

ISLAMIC ENVIRONMENTAL JURISPRUDENCE: DEVELOPING AN ISLAMIC MODEL OF ENVIRONMENTAL STEWARDSHIP

ISHFAQ AMIN PARREY¹
SHAHZAD BASHIR²

ABSTRACT

In the contemporary era, establishing an optimal relationship between organisms, particularly humans, and their surroundings poses a formidable challenge. The environmental crises we currently face stem from misjudgments inherent in the post-industrial revolution understanding of the relationship between organisms, particularly humans, and their environment. Within the spectrum of perspectives on the environment, Islam advocates a distinctive approach to perceiving organisms, especially humans, their surroundings, and the resulting interrelationship. Maqasid al-Shari'ah (The Higher Intent of Islamic Law) serves as a highly efficacious framework for reassessing this relationship and its diverse components in their intrinsic nature. The paper examines the adverse impacts of consumerism on the environment, then explores the Islamic cosmic order wherein humans are designated with the responsibility of serving as stewards (Khalifah) of the cosmos. Subsequently, it discusses the ethical value of the environmental conservation vis-à-vis maqasid al-Shari'ah and identifies the conservation of environment as one of its goals (Hifz al bi'ah). Finally, it looks into what Islamic law proposes to save environment and suggests some remedies from the reference point of Islam.

Key Words: Islamic law, Conservation, Environment, Maqasid al-Shari'ah, Ecosystem, Ethics.

1. INTRODUCTION

In the wake of global environmental crises, the study of the relationship between Islam and environmentalism has become a fascinating and complex topic in academics nowadays. The convergence of environmentalism and Islamic principles has become a

¹ A Kashmir-based independent researcher with Ph.D. in Islamic Studies, Email: ishfaqamin88@gmail.com

² Faculty Member, Shah-i-Hamadan Institute of Islamic Studies, University of Kashmir, Hazratbal Srinagar, Email: shahzadb063@gmail.com

field of study for scholars who aim to comprehend and tackle the urgent concerns that emerge at the interface of religion and ecology, as civilizations across the globe struggle with increasing environmental challenges. This paper explores environmentalism's issues in an Islamic setting, examining the complexities that emerge when societies attempt to balance environmental concerns with religious precepts. The theme of Islamic environmentalism is infused with legal, historical, cultural, and theological elements that give rise to a distinct and sophisticated viewpoint on environmental problems and conservation of environmental niche. As one of the major religions in the world with second most adherents around the globe, Islam encompasses a wide range of moral precepts, social ideals, and religious beliefs that naturally touch on environmental issues. Because of this intersection, classical Islamic teachings have had to be evaluated in light of modern environmental challenges. This has made it necessary to have a nuanced and contextualised understanding of how Islamic civilizations deal with problems like biodiversity loss, resource depletion, and climate change.

The multiplicity of nations and populations with a majority of Muslims contribute another level of complexity to this conversation since regional differences in political systems, economic systems, and cultural norms affect how environmental issues are viewed and dealt with, which makes studying the environmental issues from the perspective of Islamic teachings more important and relevant. Moreover, studying environmentalism in Islam requires analysing how Islamic teachings might support international initiatives to slow down climate change, encourage ecological stewardship, and advance sustainable development. The issues of environmentalism and Islam arise within this intricate web of considerations, providing a fertile ground for scholarly research and discussion.

Hence, this theme of studying environmental problems from the reference of Islam encourages academics to critically examine the difficulties and possibilities that arise when Islam and environmentalism converge. By doing this, it hopes to promote a comprehensive viewpoint that incorporates religious precepts, cultural contexts, and international environmental imperatives, leading to a deeper awareness of the intricacies underlying ecological challenges in areas with a majority of Muslims, specifically. Finding sustainable solutions becomes more than just an academic exercise as we negotiate the complex relationship between ecology and Islam; it is also an essential first step towards bringing human communities into harmony with the natural world.

2. CONSUMERISM AND ENVIRONMENTAL ECOLOGY IN CONTEMPORARY TIMES: AN ESTIMATE

The culture of consumerism has resulted in more consumption of fossil fuels, minerals and other organic resources; more trees have been cut down and more land has been

under cultivation. Between 1950 and 2005, metal production grew six-fold, oil consumption eight-fold and natural gas consumption fourteen fold. Annually, 60 billion tons of resources are now extracted-about 50% more what use to be thirty years back. Today, an average European uses 43 kilograms of resources daily, for the same time an average American consumes 88 kilograms.ⁱ The rampant exploitation of these resources to serve the ever-highest levels of consumption has put increasing pressure on Earth's natural systems and in the process has intensely unsettled the ecological systems on which humanity and countless other species depend. According to the Ecological Footprint Indicator, which compares humanity's ecological impact with the amount of productive land and sea area available to supply vital ecosystem services, the humanity now uses the resources and services of 1.3 Earths. In other words, people are using about a third more of Earth's capacity than is available, undermining the resilience of the very ecosystems on which humanity depends.ⁱⁱ

Studying and analyzing the damaging impressions of human actions on the natural cosmos is termed as environmental ecology.ⁱⁱⁱ Much of this debate about environmental degradation and development in different economies of the world brings on the issue of consumption configurations of the global consumers. While the consumers include people, institutions and societies equally, the increasing phenomenon of consumption/consumerism emerges out with both the positives and negative dimensions. On the one hand, increase in rates of consumption refers to the economic well-being of people and societies and advancement in their living standards. On the other hand, consumption patterns/consumerism has adversely affected the basic needs of sustenance of underdeveloped world and has damaging impacts on the natural state of the environment. Quoting Anthony Giddens, he writes:

The trends in world consumption over the course of the 20th century are startling. By the end of the century private and public consumption expenditures amounted to around 24 trillion dollars- twice the level of 1975 and six times that of 1950. In 1900, world consumption levels were just over 1.5 trillion dollars (UNDP 1998). Consumption rates have been growing extremely rapidly over the past thirty years. In industrialized countries consumption per head has been growing at a rate of 2.3% annually; in East Asia growth has been even faster-6.1% annually. By contrast, the average African household consumes 20% less today than it did thirty years ago. There is widespread concern that the consumption explosion has passed by the poorest fifth of the world's population.^{iv}

