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Environmental Care in Islam: A Qur'anic Perspective

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I. Summary

The introductory remarks that appear at the outset of this article draw attention to the planetary crisis humanity is facing due to the degradation and disturbance of its living environment. The succeeding discussion expounds the human- earth relationship in two parts, the first of which draws attention to a set of principles, beginning with that of Divine Oneness (*tawhid*) and the vision it conveys of the common predicament of man with the rest of the created world. Then follows a review of the Qur'anic principle of vicegerency of man (*khilafah*) in the earth which designates humankind as a trustee and custodian of its natural environment. This is followed by a discussion of the principle of trust (*amanah*) in Islam which is closely related to *khilafah*. Another feature of *khilafah* discussed below is building the earth (*i'mar al-ard*) and the foundations of a humane civilization (*'umran*) therein. Then I draw attention to the state of inherent equilibrium and balance the Creator has envisaged for the earth's environment. I raise a question as to what is the natural state of balance that the Qur'an has envisaged with reference to the earth and its life-sustaining resources- water, air, light, animals and plants. Then a section follows on beauty and cleanliness from our reading of the Qur'an and hadith.

The second part of this article highlights instances of violation of *khilafah* and *amanah* that receive attention in the source evidence. Three such instances of violation are discussed: spreading mischief and corruption (*fasad*) in the earth, extravagance and waste, and infliction of harm (*darar*). The focus of our discussion in this part is on the human management, or rather mismanagement,

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of the earth with the result that humanity itself has become the chief victim of its own failures.

The Shariah authorises the ruling authorities to take preventive and remedial measures so as to curb and contain environmental degradation and its adverse consequences for the human and other life forms in the earth. Our analysis of *darar* (manifest harm) addresses the manner in which the Shariah provides judicial relief to the victims of *darar*, as well as prosecution and punitive sanctions that may be taken against the mischief makers. Yet I note that environmental care is an exceedingly wide subject and this article does not pretend to offer a comprehensive coverage of all relevant issues.

An attempt is made in the meantime to contextualize this presentation into the broader vision of civilisational renewal (*tajdid hadari*) the Muslim world needs to formulate and share with the rest of humanity. Our shared vision must be inspired by common values and commitments for the ecological wellbeing of planet earth. Islam can make a distinctive contribution to that vision by infusing man's management of the natural world with transcendent (revealed) values and ethics that look toward a common future of humanity and the well being of its earthly habitat. The article ends with a conclusion and recommendations for possible reform.

II. Introductory Remarks

There is no sacred scripture that speaks about nature and earth as much as the Qur'an. It contains numerous guidelines about our treatment of the earth and the rest of God's creation so much so that the Qur'anic revelation intimately connects itself with the notion of sacredness of nature. A whole eco-theology unfolds as a result that distinguishes Islamic spirituality with characteristics of its own. A closer look at the Qur'an and Prophetic hadith reveals a set of principles that point to a rich reservoir of environmental ethics with far-reaching socio-economic and political ramifications.

Environmental degradation affects the whole of humanity. While no country or community is immune nor entirely accountable for the damage caused, some countries and nations are clearly known to be the biggest polluters. It is ironical also that the latter are better equipped to take preventive measures to reduce the actual or potential damage inflicted on their economies and people. Consideration of moral responsibility and care can never be ignored in our responses to the plight of the disadvantaged among us and the manner in which we address the need to protect and repair the natural environment. Modern environmental problems have not only material but also moral and spiritual dimensions.

The colossal degradation of the earth's environment humanity is witnessing is due for the most part to industrial pollution, carbon emission and abusive applications of technology and science. This is in turn propelled by the untrammled expansionist policies of the great industrial powers and the earth's biggest polluters. Oil-producing countries and companies are also opposing measures to reduce fossil-fuel production regardless of its damaging effects. The Gulf of Mexico deep water drilling fiasco of 2010 caused an ecological crisis that spewed close to five million barrels of oil into the sea and oiled over 1000km of the shoreline. The episode lasting for several weeks brought into public scrutiny the kind of decisions big multinationals like BP make to add to their astronomical earnings! No sooner than the well was finally capped after numerous failed attempts that western media started telling the public that it wasn't that harmful afterall.¹ Then two weeks later, another report quoting US scientists had it that nearly 80 per cent of the Gulf oil spill was still in water.² Climatic disasters, unprecedented winter freezes and summer heat waves, earthquakes and tsunamis are increasingly becoming more and more deadly and

¹ Cf., Chris Baltimore, "Did Gulf Coast dodge an ecological bullet?" *New Straits Times*, Kuala Lumpur, August 6, 2010, p.18.

² *The Malay Mail*, Kuala Lumpur, 18 August 2010, p.12.

devastating. Crippling floods in Pakistan, devastating mudslides in China, raging forest fires in Russia testify to growing extremity in weather, the destruction of ecosystems and the severity of killer floods.³ Blanket snowfall and winter freeze in the UK, death by heatstroke in Siberia, flooding of the Indus and Yangtze and catastrophic earthquakes in seismically sensitive areas can no longer leave room for speculation that the impact and frequency of natural disasters are real, manifest and devastating.

The industrial West, as already mentioned, has been the biggest greenhouse emitter; China may now be the largest, Russia may be third, and no Muslim country has been listed so far in the big league. Yet one also notes that the green movement is stronger in the West than in the Muslim world, but it is the civil society in the West, rather than its politicians and governments, that takes the lead in environmental awareness.⁴ The rise of ecological psychology in the twentieth century western discourse essentially originated in the recognition that the free market and techno-scientific approaches have not succeeded in sustaining the ecological balance. Manzoor who made this observation also pointed out how unfortunate it is to note the singular absence in western environmental discourse of the Islamic tradition and its distinctive postures on the environment.⁵ The solution is to be found at a deeper level by re-kindling the innate human affinity and respect for nature so persistently suppressed by consumerist industrial civilization premised on indefinite growth, and material progress. Economic wealth feeds our greed and spiritual insecurity. Is it any wonder that the age of economic progress coincides also with the age of insecurity and tension among people, the relentless drive for weapons of mass

³ Widespread deforestation, the conversion of wetlands to farms or urban sprawl and the clogging up of natural drainage systems with garbage also exacerbate the impacts of the devastating floods. See AFP report "Damaged ecosystems reason for Asia's killer floods," News Straits Times, Kuala Lumpur, August 20, 2010, 27.

⁴ The US has not ratified the Kyoto Protocol, and western governments generally took questionable postures in the Copenhagen conference.

⁵ Parvez Manzoor, "Environment and Values: the Islamic Perspective," in ed., Ziyauddin Sardar, *Touch of Midas: Science, values and Environment in Islam and the West*, K.L. Pelanduk Publications, 1988, 151.

destruction that can annihilate the humanity and life on earth by many folds? A new economic and moral outlook will have to be entertained, one that is premised on meeting the limited needs of man rather than fulfilling his unlimited wants.⁶

Is there a crisis? A crisis implies that a normal state has been disrupted in a dangerous direction and manner and that we are aware of it – otherwise it would not appear to us as a crisis. The existence of an environmental crisis is no longer a moot, for it can be observed in global warming, which is only one aspect of it, but it is so acute that it has finally caught the attention of everyone, whereas other aspects such as the extinction of many species, destruction of their habitat, deforestation, desertification and depletion of resources have often been neglected.⁷ Industrial pollution has entered into the food chain and our bodies as well as the air we breathe and the water we drink, often manifested, even if not declared, by proliferation of all kinds of cancers and new varieties of disease. Numerous places are on the verge of destruction – from the coral reefs of Australia to the Amazon forest. The fear that Nasr voiced in 2005 has already become a reality that if China, India and the Muslim world become industrialized as the United States and have the same rate of consumption “ then the whole ecosystem of the world will either collapse or be radically modified.”⁸ Yet the world saw, with disillusionment, the failure of the December 2009 UN Climate Change Conference in Copenhagen (known as COP15) to curb carbon emissions to sustainable levels. The Conference became somewhat of a political circus due to high handed policies of the powerful nations. The so-called Danish

⁶ Cf., Lionel Rubin, *An Essay on the Nature and Significance of Economic Science* (London, 1932) quoted in Adi Setia, “The Inner Dimension of Going Green: Articulating Islamic Deep Ecology,” *Islam and Science* 5 (2007), 137.

