

Examining The Synergy between Al-Mizan Principle in Shariah Economics and Green Economy: A Legal Perspective

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Abstract. Indonesia, with its status as the largest Muslim majority in the world, holds significant importance in the realm of the Islamic economy. It secured the fourth position in the 2021 Global Islamic Economy Indicator (GIEI) and ranked first in the Islamic Finance Country Index (IFCI). Concurrently, the Indonesian government's national strategy of achieving Net Zero Emissions by 2060 underscores the country's commitment to sustainable development and the principles of a green economy. This research aims to explore the synergy between the Islamic economy and the green economy, particularly in terms of legislation as the foundation for implementing an economic system that balances progress and environmental preservation for future generations. The Al-Mizan principle emerges as a means to achieve this equilibrium. The research employs a normative juridical methodology, utilizing a literary approach through literature reviews, analysis of laws and regulations, and expert opinions. Thematic Analysis (TA) and the Reflexive approach also being used. The collected data is subjected to qualitative descriptive analysis, involving a thorough screening process. The research reveals that the Al-Mizan principle is inherent in various laws and regulations in Indonesia. However, raising awareness among stakeholders about the significance of understanding and applying these principles in sustainable development is a necessary process. Furthermore, the country's commitment to a green economy and achieving Net Zero Emissions by 2060 emphasizes the need for the Al-Mizan principle as a means to harmonize economic progress and environmental conservation.

Keywords: Al-Mizan Principle, Syariah Economics, Green Economy, Sustainable Development

1. Introduction

As the country with the highest Muslim population in the world, coupled with the progress of the global Islamic economy, Indonesia has the potential to be a major player in the development of global assets of the Sharia economy.[1] This condition can be observed in Indonesia's ability to rank first in the Islamic Finance Country Index (IFCI) 2019. This achievement is a testament to Indonesia's capacity to develop its potential, particularly in the field of Islamic Banking and Finance (IsBF), although

in 2020 to 2022, this position was overtaken by Saudi Arabia and Malaysia due to the more stable Sharia economic system in those two countries.[2]

Concurrently with the development of the potential of the Sharia economic system in Indonesia, the Indonesian government is currently planning to achieve a net zero emissions target by 2060, while also attaining the status of a country with an advanced economy condition by 2045,[3] Therefore, there is a need for synergy between the Sharia economic system and an economy that prioritizes environmental sustainability. The Sharia economy is one form of diversification that plays a crucial role in shaping change and offers a foundation for sustainability in achieving various targets.

The principles of Islamic economics can essentially serve as a foundation in supporting sustainable development, through various mechanisms found in Islamic values such as *Zakat, Waqf*, and *Tafakul*. The Islamic economic system emphasizes a balanced approach between various economic, social, and environmental aspects to fulfill the duty of a Muslim, which is to spread mercy to the universe (*Rahmatan lil Alamin*).[4]

The principle of balance in Islamic teachings is referred to as *Al Mizan*. A concept that can be found in the Quran, specifically in *Surah Ar-Rahman* verses 1-9, which emphasizes the principles of compassion, leadership, balance, and justice in conducting life. More specifically, *Al Mizan* is a concept found in *Surah Ar-Rahman* verses 7-9,[5] where balance and justice are principles that need to be integrated into the economic framework as a strong foundation for an economic model that synergizes between Sharia principles and the green economy. The integrity of these values promotes economic sustainability, ensuring the welfare of humans, other living creatures, and the surrounding environment.[6]

Historically, the presence of Islamic Economic Law has strong roots in Indonesia, with the practice of profit-sharing systems having been implemented by farmers and livestock breeders, especially in the Java region. The development of financial institutions, such as *Bait at Tamwil*, Rural Bank of Syariah (BPR), and Islamic Banking, is evidence of the community's enthusiasm for implementing Islamic economic laws that reject the use of the *riba* or usury system and prioritize profit-sharing. The existence of Islamic Law alongside Western Law and Customary Law has given a pluralistic legal character to Indonesia. As the country with the largest Muslim population in the world, it is only natural that the Islamic Economic System and its legal foundations become a topic of discussion for researchers and academics as an economic system that embodies justice and principles that benefit the community.[1]

The purpose of this article is to find synergy between the Islamic economic system and the green economy concept that prioritizes environmental protection, especially through the *Al-Mizan* principle. The reflection of the *Al-Mizan* value will then be further explored in the perspective of the implementation of various regulations in Indonesia. To achieve this goal, it is certainly important to find various

solutions to address the challenges faced in understanding and implementing the *Al-Mizan* principle for sustainable economic development.

