

Environmental Fiqh as a Framework for Social Sustainability

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ARTICLE INFO

Keywords:

Climate change, Environmental degradation, Environmental fiqh, Social inequality, Social sustainability

DOI:

10.65586/jli.v1i2.25

Article History:

Submitted: 22-06-2025

Revised: 05-09-2025

Accepted: 03-11-2025

Published online: 05-12-2025

Published by:

Mahkota Science Publishers

ABSTRACT

When ecological crises reflect the failure of modern ethics, environmental fiqh emerges as a moral challenge to the way humans build social sustainability. The purpose of this study is to formulate and construct environmental fiqh as a framework for social sustainability in Asian Muslim communities by comprehensively explaining the relationship between fiqh norms, social practices, and ecological dynamics. This study uses a qualitative approach, combining a literature review with content analysis, and a normative-sociological approach to critically examine how environmental fiqh can be positioned as a framework for social sustainability that challenges the dominance of the secular-technocratic paradigm. The results indicate that environmental fiqh, when read critically and reconstructed progressively, has the transformative power to challenge the Asian development model based on ecological exploitation and social inequality, while offering a more equitable, long-term framework for social sustainability rooted in Islamic ethical values. By integrating environmental maqāsid, intergenerational ethics, and revitalised fiqh concepts such as amānah, maṣlahah, and ḥisbah, environmental fiqh need not remain a moral discourse, but can become a normative instrument that influences public policy, corrects corporate behaviour, and strengthens civil society movements.

INTRODUCTION

The development of the discourse on social sustainability over the past two decades has shown a significant shift from a focus on ecological issues to the strengthening of social, cultural and spiritual dimensions that shape the pattern of human relations with the environment (Wang & Altanbulag, 2022). In the context of Asian Muslim societies, this dynamic is becoming increasingly relevant given that the region is home to the world's largest Muslim population and is the epicentre of rapid socio-economic transformation (Islam, 2024). Changes in consumption patterns, massive urbanisation, shifting social values, and ecological pressures resulting from the exploitation of natural resources have made the discourse on sustainability not only an academic necessity but also a practical urgency that affects the quality of life of communities.

Amid this situation, environmental fiqh has emerged as a normative and ethical approach with the potential to fill the conceptual framework gap by linking sustainability principles to Islamic values that have long governed the relationship between humans and nature. However, comprehensive studies linking environmental fiqh to the concept of social sustainability in Asian Muslim societies remain relatively limited, requiring more in-depth, systematic, and focused scientific research.

Along with increased global attention to climate change, environmental degradation, and social inequality, previous studies have examined how Islamic norms and ethics can play an essential role in encouraging environmentally friendly behaviour. Several studies reveal that concepts such as *khalifah*, *amānah*, *ḥisbah*, and the prohibition of *isrāf* and *fasād* can serve as a strong ethical foundation for developing human activities oriented towards ecological sustainability (Sofyan et al., 2024; Speidl, 2025). Recent studies on Islamic eco-theology also emphasise the need to reactualise nash and fiqh methodology to respond to contemporary environmental challenges that were unimaginable in classical times.

In addition, there are also studies on the practices of Muslim communities in several Asian countries, such as Indonesia, Malaysia, Pakistan, and Bangladesh, which show a relationship between religious activities and pro-environmental behaviour, for example, through the green mosque movement, sustainable Islamic boarding school management, and community empowerment programmes based on Islamic values (Begum et al., 2021; Hermawan et al., 2025; Sumi et al., 2024). However, most of these studies remain sectoral and fragmented, focusing only on ecological aspects and failing to integrate the social dimensions of sustainability, including social cohesion, intergenerational justice, community empowerment, and social resilience in the face of environmental change.

Interdisciplinary studies that seek to combine the perspective of fiqh with sustainable development theory also make significant conceptual contributions. Studies by social scientists, anthropologists, and development experts highlight the importance of a sustainability framework grounded not only in economic logic and environmental science, but also in the moral and cultural values that shape society. In the Asian context, several studies have adopted a hybrid approach that combines local values, Islamic traditions, and modern sustainability principles (Al-Jayyousi et al., 2022; Jabeen et al., 2025). However, these efforts still face several limitations because they have not explicitly positioned environmental fiqh as the primary analytical framework for interpreting social sustainability.

