



## Child Marriage Law Reform Through Islamic Family Law And Islamic Criminal Law Approaches

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### Abstract

Child marriage remains a serious problem in Indonesia due to its far-reaching impacts on children's physical safety, psychological health, and legal protection. This article examines the practice of child marriage through an integrative approach between Islamic family law and Islamic criminal law, arguing that a family law approach alone is insufficient to address the various forms of vulnerability and risk experienced by children. This research uses a normative method by examining Islamic legal literature, national legislation, and various empirical findings related to the practice of marriage dispensation. The results indicate that the practice of child marriage is often associated with elements of coercion, violence, and violations of children's rights, making this issue relevant to analysis from an Islamic criminal law perspective. Therefore, a more comprehensive model of legal protection is needed through the integration of the regulatory function of Islamic family law with the preventive and protective functions contained in Islamic criminal law. Within the Islamic normative framework, the principle of *hifz al-nafs* (protection of the soul) serves as the primary foundation for emphasizing the importance of ensuring the safety, dignity, and best interests of children.

### Keywords

Chld Marriage Reform; Islamic Family Law; Islamic Criminal Law; Legal Protectio; Marriage Law Reform.

### Introduction

Indonesia is known as a country with abundant natural resources, both renewable and non-renewable. This wealth is crucial for supporting national development and improving public welfare. Article 33 of the 1945 Constitution stipulates that the land, water, and natural resources contained therein are controlled by the state and used for the greatest possible prosperity of the people.(Kafi & Khusnudin, 2025). Thus, natural resource management is not only oriented towards economic interests, but must also consider the principles of sustainability and environmental preservation for the benefit of future generations. However, natural resource management in Indonesia still faces various challenges,

particularly in the mining sector. Massive and often uncontrolled mining activities have had various negative impacts on the environment. Ecosystem damage, water and soil pollution, deforestation, and biodiversity loss are becoming increasingly serious problems. Furthermore, mining activities often trigger social conflicts within local communities due to unequal control over natural resources and weak protection of the rights of communities surrounding mining areas.(Muh. Zaini & Nur Fazillah Milawati, 2025).

The management of mining resources must essentially be directed towards the greatest possible prosperity of the people and be carried out fairly and sustainably. Natural resources not only have economic value but also have social and ecological functions that must be maintained for the sustainability of human life and the environment. This principle aligns with Islamic law, which views natural resources, including mining, as public property if their existence affects the livelihoods of many people and is unlimited in quantity. From an Islamic perspective, natural resource management is a shared responsibility that must be implemented wisely to create public welfare and to prevent environmental damage and overexploitation.(Husni et al., 2025).

Mining is currently a paradox in the eyes of the Indonesian people, especially environmental activists. Mining is no longer about the wealth of natural resources, natural resources that can help the country's economy or increase state revenues, or depict a wealthy nation. Instead, it only depicts the greed of a handful of irresponsible individuals who are causing environmental damage. Various regions in Indonesia demonstrate the real impacts of these activities, such as Raja Ampat, which is the last place for several biodiversity areas to be granted mining permits, gold in Papua, which is extracted until it leaves a large hole, and nickel in Sulawesi, which is carried out by tens of thousands of workers every day. However, will Indonesia become a developed nation or be able to repay its debts with such abundant mining wealth? The answer is no, because mining management in Indonesia is not oriented towards environmental sustainability and community welfare.(Muh Alghifari, Muhammad Afdal Amirullah, 2024).

Climate change and environmental degradation are increasingly becoming global concerns, given their far-reaching impacts on human well-being and ecosystem sustainability.(Susilawati, 2021). After all, humans were created with the purpose of prospering the earth, not destroying it. In this context, Islamic teachings remind its followers to protect nature as part of their moral obligation. As expressed by(Hidayat, 2015)Humans have the potential to be the best creatures or the worst,

depending on how they maintain the balance of nature. Therefore, human awareness in managing and preserving the environment is a determining factor in maintaining the balance and sustainability of life on earth.(Faizal, Abd Rahman R, 2025).