2. Problems

Essentially, the application of the *Al-Mizan* value and justice already indirectly incorporated into various existing laws and regulations in Indonesia. However, despite this, the awareness of the role of this principle as a foundation for building synergy between Islamic economy and green economy has not been fully explored further. Considering this situation, this article will attempt to answer the following questions:

- a. In the context of the green economy, to what extent is the principle of *Al-Mizan* aligned and reflected in the current laws and regulations in Indonesia?
- b. What strategies can be used by various stakeholders to understand and implement the principle of *Al-Mizan* for sustainable development in Indonesia?

3. Method

In addressing the research problem, this study will employ a normative juridical method, with a literature-based approach, particularly related to the principle of *Al-Mizan*.[7] Additionally, the Thematic Analysis (TA) technique will be used to identify patterns or themes in data collection. The Reflexive approach in TA will also be employed to delve deeper into the meanings and contexts behind the obtained data. The discussion about the principle of *Al-Mizan*, sustainable development, and the Islamic economic system will not only involve recording basic facts but also seeking a deeper understanding of how all these concepts are interrelated and can have broader implications.[8] The collected data will be presented in a descriptive qualitative manner, through the process of filtering various relevant data.

4. Discussion

4.1. Reflection of the Al-Mizan Principle in Indonesian Legislation

Before delving deeper into the implementation of the *Al-Mizan* principle relation to various legislations, it is necessary for us to first understand the meaning of this principle. Azizah Al Hibri, a philosopher and legal scholar in Islamic Law, conveyed that in the Islamic Worldview there are three main components, namely *Al-Tawhid* (unicity of God), *Al-Mizan* (the Divine Scale) or a principle for organizing the universe through balance, and thirdly, *Al-Adl* (Justice), which is the transformation of the *Al-Mizan* principle into the realm of human life.[9]

It can be seen from this definition that *Al-Mizan* has a broader meaning than *Al-Adl*, encompassing the balance of the entire universe. The word *Al-Mizan* (الميزان)

appears in the Quran a total of 9 times,[10] and it appears 3 times in *Surah Ar-Rahman*, specifically in verses 7 to 9. *Surah Ar-Rahman* is one of the *surahs* in the Quran that has profound meaning, especially related to the cosmic verses contained therein, which reveal signs of Allah's greatness through natural phenomena to strengthen human faith in Allah. This is conveyed by Tantawi Jauhari in the *tafsir Al-Jawahir*, where the scientific interpretation of the cosmic verses in *Surah Ar-Rahman* is related to the balance of the sky and the universe.[11] Below is a quote from *Surah Ar-Rahman* verses 7 to 9 along with their translations;

وَٱلسَّمَآءَ رَفَعَهَا وَوَضَعَ ٱلْمِيزَانَ

Was-sama'a rafa'aha wa wada'al mizan

Verses 7: And the sky He raised and imposed the balance

أَلَّا تَطْغَوْاْ فِي ٱلْمِيزَان

Alla tatghaw fee al-mizan

Verses 8: That you not transgress within the balance.

وَأَقِيمُواْ ٱلْوَزْنَ بِٱلْقِسْطِ وَلَا تُخْسِرُواْ ٱلْمِيزَانَ

Wa aqeemoo al-wazna bil-qisti wala tukhsiroo al-mizan

Verses 9: And establish weight in justice and do not make deficient the bal-

ance.

