



Reconstructing Islamic Ecological Jurisprudence in Indonesia: A *Maqāṣid al-Sharī'ah* Framework for Climate Resilience and Environmental Justice

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Abstract

Climate change in Indonesia presents not only an environmental challenge but also a legal and distributive justice issue, particularly amid land conversion, extractive development, forest degradation, and unequal exposure to climate risks. This study examines how Islamic ecological jurisprudence can be reconstructed to strengthen climate resilience and environmental justice within Indonesia's plural legal order. Using a qualitative documentary legal-empirical approach, the study combines doctrinal analysis, structured content analysis of environmental laws, climate policy documents, and MUI fatwas, alongside secondary analysis of published climate litigation data. The findings reveal substantial normative convergence between Islamic ecological principles and environmental justice, particularly in the prevention of harm, protection of life and livelihoods, ecological sustainability, public responsibility, and accountability. However, significant institutional fragmentation remains, as ecological norms are not consistently translated into justice-sensitive mechanisms addressing vulnerability, participation, recognition, cumulative harm, intergenerational responsibility, and remedies. To address this gap, the study proposes the *Maqāṣid Ecological Justice Framework* (MEJF), which conceptualizes ecological integrity as an enabling condition for protecting life, progeny, intellect, property, and human dignity. The framework introduces six operational criteria for climate governance and fatwa formulation: ecological integrity, protection of essential interests, vulnerability and distribution, participation and recognition, intergenerational responsibility, and accountability and remedy. The study contributes a *maqāṣid*-based framework for connecting Islamic ecological jurisprudence with contemporary environmental justice and climate governance in Indonesia.

Keywords: Islamic ecological jurisprudence; *maqāṣid al-sharī'ah*; climate resilience; environmental justice; climate governance; Indonesia

Abstrak

Perubahan iklim di Indonesia tidak hanya merupakan persoalan lingkungan, tetapi juga persoalan hukum dan keadilan distributif, terutama di tengah konversi lahan,

pembangunan ekstraktif, degradasi hutan, dan ketimpangan paparan terhadap risiko iklim. Penelitian ini mengkaji bagaimana fikih ekologis Islam dapat direkonstruksi untuk memperkuat ketahanan iklim dan keadilan lingkungan dalam tatanan hukum plural di Indonesia. Penelitian menggunakan pendekatan kualitatif dengan desain yuridis-dokumen empiris melalui analisis doktrinal, analisis isi terhadap peraturan lingkungan, dokumen kebijakan iklim, dan fatwa MUI, serta analisis sekunder terhadap data litigasi iklim yang telah dipublikasikan. Hasil penelitian menunjukkan adanya konvergensi normatif yang kuat antara prinsip ekologis Islam dan keadilan lingkungan, khususnya dalam pencegahan kemudharatan, perlindungan kehidupan dan penghidupan, keberlanjutan ekologis, tanggung jawab publik, dan akuntabilitas. Namun, masih terdapat fragmentasi kelembagaan karena norma ekologis belum secara konsisten diterjemahkan ke dalam mekanisme yang sensitif terhadap kerentanan, distribusi manfaat dan risiko, partisipasi, pengakuan, dampak kumulatif, tanggung jawab antargenerasi, serta pemulihan. Penelitian ini menawarkan Maqāṣid Ecological Justice Framework (MEJF) yang menempatkan integritas ekologis sebagai kondisi yang memungkinkan perlindungan jiwa, keturunan, akal, harta, dan martabat manusia. Kerangka ini mengusulkan enam kriteria operasional untuk tata kelola iklim dan perumusan fatwa, yaitu integritas ekologis, perlindungan kepentingan dasar, kerentanan dan distribusi, partisipasi dan pengakuan, tanggung jawab antargenerasi, serta akuntabilitas dan pemulihan. Penelitian ini berkontribusi pada pengembangan fikih ekologis berbasis maqāṣid yang menghubungkan etika Islam dengan keadilan lingkungan dan tata kelola iklim di Indonesia.

Kata kunci: fikih ekologis Islam; maqāṣid al-sharī'ah; ketahanan iklim; keadilan lingkungan; tata kelola iklim; Indonesia.

Introduction

Climate change has altered the legal meaning of environmental protection in Indonesia. Pollution, deforestation, mining, forest fire, coastal degradation, and biodiversity loss now interact with rising climate hazards and with policies designed to reduce emissions. Indonesia's current framework includes the Second Nationally Determined Contribution, the National Adaptation Plan, Government Regulation No. 26 of 2025, and Presidential Regulation No. 110 of 2025 on carbon economic value and greenhouse-gas control. Together, these instruments place mitigation, adaptation, resilience, and institutional capacity within a more integrated policy architecture.¹

¹ Government of Indonesia, "Government Regulation No. 22 of 2021 on the Implementation of Environmental Protection and Management," 2021; Government of Indonesia, "National Adaptation Plan of the Republic of Indonesia," 2025; Government of Indonesia, "Presidential Regulation No. 110 of 2025 on the Implementation of Carbon Economic Value Instruments and National Greenhouse Gas Emissions Control," 2025.

