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The *Fiqh al-Bi'ah* Paradigm: From Antrhopocentrism to Ecosentrism

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Abstract

Deforestation occurring across various regions in Indonesia triggers hydrometeorological disasters. Recent floods and landslides that struck Aceh, North Sumatra, and West Sumatra in late November 2025 affected critical land areas totaling 464,598 hectares scattered across various Watershed Areas (Daerah Aliran Sungai / DAS). Within the last 30 years, forest cover has drastically decreased by 62%. This alarming situation generates an urgent need for responsive and field-appropriate policies. Conversely, current responses from Islamic law scholars remain heavily normative-anthropocentric; consequently, the dynamics of human-driven activities in exploiting nature are merely viewed as ordinary endeavors without any perceived negative impacts on ecosystem sustainability. This study aims to reformulate hifdz al-bi'ah (environmental jurisprudence) based on justice for indigenous peoples and other local communities affected by unsustainable natural exploitation. Using a library research method with a conceptual approach, the results demonstrate that a thorough reconstruction of the khalifah fil ardh (vicegerent on earth) concept is profoundly required through a deep understanding of hifdz al-bi'ah (environmental preservation). This study concludes that mitigating disasters caused by deforestation necessitates shifting the paradigm of Islamic law from anthropocentric to ecocentric through a reinterpretation of the khalifah fil ardh concept rooted in hifdz al-bi'ah. Therefore, the reformulated concept of fiqh al-bi'ah must place justice for indigenous peoples and affected communities as the primary foundation to establish responsive and sustainable environmental exploitation policies.

Keywords: *Deforestation, Environmental Justice, Fiqh al-Bi'ah*

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Introduction

Hydrometeorological disasters, such as flash floods and landslides, have become tangible threats striking various regions in Indonesia, particularly Aceh, North Sumatra, and West Sumatra. The disaster events occurring at the end of November 2025 mark an increasingly concerning ecological crisis resulting from uncontrolled environmental degradation (Wu et al., 2026). This phenomenon can no longer be viewed merely as an ordinary natural occurrence, but rather as the direct impact of Watershed Area (*Daerah Aliran Sungai* / DAS) destruction triggered by high rates of deforestation. Consequently, land-use conversion and massive loss of forest cover cripple the natural water retention capacity, thereby triggering waves of disasters that destroy settlements, infrastructure, and local livelihoods in these regions. Although extreme rainfall acts as the immediate trigger, when such rain falls upon a compromised upstream landscape, the resulting impact becomes significantly more severe. Furthermore, other studies indicate that disaster events occurring across parts of Sumatra represent an accumulation of occurrences, one of the primary causes being land-use disruption (Lubis, 2026).

Environmental degradation within Watershed Areas (DAS) now poses a serious threat to ecosystem sustainability and community well-being. Data records a highly significant figure: 464,598 hectares of critical land currently scattered across various DAS zones (Zerga, 2025). Land degradation on such a scale not only diminishes the ecological function of rivers as natural water regulators, but also directly impacts the socio-economic sector of local communities—particularly farmers who depend on soil fertility and irrigation water supply. High sedimentation rates caused by critical land erosion accelerate the shallowing of rivers and reservoirs, ultimately triggering clean water crises during dry seasons and flood disasters during rainy seasons. Therefore, these data serve as a stern warning for stakeholders to immediately strengthen DAS governance, tighten spatial planning regulations, and promote sustainable reforestation actions (Setiawan et al., 2026).

The degradation of forest cover across various regions exhibits a increasingly alarming escalation, constituting a primary ecological challenge today. Based on retrospective analysis of deforestation trends, a drastic decline in forest cover reaching 62% has occurred over the last 30 years (Qu et al., 2024). Massive depletion of structural vegetation indicates a severe deficit in biodiversity and habitat fragmentation, while simultaneously disrupting global biogeochemical cycles. Biogeophysically, the loss of forest canopy impairs natural carbon sequestration capacity, which ultimately accelerates greenhouse gas emissions into the atmosphere. In addition to amplifying climate change, this exponential rate of deforestation reduces ecosystem resilience against soil degradation and erosion, as well as triggering significant hydrological disruptions at the landscape scale. Without evidence-based conservation policy interventions and comprehensive mitigation strategies, this declining trend is projected to push forest ecosystems near an irreversible ecological tipping point (Brando et al., 2025).