Previous studies have also not paid sufficient attention to the socio-cultural diversity of Asia's Muslim communities, ranging from rural communities in Southeast Asia to cosmopolitan urban communities in the Middle East and South Asia, leading to conclusions that are often generalised and fail to account for specific social contexts (Liu, 2025; Peyvel et

al., 2025). Meanwhile, studies that focus on environmental fiqh in a narrow sense tend to revolve around legal aspects and fatwas related to environmental management, such as pollution laws, water conservation, energy management, and biodiversity preservation. Although these studies are essential as normative contributions, this approach often fails to consider how these legal norms interact with social structures, public policies, and the daily practices of communities.

There is a significant knowledge gap in the form of a lack of integration between the normative dimensions of fiqh and the reality of social sustainability at the community level. In addition, previous studies have not examined how the process of internalising fiqh values takes place in the social sphere, including through religious education, Islamic social institutions, local leadership patterns, and community networks. Another shortcoming is the lack of attention to methodological aspects that enable environmental fiqh to be read in the context of contemporary social challenges, such as economic inequality, migration, demographic change, and cultural modernisation.

The most striking research gap is the absence of comprehensive studies that position environmental fiqh not merely as a legal discipline, but as a framework for social sustainability capable of integrating the values, norms, practices, and institutions of Asian Muslim societies in facing the complexities of environmental and social change. The existing literature has not explicitly linked the social dimensions of sustainability, such as community empowerment, social solidarity, the quality of intergenerational relations, and religious-based social capital, with key concepts in environmental fiqh. Furthermore, there is no analytical formulation that explains how the principles of fiqh can be translated into public policy, local development strategies, and community-based adaptation models that are relevant in the context of Asian countries with diverse social structures and political systems. Thus, this study is necessary to fill this gap through critical analysis and more comprehensive concept mapping.

The novelty of this study lies in its attempt to formulate environmental fiqh not merely as a thematic branch of fiqh, but as a conceptual framework for social sustainability that simultaneously integrates normative, social, cultural, and ecological dimensions. This study offers a new perspective that connects modern sustainability theory with the Islamic scientific framework through an interdisciplinary approach that combines the study of fiqh, sociology of religion, environmental anthropology, and social development theory. Conceptually, this study makes a new contribution by proposing an integrative model that can be used to analyse how environmental fiqh values can play a role in shaping collective behaviour, social institutions, and environmental policies in Asian Muslim societies.

The focus of this study is to understand how environmental fiqh can be developed as a comprehensive framework for social sustainability in Asian Muslim societies, and how this concept can explain the processes of social adaptation, collective value formation, and sustainability practices in heterogeneous contexts. The scope of the study includes an analysis of the basic principles of environmental fiqh, sustainability practices in various Asian Muslim communities, the social dynamics that shape the acceptance of environmental norms, and the contextual challenges faced by communities in internalising Islamic-based sustainability values. The objective of this study is to formulate and construct environmental fiqh as a framework for social sustainability in Asian Muslim communities by comprehensively explaining the relationship between fiqh norms, social practices, and ecological dynamics.

METHOD

This study employs a qualitative, literature-review design combined with content analysis and a normative-sociological approach to critically examine how environmental fiqh can be positioned as a framework for social sustainability that challenges the dominance of the secular-technocratic paradigm. The study is operationalised through an analysis of the principles of environmental fiqh, the discourse and regulations on social sustainability in Asian Muslim societies, and the construction of a conceptual model that integrates the two. The study population consists of a corpus of literature on environmental fiqh, Islamic eco-theology, and social sustainability. At the same time, the text samples are selected purposively based on relevance, authority, recency, and context diversity. The main instrument is a document review guideline, developed by elaborating concepts into operational indicators, which is then refined through literature review and preliminary readability testing to ensure theoretical rigour and methodological consistency.

Data collection was conducted through systematic searches of primary sources (fiqh books, fatwas, works of contemporary scholars) and secondary sources (scientific articles, books, institutional reports, policy documents), which were then rigorously selected to avoid affirmative bias towards dominant views. The selected data were analysed using hermeneutic-contextual qualitative content analysis, involving categorisation and the formation of themes that critically and reflectively linked fiqh norms to social sustainability configurations. Thus, the method used is not only in line with the research objectives, but is also aimed at reformulating environmental fiqh as a social sustainability framework that is more normatively sharp and relevant to the dynamics of contemporary Asian Muslim societies.