The urgency is social and legal as much as ecological. Climate harm is distributed unevenly, while environmental decisions determine who receives economic benefits, who bears pollution or disaster risks, who participates, and who can obtain remedies. Environmental justice research therefore treats distribution, recognition, participation, and redress as central to legitimate environmental governance.² In Indonesia, where many communities depend directly on forests, coasts, fisheries, agriculture, and other ecological systems, resilience cannot be measured only by aggregate emission reductions or investment volumes.

Global scholarship has developed several responses to this problem through climate justice, energy justice, just transition, rights-based environmental governance, and climate litigation. These studies explain how decarbonization can itself reproduce inequality if local burdens are ignored.³ Islamic environmental scholarship provides a parallel vocabulary of stewardship, balance, public welfare, prohibition of waste, and prevention of harm. Yet these traditions are rarely joined in a framework capable of evaluating concrete climate and development decisions.⁴

The Indonesian literature shows the same separation. Mangunjaya and McKay (2012) demonstrate the role of Islamic reasoning in conservation practice, while Gade links Indonesian Muslim environmentalism to scripture, law, institutions, and lived experience. MUI has also produced a sequence of environmental fatwas

² D. Schlosberg, *Defining Environmental Justice: Theories, Movements, and Nature* (Oxford University Press, 2007); D. Schlosberg and L. B. Collins, "From Environmental to Climate Justice: Climate Change and the Discourse of Environmental Justice," *WIREs Climate Change* 5, no. 3 (2014): 359–74.

³ K. Jenkins et al., "Energy Justice: A Conceptual Review," *Energy Research & Social Science* 11 (2016): 174–82; P. Newell and D. Mulvaney, "The Political Economy of the Just Transition," *The Geographical Journal* 179, no. 2 (2013): 132–40; J. Setzer and L. C. Vanhala, "Climate Change Litigation: A Review of Research on Courts and Litigants in Climate Governance," *WIREs Climate Change* 10, no. 3 (2019): e580.

⁴ R. C. Foltz et al., eds., *Islam and Ecology: A Bestowed Trust* (Harvard University Press, 2003); A. M. Gade, "Tradition and Sentiment in Indonesian Environmental Islam," *Worldviews: Global Religions, Culture, and Ecology* 16, no. 3 (2012): 263–85; R. Karim, "Islamic Environmental Law Revisited as an Academic Discipline: Empowering Community-Led Compliance in Muslim Countries," in *The Cambridge Handbook of Islam and Environmental Law*, ed. N. B. Ahmad et al. (Cambridge University Press, 2026).

on mining, endangered species, waste, forest burning, and, most recently, climate change.⁵ Azis reads Fatwa No. 86 of 2023 as part of the construction of Indonesian eco-fiqh. What remains less developed is its relationship to environmental justice and state climate governance.⁶

This article addresses two questions. First, how can *maqāṣid al-sharī'ah* be reconstructed so that ecological protection becomes a legally meaningful framework for climate resilience and environmental justice rather than only an ethical argument for conservation? Second, how can such a framework interact with Indonesia's positive environmental and climate law without erasing the difference between religious legal opinion and state legislation? The underlying problem is institutional fragmentation: ecological norms exist in several normative systems, but their relationship to vulnerability, participation, long-term harm, and remedy remains insufficiently integrated.

Maqāṣid al-sharī'ah provides a relevant theoretical lens because it evaluates law through the purposes and interests that legal norms should protect. Classical formulations focus on religion, life, intellect, progeny, and property, while contemporary systems approaches emphasize interconnected purposes, consequences, and changing social contexts.⁷ Ecological scholarship has consequently proposed *hifẓ al-bi'ah*, protection of the environment, as either an additional *maqṣad* or a condition supporting the classical necessities.⁸

⁵ Kusyaeni Kusyaeni Iskandar Dzulkurnain Asmuni Asmuni, "Considering The MUI Fatwa Method in Determining The Heretical Fat-Wa from The Perspective of Maqosid Sharia," *Eduvest - Journal Of Universal Studies*, ahead of print, 2025, <https://doi.org/10.59188/eduvest.v5i4.1825>.

⁶ Mohd Istajib Mokhtar Abd. Aziz Rekan, "The Development of Eco-Tahfiz In Malaysia: Bridging Islamic Education and Environmental Sustainability," *ULUMUNA*, ahead of print, 2025, <https://doi.org/https://doi.org/10.20414/ujis.v29i1.1431>.

⁷ Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (International Institute of Islamic Thought, 2008).