⁷ 20th century saw disappearance of half the world forests, and depletion of the fish by about two thirds. For instance, Peru’s fishing was estimated 3.5 million tonnes in 1960, raised by 1965 to 9 million, and to 13.5 million in 1970. In 1975 it declined to 3 million and to 1.5 million in 1978. See Ahmad ‘Abd al-Wahab ‘Abd al-Jawad, *Al-Manhaj al-Islami li-‘Ilaj Talawwuth al-Bay’ah*, Cairo: al-Dar al-‘Arabiyyah li’l-Nashr wa’l-Tawzi’, 1991, 34.

⁸ Seyyed Hossein Nasr in Conversation with Muzaffar Iqbal, *Islam, Science, Muslims and Technology*, Al-Qalam Publishing (Canada) and reprint in Kuala Lumpur: Islamic Book Trust, 2007, 101.

Text, a document produced jointly by Denmark, United States and United Kingdom and passed around to selective governments raised many controversies with its handling of more power to the richer nations and sidelining the developing world as well as bypassing the Kyoto Protocol. What infuriated the developing countries was the unequal limit per capita of Green House Gas (or carbon) emission the draft document proposed for developed countries at nearly twice the amount of carbon emissions permitted for developing countries.⁹ Prior to COP15, the 2007 UN Climate Change Conference (COP13) held in Bali, Indonesia saw the adaptation of the Bali Road Map, a two-year process that was to lead up to a binding agreement at COP15, which did not materialize.¹⁰ The President of Maldives was quoted, concerning the rising temperatures, that anything above 1.5 degrees would mean that the Maldives and many small and low-lying islands would vanish. It is for this reason that “we tried very hard” to have 1.5 degrees in the document, but this “was blatantly obstructed by the big-emitting countries.”¹¹

III. Divine Oneness (Tawhid)

Belief in one God is a foundational principle of the Islamic faith which is repeatedly emphasized in the Qur’an. The Oneness of God is in many ways manifested in the unity of His creation. The Qur’anic discourse conveys the essence of the primordial religion (*din al-fitrah*) which addresses not only men and women but the whole of the cosmos. The Divine presence in nature and in the existential world is vividly conveyed in the verse “Wheresoever you turn, there is the Face of God,” (2:115) which means God’s omni-presence. He surrounds and permeates both the world of nature and the ambience of man in all places. From this perspective, the human being is part and parcel of a

⁹ Delegates were left frustrated as the US refused to agree to any binding treaty. The Copenhagen Accord was drafted by the United States and the BASIC group of countries (Brazil, China, India, and South Africa). The document is not legally binding and no set decisions on emission reductions were made. Note also that China overtook the US as the biggest emitter in 2008 and recently it was reported as the largest consumer of energy.

¹⁰ Report by Nur Atifi, “COP15: The Good, the Bad and the Ugly,” *Business Today*, February 2010, 42.

¹¹ *Id.*, 43.

cosmic equilibrium that must not be disturbed, and effort must be made to strike a balance between the material and spiritual requirements of life. Nature, in a sense, participates in the Qur'anic revelation. This sense of shared destiny and common predicament with the rest of the existential world is also manifested in the nomenclature of the surahs of the Qur'an. The 114 surahs and the names by which they are known underline diversity and remembrance not only of God's exalted names and attributes, messengers and prophets, but also the earth, fruits and bounties of the earth, plants and animals, trees, mountains and insects, the wider worldview of the creation and beyond.¹²

The primordial character of Qur'anic messages visualizes man and the cosmos in a state of harmony that reaffirms man's inner bond with the natural world. Certain verses of the Qur'an address natural forms as well as human beings, while God takes non-human members of His creation, such as plants and animals, the sun and the stars to witness in certain other verses. The soul which is nourished and sustained by the Qur'an does not regard the world of nature as its natural enemy to be conquered and subdued but as an integral part of man's religious universe sharing in his earthly life, and in a sense, even ultimate destiny.

This aspect of tawhid also underlines the history of Islamic science that sought to make unicity of nature as an ecological principle and a distinctive feature of environmental science. The mineral kingdom supports the vegetable, and they in turn support the animal and there is a link of mutual dependence between them. The waste of one is made the food of the other, and an innate process of cleanliness exists in the natural world. There is an infinite chain of gradation and interdependence that point to a common destiny and ultimate unity of the

¹² The names of suras in the Qur'an thus include the Arabic equivalents of cattle, honey bees, the ant, the spider, cow, horse, elephant, iron, the star, the moon, the morning, night, the time, the mountain, the city, lightning, winds, fig, olive, and so forth. See from a discussion al-Qaradawi, *Ri'ayat al-Bay'ah*, 54.

existential world.¹³ Unity may be understood at various levels and conceived as encompassing various domains of cosmic existence. Thus one may speak of the unity of the natural world, or on a grander scale, of the whole of the cosmos. One may also speak of the unity of living species and organisms on earth or of the unity of the human body - all of which are facets of His Unique Reality reflecting the various manifestations of a collective unity and interdependence.¹⁴ It is clear from the Islamic perspective that the terrestrial desolation and environmental degradation without is in many ways reflective of man's spiritual desolation within.

Many Muslim sages saw the cosmic and ontological contents of the Qur'an, its verses and chapters as well as the phenomena of nature and events within the soul of man as ayat (lit. signs or portents) of the Author of the ontological Qur'an (*al-Qur'an al-takwini*) in juxtaposition with that of the written Qur'an (*al-Qur'an al-tadwini*).¹⁵ The Qur'an alludes in many verses to the unmanifested and the manifested world (*'alam al-ghayb wa'l-shahadah*). The visible or manifest world is not an independent order of reality but a manifestation of a vastly greater world which transcends it and from which it issues. The visible gradually recedes into the vast invisible which surrounds it and for which it is the veritable environment. It is in this way that the Divine presence, the spirit and the indefinable infinity permeates the world of nature and of normal humanity.¹⁶ All of this depict the Islamic worldview of a spiritually motivated appreciation of nature with important ethical implications. Science and technology can expound the means that can be used to harness nature but religion and philosophy dictate the ends.

¹³ Cf., Seyyed Hossein Nasr, *An Introduction to Islamic Cosmological Doctrine*, Cambridge, MA: Harvard University Press, 1964, 4-5. See also Sultan Ismail, "Environment and the Islamic Perspective," in ed., Agwan, *Islam and the Environment*, 166.

¹⁴ Cf., Osman Bakar, "Environmental Health and Welfare as an Important Aspect of Civilisational Islam," *Al-Shajarah*, vol.11.no.1(2006),41.

¹⁵ Seyyed Hossein Nasr, "Islam and the Environmental Crisis," in ed. A.R. Agwan, *Islam and the Environment*, New Delhi: Institute of Objective Studies, 1997, 15-39 at 17.

¹⁶ *Ibid.*, 18.

