



Reorienting Mining Policy In Indonesia From a Qur'anic and Maqāṣid Al-Sharī'Ah Perspective Toward Social Justice and Ecological Sustainability

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Abstrak

Artikel ini mengkaji ulang praktik dan kebijakan pertambangan di Indonesia melalui perspektif tafsir maqāṣidi. Pertambangan, sebagai salah satu sektor strategis pembangunan ekonomi, berada pada posisi paradoksal. Di satu sisi memberikan manfaat ekonomi besar bagi negara, namun di sisi lain berpotensi menghadirkan mafsadah berupa kerusakan ekologi, konflik agraria, dan ketidakadilan sosial. Perdebatan publik, termasuk wacana yang dimunculkan Ulil Abshar Abdalla terkait hukum pertambangan dalam Islam, menunjukkan bahwa isu ini tidak hanya menyangkut aspek ekonomi dan politik, tetapi juga menyentuh persoalan etika keagamaan. Penelitian ini menggunakan pendekatan kualitatif dengan metode studi pustaka, menelaah literatur tafsir klasik dan kontemporer, fikih lingkungan, serta dokumen kebijakan pertambangan. Hasil penelitian menunjukkan bahwa dalam perspektif maqāṣid al-syarī'ah, pertambangan pada dasarnya mubāḥ secara dzātī, tetapi dapat beralih menjadi harām li ghairihi ketika menimbulkan kerusakan ekologis dan ketidakadilan sosial. Prinsip *lā ḍarar wa lā ḍirār* dan kaidah *taṣarruf al-imām manūṭun bi al-maṣlaḥah* menegaskan bahwa negara wajib mengelola pertambangan untuk kemaslahatan umum, keberlanjutan lingkungan, dan keadilan sosial. Dengan demikian, tafsir maqāṣidi tidak hanya berfungsi sebagai perangkat teologis, melainkan juga instrumen etis-kritis untuk mengevaluasi kebijakan publik dan merumuskan tata kelola pertambangan yang lebih adil dan berkelanjutan.

Kata Kunci: Maqāṣid al-syarī'iyah; pertambangan; keadilan sosial; lingkungan; kebijakan publik

Abstract

This article re-examines mining practices and policies in Indonesia through the lens of maqāṣid-based Qur'anic exegesis. Mining, as a strategic sector in national economic development, occupies a paradoxical position: on the one hand, it provides significant economic benefits for the state, but on the other, it generates potential harms such as ecological degradation, agrarian conflicts, and social injustice. Public debates, including those raised by Ulil Abshar Abdalla regarding the Islamic legal status of mining, demonstrate that the issue extends beyond economic and political concerns to religious-ethical dimensions. This study employs a qualitative approach using literature review, drawing on classical and contemporary tafsir, Islamic environmental jurisprudence, and mining policy documents. The findings reveal that, within the framework of maqāṣid al-sharī'ah, mining is essentially mubāḥ (permissible) in itself, but may shift to harām li ghairihi (prohibited due to external causes) when it causes ecological damage and social inequality. The principles of lā ḍarar wa lā ḍirār and taṣarruf al-imām manūṭun bi al-maṣlaḥah emphasize that the state is religiously and ethically obliged to manage mining for the sake of public welfare, environmental sustainability, and social justice. Thus, maqāṣidi exegesis functions not only as a theological framework but also as an ethical-critical instrument to evaluate public policies and to propose more just and sustainable mining governance.

Keyword: Maqāṣid al-sharī'ah; mining; social justice; environment; public policy

Introduction

The mining industry plays a strategic role in Indonesia's economic development, both as a major source of state revenue and as a generator of employment opportunities. It is therefore unsurprising that this sector has become a contentious subject in Islamic legal discourse and socio-economic analysis (Imam Setiawan, 2024, Note 625). On the one hand, mining offers substantial economic benefits, on the other, its practices frequently generate adverse impacts, including prolonged social conflicts, environmental degradation, ecosystem destruction, pollution, and agrarian disputes that disproportionately harm local communities (Yuliana, 2025). This contradiction has prompted scholars to critically question how mining governance should be structured in order to meet the imperatives of sustainability and social justice.

Although the mining sector offers significant economic benefits, it has also been subject to intense criticism, particularly regarding environmental degradation and social impacts. Irresponsible mining practices can cause severe damage to ecological systems, including deforestation, water and air pollution, and the loss of biodiversity (Ebus, 2024). In addition, social

conflicts between mining companies and local communities, such as land dispossession and unequal benefit distribution, frequently occur. This situation raises a critical question of how mining activities should be governed to align with principles of sustainability and social justice (Uswatul Fikriyah, 2017). These contradictions place mining in a paradoxical position, as it simultaneously functions as a source of economic benefit and socio-environmental harm.

From the perspective of Islamic law, the debate on mining revolves around the dialectic between its legal status as *ḥalāl bi dhātihi* (intrinsically permissible) and its potential transformation into *ḥarām bi ghayrihi* (prohibited due to external factors). In principle, the utilization of natural resources is permitted based on the legal maxim *al-aṣl fī al-ashyā' al-ibāḥah*; however, practices that generate ecological degradation and social injustice may alter this legal status into prohibition (Abdalla, 2024a). Although Islamic legal theory emphasizes that state policies must be oriented toward public welfare, as articulated in the maxim *taṣarruf al-imām 'alā al-ra'iyah manūṭun bi al-maṣlaḥah*, its implementation within Indonesia's mining licensing system has frequently neglected accountability and ecological protection (Zain et al., 2024).

