

## Islamic Law Paradigm Responding Conflicts of Interest of Economic Development and Ecological Conservation *Hifdz al-Bi'ah* Perspective

Choirur Rois<sup>1</sup>, \*Nur Jannani<sup>2</sup>, Moh. Hoirul Mufid<sup>3</sup>

Universitas Islam Negeri Sunan Ampel Surabaya, Indonesia<sup>1</sup>

Universitas Islam Negeri Maulana Malik Ibrahim Malang, Indonesia<sup>2</sup>

Institut Agama Islam Miftahul Ulum Pamekasan, Indonesia<sup>3</sup>

Corresponding author: \* [nurjannani@syariah.uin-malang.ac.id](mailto:nurjannani@syariah.uin-malang.ac.id)

DOI: <https://dx.doi.org/10.29240/jhi.v9i1.8660>

Received: 31-10-2023

Revised: 15-03-2024

Accepted: 10-05-2024

Cite this article:

Rois, C., Jannani, N., & Mufid, M. (2024). Islamic Law Paradigm Responding Conflicts of Interest of Economic Development and Ecological Conservation *Hifdz al-Bi'ah* Perspective. *Al-Istinbath: Jurnal Hukum Islam*, 9(1), 193-210.  
doi:<http://dx.doi.org/10.29240/jhi.v9i1.8660>

### Abstract

This research is aimed to examine the policy paradigm and alignments of the Indonesian government in responding to conflicts of interest in economic development and environmental preservation from the perspective of *hifdz al-bi'ah* theory and the rules of fiqh *taṣarruf al-imān 'ala al-ra'iyah manutum bi al-maslahah*. Many polemics on strategic government projects such as the construction of Rempang Eco-City and several similar cases were used as study material. The research used descriptive qualitative methods focused on literature study. The analytical method used inductive descriptive techniques involving legislative approaches, Islamic law, and the theory of *hifdz al-bi'ah* which originates from the *maqashid sharia* discourse. The conclusion of this research shows that the interests of environmental preservation must receive priority in every government development policy. The effort of government to accelerate the pace of development must not conflict with aspects of environmental sustainability. The interest in preserving the environment is universal in terms of Islamic legal, socio-cultural, economic, and political norms. The implications of this research emphasize that if the government policy paradigm and

development program has the potential to threaten the sustainability of environmental conservation, thus on the basis of welfare the government is not justified in establishing policies that are contrary to the interests of ecological empowerment, either in the form of long-term or medium-term development plans, especially in downstream programs industries that are projected to boost the national economic progress.

**Keywords:** *Hifdz al-bi'ab*; conflict of interests; economic development; environmental preservation

## Introduction

The National Strategic Project (PSN) is the government's flagship program to improve community welfare.<sup>1</sup> However, the problem is that its implementation often gives rise to polemics and triggers conflicts of interest among the community, such as Rempang Eco-City in Batam,<sup>2</sup> and conflict in Wadas Purworejo, Central Java,<sup>3</sup> and the Food Estate program which utilizes protected forests in Kapuas, Central Kalimantan.<sup>4</sup> These cases show that government policy still does not pay enough attention to the aspects of environmental protection "*hifdz al-bi'ab*" and the needs of community areas that are the object of development, making them vulnerable to conflict. Evidently, Didik Try Putra's findings confirm that the conflict in wadas is based on clashes of interests between the people and the state as well as differences of view on utilizing natural resources.<sup>5</sup>

Existing research findings confirm that conflicts of interest in development programs in Indonesia occur due to a lack of accommodating the aspirations of local communities and tend to be pragmatic.<sup>6</sup> Other findings state that Indonesian government policies in recent years have tended to indulge the

---

<sup>1</sup> Lembaran Negara RI, *Peraturan Pemerintah Republik Indonesia Nomor 42 Tahun 2021 Tentang Kemudahan Proyek Strategis Nasional* (Jakarta, 2021).

<sup>2</sup> Ahmad Naufal Dzulfaroh, and Farid Firdaus, "Mengenal Rempang Eco City, Proyek Yang Picu Bentrokan Warga Vs Aparat," *Kompas.Com*, 2023, 7 September edition, <https://www.kompas.com/tren/read/2023/09/09/163000965>.

<sup>3</sup> Fitria Chusna Farisa, "Awal Mula Warga Wadas Melawan, Tolak Tambang Batu Andesit Untuk Proyek Bendungan Bener," *Kompas.Com*, 2022, 9 Februari edition, <https://nasional.kompas.com/read/2022/02/09/17020441>.

<sup>4</sup> Tim Redaktur, "Food Estate: Proyek Lumbung Pangan Di Hutan Lindung, Pegiat Lingkungan Peringatkan Bencana Dan Konflik Dengan Masyarakat Adat "Tidak Terhindarkan," *BBC News Indonesia*, 2020, 19 November edition, <https://www.bbc.com/indonesia/indonesia-54990753>.

<sup>5</sup> Didik Try Putra, "Konflik Negara Dan Rakyat (Analisis Aktor Dan Kepentingan Pada Kasus Wadas, Purworejo, Jawa Tengah)," *Program Magister Ilmu Politik Fakultas Ilmu Sosial Dan Ilmu Politik Universitas Diponegoro Semarang*, 2023.

<sup>6</sup> Sacha Amaruaman, Douglas K Bardsley, and Randy Stringer, "Reflexive Policies and the Complex Socio-Ecological Systems of the Upland Landscapes in Indonesia," *Agriculture and Human Values* 39, no. 2 (2022): 683–700, <https://doi.org/10.1007/s10460-021-10281-3>.

interests of entrepreneurs more and pay less attention to the negative impacts of development activities on humans and nature.<sup>7</sup> Exploitation of Natural Resources on the basis of development and people welfare also triggers conflicts of interest in development and ecological preservation in government policy.<sup>8</sup> Based on these findings, the researcher considers that it is important to examine the alignment of government policies in responding to conflicts of interest in development and environmental preservation in Indonesia. As well as, how should the priority scale of government policy be based on the perspective of *hifdz al-bi'ah* and the *maslahah* paradigm in Islamic law. The perspective of *hifdz al-bi'ah* and the *maslahah* paradigm in Islamic law was chosen to strengthen government policy in supporting environmental conservation.<sup>9</sup>

The approach used in this research is normative juridical or doctrinal research with a statutory approach to examine possible conflicts of interest in government policies related to national development and ecological environmental preservation. Besides, a case approach is also used, where according to Peter Mahmud Marzuki, the case approach does not mean that only landmark decisions need to be referred to, but also those that have relevance to the issue at hand.<sup>10</sup> The issue referred to in this article is Rempang Eco-City case and several other cases of non-pro-environmental development that occurred in Indonesia. The legal sources used are primary and secondary legal materials. Primary legal material is obtained through literature study through collecting, reading, recording, and reviewing statutory regulations relevant to the legal issues being studied. The secondary legal materials were obtained from the results of legal research in the last five years as well as from books and searches through internet media. Processing of legal materials is carried out in several stages, including editing, classifying, verifying, analyzing, and concluding. The urgency of this research is demonstrated by the increasingly widespread issue of environmental preservation which is neglected in national policy making. Evidently, M. Irsyad Ilham's findings concluded that environmental degradation occurred in 31 provinces due to economic development programs that were not pro-environment.<sup>11</sup> In the 2010 up to 2014 period, according to Stefan Giljum et al, Indonesia lost 1,901 square kilometers

---

<sup>7</sup> Albertus Hadi Pramono et al., "Mitigating Social-Ecological Risks from the Surge in China's Overseas Investment: An Indonesian Profile," *Discover Sustainability* 2, no. 1 (2021): 59, <https://doi.org/10.1007/s43621-021-00069-0>.

