

# Environmental Conservation and Welfare of Gambut Muslim Community: Analysis of *Maqasid Sharia*

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**Abstract.** This article wants to answer whether the function change of peatlands into settlements brings prosperity to the Muslim community in the Gambut District, Banjar Regency, South Kalimantan. The method used to answer these questions is qualitative. The data shows that some communities have sold their land for housing purposes. With the increasing demand for residential land, land prices continue to increase, giving the community an economic advantage. Another reason for selling land is the issue of inheritance. A land owner who dies with many heirs behind him causes the inherited agricultural land to be sold so that the results (price) can be divided among all heirs. The analysis results show that the community's welfare has not been realized. Indicators of welfare, according to *maqasid*, must consider the existence of religion, soul, mind, lineage, and property, both at the level of *daruri*, *hajj*, and *tahsini*.

**Keywords:** Environmental Conservation, Welfare, *Maqasid Sharia*, Gambut.

## 1 Introduction

God created nature as a means of life. Therefore, the destruction of nature seriously impacts the survival of life itself. Therefore, destroying nature is a crime that can impact the destruction of human life. Since ecocide opens the door to genocide, the issue of climate change is one of the points of concern in the world today and is perceived as a genocide threat in the future. Climate change is caused by the increasingly dense population of the earth and the accumulation of gases in the earth's atmosphere due to human carelessness who does not care about environmental damage.[1]

In Islamic teachings, conservation and restoration of the environment is a must as a path to happiness. The Qur'an repeatedly narrates a paradise with green gardens and flowing water (among others QS: 2/Al-Baqarah: 25 and 36/Yasin: 57). In the Sunnah of the Prophet, protected areas (*hima*) were maintained and developed by the Companions and their successors. *Hima an-Naqi'*, located near Medina, is a protected area. The Prophet made the area at first a place for herding horses. He then declared the place to be common property, no

hunting activity was allowed within a four-mile radius, and the public was obliged to maintain plants within a 12-mile radius around the city. During the leadership phase of Umar bin Khattab, the *hima* area was multiplied by *hima ash-Syaraf* and *Hima Rabadzah*, near the Ad-Diriyah area, the current city of Riyadh. Usman bin Affan expanded *Hima Ar-Rabadzah* to accommodate 100 animals every year.

To ensure the participation of all parties globally in environmental conservation and restoration, the United Nations has established an agency that deals with environmental issues, United Nations Environment Program(UNEP), founded in 1972.

The environment functions as the carrying capacity of human life and other natural habitats. The environment is a subsystem of the life ecosystem of all creatures. Therefore, maintaining environmental conditions to maintain its function is everyone's obligation.

The environmental damage that starts from the transfer of land functions is increasingly widespread, especially around urban areas such as the Gambut District, Banjar Regency, and South Kalimantan.

Gambut is one of the sub-districts in Banjar Regency, South Kalimantan Province. As the name implies, this sub-district is an area of land with many peat layers.[2] Gambut District is a low-lying area located between the southwest coast of Kalimantan Island and the eastern highlands, the Banjarbaru City area. Unlike the topography of swamps in general, peat areas are lowlands where the top of the soil is covered by a kind of webbing consisting of fine roots forming an invisible expanse with a thickness of between 1 and 2 meters. These fine roots generally come from the accumulation of plant remains so that they contain high organic matter. The plants that commonly form this organic material are the "*galam*" tree, a typical swamp plant from Kalimantan.

Naturally, peat areas have two benefits: catch and simultaneously serve as a water filter. Therefore, the peat area becomes a flood buffer and a "reservoir" that provides water during the dry season. However, because it consists of fine roots that are quite thick during a long dry season, this area becomes very vulnerable to fires that cause thick smoke.

Over time, this peat area gradually shrinks and changes in function. The emergence of settlements, whether built privately or through large-scale developers, has a serious role in eroding this peat area and replacing it with the growth of settlement development.

The existence of an environment that brings prosperity seems increasingly unrealized. The ideals of Islam, as depicted in the concept of *maqasid sharia*, to realize a happy human life are unconsciously moving further and further away. The community does not realize that the behavior towards the natural environment has an ecocide tone.

To answer the problems stated previously, research on the relationship between environmental conservation and the welfare of the Gambut Muslim community using analysis of *maqasid sharia* is needed.