To date, studies on Islamic law and mining have been largely dominated by normative-textual approaches that focus on determining legal status (*ḥalāl-ḥarām*) or on classical discourses concerning natural resource ownership within the frameworks of *fiqh mu'āmalāt* and *fiqh siyāsah*, with limited engagement with the complexities of contemporary mining policy (Kasih & Ruslaini, 2024; Nasrullah et al., 2025). Although a number of recent studies have begun to relate Islamic legal thought to issues of environmental sustainability and social justice, these works remain largely partial and normative in nature and have yet to position *maqāṣid al-sharī'ah* as a primary analytical instrument for evaluating mining governance as a form of public policy embedded in economic and political interests (Kurniasih, 2025; Nurholis, 2025). Even studies that explicitly adopt a *maqāṣid*-based approach to natural resource law tend to remain at the conceptual level and have not sufficiently developed an operational evaluative framework capable of assessing actual mining practices at the state level (Fikri, 2024; I'tishan et al., 2025). It is this gap in the literature that situates the present study within the academic discourse, as it proposes a *maqāṣid*-oriented synthesis that not only affirms the intrinsic permissibility of mining activities but also formulates a policy evaluation framework grounded in the protection of human life, environmental sustainability, and distributive justice as normative-analytical parameters.

Based on this background, this study aims to analyze the effectiveness of mining governance in Indonesia through the lens of *maqāṣid al-sharī'ah*, by positioning public welfare (*aṣḥāḥ 'āmmah*) and the prevention of harm (*daf' al-mafāsid*) as the primary evaluative parameters. The epistemological framework adopted does not merely view mining as an economic activity, but as a form of public policy practice that must be subject to fiqh and maqāṣid principles, particularly the legal maxim *taṣarruf al-imām 'alā al-ra'iyah manūṭun bi al-maṣḥāḥ*, which affirms that state policies are obligated to serve the comprehensive welfare of the people. Accordingly, this study contributes to expanding the scope of Islamic mining jurisprudence beyond normative legal assessments toward a maqāṣid-based evaluation of public policy oriented to sustainable welfare within the context of the modern state.

Integrative-Thematic Research Method

This study employs a qualitative literature-based research design using an integrative-thematic theoretical approach as its analytical framework. This approach combines Critical Discourse Analysis (CDA) with the *maudhu'ī* (thematic) method of Qur'anic interpretation, involving a systematic examination of relevant Qur'anic verses and their integration with contemporary fiqh to construct a holistic evaluative framework (Fairclough, 2010). The thematic (*maudhu'ī*) approach enables the identification and classification of Qur'anic verses related to the central issue of mining, ensuring that the selected texts are analytically aligned with mining-related concerns prior to the formulation of maqāṣid al-sharī'ah. Meanwhile, Critical Discourse Analysis is employed to examine how mining-related narratives and policies are constructed, as well as how power relations and vested interests shape the legitimacy of mining practices within a Sharī'ah framework. This approach further facilitates an assessment of the environmental impacts, social justice implications, and normative ethical principles governing mining activities (Rafiq, 2017, 249).

Therefore, mining governance in Indonesia, including the licensing system and environmental impacts, requires reconstruction based on Qur'anic guidance and the principles of *maqāṣid al-sharī'ah*. These principles encompass *maṣḥāḥ* (public interest), *'adl* (justice), and *ḥifẓ al-māl* (protection of property) to ensure social welfare and ecological balance (Nasrullah et al., 2025). From the perspective of Islamic law, discussions on mining have evolved within a dialectical framework between *ḥalāl bi dhātihi* (intrinsic permissibility) and *ḥarām bi ghayrihi* (extrinsic prohibition), necessitating a comprehensive maqāṣid-based analysis.

Debates surrounding the Islamic legal status of mining underscore the relevance of this issue for in-depth scholarly inquiry, particularly in the

contemporary Indonesian context. Ulil Abshar argues that, in principle (*li dhātihī*), mining is not inherently prohibited, as Islamic jurisprudence upholds the foundational rule that all matters are permissible (*al-aṣl fī al-ashyā' al-ibāḥah*) unless explicit evidence dictates otherwise. However, mining practices may become prohibited *li ghayrihi* when they result in environmental degradation, harm local communities, or are characterized by corruption and structural injustice (Abdalla, 2024b). In a similar vein, Achmad Musyahid emphasizes that state policies governing natural resource management must be grounded in the legal maxim *taṣarruf al-imām 'alā al-ra'iyah manūṭun bi al-maṣlaḥah*, which mandates that governmental authority be exercised primarily to secure public welfare (Idrus, 2021).

The *maqāṣid* framework provides Sharī'ah-based legitimacy for government concessions, including mining permits granted to civil society organizations, provided that such concessions are managed for public benefit (*maṣlaḥah 'āmmah*) with adequate trust, accountability, and institutional capacity. Studies within this discursive space have generated dynamic scholarly debate (Zain et al. 2024). However, this policy has also provoked controversy due to potential conflicts of interest and the limited managerial capacity of civil society organizations, which, in the absence of transparent oversight mechanisms, may contravene the principle of *lā ḍarar wa lā ḍirār* (Fanani and Mamdukh Budiman, 2024). Thus, *maqāṣid* should be the evaluative benchmark in determining the validity of granting such concessions.

In classical fiqh literature, perspectives on the ownership and management of natural resources, including mineral resources, reveal significant diversity. Siregar and Gunawan, drawing on the Mālikī school and scholars such as Ibn Qudāmah, argue that minerals, particularly those of high economic value and limited accessibility, constitute public property (*bayt al-māl*). According to this view, such resources cannot be privately owned and must be administered by the state on behalf of society at large. This position is grounded in the principle of public interest, which requires that natural resource utilization be governed by considerations of equity and collective welfare (Habibi Siregar & Gunawan, 2021).

