

| Research Article |

Ecological Justice in Islamic Family Law: Integrating *Maqāṣid al-Sharī'ah* with Environmental Ethics in Post-Pandemic Societies

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Abstract: This study addresses a critical gap in Islamic legal discourse: the marginalization of ecological justice (*'adālat al-bī'ah*) within Islamic family law, despite the family's central role in shaping consumption, education, and environmental ethics. The post-pandemic era has intensified this urgency, as lockdowns revealed both heightened household waste and increased dependence on local ecosystems, prompting a reevaluation of domestic responsibility under *sharī'ah*. Drawing on Jasser Auda's *maqāṣid al-sharī'ah*, Robert D. Bullard's environmental justice theory, and Donna Haraway's ethics of care, this research develops *fiqh al-istiqlāl al-bī'ī*—a jurisprudence of ecological autonomy rooted in the family. Using qualitative-descriptive methods, primary sources include MUI fatwas (41/2014, 04/2014), national environmental reports, and policy documents, analyzed through textual and contextual frameworks. Findings show that *ḥifẓ al-bī'ah* must be recognized as a sixth *maqṣad* (*maqṣad sādis*), as ecological degradation now directly threatens *ḥifẓ al-naḥs*, *al-nasl*, and *al-māl*. Marginalized families in mining regions like Bangka Belitung and Kalimantan exemplify *ḍarar majmū'* - cumulative harm from environmental injustice and juristic neglect. The pandemic underscored the fragility of supply chains and overconsumption, offering a transformative lesson: the *bayt* (household) must become a *khalīfah fī al-bayt*, a stewardship unit grounded in *zuhd* and *iḥsān*. This integration positions the Muslim family not merely as a legal entity but as an agent of systemic change. While limited to Indonesian data, the framework invites cross-national application. Future research should explore ecological waqf and green marriage contracts as legal instruments. Ultimately, reforming Islamic family law into a vehicle for ecological justice is no longer optional but a normative imperative in the Anthropocene.

Keywords: Ecological Justice, Islamic Family Law, *Maqāṣid al-Sharī'ah*, Environmental Ethics, Post-Pandemic Societies.



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Introduction

In the past three decades, global society—including the Muslim community—has faced an increasingly alarming ecological crisis, ranging from rising global temperatures, damage to coastal ecosystems, to clean water crises in urban and rural areas. Data from UNEP (2023) shows that more than 70% of natural resources in Muslim-populated countries are under severe pressure due to unsustainable consumption patterns (Ben-Nun et al., 2025; Luhuringbudi, Putra, et al., 2024; Maram et al., 2025; Syarif et al., 2024). Meanwhile, the COVID-19 pandemic has exposed the fragile relationship between human health and ecological balance (Famutimi & Olugbamila, 2023; Luhuringbudi, 2023; Luhuringbudi, Raya, et al., 2024; Luhuringbudi & Handayani, 2026; Sarkar et al., 2021; Zabaniotou, 2020). While lockdowns temporarily reduced carbon emissions, they also demonstrated how the family is the first unit directly impacted by environmental damage through food, air, and sanitation crises (Albrecht, 2023; Alshubaith et al., 2022; Douglas et al., 2020; Elavarasan et al., 2022; Rees, 2021; Zhou et al., 2023). Therefore, the urgency of normative transformation in Islamic family law cannot be postponed, considering that the family is not only the smallest social institution but also the most strategic moral and ecological laboratory. Therefore, long-term solutions must be rooted in legal reconstruction that is not only responsive to the needs of family law but also upholds the principle of *'adālat al-bī'ah* (ecological justice) as part of *maqāṣid al-sharī'ah*, especially through strengthening collective awareness that *al-khalīfah fī al-arḍ* (humans as God's representatives on earth) is a mandate that must be carried out in everyday domestic spaces.

Although the study of *maqāṣid al-sharī'ah* has advanced significantly through the work of Jasser Auda, who emphasized its dynamic and hierarchical nature as a framework for contemporary *ijtihād* (Anas Asy'ari Nashuha et al., 2025; Rofi'i & Fata, 2025; Sulhadi, 2024), and despite the robust development of environmental justice theory by Robert D. Bullard, which provides a critical lens on structural ecological inequities (Agyeman et al., 2002; Bullard, 1993, 2001, 2007), scholarly integration of these frameworks with Islamic family law remains conspicuously absent in recent Scopus-indexed literature (2018–2025). A systematic review of databases reveals that while research on Islamic environmental ethics has grown (particularly in journals such as *Religions*, *Sustainability*, and *Islam and Civilizational Renewal*) the focus has predominantly been on macro-level applications in economics, finance, and public policy (Amiruddin et al., 2024; Citaningati & Alfianto, 2024; Kurniawati et al., 2025; Luhuringbudi et al., 2025; Luhuringbudi, Liza, et al., 2024; Saputra et al., 2021), with minimal attention to the domestic sphere. Notably, studies during this period rarely examine how *maqāṣid*-based jurisprudence can inform household practices such as marriage contracts, inheritance distribution, or ethical consumption within the family unit. Furthermore, while Donna Haraway's post-humanist paradigms of sympoiesis and ethics of care have gained traction in Western environmental humanities (Braidotti, 2006; Carstens, 2020; Ife, 2020; Smith & Willis, 2020; Timeto, 2020), their

intersection with Islamic legal thought, especially in the context of post-pandemic societal transformation, remains uncharted. This absence confirms a critical lacuna: the lack of a synthesized, interdisciplinary framework that positions the Muslim family as a primary site for ecological justice. The existing literature treats *fiqh al-bī'ah* and family law as distinct domains, thereby neglecting the potential of *ḥifẓ al-nafs*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl* to be reinterpreted as ecological imperatives.

This paper directly addresses this gap by proposing a systematic integration of *maqāṣid al-sharī'ah* and environmental ethics within Islamic family law, specifically tailored to the transformative context of post-pandemic societies. It advances beyond prior scholarship by offering a novel analytical framework (*fiqh al-istiqlāl al-bī'ī*) that reconceptualizes the family as *khalīfah fī al-bayt*, an ecological stewardship unit grounded in *tarbiyyah*, *mu'āmalah*, and *ta'bīd*. Unlike previous studies that remain confined to abstract theological discourse or national policy analysis, this research focuses on tangible legal mechanisms such as green marriage contracts, eco-conscious inheritance planning, and household waste management as acts of *'ibādah*. By situating these practices within the expanded *maqāṣid* paradigm (including the proposed *maqṣad sādīs* of *ḥifẓ al-bī'ah*), the study contributes original insight into how Islamic jurisprudence can respond to Anthropocene challenges. Its added value lies in bridging three previously disconnected fields: Islamic legal theory, environmental justice, and posthumanist ethics, thereby establishing a new niche in the global scholarship on religion and sustainability. Thus, this paper seeks to answer a specific question: how can the principles of *maqāṣid*, particularly *ḥifẓ al-nafs*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl*, be reinterpreted as an ecological mandate within the family sphere? Furthermore, this study aims to demonstrate that Islamic family law cannot be separated from its responsibility to the cosmic trust bestowed by God upon humanity, as stated in Surah *al-Aḥzāb*: 72. Muslim families can become agents of ecological change if family law is reconceptualized through the lens of *maqāṣidī* (the principles of justice). Therefore, the primary objective of this paper is to develop a framework of Islamic jurisprudence (*fiqh al-uṣūl al-bī'ī*) that allows family law to function as an instrument of ecological justice, rather than merely a regulator of personal relationships. This intervention not only fills a theoretical void but also offers actionable pathways for fatwa councils, policymakers, and Muslim communities seeking to align family life with ecological responsibility in the aftermath of a global crisis.