The complexity of ecological problems and their implications for society necessitate

special handling from the government in the form of responsive policies. Policies that account for factual ecological, social, economic conditions, and regional characteristics must take precedence over normative and administrative considerations. The agenda to shift policies—from an initial focus on human interests toward ecological interests that ultimately impact the sustainability of human life—is crucial to execute. Such a paradigm can be constructed through the concept of *fiqh al-bī'ah*, wherein the relationship between humans and nature is not limited to exploitation for human needs, but is rooted in an *amānah* (trust) tied to monotheistic (*tawḥīd*) values (Banna & Rosyidah, 2025). Shifting the paradigm from anthropocentrism to ecocentrism cannot merely originate from scientific case studies conducted by researchers; rather, this moral paradigm must be introduced into formal discourses within the Indonesian legal system. Sectoral fragmentation and the state law–Islamic ethics dualism represent two poles that must be bridged through progressive and accountable discourse (Susana et al., 2025).

In the history of Indonesian positive environmental law, the first regulation enacted was Law Number 4 of 1982 concerning Basic Provisions for Environmental Management. As the first-generation environmental law in Indonesia, Law Number 4 of 1982 (UU PPLH 1982) holds a crucial position as a pioneer framework establishing the positive legal foundation for national environmental governance. Enacted as a domestic articulation following the UN Conference on the Human Environment in Stockholm (1972), UU PPLH 1982 introduced the concepts of ecosystem and *Wawasan Nusantara* (archipelagic outlook) into the Indonesian legal order through the recognition that the environment is a spatial unit encompassing all objects, forces, conditions, and living beings. Normatively, this law acted as an umbrella act establishing general environmental management principles, introducing Environmental Impact Assessment (*Analisis Mengenai Dampak Lingkungan* / AMDAL) instruments, and recognizing the rights and duties of every citizen to participate in environmental protection. Nevertheless, philosophically, the substance of Law No. 4 of 1982 remained dominated by an anthropocentric and use-oriented paradigm, wherein nature was viewed primarily as a supporting resource for economic development, alongside limitations in operational law enforcement mechanisms and sanctions (Bethari, 2026).

Subsequent legislation was promulgated in 1997—namely Law Number 23 of 1997 concerning Environmental Management—which was enacted to replace Law No. 4 of 1982 to align national development dynamics with post-Rio Declaration 1992 (Earth Summit) global principles. Substantively, Law No. 23 of 1997 introduced significant strengthenings to law enforcement and institutional instruments through the recognition of the sustainability principle, the distribution of environmental management authority alongside the onset of regional autonomy, and the expansion of community and non-governmental environmental organization (NGO) participation via organizational legal standing (Holland, 2024). Furthermore, this law reinforced pollution prevention instruments through AMDAL compliance, introduced the polluter pays principle, and expanded the qualification of environmental offenses,

encompassing both crimes and violations. Nevertheless, viewed from a philosophical aspect, the normative construction of Law No. 23 of 1997 remained trapped within an anthropocentric paradigm and economic rationality, wherein environmental protection was frequently subordinated to compromises favoring natural resource exploitation and industrial business permit legitimations (Sulistyawan et al., 2025)