## **2 Literature Review**

### **2.1 Environmental Conservation**

To realize the human function as a driving force for nature conservation and restoration.[3] Islam teaches important things, from the realistic idea of heaven to practical things in implementing worship and economic life (*muamalah*). In Islam, heaven as a dream world is described as a green garden under which rivers flow. Heaven is also described as a garden that

has trees with various fruits. The inhabitants of heaven also get fruits as they wish (Surah: 2/Al-Baqarah: 25 and 36/Yasin: 57).

Islamic law has developed the concepts of *taharah*, *ihram*, *hima*, *harim an-nahr*, *zira'ah*, and *ihya al-mawat* to realize its environmental conservation and restoration appreciation. *Taharah* has always been the very first chapter in the systematics of Islamic jurisprudence. *Taharah* means clean. Cleanliness is the beginning of all worship. This concept requires the Muslim community environment to be a clean space from dirt. The ecological consequence is that a Muslim, both as a person and as a social member, must apply a clean and healthy culture to support the survival, conservation, and restoration of nature.[4]

*Ihram* (literally means forbidding) is a condition in which a prospective pilgrim for Hajj/Umrah enters a time phase of prohibitions, one of which is removing or cutting live plants. This condition is characterized by a distinctive attire called *ihram* clothing. This abstinence phase shows that one aspect of worship is education to respect nature.

*Hima* becomes an instrument of Islam in its appreciation of the preservation of nature to ensure the availability of water, grass, and firewood. Furthermore, *Hima* was a protected area in Arabia during the time of the Prophet Muhammad. Meanwhile, *Naqi'*, an area near Medina, became the starting point for the history of *Hima* by the Prophet Muhammad. Furthermore, the *Syaraf* and *Rabadzah* areas were also designated as *hima* at the time of the caliph Umar bin Khattab. The ecological impact of nature conservation and restoration is clear to ensure the availability of fodder, water, and firewood in a jointly owned area.[5] Therefore, *hima* practice is very clearly related to environmental conservation.

*Harim an-Nahar* in Islam is a concept of conservation along wells (*harim al-'ain*) and riverbanks (*harim an-nahar*). In various fiqh books, water sources (springs) and rivers are shared property and must be protected together, so it is strictly forbidden to build buildings, even places of worship, in areas commensurate with rivers and wells. Al-Haitami, Al-Bujairmi, Qalyubi, and 'Umairah are some scholars who affirm this. [6] Al-Haitami said that the eviction of all buildings on the river banks resulted from the four schools of thought agreement. This concept is very clear in favor of conserving clean water sources.

*Zira'ah* (agriculture) is an aspect of *muamalah* in Islam that aims at economics, conservation, and restoration of environmental ecosystems. [7] Planting is a noble activity in Islam. In a hadith narrated by Bukhari, the Messenger of Allah emphasized that anything a bird, human, or animal eats from a tree planted by a Muslim is worth charity.[8]

*Ihya al-mawat* (opening idle land), in Islam, is not only a teaching of efforts to improve the community's economy through agribusiness programs but has a very real side of Islamic ecological wisdom. In fiqh, a person credited with working on unused land is designated as the land owner.[5] Since the Prophet Muhammad was alive, these two concepts have been implemented. These two ownership procedures illustrate the Prophet's alignment with the management of abandoned land, which is very important in environmental conservation work.

## 2.2 Public Welfare

Welfare is subjective, so the measure of well-being for each individual or family is different from one another. However, in principle, welfare is closely related to basic needs. If we look at the Qur'an, the welfare indicators from time to time are still the same. The Qur'an has alluded to indicators of well-being in many suras, including Surah Quraish verses 3-4, "So let them worship the Lord (owner) of this house (Kaaba). who has given them food to quench their hunger and secure them from fear.[9] Based on the verse above, we can see that there are

three indicators of well-being, namely: (1) Worshipping God (owner) of the Kaaba, (2) Eliminate hunger, and (3) Eliminate fear.[10]

In the Qur'an, according to Asep Usman Ismail, prosperous society is called *al-muflihūn* (المفلحون), which means lucky people. Indicators of a prosperous society (*al-muflihūn*), namely: "Those who believe in the unseen, perform prayers and spend some of the sustenance that We give them, and they believe in (the Qur'an) that was revealed to you (Muhammad) and (the books) that were revealed before you, and they believe in the hereafter. They receive guidance from their Lord and are the lucky ones (achieving the welfare of this world and the hereafter) (Surah al-Baqarah 2:4-5).[9] Another verse that becomes a reference for indicators of welfare is found in the Qur'an Surah An-Nisa' verse 9, which means, "And fear Allah those who, if they leave behind them weak children, whom they worry about (welfare) them. Therefore let them fear Allah and let them speak the truthful words." [9]