The culture of consumerism is essentially hazardous to ecological niche; modern pattern of consumerism being obsessively self-oriented even to the extent of the

abuse of the other is increasingly disturbing and damaging the subtle structures of the global environment. Arguing about the environmental concerns of the consumerism, Giddens writes:

Environmentalists argue that current consumption patterns are not only highly unequal, but they also are having a severe impact on the environment. For example, the consumption of fresh water has doubled since 1960, the burning of fossil fuels, which is the main contributor to global warming...has almost quintupled in the past fifty years and the consumption of wood is up by 40% from twenty-five years ago...Patterns of consumption are not only depleting existing natural elements, but are also contributing to their degradation through waste products and harmful emissions.^v

This modern global 'order' of consumerism has invited a self-destructive global environmental crisis endangering the very existence of the human race on the planet, is a no fiction now but the reality and the challenge of the day. The adverse effects of consumerism on our planet and its environmental resources can be enumerated as:

There are many other signs that our consumption is depleting the environmental resource base that underpins all our economies, our societies, our futures. A recent overview analysis shows that in 1960 we were exploiting 70% of our planet's resources, a figure that by 1999 had risen to 12%. We are bumping our heads against the ceiling with ever-greater vigor. The RIO Earth summit in 1992 issued a wake up to alert us to the imperative of environmental safeguards, yet by the time of the World Summit on Sustainable Development in 2002 the number of people lacking safe drinking water had risen from 1.1 billion to 1.2 billion, tropical forests were being destroyed faster than ever, deserts were expanding faster than ever, and carbon dioxide (CO₂) emissions had increased by 12%. Plus, the number of people enduring absolute poverty had risen from 1.1 billion to 1.3 billion. True, the annual increase in human numbers had declined from 90 million to around 80 million, but that still leaves a long way to go before we achieve zero population growth.^{vi}

Consumerism and environmental degradation are closely intertwined, with consumer behaviors and patterns playing a significant role in contributing to environmental problems. Here is an explanation of the relationship between consumerism and environmental degradation.

2.1 OVER CONSUMPTION

Consumerism is driven by the ideology of acquiring and consuming goods and services in

large quantities. This emphasis on excessive consumption leads to over-exploitation of natural resources, as the demand for products increases. Extraction of raw materials, manufacturing processes, transportation associated with meeting consumer demands contribute to environmental degradation.

2.2 RESOURCE DEPLETION

Consumerism puts a strain on finite resources such as fossil fuels, minerals and timber. The extraction of these resources often involves environmentally damaging practices such as deforestation, open-pit mining, and drilling. Over the time, this depletes sources, disrupts ecosystem and contributes to habitat loss and biodiversity decline.

2.3 WASTE GENERATION

Consumerism generates vast amounts of waste throughout the lifecycle of products, from production to disposal. The disposal of non-biodegradable waste, including plastics and electronic waste, poses significant environmental challenges. Improper waste management can lead to pollution of land, water bodies and air, impacting ecosystems and human health.

2.4 CARBON IMPRINTS

The production and consumption of goods and services contribute to the greenhouse gas emissions mainly carbon dioxide gas. Manufacturing processes, transportation and energy consumption associated with consumerism release substantial amounts of greenhouse gases into the atmosphere, contributing to climate change and its associated environmental impacts.

2.5 PLANNED OBSOLESCENCE

In many consumer-driven industries, products are designed with planned obsolescence in mind, meaning they are intentionally made to have a limited lifespan or become outdated quickly. This strategy encourages frequent purchases and leads to increased waste generation, as discarded products contribute to landfills and waste streams.

2.6 SHIFTING PREFERENCES

Consumerism can influence consumer preferences towards products that prioritize convenience, disposability and rapid consumption, often disregarding the environmental

impact. This preference for single-use items, fast fashion, and disposable packaging exacerbates environmental degradation.

3. ISLAM AND THE SCHEME OF COSMIC ORDER

In Islam, the relationship between human kind and the environment is part of the natural social existence, an existence based on the fact that everything on Earth is the creation of the same God and worships the same God. This worship is not meant as a mere ritual practice, since rituals are the symbolic human manifestation of submission to God, it is the state practiced and experienced by all the creatures of Earth sharing the planet with the human race. Furthermore, humans are held responsible for the welfare and sustenance of the other organic or inorganic parts of this global environment; for the humans being the collective vicegerent (*khalifah*) announced by God on the planet. Among the various such Qur'anic verses which draw a clear positive nexus between humanity and the environment sans any absolute abusive authority or right to exploitation, rather qualify everything created as the cosmic signposts towards the Sacred and the realization of God conscious life style, various verses put these relationships as:

O mankind, worship your Lord, who created you and those before you, so that you may become righteous. (He) who made for you the earth a bed (spread out) and the sky a ceiling and sent down from the sky, rain and brought forth thereby fruits as provision for you. So do not attribute to Allah equals while you know.^{vii}

The seven heavens and the earth and whatever is in them exalt Him. And there is not a thing except that it exalts (Allah) by His praise, but you do not understand their (way of) exalting. Indeed, He is ever Forbearing and Forgiving.^{viii}

We will show them our signs in the horizons and within themselves until it becomes clear to them that it is the truth.^{ix}

So, these verses are quite expressive of the relationship between the man and his environment. Both the man and all his surroundings being creation of God, all the created universe is exalting God. The environment around is the source of provision for the humans and hence all these are the signs for humans to realize the ultimate Reality and the Truth.

