



# The Relationship Between Eco-Ccentric and Muamalah Concepts in Islamic Law in Climate Change Control

Cipta Indra Lestari Rachman<sup>1</sup>, Putri Ayu Maharani<sup>2</sup>

<sup>1,2</sup> Faculty of Law, Pancasila University, Jakarta, Indonesia  
cipta.rachman@univpancasila.ac.id

**Abstract.** Climate change is a natural phenomenon that will inevitably occur marked by increasing air temperatures on earth. The United Nations announced that the world has now experienced an increase in air temperature of 1.1o C. Human activities, such as deforestation and industrial emissions, contribute to the observed increase in air temperature by degrading environmental quality. The accelerated increase in air temperature occurs due to the rapid development of the industry to fulfil human needs, such as forest destruction, industrial waste gas, and other activities that produce greenhouse gases uncontrollably. Controlling the acceleration of climate change requires the concept of balance between environmental utilization and environmental protection and management in realising sustainable development, such as the Ecocentric concept and the concept of Muamalah in Islamic law. This is important because in the concept of muamalah, even in the Koran, it is explained about environmental damage but humans, especially Muslims in Indonesia, ignore it. For this reason, this article will describe the relationship between the concepts of Ecocentrism and Muamalah in Islamic law in controlling climate change in terms of legal instruments related to climate change in Indonesia. The research methodology is normative with prescriptive-qualitative analysis method. The data used is secondary data. The conclusion in this study is that the current legal instruments for climate change control in Indonesia still do not maximally contain the concepts of Ecocentrism and Muamalah in Islamic law.

**Keywords:** Ecocentric, Muamalah, Climate Change.

## 1 Introduction

Islamic law governs not just how people interact with Allah, and other humans as commonly known as *habluminnallah* and *habluminannas*. However, many do not understand that Islamic Law also regulates human relations with the natural environment, humans with themselves and humans with life suggestions that are controlled. Sharia is divided into two, namely human relations with God referred to as *Ibadah*, while human relations with other than God are included in *Muamalah*. Thus *Muamalah* is not only a norm that regulates human relations with humans only.

Humans are one of the environmental elements that have an important role in environmental sustainability. Human position is not only as a user of nature, but also ecological

management and preservation. In this human position, it should place all elements of the environment equal to humans. The paradigm that humans are the centre of life is not right because the role of every element of the environment affects each other. The paradigm is called Ecocentric.[1]

On the other hand, humans not only use nature, but also sacrifice nature for the sake of fulfilling their needs, such as land clearing by burning, disposal of industrial waste into rivers without treatment, use of motor vehicles without emission testing and so on. as for the long-term impact that occurs for use without management is climate change.

A number of laws with regulatory content related to climate change prevention are mentioned in Law No. 16/2016 on the Ratification of the Paris Agreement to the United Nations Framework Convention on Climate Change.

Unfortunately, the Indonesian people, the majority of whom are Muslims, have never realised that long before the Law and all these conventions discuss the destruction of nature that causes climate change, since the Prophet delivered revelations in

570 AD, Allah had given signs through several verses in the Koran, namely Q.S Al-A'raaf verses 56 and 58, Q.S. Al-Baqarah verses 30 and 205, QS. Al-Qhashash verse 77, Q.S. Al-Isra verse 70, Q.S. Al-Maidah verse 32, Ar- Ruum 41, Q.S. Shad verse 27-28, which broadly discusses the damage to the earth. Thus it becomes interesting to discuss the relationship between the concepts of Ecocentrism and Muamalah in Islamic Law in controlling climate change in terms of legal instruments related to climate change in Indonesia.

## 2. Method

The type of method used in this writing is normative legal research method. In this case, the author wants to understand the link between the rules of muamalah in Islam between humans and nature with ecocentric values, namely the ecology-centred paradigm of life in suppressing climate change. Therefore, this research begins with the identification of legal rules that have been formulated in various existing legal sources including legislation.[2]

From the perspective of the research's nature, this study is descriptive in nature, with the goal of presenting as precise facts as possible on people, situations, or other symptoms. The primary goal is to validate the hypothesis in order to support existing theories or aid in the development of new ones.[3] In this case, the author wants to describe the relationship between the rules of Muamalah in Islamic Law between humans and nature with ecocentric values on climate change.

## Data Type

In terms of the type of data, this research examines library materials or secondary data. To obtain secondary data, document studies are used,[4] i.e. study carried out by examining and analysing literature or research results, documents, and laws and rules

pertaining to the issue. According to Greg Churchill, this secondary data can be classified into three legal materials.[5] which in this study will use:

Legal materials with binding legal effect are referred to as primary legal materials. Laws and regulations are the main types of legal resources used in this study, including: Quran, Hadith, and *ijtihad*. Law Number 32 of 2019 as amended in The United Nations Framework Convention on Climate Change's Paris Agreement Ratification Law No. 16/2016.

Secondary legal documents can aid in the analysis and comprehension of main legal materials because they are closely related to them. For example, journals related to the problem such as the Journal of Human & Environment and materials from the internet. The Big Indonesian Dictionary and Black's Law Dictionary are examples of tertiary legal materials, which are works that explain primary and secondary legal materials and are used to supplement primary and secondary legal materials.