The environment is a crucial aspect that must be preserved by humans. The numerous environmental problems that frequently occur in Indonesia demonstrate that this issue is not solely the responsibility of one individual or one country, but rather the responsibility of all humanity worldwide. As one of the world's lungs, Indonesia plays a significant role in maintaining the balance of the global ecosystem. Therefore, everyone needs to be aware of the need to preserve the environment and prevent damage caused by irresponsible parties.(Mallongi et al., 2025). Furthermore, environmental conservation efforts also require collective public awareness and government support. The government's role is crucial in formulating policies, monitoring, and enforcing regulations to ensure environmental sustainability for current and future generations.(Ramadan, nd).

The most important thing in preventing and overcoming environmental damage is raising awareness among every individual entrusted by God as a caliph on earth. The earth and all its contents were created for humans, but this does not mean humans can exploit it excessively or destroy it without regard for the balance of nature. Uncontrolled environmental damage can threaten the sustainability of human life, other living creatures, and future generations. Therefore, humans, as caliphs, have a moral and spiritual obligation to maintain the balance and sustainability of nature, as mandated by God. In order to shape civilized and environmentally conscious people, education is seen as a strategic and ideological instrument. This education is intended to be environmentally aware, instilling values of care, responsibility, and awareness for preserving nature from an early age.(Hidayat, 2015).

The environment is a significant factor in human life on earth, as it provides humans with the means to meet their various needs, such as food, clothing, and shelter. A healthy and clean environment is a gift and a manifestation of God's love for all His creatures on earth. The responsibility to protect and preserve the environment has been inherent in humans since they were first entrusted with inhabiting the earth. In this regard, humans not only act as God's vicegerents on earth, but also as guardians and caretakers of all His creation. In Islamic teachings, protecting and preserving the environment is not only a social responsibility but also a religious obligation based on the provisions of Islamic law.(Mallongi et al., 2025).

Islam views environmental management as an inseparable part of maintaining various aspects of life. According to Yusuf Qardawi, protecting the environment is part of hifz al-bi'ah, which is in line with the basic principles of Maqashid al-Shariah, such as protecting the soul (hifz al-nafs), protecting the mind (hifz al-'aql), protecting wealth (hifz al-maal), and protecting descendants (hifz al-nasl). This concept of hifz al-bi'ah serves as the foundation for environmental management from an Islamic perspective. Its goal is to realize the benefit and prevent damage (mafsadatan) on earth. (Faizal, Abd Rahman R, 2025).

Some studies related to hifz al-bi'ah include research by (Muhamad Alwi Syahrial, 2024). entitled Environmental Crimes in the Review of Islamic and National Criminal Law: The Relevance of the Hifdzul Bi'ah Concept in Combating Illegal Burning. The results of the study show two main points: first, the 2023 wildfires caused serious ecological losses, second, the transformation of the hifdzul bi'ah concept can be used as an ethical-normative basis for environmental law policies. The novelty of this research lies in the integration of maqashid al-shari'ah with ecological issues, while its contribution presents a religious-ecological paradigm for strengthening environmental awareness and regulation in Indonesia.

Further research by (Rara Genta Munggarani Basri, 2026). With the research title Hifz al-Bi'ah as Contemporary Maqashid Sharia: Conceptual Analysis of the Legitimacy of Green Sukuk in Hajj Fund Management in Indonesia, the results of the study show that descriptive-qualitative analysis shows that hifz al-bi'ah can be positioned as a contemporary maqashid that strengthens the legitimacy of green sukuk, so that this instrument is not only sharia compliant, but also supports sustainable management of hajj funds and is in line with the principle of public welfare.

Further research by (Koyyimah, 2024) with the title Circular Economy Hifdz Al-Bi'ah Perspective Through the Utilization of Shell Waste as Raw Material for Decorative Products. The results of the study indicate that the utilization of shell waste can increase public awareness of the importance of waste management and environmental protection. In addition, this study highlights the importance of innovation in creating attractive and value-added products. Thus, this study makes a significant contribution to the development of a sustainable and environmentally friendly craft industry, as well as encouraging the adoption of circular economy principles in various sectors. In conclusion, the utilization of shell waste not only meets economic needs, but also contributes to environmental sustainability and improving the quality of life of the community.

The aforementioned research differs from the current research. The current research focuses on natural resource management, particularly the mining sector in Indonesia, from a *hifz al-bi'ah* perspective. This research not only addresses the environmental impacts of mining activities but also examines how the concept of *hifz al-bi'ah* within the *maqāṣid al-syarī'ah* can serve as a normative basis for mining management that preserves the environment, prevents overexploitation, and achieves a balance between economic interests, community welfare, and the sustainability of future generations.