⁸ Yusuf al-Qaradawi, *Fiqh Al-Zakah: A Comparative Study of Zakah, Regulations and Philosophy in the Light of the Qur'an and Sunnah*, trans. Monzer Kahf (Scientific Publishing Centre, King Abdulaziz University, 1999). M. K. Khuluq and Asmuni, "Hifz Al-Bi'ah as Part of Maqashid al-Shari'ah and Its Relevance in the Context of Global Climate Change," *Indonesian Journal of Interdisciplinary Islamic Studies* 7, no. 2 (2025).

The study develops the second position. Rather than placing *hifẓ al-bi'ah* beside the classical objectives as one more item, it treats ecological integrity as an enabling condition for their realization. Life depends on safe water, air, food, and climate; property and livelihood depend on productive ecosystems; progeny is affected by environmental burdens transferred across generations; and intellect depends partly on access to reliable information in environmental decision-making. This proposition is examined against Indonesian legislation, climate-policy documents, MUI fatwas, and published climate-litigation evidence.

The article contributes a *Maqāṣid* Ecological Justice Framework (MEJF) that connects Islamic purposive reasoning with environmental justice. Its argument is that Indonesia's principal challenge is not the absence of environmental norms but the lack of a common evaluative architecture linking ecological integrity, protected human interests, vulnerability, participation, intergenerational responsibility, and remedy. The framework is intended as an interpretive tool for environmental assessment, adaptation planning, carbon governance, natural-resource decisions, judicial reasoning, and fatwa development, not as a substitute for scientific standards or Indonesia's formal legal hierarchy.

Literature Review

The literature relevant to Islamic ecological jurisprudence can be divided into three broad trajectories. The first examines the normative foundations of Islam and ecology, including *tawhīd*, *khilāfah*, *amānah*, *mīzān*, *maṣlaḥah*, the prohibition of *fasād*, and restrictions on waste and harmful exploitation. The second examines the process through which Islamic environmental ethics become institutions, including Islamic environmental law, fatwas, waqf, conservation movements, education, and community practice. The third examines the social and legal consequences of environmental governance, particularly climate vulnerability, justice, litigation, and rights. Although these literatures overlap, they have generally developed through different disciplinary conversations. The result is a rich normative vocabulary without an

equally developed mechanism for evaluating the justice implications of climate policy.⁹

The first trend asks why environmental protection should matter in Islamic jurisprudence. Earlier scholarship by Izzi Dien (2000), Foltz et al. (2003), Al-Qaradawi (2001), and Saniotis (2012) identifies a theological relationship in which human beings are neither unrestricted owners of nature nor external observers of it. Creation has value, human authority is constrained by responsibility, and resource use is subject to moral and legal limits. Within maqāṣid analysis, environmental protection becomes especially important because ecological degradation directly threatens life, health, water, food, property, family continuity, and social order. Auda's (2008) systems approach further enables maqāṣid to move beyond a rigid enumeration of protected interests toward relationships among purposes, consequences, and changing contexts. Khuluq and Asmuni (2025) consequently formulate *ḥifẓ al-bi'ah* as an ecological foundation for realizing the other essential maqāṣid in the context of climate change.

This development is conceptually important but remains contested. If *ḥifẓ al-bi'ah* is simply treated as a sixth objective placed beside life, property, intellect, progeny, and religion, ecological concerns may remain another sector to be balanced against competing economic interests. An alternative interpretation is relational. Healthy ecological systems are prerequisites for the continued protection of human life and social welfare. Water insecurity threatens *ḥifẓ al-naḥs*; climate-induced displacement affects *ḥifẓ al-nasl* and human dignity; destruction of livelihoods affects *ḥifẓ al-māl*; misinformation and exclusion from environmental knowledge implicate *ḥifẓ al-'aql*; and ecological destruction that undermines entire communities affects the conditions in which religious and social life can continue. This relational interpretation is more consistent with contemporary systems-oriented maqāṣid thinking and with emerging Islamic environmental law scholarship.

The second research trend examines institutionalization. Studies of Islamic environmentalism in Indonesia show that ecological theology can become social practice through *pesantren*, religious leaders, conservation campaigns, environmental education, fatwas, and

⁹ Karim, "Islamic Environmental Law Revisited as an Academic Discipline: Empowering Community-Led Compliance in Muslim Countries."

community initiatives. Mangunjaya and McKay show that Islamic religious reasoning can mobilize support for conservation rather than generate resistance to it. Gade demonstrates that Muslim environmentalism is produced through combinations of scripture, law, sentiment, social institutions, and lived environmental experience. Related work on faith-based conservation in Indonesia confirms the importance of religious institutions for community-level ecological action.¹⁰

MUI's environmental jurisprudence provides a clearer legal-normative sequence. Fatwa No. 22 of 2011 conditioned mining on public benefit and environmental responsibility and rejected environmentally destructive extraction. Fatwa No. 4 of 2014 addressed the conservation of endangered species and ecological balance, while Fatwa No. 47 of 2014 dealt with waste management to prevent environmental destruction. Fatwa No. 30 of 2016 prohibited forest and land burning that causes pollution, damage, health effects, or losses to others. Fatwa No. 86 of 2023 then moved from sectoral environmental problems to climate change itself, affirming duties concerning mitigation, adaptation, carbon-footprint reduction, and a just energy transition. Recent scholarship reads this sequence as part of the emergence of Indonesian eco-fiqh, but its consequences for environmental justice remain underdeveloped.