RESULTS AND DISCUSSION

Reconstructing Classical Fiqh in Addressing the Crisis of Ecological Commons Management in Asia

Reconstructing classical fiqh in address the crisis of ecological commons management in Asia requires developing a religious paradigm more adaptable to the complexity of contemporary challenges. The environmental situation in this region has not only arisen from excessive exploitation of natural resources, but also from the weakening of collective governance of ecological commons, including water, air, rivers, land, forests, seas, and biodiversity (Ssekajja, 2025). In the context of Asian Muslim societies, this problem reveals a gap between the normative framework of classical fiqh, which emphasises balance, the prohibition of causing harm, and distributive justice, and the empirical reality of environmental degradation, resource conflicts, and the privatisation of the living spaces of indigenous peoples and local communities.

The reconstruction of classical fiqh is necessary not to replace the normative foundations built over centuries, but to renew how it is read, interpreted, and applied so that it can respond to ecological issues that increasingly threaten social and environmental sustainability. This effort is essential considering that Asia is the region with the largest Muslim population in the world, so the response of Muslim communities in this region has a significant impact on global environmental stability.

Classical fiqh essentially contains fundamental principles that are highly relevant to the management of ecological commons, such as the concept of *ihya' al-mawat*, which regulates the use of unowned land based on the principles of productivity and usefulness, the idea of *al-hima*, which functions as a community-based protected area, and the concept of *al-harim*, which is a buffer zone that protects resources such as springs, rivers, or wells from overexploitation.

In addition, the doctrine of *ḥisbah* provides a framework for social supervision of behaviour that harms the environment, and the principle of *lā ḍarar wa lā ḍirār* affirms the prohibition of actions that harm others. However, applying these principles in the contemporary Asian context is not as simple as quoting normative texts, because the current ecological commons crisis is the result of a combination of factors, such as aggressive industrialisation, liberalisation of natural resources, increased energy demand, uncontrolled urbanisation, and weak regulation and political corruption, which the classical fuqaha never faced in their current form.

One of the biggest challenges in managing ecological commons in Asia is transforming resources that were traditionally managed communally into commodities subject to market mechanisms (Lim et al., 2023). This is evident in the privatisation of water in several South Asian and Southeast Asian countries, large-scale land acquisitions for commercial plantations, and the dominance of multinational corporations in the fisheries sector, all of which threaten the social sustainability of coastal communities. Under these conditions, the concept of public ownership or shared ownership (*al-milkiyyah al-‘āmmah*) in classical fiqh no longer functions as it should, because state regulations often favour the economic interests of elites and corporations.

The reconstruction of fiqh in this context must consider that the principle of public ownership is not only a legal rule, but also a manifestation of the values of distributive justice and social solidarity (Karimullah, 2024). Therefore, the reconstruction of the concept of *al-milkiyyah al-‘āmmah* can be directed towards strengthening the rights of local communities to natural resources, as well as questioning the legitimacy of policies that grant the state or the private sector a monopoly over ecological commons without considering their impact on the sustainability of community life.

In addition to the issue of ownership, the reconstruction of classical fiqh must also take into account the transformation of ecological space resulting from rapid urbanisation and industrialisation in Asia. Classical fiqh emerged in a society with strong ties to nature, where production and consumption were small-scale, community-based activities. Meanwhile, contemporary Asian societies live in highly complex social structures, where large-scale industrial production generates air and water pollution that threatens public health, changes in land use cause damage to rural ecology, and massive infrastructure development often leads to the marginalisation of indigenous peoples. In such a situation, the principle of *al-maṣlahah al-‘āmmah*, which is one of the bases for legal inference in fiqh, must be reconstructed so that it can function as an evaluative mechanism for public policy and development decisions.

The principle of *maṣlahah* cannot be understood narrowly as short-term economic benefits; it must now encompass ecological, social, and intergenerational dimensions. This reconstruction requires a holistic approach that considers the long-term impact on social and environmental sustainability, so that development decisions can be directed towards achieving a balance between economic growth and nature conservation. In addition, the reconstruction of classical fiqh in the context of the ecological commons crisis must involve a reinterpretation of the concept of *khalīfah* as the role of humans in caring for the earth. If, in the classical understanding, *khalīfah* refers to a moral and spiritual mandate to prosper the world, in the contemporary context, this concept must be expanded into an ecological ethical framework that obliges individuals and communities to maintain the integrity of ecosystems.

The enhancement of the concept of *khalīfah* must be accompanied by a reinterpretation of *amānah* so that resource management is no longer viewed as a right, but rather as a public

responsibility (Karimullah, 2023). In the Asian context, where corruption in the resource extraction sector remains high and often causes severe environmental damage, a reinterpretation of *amānah* is urgently needed.