The collective natural state of the created cosmos is the state of servitude and submission before its Lord. It is this state of *fitrah* en-masse that constructs the natural intra-cosmic order of productive and sustainable interdependence. This interdependence emanating from the Islamic basic principle of *Tawhid*, as also pointed out by Kamali,

underlines the unicity of nature as an ecological principle and a distinctive feature of environmental science. The mineral kingdom supports the vegetable, and they in turn support the animal and there is a link of mutual dependence between them. Nasr viewing the order of the cosmos puts it aptly:

The Islamic view of the natural order and the environment as everything else that is Islamic, has its roots in the Qur'an, the very Word of God, which is central theophany of Islam. The message of the Qur'an is in a sense a return to the primordial message of God to man. It addresses what is primordial in the inner nature of men and women, hence Islam is called the primordial religion (*al-din al-Hanif*). As the "Primordial Scripture", the Qur'an addresses not only men and women but the whole of the cosmos. In a sense, nature participates in the Qur'anic revelation. Certain verses of the Qur'an address natural forms as well as human beings, while God calls non-human members of His creation, such as plants and animals, the sun and the stars, to bear witness in certain other verses.^{xi}

Drawing the Qur'anic relation between man and the outer cosmos with the revelation of God in terms of unity of the Originator of the ontological Qur'an and composed Qur'an, Nasr proceeds:

The Qur'an does not draw a clear line of demarcation between the natural and the supernatural, nor between the world of man and that of nature. The soul which is nourished and sustained by the Qur'an does not regard the world of nature as its natural enemy to be conquered and subdued but as an integral part of man's religious universe sharing in his Earthly life and in a sense even in his ultimate destiny...many Muslim sages who referred to the cosmic or ontological Qur'an (*al-Qur'an al-Takwini*) as distinct from and complimenting the composed or "written" Qur'an (*al-Qur'an al-Tadwini*). They saw upon the face of the creature letters and words from the pages of the cosmic Qur'an which only the sage can read. They remained fully aware of the fact that the Qur'an refers to the phenomena of nature and events within the soul of man as *ayat* (literally signs or symbols), a term that is also used for the verses of the Qur'an. They read the cosmic book, its chapters and verses, and saw the phenomena of nature as "signs" of the Author of the Book of nature.^{xii}

Syed Hussain Nasr invoking the sacred nature of the environment delves into the relationship between the realms of creator and creation. In his estimation, the creation is sacred for it exalts the God but not divine. The sacred nature of the nature also lies in its reflection of Godly wisdom and His intent and at the same time being a sign of His benevolence. He proceeds:

In the Qura'nic view creation is sacred but not divine, for divinity belongs to God alone. Nature is sacred because it is the effect of the divine Creative Act to which the Qur'an refers in the verse, "But, His command, when He intendeth a thing, is only that He saith unto it: Be! And it is (*kun fa-yakun*)" (36:81). What issues directly from the will of the One who is also called the All-Sacred (*al-Quddus*) in Islam and what reflects His Wisdom cannot but be sacred. Nature reflects the wisdom (*hikma*) and His Will (*irada*), as also the Qur'an repeats in different places that it was created in truth and not falsehood. Nature is not there only for our use. It is there to reflect creative power of God, and grace, or *baraka*, also flows in the arteries and veins of the universe. Human beings are created to be a channel of grace for the cosmic ambience around them. Creatures in the world of nature not only have a relation with beings and through them with God, they also have a direct relation with God and possess an eschatological significance.^{xiii}

4. THE ENVIRONMENTAL ETHICS OF ISLAM: SOME METAPHYSICAL AND PHILOSOPHIC PRINCIPLES

4.1 *Tawhid* (ONENESS OF GOD)

Every conversation of ethics in Islam progresses from *Tawhid* as it is the sine qua non of Islamic faith. 'In Islam, ethics is inseparable from religion and is built entirely upon it'.^{xiv} Above all, Islam proclaims the veracity of *Tawhid*, or the oneness of God. Thus, *tawhid* is the fundamental theological and philosophical idea that gives Islam's religion its particular morphology and distinctive feature. Islam interprets the *Tawhid* principle as a teleological postulate, according to which God, who created the cosmos, is also its ultimate end.^{xv} *Tawhid* requires people to acknowledge God as the exclusive source of all morality. To do otherwise is to *shirk*, the Islamic cardinal sin or practise polytheism, which denies *Tawhid*. *Tawhid* has also been perceived in the Sufi tradition as the all-encompassing unity of the experiential world.

The central idea of Islam and the Islamic way of life, *tawhid*, is difficult to convey in other languages. It has been interpreted as "monism," "unicity," or even "monotheism," but it is preferable to interpret it as an act of unification or the affirmation of unity while maintaining its original meaning. Thus conceived, it inculcates a psychological and behavioural attitude that demands 'a relationship with the Only One that excludes a similar relationship with anyone else'.^{xvi} The desire for unity drives everything a Muslim does, believes, or feels. The same ubiquitous Tawhidic principle underlies all aspects of Islamic life, including politics, religion, theology, ceremonial devotion, personal piety,

and acts. ‘The principle of *tawhid*, or the unization of God, the recognition of Him as One, Absolute and Transcendent is also at the centre of the Muslim's curiosity regarding nature’, writes al-Faruqi.^{vii} Put another way, Muslim's epistemology is influenced by the same cohesive mindset that shapes his theology, philosophy, and artistic vision. ‘The first principle of Islamic knowledge therefore is the unity of truth, just as the first principle of human life is the unity of the person, and the first principle of reality is the unity of God’.^{viii} Islamic epistemology is unwaveringly holistic and unrestrained. In the context of Islam, reductionist epistemology or fragmented knowledge would be a contradiction in terms. *Tawhid* is an essential concept for Muslim ethics. The application of the principle of *Tawhid*, the affirmation of God's unity, ethicalizes any problem, whether it be ecological, economic, or just technical, by serving as a reminder of the ultimate purpose of all human endeavour. Thus, *tawhid* is the very process of Islamization that brings moral order to the natural world; it is the integrating of nature and ethics that result in the unity of purpose and aim, means and ends, and intent and action.