As we know, the universe has a complex solar system, but within this complexity, there is an order. Inside this order, for example, we can see how there is a balance in the relationship between Earth and the Sun, where the immense solar energy of the Sun is filtered and reflected through the Earth's atmospheric system, so that the energy entering the Earth's surface actually creates various benefits for living creatures.[12]

The illustration of the balance of the solar system as depicted in verse 7 of *Surah Ar-Rahman* is a manifestation of the Almighty power of Allah. The continuation of this verse, namely verses 8 and 9, reminds humans of the importance of maintaining the balance and justice created by Allah. However, in this modern era, human activities often cause serious imbalances, especially related to air pollution. Excessive emissions from industry and transportation increase the concentration of atmospheric pollutants that threaten human health and ecosystem life. Furthermore, these pollutant particles can hinder the penetration of solar energy to the Earth's surface, which directly affects the energy balance of this planet and, consequently, damages the global climate system (Global Warming).[13]

This situation is a clear example of how human behavior has deviated from the principle of *Al-Mizan* taught by Islam, and highlights the urgency to re-adopt a balanced and sustainable lifestyle. This principle is fundamentally related to the application of good governance principles, which are key to sustainability involving aspects of consultation, empowerment, participation, and avoidance of corruption.

Good governance itself can be grounded through *Surah Ali Imran* Verse 159, where in this verse Allah commands the Prophet Muhammad (SAW) to consult or conduct deliberations in running the government. This includes the implementation of sustainable development in the economic field that prioritizes the balance between human interests and the surrounding environment, and prevents degradation only for the pursuit of economic gains[14].

The principle of *Al-Mizan* is certainly in line with the concept of Green Economy, which originated from the publication of a report by the United Kingdom government at the end of the 1980s titled "Blueprint for Green Economy", which emphasized the importance of the concept to address various environmental damages occurring in the world. The concept of the green economy spread further with the promotion of the Green Economy Initiative (GEI) by The United Nations Environment Programme (UNEP) in 2008, designed as a guideline for policy formation by various countries that prioritize environmental sustainability[15].

From an Islamic perspective, every human action can be valued as an act of worship to Allah, including economic activities. Economic activities need to follow Islamic Business Ethics, including the Principle of *Al-Mizan* which emphasizes the principle of balance. Business activities are not only seen through worldly interests but are a form of worship to achieve glory in the hereafter. It can be interpreted that the Islamic Economic System fully supports the concept of Green Economy, through which social and economic welfare can be created while still reducing the risk of environmental damage[16].

The application of the Green Economy concept has essentially been found in various regulations in Indonesia, meaning that awareness of the need for a clean environment has been enshrined even in the basic constitution of the country. In Article 28 H paragraph (1) of the 1945 Constitution (UUD 45), it is known that every individual has the right to live a prosperous life physically and mentally, have a place to live, get a healthy environment, and have the right to health services. Provisions regarding environmental management are then re-regulated in Article 33 paragraph (3) of the UUD 45, which regulates that the earth, water, and natural resources contained therein are managed by the state to maximize the welfare of the community. In this context, we can conclude that to support the implementation of the Green Economy, support is also needed through the establishment of a Green Constitution of a country.

The Green Constitution itself is the integration of environmental legal standards incorporated into the constitution, to increase the importance of ecological protection into the highest legal status (the basic constitution of a country). This is in line with the principles of sustainable environmental development [17]. As a result, environmental protection becomes the basis for various other rules issued based on that constitution. The principle of Al-Mizan then, as a form of Islamic values, is not explicitly found in the constitution, but the 1945 Constitution of the Republic of Indonesia stipulates that Indonesia is a state based on the One Supreme God in Article

29 Paragraph (1), so that Islamic values, especially those that have elements of mutual benefit, are not contrary to state life.

