

The Quran Concept of Law Enforcement Environmental Damage

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Abstract

The purpose of this research is to analyze the factors that cause environmental damage in the study of the Qur'an and the principles of environmental management based on the concept of the Qur'an. The research method used is a normative research method with a comparative approach (Comparative Approach), a conceptual approach (Conceptual Approach Approach) and an analytical approach (Analytical approaches). The results of the study indicate that environmental damage, which in Al-Quran terms is called Fasad, occurs because it is caused by human actions that are wrong in managing and utilizing natural resources. Humans have come out of the guidance of the Qur'an in maintaining and preserving the environment. As in the Qur'anic concept that environmental management must be carried out with the principle of compassion.

Keywords

Environmental damage; Al-Quran; management principles.



I. Introduction

Environmental problems are one of several issues that are of concern to the public, not only for the people of a country but also for the world community. Public concern for environmental problems is a form of response and responsibility for various environmental problems that have occurred so far, such as environmental damage and pollution. Various handling efforts have been carried out with different ways and perspectives. This is done as a form of environmental conservation efforts for the sustainability of human life on earth.

Environmental damage that occurs begins with progress in various sectors of life, such as in the fields of industry, agriculture, transportation and communication, which are not environmentally friendly. This results in an increase in the earth's temperature (global warming) and a decrease in the ozone layer in the atmosphere which has an impact on the imbalance of the earth. In addition, it is exacerbated by the number of people who always experience an uncontrolled increase in the number, causing a gap between demands for meeting food needs that exceeds production capacity.

Based on these problems, researchers are interested in conducting an in-depth study of environmental problems that still occur today through a religious approach because according to the author, the handling of environmental damage with law enforcement instruments, be it administrative law enforcement instruments, civil law enforcement instruments and even criminal law enforcement instruments has not been effective as such which is expected.

The paradigm of handling environmental problems from a religious point of view will be dogmatic and binding as religious teachings are dogmatic for their adherents, so that they can become a supporting factor for carrying out several environmental saving actions that are considered good by giving a major influence on the actions and behaviors that will be carried out. This is confirmed by Mudhofir Abdullah's view which states that religious and spiritual teachings will be able to apply environmental conservation tasks that are degraded due to the actions and behavior of modern humans towards the environment through their conquest character so that public awareness and obedience in managing the environment can be carried out properly, wisely and responsible based on religious teachings, norms and spiritual values.

The relationship of religion in environmental management, both in the utilization, arrangement, maintenance, supervision, control, recovery, and environmental development is an interesting idea and needs to get real attention and action to find and formulate solutions in preventing and overcoming environmental damage that occurs. So far, the religious approach has not had enough place in responding to the problem of environmental damage, even though ethics in religion are able to deliver humans safe and secure from environmental damage that will occur. Another thing, religion can also play a role in providing spiritual considerations and directions that can guide humanity on how it should be in managing the natural environment.

Islam as a religion of rahmatan lil 'alamin, including in terms of the relationship between humans and the environment, Islam places humans in a position that is proportional and also balanced with nature, which means that humans are an integral part of the environment, which cannot be separated. Islam teaches to maintain good relations and harmony with nature, the position of humans on earth is the caliph fi al ardh. This position has the potential to be the cause of environmental damage due to shallow understanding in understanding this position so that it can derail Muslims towards a radical anthropocentrism view which is a legitimate tool for exploitation and destruction of the environment even though the position of caliph for humans is a mandate for humans to prosper and preserve the environment. Al-Qur'an is believed to be a holy book that holds a lot of knowledge in various fields. All existing knowledge comes from the Qur'an and will lead back to the Qur'an. Among these sciences is the science of man himself, which is the main object of the message of the Qur'an and the main subject for carrying out the content and message of the Qur'an. In the Qur'an, humans are described as creatures that are superior to other creations, even human positions can be more noble than angels. This is clearly illustrated in QS. Al-Isra' verse 70 in which Allah explains the position and glory of man. (Nuraini, et al. 2022)

Humans have rights and obligations to the environment. Human rights to use and manage the environment properly and responsibly. While the human obligation to maintain and preserve the environment for the survival of human life itself. Humans must realize that environmental resources are limited so they must be preserved. Humans must be able to make efforts in aligning the rate of economic growth with environmental sustainability. The arrangement of the market economy system in the future should take into account the consequences that can be caused to the environment, so that the earth as a human habitation can still be properly inhabited by future generations.