The latest positive law enacted by the government in the millennial era is Law Number 32 of 2009 concerning Environmental Protection and Management (UU PPLH 2009), enacted to replace Law No. 23 of 1997, which was deemed incapable of effectively preventing environmental degradation and pollution. UU No. 32 of 2009 marked a substantial shift from mere "management" to "protection and management," establishing a foundation of legal certainty alongside far more responsive and repressive law enforcement mechanisms. Operationally, this law introduced more measurable pollution prevention instruments, such as Strategic Environmental Assessments (*Kajian Lingkungan Hidup Strategis* / KLHS), Environmental Carrying Capacity and Assimilative Capacity (*Daya Dukung dan Daya Tampung Lingkungan Hidup* / D3TLH), AMDAL, UKL-UPL, and Environmental Quality Standards (Kusnadi, 2024). Additionally, UU PPLH 2009 strengthened enforcement by adopting strict liability principles, expanding Civil Servant Investigator (*Penyidik Pegawai Negeri Sipil* / PPNS) authorities, establishing minimum criminal penalties, and guaranteeing legal protection for Environmental Defenders through the Anti-Strategic Lawsuit Against Public Participation (Anti-SLAPP) doctrine under Article 66 (Syahruddina et al., 2025). Despite offering significant normative and administrative breakthroughs, within the context of legal philosophy, UU No. 32 of 2009 generally indicates a continuing dominance of utilitarian-anthropocentric paradigms, wherein environmental protection instruments remain focused on mitigating impacts for human utilization interests rather than fully recognizing the intrinsic rights of nature (Safitri, 2025).

This study seeks to encourage a paradigm shift in environmental regulation through a moral approach articulated within *fiqh al-bīʾah*. This paradigm shift can be optimally realized through several primary aspects: Legal and Public Policy Aspects, Educational and Knowledge Aspects (encompassing Religious, Cultural, and Value Aspects), and Economic Aspects. These three main dimensions represent preliminary steps for policymakers and society to ensure that positive legal norms apply effectively—not merely for human survival, but also for ideal ecological sustainability. Synergy among these aspects serves as the primary key in triggering a substantial, responsive, and organic paradigm shift in Indonesian environmental law regulations rooted in factual societal conditions.

Methods

This study is a normative legal research focusing on the examination of legal principles, doctrines, and philosophical frameworks. The approaches employed include a conceptual approach and a statutory approach. The conceptual approach is utilized to analyze the structure

of *fiqh al-bī'ah* as the core concept for shifting the paradigm from anthropocentrism toward ecocentrism. The analysis was conducted by reviewing Indonesian environmental statutory regulations and connecting them with *fiqh al-bī'ah* principles using prescriptive reasoning.

To obtain a comprehensive view of positive environmental law in Indonesia, the analysis commences with Law Number 4 of 1982 concerning Basic Provisions for Environmental Management. This was subsequently superseded by Law Number 23 of 1997 concerning Environmental Management, and ultimately by Law Number 32 of 2009 concerning Environmental Protection and Management.

Results and Discussion

Reconstruction of the Concep of *Khalifah fil Ardh*

in classical exegesis (*tafsīr*), *khalīfah fī al-arḍ* is interpreted through a hierarchy between God and humans, where humans receive a mandate to preserve the earth by virtue of a status termed *aḥsan at-taqwīm*. However, recent literature indicates that the relevance of classical exegesis regarding human "authority" as stewards does not automatically exclude specific conditions; this runs parallel with moral responsibility, the prohibition against causing destruction, and the obligation to ensure prosperity for the earth and its inhabitants (Khasani, 2025). A holistic and consistent reading of the *khalīfah* concept dispels the legitimacy of human supremacy as ruler; thus, misconceptions regarding the concept can be minimized when paired with elements of *amānah* (trust), *mīzān* (balance), and prohibitions against destruction (Rakhmat, 2022).

The anthropocentric view arises partly due to socio-economic demands that grant space for continuous exploitation. While profits generated from such exploitation yield relatively large economic gains, they fail to deliver significant positive impacts for local communities. This indicates that natural resource exploitation lacks a robust vision for creating long-term societal welfare. Compounded by the involvement of large corporations and elite groups possessing full access to natural resources, economic inequality and environmental degradation are further exacerbated (Anggraeni et al., 2020).