Based on the verse above, we can conclude that the concern for the weak generation represents poverty, which is the opposite of welfare. The verse recommends that humans avoid poverty by working hard as a form of endeavor and relying on Allah. In verse above, Allah also recommends that humans pay attention to the next generation (children) so as not to fall into poverty. We can do that by preparing or educating the next generation (children) about moral and material welfare. It is recommended to prepare a strong next generation, both strong in terms of their devotion to Allah and strong in economic terms. [9]

Al-Qur'an also mentions welfare which is contained in Surah An-Nahl verse 97 "Whoever does righteous deeds, both men and women in a state of faith, then surely we will give him a good life and indeed we will reward him. to them with a better reward than what they did." [9] The good life in the verse above means obtaining *halal* and good sustenance. There is also an opinion that a good life is worshipping Allah accompanied by eating *halal* sustenance and having *qana'ah* properties. There is another opinion that says a good life good is always getting sustenance from Allah SWT day after day. According to Al-Jurjani, sustenance is everything Allah SWT gives, and animals can take advantage of *halal* and *haram* sustenance.[11]

Furthermore, the 20th verse of Surah Al-Hadid is also used as a reference for the welfare of the community, which means, "Know that the life of this world is only a game and neglect, adornment, and boasting among you and being proud of the abundance of wealth and children, like the rain whose crops amaze the peasants; Then the plant dries up, and you see it is yellow. Then it crumbles, and in the hereafter (later), there is severe punishment and forgiveness from Allah and His pleasure, and the life of this world is nothing but deceptive pleasure." [9]

We also know that competing in worldly luxuries can plunge people into the pride of destruction, as stated in Surah At-Takatsur verse 1-2, which means "Boasting has neglected you until you enter the grave.[11] The verse above explains that aspects used as indicators of welfare, such as income level (amount of wealth), population density (number of children), housing, and others, can deceive a person if it is not accompanied by value-oriented mental or moral development and religious value. In turn, it is feared that humans will be trapped in the hedonistic and materialistic competition for worldly luxuries. Thus the cultivation of monotheism (moral and mental formation) is the main indicator of welfare.[11].

### 3 Methods

The data collection method in the preparation of this article is the library research method. First, the authors collect information using references from books and journals related to the

topic of discussion to obtain data and theories suitable for the problems studied.[12] Then, the data obtained is processed by re-examination so that it is in harmony between one data and another, then organizes the data obtained with a predetermined framework so that certain conclusions are obtained, which are the results of the answers to the problem formulation. In addition to this method, this article's preparation uses the internet searching method to find the necessary data sources and theories that support the completeness of the compiler's references in finding facts or theories related to the problem being studied. [13]

## **4 Discussion and Analysis Data**

### **4.1 Environmental Conservation and Gambut Community Welfare**

According to the official website of the South Kalimantan Provincial Government, the total area of forest and waters (hectare) of South Kalimantan are Protection Forests 526.425 ha (2015) and 525.686 ha (2018), Nature Reserves and Nature Conservation 213.285 ha (2015) and Limited Production Forests 762.188 ha (2015) and 762.964 ha (2018), Permanent Production Forests 126.660 ha (2015) and 126.717 ha (2018) and Conservable Production Forests 151.424 ha (2015) and 116.686 ha (2018). [14]The size of this area certainly does not guarantee a positive value, but it can become a national and international issue, especially related to the destruction of forest resources, waters, the environment, poverty, and ineffective policies.

The area of peatland in 2020 is 331,629 Ha. Of this area, there 162.819 ha is used for agricultural land.[14] The area of peat is quite high in the sub-district compared to 2015 data, which is 6.301.710 Ha.[15] This phenomenon shows that there has been a considerable change of peatland,. Previously it functioned as an ecological carrying capacity and has now become agricultural land and settlements.