Based on the information above, the object of this research article is the principle of environmental management and utilization based on the concepts and guidance of the Qur'an as a more effective solution in realizing environmental sustainability and sustainability for humans.

II. Research Method

This research is a type of normative research with a comparative approach (Comparative Approach), conceptual approach (Conceptual Approach) and analytical approach (Analytical Approach). This research is presented in the form of qualitative research. Collecting sources of legal materials by conducting literature studies related to the object of research, namely literature related to the principles of environmental management in the concept of the Qur'an.

III. Result and Discussion

3.1. Environmental Damage in the Study of the Al-Quran

Damage in the Qur'an is known as Fasad. Fasad has a broad meaning, which involves the soul, the physical and things that deviate from balance. Another meaning is that anything that does not lead to goodness or does not provide benefits either individually or socially is included in the category of Fasad. The opposite of the word Fasad is sala>h which means something that is beneficial.

Façade In the Al-Quran can be divided into 5 (five) namely deviant behavior or actions that are not useful. The word of God in the Qur'an Surah Al-Baqarah verse 11, namely:

وَإِذَا قِيلَ لَهُمْ لَا تُفْسِدُوا فِي الْأَرْضِ قَالُوا إِنَّمَا نَحْنُ مُصْلِحُونَ ﴿١١﴾

It means :

And when it is said to them, "Do not do mischief on the earth!" They replied, "Indeed, we are the ones who make repairs."

Then the second meaning is irregularity or something messy. The word of God in the Qur'an is in Surah Al-Anbiyah verse 22, namely:

لَوْ كَانَ فِيهِمَا ءِآلهَةٌ إِلَّا اللَّهُ لَفَسَدَتَا فَسُبْحَانَ اللَّهِ رَبِّ الْعَرْشِ عَمَّا يَصِفُونَ ﴿٢٢﴾

It means :

If in both (in the heavens and in the earth) there were gods besides Allah, both of them would have perished. Glory be to Allah who owns the 'Throne, from what they characterize.

The third meaning is destructive behavior. In the Qur'an, namely in Surah An-Naml verse 34, namely:

قَالَتْ إِنَّ الْمُلُوكَ إِذَا دَخَلُوا قَرْيَةً أَفْسَدُوهَا وَجَعَلُوا أَعْرَآءَ أَهْلِهَا آذِلَّةً وَكَذَٰلِكَ يَفْعَلُونَ ﴿٣٤﴾

It means :

He (Balqis) said, "Indeed, when kings conquer a land, they will destroy it, and make its noble inhabitants lowly; and so they will do.

Furthermore, in the 4th (fourth) meaning, namely neglect or an attitude of not caring. It can be seen in the Al-Quran Surah Al-Baqarah verse 220, namely:

فِي الدُّنْيَا وَالْآخِرَةِ وَيَسْأَلُونَكَ عَنِ الْيَتَامَىٰ قُلْ إِصْلَاحٌ لَهُمْ خَيْرٌ وَإِنْ تُخَالِطُوهُمْ فَإِحْوَانُكُمْ وَاللَّهُ يَعْلَمُ الْمُفْسِدَ
مِنَ الْمُصْلِحِ وَلَوْ شَاءَ اللَّهُ لَأَعْنَتَكُمْ إِنْ اللَّهُ عَزِيزٌ حَكِيمٌ ﴿٥١﴾

It means :

About this world and the hereafter. They ask you (Muhammad) about orphans. Say, "It's good to improve their situation!" And if you associate with them, then they are your brothers. Allah knows those who do mischief and those who do good. And if Allah willed, He would have brought trouble to you. Indeed, Allah is Mighty, Most Wise.

While in the 5th (five) meaning, namely environmental damage. In Al-Quran Surah Ar-Rum verse 41, namely:

ظَهَرَ الْفَسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ لِيُذِيقَهُمْ بَعْضَ الَّذِي عَمِلُوا لَعَلَّهُمْ يَرْجِعُونَ ﴿٤١﴾

It means :

Damage has been seen on land and at sea due to the work of human hands; Allah wants them to feel some of the (results of) their actions, so that they return (to the right path).

