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## *The Protection of Environment in the Light of Maqāṣid Al-Sharī'ah: A Conceptual Analysis*

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### ABSTRACT

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*Kulliyat al-Khams including faith, life, progeny, intellect and wealth of Maqāṣid Al-Sharī'ah has protected the essentials (al-Ḍharūriyāt). Ḥifẓ al-Bī'ah (Protection of Environment) in the present global context has played an enlightened role in the preservation of Ḍharūriyāt al-Khamsah. Islam is a religion which has a great focus on the protection of natural environment. Today, the modern world is facing with environmental crisis no doubt. In the Qurān and Aḥādīth, numerous evidences are mentioned relating to Ḥifẓ al-Bī'ah. The present research work focused on the theme of nature with Maqāṣid Al-Sharī'ah, human beings effort, natural resources, natural stability, forestry, land development and agriculture. The dimension of Maqāṣid Al-Sharī'ah with respect to environmental protection is also under discussion in this study. The nature of study is qualitative. The descriptive and analytical approach has been utilized in this research. Both primary and secondary library sources are used. On the basis of content analysis, remedial measures related to Ḥifẓ al-Bī'ah and how to cope up with environmental crises are also under debate. The study besides major basic principles of Maqāṣid Al-Sharī'ah also recommends that in the present global era, Ḥifẓ al-Bī'ah needs vigorous attention of human beings. It is concluded that there is an instantly need of protection/preservation of environment as an essential element of Maqāṣid Al-Sharī'ah.*

**Keywords:** *Ḥifẓ al-Bī'ah, Maqāṣid Al-Sharī'ah, Ḍharūriyāt al-Khamsah.*

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**Introduction:**

Allah Almighty has created everything in the universe in due proportion and ratio both quantitatively and qualitatively. Everything that Allah Almighty has fashioned is a phenomenal emblem, indicating beyond itself to the magnificence and enormity of its creator, His insight and His resolutions for it. Environment is the area on which the Qur'an and *Sunnah* has paid great attention. *Maqāṣid al-Sharī'ah* sanctuaries every *maṣāliḥ* or *al-dharūriyāt* (essential), followed by *al-hājiyyāt* (complementary benefits) and the *al-tahsinīyāt* (embellishments) hierarchically. Well-known *dharūriyāt* discoursed in *uṣūl-al-fiqh* (Islamic Jurisprudence) by Islamic scholars are *ḥifẓ al-dīn* (the preservation of religion/faith), *ḥifẓ al-naḥs* (the preservation of life), *ḥifẓ al-aql* (the preservation of intellect), *ḥifẓ al-naṣl/nasb* (the preservation of life age) and *ḥifẓ al-māl* (the preservation of property). These values are absolutely necessary and are well-preserved for upholding tranquility and serenity. Today, modern world is facing numerous encounters like catastrophe of global warming or climatic change. Thus there is a thoughtful requirement for a new essential value (*al-dharūriyāt*) in *Maqāṣid al-Sharī'ah* namely "preservation/protection of environment." Consequently, *ḥifẓ al-bī'ah* has recognized consistently its role in order to preserve the *al-dharūriyāt al-khamsa*. *Ḥifẓ al-bī'ah* with its progressive development and rapid evolution of technology managed an imperative part in bringing the constituent of justice in *Maqāṣid al-Sharī'ah* through the preservation of *al-dharūriyāt al-khamsa*.<sup>1</sup>

In contemporary world, environmental crisis is one of the major problems which are affecting the five necessities (*al-dharūriyāt al-khamsa*) no doubt. In contrast to this, Muslim jurists have been criticized often for having no interaction with the fluctuating conditions of modern life. Due to this, they are unable to relate the resources of Islamic jurisprudence in wide-ranging and *Maqāṣid al-Sharī'ah* in particular with the environment (*fiqh al-bī'ah*) to contemporary elucidation especially in maintaining and protection of vigorous environment. According to Schwencke, "The Holy Qur'an isn't a book on ecology; however it really ought to be the first and last reference this science attracts on. Proof to this is the fact that all that scientists and green thinkers deduced has been described in the Book in a way or another, hundreds of years back."<sup>2</sup> The environmental crisis has become a hot issue in the modern world due to the over exploitation and mismanagement of natural resources. Environment is considered as the main element as it is directly related to all living creatures created by Allah Almighty.