Reconstructing *amānah* in this context means strengthening public accountability and the integrity of natural resource management systems, and placing moral values at the heart of ecological policy. One significant contribution of classical fiqh to the joint management of natural resources is the existence of traditional systems such as al-hima and *al-ḥarīm*, which were used effectively in the past to protect areas and prevent excessive exploitation.

This concept can be reconstructed by placing it within contemporary discussions on community-based conservation. Many indigenous peoples and local communities in Asia have traditional management systems for forests, rivers, and coastal areas based on collective values, local wisdom, and religious practices. The reconstruction of classical fiqh must recognise and integrate this local ecological knowledge, rather than replacing it with a uniform legal approach.

A hermeneutic reconstruction of classical fiqh is also necessary so that old texts can be read in the light of contemporary phenomena. Classical fuqaha never imagined air pollution from industrial emissions, species extinction due to mining, or global climate change threatening the balance of ecosystems. Therefore, the necessary reconstruction is not in revising the text, but in updating the method of *istinbat* law so that it can better understand ecological phenomena.

The *maqāṣid al-sharī'ah* approach can serve as the basis for this reconstruction by making the preservation of life (*ḥifẓ al-nafs*), the preservation of offspring (*ḥifẓ al-nasl*), and the preservation of property (*ḥifẓ al-mal*) evaluative principles for measuring environmental policy. The concept of *maqāṣid* can be used to criticise policies that sacrifice nature's sustainability for short-term gains, while also providing *shar'i* legitimacy to ecological policies that favour sustainability.

The challenge of reconstructing classical fiqh is also related to the politics of managing ecological commons. In Asia, many environmental conflicts arise from overlapping authorities among the state, corporations, and local communities. In such situations, the concept of *siyāṣah shar'iyah* can be reconstructed as an ethical and policy instrument to ensure that the government acts in accordance with the principles of ecological justice. This reconstruction can serve to strengthen the role of religion as a moral control over environmental policies that are not in accordance with the principles of public interest.

The reconstruction of classical fiqh in the context of ecological commons must take an intergenerational perspective into account. Classical fiqh emphasises the importance of sustaining life, but does not yet have an explicit analysis of responsibility towards future generations. In the context of the climate crisis and the long-term ecological damage, the reconstruction of Fiqh principles must include the dimension of time as a determining moral element. The concepts of *amānah* (trust), *maṣlahah* (public interest), and the prohibition of destruction must be interpreted as an obligation to protect the ecological rights of future generations. By incorporating this intergenerational principle, fiqh can become a spiritual and ethical foundation in confronting the dominance of short-term development paradigms that neglect ecological sustainability.

In the context of epistemological reconstruction, it is necessary to strengthen the dialogue between Fiqh, environmental science, and social science. The rebuilding of fiqh cannot rely solely on *nash* and *qiyas*; it must also take into account scientific findings on ecological degradation and the accompanying social dynamics. This integrative approach can enrich

fiqh's perspective and provide more comprehensive solutions to the environmental commons crisis. For example, scientific data on water crises, deforestation, or declining fish populations can be used as a basis for setting limits on resource use. In contrast, social analysis of resource conflicts can help identify structures of injustice that require correction through law and policy.

Strengthening Ecological *Maqāṣid* in Responding to the Crisis of Anthropocentrism and Intergenerational Justice

Strengthening ecological *maqāṣid* in responding to the crisis of anthropocentrism and the issue of intergenerational justice is an urgent need for Muslim communities in Asia, given the increasingly severe environmental pressures that are impacting the sustainability of life. The Asian region is entering a critical phase in which economic growth, massive industrialisation, rapid urbanisation, and increased exploitation of natural resources are occurring faster than the ecosystem can recover.

Countries such as India and China face extreme air pollution with PM2.5 levels exceeding WHO safety limits, while South Asia is experiencing water scarcity that is fuelling social conflict and inter-regional tensions. In Southeast Asia, massive deforestation, coral reef destruction, and biodiversity loss are occurring on a large scale due to the expansion of commercial plantations, mining, and infrastructure development (Ma et al., 2023; Struebig et al., 2025). In addition, East Asia and the Asia-Pacific region have become centres of marine pollution due to industrial and plastic waste carried by currents across national borders.