Furthermore, the regulation regarding the Green Economy concept has also entered Law No. 32 of 2009 concerning Environmental Protection and Management (UUPPLH), which further emphasizes the right of every individual to get a good and healthy environment. The UUPPLH then also reaffirms, precisely in Article 2 (c), which lists the basis for the implementation of the regulation carried out through the principles of harmony and balance. If we examine the explanation of Article 2 (c) of the UUPPLH, it can be interpreted that the principle of balance is the process of using natural resources that must consider various dimensions, including economic, social, cultural aspects, as well as efforts to protect and conserve ecosystems. Interestingly, although not explicitly mentioned, the principle of Al-Mizan in Islam can be seen reflected in the principle of balance. This principle is maintained until the issuance of the Job Creation Law through Government Regulation in Lieu of Law No. 2 of 2022, along with Government Regulation (PP) No. 22 of 2021 concerning the Implementation of Environmental Protection and Management, which is a derivative of the Job Creation Law. In the explanation of the PP, the principle of balance is included as a main part in fulfilling the constitution through the issuance of the regulation.

Based on the understanding in the constitution and various regulations discussed previously, it can be said that religious identity plays a very important role in the planning of legislation, including in the formation of an environmentally based economic system. As a country with a Muslim majority, Islamic values in Indonesia require a container that can further reflect the application of Islamic values in the process of state governance. This process is carried out, among others, through the presence of the Indonesian Ulema Council (MUI), although there are other organizations such as Muhammadiyah and Nahdatul Ulama, but the MUI can be said to be born as a central institution that tries to accommodate various Muslim groups in Indonesia.[18]

The MUI then uses two main instruments as guidelines for the community, namely through fatwas and discourse. The fatwa has a crucial role in the development of the existence and application of Islamic law in Indonesia, while discourse tends to emphasize more on the MUI's stance or recommendations. The fatwa itself will then be issued by the National Sharia Council (DNS), a body established through Decree No. Kep-754/MUI/II/1999, which functions in responding to various issues that occur in the community based on the Quran, Hadith, and *Itjihad* of the Ulama. This MUI fatwa then becomes the standard for economic, financial, and financial activities.[19]

The fatwa has made a significant contribution to the development of Islamic economic law and the improvement of the Islamic economy in Indonesia. The MUI fatwa has introduced modern *ijtihad* that promotes the collective decisions of the Ulama while involving various experts. This approach has influenced several authorities in Indonesia, such as the Financial Services Authority (OJK), Bank Indonesia (BI), the Supreme Court, the Ministry of Finance, and the Deposit

Insurance Agency (LPS). These institutions have incorporated fatwa editorials into their regulations, as seen in OJK Regulation No. 33/POJK.04/2019 concerning the Issuance and Requirements of Sharia Mutual Funds, Minister of Finance Regulation No. 125/PMK.08/2018 concerning the Issuance and Sale of Retail Sharia Securities in the Domestic Primary Market, LPS Regulation concerning Problematic Banks and various other regulations that emphasize the integration of Sharia principles into the state's economic framework.[19]

Furthermore, the application of the sharia economic system in the context of legislation in Indonesia has even reached the level of the national legislative council, with the issuance of Law No. 19 of 2008 concerning State Sharia Securities (SBSN) as the legal basis for the development of sharia financial instruments and Law Number 21 of 2008 concerning Sharia Banking. The Supreme Court as the highest judicial institution in Indonesia issued Supreme Court Regulation No. 2 of 2008 concerning the Compilation of Sharia Economic Law. This further indicates the important role of the sharia economic system in Indonesia, as a form of development of potential financial instruments that can be used as an effort for national development. [20]

However, further, the entire regulation regarding the sharia economic system has not explicitly emphasized the principle of sustainable development, which emphasizes the importance of environmental protection. This condition shows that there is no reflection of the *Al-Mizan* principle in the legislation in Indonesia. This condition can be seen through the environmental management practices carried out by various companies that have been approved by sharia to issue shares through DSN-MUI Fatwa No: 40/DSN-MUI/X/2003 concerning the Capital Market and General Guidelines for the Implementation of Sharia Principles in the Capital Market, which has not specifically provided regulations regarding environmental issues.[21] In the sense that until now, the focus of the sharia economic legal system tends to be the rejection of the principle of riba or anti-interest economics only.[22]