Other terms that have the meaning of damage are halaka, sa'a and dammara. Halaka which means destruction, Sa'a means destruction (Surah Al-Baqarah verse 205) and dammara means destroying or bringing destruction to something (Surah Muhammad verse 10).

The environment as an important part of human life that cannot be avoided. Therefore, humans should have to maintain, respect and manage the environment properly and responsibly. The environmental damage that has occurred so far is none other than the human perspective on the environment that the environment is an object that can be exploited because it considers humans as the center of the universe who can manage the environment as they wish.

Humans who are God's creatures, if they do actions that violate the provisions of the prohibition that He has set, they will get rewards or sanctions in the form of environmental disasters that will occur everywhere. Human behavior that manages the environment by destroying and polluting the environment will have an impact on humans themselves, whether the impact occurs immediately or has an impact on the future which will certainly affect the survival of humans themselves.

As in the story that happened at the time of Noah, the spread of heat that scorched living creatures, the outpouring of fire that destroyed the cities of Sodom and Gomorrah which only separated Prophet Lut and his family. Earth's damage occurs due to the greed and greed of humans themselves in utilizing and managing the environment, managing without paying attention to the values of environmental balance.

Efforts to protect and preserve the environment really need to be done. In the teachings of Islam contained in the Qur'an and Al-hadith which have provided scientific information that this nature has been conquered by God for the survival of human life. This is stated in the Qur'an Surah An Nahl verse 14 which reads:

وَهُوَ الَّذِي سَخَّرَ الْبَحْرَ لِتَأْكُلُوا مِنْهُ لَحْمًا طَرِيًّا وَتَسْتَخْرِجُوا مِنْهُ حَبًا وَلَبْنًا وَلْيَسْفُتَ الْفَالِكُ مُوَاجِرًا فِيهِ
وَلِتَسْتَفْتُوا مِنْ فَضْلِهِ ۗ وَلِعَلَّكُمْ تَشْكُرُونَ ﴿٥٦﴾

It means :

And it is Allah Who has subdued the sea (for you) so that you may eat fresh meat from it, and you bring out from the sea the adornments that we wear. You see the ark sailing on it, and that you seek (profit) from His bounty so that you may be grateful.

Then in Surah Al-A'raf verse 56 which reads:

وَلَا تُفْسِدُوا فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا وَادْعُوهُ خَوْفًا وَطَمَعًا ۚ إِنَّ رَحْمَتَ اللَّهِ قَرِيبٌ مِنَ الْمُحْسِنِينَ ﴿٥٦﴾

It means :

And do not do mischief in the earth after (Allah repairs it) and pray to Him with the fear of not (will be accepted) and hope that it will be granted). Verily, the mercy of Allah is near to those who do good.

The definition of damage in Islam, there are two types, namely: the first, Zahiriah (outward/physical) damage, and the second is inner (spiritual) damage. Zahiriah damage (birth/physical) can cause a disaster that results in huge losses for mankind, not only in property losses, but the human body and soul will be destroyed. As the word of God in the Qur'an Surah Ar-Ruum verse 41 which reads:

ظَهَرَ الْفَسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ لِيُذِيقَهُمْ بَعْضَ الَّذِي عَمِلُوا لَعَلَّهُمْ يَرْجِعُونَ ﴿٤١﴾

It means :

Damage has been seen on land and at sea due to the actions of human hands, so that Allah may feel for them some of the (results of) their actions, so that they return to the right path.

Islam teaches humans to have attitudes, behaviors and habits to protect and maintain the balance of the ecosystem. Humans must believe that God Almighty sent humans to earth as "Khalifah". The caliphate here means that humans are given the right by God to manage and utilize the natural resources they have by "subjecting them". Therefore, humans should not carry out destruction that leads to disasters for humans themselves.

The environmental crisis that occurs because humans no longer pay attention to environmental sustainability and sustainability in their management. Humans should conduct comparative research on environmental damage that occurred in the past as described in the Qur'an.

facadeor sins committed by humans have an impact on the imbalance of land and sea. While the imbalance will result in human life itself. The greater the impact of the imbalance, the greater the impact that will be felt by humans and other living things in this universe.

Allah's command can be seen in the Al-Quran Surah Al-Baqarah verse 11 that do not make mischief on earth. The meaning of the surah reflects that the damage that will occur will have a wide impact until it spreads throughout the earth, not only affecting humans but also all living environments.