On the other hand, global environmental issues such as climate change, natural resource degradation, the energy crisis, and pollution from industrial and mining activities have become serious challenges for sustainable development. Excessive exploitation of natural resources without regard for ecological balance not only causes environmental damage but also threatens the survival of communities and future generations. In the Indonesian context, the mining sector is a significant contributor to environmental damage, ranging from deforestation, water and soil pollution, to the loss of biodiversity. This condition demonstrates the importance of natural resource management that is not solely oriented towards economic profit, but also considers aspects of sustainability and environmental welfare as reflected in the concept of *hifz al-bi'ah* in *maqāṣid al-syarī'ah*.

This research is crucial because environmental damage from mining activities in Indonesia is increasing and has a far-reaching impact on people's lives and the sustainability of ecosystems. Excessive exploitation of natural resources often ignores the principles of environmental sustainability and focuses solely on short-term economic interests. Consequently, various problems such as water and soil pollution, deforestation, biodiversity loss, climate change, and social conflict in mining areas continue to occur. These conditions indicate that mining management in Indonesia still does not fully reflect the principles of justice, sustainability, and the common good.

On the other hand, Indonesian society, which is predominantly Muslim, has religious values that can be used as a moral and ethical basis for protecting the environment. Islam views humans as caliphs on earth who have the responsibility to maintain and maintain the balance of nature. The concept of *hifz al-bi'ah* in *maqāṣid al-syarī'ah* is an important foundation in environmental conservation efforts because it places environmental protection as part of the benefit of human life. However, studies regarding the application of the *hifz al-bi'ah* concept in mining management in Indonesia are still relatively limited, so research is

needed that is able to link Islamic values with the issue of natural resource exploitation in a more comprehensive manner.

The urgency of this research also lies in the need to present a new paradigm in mining management that is not only oriented towards economic growth but also considers environmental sustainability and community welfare. By examining mining management from a *hifz al-bi'ah* perspective, this research is expected to provide academic and practical contributions to strengthening ecological awareness based on Islamic values, while also serving as a reference for the government, the community, and industry players in formulating more equitable and sustainable mining policies.

## Method

This research employs a library research method, a scientific research approach conducted through the process of collecting, reviewing, examining, and analyzing various literature sources relevant to the research theme and focus. This method was chosen because the research is oriented towards conceptual and normative studies regarding the concept of *hifzul bi'ah* from an Islamic perspective as an effort to overcome environmental damage, thus requiring a comprehensive and systematic search for theoretical sources. Through this method, the researcher seeks to understand and interpret the values, principles, and ideas contained in Islamic literature and contemporary scientific works related to environmental protection.(Trimulato & Rahmatia, 2020).

The literature study approach is considered relevant because the object of the research study is not an empirical phenomenon that requires direct field observation, but rather ideas, concepts, norms, and thoughts contained in various written documents. Therefore, this study does not intervene or collect primary data in the field, but rather focuses on data collection through documentary sources related to the research theme. This data was obtained from scientific books, academic journals, research articles, undergraduate theses, dissertations, policy documents, and various previous scientific works discussing the environment and the concept of *maqasid al-syarī'ah*, particularly *hifzul bi'ah*. In addition, this study also utilizes primary sources in Islamic treasuries such as the Qur'an, Hadith, tafsir books, classical and contemporary fiqh books, and Islamic thought literature relevant to environmental conservation.(Amrullah, 2025).

The research was conducted through several stages: literature collection, data classification, data reduction, content analysis, and conclusion drawing. The first stage involved identifying and collecting various literature sources related to the concept of *hifzul bi'ah* and the issue of environmental degradation. The data obtained was then classified based

on specific themes to facilitate the analysis process. Data reduction was then carried out by selecting the information most relevant to the research focus. The analytical technique used was content analysis, a technique used to systematically and objectively understand the meaning, message, and substance of thought contained in documents or texts studied. Through this method, the researcher sought to gain a deep understanding of the concept of hifzul bi'ah as part of the maqāsid al-syarī'ah (objectives of Islamic law) and its relevance in efforts to address environmental degradation today. Therefore, this research is expected to provide theoretical contributions to the development of Islamic law and environmental studies, while also strengthening the understanding that environmental preservation is an integral part of Islamic teachings that must be maintained and implemented in human life. (Mallongi et al., 2025).