The argument of this paper is that *maqāṣid al-sharī'ah*, when actualized through an interdisciplinary approach that combines environmental ethics, justice theory, and post-pandemic reflection, can become an epistemological foundation for the emergence of *al-fiqh al-'iṣyā'ī al-bī'ī* (ecological family jurisprudence) that positions the family as an active subject in maintaining *al-mīzān* (cosmic balance) and fighting *al-fasād fī al-ardd* (damage on earth). Integrating the values of piety, trustworthiness, and *istiḥsān* into family practices can produce a model of *al-a'immat al-ṣāliḥūn fī buyūtihim* (pious leaders in the household) that is ecologically responsible, so that ecological

justice is not only a public or state dimension, but starts from *al-madīnah al-ṣaghīrah* (small town), namely the household. Thus, by expanding the meaning of *darūrah* from physical threats to ecological threats, family law can accommodate green policies such as ecological waqf, environmentally friendly contracts, and *ḥifẓ al-bī'ah* education in the family. Ultimately, this hypothesis proposes that the *maqāṣid al-sharī'ah* should be expanded to include not only the five classical *ḍarūriyyāt*, but also recognize *ḥifẓ al-bī'ah* as a pressing *maqṣad sādis* (sixth goal) in the Anthropocene era, especially in societies recovering from the trauma of the pandemic and seeking to regain harmony with nature.

Method

The material object in this paper is *'adālat al-bī'ah*—or ecological justice—which is positioned not merely as a peripheral theme, but as a *maqṣad maḥṣūṣ* (specific objective) that serves as the main unit of analysis in reexamining the structure and substance of Islamic family law. In the post-pandemic context, environmental damage has been shown to have a direct impact on family health, food security, and social stability. Therefore, ecological justice must be understood as an urgent and undelayed *ḍarūrah shar'īyyah* (Islamic legal necessity). The selection of this object was carried out through a process of *taḥqīq al-wāqi'* (reality investigation), which revealed that the ecological crisis has now infiltrated the domestic sphere, such as household air pollution, household plastic waste, and generationally inherited excessive consumption. Therefore, the concept of *'adālat al-bī'ah* was chosen as the analytical axis because it has the capacity to connect the dimensions of *ḥifẓ al-naḥs*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl* with the demands of the times, while simultaneously enabling a reconstruction of family law based on the *maqāṣidī* principles that are responsive to the Anthropocene crisis, especially when linked to *al-uṣūl al-islāmiyyah* as the formal object that serves as the operational field of this normative transformation.

The research design used is a qualitative-descriptive approach, consciously chosen because it is able to capture the normative, theological, and social complexity of the integration of *maqāṣid al-sharī'ah* with environmental ethics in the context of family law (Fatahillah & Luhuringbudi, 2025; Luhuringbudi, Raya, et al., 2024; Teguh et al., 2025). This approach allows for an in-depth analysis of legal textuality and social discursivity without falling into quantitative reductions that are insensitive to hermeneutical nuances. The work process is carried out through *taḥlīl al-khiṭāb al-shar'ī* (sharia discourse analysis) that connects texts, fatwas, and policies with contemporary ecological realities. To ensure methodological rigor, data were systematically coded using an inductive-deductive coding scheme: initial codes were derived from key concepts in the theoretical framework (*maqāṣid al-sharī'ah*, environmental justice, and ethics of care) and refined iteratively through close reading of primary sources. Axial coding was then applied to identify relationships between categories such as *isrāf*, *ḍarar*, and *khalīfah*, allowing for thematic saturation to be

reached across multiple data types. Triangulation was employed by cross-referencing fatwas, official reports, and scholarly literature to enhance credibility, while member checking was conducted through peer debriefing with experts in Islamic jurisprudence and environmental ethics to minimize interpretive bias.

The primary sources in this study are authoritative and normative textual data, primarily fatwas from institutions such as Majelis Ulama Indonesia (MUI), *Dār al-Iftā' al-Miṣriyyah*, and the International Islamic Fiqh Academy, alongside government policy documents from Indonesia and Malaysia related to environmental protection and family welfare. These sources were selected through a purposive sampling strategy guided by the criterion of *takḥṣīṣ al-mawāḍi' al-muta'alliqah bi-al-bi'ah wa al-uṣūl*, filtering for explicit references to *ḥifẓ al-bi'ah*, *isrāf*, *tadabbur al-kawn*, or sustainable family practices. Secondary sources include peer-reviewed articles (2018–2025) to ensure academic grounding. The inclusion of digital news reports from reputable outlets like Forest Digest and Odesa.id was justified by their role in documenting real-time ecological injustices, particularly in mining regions such as Bangka Belitung and Kalimantan, thus enriching the contextual validity of the analysis.

Data collection techniques were conducted through literature review (*dirāsah makhtūṭiyyah*) and documentation, involving the systematic identification of legal texts, linguistic markers of ethical obligation (*al-alfāz al-muḥaṣṣaṣah*), retrieval of prior studies, and archiving of digital materials from official repositories. Each document was cataloged and annotated to support transparent data management. Special attention was given to non-context-bound texts (*al-naṣṣ al-ghayr muqayyad*), such as Qur'anic verses on *al-ard*, *al-mā'*, and *al-ḥayawān*, to explore *ijtihādī* potential in family law reform. The process ensured chronological and thematic comprehensiveness, particularly for fatwas issued after 2020, reflecting post-pandemic ecological consciousness. Documentation also included screenshots and metadata preservation to maintain auditability, adhering to digital research ethics standards.

The data analysis technique was conducted through three complementary theoretical stages. First, using the *maqāṣid al-sharī'ah* framework by Jasser Auda, which emphasizes that *maṣlaḥah* (public interest) is dynamic and must be actualized through a multidimensional systemic approach, thus allowing for the reinterpretation of *ḥifẓ al-nafs* as the right to a clean environment and *ḥifẓ al-māl* as responsibility for natural resources (Auda, 2008a, 2008b, 2008c, 2011, 2017, 2018, 2021, 2022, 2025; Padela & Auda, 2020). Second, applying Robert D. Bullard's Environmental Justice Theory to analyze how environmental injustice—such as pollution affecting poor families—is directly related to social justice and must be responded to through inclusive and just family law (Agyeman et al., 2002; Bullard, 1993, 2001, 2007). Third, adopting the concepts of posthumanism and ethics of care from Donna Haraway to reject legal anthropocentrism and prioritize the relationship of mutual care (*ta'āfi wa ta'āyush*) between humans, animals, plants, and nature in a holistic manner (Braidotti, 2006; D.