4.2 *Khilafah* (VICEGERENCY) AND *Amanah* (TRUST)

The creation of man is one of the Qur'anic concepts that is most majestic. It is mentioned in a philosophical sense using symbolic language or in a biological sense using natural science jargon. Philosophically speaking, the first claim made in the Qur'an is on the meaning and purpose of human life. The commitment, which insists absolute obligations for the conduct of man, is the accomplishment and realisation of divine will. Being the masterwork of God, man has been gifted with all the faculties vital to his special mission. First of all, he is a moral being and as such, ‘he is a sort of cosmic bridge through which the divine will, in its totality and especially the higher ethical part of it, can enter space-time and become actual’. Furthermore, man has been given divine guidance in the form of moral imperatives, or the revelation of God's will in prescriptive form, in addition to being endowed with discursive intellect (‘Aql) and the ability to conceptualise. To put it succinctly, he is the pinnacle of God's creation, a theomorphic person who carries the spirit of God inside him and whom even the angels must bow.^{xxi}

Nature is man's examination ground. Man is instructed to read its ‘signs’.^{xxii} Nature has therefore been created both in order and as intelligible. Were it not so, it would be ‘ship of fools where morality is not possible. Such creation would be a cruel and senseless act on the part of a malevolent deity’.^{xxiii} Were it not intelligible, it would be both oppressive and degrading for man who would modest himself before its least caprice. It would then be ‘a veil which hid the face of God’, to use an appropriate Sufi expression. Verily, the qualities of orderliness of nature and its responsiveness to rational enquiry are fundamental for morality.

Man has voluntarily accepted nature as a source of trust (*amana*) and as a platform for his ethical conflicts. The mountains, earth, and heavens declined to take on this duty that man willingly chose for himself.^{xxiv} Man, by accepting the trust man, no doubt, showed obliviousness and hubris^{xxv} but also his readiness to serve God's purpose. Trust is a mutual commitment; God too, by delegating man with this charge of taking control over nature, expressed His confidence in the capability of man. 'Man therefore occupies a particular position in this world. He is at the axis and centre of cosmic milieu, at once the master and custodian of nature'.^{xxvi} The concepts of *Khilafa* (man's vicegerency) and *Amana* (trusteeship) found in the Qur'an form the foundation of the entire Islamic justification for an ecological ethics. Nature, being an estate belonging to God, has been given to man merely as a trust and man's right 'to dominate over nature (is) only by virtue of his theomorphic make-up, not as a rebel against heaven'.^{xxvii}

Shari'ah as the Ethical Framework of Action: Islam does not distinguish between ethics and law. Man's acceptance of trusteeship ultimately leads to the adjudication of his actions by divine judgement. Every human deed, no matter how small or large, public or private, is therefore seen as a trial leading up to the big one. Because Shari'a is both a road and a doctrine, it resolves all tensions between externalised law and internalised ethics, as well as between hidden intentions and disclosed acts. It is both the manifestation of heavenly will and of human determination to carry out that will.

It is both temporal (enacted in human history) and eternal (anchored in God's revelation); stable (the Qur'an and Sunnah) and dynamic (*Ijma* and *Ijtihad*); social interaction (*Mu'amalat*) and religion (*Din*); a combination of human prayer and divine gift. It is fundamental to Islam: adhering to Shari'ah law is a requirement of being a Muslim. Through its implementation, moral decisions become alternatives for tangible action, moral sentiment is objectified into law, and temporal contingencies are assessed by eternal imperatives. It is, in fact, the quintessential Islamic approach to problem solving.

Any theoretical thought held by Muslims, such as our quest for an environmental ethics, must pass through Shari'ah's objective framework in order to be put into practice and become a part of Muslim history. Thus, shari'ah offers Muslim state(s) the moral guidelines and the legal framework they need to decide on specific ecological matters. Furthermore, the moral realism of Shari'ah makes it an invaluable tool for making decisions in an Islamic setting. It also offers excellent models for theoretical discussions of Islamic ecological philosophy. Shari'ah is based on universal postulates, which Muslims regard as the axioms of divine revelation. Its methodology is extremely rigorous and sophisticated, and its responses are provided in terms of a strategy for action, which gives it a universal validity. Despite its practical value, the primary gift of Shari'ah consciousness is that moral man's entire life is subject to right and wrong deeds, the ultimate standards of which have been established by God. Human suffering

results from replacing Divine Law with human-made regulations, as our ecological problems too clearly demonstrate.^{xxviii}

4.3 *'Adl* (JUSTICE) AND *I'tidal* (MODERATION)

“God as the judge” is the overwhelming consciousness that determines the Islamic eschatological perspective. Equilibrium and Order are associated with Justice, the highest quality of God. Indeed, Muslims believe that the universe’s inherent harmony and balance are manifestations of Divine perfection.^{xxix} It is also reflected in God’s apportioning to everything its proper measure.^{xxx} Muslims celebrate it as an example of God’s kindness and believe that God’s justice protects Muslims’ self-worth and dignity and acts as a barrier to human laziness when it comes to moral issues.

The terms for justice (*'adl*) and moderation, temperance, balance, equilibrium, and harmony (*i'tidal*) have close semantic and etymological relationships in Arabic, the language of revelation, metaphysics, and Islam philosophy. The fundamental tenet of Muslim community ethics is the pursuit of harmony, or felicity, with God, the natural world, and human history. It comprises embracing the responsibility of trusteeship, surrendering to God’s will, and making an effort to live in a moderate community (*ummah al-wasat*).^{xxxi} Historical evidence will confirm the authenticity and felicity of Qur’anic designation. The goal of justice, Muslim consciousness avows, is reached by treading the path of moderation.

The second general concept of Islamic epistemology is the idea of *'Adl* and its consequence, *I'tidal*. The balance of values itself is the finest path to the harmony of knowledge and values, which is the ultimate goal of Muslim morality. In order to prevent information from becoming fragmented, values need to be harmonised with one another. Furthermore, the dynamic interpretation of justice and moderation can be understood as the pursuit of equilibrium by society. The Islamic life-affirmation instinct thus emphasises that the unification of knowledge, the harmonisation of values, and the pursuit of justice must be found and actualized within the moderate ethics of a lay community. On the other hand, Islamic ethics transcend this world. The highest value in Islam is despite its deep respect for the sanctity of life, family, and society.^{xxxii} The aim of Muslim morality is to strive towards the building of the “Kingdom of God” on earth, but the fundamental aspect of Islamic faith is the desire for eternal joy in the hereafter. We may restate that the Muslim solution to the ecological ethics conundrum is the accomplishment of equilibrium, seen from both a statically and dynamically oriented perspective. Moderation as an ethical restriction paves the way for ecological justice, as Islam demonstrates.