The people of Gambut District's level of welfare can be seen in the comparison of 2018 and 2020 statistical data. The data shows that the population growth has increased from 39.084 [16] to 44.751 inhabitants. However, from the welfare aspect, based on these statistical data, there has been a decline, namely the status of Pre-Prosperous Families, amounting to 56, and Prosperous Family I amounting to 2131 (2018 data).Central Bureau of Statistics.This data shifted in 2020 to 73 for Pre-Prosperous Families and 1131 for Prosperous Families I. This data shows that there has been a decline in the level of welfare of Gambut District people in two years. [14]

### **4.2 Analysis of Environmental Conservation and Gambut Community Welfare: *Maqasid Sharia***

Environmental conservation is an effort to preserve the environment, paying attention to the benefits that can be obtained at that time while maintaining the existence of each environmental component for future use.[8] Conservation is divided into 2, namely in terms of economy and ecology. Where conservation from an economic perspective means trying to allocate natural resources for now, while from an ecological perspective, conservation is an allocation of natural resources for now and in the future, environmental conservation cannot be separated from sustainable development. The principles and planning tools in sustainable development have been stated in Law no. 4 of 1982 and PP No. 51 of 1993 concerning Environmental Impact Analysis (AMDAL).[17] However, some people do not understand it due to a lack of awareness and understanding of conservation. Humans and the environment

are two main elements that determine each other in the sense that humans live in the environment, and if the environment is damaged, humans are harmed.

*Maqasid sharia* was built by two words, namely *maqasid* and *ash-Sharia*. *Maqasid* is a plural form that means to bring something or means guidance, intentional, something, and purpose. *Sharia* literally means the road to the source of water or the road to the main source of justice.[18], [19] However, *maqasid sharia* is defined by its meaning and purpose in enforcing something that will impact human benefit. Alternatively, some scholars call *Maqasid Sharia* as *Asrar sharia*, which means the secrets behind the existence of a law established by *syara'* which contains benefits that are certainly useful in the world and the hereafter for all people. One example is the obligation to pray 5 (five) times to maintain the religion. Therefore, *Maqasid sharia* can be given the meaning of the goals addressed from a predetermined law.[20]

Protecting the environment is a must that should be done immediately because this is the responsibility of every caliphate on earth.[3] Every human being must make various efforts to save the environment according to their respective abilities and capacities. It should be remembered that no matter how small the participation of a person or group of people in saving the environment will have a slight impact on the environment. Some contexts or indicators are preserving water, preserving air, maintaining soil fertility, preserving forests, and preserving flora and fauna.

*Maqasid sharia* in *Usul Fiqh* is nothing but the goal to achieve *Maslahah* both in this world and the hereafter.[21] In this section, *Maslahah*, based on the type, is subdivided into several parts, one of which is the main one, *Maslahah adh-Dharuriyyah*. This type of *Maslahah* is absolute and cannot be ignored, which implies that if this *maslahah* is not implemented, society will lose its benefit both in the world and the hereafter. As has been explained, the understanding of *maqasid sharia* and also the urgency of maintaining the environment, it is found that protecting the environment is as important as maintaining religion. On the other hand, if the environment is damaged, it is the same as committing a sin and negating the objectives of *sharia*. Alternatively, simply sinning (concrete examples such as littering, being indifferent to the environment, and destroying nature) can be considered as an attitude of blasphemy against religion. Specifically, in the Qur'an, nothing refers to the destruction of the environment. However, if some of these actions interfere with the benefit of the people, then it is strictly prohibited. This understanding is in line with the concept of *maqasid sharia*, which does not achieve benefit and means destroying *adh-Dharuriyyat*. Although the benefit of the people is not disturbed in the running process, it is necessary to have the role of several groups, not only the government as an institution that has the authority but is appealed to all humanity.[21]

## 5 Conclusion

Humans have a special role and position among the components of nature and other creatures created by God, namely as caliphs, representatives of God, and leaders on earth. Therefore, humans must take care of this universe by conserving and restoring the environment so that the balance of natural ecosystems can run well. In this case, Islam has the concept of conservation of the environment through several institutions that we can use as references, including *taharah*, *ihram*, *hima*, *harim an-nahr*, *zira'ah*, and *ihya al-mawat*. However, on the other hand, we can also get advice from Allah SWT and His Messenger to carry out this conservation through messages conveyed through the Qur'an and Hadith, where we are encouraged to be friendly to the environment by not being wasteful in using and using it.

Utilizing the components of the natural environment, we are required to maintain cleanliness so as not to impact human health by not damaging the environment. So that nature is preserved, we are encouraged to plant trees.

Conservation of peatlands into settlements, even though it has economic value that has an impact on increasing people's income, in the facts revealed in the case of Gambut District, Banjar Regency, South Kalimantan, does not have an impact on increasing welfare in the perspective of *maqasid sharia*, especially in the (*hifz al-mal*) aspect. Other aspects of *maqasid* need to be investigated further.

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