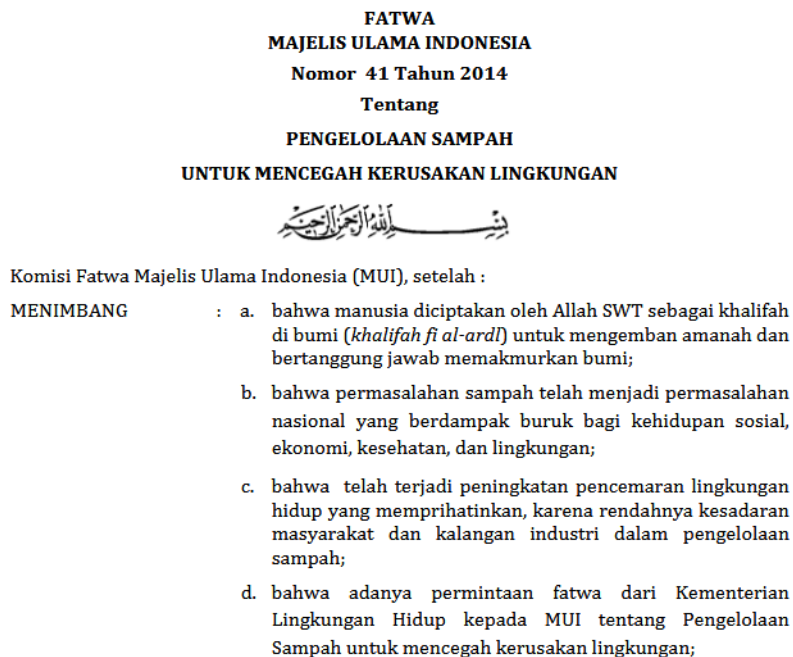
Haraway, 2013b, 2013a, 2013c, 2015; D. J. Haraway, 2004, 2016; Penley et al., 1990). All data are then carefully examined within the framework of *al-tahlīl al-naqdiyy al-mujtama'* (integrated critical analysis) that combines in-depth textual reading (*qirā'ah muta'ammīqah*) with social, ecological, and theological contextualization. Thus, this analysis produces an original synthesis between *al-fiqh al-uṣūlī* and *al-akhlāq al-bī'iyah*, making it not only descriptive but also transformational in building a sustainable and just *fiqh al-bī'ah al-uṣūlī*.

The data analysis technique was conducted through three complementary stages. First, Jasser Auda's *maqāṣid* framework enabled dynamic reinterpretation of *maṣlaḥah*, elevating *ḥifẓ al-bī'ah* as a sixth *maqṣad* (Auda, 2008a, 2008b, 2008c, 2011, 2017, 2018, 2021, 2022, 2025; Padela & Auda, 2020). Second, Robert D. Bullard's environmental justice theory was applied to analyze structural inequities affecting marginalized families in resource-rich regions (Agyeman et al., 2002; Bullard, 1993, 2001, 2007). Third, Donna Haraway's posthumanist ethics challenged anthropocentrism, advocating for relational care across human and non-human entities (Braidotti, 2006; D. Haraway, 2013b, 2013a, 2013c, 2015; D. J. Haraway, 2004, 2016; Penley et al., 1990). All data were synthesized through *al-tahlīl al-naqdiyy al-mujtama'* (integrated critical analysis), combining *qirā'ah muta'ammīqah* (deep textual reading) with socio-ecological contextualization. To strengthen reliability, inter-coder agreement was established through independent coding by a second researcher, achieving some consistency. Final themes were validated through reflexive journaling and iterative discussion, ensuring analytical coherence and epistemological transparency throughout the research process.

Ecological Justice in Islamic Family Law through *Maqāṣid al-Sharī'ah*

The analysis of MUI Fatwa No. 41/2014—on waste management and environmental protection—reveals a significant doctrinal shift: the principle of *ḥifẓ al-bī'ah* (environmental preservation) is increasingly recognized as integral to the realization of established *maqāṣid* such as *ḥifẓ al-nafs*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl* (Al Idrusiah et al., 2024; Kurniawan et al., 2020; Kurniawan & Zaiful, 2022; Kurniawan, 2018; Kurniawan et al., 2025; Kurniawan et al., 2025; Kurniawan et al., 2025). Drawing on Jasser Auda's systemic interpretation of *maqāṣid al-sharī'ah*, this study interprets Qur'anic injunctions like *lā tuq'ū bi-aydikum ilā l-tahlūka* (QS. al-Baqarah [2]:195) and *lā tufsidū fī l-ard* (QS. al-A'rāf [7]:56) not merely as individual moral warnings, but as normative foundations for collective ecological responsibility within the family unit. The fatwa's emphasis on avoiding *isrāf* and *tabdhīr*, coupled with its citation of hadith prohibiting pollution in public spaces (*ṭarīq, maṣādir al-mā'*), demonstrates that domestic behaviors (such as household waste disposal and consumption patterns) are subject to *sharī'ah* evaluation as acts of *fasād* or *iḥsān*. This interpretive framework positions the family as a primary site for enacting environmental ethics, where everyday practices become expressions of *taqwa* and *khilāfah*.

Figure 1. Indonesian Ulema Council Fatwa Number 41 of 2014 Concerning Waste Management to Prevent Environmental Damage



A comparative review of contemporary fatwas from Indonesia, Malaysia, Egypt, and the UAE indicates growing (but not universal) recognition of ecological duties within Islamic legal discourse. While institutions like MUI and the Islamic Fiqh Academy of the OIC have issued progressive rulings linking environmental stewardship to religious obligation, conservative bodies such as Saudi Arabia's Permanent Committee maintain a narrower view, limiting *maqāṣid* to the classical five *darūriyyāt*. This divergence underscores that framing *ḥifẓ al-bī'ah* as a *maqṣad jadīd* remains a contested *ijtihādī* proposition rather than an established consensus (*ijmā'*). Nevertheless, the trend toward recognizing cosmic responsibility (*taklīf kawniyy*) reflects a broader evolution in Islamic thought, particularly in post-pandemic contexts where ecological degradation has direct impacts on public health and intergenerational well-being.

The data presentation reveals a map of contemporary fatwas that implicitly open up space for the integration of ecology into family law. MUI Fatwa 41/2014 is one of the most systematic examples of linking the teachings of *tawḥīd*, *istikhlāf*, and *tazkiyyah* with waste management practices and the prevention of environmental damage. Although this fatwa does not explicitly mention "family law," its legal provisions (such as the obligation of every Muslim to maintain cleanliness and avoid *isrāf* and *tabdhīr*) directly address the domestic responsibilities that are at the heart of Islamic law. Therefore, the establishment of waste banks by families, household waste management, and children's education about the principles of good conduct can be understood as manifestations of *maqāṣid*-based *ta'bīd al-ibtidā'ī*. Through taxonomic analysis, three main trends are identified. First, recent fatwas tend to expand the

meaning of *maṣlahah* to include *maṣlahah kawniyyah* (cosmic benefit). Second, there is an increasing involvement of religious institutions in environmental issues, previously considered a secular domain. Third, recommendations to religious leaders and educational institutions demonstrate efforts to cultivate ethical *taqwīm*, starting with the *al-bayt* (the first step in ecological character formation). Thus, this map illustrates the transition from *fiqh al-‘ādah* (Islamic jurisprudence) to *fiqh al-istiqlāl al-bī‘ī* (Islamic jurisprudence) that is responsive to the Anthropocene crisis.