Furthermore, in Surah Al-A'raf verse 56 concerning the prohibition of doing damage. The meaning of this verse is that humans are prohibited from doing damage or doing actions that cause harm in any form, whether it involves actions that damage, kill, pollute rivers, deforestation and so on, as well as matters related to faith, such as committing polytheistic acts, kufr, and all other things. form of disobedience. This is related that moral damage is the cause of physical damage, damage to the environment where humans and other living creatures live.

3.2. Environmental Management Principles in the Quranic Concept

The environment is an internal part of human life, which has value and provides benefits to human life, so it must be maintained, preserved, and not do destructive actions because the environment has value for itself.

The environmental damage that has occurred so far is due to the paradigm and human perspective of seeing the environment which can be arbitrarily managed or exploited without regard to the impacts that can be caused by irresponsible management. As the translation of the word of God in Surah Ar-Ruum verse 41 that it has been seen that damage on land and at sea is caused by the actions of human hands.

Humans as caliphs on earth have been given guidance by the Qur'an in managing the environment as a guide in behaving and interacting with the environment, namely:

1. Respect for Nature. It is in the Qur'an Surah Al-Anbiya verse 107. As the word of Allah SWT "And we have not sent you, but to be a mercy for the worlds".
2. The principle of responsibility means that humans must have a moral responsibility in managing and utilizing nature because humans are the caliph (responsible) on earth and humans as part of nature. In the Word of Allah SWT in Surah Al-Baqarah verse 30, namely: "Remember when your Lord said to the angels: "Indeed I want to make a caliph on earth".
3. The principle of compassion and concern for the environment. Humans must have compassion, love, care so that in environmental management without discrimination, domination and arbitrary exploitation. As the hadith narrated by Bukhari and Muslim: "From Anas radhiyallahu 'anhu that the Prophet sallallaahu' alaihi wa sallam said, "There is no human being who is a Muslim who grows plants or does cultivation, then the fruit is eaten by birds or humans or livestock, except that what he eats will be worth charity for him." (Narrated by Bukhari and Muslim).

Environmental conditions are currently declining, disasters occur almost every year and result in material and non-material losses. The damage caused by the human hand itself. Coal mining activities that do not pay attention to environmental sustainability, exploitation of agricultural land, throwing garbage anywhere, population compaction and other things.

Today's environment is no longer a "friend" for humans. In fact, humans become enemies of the environment that spread threats and fear for the safety of humans themselves. Environmental damage that occurs at the root of the problem is humans as the subject and object of this universe. So like it or not, humans must be made aware and returned to the nature of their creation as servants of Allah (al-Abid al-Allah).

The need for a change in human perspective in managing and utilizing natural resources in accordance with the Qur'an. Humans must realize that the universe with all its contents belongs to Allah SWT, (Wa li al-Allahi ma fi-samawati wa ma fi al-ardhi). Therefore, humans are prohibited from doing damage to things that belong to God as a form of submission and obedience to Him. In addition, humans must also be aware and do self-introspection that calamities and disasters that occur because of human behavior and

actions themselves have been kufr for the favor of Allah SWT. Humans must be taught the importance of religion so that gratitude is always embedded for God's blessings. Allah SWT says in Surah An-Nahl verse 112, namely:

وَضَرَبَ اللَّهُ مَثَلًا قَرْيَةً كَانَتْ ءَامِنَةً مُطْمَئِنَّةً يَأْتِيهَا رِزْقُهَا رَغَدًا مِنْ كُلِّ مَكَانٍ فَكَفَرَتْ بِأَنْعَمِ اللَّهِ فَأَذَاقَهَا اللَّهُ
لِبَاسَ الْجُوعِ وَالْخَوْفِ بِمَا كَانُوا يَصْنَعُونَ ﴿١١٢﴾

It means :

And Allah has set a parable with a land that was once safe and peaceful, its sustenance came to it abundantly from all places, but (its inhabitants) denied the favors of Allah; therefore Allah felt in them the garments of hunger and fear, because of what they had always done.