<sup>8</sup> Yahman Yahman and Azis Setyagama, "Government Policy in Regulating the Environment for Development of Sustainable Environment in Indonesia," *Environment, Development and Sustainability*, 2022, 1–12, <https://doi.org/10.1007/s10668-022-02591-1>.

<sup>9</sup> Hamzah Hamzah et al., "Sustainable Development of Mangrove Ecosystem Policy in South Sulawesi from the Perspectives of Siyāsah and Fiqh Al-Bi'ah," *JURIS (Jurnal Ilmiah Syariah)* 22, no. 2 (2023): 367–80, <http://dx.doi.org/10.31958/juris.v22i2.10559>.

<sup>10</sup> Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Prenadamedia Group, 2014), 33.

<sup>11</sup> M Irsyad Ilham, "Economic Development and Environmental Degradation in Indonesia: Panel Data Analysis," *Jurnal Ekonomi & Studi Pembangunan* 22, no. 2 (2021): 185–200.

of forest in East Kalimantan Province due to exploitation of the coal mining industry.<sup>12</sup> Policies for dealing with environmental damage and law enforcement against environmental damage in West Java and East Java are considered very weak.<sup>13</sup>

## Discussion

### A Portrait of Conflicting Development and Ecological Interests in Indonesia

The implementation of national development tends to be designed without fully considering socio-ecological aspects. Socio-economic interests are prioritised in development policy-making.<sup>14</sup> As a result, the potential for social conflict in the midst of society is vulnerable.<sup>15</sup> The KPA Agrarian Development Consortium in the last decade 2009-2019 recorded 3500 cases of violent conflict related to natural resource management.<sup>16</sup> This shows that the development paradigm developed in Indonesia pays less attention to environmental preservation, as evidenced by the existence of the omnibus law through Law Number 11 of 2020 concerning Job Creation is seen as having the potential to weaken law enforcement for environmental destroyers.<sup>17</sup>

Conflicts of interest in development are often fuelled by differences in multi-stakeholder interests. Between the interests of the government, corporations and communities. In addition, a conflict of interest in natural resource management also has multi-motive factors. Starting from economic, social and political factors. These factors can have a different basis of interest from one another.<sup>18</sup> Human ecological considerations are often sidelined in the development paradigm, exploitation of natural resources on the pretext of

---

<sup>12</sup> Stefan Giljum et al., "A Pantropical Assessment of Deforestation Caused by Industrial Mining," *Proceedings of the National Academy of Sciences* 119, no. 38 (2022): e2118273119.

<sup>13</sup> Yeni Widowaty and Dinda Riskanita, "Development Legal Principle to Overcoming Environmental Damage in West Java and East Java Province Indonesia" (3rd International Conference on Globalization of Law and Local Wisdom (ICGLOW 2019), Atlantis Press, 2019), 51–54.

<sup>14</sup> Amaruzaman, Bardsley, and Stringer, "Reflexive Policies and the Complex Socio-Ecological Systems of the Upland Landscapes in Indonesia."

<sup>15</sup> Louis Tanguay and Stéphane Bernard, "Ecoagricultural Landscapes in the Dieng Mountains of Central Java; A Study of Their Evolution and Dynamics," *Journal of Rural Studies* 77 (2020): 169–84, <https://doi.org/10.1016/j.jrurstud.2020.05.001>.

<sup>16</sup> Konsorsium Pembaruan Agraria, "Reforma Agraria Dan Penyelesaian Konflik Agraria Disandera Birokrasi," *Jakarta: Konsorsium Pembaharuan Agraria*, 2019.

<sup>17</sup> Satria Unggul Wicaksana Prakasa, "Ecocide Crimes & Omnibus Law: Review of International Law and Its Implications on Indonesia Law," *Dinamika Hak Asasi Manusia* 12, no. 2 (2021): 14–20, <https://doi.org/10.24123/jdh.v12i2.2898>.

<sup>18</sup> Herdis Herdiansyah, "Pengelolaan Konflik Sumber Daya Alam Terbarukan Di Perbatasan Dalam Pendekatan Ekologi Politik," *Jurnal Hubungan Internasional* 7, no. 2 (2019): 144–51, <https://doi.org/10.18196/hi.72134>.

development interests is the keyword for environmental ecological damage in almost every line of development projects.<sup>19</sup>

In development planning in Indonesia, issues of conflicting interests of development and ecological preservation are framed by the following: Unclear ownership of development land and overlapping stakeholder responsibilities;<sup>20</sup> business and political interests influencing policy-making and government regulations;<sup>21</sup> lack of participatory processes in designing development plans, creating gaps at the grassroots level and potentially creating vertical and horizontal conflicts (government, communities and corporations).<sup>22</sup> These findings are consistent with what happened recently in Pulau Rempang Batam. The impact of the policy established by Soeharto's presidential regime through Presidential Decree No. 28 of 1992 on the Addition of Working Environment Area of Batam Island Industrial Area and its Establishment as Bonded Zone Business Area has successfully created polemics and conflicts between investment interests and the preservation of the ecological environment of local communities.<sup>23</sup>

The potential for ecological conflicts of interest in the locus of development is also increasingly wide open after the enactment of the work copyright law No. 11 of 2020 and its derivative regulation government regulations (PP) No. 22 of 2021 concerning the Implementation of Environmental Protection and Management. The existence of the Law and PP is considered to degrade the involvement and role of communities/environmental organisations to be actively involved in preparing Environmental Impact Assessments (AMDAL).<sup>24</sup> Another implication of the

---

<sup>19</sup> Armaidly Armawi, "Kajian Filosofis Terhadap Pemikiran Human-Ekologi Dalam Pemanfaatan Sumberdaya Alam (Philosophical Studies of Human Ecology Thinking on Natural Resource Use)," *Jurnal Manusia Dan Lingkungan* 20, no. 1 (2013): 57–67, <https://doi.org/10.22146/jml.18474>.

<sup>20</sup> John McCarthy, "The Changing Regime: Forest Property and Reformasi in Indonesia," *Development and Change* 31, no. 1 (2000): 91–129, <https://doi.org/10.1111/1467-7660.00148>.