Most classical *maqāṣid* formulations were formulated at a time when ecological pressures had not yet reached the global scale they have today, so that the preservation of life, intellect, religion, lineage, and property was interpreted primarily in social and individual dimensions. However, ecological changes in Asia indicate that preserving these five fundamental aspects is impossible without ensuring the sustainability of ecosystems. The preservation of life cannot be achieved amid toxic air that threatens the health of millions of people, and the preservation of wealth is meaningless if the land is eroded, flash floods destroy productivity, or the sea loses its fish population due to overfishing.

Preserving offspring cannot be achieved if future generations inherit a severely damaged environment. In contrast, preserving reason becomes difficult when ecological crises trigger malnutrition, water scarcity, and increased susceptibility to disease (Chandipwisa et al., 2025). Even the preservation of religion, often understood as a spiritual aspect and ritual obedience, is closely tied to environmental conditions, as religious teachings demand social cooperation, gratitude, and respect for God's creation.

One of the main criticisms of anthropocentrism is its tendency to focus value only on humans and ignore the ecological rights inherent in other living beings and natural systems. Classical fiqh was indeed built on a tradition of moderate anthropocentrism because legal discourse emphasised the protection of humans and social welfare. However, religious texts show that Islam has a strong ecological foundation. Many verses emphasise that the earth and all its contents were created not only for humans but also for other creatures, which have the right to life and sustainability.

Sūrah al-An'ām states that all creatures are *ummah* (community) just like humans, while *al-Raḥmān* describes ecological balance as a form of cosmic justice that must not be destroyed. The Prophet's hadiths emphasise the prohibition of cutting down trees without a valid reason, the prohibition of torturing animals, and the obligation to treat the environment with compassion because Allah loves those who spread goodness on earth. All of this shows that

in Islamic tradition, there is a clear normative basis for developing an ecological ethic that transcends anthropocentrism, even though this aspect has not been explicitly formulated in classical *maqāṣid*.

In the context of ecological pressures in Asia, the concept of *amānah* serves as the starting point for reconstructing ecological *maqāṣid*. Humans are seen as caliphs on earth, not absolute rulers free to extract resources without limit. *Amānah* means responsibility and restriction, not a licence for exploitation. If *amānah* is reconstructed ecologically, then natural resource management is not only a technical matter but also a moral and religious obligation that demands caution, the prevention of damage, and the protection of the entire life system (Karimullah, 2025).

Amidst extreme air pollution in China and India, an ecological reading of *amānah* means that states and industry players must not use humans as victims of development externalities. Amidst the water crisis in the Ganges, Indus, Mekong, and Brahmaputra rivers, *amānah* means that the current generation is obliged to maintain water quality so that it remains suitable for consumption and use by future generations. The mandate also means that countries in Southeast Asia must not continue to expand exports of deforestation-based commodities that damage the hydrological system and threaten ecological sustainability.

Strengthening ecological *maqāṣid* requires a new understanding of *ḥifẓ al-naḥs*, which can no longer be separated from protecting the earth. In the Asian context, *ḥifẓ al-naḥs* means ensuring clean air, healthy environmental conditions, and universal access to safe drinking water. Many major cities in Asia, such as Delhi, Jakarta, Beijing, and Manila, experience pollution that reaches dangerous levels. Hundreds of millions of people are at risk of chronic respiratory diseases, lung cancer, and a decline in quality of life. If *ḥifẓ al-naḥs* is understood ecologically, then air pollution caused by industry, motor vehicles, and waste incineration constitutes a violation of one of the highest *maqāṣid al-sharī'ah*.

In addition to *ḥifẓ al-naḥs*, the ecological dimension of *ḥifẓ al-nasl* (the protection of offspring) is becoming increasingly important in debates on intergenerational justice. In many parts of Asia, younger generations will inherit an environment that is far worse than that of previous generations. Climate change is triggering extreme heat waves, rising sea levels are threatening coastal cities in Bangladesh, Indonesia, the Philippines, and Vietnam, while the biodiversity crisis is reducing traditional food sources and disrupting agricultural ecology.

The strengthening of ecological *maqāṣid* must place *ḥifẓ al-nasl* as an obligation to protect the environmental rights of future generations. The protection of descendants is not only in the form of moral and spiritual protection, but also the right to live in a decent environment (de Souza et al., 2025). Fiqh needs to be affirmed as an ethical tool that binds the current generation from committing acts that cause long-term ecological damage. Without environmental sustainability, descendants cannot live with dignity, and *maqāṣid al-sharī'ah* loses its relevance. Meanwhile, *ḥifẓ al-mal* in an ecological perspective, requires protecting assets not only in the form of individual ownership but also communal assets, such in natural resources, which are the backbone of life.