The third trend moves from normative legitimacy to consequences. Environmental justice scholarship distinguishes several questions: who receives environmental benefits, who bears burdens, whose identities and ways of life are recognized, who participates in decision-making, and what remedies are available after harm occurs.¹¹

Climate justice adds temporal and geographical complexity because emissions, vulnerability, adaptation capacity, and responsibility are unevenly distributed. Just-transition scholarship adds another concern: policies designed to decarbonize economies may themselves create concentrated social or ecological burdens unless fairness is incorporated into the transition process.¹² Consequently, a

¹⁰ Gugah Praharawati Fachruddin Majeri Mangunjaya, "Fatwas on Boosting Environmental Conservation in Indonesia," *Religions*, ahead of print, 2019, <https://doi.org/https://doi.org/10.3390/rel10100570>.

¹¹ Schlosberg, *Defining Environmental Justice: Theories, Movements, and Nature*.

¹² Newell and Mulvaney, "The Political Economy of the Just Transition."

project cannot be considered just merely because it serves a low-carbon objective.

The Indonesian climate-litigation literature makes this problem concrete. Sulistiawati identified 112 climate-related criminal and civil cases between 2010 and 2020. Most were not framed as dedicated climate lawsuits, but climate science or climate consequences appeared in claims, expert evidence, legal argument, judicial considerations, or remedies. Seventy-one percent of the identified cases were criminal cases, particularly involving forests and forest fires. Civil cases were fewer but often contained deeper arguments connecting environmental degradation, climate impacts, state responsibility, scientific evidence, and rights. The study also identifies procedural barriers, including problems concerning legal standing and other formal requirements. This evidence shows that climate governance in Indonesia is already entering legal dispute resolution even without a single overarching climate change statute.¹³

The principal limitation of previous research is therefore not a lack of Islamic ecological concepts or environmental-law analysis. It is fragmentation between normative, institutional, and justice-oriented scholarship. Studies of *ḥifẓ al-bi'ah* often establish that environmental preservation is consistent with *maqāṣid* but stop before formulating standards for judging an actual mining permit, adaptation program, carbon project, energy transition, or climate remedy. Studies of Indonesian environmental law explain statutory obligations and litigation but generally do not examine how Islamic normative reasoning might strengthen social legitimacy or produce a more integrated conception of ecological harm. Studies of environmental Islam demonstrate religious mobilization but often focus on behavior, conservation, or education rather than the distribution of climate risk and decision-making power.

This article addresses that gap through two moves. First, it reconstructs *ḥifẓ al-bi'ah* as an ecological condition underlying the classical *maqāṣid* rather than merely adding environmental protection to an expanding list of objectives. Second, it connects *maqāṣid* reasoning with five justice dimensions: distribution, procedure,

¹³ L. Y. Sulistiawati, "Climate Change Related Litigation in Indonesia," *Communications Earth & Environment* 5 (2024): 522, <https://doi.org/10.1038/s43247-024-01684-1>.

recognition, correction, and intergenerational responsibility. The resulting MEJF asks not simply whether an activity is environmentally beneficial or economically useful, but whether it preserves ecological integrity, reduces vulnerability, protects essential interests, distributes environmental burdens fairly, recognizes affected communities, ensures meaningful participation, and provides accountability. This direction responds to recent calls to develop Islamic environmental law as a field capable of influencing practical governance rather than remaining mainly an ethical discourse.¹⁴

Method

This study adopts a qualitative documentary legal-empirical design. It is doctrinal because it interprets the purposes, concepts, and relationships found in Islamic jurisprudence and Indonesian positive law. It is empirical in a documentary sense because the analysis does not stop at abstract legal propositions. It examines observable legal-policy outputs, environmental fatwas, climate planning instruments, and published case-law data showing how climate arguments have entered Indonesian courts. This design was chosen because the research question concerns the relationship between normative systems and governance practice rather than public attitudes or individual religious behavior. No interview data or field observations are attributed to the study.

Table 1. Research Design and Analytical Corpus

Component	Materials	Analytical purpose
Islamic jurisprudential foundation	Maqāṣid literature, Islamic environmental law, fiqh al-bi'ah	Identify legal purposes and ecological principles
Indonesian positive law	Constitution, Law No. 32/2009, Law No. 16/2016, PP No. 22/2021, PP No. 26/2025, Perpres No. 110/2025	Identify enforceable environmental and climate obligations

¹⁴ Karim, “Islamic Environmental Law Revisited as an Academic Discipline: Empowering Community-Led Compliance in Muslim Countries.”