4.4 THE SACRAMENTAL EARTH

Thus far, our attempt to formulate Islamic ecological ethics has involved defining the general framework of Islamic ethical philosophy. It has been noted that a concern for the ethical potentialities of man's natural environment is fundamental to the Qur'anic worldview, and that the general metaphysics of ethics in Islam not only provides an ideal values-paradigm from which a pertinent environmental ethic can be generated. Finally, we will look at "the desacralization of nature" thesis from an Islamic perspective and attempt to address the initial question posed in this discussion, which is whether an Islamic monotheistic ethic exists that adequately addresses the present ecological crisis. Notwithstanding its obvious affinity with the two other monotheistic faiths of Islam and Judaism, Christianity diverges from them in many fundamental ways.^{xxxiii} Just a few examples in relation to our theory: the Christian theology of "fall" is derived from the Hebrew creation account. Therefore, creation seems "fallen" and nature is hostile to grace in the Christian perspective.^{xxxiv} Therefore, salvation is the supernatural's infiltration into history and its humbling of nature via the miraculous. Furthermore, holiness can only be found in environments created by humans, and the closest object in the physical cosmos that represents the miraculous is man: 'In the Christian view it was not emanation from the earth but ritual that consecrated the site; man not nature bore the image of God and man's work, the hallowed edifice, symbolised the cosmos'.^{xxxv} Nature thus devoid of God's presence and grace may justifiably be 'tortured', i.e. subjected to scientific exploitation.^{xxxvi} If we follow this line of thinking, then Christianity is to blame for the environmental degradation, the secularisation of the globe, and the separation of subject and object that is so crucial to scientific inquiry.^{xxxvii} In summary, Christianity succeeded in de-sacralizing the world as well as de-divinizing it (because both Islam and Judaism require such a view of the universe). Thus, the disillusioned, secularised world that celebrated Christian triumph is profane, having not been redeemed and having no sacramental, symbolic meaning.^{xxxviii} Islamic view is very different. A transcendent God does not demand corrupted creation: de-divinisation need not suggest de-sacralisation. Indeed, Islam holds that 'there is no such thing as a profane world. All the immensity of matter constitutes a scope for the self-realisation of the spirit. All is holy ground. As the Prophet so beautifully puts it: "The whole of this earth is a mosque'. Similar to the Book of Revelation, nature is replete with signs, or ayat. Knowing and interpreting these signs is what is meant by "Ibadah," or divine service. Muslim scholars actually asserted that nature simply does not exist without a purpose from God, and that nature has no significance without reference to God. The Qur'an itself affirms Islam's belief that nature and humanity are inextricably linked. Islamic revelation is a book, a route leading to understanding, assurance, and discernment. Islam, which is always aware of the transcendence of the Creator, maintains that

knowledge, guidance, and judgment—all terms found in the Qur'an—have been revealed in historical accounts, in contrast to Christianity, which claims that God Himself entered the cosmos (and then profanes the earth!). As a result, nature is now subject to the arbitrary decision of Divine will, and it is the duty of man, who is the tool of Divine purpose, to treat nature with faith. From an Islamic standpoint, then, man's debasement of nature culminates in his own debasement and is tantamount to rebellion against the Creator. The early Islamic world was deeply ingrained with an environmental ethic, as seen by the arts and crafts of the period, irrigation systems developed during that century, and the physical design of ancient Islamic cities such as Fez, Sana'a, and Isfahan.

Indeed, Muslim reverence for the natural world is so great that academics such as Hossein Nasr have contended that Islamic technology advancements were purposefully suppressed when they posed a risk to the environment. The Muslim world's solution to the current environmental crisis is to fully embrace Islamic environmental ethics; to give the Shari'ah's environmental requirements legal form by creating laws pertaining to pollution, conservation, and urbanisation; and to reject Western traditions and lifestyles in favour of Islamic ones that are environmentally conscious.^{xxxix}

5 *Maqasid al-Shari'ah* (THE HIGHER OBJECTIVES OF ISLAMIC LAW) AND APPLICATION OF ISLAMIC LAW IN MODERN CONTEXT VIS-À-VIS ENVIRONMENTALISM:

The *maqasid al-Shari'ah* have been either directly stated in the Qur'an and the *Sunnah* or inferred from these by a number of scholars.^{xi} All of these address the rationale of the *Shari'ah* which, as recognized by almost all the jurists, is to serve the interests of all human beings and to save them from harm. Imām Abū Hāmid al-Ghazālī, a prominent and highly respected reformer in the fifth century Hijrah, classified the *maqasid* into five major categories by stating that:

The very objective of the *Shari'ah* is to promote the well-being of the people, which lies in safeguarding their faith (*dīn*), their self (*nafsi*), their intellect (*'aql*), their posterity (*nasl*), and their wealth (*māl*). Whatever ensures the safeguard of these five serves public interest and is desirable, and whatever hurts them is against public interest and its removal is desirable.^{xli}

In the above quotation, Ghazālī has placed great emphasis on the safeguarding of five *maqāsid*: faith (*dīn*), the human self (*nafsi*), intellect (*'aql*), posterity (*nasl*) and wealth (*māl*). Imām Abū Ishāq al-Shātibī (d. 790/1388) also, writing a little less than three

centuries after al-Ghazālī, put his stamp of approval on al-Ghazālī's list. These are, however, not the only *maqāsid* aimed at ensuring human well-being by honoring human rights and fulfilling all human needs. There are many others indicated by the Qur'an and the *Sunnah* or inferred from these by different scholars. Therefore, while these five may be considered as primary (*al-asliyyah*), others may be referred to as the corollaries (*tābi'ah*) of these. From the *maqasidi* perspective, the attainment of environmental stability and providing social security is the form of acquisition of good (*jalb al-maslaha*) and to deter and prevent all that threatens the ecological niche and social security is from the principle of deterrence of evil (*daf' al-madarra*), that pertains the essence of the Shari'ah. The process of attainment of *maslaha* and deterrence of *mafsadah* is the underlying philosophy of all Islamic legislation.