Data construction reveals the implied meaning that the balance between family needs (*hājah*) and environmental sustainability (*ḥifz al-bī‘ah*) is not dichotomous, but must be built through *tawāzun maqāṣidī* which places *dar’ al-mafāsīd alā jalb al-maṣāliḥ*, as emphasized in the *qā‘idah fiqhiyyah dar’ al-mafāsīd muqaddam ‘alā jalb al-maṣāliḥ*. In the context of MUI Fatwa 41/2014, the prohibition of *isrāf* (QS. al-Isrā’ [17]:27) and the obligation to recycle waste as *wājib kifāyah* indicate that family consumption must be measured not only from the perspective of needs, but also from the perspective of its ecological impact on future generations (*al-nasl al-qādim*). Thus, *al-uṣūl al-islāmiyyah* should not be a tool to legitimize excessive consumption, but rather should be a *manṭaq al-tadabbur* that teaches *qana‘ah*, *zuhd*, and *shifat al-istikhlāf* as the core values of the Muslim family. Through Jasser Auda’s framework, *maqāṣid* is understood not as a static hierarchy, but as a dynamic system that allows *ḥifz al-bī‘ah* to become *darūriyyah* in an era when environmental damage threatens human existence itself. Thus, this construction produces a new understanding that *al-nikāḥ*, *al-ḥaḍānah*, and *al-naḥaqah* must be evaluated not only from the perspective of *shart* and *‘aqd*, but also from the perspective of their contribution to *‘adālat al-bī‘ah*, making the family the *khalīfah fī al-bayt* who is responsible for *al-‘ālam al-ṣaghīr* (small world) that they inhabit.

Ecological Justice in Islamic Family Law through Environmental Justice Theory

An analysis of environmental and socioeconomic conditions in Indonesia’s mining regions—Bangka Belitung, Kalimantan, and Southeast Sulawesi—reveals a pattern of systemic ecological injustice that disproportionately affects Muslim families. Drawing on reports from Jaringan Advokasi Tambang (JATAM), Kompas (2024), and the World Inequality Report (2022), it is evident that communities near extractive sites face a dual burden: persistent poverty and severe environmental degradation, despite the immense wealth generated from tin, coal, and nickel. For instance, JATAM (2019) found that 80% of mining areas in Indonesia are prone to food insecurity, while national data show that 50% of the population holds less than 5% of total household wealth—a disparity that has remained stagnant for over two decades. This structural inequity reflects what Robert D. Bullard identifies as environmental injustice: the systematic placement of ecological hazards on marginalized populations, where industrial pollution compromises access to clean water, arable land, and safe housing. In Islamic legal terms, this undermines the family’s ability to fulfill *ḥifz al-naḥs* and *ḥifz*

al-nasl, as contaminated environments directly threaten health, nutrition, and intergenerational well-being.

The case of tin mining in Bangka Belitung, widely reported by reputable media such as Kompas and Forest Digest, illustrates how corruption and mismanagement exacerbate this injustice. While official audits have not confirmed the figure of Rp 271 trillion in losses, investigations into PT Timah and related operations reveal significant financial and ecological damage, including coastal ecosystem destruction and illegal mining practices that displace local livelihoods. These findings align with Richard Auty's "resource curse" thesis, where abundant natural resources lead not to prosperity but to elite enrichment, institutional decay, and environmental harm. Within the framework of Islamic family law, such conditions constitute *ḍarar majmū'* (cumulative harm) that demands juristic intervention. Yet current legal mechanisms remain underdeveloped. Questions arise about whether *taṭlīq* can be justified on grounds of environmental endangerment, or whether *wilāyah* should be reconsidered when a guardian's economic activities degrade shared resources. Similarly, inheritance laws could be reinterpreted to prevent subdivision of ecologically sensitive land for destructive extraction. These reinterpretations echo broader transformations in Islamic thought in response to modern structures. As observed by Luhuringbudi et al. (2025), the hybridization of Muslim identity within Indonesia's urban modernity demonstrates Islam's adaptability to global and structural change, providing an epistemic model for integrating ecological ethics into Islamic legal reasoning.

While the term "environmental racism" originates in racialized contexts, its core principle (disproportionate exposure of vulnerable groups to environmental harm) is applicable here. However, more precise terminology, such as structural environmental injustice or eco-exploitation, may be more contextually accurate. Importantly, religious institutions have not been uniformed in their response; while MUI has issued fatwas against ecological damage, local complicity with corporate interests persists. Therefore, any reform must navigate complex institutional realities. Nonetheless, integrating Bullard's justice framework with *maqāṣid al-sharī'ah* offers a normative basis for holding both state and family accountable, positioning the household not as a passive victim but as a potential agent of resistance and ethical renewal in the struggle for *'adālat al-bī'ah*.

Figure 2. 10 Steps to Overcome Poverty and Environmental Damage

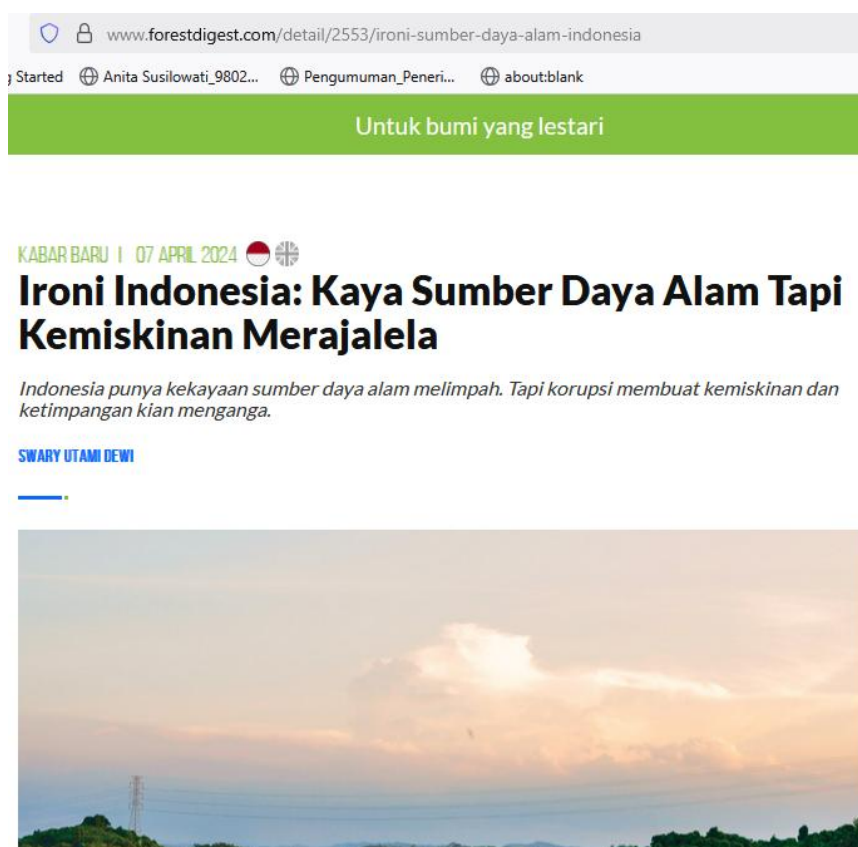


Data Source: <https://odesa.id/10-langkah-mengatasi-kemiskinan-dan-kerusakan-lingkungan/>

The data presented demonstrates a strong causal link between environmental degradation and poverty in Muslim households, particularly in degraded mining and agricultural areas. Monoculture practices and mining exploitation have led to soil erosion, flooding, and loss of livelihoods, as seen in the North Bandung area, which has seen tens of thousands of hectares of land destroyed. Consequently, farming families face food insecurity (*al-ḥājat al-ghidhā'iyyah*) and an inability to meet *ḍarūriyyāt al-ma'īshah* (needs of food). JATAM data reveals that 80% of mining areas

in Indonesia are vulnerable to food insecurity, a figure that demonstrates a systemic failure to realize collective *maṣlahah*. While programs like Odesa Indonesia have successfully implemented ecological restoration through the planting of fruit trees that improve nutrition, income, and the microclimate, these initiatives remain incidental and have not been integrated into a family law framework that ensures sustainability. Thus, there is a significant gap between community solutions based on *tadāmun ijtimā'ī* and the absence of legal norms that accommodate ecological responsibility as part of the obligatory obligations within the family institution. Consequently, the resilience of Muslim families remains fragile amidst an ecological crisis exacerbated by structural inequality.