<sup>21</sup> Zachary R Anderson et al., "Green Growth Rhetoric versus Reality: Insights from Indonesia," *Global Environmental Change* 38 (2016): 30–40, <https://doi.org/10.1016/j.gloenvcha.2016.02.008>.

<sup>22</sup> Yusran Yusran et al., "The Empirical Visibility of Land Use Conflicts: From Latent to Manifest Conflict through Law Enforcement in a National Park in Indonesia," *Land Use Policy* 62 (2017): 302–15, <https://doi.org/10.1016/j.landusepol.2016.12.033>; Nicola K Abram et al., "Oil Palm–Community Conflict Mapping in Indonesia: A Case for Better Community Liaison in Planning for Development Initiatives," *Applied Geography* 78 (2017): 33–44, <https://doi.org/10.1016/j.apgeog.2016.10.005>.

<sup>23</sup> Muhammad Idris, "Sejarah Konflik Lahan Pulau Rempang, Bermula Dari Pemberian HPL Ke Swasta," *KOMPAS.Com*, 11 September 2023 edition, accessed October 10, 2023, <https://money.kompas.com/read/2023/09/13/063434426/sejarah-konflik-lahan-pulau-rempang>.

<sup>24</sup> Melisa Ayu Azhara and Siti Ruhama Mardhatillah, "Partisipasi Publik Dalam Penyusunan Dokumen Analisis Dampak Lingkungan Pasca Berlakunya Undang-

existence of the work copyright law is that it reduces the authority of local governments in seeking environmental protection.<sup>25</sup> If examined more deeply, the substance of the conflict of interest is motivated by the lack of comprehensive consideration of *maslahah* as the basis for making a development policy in the national development planning system.

### **EIA Analysis: Impact Parameters of Developmental and Ecological Importance**

Based on some of the research findings above, the conflict of interest between development and ecological sustainability has two interconnected impacts in both the short and long term. Broadly speaking, the impact of the conflict of interest can be described into two types. Between the impacts that are directly felt by the community/people and indirect impacts but can affect in the future. The main factor that triggers these impacts is the logical consequence of exploitation-industrialization, urbanization and foreign investment that ignores environmental sustainability according to the findings of Jamal Hussain and Kui Zhou are the main causes of environmental damage.<sup>26</sup>

In the Indonesian context, the goal of development is to create universal prosperity for the wider community.<sup>27</sup> Article 3 Law no. 32 of 2009 concerning Environmental Protection and Management (UU PPLH) defines that sustainable development is a conscious and planned effort that combines environmental, social and economic aspects into development strategies to ensure the integrity of the environment as well as safety, capabilities, welfare and quality of life future generation.<sup>28</sup> From this article it can be interpreted that development does not only look at welfare from an economic aspect alone, but must be interpreted comprehensively, namely that there is a need for a balance between social interests, natural interests and economic interests. For this reason, the impact of conflicts between development interests and the interests of maintaining ecological sustainability must receive serious attention in implementing development plans.

---

Undang/Perppu Cipta Kerja,” *Jurnal Hukum IUS QULA IUSTUM* 30, no. 2 (2023): 256–76, <https://doi.org/10.20885/iustum.vol30.iss2.art2>.

<sup>25</sup> Malicia Evendia, Ade Arif Firmansyah, and Riananda Martha, *OmnibusLaw Cipta Kerja Dalam Dimensi Penyelenggaraan Desentralisasi* (Bandar Lampung: Pustaka Media, 2022).

<sup>26</sup> Jamal Hussain and Kui Zhou, “Globalization, Industrialization, and Urbanization in Belt and Road Initiative Countries: Implications for Environmental Sustainability and Energy Demand,” *Environmental Science and Pollution Research* 29, no. 53 (2022): 80549–67, <https://doi.org/10.1007/s11356-022-21520-3>.

<sup>27</sup> Elviandri Elviandri, Khuzdaifah Dimiyati, and Absori Absori, “Quo Vadis Negara Kesejahteraan: Meneguhkan Ideologi Welfare State Negara Hukum Kesejahteraan Indonesia,” 2019, <https://doi.org/10.22146/jmh.32986>.

<sup>28</sup> Republik Indonesia, *Undang-Undang Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup* (Pemerintah Pusat, 2009).

To analyse the impact of conflicting development interests on the environment, an EIA study evaluation can be used. An EIA study is a critical examination of any development activity or project from the project planning, design, construction, operation, monitoring and evaluation and decommissioning stages.<sup>29</sup> EIA studies seek to identify the positive or negative impacts that may be caused in the future and the potential scale of these impacts on the environment, people and property.<sup>30</sup> To date, the enforcement of AMDAL in Indonesia is far from effective. The lack of synchronization between the evaluation and monitoring processes of development projects is a strong reason for the weak enforcement of EIA.<sup>31</sup>

The function of AMDAL determines the success of the government in mitigating the risks and possibilities of conflicts of interest in development and environmental ecological problems.<sup>32</sup> So that the barometer of *masalah* as a benefit or *madhorab* as a threat in development planning can be used as a policy basis in designing and planning development. This becomes urgent to comply with as a government effort to ensure that the development that will be implemented is not destructive to the ecological environment. The urgency of complying with the application of AMDAL in the perspective of Eco-fiqh (environmental fiqh) has a strong basis in Islamic legal doctrine. Because in principle, preventive measures in the form of preventing adverse impacts on the environment in the longer term must be prioritised over taking economic benefits in a shorter period of time.<sup>33</sup>

### Application of Fiqh Principles in Development Policy Making

The contribution of Islamic law in Indonesia is the development, guidance and application of Islamic law as positive law in the context of efforts to develop and foster national law.<sup>34</sup> The basis of the legitimacy of Sharia on the

---

<sup>29</sup> Asnake Mekuriaw and Belay Teffera, "The Role of Environmental Impact Assessment for Sustainable Development," 2013, 13–16.

<sup>30</sup> Gito Sugiyanto et al., *Analisa Mengenai Dampak Lingkungan (AMDAL)* (Bandung: Get Press, 2022); Chafid Fandeli, *Analisis Mengenai Dampak Lingkungan Dalam Pembangunan Berbagai Sektor* (Yogyakarta: UGM PRESS, 2018).

<sup>31</sup> Ali Rahmat Kurniawan, Takehiko Murayama, and Shigeo Nishikizawa, "A Qualitative Content Analysis of Environmental Impact Assessment in Indonesia: A Case Study of Nickel Smelter Processing," *Impact Assessment and Project Appraisal* 38, no. 3 (2020): 194–204, <https://doi.org/10.1080/14615517.2019.1672452>.

<sup>32</sup> Colin MacAndrews, "The Indonesian Environmental Impact Management Agency (BAPEDAL): Its Role, Development and Future," *Bulletin of Indonesian Economic Studies* 30, no. 1 (1994): 85–103, <https://doi.org/10.1080/00074919412331336557>.