Thus, currently, in the practice of the Sharia Capital Market in Indonesia, it will indirectly give devotion to companies that do not carry out their economic activities within the corridor of the application of environmental protection principles. This condition can be seen through the reporting model that uses Islamic Social Reporting (ISR) from various sharia-recognized companies that do not include monitoring information on environmental responsibility in the ISR report. Companies tend to follow this environmental responsibility through government regulations based on the Ministry of Environment, not through the approach of sharia principles. [23]

It can be seen that in the practice of implementation between the sharia economic system and the green economy efforts, there is still no harmonious synergy between various regulations. This condition is a consequence of legal pluralism that exists in state life in Indonesia, which can cause direct competition or conflict between legislation. This overlap certainly has the potential to disrupt the unity of the legal system, causing ambiguity and inconsistency in implementation. Although the

purpose of legal pluralism may be to serve diverse groups or situations, without careful integration, it can create more problems. It is a challenge for Indonesia to harmonize these provisions to ensure a coherent and effective legal framework.[24]

Indonesia has basically shown its commitment to efforts towards a green economy, a concept that emphasizes the balance between economic growth and environmental preservation. However, there is a paradox: although this country has a strong foundation in the sharia economy, there seems to be a gap between the green economy concept and the principles of the sharia economy. The *Al-Mizan* principle, which is essentially balance, is not yet fully reflected in our legislation. However, we can find traces of the principles of balance and sustainable development in various regulations, although their implementation still has room for improvement. The continuity between the green economy and the Al-Mizan principle requires deeper integration into our legal and policy framework.

4.2. Integration and Synergy Strategy between Sharia Economy and Environmental Management in Indonesia

As a country based on Pancasila, which is a crystallization of various beliefs and local wisdom [25], accompanied by the condition that the majority of the Indonesian population is Muslim, this country has great potential to develop the sharia economic system through the implementation of Islamic principles in various aspects of life, including in the fields of economics and environmental protection. The *Al-Mizan* principle, which emphasizes balance in all aspects of life, can be a source and inspiration [26] for efforts to integrate sharia economic law and environmental law to support sustainable development in Indonesia. To achieve this goal, appropriate and comprehensive strategies and approaches are needed that cover all related aspects.

The first strategy to create synergy between sharia economic law and environmental law in Indonesia is through greater recognition and understanding of the *Al-Mizan* principle and how this principle can be integrated into current laws and policies. Although the principle of environmental sustainability has been deeply rooted in Indonesian legislation, including in the constitution to various central and regional government regulations, it can be found that the understanding of the important aspects of the environment has not been maximally found in the sharia economic law currently in force in Indonesia.[22] Broader education and training are needed for policymakers, government officials, and the general public regarding Islamic concepts, especially *Al-Mizan*, related to economics and the environment, and how these principles can be applied in practice. This effort is a form of community empowerment through education, which is an important factor in shaping the development of a more advanced civilization.[27]

By combining the concept of Islamic *da'wah* with environmental education in community life and Islamic education, it is hoped that the virtues of the *Al-Mizan* principle, including its practice in economic activities, can be instilled. Essentially, Indonesians already have this potential, especially in the form of community service commonly performed by local residents every week, to initiatives such as greening and reforestation of damaged lands, as seen in various communities in Indonesia. [28]

In Islamic educational institutions, religious values related to the environment can also be integrated into learning. An example is the Nurul Haramain Islamic Boarding School in West Lombok, which created the "Green Nurul Haramain" program as an environmentally based boarding school. The concept of synergy between *da'wah* and environmental preservation to reduce exploitative behavior and teach sustainability for future generations is an important component for integrating Islamic teachings, environmental awareness, and sustainable practices into daily life and early education.[29]