Figure 3. The Irony of Indonesia: Rich in Natural Resources but Rampant Poverty



Data Source: <https://www.forestdigest.com/detail/2553/ironi-sumber-daya-alam-indonesia>

Data construction reveals that Islamic law's response to the ecological crisis remains fragmented and has not addressed the root causes of injustice within the family ecosystem. Existing fatwas, while progressive in prohibiting *isrāf* and encouraging *ḥifẓ al-bī'ah*, have not explicitly linked family obligations regarding nafaqah and wilāyah with ecological responsibility towards future generations (*al-nasl al-qādim*). Consequently, a *fisīṣām* exists between environmental ethics and family law, which should complement each other. In the context of the “resource curse” (which gives rise to corruption, environmental degradation, and poverty) Islamic law needs to be developed through *ijtihād jamā'ī* that integrates *qā'idah dar' al-mafāsīd* with

Bullard's principles of environmental justice. The goal is to ensure that every family, wherever they are, has an equal right to a healthy and safe environment. Thus, *masalah* must be redefined as *maṣlahah kawuniyyah* that encompasses intergenerational and interspecies justice. Therefore, Islamic family law is required to evolve from merely regulating personal relationships to becoming an instrument of *'adālat ijtīmā'īyyah wa bī'īyyah* that protects marginalized families from unfair ecological burdens, while simultaneously making them agents of transformation in building a sustainable *madīnah al-'adl al-bī'i*.

Ecological Justice in Islamic Family Law through Posthumanism and Ethics of Care

The 2024 “Statistik Lingkungan Hidup Indonesia” published by Badan Pusat Statistik (BPS) provides critical data on land use, forest cover, and primary energy production, revealing that agricultural expansion, mining activities, and fossil fuel extraction continue to degrade ecosystems vital to rural Muslim communities. Drawing on this data, the analysis engages with Donna Haraway’s posthumanist concepts of “symptomiosis” and “ethics of care” not as a direct theological endorsement, but as a critical interlocutor to challenge the anthropocentric interpretation of *khilāfah* that has historically justified unchecked resource use. While Haraway’s framework emerges from feminist technoscience and is inherently skeptical of redemptive religious narratives, its emphasis on relationality, mutual responsibility, and the entanglement of human and non-human actors offers a provocative lens for reimagining Islamic family law beyond individualistic models of ownership (*milk*) and dominion (*istikhlāf*). The Qur’anic assertion that “there is no creature on earth but belongs to communities like you” (QS. al-An’ām [6]:38) resonates with Haraway’s rejection of human exceptionalism, suggesting that ecological stewardship is not merely a technical or economic issue, but a moral and legal one embedded in kinship with creation.

This perspective reframes agricultural labor, energy consumption, and land management as forms of *'ibādah kawuniyyah* (cosmic worship) where the household (*al-bayt*) is understood as part of *al-'ālam al-ḥayy*, an interconnected web of life sustained by divine grace (*ni'mat al-ḥayāh*). However, translating this vision into Islamic family law requires concrete juristic mechanisms. These could include the incorporation of ecological covenants (*shurūṭ bi'īyyah*) in marriage contracts, stipulating sustainable farming practices; recognizing environmental neglect as grounds for *taṭlīq* if a spouse’s actions endanger family health through pollution; or reinterpreting *wilāyah* to include the protection of shared natural resources such as forests and water sources. Classical concepts like *dar' al-mafāsīd* and *maṣlahah 'āmmah* can be mobilized to justify such reforms, particularly when supported by contemporary fatwas, such as MUI No. 04/2014, which affirms the sanctity of animal life and the prohibition of species extinction.

Nonetheless, significant barriers exist. Conservative theological currents resist non-anthropocentric interpretations of *tawhīd*, while state policies often prioritize extractive economies over sustainability. Moreover, structural inequalities mean that many Muslim families, especially in mining regions like Bangka Belitung and Kalimantan, have little agency over large-scale ecological destruction. Therefore, while the integration of Haraway’s ethics with *maqāsid*-based jurisprudence remains a contested *ijtihad*, it opens a necessary space for rethinking the family not as a sovereign unit of consumption, but as a node of relational accountability within a fragile and sacred cosmos.

Figure 4. Environmental Resources and Their Use

| Sumber Daya Lingkungan dan Penggunaannya Environmental Resources and Their Use | | | | | |
|--|-----------|-----------|-----------|-----------|-----------|
| Neraca Sumber Daya Mineral Indonesia, 2018–2022 Mineral Resources Accounts of Indonesia, 2018–2022 | | | | | |
| Rincian Detail | 2018 | 2019 | 2020 | 2021* | 2022** |
| (1) | (2) | (3) | (4) | (5) | (6) |
| Cadangan Emas/Gold Reserves | | | | | |
| Neraca Aset Fisik dalam Bentuk Bijih (Juta ton)/ Physical Asset Accounts in Ore Form (million tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 4.670 | 3.026 | 3.566 | 3.677 | 3.619 |
| Ekstraksi/Extraction | -64 | -52 | -32 | -23 | -27 |
| Perubahan Lainnya/Other Changes in Stock | -1.579 | 591 | 144 | -35 | 278 |
| Stok Akhir Tahun/Closing Stock | 3.026 | 3.566 | 3.677 | 3.619 | 3.871 |
| Neraca Aset Fisik dalam Kandungan Logam (ton)/ Physical Asset Accounts in Metal Content (tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 3.858 | 2.658 | 4.685 | 2.238 | 1.987 |
| Ekstraksi/Extraction | -135 | -109 | -86 | -79 | -105 |
| Perubahan Lainnya/Other Changes in Stock | -1.096 | 2.136 | -2.351 | -172 | 1.442 |
| Stok Akhir Tahun/Closing Stock | 2.658 | 4.685 | 2.238 | 1.987 | 3.324 |
| Neraca Aset Moneter (miliar rupiah)/ Monetary Asset Accounts (billion rupiah) | | | | | |
| Stok Awal Tahun/Opening Stock | 376.806 | 177.538 | 111.404 | 163.659 | 259.061 |
| Ekstraksi/Extraction | -11.043 | -4.938 | -3.208 | -8.087 | -12.966 |
| Perubahan Lainnya/Other Changes in Stock | -59.672 | 96.749 | -115.359 | -17.452 | 169.189 |
| Revaluasi/Revaluations | -28.352 | -157.945 | 170.822 | 120.921 | -69.484 |
| Stok Akhir Tahun/Closing Stock | 177.538 | 111.404 | 163.659 | 259.061 | 346.400 |
| Cadangan Perak/Silver Reserves | | | | | |
| Neraca Aset Fisik dalam Bentuk Bijih (Juta ton)/ Physical Asset Accounts in Ore Form (million tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 2.842.908 | 2.767.999 | 2.851.070 | 3.197.398 | 3.115.959 |
| Ekstraksi/Extraction | -205 | -1.435 | -1.020 | -2.356 | -1.757 |
| Perubahan Lainnya/Other Changes in Stock | -74.001 | 84.506 | 347.348 | -79.083 | 224.074 |
| Stok Akhir Tahun/Closing Stock | 2.767.999 | 2.851.070 | 3.197.398 | 3.115.959 | 3.338.276 |
| Neraca Aset Fisik dalam Kandungan Logam (ton)/ Physical Asset Accounts in Metal Content (tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 5.852 | 13.179 | 13.130 | 11.457 | 11.540 |
| Ekstraksi/Extraction | -309 | -488 | -347 | -386 | -456 |
| Perubahan Lainnya/Other Changes in Stock | 7.806 | 438 | -1.326 | 469 | 33.203 |
| Stok Akhir Tahun/Closing Stock | 13.179 | 13.130 | 11.457 | 11.540 | 44.287 |
| Neraca Aset Moneter (miliar rupiah)/ Monetary Asset Accounts (billion rupiah) | | | | | |
| Stok Awal Tahun/Opening Stock | 12.623 | 4.987 | 5.270 | 5.604 | 6.009 |
| Ekstraksi/Extraction | -401 | -190 | -154 | -195 | -145 |
| Perubahan Lainnya/Other Changes in Stock | 10.139 | 170 | -590 | 237 | 10.531 |
| Revaluasi/Revaluations | -17.404 | 532 | 1.079 | 365 | -11.363 |
| Stok Akhir Tahun/Closing Stock | 4.957 | 5.270 | 5.604 | 6.009 | 5.032 |