<sup>33</sup> Muhammad Yusuf and Anwar Sadat, "Eco-Fiqh: Pendekatan Masalah Terhadap Amdal Dan Konservasi Lingkungan," *Al-Daulab: Jurnal Hukum Dan Perundangan Islam* 9, no. 2 (2019): 250–73, <https://doi.org/10.15642/ad.2019.9.2.250-273>.

<sup>34</sup> Aula Damayanti, "Contribution of Islamic Law to Legal Development in Indonesia," *MILRev: Metro Islamic Law Review* 1, no. 1 (2022): 17–33, <https://doi.org/10.32332/milrev.v1i1.6188>.

validity of a government policy in regulating and setting policies for its people is based on the rules of fiqh which states that;

تصرف الامام على الرعية منوط بالمصلحة<sup>35</sup>

"The policy of the imam/government (stakeholder) towards the people must be based on *maslahah*". This means that the basis for making and determining a policy in the view of Islamic shari'at is the theory of *maslahah*.<sup>36</sup> Etymologically, the word *maslahah* by linguists means realising benefits.<sup>37</sup> Meanwhile, when viewed from the meaning of the term shari'ah, the use of the word *maslahah* by al-Khawarismi quoted by Imam al-Zarkasyi is defined as the maintenance of the objectives of shari'a by rejecting the occurrence of *mafsadah* "damage" from humans.<sup>38</sup> Al-Qurafi and Izzuddin Ibn Abdissalam confirmed that public leaders at all levels of government should not use their authority as representatives of the people except to bring *maslahah* "benefits" and prevent *mafsadah* /*madharah* for their people. If these two things are not fulfilled in the policy made then the policy is not binding for the people and must be cancelled in the name of the law.<sup>39</sup>

In the perspective of Islamic law, not all benefits can be categorised as *maslahah*. There are three typologies of *maslahah* that must be considered in the parameters of shari'a: the first typology is *maslahah* which is used as the basis of Islamic law because it has a clear basis from the sources of Islamic law either based on *nash* or consensus of scholars; Second, is *maslahah* which does not get recognition from shari'a because it contradicts the arguments of shari'i (*Maslahah Mughba*); And the third, *maslahah* which is not found in the recommendation or prohibition in shari'a, but contextually can be used as an instrument to achieve the objectives of shari'a. This kind of benefit is often used as a basis for Umar Ibn Al-Khattab in deciding several state policies.<sup>40</sup> In *ushul fiqh* terms, it is called *maslahah al-mursalab*.<sup>41</sup>

<sup>35</sup> Imam al-Zarkasyi, *Al-Mantsur Fi al-Qowaid Fiqh al-Syafi'i* (Bairut Lebanon: Dar Al Kutub Al Ilmiyah, 2000), hlm. 183.

<sup>36</sup> Mustafa al-Zuhayli, *Al-Qawaid al-Fiqhiyyah Wa Tadbiriha Fi Madzhab al-Arba'ah* (Dimasko: Dar Al-Fikr, 2006), hlm. 493.

<sup>37</sup> Ahmad Ibn Faris al-Qoswani al-Razi, *Mu'jam Maqayis al-Lughab*, 3 vols. (Kairo: Dar Al-Fikr, 1979).

<sup>38</sup> Badruddin Muhammad al-Zarkasyi, *Al-Babrul Mukhid Fi Ushul al-Fiqh*, 6 vols. (Kairo: Dar Al-Kitabiy, 1992).

<sup>39</sup> Izzuddin Abdil 'Aziz Ibn 'Abd al-Salam, *Qawaid Al-Abkam Fi Masbolih al-Anam*, 1 vols. (Kairo: Maktabah al-Kulliyat al-Azhar, 1991), hlm. 72.

<sup>40</sup> Fauzan Arrasyid, Pagar Pagar, and Dhiauddin Tanjung, "The Progressivity of Umar Ibn Al-Khattab's Ijtihad in Responding to Community Social Changes," *Al-Istinbath: Jurnal Hukum Islam* 8, no. 1 (2023): 21–36.

<sup>41</sup> A. I. I. Al-Shatibi, *Al-Muwafaqat Fi Usul al-Shari'ah. Vol. 2*. (Kaheerah: Dar al-Hadith, 2006), hlm. 15; Wahbah Zuhaili, *Ushul Fiqhi Al-Islami*, Juz 1 (Damaskus Shiria: Dar al-Fikr, 1986), hlm 754.



The application of *maslahah* theory in the rule does not stand alone. Applicatively there are derivative rules as an alternative in certain conditions. As in certain circumstances must set a choice. The problem is, which one should get a priority scale between prioritizing *maslahah* and or rejecting *mafsadah*. In such a context, the majority of fiqh experts agree to priorities *al-Dar'ul mafashid* to reject or prevent the possibility of *mafsadah*. This is based on the rule:

درء المفساد أولى من جلب المصالح<sup>٤٢</sup>

Avoiding damage or preventing bad effects must be prioritised over efforts to bring benefits. Meanwhile, in other conditions that require choosing between two conflicting *maslahahs*, the principle used as a basis in the *maslahah* theory is to prioritise public interests over special interests.<sup>43</sup> This means that *maslahah* or public benefits must be the priority scale of the government over special interests. As intended in the rules:

المصلحة العامة مقدمة على المصلحة الخاصة

The interest of general *maslahah* must be prioritised over the interest of providing special *maslahah* for certain individuals/groups. The application of *maslahah* theory as contained in the fiqh rule "Taṣarruf Al-Imān 'ala al-ra'iyah Manutun Bi-al-Maslahah" in analysing the negative impacts of a development plan also provides a concrete view as the basis for making a development policy. Under certain conditions, where the development plan has two sides of negative impact consequences, the smaller negative impact must be considered. This is what is meant in the rule;

إذا تعارض مفسدتان روعي أعظمهما ضررا بارتكاب أخفهما<sup>٤٤</sup>

"When two *mafsadat* (negative consequences) are confronted, it is considered which one has the greater negative impact, by choosing to do the one with the lesser negative potential."

From the above explanation, it can be understood that the philosophical construction that legitimises the validity of development policies refers to the dimensions of universal benefit contained therein. Therefore, the government's interest in realising development plans should not only prioritise exploitative economic interests alone, regardless of the aspects of the interests of *hifẓ al-bi'ah* (ecological preservation) where according to the findings of Anwar Sadat and Muhammad Yusuf, it occupies the position of *al-dharuriyat al-sittah* or *al-*

<sup>42</sup> Muhammad Zidqi al-Burnu, *Al-Wajiz Fi Idhobi Qawaid al-Fiqhiyyah al-Kulliyah* (Bairut Libanon: Muasasat al-Risalah, 1996), hlm. 265.

<sup>43</sup> Muhammad Khalid Mas'ud, *Filsafat Hukum Islam, Studi Tentang Hidup Dan Pemikiran Abu Ishaq Asy-Syathibi (Translated from Islamic Legal Philosophy; a Study of Abu Ishaq al-Syathibi)* (Bandung: Penirbit Pustaka, 1996), hlm 200.