### **1. Definition of the Environment:**

The word *al-bī'ah* (environment) in Arabic denotes a home or place. In Arabic language, the term 'environment' is named as *al-bī'ah* which means surrounding, environment and circumference. In *Lisan al-Arab* (an Arabic dictionary) it is defined as the dwelling of certain group of people.<sup>3</sup> Ibn Manzoor is of the opinion in linguistic roots that it refers to a place where one prepares to spend the night and/or take residence.<sup>4</sup>

In reference to French dictionaries, the term environment discusses the sum of the natural components and surroundings of the location such as land, water, air and beings.<sup>5</sup> In English dictionaries, it refers to the circumstances or external influences that have an influence on organisms and ecology refers to the knowledge of earth.<sup>6</sup>

#### **1.1 Technical Definition of Environment:**

Technically, the environment is the complex of physical, chemical and biotic factors and belongs to the area in which human beings abode encompassing the nature which Allah Almighty fashioned and by which man is influenced and in turn influences. The term environment is defined in the Conference on the Human Environment held in Stockholm in 1972, "The environment is a set of natural, social and cultural factors in which man and other beings live, from which they derive their living and exert their energies."<sup>7</sup>

#### **1.2 The Scientific Definition of Environment:**

Environment is defined as, "Everything that surrounds human beings of things that effect their health. This includes the entire city; homes, streets, rivers, wells, beaches, and includes all forms of human food and drink, the clothes they wear, in addition to weather factors, chemicals, etc." and "The sum of the natural elements to which human life adapts."

#### **1.3 Qur'ānic Verses that Relate to the Preservation of Environment:**

According to scholars' observations, there is no specific verse which is directly related to the preservation of environment. In the Qur'ān, there are 16 verses which relates with the meaning of the preservation of environment. These verses emphasized on the fair usage of the natural resources and guiding mankind from causing destruction (*fasad*) to the environment. It enhances to make the universe prosperous and forbid human beings from being arrogant in this universe. All these verses are in connection with *ḥifẓ al-bī'ah* and distribution of these verses are given in the following table:

No	Chapter	Verse	Phrase	Translation <sup>8</sup>
1	Al-Baqarah	11	لَا تُفْسِدُوا فِي الْأَرْضِ	Do not damage the earth.
2	Al-Baqarah	60	وَلَا تَعْتَوْا فِي الْأَرْضِ مُفْسِدِينَ	Do not roam the earth spreading the mischief.
3	Al-Baqarah	205	وَاللَّهُ لَا يُحِبُّ الْفُسَادَ	Allah dislikes destruction.
4	Al-Maidah	64	وَاللَّهُ لَا يُحِبُّ الْمُفْسِدِينَ	Allah dislike like people who cause destruction.
5	Al-A'raf	56	وَلَا تُفْسِدُوا فِي الْأَرْضِ	Don't cause destruction on earth.
6	Al-A'raf	74	وَلَا تَعْتَوْا فِي الْأَرْضِ مُفْسِدِينَ	Do not act reign destructively on earth causing mischief.
7	Al-A'raf	85	وَلَا تُفْسِدُوا فِي الْأَرْضِ	Do not cause destruction on earth.
8	Al-A'raf	142	وَلَا تَتَّبِعْ سَبِيلَ الْمُفْسِدِينَ	Do not follow the way of the corrupters.
9	Hud	61	هُوَ أَنْشَأَكُمْ مِنَ الْأَرْضِ وَاسْتَعْمَرَكُمْ فِيهَا	He has created you from the soil and settled you in it.
10	Hud	85	وَلَا تَعْتَوْا فِي الْأَرْضِ مُفْسِدِينَ	Do not commit abuse on earth spreading devastation.
11	Al-Isra'	37	وَلَا تَمْشِ فِي الْأَرْضِ مَرَحًا	Do not pace the earth to with the intention of showing off.
12	Al-Syu'ara'	183	وَلَا تَعْتَوْا فِي الْأَرْضِ مُفْسِدِينَ	Do not commit abuse on earth spreading disruption.
13	Al-Qasas	77	وَلَا تَبْغِ الْفُسَادَ فِي الْأَرْضِ	Do not mischief on earth.
14	Al-Qasas	77	إِنَّ اللَّهَ لَا يُحِبُّ الْمُفْسِدِينَ	Allah does not like people who cause destruction.
15	Al-Ankaboot	36	وَلَا تَعْتَوْا فِي الْأَرْضِ مُفْسِدِينَ	Do not cause destruction on earth.
16	Luqman	18	وَلَا تَمْشِ فِي الْأَرْضِ مَرَحًا	Do not pace the earth to wit the intention of showing off.

In the same context of above-mentioned verses, Yusuf al-Qardhawi also investigates about numerous verses that relates with the protection of environment. He has also mentioned that Allah Almighty has created this universe in order to fulfill the needs of human beings and secondly these natural resources are a basis of human survival.

## **2. Principles of Environmental Protection in Islām:**

Allah Almighty has created human beings to serve Him, in order to perform their predestined roles in a cohesively premeditated society. Thus, in this way human can achieve the best of benefit for themselves in this world and hereafter. The performance of their ordained roles leads to cosmic symbiosis (*takaful*). Allah Almighty has ordained stewardship (*khilāfah*) to human beings on the earth so it is the responsibility of a man to manage the earth in harmony with the resolutions envisioned by its Creator. Therefore to utilize it for one's benefit and of others and for the accomplishments of interests, thus entrusted with its conservation and care, use it as a trustee within the parameters dictated by his trust. In Islamic vision, both nature and man are the formation of Allah Almighty. They are designed through a proper procedure and are in accordance with the mandate that is fixed by Allah Almighty (*fitrah*).<sup>9</sup> Islām as a complete code of life does not only set norms, ideals and values but it also legislates practical laws towards achieving its idealism known as legislative measures or *al-tashri' al-Islāmi*. Accordingly, the chief themes of relation between man and nature, natural resources and Islām's attitude towards the protection of environment are as follows:

**2.1 Maintenance of Elementary Natural Resources:** Throughout the universe, the religious and social roles create a stability and equilibrium which demands of protection from every being. It is made clear in the Glorious Qur'ān that each entity and every individual in the universe, whether known or not, executes two foremost functions: a religious function which informs of the Creator's existence and infinite wisdom; and a social function which caters service of man and other beings. Over exploitation, misuse, misappropriation, demolition and contamination of natural resources are all transgressions against the heavenly scheme. All human beings and certainly, livestock and wildlife as well enjoy the right to share in the possessions of the earth. Human's misuse of any resource, such as land, water, air, land and soil as well as plants and animals is prohibited and the finest use of it, both lifeless and living is prescribed.

**2.2 The Conservation of Fundamental Natural Element-Water in the Light of the Qur'ān:** It is a vital constituent fundamental to the conservation and persistence of life and is the basis and origin of life. As Allah Almighty says in the Qur'ān:

وَجَعَلْنَا مِنَ الْمَاءِ كُلَّ شَيْءٍ حَيٍّ<sup>10</sup>

“We made from water every living thing...”

The conservation of this vital element is responsible for preservation of life in its numerous forms, plants, animal and human. In Islamic law, it is

obligatory to fulfill the imperative preservation of this element. The obstruction in biological and social functions of this component whether by abolishing or polluting would make it an inappropriate for living creatures to abode therein. Otherwise it would weaken its function as the basis of life; such an act lead to the destruction or devastation of life itself and the juristic principle is, "What leads to the prohibited is itself prohibited."<sup>11</sup>

**2.3 Air, Land and Soil:** Almost all terrestrial creatures are wholly dependent on the air they breathe. Through the Glorious Qur'an, it is known that air is vitally significance for pollination in plants as Allah Almighty has said:

فَأَنْزَلْنَا مِنَ السَّمَاءِ مَاءً<sup>12</sup>

"And we send the fertilizing winds..."

The wind shows the Allah's omnipotence and elegance and the perfection of scheme in His creation. Likewise air and water, land and soil are also indispensable for the perpetuation of lives of all creatures. It is declared as the source of sustenance and livelihood, made vegetation to grow and stabilizing the crust of the earth. It is incumbent to maintain the fertility of soil, avoiding its erosion; in farming, building, forestry and mining. Following the practices which do not lead to the degradation of its fertility and destruction of life on earth, such acts are categorically forbidden. In order to save land, air and soil, Islamic legislative measures are well regulated by the principle of purification (*taharah*), which occupies a central part of the Islamic faith.<sup>13</sup> As it is mentioned in the Qur'an:

وَاللَّهُ يُحِبُّ الْمُطَهَّرِينَ<sup>14</sup>

"And God loves those who make themselves clean and pure."

**2.4 The Conservation of Basic Natural Elements-Plants and Animals:** Allah Almighty has not made any of His creatures' worthless. He warrants special respect for every intricate development. Plants and animals comprised an essential component of the environment in terms of facilitating the proper environmental conditions for humans. Allah Almighty has made these creatures which stimulates happiness and ecstasy in human's soul. So, it satisfies mans' peace of mind which is an essential factor for proper functioning and full performance of human beings. Islām looks upon both these natural elements in two ways. Being living beings in glorifying Allah Almighty and demonstrating to His power and wisdom and secondly, fulfilling vital roles in the development of this world in the service of all creatures. Animals, for instance are the source of protein, skin, fur, wool, fibre and plants besides a source of daily consumption are a fundamental element in providing fresh air, protect against floods and provides greenery.<sup>15</sup> In the Qur'an, it is mentioned that everything that

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Allah Almighty has created has a specific role along with an assigning place in the cosmos:

تُسَبِّحُ لَهُ السَّمَوَاتُ السَّبْعُ وَالْأَرْضُ وَمَنْ فِيهِنَّ وَإِنْ مِنْ شَيْءٍ إِلَّا يُسَبِّحُ بِحَمْدِهِ وَلَكِنْ لَا تَفْقَهُونَ تَسْبِيحَهُمْ إِنَّهُ كَانَ خَلِيمًا غَفُورًا<sup>16</sup>

“The even heavens and the earth, and all beings therein declare His glory: there is not a thing but celebrates His praise; and yet ye understand not how they declare His Glory: Verily He is Oft-forgiving; Most Forgiving.”