## **Result and Discussion**

### **Basic Concept**

The term Hifz al-Bi'ah is etymologically derived from two Arabic words: hifz, meaning to guard, maintain, or protect, and al-bi'ah, meaning the environment or everything surrounding living things. Thus, Hifz al-Bi'ah can be interpreted as an effort to maintain, care for, preserve, and protect the environment from all forms of damage that can disrupt the balance of the ecosystem and the sustainability of human life and that of other creatures. From an Islamic perspective, the environment is not only seen as an object of utilization, but also as a trust from Allah SWT that must be maintained and utilized wisely, fairly, and responsibly. The concept of Hifz al-Bi'ah developed as part of contemporary maqāsid al-syarī'ah thinking that places environmental preservation as one of the important goals of Islamic law. One figure who actively developed this idea was KH. Ali Yafie. According to him, environmental issues are very urgent issues and must be a serious concern for Muslims. Increasingly widespread environmental damage, such as water pollution, forest destruction, floods, landslides, global warming, and excessive exploitation of natural resources shows that humans often ignore their responsibilities as caliphs on earth. Therefore, the concept of environmental maintenance needs to be included in the framework of maqāsid al-syarī'ah as a form of protection for the survival of humans and the universe. KH's thoughts. Ali Yafie regarding Hifz al-Bi'ah is based on the view that Islam is a religion that brings mercy to all of nature (rahmatan lil 'alamin). In Islamic teachings, humans are given a mandate by Allah SWT. to become caliph on earth as described in the Qur'an. This mandate contains a moral and spiritual responsibility to maintain the balance of nature and prevent environmental damage. Natural damage caused by human activities is

seen as a violation of sharia values because it can cause harm to human life and other creatures.(Koyyimah, 2024).

In the context of the maqasid al-syarī'ah, Hifz al-Bi'ah is closely related to other fundamental objectives of sharia, such as preserving life (hifz al-nafs), preserving descendants (hifz al-nasl), and preserving wealth (hifz al-mal). A healthy environment will support the continuity of human life, guarantee public health, and maintain the availability of natural resources for future generations. Conversely, environmental damage can threaten life, reduce the quality of human life, and cause significant economic losses. Therefore, preserving the environment is essentially an integral part of efforts to maintain the welfare of humanity.

The concept of Hifz al-Bi'ah within the framework of Maqāsid al-Syarī'ah was not initially formulated explicitly in classical fiqh literature, which emphasized the five main objectives of sharia, namely safeguarding religion (hifz al-din), life (hifz al-nafs), reason (hifz al-aql), descendants (hifz al-nasl), and property (hifz al-mal). However, in the development of contemporary Islamic thought, scholars have begun to pay greater attention to environmental issues in response to the increasing ecological damage in various parts of the world. One figure who developed this idea was Yusuf al-Qaradawi, who emphasized that environmental preservation is an important part of the objectives of Islamic sharia, because the environment is a primary prerequisite for the sustainability of all aspects of human life. According to him, environmental damage can threaten the safety of life, mental health, the continuation of descendants, economic stability, and even human religious life. Therefore, protecting the environment is not only seen as a social responsibility, but also as a form of implementing the value of welfare in Islam which aims to create balance and sustainability of human life and the universe.(Syifa et al., 2025).

In addition, Jasser Auda also developed the Maqasid al-Syari'ah concept by giving broader attention to the issue of environmental preservation. According to him, protecting the environment is an inseparable part of the objectives of sharia, especially in the aspects of Hifz al-Nafs (protection of the soul) and maslahah (public welfare). Auda emphasized that environmental damage can have various serious impacts on human life, such as declining health quality, disruption of ecosystem balance, the emergence of natural disasters, and even threats to the survival of future generations. Therefore, efforts to protect and preserve the environment are not only seen as a social or ecological action alone, but also as a moral and religious obligation aimed at maintaining the continuity of life and realizing the welfare of humanity as a whole.(Auda, 2008). In his view,



Maqāṣid al-Syari'ah should not be understood statically, but rather must be dynamic and able to develop in accordance with the changes and challenges of the times faced by humanity. Jasser Auda emphasized that the development of modern global issues, such as the environmental crisis, climate change, pollution, and excessive exploitation of natural resources, requires a renewal in the way of understanding the objectives of Islamic law. Therefore, environmental preservation needs to be placed as an important part in realizing the welfare of humanity, because the sustainability of human life is very dependent on maintaining the balance and sustainability of nature.