The concept of *maslahah* translated as public benefit or public good has become a main ground around which legal reform revolves for majority of contemporary jurists.^{xiii} Reasoning legal changes according to *maslahah* is exhibition of Allah's concern for the welfare of his creation in general and humanity in particular. The question arises how does an eco-ethicist understand the objectives of the Islamic law (*maqasid al-Shari'ah*) and its scope in shaping the environmental conservation. It again comes to the point to define the religious cosmology that gives foundation to Islamic jurisprudence as discussed in the first part of the paper regarding the individual's relationship with God and his environment, the stance of human subject regarding the sacred nature of God's creation or the whole created cosmos for it being in the continuous state of God consciousness and hence the law formulated does envision the means to conserve and preserve the cosmos. In this perspective, a few environmental ethicists explicitly discuss final goals of the law, but many rely on a particular concept of them. Yusuf De Lorenzo suggests the *maqasid al-Shari'ah* characterizes the legal model that engages in critical jurisprudential arena for considering how Islamic law applies in novel situations.^{xliii} Fakhry states:

The predominant moral motif of the Koran is undoubtedly the stipulation that the human agent ought to place himself in an appropriate relationship to God or His commandments if he is to satisfy the conditions of uprightness (*birr*) or piety (*taqwa*) to earn his rightful position in Paradise.^{xliiv}

From this perspective, the law principally concerns faithfulness and expressing it as real occasions to obey God's will. Jurisprudence and legal procedures aid this exercise of recognizing God's will and allocating action procedures executable by individuals or community to one of five legal categories: required, recommended, optional, discouraged, or prohibited. In the *maqasid al-Shari'ah* perspective, the whole scheme of performing the *maslahah* (here the case of conserving environmental ecology), it shall be done in three hierarchical phases of the essentials (*darurat*), the needs (*hajiyyat*) and the

embellishments (*tahsinīyyat*) by an individual and the community beyond their individual identities as it concerns the collective sustenance of whole community. To put it in perspective, if the *Shari'ah* principally guides the people towards Allah and at the same time protects the material and interpersonal benefits necessary for this. Then the *maqasid al-Shariah* already protects much of what concerns environmentalists regarding the environmental conservation as the protection of the environment (*hifẓ al-bi'ah*) is proposed as one of the major goals intended by the *Shari'ah*.

The consumer culture is at odds with the Islamic Shari'ah defying the very fundamental intents of the Shari'ah (*maqasid al-Shari'ah*) most importantly the objective of protecting the environment (*hifẓ al-bi'ah*), as identified by al-Qaradawi as one of the higher objectives of the Shari'ah, side by side with the protection of life (*hifẓ al-nafsi*) and protection of property (*hifẓ al-mal*). He quoted about twenty Qur'anic verses and numerous hadith in support of this conclusion and added that it is a duty of Muslims to utilize and consume the God-ordained bounties of nature with sensitivities and care, consume only proportionately with their actual needs and observe the health and continued productivity of natural resources.^{xiv} From the *maqasidi* perspective, the attainment of environmental stability is the form of acquisition of good (*jalb al-maslaha*) and to deter and prevent all that threatens the ecological niche is from the principle of deterrence of evil (*daf' al-madarra*), that pertains the essence of the Islamic *Shari'ah*.

6 ENVIRONMENTAL CONSERVATION IN THE ISLAMIC LAW

Islamic Law, also known as the Shari'ah, provides a legal framework that Muslims can refer to for guidance in all aspects of life including environmental conservation. While the Shari'ah does not have specific environmental laws or regulations, its principles and concepts can be applied to address environmental issues. Here are some ways in which Islamic law informs the issue of environmental conservation:

6.1 PRESERVATION OF LIFE

The Islamic law places a high value on the preservation of life. This principle extends to all living organisms including animals and plants. Muslims are encouraged to protect and preserve the environment to ensure the well-being and continuity of all forms of life. This concept can be applied to issues such as preventing habitat destruction. Protecting endangered species and promoting sustainable practices.

6.2 PROHIBITION OF WASTEFULNESS AND EXTRAVAGANCE

Islamic law prohibits wastefulness and extravagance. Muslims are encouraged to use resources judiciously and avoid unnecessary waste. This principle can be applied to environmental conservation by promoting efficient use of resources, reducing pollutions and minimizing environmental degradation caused by excessive consumption.

6.3 PROHIBITION OF INFLICTION OF HARM

Islamic law prohibits causing harm, it includes causing harm to oneself, others or the environment. This principle can be applied to environmental conservation by addressing practices that pollute air, water or land, as well as the activities that harm ecosystem or contribute to climate change. Islamic law encourages avoiding actions that cause environmental degradation and promotion practices that minimize harm.

6.4 INSTITUTIONALIZATION OF PUBLIC TRUST (*Hisba*)

Islamic law includes the concept of *hisba*, which means the duty of individuals to act as guardians of public welfare. This principle can be applied to environmental conservation by empowering individuals and communities to protect and preserve natural resources, report environmental violations and advocate for sustainable practices. It encourages collective responsibility for the environment.

6.5 PROHIBITION OF UNLAWFUL APPROPRIATION (*Ghulul*)

Islamic law prohibits unlawful appropriation or encroachment on public resources. This principle can be applied to issues such as land and water management, ensuring equitable access to natural resources, and preventing exploitation and depletion of resources for personal gains. Islamic law emphasizes fair distribution and sustainable use of natural resources. The application and approaches of Islamic law to environmental conservation may vary among different schools of law and interpretation. The scholars and experts in Islamic jurisprudence continue to study and discuss how Islamic principles can address contemporary environmental challenges. Having said this, some Muslim majority countries have incorporated environmental protection provisions into their legal systems, drawing on both the principles from Islamic law and secular legal frameworks to promote conservation and development of environmental situation.