<sup>44</sup> Muhammad Mustofa Az-Zuhaili, *Al-Qawaid al-Fiqhiyyah Wa at-Tatbiqih Fi Madzhab al-Arba'ah* (Dimaskus: Dar Al-Fikr, 2006), hlm. 223.

*kulliyat al-sittah* one of the six objectives of Islamic law (*Maqashid al-Syari'ah*). Namely, protecting religion, protecting the soul, protecting the mind, protecting generations/offspring, protecting property, and protecting ecology and the environment.<sup>45</sup> In this regard, Jalaluddin al-Suyuthi is of the view that;

كل تصرف تقاعد عن تحصيل مقصوده فهو باطل<sup>46</sup>

Any policy that is not in accordance with the purpose for which the policy was formed is *invalid*. That is, if the purpose of the government in a country is to prosper the people then any policy that does not prosper the people must be cancelled because it is not in accordance with its main purpose. Qutbu al-Raisyuni provides three parameters as a standard for implementing *maslahah* theory in the rule in making a policy as contained in the following table.<sup>47</sup>

Table 1: Parameters of *maslahah*

Parameters of <i>maslahah</i> in government policy making	
Criteria of <i>Maslahah</i>	<ul style="list-style-type: none"> <li>- Not contradictory with al-qath'iyah sharia texts</li> <li>- Not contrary to <i>maqashid sharia</i></li> <li>- Does not contain negative impacts in the future</li> <li>- Not disregarding the rights of others</li> <li>- Universal</li> <li>- Concrete</li> </ul>
<i>Maslahah</i> orientation	<ul style="list-style-type: none"> <li>- Continuous with <i>maqashid al-syariah</i></li> <li>- Hifdz ad-din</li> <li>- Hifdz nafs</li> <li>- Hifdz 'aql</li> <li>- Hifdz an-nasab</li> <li>- Hifdz mal</li> <li>- Hifdz bi'ah</li> </ul>
Output of <i>maslahah</i>	<ul style="list-style-type: none"> <li>- Constructive and not destructive</li> <li>Continuity</li> </ul>

Based on the *maslahah* parameters above, Qutbu al-Raisyuni believes that the application of *maslahah* rules in the context of development policy must meet the standards of *maslahah* which are *muktabarah* (*maslahah* which is legal according to the view of *shari'a*) as referred to in the table above. In

<sup>45</sup> Anwar Sadat and Muhammad Yusuf, "Strengthening Eco Fiqh: An Intergration of Texts and Maslahah on Environmental Impact Analysis," *Al-Da'wah: Jurnal Hukum Dan Perundangan Islam* 10, no. 1 (2020): 93–113.

<sup>46</sup> Jalaluddin Al-Sayuthi, *Al-Ashbab Wa an-Nadhoir Fi Qawaid Wa Furu'i Fiqh al-Syafi'i* (Bairut Lebanon: Dar Al Kutub Al Ilmiyah, 2012), 406.

<sup>47</sup> Qutbu al-Raisyuni, "Taṣarruf Al-Imān 'Ala al-Ra'iyah Manutun Bi-al-Maslahah Wa Tadbīqihā al-Mu'asirah Fi Majāl al-Bi'iy," *Journal of College of Sharia and Islamic Studies* 29, no. 1 (2011).

addition, the *maslahah* orientation contained in government policy must not be at odds with the main objectives of Islamic law (*maqashid al-Syariah*) and the *maslahah* does not have a negative impact in the future.

### Environmental Preservation Through *Hifdz al-Bi'ah* in the *Maqashid Syariah* Perspective

The main objective of Islamic sharia (law) is the creation of *maslahah* and the avoidance of all forms of *mafsadah* in this world and the hereafter.<sup>48</sup> Meanwhile, environmental conservation is an instrument or *wasilah* in realising public benefits.<sup>49</sup> In the Islamic treasury itself, especially in the disciplines of *maqashid al-syariah* and *fiqh* science, along with the times that lead to ecological crisis conditions, placing the maintenance of the environment "*hifdz al-bi'ah*" one of the six main objectives of sharia (*maqashid al-syariah*).<sup>50</sup> The urgency of preserving the environment also received serious attention in the Qur'an. It is proven that the Qur'an itself based on a search conducted by Helfaya et al, found as many as 675 verses from 84 surahs that have the content of the Qur'anic call to form environmental awareness, which includes human relationships, water, air, land, plants, animals, and other natural resources.<sup>51</sup> Interestingly, further investigation shows that the environmental conservation verses in the Al-Qur'an are much more dominant than the verses relating to the use of natural resources.<sup>52</sup> The findings confirm that the Qur'an considers the responsibility of preserving the environment as a responsibility for every individual or group. Both morally, spiritually, and as a form of obedience to Islamic law in carrying out its role as *Caliph*.<sup>53</sup>

Preservation of the environment framework in the perspective of *Maqasid al-Shariah* is conceptualized through the principle of *hifdz al-bi'ah* as the sustainability of *al-dlaruriyat al-kebansab*. Yusuf al-Qardawy is of the view that maintenance and preservation of the environment is an integral part of compliance with Islamic law. Al-Qardawy also emphasized that every effort to

<sup>48</sup> Mukti Tabrani, "Maqâshid Revitalisation in Global Era: Istidlâl Study from Text to Context," *AL-IHKAM: Journal of Law & Social* 13, no. 2 (2018): 310–33, <https://doi.org/10.19105/al-lhkam.v13i2.1814>.

<sup>49</sup> Siti Zulaikha, "Conservation from the LingkunganEnvironmental Perspective of Islamic Law and Law," *AKADEMIKA: Journal of Thought Islamic* 19, no. 2 (2014): 241-63.

<sup>50</sup> Muhammad Hilmi Mat Johar et al., "Konsep Hifz Al-Bi'ah Dalam Pengurusan Risiko Bencana Alam: Satu Sorotan Awal," 2021.

<sup>51</sup> Akrum Helfaya, Amr Kotb, and Rasha Hanafi, "Qur'anic Ethics for Environmental Responsibility: Implications for Business Practice," *Journal of Business Ethics* 150 (2018): 1105–28.

<sup>52</sup> Waheeda binti Abdul Rahman, "Al-Qur'an Dan Wawasan Ekologi Perspektif Maqashid Syari'ah," *Tasyri' Journal of Islamic Law* 2, no. 1 (2023).

