic gain. The principle is consistent with People's Consultative Assembly Decree No. IX/MPR/2001 (*TAP MPR IX/2001*), which emphasizes equitable and sustainable agrarian reform. Once an area is designated as *hima* or as a Community-Managed Area (WKR), extractive activities such as mining and large-scale industrial operations can be regarded, within the framework of Islamic law, as illegitimate. The transcendent moral authority of Islamic law may therefore strengthen community efforts to defend their living spaces.<sup>54</sup>

Amid the intensifying challenges of the global climate crisis, *hima* may be understood as one of the key instruments of Islamic environmental jurisprudence. Its normative foundations resonate with broader Shari'ah principles, including the prohibition of *israf* (excess, QS. Al-A'raf: 31), *tabdzir* (wastefulness; QS. Al-Isra: 26–27), and the concept of *taskhir* (the subjection of nature for human benefit; QS. Al-Jatsiyah: 13), which affirms that natural resources are made available for human welfare while preserving ecological balance. Within the contemporary framework of *maqāṣid al-shari'ah*, these principles also intersect with the expanding concept of *hijz al-bi'ah* (environmental protection) as an essential objective of Islamic law directed toward sustaining life. Historically, the institution of *hima* in Islamic jurisprudence established a normative precedent for the regulation of

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<sup>53</sup> Sri Gilang Muhammad Srp, "Perlindungan Keanekaragaman Hayati Dalam Hukum Islam," *Jurnal Hukum Dan Peradilan* 5, no. 1 (2016): 73–90.

<sup>54</sup> Mohamad, "Konsep Hima Dalam Islam Dan Hubungannya Dengan Pemeliharaan Alam Sekitar (The Concept Of Hima (Public Reserve Land) In Islam And Its Relationship With Environmental Preservation)."

protected areas, including forests, grazing lands, and water resources, with the purpose of safeguarding sustainable public access to natural resources. In this context, *himā* may be reconstructed as a contextual model of community-based resource management consistent with the principles of *maṣlahah* (public welfare) and *dar' al-mafāsīd* (the prevention of harm).

In the contemporary empirical context, numerous studies demonstrate that territories managed by Indigenous peoples and local communities tend to experience significantly lower rates of deforestation than areas allocated to large-scale industrial concessions. These findings are reinforced by a variety of community-based resource management practices in Indonesia, such as *Sasi* in Maluku, which regulates seasonal restrictions on harvesting marine and forest resources,<sup>55</sup> *Awig-awig* in Bali, which governs environmental management through village customary law,<sup>56</sup> and the *Lubuk Larangan* system in Sumatra, which limits river exploitation to preserve the sustainability of aquatic ecosystems.<sup>57</sup>

These practices indicate that community-based governance mechanisms possess substantial ecological effectiveness in maintaining the sustainability of natural resources. Such patterns may be understood as forms of institutionalized ecological precaution that are consistent with Shari'ah principles emphasizing the protection of public interests (*al-maṣlahah al-'ammah*) and the prevention of harm (*dar' al-mafāsīd*). Accordingly, the relevance of *himā* in the twenty-first century may be understood as a point of convergence between the principles of Islamic environmental jurisprudence, the objectives of *maqāṣid al-shari'ah*, and community-based natural resource management approaches. Within the context of modern regulatory debates, including those concerning forestry governance and licensing policies, this framework can serve as an analytical tool for assessing the extent to which public policies are consistent with environmental protection principles in Islamic law.

The *himā* model also offers a normative response to the paradoxes of the so-called “blue economy” in coastal regions by protecting fish spawning grounds from damage caused by offshore mining activities. Coastal zones may be managed as marine *himā* areas that safeguard fish stocks for traditional fishers while preserving marine biodiversity. Reclamation projects and offshore sand mining that adversely affect local communities should be halted in order to maintain the ecological integrity of these protected coastal areas. WALHI has repeatedly urged

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<sup>55</sup> E Djunarsjah and A P Putra, “Marine Fisheries Zoning Based on Adat Sasi Indigenous Local Wisdom: A Technical Overview,” in *IOP Conference Series: Earth and Environmental Science*, vol. 805 (IOP Publishing, 2021), 12012.