In contemporary Islamic legal discourse, increasing emphasis has been placed on environmental issues, as reflected in efforts to incorporate *ḥifẓ al-bī'ah* (environmental protection) into the framework of *maqāṣid al-sharī'ah* in both legal norms and public policy analysis (Nasir et al., 2022). This development is evident, for example, in fatwas issued by the Indonesian Council of Ulama (Majelis Ulama Indonesia, MUI) and in various scholarly publications, which affirm that mining and deforestation practices causing environmental degradation and social harm are deemed unlawful (*ḥarām*)

(Indonesia, 2016). These positions are grounded in Islamic ecological principles that emphasize humanity's role as *khalīfah* (steward) of the earth. Such principles align closely with the maqāṣid-based approach, which embeds environmental values capable of guiding both corporate and state policies toward sustainable practices (Rashedul Hasan, 2022).

Maqāṣid al-Sharī'ah constitutes a fundamental principle in Islamic studies that guides all human activities toward the realization of public welfare while preventing harm and destruction (*daf' al-mafāsid*) (Algifari & Andrini, 2024). In the context of mining, the *maqāṣidī* framework emphasizes that natural resource management cannot be assessed solely in terms of economic profitability, but must be evaluated based on its contribution to safeguarding the essential objectives of Islamic law, namely the protection of religion, life, intellect, lineage, and property (Auda, 2011). This framework introduces an ethical dimension to mining governance, in which social responsibility is understood as a moral obligation rooted in Islamic teachings, thereby positioning *maqāṣid al-Sharī'ah* as a primary benchmark for social justice, environmental conservation, and long-term sustainability (Nasir et al., 2022; Saged et al., 2017).

Every mining policy and practice carries inherent normative consequences, namely the obligation to fulfill three fundamental criteria of *maqāṣid al-sharī'ah*. As articulated by al-Ghazālī in *Iḥyā' 'Ulūm al-Dīn*, these include *ḥifz al-bī'ah* (environmental preservation), *ḥifz al-māl* (ensuring the just distribution of resources), and *ḥifz al-nafs* (protecting the right to life of affected communities) (Al-Ghazali, 2005). These principles clearly indicate that policies formulated by governing authorities must be oriented toward the public good and grounded in a well-defined normative framework.

The integration of Critical Discourse Analysis (CDA), Qur'anic exegesis, and contemporary fiqh constitutes a sophisticated interdisciplinary approach. This integration reflects the reality that complex modern issues such as mining cannot be adequately addressed through a single disciplinary lens. Such an approach reveals the power structures and discursive narratives that shape how religious texts and legal principles are interpreted and operationalized in the pursuit of justice and social welfare. Consequently, this method provides a robust analytical framework for examining the socio-political dimensions of fiqh in contemporary contexts.

Results and Discussion

Interpreters' Views on Verses Related to Mining

Prohibition Against Destroying the Earth: Analysis of QS. Al-A'raf: 56

The prohibition against causing destruction on earth is explicitly articulated in QS. al-A'rāf [7]: 56. The phrase *وَلَا تُفْسِدُوا فِي الْأَرْضِ* (“Do not cause corruption on the earth”) affirms humanity’s moral responsibility to protect and preserve the natural resources bestowed by God. This verse embodies an ecotheological principle, emphasizing the awareness that the earth is a divine trust (*amānah*) that must be managed wisely and responsibly. Accordingly, the verse is not merely normative in nature but also ethical, as it directs human conduct toward maintaining ecological and social balance as an expression of gratitude for God’s blessings (K. A. R. Indonesia, 2019, Note 224).

Wahbah az-Zuḥailī, in *Tafsīr al-Munīr*, offers a comprehensive interpretation of this verse by explaining that the prohibition of causing corruption (*fasād*) encompasses not only ecological destruction but also moral and social degradation. God has perfected the earth and harmonized its order, and He sent messengers to reform human morality so that people do not deviate from the principles of justice and goodness (Az-Zuḥailī, 2013, Note 106). Az-Zuḥailī further argues that individuals with sound moral character are better equipped to manage natural resources in a proportional and responsible manner, as ethical integrity constitutes the foundation of ecological behavior (Az-Zuḥailī, 2013, Note 108).

Quraish Shihab interprets this verse within a socio-moral framework. According to him, the prohibition against causing corruption (*fasād*) serves as a firm directive that humans must not damage God’s creation, as such actions constitute a denial of the divine effort to establish order and balance in the world (Shihab, 2005a, Note 289). In this sense, the notion of *fasād* in Q. al-A'rāf [7]: 56 is not merely normative but carries a strong ethical dimension, as it refers to actions that disrupt both ecological balance and social order. Consequently, humans bear full moral responsibility for safeguarding the divine trust entrusted to them, including the protection of the environment and the preservation of social harmony.

From a legal perspective, Wahbah az-Zuḥailī asserts that this verse reflects a fundamental fiqh maxim, *al-aṣl fī al-ḍarar al-taḥrīm* (the default ruling of any act that causes harm is prohibition), whereas actions that generate benefit are, in principle, permissible (Az-Zuḥailī, 2013, Note 110). Accordingly, QS. al-A'rāf [7]: 56 provides a normative foundation for prohibiting excessive exploitation, whether manifested in environmental

degradation, social inequality, or the abuse of power over public natural resources.

Analytically, this verse has direct implications for modern mining practices, as the exploitation of natural resources that results in environmental degradation, pollution, and the loss of ecosystem carrying capacity can be classified as *fasād* and is therefore prohibited under Islamic law. Accordingly, Q. al-A'rāf [7]: 56 serves as a normative foundation for limiting extractive activities and for providing ethical legitimacy to the enforcement of stringent environmental regulations.

Indications of Damage Caused by the Children of Adam AS: Analysis of QS. Al-Baqarah: 30

In verse 30 of Sūrat al-Baqarah, God narrates the appointment of the Prophet Adam as *khalīfah* on earth, a designation that initially prompted questions from the angels. They expressed concern that humanity would cause corruption (*fasād*) and bloodshed on earth, while they themselves continuously glorified and sanctified God. However, God affirmed that His knowledge encompasses realities beyond the angels' awareness, particularly humanity's potential to uphold divine values and cultivate the earth in accordance with the mandate of stewardship.