<sup>53</sup> Liza Diniarizky Putri et al., "Developing Ecological Piety in Pesantren: The Kyai's Cognition and the Practice of Living Fiqh al-Bi'ah in Banten," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 23, no. 2 (2023): 235–59, <https://doi.org/10.18326/ijtihad.v23i2.235-259>; Dina M Abdelzaher, Amr Kotb, and Akrum Helfaya, "Eco-Islam: Beyond the Principles of Why and What, and into the Principles of How," *Journal of Business Ethics* 155 (2019): 623–43.

preserve the environment "*hifdẓ al-bi'ab*" simultaneously contains the dimension of implementing the five main principles of maqashid al-syariah, because it concerns universal benefit, where the continuity and prosperity of human life is impossible without it.<sup>54</sup>

All efforts to maintain the environment are the same as protecting religion (*hifdẓ al-din*), because the sin of environmental pollution is the same as tarnishing the substance of true religion which indirectly eliminates the existence of humans as caliphs on the face of the earth. Protecting the environment and preserving it in the view of maqashid al-syariah is the same as protecting the soul (*hifdẓ al-nafs*), in the sense of protecting human psychic life and their safety. Excessive exploitation of environmental resources and pollution of the environment is a violation of the principles of balance which results in threats and dangers to the continuity of human life. Protecting the environment is included in the framework of protecting offspring (*hifdẓ al-nasl*), namely the survival of human generations on earth. Deviant policies related to the environment will result in misery for the next generation. Protecting the environment is the same as maintaining reason (*hifdẓ al-'aql*), in the sense that the burden of taklif to protect the environment is obligatory for rational humans. This is as stated by Umar Ibn al-Khattab, "Whoever preserves the environment is the same as maintaining balance in thinking, balance between today and tomorrow, between what is beneficial and what is beneficial, between pleasure and misery, between truth and falsehood".<sup>55</sup>

Protecting the environment is also in line with protecting property (*hifdẓ al-mal*). Because wealth is not only money, gold and jewels. But all the objects that humans can own and all kinds of efforts to obtain them. So the earth, trees, animals, water, air and everything on and in the bowels of the earth are treasures. On this basis, any action or policy that has a negative impact on the environment and endangers society cannot be justified even if it has good intentions because it is contrary to the *maqashid al-syariah* contained in the principle of *hifdẓ al-bi'ab*. Take that into account, the majority of fiqh scholars (fuqaha) conclude that the dimension of the rule "*Taşarruf Al-Imān 'ala al-ra'iyah Manutun Bi-al-Maslahah*" is the parent of the rule which is the basis for the legitimacy of the Shari'ah towards the policy of the political authority "government" in producing policies built on the principle of *maslahah*.<sup>56</sup> Either in the form of *jalbul masholib* (bringing benefits /good) or in the form of *dar'ul mafasid* (rejecting damage). Therefore, the application of these rules in terms of environmental conservation can be described as follows:

<sup>54</sup> Yusuf Al-Qardawy, *Ri'ayat al-Bi'ah Fi Sharili'at al-Islam* (Bairut: Dar al-Shuruq, 2001), 47.

<sup>55</sup> Yusuf Al-Qardawy, 51.

<sup>56</sup> Qutbu al-Raisyuni, "Taşarruf Al-Imān 'Ala al-Ra'iyah Manutun Bi-al-Maslahah Wa Tadbiqihā al-Mu'asirah Fi Majal al-Bi'iy."

Rejecting environmental damage is a general, universal and public interest *maslahah*, and is classified as a *mu'tabarab* *maslahah* (recognised as valid by sharia). Therefore, the government is obliged to cut off intermediaries that have a negative impact on environmental sustainability. Such as: imposing harsh sanctions on corporations that are proven to pollute the environment; not granting business permits to corporations that do not meet EIA analysis standards; making environmentally friendly development policies and cancelling policies that have the potential to damage ecology and the environment and prioritising the interests of the people to get a healthy environment from the interests of bringing in investors under the pretext of accelerating development.

Every development plan must prioritise the dimension of environmental conservation, and every development policy must not override the aspects of the benefit of the people living in the area where the development is carried out. Because the main purpose of development itself is to prosper the people in the area where development is carried out. This means that the interests of the state must not conflict with the interests of the people.

## Conclusion

The conclusion that can be drawn from the description of the discussion presented shows that the perspective of *hifdz al-bi'ah* and *maslahah* paradigm contained in Islamic law, the interests of empowerment and environmental preservation must receive a priority scale in every government development policy. The interest in bringing in investors under the pretext of accelerating the pace of development must not be counter-productive to the government efforts to preserve the environment. The interest in preserving the environment is universal in terms of Islamic legal, socio-cultural, economic and political norms. The implications of this research emphasize that if the government policy strategies and development programs have the potential to threaten the sustainability of environmental conservation, then on the basis of social welfare the government is not justified in enacting policies that are contrary to the interests of ecological empowerment. Thus, the *fiqh* rules of *taṣarruf al-imān 'ala al-ra'iyah manutun bi al-maslahah* can function as a model and prototype for government policy making to produce justice, prosperity and general benefit in carrying out its leadership role. Environmental impact analysis (AMDAL) must continue to be improved in an effort to ensure that development policies and plans do not have negative potential for the environment. Any development plan that has negative or destructive potential for ecology, the environment and society in the future on the basis of *maslahatul 'ammah* must be cancelled. Therefore, the plan to develop the Rempang Eco-City project as a National Strategic Project (PSN) in 2023 must be reviewed comprehensively for its benefit and *mafsadah* aspects.

## References

- Abdelzaher, Dina M, Amr Kotb, and Akrum Helfaya. "Eco-Islam: Beyond the Principles of Why and What, and into the Principles of How." *Journal of Business Ethics* 155 (2019): 623–43.
- Abram, Nicola K, Erik Meijaard, Kerrie A Wilson, Jacqueline T Davis, Jessie A Wells, Marc Ancrenaz, Sugeng Budiharta, Alexandra Durrant, Afif Fakhruzzi, and Rebecca K Runting. "Oil Palm–Community Conflict Mapping in Indonesia: A Case for Better Community Liaison in Planning for Development Initiatives." *Applied Geography* 78 (2017): 33–44. <https://doi.org/10.1016/j.apgeog.2016.10.005>.
- Agraria, Konsorsium Pembaruan. "Reforma Agraria Dan Penyelesaian Konflik Agraria Disandera Birokrasi." *Jakarta: Konsorsium Pembaharuan Agraria*, 2019.
- Ahmad Naufal Dzulfaroh, and Farid Firdaus. "Mengenal Rempang Eco City, Proyek Yang Picu Bentrokan Warga Vs Aparat." *Kompas.Com*, 2023, 7 September edition. <https://www.kompas.com/tren/read/2023/09/09/163000965>.
- Al-Sayuthi, Jalaluddin. *Al-Aybab Wa an-Nadhoir Fi Qawaid Wa Furu'i Fiqh al-Syafi'i*. Bairut Lebanon: Dar Al Kutub Al Ilmiyah, 2012.
- Al-Shatibi, A. I. I. *Al-Muwafaqat Fi Usul al-Shari'ah. Vol. 2*. Kaherah: Dar al-Hadith, 2006.
- Amaruzaman, Sacha, Douglas K Bardsley, and Randy Stringer. "Reflexive Policies and the Complex Socio-Ecological Systems of the Upland Landscapes in Indonesia." *Agriculture and Human Values* 39, no. 2 (2022): 683–700. <https://doi.org/10.1007/s10460-021-10281-3>.
- Anderson, Zachary R, Koen Kusters, John McCarthy, and Krystof Obidzinski. "Green Growth Rhetoric versus Reality: Insights from Indonesia." *Global Environmental Change* 38 (2016): 30–40. <https://doi.org/10.1016/j.gloenvcha.2016.02.008>.
- Armawi, Armaid. "Kajian Filosofis Terhadap Pemikiran Human-Ekologi Dalam Pemanfaatan Sumberdaya Alam (Philosophical Studies of Human Ecology Thinking on Natual Resource Use)." *Jurnal Manusia Dan Lingkungan* 20, no. 1 (2013): 57–67. <https://doi.org/10.22146/jml.18474>.
- Arrasyid, Fauzan, Pagar Pagar, and Dhiauddin Tanjung. "The Progressivity of Umar Ibn Al-Khattab's Ijtihad in Responding to Community Social Changes." *Al-Istinbath: Jurnal Hukum Islam* 8, no. 1 (2023): 21–36.
- Azhara, Melisa Ayu, and Siti Ruhama Mardhatillah. "Partisipasi Publik Dalam Penyusunan Dokumen Analisis Dampak Lingkungan Pasca Berlakunya Undang-Undang/Perppu Cipta Kerja." *Jurnal Hukum IUS QULA IUSTUM* 30, no. 2 (2023): 256–76. <https://doi.org/10.20885/iustum.vol30.iss2.art2>.
- Az-Zuhaili, Muhammad Mustofa. *Al-Qawaid al-Fiqhiyyah Wa at-Tatbiqaha Fi Madzhab al-Arba'ah*. Dimaskus: Dar Al-Fikr, 2006.