### **Data Processing**

In this research, the data collected will be analysed qualitatively, namely explaining the existing problems by conducting case studies, literature methods and interviews which ultimately reach a conclusion which is the answer to the purpose of writing this thesis. The qualitative approach is actually a method of conducting research that produces descriptive data, such as real behavior and the written or spoken words of respondents. Consequently, by employing qualitative techniques, a researcher mainly aims to understand or understand the symptoms he is researching.[6]

Meanwhile, this research is expressed in qualitative analysis which aims to draw certain legal principles contained in the applicable positive law and question whether the relevant legal methods are properly derived from existing legal principles, doctrines and theories.

### **3. Results and Discussion**

The guarantee of a pleasant and healthful setting for everyone in the territory of Indonesia is stated in the Indonesian Constitution, Article 28H paragraph (1). The implementation of the guarantee will certainly intersect with the human rights of others so that there will be limits to the guarantee of other people's human rights through legislation as stated in Article 28J paragraph (2) of the 1945 Constitution.

Talking about the environment and climate change certainly discusses the order of environmental elements that influence each other, which is called the ecosystem. The normative definition of Ecosystem The arrangement of environmental components that make up a comprehensive and mutually influential unit in forming environmental balance, stability, and productivity is outlined in Law Number 32 of 2009 concerning Environmental Protection and Management.

The dynamics of the conception of the relationship between humans and the environment begins with the anthropocentric conception that places humans at the centre of life. Subsequently, it turned into Biocentric, which places biotic elements as the centre of life, while currently the ecocentric concept is developing, namely the centre of life is not only humans but every element in the environment that is interrelated. Therefore, the conception of Pancasila is certainly needed in the implementation of this concept. Indonesia, where the majority of the population is Muslim, has norms about the environment contained in Islamic Law.

In the context of Islamic Law, sharia recognises that the norm of worship is closed, which means that all forms of worship are prohibited, while in the norm of muamalah, on the contrary, it is open, meaning that all forms of action can be carried out except those that are clearly prohibited by Allah. Similarly, when discussing muamalah between humans and the environment, it applies if Allah has clearly prohibited humans from doing damage on earth, after Allah arranged the earth in such a way in Surah Ar-Araf 56, meaning that humans, especially Muslims, must realise that humans are given the obligation to protect from damage. Indeed, Allah does not prohibit humans from enjoying everything provided in nature because it has been given to humans on condition that they do not do damage on earth, because Allah does not like people who do damage as Allah has conveyed in the letter QS. Al-Qashash (28) verse 77. Then in Q.S. Ar-Ruum 41 Allah discusses how human actions have caused ruin on land and in the sea so that Allah can taste some of the repercussions of their actions and help them turn back (to the straight path).

Thus, in the literature that has been conveyed by Allah here, there is a gap in human understanding of the interaction between the environment and people, which should be allowed to use the environment on condition that it does not cause damage on earth. The problem of environmental damage will arise from the interaction between human economic activity and natural resources. Humans should have realised Human activity is to blame for the effects of the current climate change themselves as has been conveyed by Allah in Q.S. Ar- Ruum 41, so it should be time for humans to return to the right path.

One of the right ways here is that humans must think of making legal instruments that do not ignore maqashidu sharia, which aims to preserve religion, soul, mind, offspring and property. Humans should realise that the natural environment is a treasure that is not inherited but as a loan from our children and grandchildren in the future.

In line with the concept of maqashidu sharia, the concept of Ecological Habits is human behaviour that manages the environment, minimising activities which negatively affect the environment. Restrictions on human behaviour are carried out through laws and regulations regarding planning, environmental utilisation, control of environmental utilisation formed by the Central Government to Local Governments. One example is the Regulation of the Minister of Environment and Forestry Number P. 33/Menlhk/Setjen/Kum.1/3/2016 concerning Guidelines for Preparing Climate Change Adaptation Actions. Minister of Public Works and Housing Regulation Number 21 of 2021 concerning Green Building Performance Assessment.

Unfortunately, ulama who are closer and teach a lot of awareness to the community mostly only discuss worship issues or teach people about muamalah that are already common in society, for example regarding marriage and inheritance law, while it is rare for ulama who have ecocentric understanding to teach people about the significance of preserving the environment for human well-being. Of course, the legal awareness of the people in Indonesia needs to be improved, especially now that it is proven by climate change that occurs, extreme weather and even smog that is never finished in various regions in Indonesia, including in Jakarta.

Environmental damage that occurs in the sea, forests, atmosphere, groundwater or others is basically sourced from irresponsible human behaviour, which is only selfish, resulting in climate change. Therefore, it is very important that humans return to the concept of muamalah that has been established by Allah, which is in line with the ecocentric concept.

#### **4. Conclusion**

Ecocentric and muamalah conceptions in handling climate change are an inseparable unity. However, the two conceptions have not been applied as effectively as possible in the creation of laws and the execution of actions.

#### **Authors' Contributions**

The first author conducted an inventory of literature data and conducted a qualitative analysis of legislation, books, and scientific articles related to the ecocentric concept in legislation related to climate change in Indonesia. The second author conducted an inventory of literature and legislative data, and conducted qualitative analyses related to the conception of muamalah in regulating climate change. Both authors jointly drafted the article.

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