**2.5 Protection of Man and Environment in Sharī'ah:** Environmental demolition is initiated by people's deficiency of knowledge of what their Creator demands of them.<sup>17</sup> In Islām, there is prohibition of any kind of destruction and damage. Juristic rule in Islamic Law states, “The averting of harm takes precedence over the acquisition of benefits.”<sup>18</sup> Therefore it is commanding that provisions should be taken in the progressions of envisaging and development. Any form of impairment or corruption results in number of factors:

- Islām strictly prohibits of wastefulness, however it emphasizes on the re-use of goods and recycling instead of their disposal or trash. The juristic principle in this connection is, “Damage shall not be eliminated by means of similar or greater damage.”
- The use of pesticides, insecticides and herbicides should not lead to any harm to human or environment in accordance with the principle that, “A private injury is accepted to avert a general injury to the public.”<sup>19</sup>
- The excessive use of radioactive substances to be reduced in order to have lesser effect on humans and ecosystem and special precautions are to be undertaken while testing of nuclear substances.
- Noise puts a harmful impact on the living elements of the environment. Hence reducing and preventing from this harm according to the guidelines and injunctions of Islamic law.
- Without any uncertainty, intoxicants and other drugs cause substantial physical, social and psychological disorders so these mind-affecting drugs are prohibited in Islām. Hence showing the concern of Islamic legislation over fourteen centuries for the preservation of human life.

**2.6 Protection against Noise Pollution in the Light of the Qur'ān and Aḥadīth:** Subjecting humans to loud and irritating noises harms them physically and psychologically. In regard to this aspect of environmental issue, the leading principles in Islām are:<sup>20</sup>



- Making a noise is unethical, offensive and ill-mannered as Allah Almighty says: "...and lower they voice; for the harshest of sounds without doubt is the braying of the ass."<sup>21</sup>
- It is prohibited (*haram*) to cause harm to others by upsetting their peaceful environment. It is stated in the *hadith* as an established Islamic law: "harm must neither be inflicted nor reciprocated."<sup>22</sup>

Islamic law maintains that, "Damage should be damaged" and "Damage should be removed to the extent that is possible." So, preservation and protection of human life, property, environment and interests is necessary and "Whatever is indispensable to fulfill an imperative obligation is, in it, obligatory."<sup>23</sup>

### 3.0 The Role of *Maqāṣid Al-Sharī'ah* in Preserving Environment:

The Qur'ān and Sunnah have paid close consideration to the environment. It is evidenced by the Qur'ān in revealing the names of abundant plants, insects and other natural miracles and reassuring the considerate and compassionate management of nature.

Allah Almighty has bestowed His blessings and affluence for man to live in problem-free comfort zone in this world. He created him in a best appropriate form hallowed with a body and a mind which helps him in consuming these bequeathed blessings like day and night, earth and heaven, sun and moon etc. But with all these technological progressions and great treasures where the contemporary man is more concerned than yesterday's man from the hazards of polluting the environment, nuclear radioactivity, lack of natural resources and such catastrophes. In present time, where one has abundant food to eat but cannot regard as having a contented life because of fright of epidemic diseases or other destructive elements of which he is familiar or not.

### 3.1 Human Mechanism and Objectives of *Maqāṣid al-Sharī'ah* for the Protection of Natural Environment:

Man is the integral part of the natural biosphere in his creation, evolution and continuity of his existence on this earth. He is continuously interrelating with the natural mechanisms and their environmental circumstances. The Qur'ān has quoted many verses mentioning man's association with nature and the environment.

وَاللَّهُ أَنبَتَكُم مِّنَ الْأَرْضِ نَبَاتًا <sup>24</sup>

"And Allah has made you grow out of the earth as a growth."

Allah Almighty has also stated in the Qur'ān that:



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خَلَقَ السَّمَاوَاتِ بِغَيْرِ عَمَدٍ تَرَوْنَهَا وَالْأَرْضِ رَوَاسِيَ أَنْ تَمِيدَ بِكُمْ وَبَثَّ فِيهَا مِنْ كُلِّ دَابَّةٍ وَأَنْزَلْنَا مِنَ السَّمَاءِ مَاءً فَأَنْبَتْنَا فِيهَا  
مِنْ كُلِّ زَوْجٍ كَرِيمٍ<sup>25</sup>

“He created the heavens without pillars as you see them, and put mountains upon earth lest it might convulse with you, and he spread in it animals of every kind; and We sent down water from the cloud, then caused to grow therein (vegetation) of every noble kind.”

Man, being a part of this natural scheme, interacts with the natural environment, accountable for its progression as well as corruption, hence enhancing its role towards the understanding and harmonization between each other. Thus the above mentioned verses describe the authenticity in the life of a man, naturally and environmentally. The quantity of water, the salinity of sea, the quotient of oxygen, evaluation of light rays, amount of rain, earth and its gravitational force, and influence of absorption and its effect on the life of all creatures and their incessant existence in this universe describes that the knowledgeable Creator has prescribed it accurately.