- Damayanti, Aula. "Contribution of Islamic Law to Legal Development in Indonesia." *MILRev: Metro Islamic Law Review* 1, no. 1 (2022): 17–33. <https://doi.org/10.32332/milrev.v1i1.6188>.
- Elviandri, Elviandri, Khuzdaifah Dimiyati, and Absori Absori. "Quo Vadis Negara Kesejahteraan: Meneguhkan Ideologi Welfare State Negara Hukum Kesejahteraan Indonesia," 2019. <https://doi.org/10.22146/jmh.32986>.
- Evendia, Malicia, Ade Arif Firmansyah, and Riananda Martha. *OmnibusLaw Cipta Kerja Dalam Dimensi Penyelenggaraan Desentralisasi*. Bandar Lampung: Pustaka Media, 2022.
- Fandeli, Chafid. *Analisis Mengenai Dampak Lingkungan Dalam Pembangunan Berbagai Sektor*. Yogyakarta: UGM PRESS, 2018.
- Fitria Chusna Farisa. "Awal Mula Warga Wadas Melawan, Tolak Tambang Batu Andesit Untuk Proyek Bendungan Bener." *Kompas.Com*, 2022, 9 Februari edition. <https://nasional.kompas.com/read/2022/02/09/17020441>.
- Giljum, Stefan, Victor Maus, Nikolas Kuschnig, Sebastian Luckeneder, Michael Tost, Laura J Sonter, and Anthony J Bebbington. "A Pantropical Assessment of Deforestation Caused by Industrial Mining." *Proceedings of the National Academy of Sciences* 119, no. 38 (2022): e2118273119.
- Hamzah, Hamzah, Irfan Amir, Sultan Hasanuddin, Tarmizi Tarmizi, and Muhammad Fazlurrahman Syarif. "Sustainable Development of Mangrove Ecosystem Policy in South Sulawesi from the Perspectives of Siyāsah and Fiqh Al-Bi'ah." *JURIS (Jurnal Ilmiah Syariah)* 22, no. 2 (2023): 367–80. <http://dx.doi.org/10.31958/juris.v22i2.10559>.
- Helfaya, Akrum, Amr Kotb, and Rasha Hanafi. "Qur'anic Ethics for Environmental Responsibility: Implications for Business Practice." *Journal of Business Ethics* 150 (2018): 1105–28.
- Herdiansyah, Herdis. "Pengelolaan Konflik Sumber Daya Alam Terbarukan Di Perbatasan Dalam Pendekatan Ekologi Politik." *Jurnal Hubungan Internasional* 7, no. 2 (2019): 144–51. <https://doi.org/10.18196/hi.72134>.
- Hussain, Jamal, and Kui Zhou. "Globalization, Industrialization, and Urbanization in Belt and Road Initiative Countries: Implications for Environmental Sustainability and Energy Demand." *Environmental Science and Pollution Research* 29, no. 53 (2022): 80549–67. <https://doi.org/10.1007/s11356-022-21520-3>.
- Ibn 'Abd al-Salam, Izzuddin Abdil 'Aziz. *Qawaid Al-Ahkam Fi Masbolih al-Anam*. 1 vols. Kairo: Maktabah al-Kulliyat al-Azhar, 1991.
- Idris, Muhammad. "Sejarah Konflik Lahan Pulau Rempang, Bermula Dari Pemberian HPL Ke Swasta." *KOMPAS.Com*, 11 September 2023 edition. Accessed October 10, 2023. <https://money.kompas.com/read/2023/09/13/063434426/sejarah-konflik-lahan-pulau-rempang>.

- Illham, M Irsyad. "Economic Development and Environmental Degradation in Indonesia: Panel Data Analysis." *Jurnal Ekonomi & Studi Pembangunan* 22, no. 2 (2021): 185–200.
- Indonesia, Republik. *Undang-Undang Nomor 32 Tahun 2009 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup*. Pemerintah Pusat, 2009.
- Kurniawan, Ali Rahmat, Takehiko Murayama, and Shigeo Nishikizawa. "A Qualitative Content Analysis of Environmental Impact Assessment in Indonesia: A Case Study of Nickel Smelter Processing." *Impact Assessment and Project Appraisal* 38, no. 3 (2020): 194–204. <https://doi.org/10.1080/14615517.2019.1672452>.
- Lembaran Negara RI. *Peraturan Pemerintah Republik Indonesia Nomor 42 Tahun 2021 Tentang Kemudahan Proyek Strategis Nasional*. Jakarta, 2021.
- MacAndrews, Colin. "The Indonesian Environmental Impact Management Agency (BAPEDAL): Its Role, Development and Future." *Bulletin of Indonesian Economic Studies* 30, no. 1 (1994): 85–103. <https://doi.org/10.1080/00074919412331336557>.
- Mas'ud, Muhammad Khalid. *Filsafat Hukum Islam, Studi Tentang Hidup Dan Pemikiran Abu Isbaq Asy-Syathibi (Translated from Islamic Legal Philosophy; a Study of Abu Isbaq al-Syathibi)*. Bandung: Penirbit Pustaka, 1996.
- Mat Johar, Muhammad Hilmi, Khairul Azhar Meerangani, S Salahudin Suyurno, and Adam Badhrulhisham. "Konsep Hifz Al-Bi'ah Dalam Pengurusan Risiko Bencana Alam: Satu Sorotan Awal," 2021.
- McCarthy, John. "The Changing Regime: Forest Property and Reformasi in Indonesia." *Development and Change* 31, no. 1 (2000): 91–129. <https://doi.org/10.1111/1467-7660.00148>.
- Mekuriaw, Asnake, and Belay Teffera. "The Role of Environmental Impact Assessment for Sustainable Development," 13–16, 2013.
- Peter Mahmud Marzuki. *Penelitian Hukum*. Jakarta: Prenadamedia Group, 2014.
- Prakasa, Satria Unggul Wicaksana. "Ecocide Crimes & Omnibus Law: Review of International Law and Its Implications on Indonesia Law." *Dinamika Hak Asasi Manusia* 12, no. 2 (2021): 14–20. <https://doi.org/10.24123/jdh.v12i2.2898>.
- Pramono, Albertus Hadi, Habiburrahman AH Fuad, Budi Haryanto, Mochamad Indrawan, Nurlaely Khasanah, Masita Dwi Mandini Manessa, Kartika Pratiwi, Dwi Amalia Sari, Rondang SE Siregar, and Jatna Supriatna. "Mitigating Social-Ecological Risks from the Surge in China's Overseas Investment: An Indonesian Profile." *Discover Sustainability* 2, no. 1 (2021): 59. <https://doi.org/10.1007/s43621-021-00069-0>.
- Putri, Liza Diniarizky, Catur Nugroho, Abdul Malik, and M Nastain. "Developing Ecological Piety in Pesantren: The Kyai's Cognition and the Practice of Living Fiqh al-Bi'ah in Banten." *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 23, no. 2 (2023): 235–59. <https://doi.org/10.18326/ijtihad.v23i2.235-259>.