Component	Materials	Analytical purpose
National climate policy	LTS-LCCR 2050, Enhanced NDC 2022, Second NDC 2025, National Adaptation Plan 2025	Assess mitigation, resilience, adaptation, finance, and governance priorities
Islamic normative practice	MUI Fatwas No. 22/2011, No. 4/2014, No. 47/2014, No. 30/2016, No. 86/2023	Trace development of Indonesian Islamic ecological jurisprudence
Judicial practice	Published climate-related litigation dataset and representative environmental cases	Test how climate harm, science, rights, and remedies enter legal reasoning
Secondary scholarship	Peer-reviewed studies on climate justice, Islamic environmentalism, ecological law, and Indonesian governance	Contextualization and triangulation

The unit of analysis is the normative proposition or governance rule connecting an ecological condition with a protected interest, institutional obligation, justice claim, or remedy. For example, a provision requiring climate adaptation is not coded only as adaptation. It is examined in relation to the interest protected, the persons or ecosystems recognized as vulnerable, the responsible institution, the participation mechanism, and the available form of accountability. This creates an analytical bridge between Islamic legal purposes and the institutional structure of climate governance.

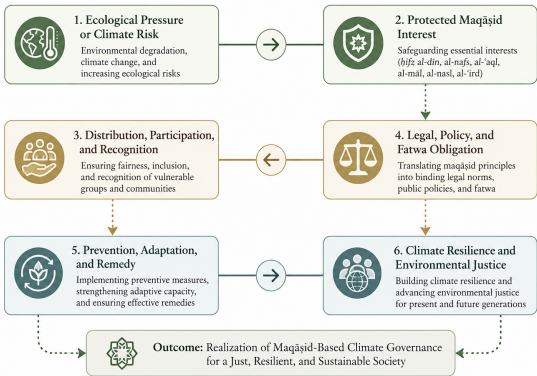


Figure 1. Maqāṣid Ecological Justice Framework (MEJF): From Ecological Risk to Climate Resilience and Environmental Justice

Figure 1. Unit-of-analysis logic for the documentary legal-empirical design

Primary legal materials were selected purposively according to three criteria. First, the document had to regulate environmental protection, climate mitigation, adaptation, carbon governance, natural-resource use, or a directly related Islamic legal question. Second, it had to possess national normative significance or provide evidence of national jurisprudential development. Third, the study prioritized instruments relevant to Indonesia's post-2025 climate architecture while retaining older instruments necessary to trace institutional development. The Second NDC is particularly important because it records the transition toward low-carbon and climate-resilient development, identifies adaptation across economic, social, livelihood, ecosystem, and landscape systems, and estimates substantial financing needs for implementation (Government of Indonesia).

Data collection followed a structured document-review protocol. Texts were read using an analytical codebook organized around: ecological integrity; protection of life and health; livelihood and property; future generations; knowledge and scientific evidence; mitigation; adaptation and resilience; distribution of costs and benefits; recognition of vulnerable or affected groups; participation; accountability and remedy; and institutional responsibility. Islamic materials were additionally coded for *maṣlahah*, *mafsadah*, *lā ḍarar wa-lā ḍirār*, *mīzān*, *amānah*, *khilāfah*, *isrāf*, and the five classical *maqāṣid*.

Analysis proceeded in three stages. The first was descriptive and identified areas of normative convergence or divergence between Islamic and state environmental frameworks. The second was critical and examined the factors preventing those norms from producing justice-sensitive climate governance. The third was constructive, translating the findings into the MEJF. Triangulation was conducted by comparing doctrinal propositions with policy documents and published case-law evidence. In particular, Sulistiawati's dataset of 112 climate-related cases was treated as secondary empirical evidence rather than represented as original field data collected for this study.

The design has two methodological safeguards. First, normative claims were separated from empirical claims so that Islamic legal reasoning was not presented as proof of actual implementation. Second, institutional documents were read in relation to their legal status. A fatwa was treated as a religious legal opinion with social and moral authority, not as equivalent to a statute; an NDC or adaptation plan was

treated as a climate-policy commitment; and enacted legislation was treated according to its formal place in Indonesia's legal hierarchy. This distinction allows comparison without erasing the plural character of Indonesia's normative order.

Results

Normative Convergence: From Environmental Protection to Climate Responsibility

The descriptive analysis shows substantial normative convergence between Islamic ecological jurisprudence and Indonesian environmental law, even though each derives authority from a different source. Law No. 32 of 2009 establishes prevention of pollution and environmental damage, sustainable development, environmental planning, administrative responsibility, and access to remedies. Government Regulation No. 22 of 2021 operationalizes environmental approvals and management standards, while Government Regulation No. 26 of 2025 strengthens environmental protection and management planning. The post-2025 climate framework adds the Second NDC, the National Adaptation Plan, and Presidential Regulation No. 110 of 2025 on carbon economic value and national greenhouse-gas control.