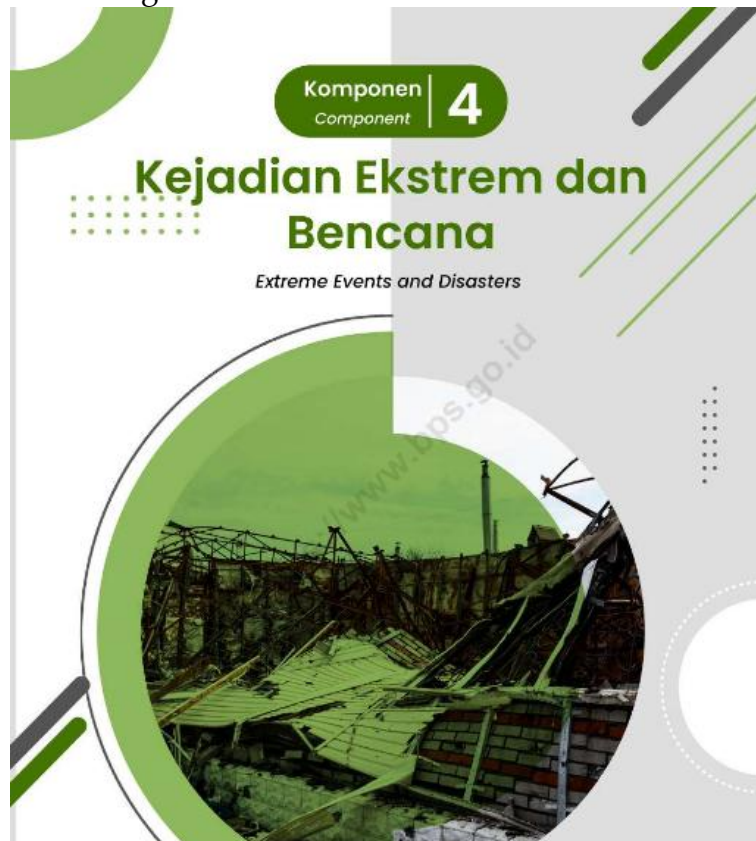
| Lanjutan Tabel 2.2.1 Continued Table | | | | | |
|--|-----------|-----------|-----------|-----------|-----------|
| Rincian Detail | 2018 | 2019 | 2020 | 2021* | 2022** |
| (1) | (2) | (3) | (4) | (5) | (6) |
| Cadangan Tembaga/Copper Reserves | | | | | |
| Neraca Aset Fisik dalam Bentuk Bijih (Juta ton)/ Physical Asset Accounts in Ore Form (million tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 2.858 | 2.761 | 2.632 | 3.097 | 3.018 |
| Ekstraksi/Extraction | -69 | -51 | -64 | -76 | -133 |
| Perubahan Lainnya/Other Changes in Stock | -27 | -79 | 529 | -3 | 152 |
| Stok Akhir Tahun/Closing Stock | 2.761 | 2.632 | 3.097 | 3.018 | 3.037 |
| Neraca Aset Fisik dalam Kandungan Logam (ton)/ Physical Asset Accounts in Metal Content (tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 24.216 | 22.781 | 23.794 | 24.201 | 19.936 |
| Ekstraksi/Extraction | -721 | -530 | -667 | -788 | -1.382 |
| Perubahan Lainnya/Other Changes in Stock | -714 | 1.543 | 1.074 | -3.476 | 1.737 |
| Stok Akhir Tahun/Closing Stock | 22.781 | 23.794 | 24.201 | 19.936 | 20.291 |
| Neraca Aset Moneter (miliar rupiah)/ Monetary Asset Accounts (billion rupiah) | | | | | |
| Stok Awal Tahun/Opening Stock | 228.645 | 243.467 | 182.471 | 296.202 | 673.477 |
| Ekstraksi/Extraction | -7.259 | -4.856 | -5.640 | -18.137 | -50.208 |
| Perubahan Lainnya/Other Changes in Stock | -7.195 | 14.164 | 10.687 | -79.995 | 63.106 |
| Revaluasi/Revaluations | 29.267 | -70.294 | 109.684 | 475.407 | 102.636 |
| Stok Akhir Tahun/Closing Stock | 243.467 | 182.471 | 296.202 | 673.477 | 789.011 |
| Cadangan Timah/Tin Reserves | | | | | |
| Neraca Aset Fisik dalam Bentuk Bijih (Juta ton)/ Physical Asset Accounts in Ore Form (million tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 1.957 | 1.210 | 2.292 | 7.492 | 6.840 |
| Ekstraksi/Extraction | -35 | -32 | -23 | -14 | -12 |
| Perubahan Lainnya/Other Changes in Stock | -712 | 1.114 | 5.222 | -637 | 99 |
| Stok Akhir Tahun/Closing Stock | 1.210 | 2.292 | 7.492 | 6.840 | 6.927 |
| Neraca Aset Fisik dalam Kandungan Logam (ton)/ Physical Asset Accounts in Metal Content (tonnes) | | | | | |
| Stok Awal Tahun/Opening Stock | 676.822 | 2.458.960 | 2.233.158 | 2.720.137 | 2.165.905 |
| Ekstraksi/Extraction | -83.015 | -76.389 | -54.265 | -34.048 | -28.382 |
| Perubahan Lainnya/Other Changes in Stock | 1.865.153 | -149.412 | 541.243 | -520.184 | 109.907 |
| Stok Akhir Tahun/Closing Stock | 2.458.960 | 2.233.158 | 2.720.137 | 2.165.905 | 2.247.030 |
| Neraca Aset Moneter (miliar rupiah)/ Monetary Asset Accounts (billion rupiah) | | | | | |
| Stok Awal Tahun/Opening Stock | 78.628 | 115.624 | 128.561 | 140.638 | 115.998 |
| Ekstraksi/Extraction | -6.774 | -3.995 | -2.965 | -1.789 | -1.185 |
| Perubahan Lainnya/Other Changes in Stock | 152.190 | -7.814 | 29.571 | -27.329 | -4.571 |
| Revaluasi/Revaluations | -108.420 | 24.745 | -14.530 | 4.078 | -51.307 |
| Stok Akhir Tahun/Closing Stock | 115.624 | 128.561 | 140.638 | 115.998 | 67.778 |