In the Indonesian context, the concept of Hifz al-Bi'ah has begun to receive more significant attention along with the development of contemporary Islamic thought and increasing awareness of various environmental issues. The influence of global discourse on the ecological crisis has also encouraged the emergence of environmental-based Islamic movements that emphasize the importance of nature conservation as part of religious teachings. Several large Islamic organizations in Indonesia, such as Nahdlatul Ulama, Muhammadiyah, and the Indonesian Ulema Council (MUI), have begun integrating environmental issues into various da'wah activities, sermons, Islamic studies, and religious policies. One concrete form of this concern is seen in the fatwa issued by the Indonesian Ulema Council (MUI), namely Fatwa Number 4 of 2014 concerning the preservation of endangered species and the environment, which emphasizes that any form of action that causes environmental damage is haram. This fatwa demonstrates that environmental conservation is seen as aligned with the principle of Maqāṣid al-Syari'ah, because it aims to maintain human welfare and prevent damage that could threaten the continuity of life.(Indonesian Ulema Council, 2014).

### **The Concept of Hifzul Bi'ah in Overcoming Environmental Damage**

The environment can be defined in two ways. First, the natural environment, which has existed naturally since ancient times and is formed through natural processes. Second, the social environment, which is formed through human interaction with nature and all its contents. Within the social environment, humans develop values, culture, and mindsets that then influence how they utilize and manage the environment. This relationship between humans and the environment gave rise to the concept of environmental ethics, namely human awareness of the importance of protecting and preserving the environment, both for present life and for future generations. Environmental ethics is the foundation for developing responsible

attitudes and behaviors toward nature. Therefore, awareness of environmental ethics needs to be continuously instilled and disseminated to the public, considering that the current environmental conditions are beginning to show various signs of damage and ecological crisis.(Suryani, 2017)

The environment is an inseparable part of the integrity of human life. Therefore, the environment should be viewed as a component of an ecosystem with intrinsic value, and its existence must be respected, appreciated, and preserved. The close relationship between humans and the environment means that every human behavior has an impact on the surrounding natural conditions. Positive behavior will support environmental sustainability, while negative behavior can cause environmental damage. This relationship also emphasizes that humans have a moral responsibility to maintain the balance of life and behave wisely towards nature. Current environmental damage is largely caused by human behavior that pays little attention to environmental sustainability, resulting in excessive exploitation of natural resources without considering the long-term impacts on the environment and future life.(Rabiah Z. Harahap, 2019).

The Earth and all its contents are gifts provided to support human survival. With their intellectual potential and abilities, humans are given the opportunity to wisely manage and utilize natural resources to achieve well-being. Various natural elements, such as sunlight, air, the moon, the stars, and various other resources, are part of the facilities of life that humans can utilize in carrying out their activities. The development of reason and science encourages humans to understand nature more deeply, discover the regularity of various events, and recognize the cause-and-effect relationships that occur in their surroundings. Through this process, humans are able to discover various natural laws that demonstrate the greatness and power of Allah SWT. Over time, the development of science and technology continues to broaden the horizons of human thought, resulting in increasingly broad and complex uses of nature. However, this progress is not always accompanied by an awareness of maintaining environmental balance, resulting in excessive use of natural resources in many situations, potentially causing environmental damage.(Indra et al., 2026).

The awareness of maintaining the balance of nature in Islam is reflected in the concept of *hifdz al-bi'ah* (environmental protection). This concept is seen as one of human obligations because the environment is where all living things live. From an Islamic perspective, preserving the environment is not only related to human needs but also a form of moral

and spiritual responsibility towards Allah SWT's creation. The concept of hifdz al-bi'ah also implements Maqasid al-Shari'ah, which emphasizes the importance of protecting various aspects of life for the benefit of humanity. Through these teachings, humans are directed to utilize natural resources wisely and maintain the balance of the ecosystem to ensure its sustainability. The Quran also provides numerous explanations regarding the importance of protecting the environment and prohibits actions that can cause damage to the earth. Thus, the development of science and the utilization of nature should not be oriented solely to human interests, but also accompanied by an awareness of preserving and protecting the environment for the survival of current and future generations.(Adhania, 2020).