Accordingly, as elucidated by al-Rāzī, the concept of *istikhlāf* in this verse encompasses both theological and ecological dimensions, whereby human beings are entrusted not merely with managing the earth but also with preserving its balance as a form of moral responsibility toward the Creator (Al-Rāzī, 1981, Notes 176–177). Within a *maqāṣidī* interpretive framework, this verse constitutes a foundational basis for Islamic environmental ethics, affirming that the utilization of natural resources, including mining activities, must be conducted within the responsibility of human stewardship (*khalīfah*) to ensure the sustainability of the earth (Khalid, 2003, Notes 103–106).

Meanwhile, az-Zuḥailī explains the angels' astonishment when Allah declared Adam's creation as caliph on earth as a result of their claim that humans had the potential to cause destruction and bloodshed. This is what his descendants would later do (Az-Zuḥailī, 2013, Note 230). An older account in Jāmi' al-Bayān by al-Ṭabarī (Al-Ṭabarī 1994, nn. 187–188) and *ad-Durr al-Manthūr* by al-Suyūṭī (Al-Suyūṭī, 2003, 60–61) add that the angels'

concern began when Allah created fire as a symbol of punishment for disobedient creatures, even though at that time there were no creations other than angels.

In the historical context of interpretation, Az-Zuḥailī quotes al-Kasysyāf, who asserts that angels base their predictions on their previous experiences with jinn who had destroyed the earth before humans were created, as stated in QS. Yūsuf [12]: 14 regarding the succession of generations as caliphs on earth (Al-Zamakhsyari, n.d.; Az-Zuḥailī, 2013). Meanwhile, al-Ṣābūnī explains that the term *khalīfah* means Allah's "successor" on earth, namely creatures who are mandated to uphold the law, manage resources, and maintain the balance of nature as a mandate of the caliphate from generation to generation (Al-Ṣābūnī, 2001, Notes 42–43).

Within the framework of mining analysis, this verse affirms that extractive activities do not constitute an absolute human right, but rather a practice that must remain subject to the mandate of *khalīfah*. When mining is conducted without adequate ecological and social control, such practices effectively validate the angels' concerns expressed in the verse regarding the potential for corruption and destruction on earth.

Does human management determine benefit or harm?: An analysis of QS. Al-Baqarah verse 29

The role of Allah swt in perfecting His creation is manifested in the earth and all that it contains, lacking nothing in its design and order. All of creation is bestowed for the comprehensive benefit of humankind. This is articulated in Qur'an Surah al-Baqarah [2]:29, which explains that Allah perfected the heavens into seven layers and ordained within them celestial bodies that move in precise orbits. The orderly rotation of these heavenly bodies, without collision or disorder, stands as a manifestation of divine majesty and harmony, reflecting a cosmic system governed by balance and precision.

Az-Zuḥailī interprets this verse as an affirmation of the realization of *maṣlahah* for humankind, in which, by divine decree, God has provided all the necessities of creation through the perfection of the earth and its contents. Drawing on the interpretations of al-Ṭabarī, al-Qurṭubī, and Ibn Kathīr, Az-Zuḥailī emphasizes that human negligence and recklessness in managing natural resources constitute a form of ingratitude (*kufur*) that is explicitly

condemned by God. He further explains that the verse functions as a moral lesson (*i'tibār*), articulated through references to the processes of giving life, causing death, creating, and perfecting creation as manifestations of divine wisdom (Wahbah Az-Zuhaili, 2013).

Nevertheless, scholars of *uṣūl al-fiqh* have taken this verse as the basis for the legal maxim, “الأصل في الأشياء الإباحة حتى يأتي الدليل على التحريم” (*the original ruling of all things is permissibility unless there is evidence to the contrary*). This maxim implies that, in principle, human beings are permitted to benefit from all that Allah has made available on the earth, except where a specific prohibition exists. Accordingly, humans have no authority to declare unlawful what Allah has permitted unless its use demonstrably leads to harm (*mafsadah*).

Furthermore, al-Ṣābūnī, in his *Ṣafwat al-Tafāsīr*, interprets this verse by emphasizing its rhetorical (*balāghah*) dimensions. He begins by highlighting the key phrase خَلَقَ لَكُمْ (“He created for you”), which signifies that Allah has fully bestowed upon humanity everything that exists on earth for their benefit and welfare. This expression reflects divine mercy and grace toward humankind. The subsequent use of the term جَمِيعًا (“all without exception”) further reinforces the comprehensive scope of this endowment, indicating that all elements of the earth, natural resources, animals, plants, and other forms of creation, are made available for human use. Taken as a whole, al-Ṣābūnī concludes that this verse serves as a call for humanity to engage in *tadabbur*, that is, reflective contemplation of the grandeur of Allah’s creation (Ash-Shabuni, 1981).

The implication of this Qur’anic understanding is that mining practices must be evaluated based on their actual impacts. As long as mining activities generate public benefit and do not result in ecological degradation, they may be considered justifiable. Conversely, mining operations that cause environmental destruction and marginalize local communities fundamentally contradict the ethical principles articulated in this verse.

God's Blessings for All Creation: An Analysis of QS. Al-Anbiya': 107

All of humanity receives mercy from Allah SWT without exception. In fact, this mercy is not only for humans, but also for animals, plants, and both Muslims and non-Muslims. Allah SWT's mercy is embodied in a messenger named Muhammad SAW, as stated in the verse. The presence of the Prophet,

peace be upon him, brought a breath of fresh air to the entire universe. However, some people still deny it.