In Indonesia itself, the concept of environmental protection and management is regulated in Law Number 32 of 2009 concerning Environmental Protection and Management. The law was formed on the basis of the mandate of Article 28H paragraph (1) of the 1945 Constitution of the Republic of Indonesia (UUD 1945) which stipulates that everyone has the right to a good and healthy environment. On this basis, Article 3 of the PPLH Law determines the objectives of environmental protection and management, namely:

- 1) Provide protection for the territory of the Unitary State of the Republic of Indonesia from pollution and/or environmental damage;
- 2) Provide guarantees of safety, health, and life for humans;
- 3) Guarantee of survival for living things and preservation of ecosystems;
- 4) The preservation of environmental functions is maintained;
- 5) Harmony, harmony and balance of the environment is achieved;
- 6) Guarantee of justice for present and future generations;
- 7) Provide guarantees for the fulfillment and protection of the right to the environment as part of human rights;
- 8) Use natural resources wisely; realizing sustainable development; and
- 9) Anticipating global environmental issues.

The management and utilization of the environment by humans must be based on the principles of environmental protection and management so that the environment is maintained and preserved. Based on Article 2 UUPPLH, one of these principles is the principle of benefit:

Along with the increasing human needs and rapid development, it has a negative impact on the environment. This is due to the concept of unsustainable development and is not environmentally sound. Damage to public debt and land, water, air and land pollution, coastal and marine damage and environmental problems in urban areas are some examples of environmental damage that is happening today.

The issuance of the PPLH Law which was previously regulated in Law Number 23 of 1997 which was then refined by the issuance of Law Number 32 of 2009 concerning Environmental Protection and Management with the aim of preventing and minimizing the impact caused by irresponsible human behavior. in managing and utilizing environmental resources. The Law on Environmental Protection and Management strengthens aspects of planning and enforcing environmental laws.

The form of legal protection in environmental management can be seen in the imposition of legal sanctions for any person or corporation that acts against the law that results in environmental damage. The instruments of legal sanctions are administrative law instruments, civil law and criminal law instruments. We can see the administrative law instruments in Articles 71 to 75 of Law Number 32 of 2009 concerning Environmental Protection and Management. Meanwhile, civil law instruments are regulated in Article 84 to Article 93 of Law Number 32 of 2009 concerning Environmental Protection and Management. And criminal law instruments are regulated in Articles 97 to 120 of Law Number 32 of 2009 concerning Environmental Protection and Management.

Meanwhile, in the planning aspect, it can be seen by the mandatory environmental impact analysis (Amdal) for every company engaged in various fields of activity. This can be seen in Articles 22 to 33 of Law Number 32 of 2009 concerning Environmental Protection and Management.

Environmental law enforcement based on Law Number 32 of 2009 concerning Environmental Protection and Management is still not running optimally. This is due to several obstacles experienced, both at the regulatory level and at the implementation level. At the regulatory level, there is no article in the UUPPLH that mentions the commitment of stakeholders to slow down, stop and reverse the direction of the rate of environmental destruction. Meanwhile, at the implementation level, several inhibiting factors are law enforcement infrastructure, namely the lack of monitoring apparatus, or the lack of evidence. Another factor is the bad legal culture by stakeholders, which is still full of corruption. In addition, the environmental law socialization factor to the community is still lacking.

In other words, the legal protection in environmental management by the Indonesian government by issuing various legal regulations and policies for the sake of a sustainable environment for generations so that it is maintained has not yet achieved maximum results as expected. So that in this author's work, it provides a concept of environmental management by returning to human awareness about the position of humans as servants of Allah SWT who have the obligation to protect and preserve the environment. But if not, then humans must be prepared for disaster after disaster will occur that will damage and harm humans themselves.

IV. Conclusion

Based on the description of the discussion above, it can be concluded that environmental damage, whether occurring on land, at sea or in the air, is caused by irresponsible human actions and behavior in managing and utilizing the environment. Facade or damage in terms of the Qur'an can be interpreted as a form of environmental damage or physical damage such as floods, landslides, soil, and water and air pollution and so on. The current environmental law enforcement instruments have not been able to prevent the behavior of environmental damage by humans. Therefore, environmental management by humans should be returned to the concept of the Koran which provides guidance to humans to maintain and preserve the environment based on management principles such as the principle of compassion, responsibility and the principle of respect for the environment. Based on the results of these studies, human awareness is needed in managing and utilizing the environment in accordance with the guidance of the Al-Quran. And this can be done with a religious spiritual revolution in order to save the environment and of course all living things without exception of humans themselves.

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