### **3.2 Organization and Natural Stability in the Environment:**

The environment is a precise and balanced world which is erected on experience, understanding and perception. Allah Almighty has shaped nothing on this earth without aim, or imperfect or with conflicting goals; exaltation be to Allah Almighty who created all possessions, molded them and made them perfectly balanced. He has preordained the creation of entirety which is advantageous to the creatures and life cannot go without them. His actions are purposive and based on wisdom. Allah Almighty has stated in the Qur’ān:

وَمَا خَلَقْنَا السَّمَاوَاتِ وَالْأَرْضَ وَمَا بَيْنَهُمَا لَاعِبِينَ<sup>26</sup>

“We created not the heavens, the earth, and all between them, merely in (idle) sport.”

While discussing the natural stability and harmonization between natural components dealing with its accuracy and excellence, to safeguard the scheme of life along with the greatness of the Creator, Dr. Christie Morrison in his book ‘Science calls for Faith’ wrote: “The thick air, having the necessary magnitude taken from the passing of chemical rays, needed by plants, and which kills microbes and produces vitamins, without the least harm to man, except if he exposes himself to it for long, unnecessary periods, will remain uncontaminated or polluted, and without change in its necessary equilibrium towards man existence. The great equilibrium is that surface of water, i.e., the surrounding of which life, food, rain, balanced

climate, plants and man himself grows. Surely, whoever comprehends this, will stand in awe of His greatness, and bow to His command.”

### 3.3 The Qur’ān’s Warning on Corruption of Earth:

In the Qur’ān, Allah Almighty has quantified several verses concerning threatening on exploitation of earth.

كُلُوا وَاشْرَبُوا مِنْ رِزْقِ اللَّهِ وَلَا تَعْتُوا فِي الْأَرْضِ مُسِيِدِينَ<sup>27</sup>

“So eat and drink of the sustenance provided by Allah, and do neither evil nor mischief on the (face of the) earth.”

On another circumstance it is specified in the Qur’ān:

وَلَا تُطِيعُوا أَمْرَ الْمُسْرِفِينَ ( ) الَّذِينَ يُفْسِدُونَ فِي الْأَرْضِ وَلَا يُصْلِحُونَ<sup>28</sup>

“And follow not the bidding of those who are extravagant, Who make mischief in the land, and mend not (their ways).”

The corruption on earth is not through only by prejudice and antagonism on human souls but also the cause of devastating the systems for survival of humans upon which livelihood and maintenance of humans is based.<sup>29</sup>

### 3.4 Caring of Environment in the Light of *Aḥadīth*:

The Prophet Muḥammad (peace be upon him) as a chief of green politics will initially stuck many as unusual undoubtedly. The word environment and notions associated with it like ecology, environmental awareness and sustainability. Green is modern-day creations regarded as the rising worries of the natural world. As the Prophet Muḥammad (peace be upon him) said:

“There is none amongst the believers who plants a tree, or sows a seed, and then a bird, or a person, or an animal eats thereof, but it is regarded as having given a charitable gift for which there is great recompense.”<sup>30</sup>

Certain scholars’ state that the Prophet Muḥammad (peace be upon him) was an environmentalist, a frontrunner in the state of preservation, resource administration of sustainable development, preserved amalgamated equilibrium between man and nature from all chronicles of his life and actions. In short, He (peace be upon him) had a serious association to the four features, earth, water, fire and air. He is considered as an influential advocate of the sustainable consumption and growth of land and water, appropriate treatment of animals, plants and birds and the equivalent privileges of the users.<sup>31</sup> *Al-Bukhārī* and *Ṣaḥīḥ Muslim* supported and encouraged on farming and caring of the environment while stating from Anas that, the Messenger of Allah (peace be upon him) said, “There is no Muslim who plants a tree or sows seeds, and then a bird, or a person, or an animal eats from it except that is a charity for him.” Similarly Abū Bakr, may Allah be pleased with him, also emphasized on the objective of

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conserving the environment while instructing his generals and combatants to remain kind with human beings, trees and rocks. He (peace be upon him) recommended, "Do not kill women or children or an aged, infirm person. Do not cut down fruit-bearing trees. Do not destroy an inhabited place. Do not slaughter sheep or camels except for food. Do not burn date palms."<sup>32</sup>

#### **3.4.1 Protection of Environment in the Light of Maqāṣid al-Sharī'ah:**

From *Sharī'ah's* outlook, remuneration is for those who show compassion towards environment. The Prophet Muḥammad (peace be upon him) acknowledged reward for those who will made streets clear from filth or any kind of harm. He (peace be upon him) said, "Removing harm from the road is charity." The most important Islamic goal of existence is protection of the natural and social environment and unfolding the signs of its maintenance and concern along with its observance to the life system. Islām has laid down some principles for protection of the environment which are as follows:

- Enlightening man on nature care as well as protection of the living creatures. This protection is based on the belief that whatever Allah Almighty has created on this earth is faultless, accurate, nothing is created in vain as Allah Almighty has said in the Qur'ān:

صُنِعَ اللَّهُ الَّذِي أَنْتَقَنَ كُلَّ شَيْءٍ<sup>33</sup>

"The handiwork of Allah Who has made everything in perfect order..."