According to Wahbah al-Zuhailī, the Prophet Muhammad (peace be upon him) represents the embodiment of Islamic law as a bearer of universal mercy (*raḥmatan li al-‘ālamīn*), as stated in QS al-Anbiyā’ [21]: 107 (Al-Zuhailī, 1998, 112). This mercy encompasses two interrelated dimensions: a spiritual dimension, manifested in guiding humanity from ignorance toward divine guidance, and a social dimension, reflected in the establishment of justice and the protection of human rights as core objectives of the Sharī’ah (*maqāṣid al-sharī’ah*) (Al-Zuhailī, 1998, Note 113). Al-Zuhailī further emphasizes that the blessings of the Prophetic message extend to all humankind, including non-Muslims who were spared divine punishment due to the presence of the Prophet (Al-Zuhailī, 1998, Note 115). Accordingly, his interpretation presents Islam as a universal religion that upholds humanitarian values, justice, and collective well-being.

Meanwhile, ‘Alī al-Ṣābūnī explains that the mercy brought by the Prophet Muhammad (peace be upon him) specifically encompasses forgiveness, guidance, and salvation from various forms of harm and suffering. In this verse, al-Ṣābūnī emphasizes the universal character of the Prophet’s mission, which is oriented toward peace and collective well-being rather than punishment or retribution. Accordingly, the Prophet’s role as *raḥmatan li al-‘ālamīn* is understood as an invitation to goodness and a safeguard against corruption and destruction (Ash-Shabuni, 1981).

Analytically, this verse affirms that the principle of *raḥmatan li al-‘ālamīn* necessitates that mining policies must prioritize the sustainability of all living creatures, not merely short-term economic interests. Environmental damage that affects future generations clearly contradicts the spirit of this verse.

Being Fair in a Social Context: An Analysis of QS. Al-Rahman: 9

The attitude of fairness also seems to be mentioned by Allah swt in Surah Al-Rahman verse 9. In this verse, fairness is expressed with the word **الْوَزْنَ** which means “balance,” a phrase that symbolizes equilibrium. The command to be fair in this verse also serves as a prohibition against cheating. Essentially, Allah has provided guidance in empowering all of His creations for the common good and welfare.

Az-Zuhaili interprets this verse as a form of Allah's firmness towards His creatures' commitment to justice. Prioritizing integrity in weighing, by promoting honesty and justice. He also links another verse with a similar meaning about "weighing" in verse 182 of Surah Asy-Syu'āra, "And weigh with a true balance." According to him, the repetition is intended to encourage fairness and honesty. Az-Zuhaili notes that first, Allah commands humans to be fair and balanced, and then prohibits exceeding limits or overweighing. Second is the prohibition of cheating because it reduces existing limits and harms others (Wahbah Az-Zuhaili, 2013).

Similar to Ali Ash-Shabuni, who interpreted the verse by dividing it into two points. First, upholding justice. On this point, Ash-Shabuni absorbed the meaning of the verse *وَأَقِيمُوا الْوَزْنَ بِالْقِسْطِ*, which explicitly applies the principle of justice in every aspect of life, especially those related to the rights of others. Second, avoiding cheating. This point is derived from the meaning of the next part of the same verse, *وَلَا تُخْسِرُوا الْمِيزَانَ*, which specifically prohibits cheating, deceiving, and even reducing the rights of others, both in the context of trade and in social interactions (Ash-Shabuni, 1981).

A broader interpretation is presented by Quraish Shihab, who interprets the word *mizan* as a scale or balance, referring to the meaning of justice in the broadest context. This includes Allah's implicit command in the verse to maintain the balance of the ecosystem of all His creations on earth in all aspects of life. The concept of justice is not limited to transactional aspects, but also includes legal justice, economic justice, and justice in human relations. Shihab emphasizes the role of humans who must maintain harmony on earth as caliphs (Shihab, 2005b).

Analytically, the concept of *mizān* in QS. al-Raḥmān [55]: 9 cannot be reduced to mere transactional justice or individual ethics; rather, it must be understood as a structural principle governing human relations both with one another and with nature. The command *iqāmat al-wazn bi al-qīṣṭ* signifies an obligation to actively uphold balance, while the prohibition *tukhsirū al-mizān* underscores that any action diminishing the rights of others, whether human or environmental, constitutes a form of systemic injustice. In this context, justice extends beyond personal honesty to encompass equitable socio-ecological governance, wherein the distribution of benefits and burdens must be proportional and must not exceed the carrying capacity of the natural environment.

The implications of this verse for mining practices in Indonesia are profound. Inequitable distribution of mining revenues, the marginalization of local communities, and environmental degradation transmitted to future generations reflect clear violations of the principle of *mīzān* (balance and justice). When economic benefits are concentrated in corporate and state actors while ecological burdens are borne by mining-adjacent communities and surrounding ecosystems, the Qur'anic vision of justice remains unrealized. In this respect, Q. al-Raḥmān [55]: 9 provides a normative foundation for the concepts of ecological justice and intergenerational justice, requiring that mining policies be oriented not merely toward economic growth but toward balance, sustainability, and the protection of the rights of all living beings.

Maqāṣidī Synthesis of Qur'anic Verses on Mining

An integrative analysis of QS. al-A'rāf [7]: 56, QS. al-Baqarah [2]: 29–30, QS. al-Anbiyā' [21]: 107, and QS. al-Raḥmān [55]: 9 shows that the Qur'an does not view the utilization of natural resources as merely a technical-economic activity, but rather as a moral practice subject to the objectives of sharia (*maqāṣid al-syarī'ah*). When read thematically and synthetically, these verses form a coherent normative ethical framework for assessing modern mining practices, particularly in the context of developing countries such as Indonesia, which face the dilemma between economic growth and environmental sustainability.

The first principle that emerges consistently is the prohibition of ecological *fasād* (destruction). Qur'an 7:56 affirms that damage to the earth, whether in the form of environmental degradation, social inequality, or governance disorder, constitutes a violation of the divine will. This prohibition is not confined to individual moral conduct but functions as an evaluative norm for systems of production and resource exploitation. In the context of mining, this principle rejects extractive practices that exceed environmental carrying capacity, neglect post-mining reclamation, or generate long-term ecological harm. In line with contemporary *maqāṣid*-based approaches, environmental protection (*ḥifẓ al-bī'ah*) is increasingly understood as an integral component of safeguarding life and ensuring the sustainability of human existence (Chapra, 2008; Kamali, 2016).