In contemporary research, the concept of *ḥifẓ al-bī'ah* has evolved from being merely a partial jurisprudential derivation to an integral component embedded within *maqāṣid ash-syarī'ah* (Khuluq & Asmuni, 2025). This perspective elevates *ḥifẓ al-bī'ah* to a fundamental position in realizing the five core objectives of Islamic law (*maqāṣid*). In fact, Yusuf al-Qaradawi argues that the primary objectives of Sharia cannot function optimally if the human living environment is not properly preserved (Banna & Rosyidah, 2025). In practice, however, implementing environmental preservation cannot proceed effectively without interdisciplinary approaches, such as integrating environmental jurisprudence, Islamic ecological ethics, and daily life practices.

The interdisciplinary approach necessary for optimizing *ḥifẓ al-bī'ah* relies not solely on scholarly (*'ulamā'*) studies, but also requires sustainable political and economic policy approaches—rather than short-term policies disconnected from sustainable development (Arzam & Kusnadi, 2025). Fundamentally, the Indonesian Constitution provides a specific outlook regarding natural resource utilization, wherein Article 33 Paragraph (3) of the 1945 Constitution states that "*The land, water, and natural resources contained therein shall be controlled by the State and utilized for the greatest prosperity of the people.*" From an anthropological lens, this demonstrates that Indonesia's fundamental objective is human welfare achieved through state-managed resource utilization. Consequently, nature or the environment is treated as an object belonging to factors supporting human welfare, meaning nature lacks independent rights to be preserved for its own sake (Sulistyawan et al., 2025).

As responsible subjects in natural resource utilization, human agency is critical in environmental matters. To uphold this role, strengthening human agency in natural resource utilization cannot rely on scientific research alone. Beyond that, actualizing the role of environmental stewards must be reflected in political and economic policies that prioritize the environment over short-term interests. Fundamentally, Indonesia adopts an anthropocentric outlook in environmental policies. This policy paradigm gradually requires a transition toward policies prioritizing ecocentrism. The environment must not be viewed merely as a resource serving human welfare needs, but must also be positioned as an essential component of life deserving of continuous care and preservation.

In Islamic terminology, humans are designated as *khalīfah fī al-arḍ*, carrying profound moral responsibilities. However, this concept has been misconstrued as a justification for humans to extract benefits from nature exclusively for self-interest (Susana et al., 2025). This misunderstanding reflects the inclination toward instrumental-anthropocentric systems historically adopted by the Indonesian government. Conversely, Islam applies a moral approach to natural resource utilization, wherein this morality stems not from cultural experience, but directly from the Divine (Rozaq & Zain, 2024). Hence, Islamic paradigms position nature as an object for humanity so that the creative potential of creation can be optimally actualized (Rozaq & Zain, 2024). Therefore, *ḥifẓ al-bī'ah* cannot be positioned merely as a supplementary element, but rather as a necessary prerequisite to achieve *ḍarūriyyāt al-khamsah* (the five essential human needs) (Kurniawan & Fadlillah, 2025). A preserved environment directly impacts various facets of life—such as the maximum protection of life, property, and lineage—ultimately enhancing human welfare while maximizing human and environmental potentials according to their respective designations (Kurniawan & Fadlillah, 2025).

Conclusion

Managing and mitigating ecological disasters resulting from massive deforestation requires a fundamental paradigm shift in environmental jurisprudence (*fiqh al-bī'ah*), moving

from an anthropocentric approach centered on human extractive needs to an ecocentric paradigm focused on ecosystem equilibrium. Historically, the primary vulnerability within environmental legal and ethical frameworks stems from conventional interpretations of *khalīfah fī al-arḍ* that have been distorted into theological dominance over nature. This anthropocentric character has produced regulatory imbalances, wherein legal instruments prioritize the economic functions of forests over their intrinsic values (*intrinsic value*). In the context of disaster mitigation, a reconstructed ecocentric *fiqh al-bī'ah* transforms the human role from resource consumers into environmental stewards (*eco-stewardship*). By institutionalizing the principle of *ḥifẓ al-bī'ah* as an essential dimension of *maqāṣid ash-syarī'ah*, protecting ecological integrity is no longer treated as a secondary option, but rather as an absolute legal and theological obligation to prevent systemic destruction (*fasād fī al-arḍ*) and ensure cosmological sustainability.

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