Read together, these instruments do not treat ecological protection as an isolated policy field. They connect ecosystem conditions with development planning, risk management, public administration, climate mitigation, adaptation, and long-term resilience. That structure corresponds closely to maqāṣid reasoning because ecological conditions determine whether protected interests can be preserved in practice.

The same pattern appears within Indonesian Islamic legal development. MUI Fatwa No. 22 of 2011 links the permissibility of mining to public benefit and environmental responsibility. Fatwas No. 4 and No. 47 of 2014 extend Islamic legal concern to endangered species, ecosystem balance, waste, and pollution, while Fatwa No. 30 of 2016 prohibits forest and land burning when it produces environmental damage, health effects, or losses to others. Fatwa No. 86 of 2023 then moves from sector-specific problems to climate change by addressing mitigation, adaptation, carbon-footprint reduction, and just energy transition.

This sequence indicates a change from reactive rulings on individual environmental harms toward a more systemic ecological

jurisprudence. It also shows that contemporary fatwa reasoning increasingly depends on scientific and policy knowledge, which is consistent with a *maqāṣid* approach concerned with consequences and public welfare rather than formal classification alone.¹⁵

The descriptive finding can therefore be restated in *maqāṣid* terms: Indonesia already possesses many normative components of ecological jurisprudence, but they remain dispersed across state law, policy, religious legal opinion, and litigation. Ecological integrity is best understood not merely as a sixth objective added to religion, life, intellect, progeny, and property, but as a material condition that allows those interests to exist.

Air pollution and disaster risk affect *ḥifẓ al-naḥs*; destruction of farms, fisheries, and forests affects *ḥifẓ al-māl*; cumulative climate impacts implicate *ḥifẓ al-naḥs*; and exclusion from environmental information can weaken *ḥifẓ al-aql*. The analytical consequence is important. If *ḥifẓ al-bi'ah* is transversal, environmental protection cannot be postponed until after economic or administrative decisions have been made. It must inform the assessment of those decisions from the beginning, especially where ecological damage could be irreversible or could undermine several protected interests simultaneously.

The Justice Deficit: Institutional Fragmentation, Vulnerability, and Access to Remedy

The critical analysis identifies a justice deficit produced by institutional fragmentation. Indonesia has increasingly sophisticated rules for environmental approval, mitigation, adaptation, carbon instruments, monitoring, and planning, yet these systems do not automatically determine whose interests should receive priority when costs and benefits conflict. Aggregate resilience can improve while particular communities remain exposed to land loss, pollution, declining fisheries, disaster risk, or reduced access to water and forests. Environmental justice makes this problem visible by asking who receives environmental benefits, who carries burdens, whose knowledge and identity are recognized, and who can influence decisions.

¹⁵ Abd. Aziz Rekan, "The Development of Eco-Tahfiz In Malaysia: Bridging Islamic Education and Environmental Sustainability"; Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*.

A maqāṣid reading deepens the question. Protection of property cannot be limited to registered ownership when an ecosystem is the basis of livelihood, and protection of life cannot be limited to immediate mortality when chronic pollution, heat, food insecurity, or recurrent flooding gradually erode health and security. The justice problem is therefore partly a problem of how law defines the interests that count.

Published climate-litigation evidence shows that these questions are already entering Indonesian courts. Sulistiawati (2024) identified 112 climate-related criminal and civil cases between 2010 and 2020, with 71% classified as criminal cases, particularly those involving forestry and forest fires. Civil cases were fewer, but they more often connected climate science, environmental degradation, state responsibility, rights, and requested remedies. The importance of this evidence is not simply that climate claims exist. It shows how substantive ecological concerns can be filtered through procedural requirements. Legal standing, the identification of defendants, pleading rules, and other formal barriers may determine whether a claim is heard even when underlying environmental harm is scientifically plausible.

From a *maqāṣid* perspective, procedure is therefore not external to justice. A legal system that recognizes the prevention of harm in principle may still frustrate that purpose if affected groups cannot realistically access review, present evidence, or obtain restoration and compensation. A second factor is the separation of national mitigation benefits from local environmental burdens.

Decarbonization is necessary, but a low-carbon label does not establish that a project is just. Renewable-energy infrastructure, transition-mineral extraction, carbon projects, hydropower, bioenergy, or conservation initiatives may still generate displacement, ecosystem loss, livelihood disruption, or unequal economic gains. Just-transition scholarship warns that climate policy can reproduce existing inequality when social and ecological safeguards are weak.¹⁶

Maqāṣid reasoning reaches a similar conclusion through the relationship between *maṣlahah* and *mafsadah*: the pursuit of one public benefit does not automatically justify serious and avoidable harm imposed on another group. The critical finding is therefore that climate benefit must be distinguished from climate justice. A policy can

¹⁶ Jenkins et al., “Energy Justice: A Conceptual Review”; Newell and Mulvaney, “The Political Economy of the Just Transition.”

contribute to an NDC target while remaining normatively deficient if it externalizes ecological costs, excludes affected communities, or transfers irreversible burdens to future generations.