IV. Vicegerency (*khilafah*)

IV.1. Meaning and Scope

Khalifah comes from the verbal root *khalafa*, meaning one who came after, inherited or succeeded, another. *Khalifah* thus implies holding a position of power, trust and responsibility that is exercised in harmony with the will of its principal party. *Khalifah* and its plural *khala'if* occur in nine places in the Qur'an, and in seven of these it is juxtaposed by the phrase *fi'l-ard* – in the earth, which signifies that its application is in relationship mainly to planet earth. In each case a reference is made to the exercise of a certain authority that God entrusts in His noblest of creation, the humankind. Adam, the archetypal man was appointed the first *khalifah*, and by extension, every man and woman. Each one of us inherit power and responsibility vis-à-vis the planet earth and all its life forms.

Vicegerency confers on human beings, individually and collectively, the mission and responsibility to build the earth and harness its resources with moderation and care for its ecological balance(Q 2:30). Vicegerency is guided in turn by the principles of trusteeship (*amanah*), moderation (*i'tidal, wasatiyyah*) and justice (*'adl*). Building and development (*i'mar*) with their broader physical and non-physical ramifications is another aspect of vicegerency that is informed, in turn, by the higher goals and purposes (*maqasid*) of Islam and its Shariah. Other aspects of *i'mar* that are highlighted in the sources include due observance of the Divinely-ordained cosmic equilibrium, greening the earth through plantation and agriculture (*tashjeer, dhar'*), and cleanliness (*taharah*) as are discussed below.

Vicegerency and trusteeship place upon humankind the responsibility to safeguard the rights not only of his fellow humans but also of nature and other inhabitants of the earth. Man's vicegerency on the earth is, moreover, complemented by that of servanthship (*'ubdiyyah*) towards God. Man is God's

servant (*'abd* Allah) and must obey Him. As *'abd* Allah, he must be passive towards God and recipient of the grace that flows from the world above. As *khalifat* Allah, he must be active in the world, sustaining cosmic harmony and disseminating the grace for which he is the channel as a result of his being the central creature in the terrestrial order.

In the same way that God sustains and cares for the world, man must nurture and care for the ambience in which he plays the central role. Man cannot neglect the care of the natural world without betraying its trust of vicegerency (cf., Q 7:172). Man has been entrusted with authority to manage the earth in accordance with the purposes intended by its Creator. Yet there is nothing more ominous for the natural environment than the practice of the power of vicegerency by a humanity which no longer accepts to be God's servant, obedient to His commands. Islam strongly opposes this form of human self-glorification at the expense either of God or His creation.

Vicegerency contemplates a man-earth relationship that looks toward sustainable utilization of earth's resources. The Qur'an makes no less than 485 references to *'al-ard* – the earth' mostly in the context of its relationship to human beings. The earth is described as the alma matter from which humankind is made, the place and source of their livelihood, and ultimately where they end their final journey(cf., Q 20:55). A variety of expressions are employed to describe the earth. The language is generally theocentric wherein God ingratiates His human servants : 'Did We not make the earth as your cradle and resting place;' (78:6) as "your field and couch for your comfort" with vast resources of water and pastures for you and your livestock(2:33).¹⁷

Clearly as a living social creature, man has biological and ecological needs for light, air, water, food, shelter and community and may utilize the resources of

¹⁷ Other Qur'anic references to earth: "We vested it (the earth) with the means of livelihood for you"(7:10); blessed it and made it a safe place for you to live (41:10); richly endowed it with greenery and fruits of all kinds(22:63); and subjugated it to you to harness its resources for your enjoyment (45:13; 67:15).

the earth to secure those needs but to also share them with other living creatures. The Qur'an often mentions the domestication of animals and plants as God's special favours on humankind. Then comes the reminder: "We have willed that all beauty on earth be a means by which We put people to test," to see how well they measure up and conduct themselves.(Q 18:7).

Vicegerency is also premised in accountability and faithful observance of trust that demand the promotion of good and the prevention of evil, building the earth and establishing a just order therein : "Let there be of you a nation that calls others to the good, establishes right and eradicates wrong. Such are they who shall prosper."(Q 20:53).Two of the broad and comprehensive principles of Islam that subsume most of these are justice and the doing of good ('*adl wa ihsan*- cf., Q 16:91). Acts of injustice are committed not only among humans but in the human treatment of natural environment, acts that pollute the earth, air and water and which cause dangerous disease to humans and other life forms.

IV.2 Trusteeship(Amanah)

The Qur'anic narrative on *khilafah* begins with God's momentous decision to confer a great trust (*amanah*) on His creatures, the heavens, the earth, the mountains, the angels, and mankind - but they all declined to take it, only mankind did, due to his enormous potential for the good, yet also a certain audacity on his part. (33:72) It was due to this combination of good and evil in man that when God offered the *amanah* to him, the angels protested saying "will you place on it (earth)such as will spread corruption and shed blood – whereas it is we who extol your unbounded glory." (2:30) But God chose mankind for the task telling the angels "I know what you know not," of the enormous potential for the good of the progeny of Adam. The Qur'an and hadith make *amanah* an integral part of the faith of a Muslim. The Qur'an designates *amanah* as a hallmark of faithful Muslims, those who "fulfil their

trusts (*amanat*) and observe their promises and commitments.” (23, 8). The hadith adds to this “One who betrays his *amanah* has no faith.”¹⁸

Amanah is a composite word and in a place where it appears in its plural form in the Qur’an (4:58) God commands the believers to render the trusts (*amanat*) to whom that they belong. This is then immediately followed, by the injunction “and when you judge among people you judge with justice.” Thus it appears that justice is the most important of all *amanat* that God has entrusted to mankind. Elsewhere the injunction to do justice is juxtaposed with benevolence, beauty and perfection (*ihsan* - Q 16: 90). Justice is a measure for measure concept whereas *ihsan* can be unilateral and reach far beyond the dictates of justice, especially in relationships between the human and non-human inhabitants of the earth. Thus it is declared that God has ingrained beauty and perfection in all things (Q 41:7); a message reiterated in a renowned hadith that “God has inscribed beauty and perfection (*ihsan*) on all things.”¹⁹ It is mankind’s assignment then to strive to discover and manifest it. To facilitate this, man must not only observe the natural balance of all things, but also to remove obstacles and hazards that may hinder their natural growth. This becomes, however, a remote prospect when man himself violates the God-ordained natural balance and actively engage in extravagance and excess. It is a religio-ethical mission of mankind in the earth, as Qaradawi noted, “always to act conscientiously in his capacity as God’s vicegerent and custodian.”²⁰ The following hadith, addressed to the believers, juxtaposes trusteeship with moral autonomy:

Beware that everyone of you is a custodian and responsible for that which is in his custody. The leader is a custodian and he is responsible for

¹⁸ Hadith narrated by Anas b. Malik in ed. Muhammad Nasir al-Din al-Albani, *Sahih al-Jami’ al-Saghir*, 4th edn., Cairo: Mustafa al-Babi al-Halabi, 1954, hadith no. 7179.

¹⁹ Muslim b. Hajjaj al-Nishapuri, *Mukhtasar Sahih Muslim*, ed. Muhammad Nasir al-Din al-Albani, 6th ed. Beirut: al-Maktab al-Islami, 1407/1987, hadith no. 1249.