When the nature of man becomes egoistic and aggressive, it will influence the man with destruction of environment and polluting the natural surroundings. In this regard, the Qur'ān declares man to be responsible for environmental pollution:

ظَهَرَ الْفَسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ لِيُذِيقَهُمْ بَعْضَ الَّذِي عَمِلُوا لَعَلَّهُمْ يَرْجِعُونَ<sup>34</sup>

"Corruption has appeared in the land and the sea on account of what the hands of men have wrought..."

- Purity and shielding the environment against pollution is considered as Allah's benediction and is highly esteemed. The Prophet Muḥammad (peace be upon him) says while expounding on the significance of protecting the nature, "Sweep your courtyard, and don't be like the Jews."
- Certainly, today's human problem particularly in gigantic cities, how to get liberated from human and animal waste products, their dead bodies which is afflicting man with wide range of microbes and other dead bodies. Allah Almighty says:

مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ وَلَكِنْ يُرِيدُ لِيُطَهِّرَكُمْ وَليُؤْتِيَكُمْ نِعْمَةً عَلَيْهِمْ عَلِيمٌ تَشْكُرُونَ<sup>35</sup>

“...Allah does not desire to put on you any difficulty, but He wishes to purify you that He may complete His favor on you so that you may be grateful.”

Hence Islamic purification method is the most appropriate system of purification to protect the nature from “*najasah*”.

- According to the principle of “no injury and no malicious damage” (*la dharara wa la dhirara*) which gives the right of freezing and obstructing any act or practice having injurious effect. So, Islām has proscribed everything which is destructive to the environment. Firstly, it is restraint upon experts and religious scholars to specify destructive acts, stuffs and practices. Afterwards, it becomes the responsibility of the government to shield the well-being and peaceable co-existence of citizens.
- The accountability of “enjoining the good and prohibiting evil” (*al-amru bil ma'ruf wan nahayi anil munkar*) forms a good reformative atmosphere in the Islamic society. It constitutes of all the essential necessities which can assure the preservation and development of the environment.
- The principle of “and help one another in goodness and piety, and do not help one another in sin and aggression” is basis of environmental fortification and preserving the nature and calls for a cooperative relationship toward good and reorganization.<sup>36</sup>

### 3.5 Forestry and Agriculture in the Light of the Qur'ān:

Forestry and greening the earth through planting trees and farming is among the pillars of environmental conservation in Islām. Allah Almighty has described the grace of planting trees and cultivating crops:

وَهُوَ الَّذِي أَنْزَلَ مِنَ السَّمَاءِ مَاءً فَأَخْرَجْنَا بِهِ نَبَاتَ كُلِّ شَيْءٍ فَأَخْرَجْنَا مِنْهُ خَضِرًا نُخْرِجُ مِنْهُ حَبًّا مُتَرَاكِبًا وَمِنَ النَّخْلِ مِنَ طَلْعِهَا قِنْوَانٌ دَانِيَةٌ وَجَنَّاتٍ مِنْ أَعْنَابٍ وَالزَّيْتُونَ وَالرُّمَّانَ مُشْتَبِهًا وَغَيْرَ مُتَشَابِهٍ انظُرُوا إِلَى ثَمَرِهِ إِذَا أَثْمَرَ وَيَنْعِهِ إِنَّ فِي ذَلِكَُمْ لَآيَاتٍ لِقَوْمٍ يُؤْمِنُونَ<sup>37</sup>

“It is He Who Sendeth down rain from the skies: with it We produce vegetation of all kinds: from some We Produce green (crops), out of which We produce grain, heaped up (at harvest); out of the Date-palm and its sheaths (or spathes) (come) clusters of dates hanging low and near: and (Then there are) gardens of grapes, and olives, and pomegranates, each similar (in kind) yet different (in variety): when they begin to bear fruit, feast your eyes with the fruit and the ripeness thereof. Behold! In these things there are signs for people who believe.”

This verse clearly alludes to two important benefits of planting trees and land cultivation. The first benefit is of eating farming produce for man and

beast as it is described in the verse, "And do they not see that We do drive rain to parched soil (bare of herbage), and produce therewith crops, providing food for their cattle and themselves? Have they not the vision?" (Al-Qur'ān 32: 27) The second benefit is beauty element; some perceive it as incorrect while other claims that Allah Almighty loves beauty as described in the Qur'ān, "Or, Who has created the heavens and the earth, and Who sends you down rain from the sky? Yea, with it We cause to grow well-planted orchards full of beauty of delight: it is not in your power to cause the growth of the trees in them. (Can there be another) god besides Allah? Nay, they are a people who swerve from justice." (Al-Qur'ān 27: 60)<sup>38</sup>

### **3.6 Land Development and the Qur'ānic Instructions:**

Amongst the vital factors of environmental preservation in the perceptiveness of Islām suggest decree of land development, cultivating of land and consuming natural resources. According to Imām al-Raghib al-Asfahani, land development is one of the three essential determinations for the creation of human beings, specifically, worship, governance and development. Henceforth, land expansion, land improvements and being aware of corrupt land practices are features of the decrees of all the Prophets. It is exemplified by Prophet Saleh in the following verse:

هُوَ أَنشَأَكُم مِّنَ الْأَرْضِ وَاسْتَعْمَرَكُمْ فِيهَا فَاسْتَغْفِرُوا لَهُمْ تُوْبُوا إِلَيْهِ إِنَّ رَبِّي قَرِيبٌ مُّجِيبٌ<sup>39</sup>

"It is He Who hath produced you from the earth and settled you therein: then ask forgiveness of Him, and turn to Him (in repentance): for my Lord is (always) near, ready to answer."