<sup>56</sup> Kadek Agus Surya Pradnyana Yoga, “Awig-Awig Sebagai Hukum Adat Di Wilayah Desa Adat Provinsi Bali,” *Jurnal Dinamika Sosial Budaya* 25, no. 1 (2023): 293–96.

<sup>57</sup> Erwin Putra and A Saleh, “Model Of Management Lubuk Larangan for Area Development in Mandailing Natal District,” *Journal of Ecobumanism* 3, no. 3 (2024): 592–98.

the state to respect the ecological limits of small islands, which are particularly vulnerable to sea-level rise. Through the application of the *ḥimā* concept, the sea is no longer viewed as an unlimited extraction zone, but rather as a life-supporting ecosystem that warrants protection and reverence.

The concept of *ḥimā* also embodies the principle of prudence in energy use, according to which energy resources located within protected areas should not be depleted solely to satisfy market demands. This principle is highly relevant to critiques of the rapid expansion of captive coal-fired power plants (*PLTU captive*) in industrial zones that degrade surrounding landscapes. *Ḥimā* requires the establishment of robust buffer zones between industrial complexes and essential ecosystems in order to prevent harmful cross-boundary pollution. Development imposed within or adjacent to *ḥimā* areas may therefore be regarded as inconsistent with the principle of intergenerational justice. In this sense, *ḥimā* functions as an “emergency brake” on unchecked economic growth.

The revitalization of *ḥimā* requires national regulatory support that recognizes customary and religious norms as integral components of the national environmental legal system. At present, Law No. 6 of 2023 (the Job Creation Law) is frequently criticized for undermining the traditional rights of communities that have long managed protected areas independently. A comprehensive audit is needed of all investment permits located within territories that have historically functioned as community-protected areas. Strengthening the legal status of Community-Managed Areas (*Wilayah Kelola Rakyat*, WKR) through statutory reform would constitute a strategic step toward implementing the spirit of *ḥimā* within the modern state. In this framework, the state should act as a facilitator of community conservation initiatives rather than as their competitor or suppressor.

A just energy transition can also be advanced through the development of community-based renewable energy systems within *ḥimā* areas. Protected territories may function as laboratories for clean energy initiatives, such as micro-hydropower and sustainably managed biomass, designed to meet local needs. This approach reduces community dependence on fossil-fuel energy systems controlled by a small number of corporate actors. By managing their own energy resources, local communities can strengthen both economic sovereignty and ecological sovereignty. In this sense, the *ḥimā* model moves beyond the “false solutions” to energy transition that are often promoted by governments and coal-based industries.

The escalation of criminalization against environmental defenders can be mitigated if the state formally recognizes the sacred role of communities in protecting *ḥimā* areas. In Islamic thought, safeguarding the environment may be regarded as a form of *jibād* in the sense of moral struggle and therefore deserves legal protection rather than criminal prosecution. The state should guarantee

security for all individuals and groups engaged in efforts to defend ecosystems from destruction. The criminalization of environmental defenders represents a profound legal failure that reflects the absence of transcendent principles of justice in state practice. Official recognition of *ḥimā* would provide both moral and legal legitimacy for those who protect the Earth.