²⁰ Yusuf al-Qaradawi, *Ri’ayat al-Bay’ah fi’l-Shari’at al-Islam*, Cairo: Dar al-Shoruq, 2001/1421, 212.

his subjects; a man is a custodian and he is responsible for his family; a woman is the custodian of her husband's home and children and she is responsible for them. Surely each one of you is a custodian and responsible for his charge.²¹

IV.3. Building the Earth (*I'mar al-Ard*, 'Umran)

Another feature of the trust of vicegerency, as already noted, is to build the earth and develop its resources. To quote the Qur'an : " He it is who created you from the earth and made it your assignment to build it" (11:61). The scope and potential of this assignment naturally varies in tandem with state of human progress and civilisational attainment, but even then the humans will be unable to support all that live in the earth: "And We have provided in it (earth) sustenance for you, and for those who you do not support." (Q 15:19) The Prophet's appreciation of the earth's natural endowment is espoused, in the following hadith, with a challenge: "The world is green and pleasant and God has put it under your charge to see how you will manage."²² The earth is inherited by those of God's servants, as the Qur'an says, that do good works and fulfill their responsibilities (21:105).

Building the earth for beneficial uses is an evolving concept which depends to some extent on the tools and know-how that may be available to particular individuals and communities. *I'mar* and 'umran (civilization) are from the same Arabic root and our usage of *i'mar* is also meant to encapsulate its broader civilisational vision informed by the material, ethical and artistic aspects of development. Some aspects of *i'mar* that are explicitly mentioned in the Qur'an, hadith and fiqh relate to the reclamation of barren land (*ihya' al-mawat*), planting of trees and growing of flora and fauna, fruits and vegetables therein.²³

²¹ Muhammad b. Isma'il al-Bukhari, *The Translation of the Meaning of Sahih al-Bukhari* . Eng trans. Muhammad Muhsin Khan, Lahore: Kazi publications, 1986, vol. IX, hadith no, 252.

²² Khatib al-Tabrizi, *MishkÉt al-Ma'ÉbiÉ*, ed. Muhammad Nasir al-din al-Albani, 2nd edn., Cairo, 1979, vol. II, hadith no. 3086.

²³ Cf., Q 6: 99; 27: 60; 36:33.

Thus the encouragement in hadith, “one who reclaims barren land is entitled to own it.”²⁴

Barren land is unowned land mostly away from residential quarters with no signs of anyone having owned or developed it. It is an act of merit to reclaim it for productive purposes, especially for food and livestock raising. Thus the hadith: “Anyone who plants a tree or sows a field, and a human, bird or animal eats from it, it shall be reckoned as charity from him.”²⁵ The Prophet elaborated the Qur’anic concept of *i’mar al-ard* in another inspirational hadith: “If the day of resurrection comes upon any one of you while he has a seedling in his hand, let him plant it.”²⁶ *Ihya’ al-mawat* is not confined to agriculture as land may also be reclaimed for building of houses, hospitals and factories etc. Yet “it is obligatory,” according to al-Qaradawi, “that industrial installations and factories are further removed from residential quarters so that the people are safe from their harmful emissions, smoke, smell and other pollutants- simply because Islam outlaws infliction of harm.”²⁷ The Qur’an commentator al-Qurtubi (d.1273 CE) has drawn the conclusion that greening the earth and planting of trees is a collective obligation (*fard kifayah*) of the Muslim community. In the event where there is a total neglect of this duty, the ruling authorities are within their rights to compel people to doing it.²⁸ Al-Raghib al-Isfahani (d. 1124 CE) observed on a similar note that building and greening the earth and development of its resources is one of the three cardinal objectives of Islam.²⁹ Abu Dawud (d. 899 CE) has recorded hadith

²⁴ Abu Dawud al-Sijistani, *Sunan Abu Dawud*, Eng. Trans. Ahmad Hasan, 3 Vols. Lahore: Ashraf Press, 1984, hadith no. 3073; Abu ‘Isa Muhammad al-Tirmidhi, *Sunan al-Tirmidhi*, Beirut: Dar al-Fikr, 1400/9180, hadith no. 1379.

²⁵ Agreed upon hadith (muttafaqun ‘alayh) recorded by al-Bukhari, Sahaih al-Bukhari, hadith no. 1001.

²⁶ Muhammad b Ismail Al-Bukhari, *Al-Adab al-Mufard*, 2nd edn. Cairo: Muhib al-Din al-KhalîËb, 1959; hadith no. 479; Ahmad ibn Hanbal, *Musnad Imam Ahmad b Hanbal*, vol. III/183, hadith no. 184.

²⁷ Al-Qaradawi, *Ri’ayat al-Bay’ah*, 72-73: *Ihya’ al-mawat* is regulated by detailed fiqh rules but one that may be mentioned here is that reclamation should be with the approval of government just as the latter is authorized to repossess the land from one who fails to build it after two or three years and assign it to someone else who can develop it.

²⁸ *Tafsir al-Qurtubi*, vol iii/306 also quoted by Yusuf al-Qaradawi, *Ri’ayat al-Bay’ah*, 60.

²⁹ Al-Raghib al-Isfahani, *Al-Dhari’ah ila Makarim al-Shari’ah*, as quoted in Yusuf al-Qaradawi, *Ri’ayat al-Bay’ah fi’l-Shari’at al-Islam*, Cairo: Dar al-Shorouq, 1401/201, 64.

reports to the effect that in some parts of Madinah, the Prophet had strictly prohibited the cutting of trees and hunting of animals.³⁰ These last are also prohibited during war, on the authority of hadith and established precedent of the early caliphs (*Khulafa' Rashidun*) - unless there be a manifest need or benefit therein for Muslim warriors.

In addition to their nutritional and medicinal value for humans and animals, plants enrich the soil and protect it from erosion by wind and water; they conserve the water by draining its run-off, moderate the climate and produce the oxygen we breathe. The Qur'an also mentions the aesthetic values of plants and animals that bring excitement, joy and peace of mind.

The significance of *ihya' al-mawat* is brought into sharp relief by the phenomena of deforestation and expanding deserts. Sudan alone is annually losing 10 km of land, and the rate of deforestation in Tunisia due to the same phenomenon is 1800 hectares per annum.³¹ Deforestation is a much wider problem as is well known and by no means confined to any particular region of the world.

4. Keeping the Balance

The Qur'an is expressive of the qualitative and quantitative balance God has ordained in the natural world revealing interdependence and connections between parts as well as relationships of the parts to the whole : "Verily all things We have created are in due measure and proportion" (45: 49 & 13:8); "We have produced therein(earth) everything in balance" (15: 19). The sun and the moon move according to a fixed reckoning. "He has raised the heaven high and set up the measure, that you may not transgress the measure. So weigh all things fairly and fall not short of the balance" (55:5-9). God has determined, to

³⁰ Three such hadiths are discussed in Muhannad Haytham Khayat, *De Chaperyal Roghtya de Islam pe Mizan ke* (Environmental Health in Islamic Teachings), Pashto text, published by the Ministry of Health and WHO branch of Afghanistan, 2002, p.32.

³¹ Id., 216-217.

borrow Husaini's phrase, the earth's "geographic and hydrologic characteristics. He has determined the precipitation patterns of the globe, and also water movement through soils. The recharge of ground water and its drainage occur according to properties of water, soils, and other factors that God has determined [in due proportions]."³² This basically conveys the purport of the verse: "We send down water from the sky in accordance with a determined measure, and then We cause it to settle in the earth; We are most certainly able also to drain it off." (23:18)

All parts of the natural world, with its enormous diversity, have a value to each other and to the total global system over and above their value to mankind. The text repeatedly alludes to biological revival of the lifeless earth through rain which is likened to man's resurrection on the Day of Judgement: God sends forth the wind that raises the cloud and drives it towards dead land, and from it issues rain which enlivens the earth after it had been lifeless; much like the resurrection and return of life after death (Q 35:9).