A Transformative Model: The Maqāṣid Ecological Justice Framework

The transformative finding is the *Maqāṣid* Ecological Justice Framework (MEJF), an evaluative model composed of six connected tests. The first is ecological integrity, which asks whether ecosystem functions essential to human and non-human life are preserved and whether expected damage is reversible. The second is essential-interest protection, which examines consequences for life and health, livelihood and property, progeny and community continuity, access to reliable knowledge, dignity, and the conditions supporting religious and social life.

The third is vulnerability and distribution, which asks who receives benefits and who carries environmental, health, adaptation, or displacement costs. The fourth is participation and recognition, requiring understandable information, recognition of local knowledge, meaningful consultation, and a realistic ability to influence the decision. The fifth is intergenerational responsibility, which tests cumulative and irreversible effects beyond the immediate project period. The sixth is accountability and remedy, which asks whether affected groups can challenge decisions and obtain restoration, compensation, or other effective redress.

These six tests transform *ḥifẓ al-bi'ah* from a general ethical commitment into a decision-oriented jurisprudential framework. Ecological integrity reflects *mīzān*, *amānah*, and the prohibition of *fasād*; protection of life and livelihood reflects *ḥifẓ al-nafs* and *ḥifẓ al-māl*; participation and access to credible evidence relate to *ḥifẓ al-‘aql* and *shūrā*; long-term consequences are linked to *ḥifẓ al-nasl*; and remedy reflects *‘adl* and the principle *lā ḍarar wa-lā ḍirār*. The MEJF does not replace Indonesia’s environmental legislation, environmental-impact assessment, or scientific risk analysis. Nor does it transform an MUI fatwa into binding state law. Its purpose is interpretive: it provides a common set of questions through which state institutions, courts, Islamic organizations, scholars, and civil society can examine whether a formally lawful climate or development decision is also consistent with ecological welfare and justice.

Table 2. Maqāṣid Ecological Justice Framework

MEJF dimension	Islamic legal basis	Climate/environmental question	Governance application
Ecological integrity	ḥifẓ al-bi'ah, mīzān, prohibition of fasād	Will ecosystem functions be degraded beyond safe or reversible limits?	AMDAL, spatial planning, conservation, licensing
Life and health	ḥifẓ al-nafs, lā ḍarar	Does the decision increase pollution, disaster, heat, water, or food risks?	Adaptation planning, health safeguards
Livelihood security	ḥifẓ al-māl, maṣlaḥah	Who loses access to land, forests, fisheries, or productive resources?	Compensation, social safeguards, just transition
Knowledge and participation	ḥifẓ al-'aql, shūrā, amānah	Do affected groups receive credible information and real influence?	Disclosure, consultation, environmental assessment
Intergenerational justice	ḥifẓ al-nasl	Are long-term and irreversible burdens transferred to future generations?	Long-range planning, cumulative impact assessment
Accountability and remedy	'adl, lā ḍarar, responsibility for harm	Can affected groups challenge decisions and obtain restoration or remedy?	Litigation, administrative review, restoration

Discussion

The findings show that reconstructing Islamic ecological jurisprudence in Indonesia does not require inventing an entirely new body of Islamic norms. The foundations already exist in classical purposive reasoning, contemporary Islamic environmental thought, MUI fatwas, national environmental legislation, climate policy, and emerging climate litigation. What is missing is an integrated way to connect these sources to decisions about vulnerability, participation, long-term ecological loss, and remedy. This explains why the article's main contribution is not a new prohibition or a new list of maqāṣid, but a different architecture of legal reasoning.

The MEJF reorganizes existing principles around the practical conditions under which climate resilience becomes just or unjust. In doing so, it also clarifies the relationship between Islamic normativity and positive law. Religious legal reasoning can inform public ethics and institutional interpretation without being treated as equivalent to binding legislation, while state law can provide enforceability without

exhausting the broader moral questions raised by ecological harm. This integrated view is particularly important where formal compliance does not necessarily produce substantively fair outcomes.