In East Asia, overfishing has caused transnational damage to fish stocks and triggered conflicts between Japan, South Korea, China, and Southeast Asian countries. From an ecological *maqāṣid* perspective, the overexploitation of marine resources violates *ḥifẓ al-mal* because it damages the collective wealth that should be passed on to future generations. In South Asia, unregulated groundwater extraction has caused water levels to drop and damaged ecological infrastructure. If *ḥifẓ al-mal* is reconstructed ecologically, then states and corporations are obliged to manage resources in accordance with the principles of

sustainability and distributive justice, so as not to harm the poor and future generations. The expansion of ecological *maqāṣid* means strengthening the framework of intergenerational justice.

The concept of intergenerational justice in Islam has a strong theological basis, as Allah forbids destruction on earth and commands humans to consider the consequences of their actions on future generations. When Asian countries maximise economic growth without accounting for ecological limits, they transfer the ecological burden to future generations. Fiqh oriented toward ecological *maqāṣid* can serve as a foundation for assessing public policy and industrial practices in accordance with the principle of intergenerational justice (Insani & Karimullah, 2023). For example, large-scale coal projects in South Asia not only cause air pollution today but also have long-term impacts, including climate change, land degradation, and the loss of groundwater reserves. From an ecological *maqāṣid* perspective, such projects cannot be justified because they undermine future generations' rights to a healthy environment.

Strengthening ecological *maqāṣid* also requires developing the concept of ecological rights in fiqh. Ecological rights mean that ecosystems have intrinsic value that must be respected because they are a trust from Allah. This means that states and corporations cannot treat nature solely as an economic resource, but must respect the rights of rivers to continue flowing, forests to remain sustainable, and species not to become extinct (Malik et al., 2025). The water crisis in major Asian rivers, such as the Mekong and Ganges, shows that industrial activities and state development policies often violate these ecological rights. In this context, fiqh needs to formulate the principle that the systematic destruction of natural resources is a violation of ecological rights and thus a breach of human rights (Hibbatulloh et al., 2025; Insani et al., 2024).

Ecological can also serve as a normative basis for building inter-state ethics in addressing cross-border environmental issues. Air pollution in East Asia and South Asia knows no national boundaries, forest fire smoke in Southeast Asia crosses national borders, and marine pollution in the eastern Pacific is caused by industrial waste from various countries (Nilan & Maunati, 2025). Therefore, fiqh needs to expand the scope of legal responsibility not only in individual and state relations, but also in inter-state relations. The principle of *lā ḍarar wa lā ḍirār* can be expanded as a basis for cross-border ecological cooperation, emphasising the obligation of states not to cause damage to other states. In a social context, strengthening ecological *maqāṣid* must also consider community involvement.

Many local communities in Asia have long practised resource management systems based on ecological wisdom (Raj et al., 2022). Strengthening ecological *maqāṣid* not only establishes a new legal framework but also reinforces local practices that, over centuries, have proven effective in maintaining environmental balance (Azmin Shompa et al., 2025). The wisdom of indigenous peoples in the Himalayan region in managing mountain water, the subak system in Bali, or the conservation traditions of coastal communities in Japan and the Philippines can be seen as organic implementations of ecological *maqāṣid*. Integrating these practices with the contemporary *maqāṣid* framework will enrich fiqh and provide a more inclusive, context-based basis for practice.

Strengthening ecological *maqāṣid* is a strategic step towards formulating a relevant religious response to Asia's environmental crisis. Explicit ecological objectives need to be incorporated into *maqāṣid* so that fiqh not only responds to current human problems but also safeguards the sustainability of future generations and preserves the ecosystems that support life. This strengthening requires a reinterpretation of basic concepts in fiqh, integration with

environmental science, and a rereading of religious texts that emphasise the role of humans as guardians of the earth. Thus, fiqh can become an important pillar that helps Asian societies face the ecological crisis through paradigm shifts, the formulation of public policy, and the establishment of a collective ethic that respects environmental sustainability and intergenerational justice.

The Transformation of Environmental Fiqh into a Socio-Economic Governance Framework in Asia

The transformation of environmental fiqh into a socio-economic governance framework in Asia requires expanding the normative function of fiqh from mere moral exhortation to a value system that can operate within modern institutional structures. Over the past few decades, environmental fiqh has developed into a normative discourse emphasising humanity's responsibility as stewards of the earth, the prohibition on causing harm, and the obligation to maintain ecological balance. However, this discourse generally remains at the level of fatwas, sermons, or moral appeals, not directly integrated into public policy mechanisms.