Abu Hayyan said, "When there were ordered to eat and drink from Allah's bounty, this was not restricted to a certain time or place nor to the amount of food or drink. This was a kindness for them. This resulted in developing strength and an overbearing force. They were warned against the corruption that could ensue so that the kindness would not turn into corruption on earth." Hence all forms of corruption; material and moral, present and anticipated are forbidden.<sup>40</sup>

### **4.0 Elements of Green Construction in Relevance to Maqāṣid al-Sharī'ah:**

Environment indicates the summation of all external circumstances and manipulates affecting the progress and life of human beings.<sup>41</sup> Ecosystem is the harmony and interdependence within biological systems and their association with the nature.<sup>42</sup> This interdependency between the living organisms and the sources from where they generate the elements of life and sustenance, such as food, water and air greatly regulated their continued existence. For instance, human by his very composition is made up of more than 30 elements derived from the natural environment.<sup>43</sup>

Therefore, to guarantee the continued supply of unpolluted air, hygienic food, sterilized water and other provisions for the existence of living creatures in the animal, or plant kingdom, a balanced and harmonious approach by the human as the architect master of creation is fundamentally essential.<sup>44</sup> Allah Almighty has subjected His creation towards the usage of his favorite creature but human must apply it within the perimeter of His commandment and assistance and such fundamentals are described under:

**4.1 Waste Generation:** The effective consumption of natural resources and waste minimization is designated in Islām. Allah says in the Qur'ān:

وَلَا تُفْسِدُوا فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا <sup>45</sup>

“And do not cause corruption in the earth, when it has been set in order.”

Another way to minimize the pollution and mistreatment of wild-life environments that results in destruction of plants and animals, adhere to another verse of the Qur'ān, which affirms:

وَكُلُوا وَاشْرَبُوا وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ <sup>46</sup>

“Eat and drink, but waste not by excess; “He” loves not the excessive.”

**4.2 Efficient Use and Conservation of Water:** The Prophet Muḥammad (peace be upon him) stressed upon the suitable consumption of water without wasting it. The efforts should be made to make water secure for drink, save it and to utilize it appropriately.

**4.3 Sustainable Use of Land:** The Prophet Muḥammad (peace be upon him) highlights the hallowed nature of earth or soil as a purifying demonstrative. He considered earth as subservient to mankind and it shouldn't be exploited or mistreated, knowing that it had privileges just like the trees and wildlife living on it.

**4.4 Pollution:** The Prophet Muḥammad (peace be upon him) discouraged activities that result in nasty smells and odors from happening in certain public places. Whatsoever contaminates the air and is destructive towards the overall health should be forbidden.<sup>47</sup>

**4.5 International Policies:** At the turn of the millennium international linkages representing the Islamic world instigated to contribute more positively in international environmental deliberations in 1972, 1986, 1987, 1991, 1992, 1997, 2000 and 2002. They emphasized on sustainable development and to examine environmental surroundings from Islamic viewpoint.<sup>48</sup>

## 5.0 Islamic Ecotheology and Humans:

Ecotheology observes the association between religion and nature as a subcategory of theology. ‘Islamic ecotheology’ is the study of Muslims creed (‘*aqīdah*’) in relation to environmental issues. Also, it emphasized on the

spirit of religious thoughts about human's association with environment.<sup>49</sup> There is a unique understanding of man's relationship with nature which is based on theosophy (the nature of divinity), cosmogony (the origin of the universe) and ontology (the nature of humankind). The relationship of humans with nature is verbalized by rules emanating from the Qur'ān and the Prophetic traditions. The Qur'ān recommends guidelines relating role of human beings on earth, the use of natural resources and how to deal with different species in the world. Therefore, Islamic *Sharī'ah* aims at regulation of every characteristic of human life, including its association with nature.<sup>50</sup>

### **5.1 Sharī'ah takes place to value Nature:**

Since 7<sup>th</sup> century, *Sharī'ah* is providing both legal rules and ethical principles. As it is said in the Qur'ān, "But no, by your Lord they can have no faith until they make you judge in all disputes between them."<sup>51</sup> It is narrated by An-Nauman bin Bashir that the Prophet Muḥammad (peace be upon him) said, "Both legal and illegal things are obvious, and in between them are (suspicious) doubtful matters. So who-ever forsakes those doubtful things lest he may commit a sin, will definitely avoid what is clearly illegal; and who-ever indulges in these doubtful things bravely, is likely to commit what is clearly illegal". Thus, both the Qur'ān and *Hadith* teach human beings about their purpose of creation.<sup>52</sup> According to *Sharī'ah*, a Muslim is advised to perform these four actions pertaining to environmental protection:

1. **Obligatory Actions (Wājib):** It is any act which is obligatory on *mukaluf* to perform in a significant way and these acts cannot be ignored. *Sharī'ah* warns human beings to utilize natural resources in an appropriate way and warns against misuse of them. For instance, the Prophet Muḥammad (peace be upon him) devoted specific area in Makkah and Madinah where natural plants were preserved and hunting was strictly prohibited. "Allah's hima (i.e. private pasture) and whoever pastures (his sheep) near it, is likely to get in it at any moment."<sup>53</sup>

In Muslim countries, *himas* are created to support animals grazing.