All the produce of the earth is duly proportioned (*bi-qadarin mawzun*-15:19), not just in what is evident but as to their internal composition of nutrients, water, minerals, salts etc. God blessed the earth and made it safe such that "you shall not see imperfection in the creation of the Most Merciful"(67:13). When man acts, instead of a trusted custodian and architect of the earth, as its most dangerous destroyer, driven by greed rather than need and becomes an extravagant and insatiable consumer. When the earth is made into a testing field for deadly atomic bombs with immeasurable radioactive emissions, its *fitrah* (innate nature) is subjected to dangerous distortion. The translucent water that God sends to earth is polluted with endemic waste and industrial pollution. Imagine that more than 120 littoral cities of the Mediterranean sea dispose their refuse water and pollutants directly into the sea.³³

³² S. Waqar Ahmad Husaini, *Islamic Thought in the Rise and Supremacy of Islamic Technological Culture: Water resources and Energy*, Revised 2nd ed, New Delhi: Goodword Press, 2001, 90.

³³ See for details 'Abd al-Wahab 'Abd al-Jawad, *Al-Manhaj al-Islami li-'Ilaj Talawwuth al-Bay'ah*, Cairo: al-Dar 'Arabiyyah, 1991, 35.

When the natural purity of the earth's produce is incessantly eroded by chemical infusions for commercial gain, and when dense carbon emission, traffic and industrial pollution poison the air that inflict harm on humans and other life forms, its God-ordained balance is disrupted. When the cattle and grass eating animals are fed with animally-sourced protein until it is manifested in such problems as mad cow disease etc., and when genetically modified fruits overtake the natural variety for commercial gain, the God-ordained balance in them is no longer immune - this is nothing less, in al-Qaradawi's view, than transgression and mischief, *zulm* and *fasad*.³⁴

IV.5. Beauty and Cleanliness

The Qur'an and hadith are emphatic on cleanliness, in terms of both personal hygiene and the living environment. Thus the Prophet declared that "cleanliness is a part of the faith (of every Muslim)."³⁵ He also said that "God does not accept *salah* that is not preceded by ablution."³⁶ Personal cleanliness, clean clothes and ablution are parts of the daily observances of all practicing Muslims, and there is much attention to details in the Qur'an (cf., 5:6; 8:11; 74:4) and hadith, on such matters as the requirements of ablution and bathing, regular brushing of one's teeth, cutting of hair and nails, washing of hands before and after meals, and observance of hygiene when drawing and drinking water from wells and springs. It is recommended that one makes a special effort in personal hygiene when attending the mosque congregational prayers as well as on the upkeep and cleanliness of the mosque environment.³⁷ The hadith also bans urination and body waste in standing or running water, near public paths and mosques, throwing refuse and litter on public passages that annoy the people.³⁸ The fiqh rules elaborate further on toilet behavior, water

³⁴ Al-Qaradawi, *Ri'ayat al-Bay'ah*, 225.

³⁵ Al-Albani, ed. Mukhtasar *Sahih Muslim*, hadith no. 120.

³⁶ Hadith recorded by most of the major collections of hadith. See al-Albani, *Sahih al-Jami' al-Saghir*, hadith no 7746.

³⁷ See for details al-Qaradawi, *Ri'ayat al-Bay'ah fi Shari'at al-Islam*, 75f.

³⁸ See for details Ahmad 'Abd al-Wahab 'Abd al-Jawad, *Al-Manhaj al-Islami li-'Ilaj Talawwuth al-Bay'ah*, Cairo: al-Dar al-'Arabiyyah li'l-Nashr wa'l-Tawzi', 1991, 39f.

and attire that may or may not be deemed to be clean for purposes of ablution and prayer. But the teachings of religion reach out further: “Truly God loves those who return to him and those who insist on cleanliness.”(2:222) In a particular reference to the congregation of the Madinan mosque of Qaba, the Qur’an speaks in their praise: “Among them are people who love to purify and God truly loves those who purify themselves.”(9:108)

Cleanliness is an integral part of beauty within and outside the rituals of faith. The Qur’an asks the believers “Beautify as God has beautified you;” and “Is not the recompense for beautifying but beautification.”(28:77 & 55:60).³⁹ The Prophet said: “God is beautiful and He loves beauty.”⁴⁰ Commentators say that the reference is to one’s self, living quarters and surrounding environment. It is reported in a hadith that when the Companion Abu Barzah asked the Prophet “O Messenger of God! teach me something that would benefit me (which I can regularly practice), the Prophet replied : “Remove obstructions(and litter) from the path of Muslims.”⁴¹ Samurah b. Jundab reported that “The Prophet, pbuh, ordered us to build mosques in our living quarters, and ordered us also to keep them clean.”⁴² Other hadith reports provide details on prohibition of spitting, release of body fluids in the vicinity of mosques, and under the shade of trees occasioned by people for relaxation and shelter.

The Qur’an warns the people to take personal responsibility for their well-being and health: “O people! the excesses you commit will harm only yourselves. Enjoy the (lawful) pleasures of this world.” (Q 10:23) The hadith conveys a similar message “He who goes to bed at night with his hands unclean should only blame himself (if he falls ill).”⁴³ Personal and environmental hygiene are

³⁹ Translation of verses quoted from Joseph Lombard, *Submission, Faith and Beauty: The Religion of Islam*, ed. Zaid Shakir and Hamza Yusuf, Berkeley CA: Zaytuna Institute, 2008, 66.

⁴⁰ *Sunan al-Tirmidhi*, hadith no. 2800.

⁴¹ *Sahih Muslim*, hadith no. 2618.

⁴² *Sunan Abu Dawud*, hadith no.456; also in Ahmad b. Hanbal, *Musnad Imam Ahmad b. Hanbal*, vol. V, hadith no. 17.

⁴³ Khatib al-Tabrizi, *Mishkât al-Ma’âbi’*, ed. Muhammad Nasir al-din al-Albani, 2nd edn., Cairo, 1979, vol. III, hadith no. 4209; also quoted in Ahmad ‘Abd al-Wahab, *Al-Manhaj al-Islami*, 103.

thus a shared responsibility of the individual and community, but it is the former that must take responsibility in the first place, at least for the part under his control.

Beauty and cleanliness admittedly depend on financial means at one's disposal, just as the arts and other aesthetic aspects of civilization can be expected to prosper in more affluent societies. Having said this, cultural attitude and outlook are equally important. Notwithstanding the rigorous and comprehensive caliber of Islamic teachings on cleanliness, It would be hard to claim, without wishing to engage in generalizations, that Muslim cities and population centres have excelled in their observance of environmental cleanliness. This may be changing as of late. There is a certain disconnect, nevertheless, with the teachings of Islam, and a case where our concern for civilisational renewal (*tajdid hadari*) appears relevant. The essence of renewal here is not to bring a new attitude and message, but to recapture what has gradually been diluted over the course of time.

V. Violation and Abuse

Abuses of *khilafah* are manifested in mischief making and corruption in which is when man becomes, instead of builder and caretaker of the earth, an agent of its degradation and ruin through greed, extravagance, infliction of harm and altogether arrogant disregard of Divine guidance. These are discussed below.

V.A Mischief Making and Corruption (*Fasad fi'l-Ard*)

Khilafah and its ensuing trust can be violated in numerous ways, but an instance of violation to which the Qur'an highlights is spreading mischief and corruption in the earth. The text identifies the human being as having the greatest potential for mischief in violation of God's commands. Hence the warning : "Do not spread corruption in the earth after it has been so well ordered;" for "behold what happened in the end to the *mufsidun*, who spread

corruption and ruin.”(Q 7:85) The text continues: “corrupt (and pollute) not the earth which God has placed at your disposal in a state of goodness ”(Q 7: 86). Yet even after many warnings:

Mischief (*fasad*) has emerged on the land and sea as an outcome of what men’s hands have wrought: and so God may give them a taste of some of their own deeds in order that they may take heed and retract(30:41).