The concept of hifdz al-bi'ah (the principle of environmental stewardship) is a hope for the development of environmental law, especially amidst the ongoing problems of environmental degradation. In reality, the various human-created regulations and legal sanctions often fail to deter those responsible for environmental destruction. Various reasons, such as development interests, budget constraints, and economic interests, are often used to justify excessive environmental exploitation.

From the perspective of hifdz al-bi'ah, any action that causes environmental damage is seen as a form of betrayal of the trust of Allah SWT. Therefore, humans have a moral and spiritual responsibility to preserve nature as part of devotion to Allah SWT and a form of responsibility for life in this world and the hereafter. This responsibility is then reflected in Islamic legal norms that are in line with the objectives of Maqashid al-Shari'ah, namely maintaining and realizing the welfare of human life. These objectives include hifdz ad-din (maintaining religion), hifdz an-nafs (maintaining the soul), hifdz al-'aql (maintaining reason), hifdz an-nasl (maintaining offspring), hifdz al-mal (maintaining wealth), and hifdz al-bi'ah (maintaining the environment). Thus, preserving the environment is not only a social responsibility, but also part of a religious obligation that aims to create balance and sustainability of human life.(Muhamad Alwi Syahrial, 2024).

An understanding of the environment (fiqhul bi'ah) and efforts to manage, rescue, and preserve it must be built on a strong moral foundation. This is crucial because various environmental conservation efforts that have been undertaken so far have not yet fully addressed the ongoing environmental damage. Therefore, awareness is needed that is not only legal and social, but also grounded in religious values and morality. From an Islamic perspective, fiqhul bi'ah presents a form of understanding that emphasizes that protecting the environment is part of human

responsibility as a creature of faith. Humans are not only required to utilize nature, but also have an obligation to maintain, protect, and maintain the balance of the universe as a mandate from Allah SWT. Thus, concern for the environment becomes part of the implementation of faith values, manifested through attitudes and behaviors that are responsible for environmental sustainability.(Hidayat, 2015).

According to Yusuf al-Qardhawi, protecting the environment (hifdz al-bi'ah) is as important as protecting religion, life, mind, descendants, and property. This view is based on the understanding that environmental damage directly impacts various aspects of human life. When the environment is damaged, the continuity of life, health, well-being, and even human values are also threatened. Therefore, protecting the environment is an obligation for every human being as part of their responsibility for life on earth. The concept of hifdz al-bi'ah emphasizes that all elements on earth are interconnected and must be maintained. Damage to the environment will lead to a decline in the proper function of nature, thus disrupting the balance of life for humans and other living creatures. In practice, efforts to protect and manage the environment are not always easy because they often conflict with other interests, such as development and economic needs. However, preserving the environment will be easier to achieve if done together through a collective awareness that every human being has a responsibility for the sustainability of nature.

Islam, as a religion that regulates life holistically, also pays attention to the relationship between humans and the universe, both for the present and the future. In the study of Islamic jurisprudence (fiqh), various issues of human life are governed by specific principles and rules, including environmental issues. Therefore, Islamic jurisprudence not only addresses the relationship between humans and God, but also regulates the obligation to protect the environment, prohibitions against damaging it, sanctions for environmental damage, and the resulting impacts.

The role of environmental jurisprudence (fiqhul bi'ah) is crucial in addressing the increasingly widespread phenomenon of environmental damage. Islamic jurisprudence values must be continuously actualized and integrated into prevailing norms and legal regulations. This is crucial so that environmental protection efforts are viewed not only as a social and legal obligation but also as a religious responsibility. Islam has long warned of the potential for damage to the earth due to human actions. In Islamic teachings, humans are entrusted with the role of caliphs on earth, both as leaders and guardians of the balance of nature. Therefore, the increasingly massive environmental damage indicates a deviation from

the Islamic values that should guide the implementation of this mandate. Awareness of the importance of environmental protection must be continuously instilled in all levels of society to foster a harmonious relationship between humans and nature. Thus, religious values can serve as a foundation for building social and environmental awareness, thus creating a balanced, sustainable life that benefits both current and future generations.(Muhamad Alwi Syahrial, 2024).