7 SOME REMEDIAL SUGGESTIONS FOR PROBLEMS OF ENVIRONMENTALISM: AN ISLAMIC REFERENCE:

Modern environmental ethics face numerous challenges, and several of these issues can be addressed through Islamic principles and remedies. Some of the main remedial suggestions can be enumerated as:

- a. Climate change is a global crisis that requires urgent action. Islamic teachings emphasize the responsibility of humans as stewards of the Earth. Muslims can contribute to mitigate climate change through sustainable practices, reducing greenhouse emissions, supporting renewable energy, and advocating for environmental policies that prioritize the wellbeing of future generations.
- b. Deforestation and habitat loss threaten biodiversity and ecosystems. Islamic principles of conservation and stewardship can be applied to address these problems. Muslims can support reforestation efforts, promote sustainable forestry practices and raise awareness about the importance of preserving habitats and protecting endangered species.
- c. Pollution in general and excessive waste production pose significant environmental and health challenges. Islamic teachings on avoiding wastefulness and practicing moderation can guide Muslims in reducing their ecological footprint. Muslims can advocate for the policies that prioritize pollution control, engage in recycling and waste reduction initiatives, and promote environmentally friendly practices in their communities.
- d. Access to clean water is a pressing global issue. Islamic teachings emphasize the importance of water as a precious resource and encourage its conservation. Muslims can play a role in addressing water scarcity by practicing efficient water usage, supporting water management initiatives and contributing to projects that provide clean water to communities in need.
- e. Environmental issues often disproportionately affect marginalized and less privileged communities. Islamic teachings on justice and equity call for addressing environmental injustices. Muslims can support initiatives that promote fair access to clean water, clean air and healthy environment for all, and advocate for policies that prioritize the well-being of this vulnerable human population.
- f. Excessive consumption and materialism contribute to environmental degradation. Islamic teachings promote contentment and discourage excessive materialism. Muslims can adopt a mindful approach to consumption, prioritize needs over wants and embrace simplicity to reduce their impact in the environment.

- g. Unsustainable agricultural practices including intensive farming and excessive use of chemicals, have a negative impact on various domains of environment. Islamic principles of balance and moderation can guide Muslims in supporting sustainable agricultural practices, promote organic farming and encourage ethical-sustainable food systems.

It is important to note that addressing these environmental issues require collective efforts – including individuals, communities, governments and organizations. These Islamic remedies involve integrating the principles of Islam into individual life styles, promoting awareness and education, supporting sustainable initiatives and advocating environmental justice and policy shifts at various levels of human organization.

8 CONCLUSION

Addressing the relationship between consumerism and environmental degradation requires a shift towards sustainable patterns and the adoption of circular economy principles. This includes reducing over consumption, promoting durable and eco-friendly products, adopting recycling and waste reduction practices and encouraging conscious consumer choices. Here, it is important to note that consumer behavior alone is not solely responsible for environmental degradation. Other factors such as industrial practices, government policies and infrastructure also play significant roles. However, consumerism, particularly unsustainable consumption patterns, is a critical driver of environmental degradation that requires collective action and systemic changes to address. As a religion, Islam encompasses a range of teachings and principles that guide the ethical perspectives of the Muslims on all aspects of life, including the environmental behavior. While there is not any specific branch of the legal ethics dealing with environmental ethics yet, there are several fundamental principles and teachings within Islamic tradition that shape the environmental ethics of the Muslims. Some of the key concepts are given below:

- a. **Stewardship** (*Khalifah*): Islam emphasizes the concept of humans as stewards or trustees, termed as khalifah, of the Earth. Muslims believe that God has created the Earth and entrusted the humans with its responsibility to take its care. This notion encourages responsible and sustainable usage of natural resources, while discouraging wastefulness, exploitation and over consumption.
- b. **Balance and Moderation** (*I'tidal/Mizān*): Islam promotes the sense of

Muslims are encouraged to avoid excessive consumption, exploitative behaviour that results in depletion of natural resources. Maintaining a harmonious balance between human needs and the preservation of the environment is essential to Islamic worldview.

- c. **Sanctity of Creation:** Islamic teachings emphasize the sanctity of all creation. Muslims believe that all forms of life including plants, animals and the eco-systems have intrinsic value and deserve respect, appreciation and protection. The Qur'an highlights the creation as the signs of God, encouraging reflection and reverence for the natural world.
- d. **Conservation and Preservation of Environment:** Islam encourages the conservation of the environment. This includes the protection of biodiversity, preventing pollution and ensuring the wellbeing of the ecosystem. Muslims are encouraged to be mindful of their actions and avoid the activities harmful for the environment or contribute to environmental degradation.
- e. **Sustainable Development:** Islamic environmental ethics emphasize the concept of sustainable development. Muslims are encouraged to pursue economic and social progress in a manner that does not compromise the wellbeing of the future generations. This involves considering the long-term impact of actions, promoting social justice and adopting environmental-friendly practices and behaviors.
- f. **Prohibition of Waste (*Israf*):** Islam prohibits wastefulness and extravagance. Muslims are encouraged to use resources wisely, avoiding unnecessary consumption and the squandering of natural resources. The principles extend to various aspects of life including food, water, energy and other materials.
- g. **Environmental Justice:** Islam promotes the idea of environmental justice and the equitable distribution of resources. Muslims are encouraged to be mindful of the needs of vulnerable communities and work towards addressing environmental issues that disproportionately affect marginalized populations. This includes advocating for fair access to clean water, clean air and a healthy environment for all.

It is important to note that the interpretation and application of these principles may vary among individuals and communities within the Muslim world. However, these general principles provide a foundation for understanding the environmental ethics of Islam and the responsibility Muslims feel towards the natural world and its conservation.