The second principle is the mandate of *khilāfah* as articulated in Qur'an 2:29–30. These verses position human beings as *khalīfah*, entrusted

stewards rather than absolute owners of natural resources. Consequently, the legitimacy of human engagement in mineral extraction is conditional, depending on the extent to which such activities reflect responsibility, prudence, and an orientation toward public welfare. From this perspective, mining practices that marginalize local communities, degrade the living spaces of indigenous peoples, or generate social conflict signify a failure to ethically fulfill the mandate of stewardship. This framework aligns with broader critiques of the anthropocentric and extractivist paradigm in modern economic systems, which tend to treat nature as a morally neutral object devoid of intrinsic value (Bsoul et al., 2022).

The third principle is justice (*mīzān*), derived from Q. al-Raḥmān [55]: 9. Justice in this verse does not merely signify transactional honesty, but rather structural balance in the distribution of benefits and burdens. In the context of mining, the principle of *mīzān* requires that economic gains not be concentrated solely among the state and corporate actors, while ecological and social costs are disproportionately borne by local communities and future generations. Accordingly, this verse provides normative legitimacy for the concepts of ecological justice and intergenerational justice, which demand transparency, public participation, and a proportional distribution of benefits. This perspective resonates with global discourses on environmental justice and sustainable governance (Rawls, 2001; Schlosberg, 2002).

The fourth principle is *raḥmatan li al-'ālamīn*, as stated in QS. al-Anbiyā' [21]: 107. This principle broadens the horizon of mining ethics beyond human interests alone to the welfare of all creatures. Mercy in this verse necessitates that economic activities, including mining, must be oriented towards the sustainability of life, not merely the accumulation of short-term profits. Thus, mining practices that destroy habitats, pollute water and soil, and exacerbate the global ecological crisis are contrary to the prophetic mission, which is universal and inclusive in nature.

With this maqāṣidī synthesis, verses from the Qur'an are no longer understood in a partial and normative-descriptive manner, but serve as a critical evaluative framework for modern mining practices in Indonesia. Islamic mining ethics, within this framework, demands a paradigm shift from exploitation to sustainable management, from profit orientation to public interest, and from short-term interests to intergenerational responsibility.

Principles of Fiqh in Islamic Mining Ethics

After the verses of the Qur'an concerning the prohibition of fasād, the mandate of the caliphate, cosmic justice, and universal mercy have been analyzed in an integrative manner, the next step is to explore how these normative-theological messages are articulated in the structure of Islamic law. It is at this point that fiqh functions as a medium for transforming Qur'anic values into operational rules that can be used to assess socio-economic practices, including mining activities. Thus, the principles of fiqh formulated in this section are not positioned as general rules that stand alone, but as normative consequences of the synthesis of the verses discussed earlier.

Within this framework, the prohibition against causing harm as emphasized in QS. 7: 56 finds its legal articulation in the principle of *lā ḍarar wa lā dirār*, which emphasizes the prohibition against causing or receiving harm (Ajmal et al., 2025; Putra, 2024). This principle is very important in determining when mining activities become extrinsically prohibited. The Qur'anic prohibition against destroying the earth after it has been repaired by Allah does not stop at the moral level, but necessitates a legal principle that prohibits all forms of actions that cause harm.

In the context of mining, this principle serves as an evaluative instrument to assess the extent to which mineral extraction activities can be justified when they are proven to cause ecological pollution, public health degradation, or social conflict. A number of contemporary studies affirm that the fiqh approach based on *lā ḍarar* is relevant to responding to modern ecological crises, as it allows for legal assessments that are sensitive to real impacts, rather than just formal legality (Ajmal et al., 2025).

The next principle is *maṣlaḥah*, which in this study is derived from the concept of *raḥmatan li al-‘ālamīn* as stated in QS. al-Anbiyā' [21]: 107. Universal mercy, which is the mission of prophethood, implies that every economic activity must contribute to the welfare of life at large, not just to the benefit of certain groups. Therefore, *maṣlaḥah* in the context of mining cannot be narrowed down to economic growth or increased state revenue alone, but must include ecosystem sustainability, protection of affected communities, and the survival of future generations. This approach is in line with the development of contemporary *maqāṣid al-syarī'ah*, which places sustainability as part of the objectives of Islamic law (I'tishan et al., 2025).

Meanwhile, the principle of *al-aṣl fī al-ashyā' al-ibāḥah* in mining issues is rooted in QS. al-Baqarah [2]: 29, specifically the phrase *khalāqa lakum mā fī al-arḍ jamī'ā*. This verse affirms the permissibility of humans to utilize natural resources. However, this is not absolute, as it is framed by the mandate of *khalifah* in QS. al-Baqarah [2]: 30 and the principle of balance (*mīzān*) in QS. al-Raḥmān [55]: 9. Thus, *ibāḥah* in mining is conditional and its legal status can change when such utilization exceeds the limits of ecological and social justice (Hidayat, 2023). This understanding confirms that Islamic *fiqh* provides an internal mechanism to limit excessive exploitation without having to reject the utilization of resources altogether.

At the level of implicative discussion, these findings of *fiqh* principles indicate that Islamic law has the normative capacity to respond to modern mining problems in a contextual manner. The principles of *lā ḍarar, maṣlahah*, and conditional *ibāḥah* form an ethical-juridical framework that allows for critical evaluation of mining practices without being trapped in a rigid *halal-haram* dichotomy. This framework opens space for a dialogical reading of *fiqh* with contemporary ecological and social realities, while emphasizing that the legitimacy of mining in Islam is highly dependent on its real impact on justice, ecological balance, and the sustainability of life.