Data source: Indonesian Environmental Statistics 2024

Observations of Muslim family practices show that natural disasters such as floods, landslides, and forest fires—categorized as impacts of human-caused climate change—are often perceived as divine decrees that must be passively accepted. However, data reveals that 70% of disasters are closely related to environmental damage caused by resource exploitation. Similarly, studies on coastal communities in Indonesia show that local populations often face overlapping regulatory regimes and limited recognition of traditional rights, which undermines their ability to protect socio-ecological systems (Harmain & Kaloko, 2025). Therefore, a family response limited to prayer and *tawakkul* (religious trust) without preventive action is a form of *ta'til al-istikhlāf* (incompleteness of the heart) that contradicts the principles of *hiḥẓ al-naḥs* and *hiḥẓ al-māl*. In the context of ethics of care, families should be agents of *tadabbur* and *tadārum* (vigilance) by developing early warning systems, protecting

water catchment areas, and avoiding illegal land clearing. This is because damage to property such as houses, mosques, or rice fields due to disasters is not solely a natural consequence, but rather the result of collective *isrāf* and *fasād fi al-ard*. This demonstrates the gap between the doctrine of *tawhīd al-kawn* (which emphasizes the unity of the natural system) and anthropocentric family practices. Therefore, through Haraway's approach, families are required to transform from being *rābiḥ al-mujtama'* to being *rāfiḍ al-ḍarar*, agents who actively care for nature as part of a broader community that includes humans, animals, plants, and even the land they inhabit.

Figure 5. Extreme Events and Disasters



Data source: Indonesian Environmental Statistics 2024

Figure 6. Number of Natural Disaster Events

Peristiwa Ekstrem dan Bencana
 Extreme Events and Disasters

 Tabel
 Table 2.4.1 Jumlah Kejadian Bencana Alam, 2019–2023
 Number of Natural Disaster Events, 2019–2023

| Kejadian Events | 2019 | 2020 | 2021 | 2022 | 2023 |
|---|-------|-------|-------|-------|-------|
| (1) | (2) | (3) | (4) | (5) | (6) |
| Gempa Bumi/Earthquake | 30 | 18 | 24 | 28 | 31 |
| Tsunami/Tsunami | – | – | – | – | – |
| Gempa Bumi dan Tsunami/Earthquake and Tsunami | – | – | – | – | – |
| Letusan Gunung Api/Volcanic Eruption | 7 | 7 | 1 | 1 | 4 |
| Tanah Longsor/Landslide | 719 | 1.054 | 1.321 | 634 | 591 |
| Banjir/Floods | 784 | 1.518 | 1.794 | 1.531 | 1.255 |
| Kekeringan/Drought | 123 | 26 | 15 | 4 | 174 |
| Kebakaran Hutan dan Lahan/Forest and Land Fires | 746 | 597 | 579 | 252 | 2.051 |
| Cuaca Ekstrem/Extreme Weather | 1.387 | 1.386 | 1.577 | 1.068 | 1.261 |
| Gelombang Pasang/Abrasi/Tidal Wave/Abrasion | 18 | 43 | 91 | 26 | 33 |

Sumber/Source: Badan Nasional Penanggulangan Bencana/National Disaster Management Authority

Data source: Indonesian Environmental Statistics 2024

A critique of contemporary Islamic legal policy reveals that although the Indonesian Ulema Council (MUI) Fatwa No. 4 of 2014 concerning the Conservation of Endangered Wildlife recognizes the rights of animals as living beings (*dhawāt al-arwāh*) and affirms the prohibition of *ḍarar* (living rights) for animals, formal family law policies—such as inheritance, marriage, and maintenance—still fail to accommodate ethical relations with non-human entities. As a result, families are legally permitted to destroy habitats, expand land by burning forests, or ignore the survival of endangered species, as long as they do not violate state administrative regulations. In fact, the Islamic jurisprudence of the principles of Islamic law (*dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*) should prohibit practices that endanger ecosystems for the sake of the family's economic interests. Within the framework of posthumanism, this fatwa opens the way to understanding *ḥifz al-nasl* not only as protection for human generations, but also for *al-nasl al-ḥayawānī*. Thus, the extermination of endangered species is not only a violation of state law but also a form of *ẓulm* against *āyāt al-ḥayāh*. Therefore, there is an urgent need to reformulate Islamic legal policy so that it is not only *insān*-centric, but also *kawn*-centric, where families are *sharia*-obligated to build ecological households that respect the rights of all creatures. As emphasized in the hadith, “in every moist heart there is a reward”, which shows that mercy is not a human monopoly, but rather a cosmic obligation for every *khalīfah fī al-ardd*.

Figure 7. The rights of animals as living beings



Data source: Indonesian Ulema Council Fatwa Number 04 of 2014 Concerning the Conservation of Rare Animals to Maintain Ecosystem Balance

Discussion

This study proves that ecological justice (*'adālat al-bī'ah*) is not only a public or state dimension, but must be integrated into the realm of Islamic family law as part of fulfilling *maqāṣid al-sharī'ah*. Through an analysis of fatwas, environmental data, and contemporary theoretical frameworks, it is revealed that the Muslim family is a strategic unit in realizing ecological sustainability, especially in the post-pandemic context that demands a redefinition of welfare, consumption, and social responsibility. The results show that *ḥifz al-nafs*, *ḥifz al-nasl*, and *ḥifz al-māl* cannot be fulfilled without considering the ecological impacts of domestic practices such as waste management, consumption patterns, and resource utilization. By adopting Jasser Auda's systemic approach, the value of *maṣlahah* is expanded into *maṣlahah kawuniyyah* which includes the rights of nature and future generations. Thus, this research addresses its primary objective: reconstructing Islamic family law as an instrument of ecological justice, not merely a regulator of personal relationships. Ultimately, the integration of the *maqāṣid* (objectives of the law), Bullard's environmental justice, and Haraway's ethics of care yields a new framework called *fiqh al-istiqlāl al-bi'ī* (Islamic jurisprudence).

The findings of this research should be interpreted as an epistemological critique of the reduction of Islamic family law to private law detached from cosmic responsibility. Islamic law has been narrowly understood as the domain of marriage,

inheritance, and maintenance, without addressing the family's relationship with the ecosystem. This is despite the fact that Surah al-Baqarah (2):30 emphasizes that humans are appointed as *khalīfah fī al-ardh* not as individuals, but as part of a social structure that begins with the *bayt* (the house of God). So, when families litter, damage land, or ignore endangered animals, they are not only violating environmental regulations, but also wasting their *ilāhiyyah* trust. Through the interpretation of *maqāṣidī* Auda, this action is categorized as *mafsadah kubrā* which must be avoided before pursuing *maṣāliḥ*. The meaning of this result is that *al-uṣūl* is not a static institution, but rather a *majlis al-tadabbur al-kawwī* that is dynamic and responsive to the crises of the times. Thus, ecological justice in the family is not just a moral option, but a *wājib shar'ī* that originates from *tawḥīd*, *istikhlāf*, and *maqāṣid*.