Fasad in the Qur’anic language is connected to the destruction of tilth and fertility (cf., 2:205), of crops and soil through abusive practices that deplete the soil of its goodness and pollute it such that result in diminishing yields - catastrophes and fires in the land and sea. The various forms of environmental damage through soil erosion and marine pollution we are witnessing today are manifestations of the Qur’anic concept of *fasad*.⁴⁴ Mischief becomes rampant in the earth due mainly to human defiance and diminishment of Divine blessings.⁴⁵

Qaradawi identifies conservation of the natural environment (*hifz al-bay’ah*) as an extension of one of the higher objectives of Shariah, namely of the protection of life (*hifzal-nafs*), and elaborates that environmental pollution, resource depletion, and disturbance of its ecological balance constitute major threats to human life and safety as “ we experience today. For as long as this course of *fasad* continues, the danger to human life can only be expected to increase.”⁴⁶ In numerous places, the Qur’an warns the wealthy but arrogant individuals and nations of old: the Pharaoh, Peoples of ‘Aad, Thamud, Madyan, Gog and Magog that spread tyranny and corruption in the earth. They are described as *mufsidin fi’l ard*, agents of mischief, degradation and ruin; truly they abused the trust in clear contrast to those who strove to observe.

⁴⁴ Cf., Seyyed Hossein Nasr, *Islam, Science and Muslim Technology*, Reprint. Kuala Lumpur: Islamic Book Trust, 2007, 147.

⁴⁵ Cf., Mawil al-Samarai, “The Human Appointment and Creation,” in ed., Agwan, *Islam and the Environment*, 163.

⁴⁶ Qaradawi *Ri’ayat al-Bay’ah*, 48.

The Prophet, pbuh, forbade setting of fire to an anthill by one who might have been stung by a single ant.⁴⁷ He also forbade the killing of bees, and captured livestock, as killing them was a form of mischief and corruption. He once ordered a man who had taken the nestlings of a bird from their nest to return them to their mother. He also forbade the needless cutting down of any tree that provided valuable shelter to humans or animals in the desert.⁴⁸ Muslim jurists have consequently held that destroying a living creature that does not pose a threat to one's safety is forbidden, and have extended the substance of these prohibitions even to war times, as already mentioned.

V.B Extravagance and Waste (*Israf, Tabdhir*)

Israf signifies extravagance and wasteful use of what is otherwise permissible. *Tabdhir* on the other hand is spending on that which is unlawful in the first place. Thus one who exceeds the limits of moderation in what is lawful to him is a prodigal (*musrif*), such as one who consumes food to excess, or uses water wastefully even if for purposes of cleanliness and ablution.⁴⁹ But those who spend money on procuring what is unlawful, such as purchase of drugs and gambling tools, even by small quantities, are *mubadhdhirun* - described in the Qur'an as the "devil's brethren" (17:26). This is because extravagance of one person leads to deprivation of another, and the excess of one limits the accessibility right to resources of another. The basic guideline on utilisation of resources and spending is moderation that avoids both the extremes of niggardliness and extravagance.⁵⁰ The rules of *fiqh* are clear to the effect that

⁴⁷ Hadith of sound authority related by *al-Bukhari and Muslim* on the authority of Abu Hurayrah.

⁴⁸ Several hadiths recorded in *Sahih al-Bukhari, Sahih Muslim* and *Sunan Abu Dawud*. See for a discussion of these and other reports Abubakar Ahmad Bakadar et al., "Islamic Principles for the Conservation of the Natural Environment," in, ed., Agwan, *Islam and the Environment*, 83f.

⁴⁹ 'Abd Allah b. 'Umar reported that the Prophet, pbuh, passed by Sa'd b Waqas who was washing for the prayer but using more water than necessary, and said: "What is this waste, O Sa'd! He replied "Can there be waste in washing for the prayer?" The Prophet replied: "Yes even if you are beside a flowing river." Reported by Ahmad b Hanbal in his *Musnad*, also quoted in Qaradawi, *Ri'ayat al-Bay'ah*, 102. There is a weakness in the chain of narration of this hadith, but it is strengthened by another hadith recorded by Ibn Majah in *Sunan Ibn Majah* (hadith no. 424) to the effect that the Prophet "saw a man doing ablution and told him : do not waste, do not waste."

⁵⁰ Thus the instruction: "Tie not your hand to your neck nor stretch it to its utmost reach that may then leave you self-blaming and regretful" (Q 17:29).

use of water for drinking takes priority over its usage for ablution. One may eat and drink, preferably with a sense of gratitude to God, but not waste unnecessarily. The Qur'an declares that "God loves not the prodigals – *al-musrifun*"(Q 2:172 and 7:31). Further instruction on this is found in the hadith advising moderation in eating even to the extent that one should finish the food one takes on one's plate. Moderation is advised also in clothing, which should be devoid of extravagance and self-glorification.⁵¹ Furthermore, the Qur'an equates the wasters with the agents of corruption (*musrifun* and *mufsidun*) and warns the faithful "not to follow the bidding of the *musrifin*, those who cause corruption in the earth and do no good."(26:150)

Destruction in futility is sinful according to the directives of several hadiths. 'Abd Allah b. 'Umar thus reported that the Prophet cursed one who needlessly destroys the life of a living creature in pastime. The Prophet said this when he passed by two youth from the Quraysh tribe who had tied a bird, or a chicken (reporter unsure), for a shooting target.⁵² In a supportive hadith also the Prophet warned anyone who killed a sparrow in vain will be taken to account for it in the Day of Judgement.⁵³ The same sense of self-restraint is advised with regard to plants and trees. In a frequently quoted hadith the Prophet is thus reported to have said that one who (wastefully) cuts down a tree invokes upon himself punishment of Hell in the Hereafter.⁵⁴

Passive destruction due to neglect, such as letting an animal die of hunger and disease, or neglecting a crop until it goes to waste, letting farm land or houses to deteriorate due to prolonged neglect fall under loss of valuable assets (*ida'at al-maal*) that violates the Shariah, more particularly its higher objective (*maqsid*), of protection of property (*hizf al-maal*). This is because ownership in Islam also partakes in trust (*amanah*) and it is the owner's responsibility to take

⁵¹ Nasir al-Din al-Albani, *Sahih al-Jami' al-Saghir*, hadith no. 4505.

⁵² *Sahih al-Bukhari*, hadith no.5515, and *Sahih Muslim*, hadith no. 1958.

⁵³ Al-Nasa'i, *Sunan al-Nasa'i*, vol. VII, p.229.

⁵⁴ Khatib al-Tabrizi, *Mishk'at al-Ma'Ébi'*, vol. II, hadith no. 2790.

good care of what he owns and use it for his own benefit and that of the community at large. Thus the owner is not entitled to destroy or set fire to his own property for no good purpose.⁵⁵

V.C. Infliction of Harm

“Harm must be eliminated- *al-dararu yuzaal*”⁵⁶ is the exact wording of one of the leading maxims of Islamic law, which has in turn been taken from the renowned hadith that “harm may neither be inflicted nor reciprocated- *la darar wa la dirar fi'l-Islam.*” This hadith has also been adopted into a legal maxim in precisely the same wording as the hadith itself.⁵⁷ The ruling it contains would subsume abusive exploitation of resources, even if by the owner, in a way that manifestly harms the environment.⁵⁸ The harm so inflicted must be manifest and exorbitant, which means that negligible harm is usually tolerated, especially when it emanates from the normal exercise of one’s right, say of ownership, but which harms another person. The owner’s exercise of ownership rights may cause some harm to another person/s but unless it is manifest and exorbitant, no legal action will be taken.