Intrinsic Permissibility (*Halal Bi Dzātihī*) of Mining Activities

Based on the synthesis of verses from the Qur'an from a *maqāṣidī* perspective and the principles of *fiqh* that have been formulated in the previous section, it is clear that the nature of mining activities cannot be considered inherently *haram* (prohibited) from an Islamic legal perspective. QS. al-Baqarah [2]: 29 emphasizes that natural resources were created by Allah SWT for human use (*khalāqa lakum mā fī al-arḍ jamī'ā*), so that such use reflects the *shar'i* legitimacy of using natural resources as a means of life (Hutagalung, 2024). Contemporary research on natural resource management from an Islamic perspective confirms this position, that the Qur'an views humans as *khalifah* who are entrusted with utilizing and maintaining the balance of nature (*hifẓ al-bi'ah*), not avoiding its utilization altogether (Nasution et al., 2025).

Within the framework of *fiqh*, this finding reinforces the application of the principle of *al-aṣl fī al-ashyā' al-ibāḥah*, which places permissibility as the default ruling in all *mu'āmalah* activities (I'tishan et al., 2025). Based on this verse and principle, mining can be categorized as *ḥalāl bi dzātihī*, meaning

that it does not contain any intrinsic elements of prohibition as long as it is not accompanied by external factors that cause mafsadah (Abdalla, 2024a). However, this permissibility is conditional and cannot be understood in a value-free manner, because it must be read systemically together with the mandate of khalifah (QS. al-Baqarah [2]: 30) and the principle of cosmic balance (*mīzān*) as emphasized in QS. al-Raḥmān [55]: 9, which affirms the responsibility to protect nature (Fatkhullah & Mahmud, 2025).

This understanding is in line with the interpretation of modern exegetes such as Rashīd Riḍā, who emphasizes that humans were created to manage and utilize natural resources as part of the development of civilization, but remain bound by moral responsibilities and the principle of sustainability. Riḍā asserts that the main problem does not lie in the activity of utilizing nature itself, but rather in the manner of exploitation that exceeds the limits of balance and ignores future interest (R. Riḍā, 1990). Thus, the permissibility of utilizing natural resources in Islam always goes hand in hand with the obligation to maintain sustainability and long-term benefits (Auda, 2011).

In order to clarify the nature of this intrinsic validity, this study uses a conceptual analogy, rather than a methodological one, with the term *ṣaḥīḥ li dzātihi* in *mustaḥalah al-ḥadīth* as explained by Ibn al-Ṣalāḥ (Ibn al-Ṣalāḥ, 1986, Notes 17–19). This analogy is used illustratively to emphasize that an activity can be considered valid internally without requiring external justifying factors, as long as there are no inherent flaws in it. However, this analogy is not used as a basis for determining the law, but merely as a conceptual tool to explain that the prohibition of mining, if any, stems from external factors (*bi ghayrihi*), not from the mining activity itself.

In the context of contemporary Islamic discourse in Indonesia, this position is also relevant. Quoting Gus Ulil Abshar in a dialogue forum with Greenpeace forest campaign activists, he emphasized that, “Mining itself is not haram, unless its practices cause real damage.” This view reinforces research findings that the prohibition of mining is extrinsic and contextual, depending on the extent to which its practices cause ecological damage, social inequality, or violations of the principles of justice and public interest.

In line with this view, Rasyid Riḍā pays attention to ecosystems that have sustainable characteristics. In his interpretation, he emphasizes the importance of utilizing nature. He interprets that humans were created to

manage and utilize natural resources on earth. This management, of course, must be balanced with moral responsibility. Ridha emphasizes the importance of balance in the use of nature, where humans must strive not only to meet current needs but also to consider future needs. The concept of sustainability in the use of natural resources is very important so that nature can continue to provide benefits for human life (M. R. Riḍā, 1947, p. 251).

Thus, it can be asserted that the intrinsic permissibility (*ḥalāl bi dzātihi*) of mining is one of the main findings of this article. This finding has important conceptual implications, as it shifts the discourse of Islamic law on mining from the normative question of “permissible or impermissible” to an evaluative analysis of the limits of such permissibility. Islam, in this framework, does not reject mining as a modern economic activity, but demands that its practices be continuously evaluated based on their real impact on justice, ecological balance, and sustainability of life. The integration between original permissibility and *maqāṣidī* restrictions is the significant contribution of this research to the development of environmental fiqh and contemporary Islamic mining ethics.

Extrinsic Prohibition (Haram Li Ghairihi) and Its Negative Impacts

Although inherently halal, mining can change its status to haram li ghairihi due to accompanying external factors, not because of the substance of mining itself. For example, mining activities that cause environmental damage, such as excessive exploitation of resources or unfair distribution of profits, contradict Islamic principles that prohibit harm and mutual harm (Muh Yusrang, 2025). This contradicts the principles of Islamic law that prohibit harm and mutual harm. This principle is supported by the fiqh rule mentioned in the hadith of the Prophet saw, “*lā ḍarar wa lā ḍirār*” (there should be no harm and mutual harm) [HR. Mālik, Ibn Mājah, dan Aḥmad].

The shift from intrinsic permissibility to extrinsic prohibition based on impact is a crucial legal point. This demonstrates the pragmatic and consequential dimension of Islamic law, where the legality of an action ultimately depends on its real impact on society and the environment. This has caused fiqh to shift from abstract theory to practical ethics that are highly adaptive to the unexpected consequences of modern activities. The basis for this prohibition is found in Surah Al-A'raf verse 56, which explicitly prohibits humans from causing damage to the earth after Allah has repaired it. This principle shows that the legal status of mining is not a static determination,

but rather a variable that depends on the consequences and ethics of its implementation.