In the Asian context, the disconnect between religion-based environmental ethics and state governance has become increasingly problematic because the region is both the fastest-growing economic centre and the epicentre of the most severe environmental degradation. Massive industrialisation in China and India, the construction of mega-projects such as dams and motorways throughout Southeast Asia, and the expansion of palm oil and mining in Indonesia and Malaysia demonstrate how rapid economic growth is often achieved at the expense of ecosystems (Douglass, 2010; Pomeranz, 2009; Shirley & Kammen, 2015). As ecological pressures increase in tandem with rising energy consumption and urbanisation, it has become clear that environmental fiqh, operating solely as a moral ethic, is insufficient to address the structural challenges created by Asia's resource-exploitative economic development model.

This transformation requires deep reflection on the structural weaknesses of environmental fiqh if it is to continue to be understood as a moral discourse without operational instruments. Moral appeals often stop at the level of individual awareness without influencing patterns of production and consumption controlled by the state and large corporations. In Asia, where power relations between the state, the market, and civil society tend to be asymmetrical, changes in individual behaviour cannot offset the ecological impact of large projects such as the clearing of Kalimantan's forests for oil palm plantations, the construction of coal-fired power plants in India, or energy-intensive manufacturing industries in China.

Environmental fiqh must be reconceptualised to target the governance structures that cause systemic ecological damage. This means that fiqh principles such as the prohibition of *isrāf*, the command to avoid *fasād*, and the obligation to maintain *al-maṣlahah al-'āmmah* need to be translated into regulatory frameworks, prohibition mechanisms, and policy standards that can be implemented by the state and followed by economic actors. This transformation requires an understanding that religion-based ecological ethics must be linked to legal authority, institutional accountability, and administrative capacity.

One important aspect of transforming environmental fiqh into a governance framework is its institutionalisation in law and public policy. This can be done by integrating Islamic environmental ethics principles into spatial planning regulations, environmental permits, pollution control, biodiversity protection, and energy policy. Spatial regulations, for example,

can be enriched with the principle of *hima* as a basis for establishing community-based protected areas that cannot be exploited for industrial or property interests.

The concept of *ḥarīm* can be used to strengthen the protection of natural resource buffer zones, such as the Mekong, Ganges and Indus rivers, which are currently threatened by industrial pollution and overexploitation. In the context of environmental permits, the principle of *lā ḍarar wa lā ḍirār* can serve as a tool to assess whether a project will cause long-term damage to local communities, especially vulnerable groups such as small farmers, fishermen, and indigenous peoples. This transformation can strengthen pollution control policies by incorporating the Sharia obligation to preserve clean air, water, and soil.

In central Asian cities such as Beijing, Delhi, Dhaka, Bangkok, and Jakarta, air pollution has reached levels that threaten public health. Implementing the principles of environmental fiqh at the policy level can encourage countries to tighten industrial emissions standards, reduce reliance on coal, and expand environmentally friendly public transport infrastructure. In the energy sector, the principle of *al-maṣlaḥah al-‘āmmah* can serve as a basis for Asian countries to transition to renewable energy more seriously, given the energy sector's enormous impact on the climate crisis. Environmental fiqh, in its institutionalised form, can provide moral and legal legitimacy for countries to carry out structural reforms that would be difficult to implement if based solely on economic and political considerations.

The transformation of environmental fiqh also requires analysis of the role of civil society in monitoring the state and corporations. In many Asian countries, civil society is often the primary force opposing extractive, environmentally destructive development projects (Nurizka, Jamil, et al., 2025; Rembulan et al., 2025). Muslim communities in Indonesia, Malaysia, India, Pakistan, and Bangladesh have formed various religious-based ecological movements that promote environmental justice. The roles of Islamic boarding schools in Indonesia, mosques and *majlis ta’līm* in Malaysia, and Sufi communities in South Asia show that religious institutions can serve as a basis for building collective ecological awareness and social movements that fight for the rights of local communities to natural resources. These movements can be combined with the expanded framework of environmental fiqh to increase their advocacy power in shaping public policy.

In relation to indigenous peoples, traditional fishermen, and other vulnerable groups, institutionalised environmental fiqh can help advance their ecological rights, which are often neglected in development processes. Many mega-projects in Asia, such as coal mines in India and Pakistan, forest clearing in Papua and Kalimantan, and reclamation projects in Indonesia and the Philippines, displace local communities from their homes. Environmental fiqh can help to emphasise that land, water, and natural resources are not merely economic assets that can be transferred to corporations, but are a trust that must be safeguarded for the public good (Nasrullah et al., 2025).