Yet because of the sensitivity of the issue and due exercise of care in the evaluation of harm, the law provides additional guidelines to facilitate evaluation and remedial action and relief. Note also the subtle difference between mischief-making (*fasad fi'l-ard*) as discussed above, and the infliction of harm (*darar*) as we are currently reviewing: Mischief-making may be unilateral and may or may not involve more than one actor - such as in the case of one who sets fire to an anthill, or one who disposes of harmful industrial waste in an adjacent river. Infliction of harm, most likely visualises two parties, one who instigates it, and the other its victim/s, who is entitled to seek

⁵⁵ See for details al-Qaradawi, *Ri'ayat al-Bay'ah*, 146f.

⁵⁶ Cf., Zaydan, *Al-Wajeez*, (as in the following note), 86.

⁵⁷ Cf., The Mejjelleh, Art. 19. See for details on this legal maxim also ‘Abd al-Karim Zaydan, *Al-Wajeez fi Sharh al-Qawa'id al-Fiqhiyah*, Beirut: Mu'assasah al-Risalah Nashirun, 2004/1425, 83f.

⁵⁸ Cf., ‘Abd al-Wahab ‘Abd al-Jawad, *Al-Manhaj al-Islami*, 33.

judicial relief. This is not to say that mischief and harm do not overlap, as they may well do, and I am not proposing a black and white line of distinction between them. *Fasad* and *darar* may indeed combine in one and the same case, for instance, in respect of a factory that disposes harmful chemical waste into a river and cause personal injury (*darar*) to a consumer/s, in which case it would most likely be responsible both for causing mischief, or an act of *fasad*, against the general public, and personal injury for damages. Mischief making would thus appear to be a public rights issue for the most part, often involving individuals and communities, and may entail not only civil damages but also punitive sanctions, whereas infliction of harm often gives rise to a civil claim for compensation. The former can be initiated by the public prosecutor on behalf of the state and community, whereas the latter is initiated by the injured party, and both or either may recourse to legal action as the case may be.

The present writer has not seen in the existing *fiqh* literature this distinction between *fasad* and *darar*, one being treated as a public rights issue, and the other as a civil claim. While no hard and fast divisions are being proposed, it seems a reasonable line of distinction that facilitates protection of the general public against mischief, even if no individual claim has arisen, and also to protect individuals in cases where evidence may be less than actionable to prove *fasad* and mischief to society at large.

According to a supplementary legal maxim “harm shall be removed to the extent possible.”⁵⁹ Harm should in other words be eliminated within reasonable bounds such that the remedial measure does not lead to more extensive damage. On a similar note “harm shall not be eliminated by means of a similar harm.”⁶⁰ Furthermore, “A private injury is tolerated in order to prevent injury to the general public.”⁶¹ Should there be a situation where a harm could not be

⁵⁹Zaydan, *Al-Wajeez*, 90.

⁶⁰ Id., 88. See also *The Mejelle, An English Translation of the Majallah el-Ahkam el-Adliya*, Trans. C.S. Tyser, Reprint.Lahore : Law Publishing Co. 1967, Art. 25.

⁶¹ *The Mejelle*, Art. 26, and Zaydan, *al-Wajeez*, p. 92.

avoided, then the “lesser of the two harms/evils shall be chosen.”⁶² These last two maxims clearly contemplate protection of the public interest and aversion of harm to society, for which the state bear responsibility to take remedial action.⁶³ According to yet another legal maxim “Harm cannot establish a precedent – *al-dararu la yakunu qadiman*,” which means that lapse of time cannot justify continuation of a harm.⁶⁴ All of this is further to be guided by the maxim that “aversion of harm takes priority over the attraction of benefit.”⁶⁵ Clearly these and similar other provisions of Islamic law, when read side by side with their relevant source evidence in the Qur’an and hadith, encapsulate between them most if not all instances of environmental damage. They also empower judicial authorities to take appropriate preventive or remedial action, including financial compensation and punitive sanctions.

Conclusion and Recommendation

Solutions to the environmental crisis cannot come without addressing the spiritual malaise of modern man and re-discovery of the inner health and wisdom that must inform his responses to the crisis. In traditional times, dominant religions remained, on the whole, impervious to the discourses of minority religions and cultural traditions. Today the boundaries of those traditional universes have been broken and there is a need for them to understand each other and reach out for harmony as they have nearly all become victims and participants, some more widely than others, in the destruction of the earth’s environment.

It is essential for those who speak for spirituality and religion to collaborate in matters of their shared concern and take common platforms to save the planet

⁶² Zaydan, *Al-Wajeez*, 96.

⁶³ Cf., ‘Abd al-Wahab ‘Abd al-Jawad, *Al-Manhaj al-Islami*, 147.

⁶⁴ See for a discussion of these and other legal maxims, Mohammad Hashim Kamali, *Shari’ah law: an Introduction*, Oxford: Oneworld Publications, 2008, chapter seven bearing the title “Legal Maxims (Qawa’id al-kulliyah al-fiqhiyyah,” 141-162, at 148f.

⁶⁵ Zaydan, *Al-Wajeez*, 99.

from its crisis. It is also important for those who refuse to acknowledge the reality of the crisis and its ruinous manifestations to put an end to that state of denial. Muslim communities and leaders certainly have their share of responsibility to draw the attention of their people to the spiritual significance of nature and the necessity to live in harmony with the rest of God's creation. Muslim countries and nations are definitely not in a state of denial over the environmental crisis. It is encouraging to note also "The Muslim Seven Year Action Plan on Climate Change(2010-2017)," created at a landmark event at Windsor Castle in November 2009 titled "Many Heavens, One Earth," organized by the United Nations and the Alliance of Religions and Conservation to encourage environmental action among a variety of faiths.

The present conference in Amman is another important initiative. It seems advisable if following this event, the Royal Aal al-Bayt Institute of Jordan liaises with the Muftis and leading ulama of selected Muslim countries to take a common platform on environmental awareness and its religious significance among Muslims. This could be done through sermons, mosque - organised events, TV programmes and the like. Interesting developments have been taking place in some parts of Indonesia in recent years.⁶⁶

⁶⁶ Note that when the ulama of the Central Kalimantan branch of Majelis Ulama Indonesia (MUI) in 2006 issued a fatwa against open-burning of forests and declared unauthorized deforestation as sinful and haram, the villagers complied. Activists said that only the religious elite could reach out the villagers. On 19 June 2007 the local MUI head, Abdul Wahid Qusimy, said his learned body had stepped up that effort to inform Muslims in Indonesian Borneo about the ruling against burning of forests. It is instructive to note also that Muslim schools in Java, started an Islamic green movement in Indonesia: When founders of the Darul Ulum boarding school, a traditional pesantren or madrassa, started building the school compound in Sukabumi, west java in 1995, it was hot and humid. The founders decided to set aside one hectare of the 7 hectares as *harim* designated only for planting of trees. Four years later, and after 700 trees planted, the air around the school is cool and fresh. The 700 is exactly the number of graduates as every student is required to plant one tree before graduation. This was the result of 'one student one tree' policy initiated by the school, which also required the student to maintain the tree.