The second strategy is the need for harmonization of regulations and policies using the Al-Mizan principle, which is carried out after the formation of further reviews, revisions, and the implementation of new environmentally friendly economic policies. This includes the development of monitoring systems, accountability, incentives, and sanctions that can then encourage compliance and more effective rule implementation.[30] This need for harmonization is further emphasized when looking at the significant environmental problems caused by the industrial revolution worldwide, including in the Organization of Islamic Cooperation (OIC) countries. 80% of the countries that are members of the OIC experience a biocapacity deficit, meaning their ecological footprint is larger than their biocapacity. This results in the import of biocapacity, the liquidation of regional ecological assets, and the disposal of waste into the global area. Furthermore, countries with a majority Muslim population, such as Qatar, Bahrain, United Arab Emirates, Kuwait, and countries that integrate sharia into their legal systems, such as Saudi Arabia, have a very high biocapacity deficit. This level of natural resource consumption, which does not consider sustainability, leads to increasingly severe environmental degradation and endangers all species on earth.[31]

It is quite concerning when the environmental conditions in many Islam-influenced countries do not reflect the strong Sharia call for care and environmental protection. Although there is a commitment to creating a future with climate resilience and low emissions, the reality is that the environmental conditions in many majority-Muslim countries are still very concerning. This poses a significant challenge to the goals of Islamic law, as environmental imbalances will impact the fulfillment of basic human needs (*dharuriyah* level), to the needs of other living creatures. A more progressive interpretation of Sharia is needed as a flexible and principle-based guideline, not as a rigid and rule-based system in environmental and economic policies to address the challenges currently faced by OIC member countries and the global community.[31]

The third subsequent strategy is the crucial aspect of collaboration between various stakeholders, including policymakers, international organizations, Islamic Faith-Based Organizations (FBOs), and other community elements in integrating the *Al-Mizan* principle. This cooperation is crucial to address the humanitarian crisis due to the current environmental damage and achieve global development aid goals, such as the Sustainable Development Goals (SDGs). Strong global partnerships and cooperation are essential to realize the SDGs, and developing a framework for policy

convergence among each entity for cross-border development and humanitarian aid has become a priority.[32]

This is exemplified by a study in the Islamic banking industry, which shows that increasing environmentally based sustainability practices not only improves financial performance but also contributes to global environmental development and community development. Based on the overall Islamic financial index, it shows that increasing sustainability practices will improve financial performance, attract global investors, minimize environmental impact, prioritize clean energy, and promote investment for communities, human rights, and decent work creation. Ultimately, this not only results in higher financial profits but also contributes to the development of a green environment and the global community.[33] Therefore, the development of a policy convergence framework among entities to channel funds for cross-border development and humanitarian aid is crucial to accelerate the achievement of the Sustainable Development Goals (SDGs).

Comprehensively, implementing the Al-Mizan principle in Islamic economics and environmental law is a crucial strategy for realizing sustainable development in Indonesia. This strategy involves three key components: education, policy harmonization, and stakeholder collaboration. The integrated application of these three elements will integrate the Al-Mizan principle of balance in various aspects of life, support the realization of sustainable development goals, and reflect Islamic values in the care and protection of the environment.

5. Conclusion

Indonesia need a comprehensive strategy for integrating the Islamic principle of Al-Mizan, which emphasizes balance in all aspects of life, into Indonesia's economic and environmental laws to support sustainable development. Despite existing regulations, such as Law No. 32 of 2009, the Job Creation Law, that reflecting the principles of balance and sustainable development, there is inconsistency between Indonesia's commitment to the green economy and the implementation of Islamic economic principles. At the moment most of Indonesian Islamic Finance Regulations only focuses to not following riba or usury but not implementing sustainable development regulations within their legal framework.

In order to achieve implement the principle of Al-Mizan, there are some strategies involving three key components: education, policy harmonization, and stakeholder collaboration. It calls for broader education and training on Islamic concepts related to economy and environment, emphasizes the need for harmonization of regulations and policies using the Al-Mizan principle, and highlights the importance of collaboration among policymakers, international organizations, Islamic Religious-Based Organizations (FBOs), and other community elements. The integrated application of these elements will support the realization of Sustainable Development Goals (SDGs), reflect Islamic values in environmental care and protection, and ultimately contribute to global green and community development.

Therefore, a deeper integration between the green economy and the Al-Mizan principle is needed in the Indonesian legal and policy framework.

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