Theoretically, the findings support a relational rather than additive understanding of *ḥifẓ al-bi'ah*. Adding environmental protection as a sixth *maqṣad* is useful insofar as it makes ecology visible, but it can still imply that the environment is one protected sector among several competing interests. A relational approach reaches a stronger conclusion. Ecological integrity is part of the material infrastructure through which the other *maqāṣid* become possible. Safe water, breathable air, productive soil, stable coastlines, and functioning ecosystems are conditions of life; access to land, forests, and fisheries can be conditions of property and livelihood; climatic stability shapes the prospects of future generations; and transparent environmental information enables informed judgment. This reading is compatible with Auda's (2008) systems orientation because it emphasizes interdependence, consequences, and multidimensionality. It also develops the proposition advanced by Khuluq and Asmuni (2025) by specifying how ecological protection can be translated into evaluative tests rather than remaining only a conceptual extension of *maqāṣid* theory. Ecological limits consequently become internal to legal purpose rather than external constraints imposed upon it.

The framework also changes how resilience should be understood. Resilience language can become politically and ethically weak when it asks communities to adapt to damage whose structural causes remain unaddressed. A coastal village may receive protective infrastructure while losing fisheries to ecosystem degradation; a flood-prone settlement may receive preparedness training while upstream land-use pressures continue; or a region may host transition infrastructure while receiving little of the economic benefit. *Maqāṣid*-based resilience therefore requires a sequence of prevention, risk reduction, adaptation, and remedy.

The principle *lā ḍarar wa-lā ḍirār* supports this ordering because avoidable harm should not be normalized merely because adaptation is technically possible. This insight also connects Islamic jurisprudence to environmental justice. Distribution matters because harm and benefit are unequal; recognition matters because ecological relationships differ across communities; participation matters because affected people possess interests and knowledge that cannot be represented adequately

by aggregate models; and remedy matters because resilience cannot substitute for accountability after preventable damage. Adaptation becomes normatively adequate only when it does not conceal avoidable causes of continuing exposure.

Compared with previous studies, the MEJF shifts the field in two directions. Earlier work by Mangunjaya and McKay (2012) and Gade (2012, 2019) established that Islamic ideas can animate conservation, social practice, and environmental identity in Indonesia. Recent work on MUI Fatwa No. 86 of 2023 shows the growing importance of climate change within Indonesian eco-fiqh (Azis, 2025), while Khuluq and Asmuni (2025) strengthen the theoretical basis of ḥifẓ al-bi'ah within maqāṣid. These contributions are essential, but they do not fully explain how Islamic ecological reasoning should evaluate conflicts among climate benefits, development interests, community vulnerability, participation, and remedies. Sulistiawati's (2024) litigation study exposes the opposite side of the same gap by showing how climate-related harm enters courts through legal claims, evidence, standing, and remedies without using Islamic jurisprudence as an analytical lens. The present study connects these literatures and makes institutional fragmentation itself an object of analysis. The comparison therefore moves beyond doctrinal similarity and examines how different normative systems address the same governance failures.

The implications are practical but should be applied cautiously. MUI and other Islamic organizations could incorporate vulnerability, cumulative effects, intergenerational harm, and procedural justice more explicitly into environmental fatwas. Environmental authorities could use maqāṣid-compatible justice indicators as a culturally relevant supplement to environmental assessment, never as a substitute for scientific evidence or statutory requirements. Climate-budgeting institutions could assess not only whether expenditure is climate-related but who gains adaptive capacity from it. Carbon-market and energy-transition governance under Presidential Regulation No. 110 of 2025 could include stronger safeguards for participation, livelihood protection, ecological integrity, and grievance mechanisms. Courts could use the framework as scholarly reasoning when considering ecological interdependence, future harm, and access to remedy. The broader value of the MEJF is therefore translational: it converts Islamic ethical purposes into questions that can be discussed alongside legal standards, climate science, administrative evidence, and

environmental-justice analysis within Indonesia's plural constitutional order. This preserves doctrinal integrity while giving Islamic legal thought a concrete role in public environmental reasoning.

Conclusion

This study reconstructs Islamic ecological jurisprudence in Indonesia by arguing that *maqāṣid al-sharī'ah* should move beyond a general obligation to protect the environment and become a framework for evaluating the justice of climate and development decisions. Analysis of Islamic environmental thought, Indonesian environmental law, climate policy, MUI fatwas, and climate-related litigation reveals substantial convergence around prevention of harm, protection of life and livelihood, ecological sustainability, public responsibility, and accountability. The principal gap lies between the existence of these norms and their conversion into decision rules capable of identifying environmental injustice. The article responds by proposing the *Maqāṣid* Ecological Justice Framework, organized around ecological integrity, essential-interest protection, vulnerability and distribution, participation and recognition, intergenerational responsibility, and accountability and remedy. Its main scholarly contribution is to conceptualize *ḥifẓ al-bi'ah* as an enabling ecological condition for the classical *maqāṣid*. This makes environmental protection constitutive of human welfare rather than a separate objective that can be considered only after economic, administrative, or technological choices have already been made.

The theoretical contribution is accompanied by a methodological one. A documentary legal-empirical design allows Islamic purposive reasoning to be examined against observable governance materials without presenting religious doctrine as empirical proof or converting theological concepts into artificial quantitative variables.

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