The continued relevance of *ḥimā* in the twenty-first century also requires the integration of modern environmental science, particularly in the mapping, monitoring, and evaluation of protected areas. Technologies such as remote sensing, satellite imagery, and Geographic Information Systems (GIS) have become indispensable tools for monitoring land-cover change and detecting illegal activities within conservation areas. These approaches are consistent with methodologies employed in global environmental studies, including reports by the Food and Agriculture Organization (FAO) and the United Nations Environment Programme (UNEP), both of which emphasize the importance of spatial data in sustainable natural resource management.<sup>58</sup> In addition, multidisciplinary collaboration among Islamic legal scholars, environmental scientists, and conservation practitioners is essential for developing technical criteria for *ḥimā* designation that are adaptive to climate change. The Intergovernmental Panel on Climate Change likewise stresses that ecosystem protection policies should be evidence-based and informed by long-term climate risk scenarios.<sup>59</sup>

The revitalization of *ḥimā* also holds significant potential for restoring biodiversity that has been degraded by monoculture plantations and large-scale industrial expansion. In this framework, *ḥimā* areas may serve as conservation spaces dedicated to preserving local genetic resources and restoring ecosystem services, including water cycling and flood regulation. From an ecological standpoint, this approach may be more effective than infrastructure-based technological interventions, which often disrupt natural hydrological systems. *Ḥimā* can therefore be understood as a strategic instrument for strengthening long-term ecological resilience.

From a governance perspective, the concept of *ḥimā* emphasizes accountability, transparency, and meaningful public participation in natural resource management. Guided by the principle of *maṣlahah* (public welfare), the administration of these protected areas should not be monopolized by any single actor, but should instead rely on deliberative processes and public oversight to prevent abuses of authority. In this respect, *ḥimā* may be fruitfully compared with commons governance theory developed by Elinor Ostrom and with co-

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<sup>58</sup> Dante Augusto Caponera, *Water Laws in Moslem Countries*. 2. (FAO, 1978). And Johan Riry and Paisal Ansiska, "Geografi Lingkungan Dan Sumberdaya," *Insight Mediatama*, 2024, 330.

<sup>59</sup> Jiesper Tristan Strandsbjerg Pedersen, "Kebijakan Sains: Perspektif Para Pembuat Kebijakan UNFCCC Tentang Skenario Ilmiah Dan Relevansinya Terhadap Kebijakan," *NPJ Climate Action*, 2025.

management models, both of which highlight the critical role of local institutions and community participation in achieving sustainable resource governance.

Within global environmental discourse, *hima* may be positioned as a distinctive contribution of the Islamic legal tradition to more inclusive and community-centered conservation models. In contrast to fortress conservation approaches, *hima* offers a more collaborative framework that recognizes local communities as primary actors in ecosystem protection. In the Indonesian context, the integration of *hima* with civil society initiatives led by WALHI and with the concept of Community-Managed Areas (*Wilayah Kelola Rakyat*, WKR) may be understood as a form of polycentric governance that brings together religious values, local knowledge, and modern environmental governance to strengthen ecological sustainability at both local and global levels.

## Conclusion

This study demonstrates that Indonesia's ecological crisis can be understood as a consequence of the dominance of a development paradigm centered on GDP-based economic growth, which in practice intensifies pressure on the environment's carrying capacity. In this context, regulations such as Law No. 6 of 2023 (the Job Creation Law) and extractive economic policies function as institutional instruments that accelerate land-use conversion, as reflected in large-scale deforestation and the growing number of ecological conflicts in both coastal and inland regions. Theoretically, these findings reinforce the argument that environmental crises are not merely technical or ecological phenomena, but are also products of legal and economic constructions rooted in anthropocentric assumptions.

Within the theoretical framework, the reconstruction of Ecocentric Fiqh and the revitalization of the concept of *hima* reveal significant potential as an alternative paradigm of environmental law that integrates ethical, ecological, and community-based governance dimensions. In its contemporary reinterpretation, *hima* may be positioned as a model of ecological governance that intersects with commons governance theory and polycentric governance, particularly in strengthening Community-Managed Areas (*Wilayah Kelola Rakyat*, WKR). From a policy perspective, this approach opens opportunities for incorporating community-based ecological protection principles into the national legal system, especially in the context of natural resource regulatory reform and the development of more participatory conservation instruments.

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