2. **Ethical Actions (Mustahab):** Muslims are encouraged to perform these actions, sustains to adherence, these actions exemplifies the protection of environment in the following ways:
  - Allah Almighty has created this universe and its protection and preservation is among the signs of creation of Allah Almighty.
  - All the natural resources are in continuous admiration of Allah Almighty's glory as it is said in the Qur'ān, "The seven heavens and



the earth and all that is therein praise Him, and there is not such a thing but hymneth his praise; but ye understand not their praise. Lo! He is ever Clement, Forgiving.”<sup>54</sup>

- The *Sharī‘ah* authorized that human beings are not the sole creatures to abode on this universe as it is said in the Qur’ān: “There is not an animal in the earth, nor a flying creature flying on two wings, but they are peoples like unto you.”<sup>55</sup>
  - Islamic environmental principles indicate that everything on this universe is established on the concept of justice and equity. Allah Almighty has created balance of this universe as it is said in the Qur’ān: “There is not a thing but with Us are the stores thereof. And We send it not down save in appointed measure.”<sup>56</sup>
3. **Permitted Actions (*Mubah*):** These acts are performed with complete freedom of choice within the permitted sphere. In accordance to environmental protection, the Prophet Muḥammad (peace be upon him) said, “whoever brings dead land to life, for him is a reward in it, and whatever any creature seeking food eats of it shall be reckoned as charity from him.”<sup>57</sup>
  4. **Abominable Actions (*Makruh*):** These actions are preferable to avoid in the interests of self or society. The *Sharī‘ah* also advanced within these actions a code which is a bigger loss cannot be recommended to ease a smaller loss and a bigger benefit takes precedence over a smaller one. Conversely, a smaller harm can be prescribed to avoid a bigger harm and a smaller benefit can be dispensed with in preference to a bigger one.<sup>58</sup>
  5. **Prohibited Actions (*Muharam*):** It deals with any act that Islām proscribes the religiously responsible Muslim. Islām permits usage of natural resources without any involvement of destruction. As it is said in the Qur’ān, “O Children of Adam look to your adornment at every place of worship, and eat and drink, but be not prodigal. Lo! He loves not the prodigals.”<sup>59</sup> The following is a brief summary of how the *Sharī‘ah* developed in environmental global change over the past 1400 years.
    - Allah Almighty is the only owner of the earth and everything in it. People hold land on usufruct—that is, for its advantage only. There is a limited right to public belongings.
    - Abuse of rights is proscribed and punished.
    - There are also privileges to the benefits resulting from natural resources held in common.

### *The Protection of Environment in the Light of Maqāṣid Al-Sharīah*

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- Limited resource consumption is controlled.
- The common welfare is safeguarded.
- Benefits are protected and damages are either abridged or eliminated.<sup>60</sup>

#### **Conclusion:**

The environment is one of Allah's blessings to mankind and He entrusted them with a role to preserve the environment so that the balance of this universe can be maintained. Muslim faith recognizes the affiliation between humanity and the environment as mutually complementary as humanity cannot exist without the natural world. Therefore, Allah Almighty and the Prophet Muhammad (peace be upon him) urge Muslims to preserve the environment. To value its appreciated resources as humans are Allah's guardians on earth sent with special mission of implementing Allah's will on the rest of the earth. Therefore, it is a transcendent as well as practical responsibility to obey the divine guidelines. Islām has explored the connection between humanity and nature preferring a well-adjusted approach that permits their harmonious co-existence.<sup>61</sup> It becomes clear that today in modern world environment needs vital attention of human beings.<sup>62</sup> All efforts should be preserved and sustained to start from the *Mahmudah* (praised) characteristics in humans such as being grateful, humble and never lose themselves in all the luxuries that are given by Allah. Such characteristics will make them realize that everything that Allah has provided to them is a loan from Him and it is a responsibility that they need to fulfill.

#### **Recommendations:**

- *Shari'ah* scholars should play a pivotal role to highlight religious emphasis on maintaining a healthy environment with special focus to global warming crisis, whereas governments and institutions can extract rulings out of religious context to exert considerable efforts in teaching its principles to people.
- For the awareness of protection of environment and diseases, general public especially students should be taught from grass root level by defining and implementing a national sustainable development strategy with targets, timelines, and commitments by the key actors.



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