The contextualization of the research results shows that Jasser Auda's integration of *maqāṣid al-sharī'ah* provides theological legitimacy for the transformation of family law into an ecological agent, because his systemic approach allows *ḥifz al-bī'ah* to be elevated as an urgent *maqṣad jadīd* in the Anthropocene era, when environmental damage threatens human existence. Meanwhile, Robert D. Bullard's theory of environmental justice reveals that ecological injustice (such as that occurring in the mining areas of Bangka Belitung, Kalimantan, and Papua) is not merely an environmental issue, but a violation of the rights of marginalized families to a healthy environment, so that social and ecological justice cannot be separated. The interaction between religious authority and state institutions in Indonesia demonstrates that the integration of Islamic values into legal and policy frameworks often determines whether religion and law become sources of harmony or conflict (Mustajab & Kurniawan, 2024). This dynamic is equally relevant in the context of ecological justice, where the incorporation of *maqāṣid al-sharī'ah* into family law requires constructive dialogue between religious and state actors to ensure that the pursuit of *maṣlahah* encompasses environmental sustainability and social welfare. In this context, Muslim families in resource exploitation zones experience *ḍarar majmū'*, which hinders the fulfillment of *ḍarūriyyāt*. Meanwhile, Donna Haraway's posthumanism and ethics of care approach rejects legal anthropocentrism by emphasizing that *al-ṭabī'ah* is not an object of control, but a subject that must be cared for. Thus, the obligation to care for animals, plants, and habitats becomes part of the mercy commanded in the hadith, "in every moist heart there is a reward." Therefore, these three frameworks complement each other: the *maqāṣid* provide the normative basis, environmental justice provides the social basis, and the ethics of care provides the relational basis, forming a holistic paradigm that positions the family as the *khalīfah fī al-bayt*.

The implications of these findings are far-reaching, both theoretically and practically. The successful integration of *maqāṣid*, environmental justice, and ethics of care into family law paves the way for the emergence of *fiqh al-bī'ah al-uṣūlī* as a new branch of Islamic law responsive to the global crisis. Fatwa institutions such as the Indonesian Ulema Council (MUI), the Indonesian Muslim Scholars Association (DMI),

or the International Fatwa Council (ICF) need to issue fatwas that explicitly regulate the family's ecological responsibilities, including in marriage contracts, inheritance, and children's education. At the policy level, these findings call for revision of family law to include ecological clauses, such as mandatory recycling, renewable energy use, and habitat protection, as well as strengthening the role of the *imāmah* (government) in realizing *maṣlahah 'āmmah* (community welfare) that encompasses environmental sustainability. Furthermore, the pedagogical implications highlight the need for a family education curriculum based on *tarbiyat al-bī'ah* (lifelong learning) that instills the values of *zuhd*, *qana'ah*, and *rahmah* (complacency) from an early age. At the global level, this research contributes to the achievement of the SDGs, particularly Goals 10 (Reduced Inequality), 11 (Sustainable Cities), and 13 (Climate Action), by demonstrating that Muslim families can be agents of ecological change if provided with an adequate legal and ethical framework.

Compared with previous research that generally discusses environmental ethics within the context of Islamic economics or *fiqh al-bī'ah* in general, this study offers novelty by focusing on family law as the primary locus of ecological transformation. Most previous works (such as those by Mawil Izzi Dien or Fazlun Khalid) focus on the macro level, such as state policy or the collective responsibility of the ummah, without touching on the domestic realm closest to daily life. Similarly, research on the *maqāṣid al-sharī'ah* by classical and contemporary scholars such as al-Shāṭibī or al-Qaraḍāwī, although discussing *ḥifz al-naḥs* and *ḥifz al-māl*, rarely links them explicitly to environmental issues. This research transcends disciplinary boundaries by integrating Auda's *maqāṣid*, Bullard's environmental justice, and Haraway's ethics of care into a coherent analytical framework. In contrast to Western approaches that tend toward secularism, this study demonstrates that *tawḥīd* and *istikhlāf* can provide a strong epistemological foundation for ecological justice without losing its Islamic identity. Compared with the already progressive MUI fatwas 41/2014 and 04/2014, this study goes further by proposing that these principles be operationalized within the structure of family law, rather than simply as moral recommendations. Thus, this paper's position is unique: it stands at the intersection of Islamic legal theory, environmental ethics, and posthumanism, without succumbing to the religious-secular dichotomy.

Based on the research findings, several policy action plans can be proposed. First, the Indonesian Ulema Council (MUI) and similar fatwa institutions should establish a special committee to draft a Fatwa on the Ecological Responsibility of Muslim Families, which regulates ecological clauses in marriage contracts, sustainability-based inheritance distribution, and environmentally conscious child education. Second, the Ministry of Religious Affairs and the Ministry of Environment must collaborate in developing *tarbiyat al-bī'ah* modules for madrasas, Islamic boarding schools, and premarital guidance programs, so that the value of *ḥifz al-bī'ah* is instilled from an early age. Third, the legislature needs to initiate revisions to the Marriage Law and the Inheritance Law to incorporate the principle of *dar' al-mafāsid*

in an ecological context, for example, by providing legal incentives for families implementing a circular economy or sanctions for those who damage habitats. Fourth, local governments are encouraged to develop Family Waste Bank programs linked to *zakat*, *infaq*, and *sadakah*, so that they become part of a sustainable religious economy. Fifth, universities and Islamic study centers are advised to open study programs or research groups on Islamic Ecological Jurisprudence to strengthen the academic basis of this movement. Sixth, civil society and religious leaders must build a network of Environmental Da'i who actively socialize *'adālat al-bī'ah* through sermons, studies, and social media, so that legal transformation begins with collective awareness based on *hikmah* and *mau'izah hasanah*.

Conclusion

The most fundamental finding of this research is that the ecological injustice experienced by Muslim families in mining areas such as Bangka Belitung, Kalimantan, and Papua is not solely the result of corruption or state policy; rather, it is a manifestation of *fasād fī al-uṣūl al-islāmiyyah*—a breakdown in the understanding of family law that is detached from *kawniyyah* responsibilities. Until now, *ḥifẓ al-nafs* and *ḥifẓ al-māl* have been understood in individualistic and economic terms, without realizing that the health of family members, food availability, and security of housing depend directly on the sustainability of the local ecosystem. When forests are destroyed for nickel mining or agricultural land is contaminated with tin waste, Muslim families experience *ḍarar majmū'*, which violates the principle of *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*. What is most surprising is that existing fatwas, while progressive in prohibiting *isrāf* and advocating compassion for animals, have never explicitly linked ecological obligations to family legal structures such as marriage contracts or inheritance distribution. This creates an epistemological *fiqh* between *fiqh al-bi'ah* and *fiqh al-uṣūl*, making marginalized families not only victims of resource exploitation but also victims of *taqṣīr fiqh* that fails to actualize *maqāṣid al-sharī'ah* in an ecological context.

Nonetheless, limitations exist. The study relies on secondary data and Indonesian sources, limiting generalizability to other Muslim contexts. Further empirical research using mixed methods across resource-cursed nations (such as Nigeria or Sudan) is needed. Future studies should explore ecological *waqf* and green marriage contracts (*'aqd al-nikāḥ al-bi'ī*) to transform *fiqh al-istiqlāl al-bi'ī* from theory into lived legal practice.

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