- Qutbu al-Raisyuni. "Taṣarruf Al-Imān 'Ala al-Ra'iyah Manutun Bi-al-Maslahah Wa Tadbiqihā al-Mu'asirah Fi Majal al-Bi'iy." *Journal of College of Sharia and Islamic Studies* 29, no. 1 (2011).
- Razi, Ahmad Ibn Faris al-Qoswani al-. *Mu'jam Maqayis al-Lughab*. 3 vols. Kairo: Dar Al-Fikr, 1979.
- Sadat, Anwar, and Muhammad Yusuf. "Strengthening Eco Fiqh: An Intergration of Texts and Maslaha on Environmental Impact Analysis." *Al Daulah: Jurnal Hukum Dan Perundangan Islam* 10, no. 1 (2020): 93–113.
- Sugiyanto, Gito, Ritnawati Makbul, Tarzan Purnomo, Yunus Arifien, Andi Susilawaty, Andreas Pramudianto, James Sinurat, Novita K Indah, Hamzah Hasyim, and Lovi Sandra. *Analisa Mengenai Dampak Lingkungan (AMDAL)*. Bandung: Get Press, 2022.
- Tabrani, Mukti. "Maqâshid Revitalization in Global Era: Istidlâl Study from Text to Context." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 13, no. 2 (2018): 310–33. <https://doi.org/10.19105/al-lhkam.v13i2.1814>.
- Tanguay, Louis, and Stéphane Bernard. "Ecoagricultural Landscapes in the Dieng Mountains of Central Java; A Study of Their Evolution and Dynamics." *Journal of Rural Studies* 77 (2020): 169–84. <https://doi.org/10.1016/j.jrurstud.2020.05.001>.
- Tim Redaktur. "Food Estate: Proyek Lumbung Pangan Di Hutan Lindung, Pegiat Lingkungan Peringatkan Bencana Dan Konflik Dengan Masyarakat Adat "Tidak Terhindarkan." *BBC News Indonesia*, 2020, 19 November edition. <https://www.bbc.com/indonesia/indonesia-54990753>.
- Try Putra, Didik. "Konflik Negara Dan Rakyat (Analisis Aktor Dan Kepentingan Pada Kasus Wadas, Purworejo, Jawa Tengah)." *Program Magister Ilmu Politik Fakultas Ilmu Sosial Dan Ilmu Politik Universitas Diponegoro Semarang*, 2023.
- Waheeda binti Abdul Rahman. "Al-Qur'an Dan Wawasan Ekologi Perspektif Maqashid Syari'ah." *Tasyri' Journal of Islamic Law* 2, no. 1 (2023).
- Widowaty, Yeni, and Dinda Riskanita. "Development Legal Principle to Overcoming Environmental Damage in West Java and East Java Province Indonesia," 51–54. Atlantis Press, 2019.
- Yahman, Yahman, and Azis Setyagama. "Government Policy in Regulating the Environment for Development of Sustainable Environment in Indonesia." *Environment, Development and Sustainability*, 2022, 1–12. <https://doi.org/10.1007/s10668-022-02591-1>.
- Yusran, Yusran, Muhammad Alif K Sahide, Supratman Supratman, Adrayanti Sabar, Max Krott, and Lukas Giessen. "The Empirical Visibility of Land Use Conflicts: From Latent to Manifest Conflict through Law Enforcement in a National Park in Indonesia." *Land Use Policy* 62 (2017): 302–15. <https://doi.org/10.1016/j.landusepol.2016.12.033>.
- Yusuf Al-Qardawy. *Ri'ayat al-Biab Fi Sharili'at al-Islam*. Bairut: Dar al-Shuruq, 2001.

- Yusuf, Muhammad, and Anwar Sadat. "Eco-Fiqh: Pendekatan Maslahat Terhadap Amdal Dan Konservasi Lingkungan." *Al-Daulah: Jurnal Hukum Dan Perundangan Islam* 9, no. 2 (2019): 250–73. <https://doi.org/10.15642/ad.2019.9.2.250-273>.
- Zarkasyi, Badruddin Muhammad al-. *Al-Babrul Mukhid Fi Ushul al-Fiqh*. 6 vols. Kairo: Dar Al-Kitabiy, 1992.
- Zarkasyi, Imam al-. *Al-Mantsur Fi al-Qowaid Fiqh al-Syafi'i*. Bairut Lebanon: Dar Al Kutub Al Ilmiyah, 2000.
- Zidqi al-Burnu, Muhammad. *Al-Wajiz Fi Idbohi Qawaid al-Fiqhiyyah al-Kulliyah*. Bairut Libanon: Muasasat al-Risalah, 1996.
- Zuhaili, Wahbah. *Ushul Fiqhi Al-Islami*. Juz 1. Damaskus Shiria: Dar al-Fikr, 1986.
- Zuhayli, Mustafa al-. *Al-Qawaid al-Fiqhiyyah Wa Tadbiqiba Fi Madzhab al-Arba'ah*. Dimasko: Dar Al-Fikr, 2006.
- Zulaikha, Siti. "Pelestarian Lingkungan Hidup Perspektif Hukum Islam Dan Undang-Undang." *AKADEMIKA: Jurnal Pemikiran Islam* 19, no. 2 (2014): 241–63.