The Darul Ulum success story drew the attention of pesantrens in Bogor, including NGOs to follow suit. On July 29, 2009, nineteen pesantren representing 31,900 students converged in Bogor to launch a more ambitious move to protect a local national park through the implementation of the Islamic conservation tradition of *hingga*, a system of resource tenure established by the Prophet himself. See Kafil Yamin, "Muslim Schools Lead Islamic Green Movement in Java," *Jakarta Globe*, August 09, 2009.

The destruction of one part of creation affects other parts in ways that the science of today may not have adequately addressed. In such an interdependent natural environment in which we all live, it is for men and women everywhere to unite, to borrow Nasr's phrase "not in an agnostic humanism which kills the Divine in man...but in the one Spirit which manifests itself in different ways in the vast and complex ocean of humanity."⁶⁷

The Islamic tradition possesses an ethics and a metaphysics of nature, rooted in the revelation and Divine law, which concern the duties and responsibilities of man towards the non-human realms of the created order. All proponents of traditional Islam should carry out a dialogue with followers of other religions on an issue which concerns men and women everywhere. By sharing the wisdom of their tradition with others, and learning from them in the meantime, they can contribute together not only to the Islamic world itself that struggles with the consequences of the environmental crisis, but to the betterment of the larger humanity.

Ethical teaching and spiritual wisdom in defence of the natural environment should be backed by legislation and effective enforcement measures. Appeals only to conscience without positive inducement may well put those who respond with self-restraint at a disadvantage with respect to those who are bent on transgression. The Islamic tradition combines ethical teaching with the legal injunction of Shariah concerning care for the earth's environment and living inhabitants. This aspect of Shariah merits greater attention in that it can move the environmental debate from mere show of concern to an actionable plane that is likely to bear a greater restraining influence on potential violators. When a moral norm is developed into a legal principle it is indicative of moral progress. Developments of this kind have taken place with respect to 20th century human rights discourse where certain moral precepts have been elevated into legal principles.

⁶⁷ Seyyed Hossein Nasr, "Islam and the Environmental Crisis," in ed., Agwan, *Islam and the Environment*, 35.

Shariah guidelines on elimination of mischief and *darar* authorise the government to take necessary measures for elimination of manifest damage to public interest, seek indemnity and impose deterrent punitive sanctions, on individuals, organisations, national and multinational companies and governments, for the damage resulting from their activities. The Shariah rules in this regard as we already examined dictate that “harm shall be eliminated,” and that “harm shall be eliminated to the extent possible.”⁶⁸ Yet national governments and actors may be powerless, especially in the case of weaker countries, to take deterrent action against multinational companies and more powerful countries. It is here where international conventions and binding covenants are necessary to develop consensus and common strategies to curb further deterioration and damage.

The Shariah also empowers government authorities to impose moratoria on activities, projects and enterprises they consider will result in real damage to the environment such that would exceed their possible benefits under the legal maxim that “averting of harm takes precedence over the acquisition of benefit.” If, however, the community is in urgent need of some action that may result in some damage, the need may be considered as a necessity under the principle that “dire necessities render the unlawful lawful.”⁶⁹

The Islamic tradition, especially the hadith literature, is expressive of a great deal of concern for animal welfare. There are hadiths on record where the Prophet has warned, in particularly emphatic terms, with God’s wrath and punishment individuals who were guilty of cruelty to animals, such as dogs, cats, camels and cattle under their care.⁷⁰ The hadith directives on animal care have in turn established a distinctive line of precedent followed by the Rightly-

⁶⁸ Cf., Abubakar Ahmad Bakadar et al, “Islamic Principles for the Conservation of the Natural Environment,” in ed. Agwan, *Islam and the Environment*, 94.

⁶⁹ See for details on this legal maxim Zaydan, *Al-Wajeez fir Sharh al-Qawa'id*, 222.

⁷⁰ See for English translation of a number of hadiths on animal care, Abd al-Hamid, “Islamic principles for the conservation of the natural environment,” in ed. Agwan, *Islam and the Environment*, 62-63.

Guided Caliphs and others.⁷¹ Space does not permit entering details but merely to say that Government authorities should intervene to curb abusive practices and protect both domestic and wild animals in private and public institutions such as zoos and research institutions under pains of compensation and punishment. Notwithstanding the distinctively compassionate tenor of our tradition, in actual practice, and I hesitate to generalize but have to say that welfare of animals is not a particularly visible feature of Muslim society practices. This is perhaps an area where our concern for civilisational renewal (*tajdid hadari*) is again relevant in that we need to reconnect ourselves with the original teachings of Islam.

Mass media, civil society institutions, welfare bodies and parents all play important roles, side by side with governments, in alerting the public on instances of environmental abuse and all can help curbing them through persuasive measures and education. This is a continuous effort that requires planning and proactive action, indeed a change from within ourselves, before we can expect the fruits of that vision in real life. While calling for civil society action and a fresh cultural vision of mobilization, al-Qaradawi observes that “parents should not throw the burden on to the school nor the authorities but to join hands with them ... Cultural institutions and the media should also support this effort.”⁷² Qaradawi adds that in earlier times the *muhtasib* (ombudsman, market inspector) used to play an important role in discharging some of these social obligations, but that role is now played by a variety of other individuals and welfare organizations.⁷³ The latter should all lend support to the notion of ecologically sustainable development. Scientific and technical knowledge of environmental conservation and care should continually be improved and developed through ongoing research for safer methods and monitoring.

⁷¹ See for detail al-Qaradawi, *Ri'ayat al-Bay'ah*, 122-134.

⁷² Cf., al-Qaradawi, *Ri'ayat al-Bay'ah*, 235 quoting the Qur'anic verse (13:11) that God will not change a people unless they make that decision themselves..

⁷³ Id., 237.

The Qur'an and hadith are evidently emphatic on environmental care and cleanliness, but our honourable exceptions apart, ulama hardly speak about it. A change of mindset is also called for to see that the ulama make their presence felt and abandon the attitude as if environment is not a matter of concern to Islam!

At the national level, environmental care, awareness of its pollutants and protective measures should be introduced in public schools at an early stage, to be pursued by suitable educational programmes in industrial centres, farms and factories. At the international level, it is essential to wage a rigorous campaign for international treaties and binding instrument that safeguard the environment from the menace of nuclear weapons, tests and proliferation of such weapons to be observed by all states, large and small, including Israel and North Korea.⁷⁴

Furthermore, the Islamic public law principle of Shariah-oriented policy (*siyasaḥ shar'iyah*) empowers government authorities to impose technical standards, licensing provisions and policy measures that encourage moderation and prevent or minimize environmental damage.⁷⁵ Ecologically sustainable development and planning should espouse and nurture suitable restraints and take into consideration inherent proclivities of various localities and climes. Economic development and city planning should always include analysis of environmental impacts and be designed so as to minimize damage. Self-seeking individuals and institutions should be made responsible to repair the environmental damage they cause. Condensing too many sky scrapers in congested areas has become commonplace in cities such as Kuala Lumpur, leaving on-lookers often askance whether any amount of ethical education will constrain greedy developers and their co-travellers in municipal offices to care for environmental safety and well-being of the general populace. Private or local interest should not be encouraged at the expense of public interest and damage to the larger society.

⁷⁴ Cf., Wahbah al-Zuhaili, *Qadaya al-Fiqh wa'l-Fikr al-Ma'asir*, Damascus: Dar al-Fikr, 2006, 719.

⁷⁵ See for further details on *siyasaḥ shar'iyah*, Kamali, *Shari'ah Law: An Introduction*, ch.11 entitled "Beyond the Shari'ah: an Aanalysis of Shari'ah-Oriented Policy," 225-246.