The concept of hifdz al-bi'ah is an important foundation in the development of environmental law, particularly in addressing the ongoing problems of environmental degradation. In reality, the existence of human-created legal regulations and sanctions is often unable to fully prevent environmental degradation. Various reasons, such as development interests, budget constraints, and economic demands, are often used to justify excessive environmental exploitation. From the perspective of hifdz al-bi'ah, any action that causes environmental degradation is seen as a violation of Allah SWT's mandate. Humans, as caliphs on earth, have a responsibility to protect, preserve, and utilize nature wisely for the sake of the continuity of life. Therefore, protecting the environment is not only a social obligation, but also a moral and spiritual responsibility for which we will be accountable in this world and the hereafter.

This responsibility is reflected in Islamic legal norms that align with the objectives of Maqashid al-Shari'ah, namely realizing the welfare and maintaining the continuity of human life. These objectives include hifdz ad-din (preserving religion), hifdz an-nafs (preserving the soul), hifdz al-mal (preserving wealth), hifdz an-nasl (preserving offspring), hifdz al-'aql (preserving reason), and hifdz al-bi'ah (preserving the environment). Thus, environmental preservation in Islam is an inseparable part of efforts to maintain balance and sustainability of human life as a whole.

Furthermore, hifdz al-bi'ah (natural well-being) is not merely a normative concept but also demands concrete implementation in everyday life. This encompasses how humans manage natural resources fairly, moderate their overuse, and consider the long-term impacts of every activity. Thus, the principle of balance (tawazun) is key to maintaining a harmonious relationship between humans and the environment. Furthermore, the internalization of hifdz al-bi'ah values also needs to be strengthened through education, regulation, and social awareness. Education plays a crucial role in shaping people's mindsets to foster greater environmental awareness from an early age. Meanwhile, legal regulations based on moral and religious values can be a powerful force in suppressing environmentally damaging actions. Furthermore, social awareness serves

as a collective control, encouraging people to remind each other to preserve nature.

With an integrated approach of religious values, law, and social awareness, it is hoped that the concept of hifdz al-bi'ah can be truly realized in real life. This is crucial so that humans are positioned not only as users of natural resources, but also as responsible guardians and managers. Ultimately, the successful implementation of this concept will contribute significantly to the creation of a sustainable environment, a balanced life, and sustainability for future generations.

In a broader context, the current environmental damage also indicates a crisis of values in the relationship between humans and nature. The use of technology and industrial development that is not balanced with environmental ethics often accelerates the rate of environmental degradation. This condition shows that a legal approach alone is insufficiently effective if not accompanied by strengthening moral and spiritual values within humans. Therefore, hifdz al-bi'ah presents an approach that is not only normative, but also preventative in building ecological awareness. This principle emphasizes that every human activity must consider aspects of sustainability and not cause damage that is detrimental to the lives of other creatures. Thus, development and utilization of natural resources can continue without ignoring the principle of environmental sustainability. Furthermore, the integration of hifdz al-bi'ah values with the positive legal system is a strategic step in overcoming the environmental crisis. This synergy enables the creation of regulations that are not only legally firm but also have a strong ethical and religious foundation. In this way, a more solid collective awareness of society can be formed to protect and preserve the environment as part of a shared responsibility.

## **Conclusion**

Based on the discussion above, it can be concluded that the concept of hifdz al-bi'ah is an important part of Islamic teachings, emphasizing the human obligation to protect and preserve the environment. This concept is not merely theoretical, but also serves as a moral and spiritual foundation for addressing the increasing problems of environmental degradation. Current environmental damage demonstrates that a legal approach alone is insufficient to deter perpetrators of environmental destruction. Therefore, strengthening religious values and moral awareness is necessary so that humans understand that protecting the environment is a mandate from Allah SWT, which must be fulfilled responsibly. Furthermore, hifdz al-bi'ah is closely linked to the Maqasid al-Shari'ah (the goals of Islamic law), as preserving the environment also means preserving religion, life, intellect, posterity, and wealth. Thus, this

concept provides a comprehensive view that environmental sustainability is part of the primary goal of Islamic law. Ultimately, implementing *hifdz al-bi'ah* in real life requires synergy between religious values, law, education, and social awareness. With this collective awareness, it is hoped that environmental damage can be minimized and a more balanced, sustainable life can be created, bringing benefits to all living things..

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