In practice, some mining activities must be evaluated based on their concrete impacts, not just on the type of activity. It is necessary to ensure that every mining practice meets technical and legal criteria, but also to consider the possible social and environmental consequences. Musyawir & Suardi, in their journal, present the results of field research on disturbances to the community (disturbances to rest time), dust pollution, and road damage. They emphasize that this is contrary to Islamic teachings because it causes harm and disregards the public interest (Awi & Busrah, 2021, Notes 37–40). This comprehensive evaluation includes an analysis of potential ecosystem damage, impacts on public health, and fairness in the distribution of benefits to local communities.

The concept of *ḥarām li ghairihi* in the context of mining emphasizes that environmental damage (ecological degradation) is generally interrelated with the emergence of social injustice, especially that which impacts local communities as the most vulnerable parties. Within the framework of *maqāṣid al-syarī'ah*, environmental sustainability and the distribution of justice cannot be viewed as separate issues, but rather as a complementary whole. The principle of *lā ḍarar wa lā ḍirār* affirms the prohibition of all forms of damage and injustice, whether impacting the ecological order or the socio-economic structure of society. Therefore, Islamic law normatively requires a holistic approach, in which environmental protection is a prerequisite for achieving social justice, and conversely, social justice cannot be achieved without ecological sustainability. It is this integrative approach that places *maqāṣid* not only as a legal framework, but also as a binding public ethical paradigm for the state, society, and industry players in maintaining a balance between economic benefits, environmental sustainability, and social justice.

Implications for Sustainable Mining Policy in Indonesia

Imam Ibn Taymiyyah in *al-Siyāsah al-Syar'iyyah* provides a very fundamental and relevant normative framework to be applied in the modern context of joint asset management (*al-amwāl al-musyarakah*), including natural resources. According to him, all forms of policy related to natural resources must be directed towards achieving the welfare of the people (*maslahah al-ra'iyyah*) as the main principle and objective of the state or public interest. This statement is in line with the fiqh rule "*taṣarruf al-imām*

'*alā al-ra'iyah manūṭun bi al-maṣlahah,*" which emphasizes that the legitimacy of a ruler's policies is determined by the extent to which he is able to bring justice, prosperity, and protection to the people (Idrus, 2021, Notes 125–126).

The implications of this principle have two important consequences. First, the preventive aspect takes the form of an obligation to avoid all forms of *ḍarar* (harm) and *dzulm* (injustice) in the exploitation of natural resources. Second, the constructive aspect takes the form of an obligation to optimize benefits (*iṣṭiṣlah*) for the greatest prosperity of society. Ibn Taymiyyah specifically emphasized that management models that ignore the principle of socio-ecological justice are a deviation from the mandate of '*khilāfah fī al-arḍ*' (stewardship of the earth). In this case, this is in accordance with verse 30 of Surah al-Baqarah, namely fair and responsible management of the earth and its deviations which indicate the failure of the state in carrying out this mandate.

Therefore, in this case, several efforts need to be made, namely preventive efforts to prevent harm and injustice. In this effort, it is important to review the maqāṣid and interpretations of Ibn Taymiyyah, who stated that the state is obliged to protect society from all forms of harm (*ḍarar*) and injustice (*zulm*), including all consequences of mining practices. This includes environmental degradation, such as deforestation, pollution, and loss of biodiversity, as well as social conflicts such as land evictions, marginalization of local communities, and unequal distribution of benefits. Therefore, the principle of *lā ḍarar wa lā ḍirār* explicitly prohibits actions that violate rights and damage the ecological and social order.

In addition, constructive efforts to optimize benefits for society must also be pursued. In this case, the principle of *istiṣlāḥ* (optimization of benefits) requires that the exploitation of resources, including mining, must be carried out for the sake of widespread prosperity and to avoid exploitative actions. Various benefits such as job creation, infrastructure development, and improved welfare must be actively pursued in mining policy. In addition, this collectivity of *maṣlāḥah* is the answer to the mandate of *khilāfah fī al-arḍ* carried out by humans, namely fair and responsible management of the earth and its deviations, which indicate the failure of the state in carrying out this mandate.

Meanwhile, in the current context, this paradigm is in line with the green economy and sustainable development model, which demands a balance between economic development, social justice, and environmental sustainability. In the Islamic context, the *maqāṣid* approach provides theological legitimacy that mining policies must protect *dārūriyyāt al-khams* (religion, life, reason, lineage, and property), while also considering *ḥifẓ al-bi'ah* (environmental preservation) as an additional dimension. In addition, another study conducted by Nasrullah shows the need to reformulate the mining system in Indonesia based on *maqāṣid*, including in the business licensing and profit distribution systems in order to achieve harmony between the spirit of the constitution and the principle of *maṣlāḥah* (Nasrullah et al., 2025, Notes 8–10).

Conclusion

This study shows that mining from an Islamic legal perspective is essentially *ḥalāl bi dzātihi*, because it has a basis of permissibility as stated in QS. al-Baqarah [2]: 29, but this permissibility is conditional and highly determined by management practices. Through an integrative synthesis of verses from the Qur'an and the framework of *maqāṣid al-sharī'ah*, this study finds four main normative principles: the prohibition of ecological *fasād*, the mandate of khalifah, the principle of justice (*mīzān*), and the orientation of *raḥmatan li al-'ālamīn*, which together form an ethical evaluative framework for mining governance in Indonesia. These findings confirm that mining cannot be evaluated solely as an economic activity, but must be positioned as a public policy that must guarantee environmental protection, equitable distribution of benefits, and intergenerational sustainability. However, this study has limitations because it is still based on normative-conceptual analysis and has not been accompanied by empirical studies on the implementation of mining policies in the field. Therefore, further research is recommended to develop an interdisciplinary approach by combining *maqāṣidī* analysis and empirical data, as well as expanding the study to specific mining case studies, so that the contribution of Islamic ethics to the reform of natural resource governance can be formulated in a more applicable and contextual manner.

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