NOTES AND REFERENCE

- ⁱ Assadourian, Erik. *The Rise and Fall of Consumer Cultures*, in 2010 State of the World-Transforming Cultures from Consumerism to Sustainability, The World Watch Institute, W.W. Norton and Company (NY), 2010, pp. 03-04.
- ⁱⁱ Ibid.
- ⁱⁱⁱ Giddens, Anthony. *Sociology*, Wiley India Pvt. Limited, India, p. 940.
- ^{iv} Ibid, p. 945.
- ^v Ibid, p. 943.
- ^{vi} Myers, N. Kent, Jennifer. *The New Consumers - The Influence of Affluence on the Environment*, Island Press, Washington, 2004, p. 05.
- ^{vii} Al-Qur'an, 02:21-22.
- ^{viii} Al-Qur'an, 17:44.
- ^{ix} Al-Qur'an, 41:53.
- ^x Kamali. Mohammad Hashim, *Islam and the Environment: An Examination of the Source Evidence*, in Islamic Perspectives on Science and Technology, Mohammad Hashim Kamali et al (eds.), Springer, Singapore, 2016, p. 175.
- ^{xi} Nasr, S. Hossein. *The Need for a Sacred Science*, Curzon Press, United Kingdom, 1993, p. 67.
- ^{xii} Ibid, p. 65.
- ^{xiii} Nasr, S. Hossein. *The Contemporary Islamic World, and the Environmental Crisis*, in Islam and Ecology- A Bestowed Trust, ed. by Richard C. Foltz, Fredrick M. Denny and Azizan Baharuddin, Harvard University Press, p. 96.
- ^{xiv} Isma'îl R. Al-Fârûqi: 'On the Metaphysics of Ethics in Islam', Listening: Journal of Culture and Religion, vol. 14, no. 1 (1979), P. 25.
- ^{xv} Al-Qur'an: 92:13, 53:42-, 96: 8, 2:156, 57: 3, etc.
- ^{xvi} M. N. Siddiqi, 'Tawhid: The Concept and the Process', in Khurshid Ahmad and Z. I. Ansari (eds.), Islamic Perspectives: Studies in Honour of Sayyid Abul a'la Mawdudi, Leicester/Jeddah, 1979, p. 17.
- ^{xvii} Isma'îl R. Al-Fârûqi, Islam and Culture, Kuala Lumpur, 1980, p. 16.
- ^{xviii} Al-Fârûqi, 'On the Metaphysics of Ethics in Islam', Listening: Journal of Culture and Religion, vol. 14, no. 1 (1979), p. 2-5.
- ^{xix} Al-Qur'an: 51:56, 17: 2-3, 20:14, 2-1:2-5, 2-9: 56.
- ^{xx} Al-Fârûqi, 'On the Metaphysics of Ethics in Islam', Listening: Journal of Culture and Religion, vol. 14, no. 1 (1979), p. 2-7.
- ^{xxi} Al-Qur'an: 20:116.
- ^{xxii} Al-Qur'an: 41:53.
- ^{xxiii} Al-Fârûqi, Islam and Culture, p. 2-8.
- ^{xxiv} Al-Qur'an: 33:72.

- xxv Al-Qur'an: 33:72.
- xxvi Nasr, S. Hossein. *Man and Nature: The Spiritual Crisis of Modern Man*, Kazi Publications, 1997, p. 96.
- xxvii Ibid., 1997, p. 96.
- xxviii Ibid., pp. 133, 135.
- xxix Al-Qur'an: 67: 3-4; 36: 39.
- xxx Al-Qur'an: 54: 49.
- xxxi Al-Qur'an: 2-:143.
- xxxii Sardar, Ziauddin (ed.). *The Touch of Midas- Science, Values and Environment in Islam and West*, The Other Indian Press, Goa, n.d, pp. 159-160.
- xxxiii Sardar, Ziauddin (ed.). *The Touch of Midas- Science, Values and Environment in Islam and West*, The Other Indian Press, Goa, n.d, p. 160.
- xxxiv Nasr, S. Hossein. *Man and Nature: The Spiritual Crisis of Modern Man*, Kazi Publications, 1997, p. 311.
- xxxv Sardar, Ziauddin (ed.). *The Touch of Midas- Science, Values and Environment in Islam and West*, The Other Indian Press, Goa, n.d, p. 161.
- xxxvi Ibid. p. 161.
- xxxvii Ibid. p. 161.
- xxxviii Ibid. p. 162.
- xxxix Sardar, Ziauddin (ed.). *The Touch of Midas- Science, Values and Environment in Islam and West*, The Other Indian Press, Goa, n.d, p. 162.
- xl Some of the most prominent exponents of the *maqasid al-Shari'ah* are : al-Māturīdī (d.333/945), al-Juwaynī (d.478/1085), al-Ghazālī (d.505/111), Fakhr al-Dīn al-Rāzī (d. 606/1209), al-Āmidī (d. 631/1234), 'Izz al-Dīn 'Abd al-Salām (d. 660/1252), Ibn Taymiyyah (d. 728/1327), al-Shātībī (d. 790/1388) and Ibn 'Āshūr (d.1393/1973) For a modern discussion of these, see: Masud, 1977; al-Raysuni, 1992;, pp. 25-55; Nyazee, 1994, pp. 189-268; al-Khadimī, 2005, Auda, 2021.
- xli Al-Ghazālī, *al-Mustasfā*, 1937, Vol. 1, pp 139-40; see also al-Shātībī, *Al-Muwafaqat*, n.d., Vol.1, p. 38.
- xlii
- xliii DeLorenzo Yusuf Talal. *Fiqh and the Fiqh Council of North America*, Journal of Islamic Law, 1998, 3: 193-6.
- xliv Fakhry, Majid. *Ethical Theories in Islam*, London, Brill Academic Publishers, 1997, p. 22.
- xlv Al-Qaradawi, Yusuf. *Maqasid al-Shari'ah al Muta'aliqah bi'lMaal*, as quoted from *Islamic Perspectives on Science and Technology*, Mohammad Hashim Kamali et al (eds.), Springer, Singapore, 2016, p. 71.