The principles of fiqh can serve as an ethical instrument for assessing development projects and providing religious legitimacy for community movements fighting for ecological justice. In some countries, such as Indonesia, Islamic scholars and organisations have issued fatwas prohibiting forest burning or mandating the protection of rivers, and this step can be expanded into formal cooperation between religious institutions, the government, and civil society to produce more inclusive and equitable environmental policies. However, the transformation of environmental fiqh into a socio-economic governance framework faces not only conceptual challenges, but also serious structural obstacles.

The dominance of political and corporate interests is a significant obstacle to the implementation of environmental policies in Asia. Many countries in the region depend on

foreign investment and commodity exports for economic growth, which are heavily reliant on the exploitation of natural resources (Nurizka, Islami, et al., 2025). As a result, environmental policies are often compromised or weakened to attract investment. Under these conditions, fatwas or moral appeals cannot curb exploitative practices unless robust regulations and consistent law enforcement support them. The integration of environmental fiqh into public policy must be accompanied by accountability mechanisms that hold states and corporations accountable to the principles of ecological sustainability. For example, the concept of *hisbah* can be reconceptualised as an environmental oversight institution with the authority to investigate violations and impose sanctions on corporations that damage ecosystems.

Another challenge lies in the weak enforcement of environmental laws in many Asian countries. Many regulations have been enacted but are not effectively implemented due to corruption, insufficient administrative capacity, or conflicts of interest within the bureaucracy. In Indonesia, for example, cases of forest burning often go unpunished despite their damaging effects on public health and ecosystems. In India, pollution standards are frequently violated without significant consequences (Wang et al., 2023). In China, despite progress in environmental policy, violations still occur at the local level due to economic pressures (Guo, 2023). environmental fiqh within the framework of governance cannot function without a strong legal structure. Therefore, this transformation requires cooperation between religious institutions, academics, policymakers, and civil society organisations to strengthen law enforcement and ensure that the ecological principles derived from fiqh are actually implemented.

The conflict of interest between economic development and ecological preservation is the most difficult structural obstacle to overcome. Asian countries are currently in a phase of rapid industrialisation that cannot be abruptly halted without disrupting economic and political stability. However, uncontrolled economic growth has incurred enormous ecological costs. The transformation of environmental fiqh into an economic governance framework entails providing an alternative to the extractive development model by grounding it in sustainability principles derived from Islamic values. A development model that is responsive to environmental fiqh must emphasise the principles of moderation, equitable resource distribution, and protection of ecological functions.

CONCLUSION

Environmental fiqh, when read critically and reconstructed progressively, can be understood as a legal philosophy project that reorganises the relationship between humans, nature, and development within the framework of Islamic ethics. It does not merely add an environmental dimension to classical fiqh, but shifts the basic paradigm from exploitative anthropocentrism to moral responsibility oriented towards sustainability. In the Asian context, where development is often legitimised by an economic growth logic that ignores ecological limits and widens social inequality, environmental fiqh offers constructive normative criticism. Through the integration of ecological *maqāṣid* and intergenerational ethics, sustainability is not understood as a pragmatic compromise, but as a legal objective in itself, where protection of nature, social justice, and the survival of future generations are an integral part of the ideal of *maṣlaḥah*.

The revitalisation of fiqh concepts such as *amānah*, *maṣlaḥah*, and *hisbah* opens up opportunities for environmental fiqh to function as an operational normative instrument in public governance. *Amānah* provides an ethical basis for accountable natural resource management, and *maṣlaḥah* provides a policy evaluation framework that goes beyond short-

term gains. At the same time, *hisbah* introduces a dimension of social oversight of the state and corporations. Thus, environmental fiqh does not stop at moral discourse or abstract criticism, but can influence public policy, economic practices, and strengthen civil society. The challenge ahead is to ensure that this normative framework is tested and developed through rigorous empirical research, so that the ethical transformation it offers can truly redirect environmental development and governance in Asia towards a more just, sustainable future in harmony with Islamic values.

ACKNOWLEDGEMENTS

The authors wish to express their sincere gratitude to the editor and the reviewers for their insightful comments and constructive suggestions, which have materially enhanced the quality of this manuscript. Any remaining errors or omissions are solely the responsibility of the authors.

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