

Integration of *Fiqh Awlawiyat* and *Maqasid Sharia*: Priority-Based Ecological Fiqh Paradigm

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Abstract

For Muslims, global ecological crises such as deforestation, water pollution, and climate change require a solution-oriented fiqh approach in responding to them. This qualitative study aims to explore the concept of the *fiqh awlawiyat* (priority fiqh) approach as a solution to the ecological problems of modern society. This study uses various classical and contemporary fiqh literature that explains the development of the concept of Islamic law orientation (*maqasid syariah*) in relation to environmental conservation. Data was collected through documentation techniques. The results of the study show that the fiqh priority approach views the prevention of environmental damage as a priority measure (*dhoruriyat*) over policies of excessive natural resource exploitation. This research contributes a fiqh paradigm framework that prioritises measures based on *maqasid sharia* in mitigating ecological problems.

Keywords: Fiqh Awlawiyat, Maqasid Shariah, Islamic Ecology

Abstrak

Bagi umat Islam, krisis ekologi global seperti deforestasi, polusi air, dan perubahan iklim menuntut pendekatan fiqh yang solutif dalam meresponsnya. Penelitian kualitatif ini bertujuan untuk mengeksplorasi konsep pendekatan fikih prioritas (fiqh awlawiyat) sebagai solusi terhadap problem ekologi masyarakat modern. Penelitian ini menggunakan berbagai literatur fikih klasik dan kontemporer yang menjelaskan pengembangan konsep orientasi hukum Islam (maqasid syariah) dalam kaitannya konservasi lingkungan. Data dikumpulkan melalui teknik dokumentasi. Hasil penelitian menunjukkan pendekatan fikih prioritas memandang pencegahan kerusakan lingkungan sebagai langkah prioritas (dhoruriyat) di atas kebijakan pemanfaatan sumber daya alam yang berlebihan. Kontribusi penelitian ini menawarkan kerangka paradigma fikih yang mengedepankan langkah prioritas berbasis maqasid syariah dalam mitigasi problem ekologi.

Kata Kunci: Fiqh Awlawiyyat, Maqasid syariah, Ekologi Islam

INTRODUCTION

The worsening global ecological crisis, such as massive deforestation, water pollution, and climate change, has fundamentally disrupted the balance of nature, even posing an existential threat to human life (Fletcher C, 2024). For Muslims in Indonesia, this environmental degradation is becoming increasingly acute, not only damaging ecosystems but also disrupting various Islamic legal principles (*maqasid sharia*), such as *hifz al-nafs* (protection of life) and *hifz al-mal* (protection of property) (Nurholis, 2025). This condition requires a fiqh paradigm that prioritizes the most important sharia actions in the midst of emergencies or resource constraints (Hussein, 2024), as formulated by al-Syatibi in *Al-Muwafaqat fi Ushul al-Shari'ah* that sharia aims to realize *maslahah* (public interest) by prioritizing *dharuriyat* over *hajiyyat* and *tahsiniyat* (Al-Syatibi, 1997).

Islamic ecology, as a branch of thought that integrates monotheism with the responsibility of stewardship (QS. Al-Baqarah: 30), views nature as a sign of God that must be protected from *fasad fi al-ard* (corruption on earth, QS. Ar-Rum: 41) (Rahmat, 2025). However, the implementation of ecological ethics is often hampered by conflicting priorities, where short-term economic exploitation dominates over long-term conservation (Nasir, 2023). In this context, *fiqh awlawiyat* (priority jurisprudence) emerges as a normative solution, as elaborated by Yusuf al-Qaradawi in *Fiqh Awlawiyat*, which expands the *ushul fiqh* principle of "*la dharar wa la dhirar*" to position *hifz al-bi'ah* (environmental protection) as an independent branch of *maqasid syariah* or a supporter of *kulliyat al-khamsah* (the five essential objectives of sharia) [Al-Qaradawi, 2011] This approach is in line with the contemporary reconstruction of environmental fiqh, in which priority is given to preventing *mafsadat* (*harm*), as Mutakin asserts that *maslahah*-based ecological fiqh is capable of establishing sustainable balance (Mutakin, 2023).

This study focuses on exploring the concept of *fiqh al-awlawiyat* as a solution to the ecological problems of modern society (Zuhdi, 2024). This research is relevant amid the urgency of Indonesia's environmental crisis, where major Islamic organizations such as Nahdlatul Ulama (NU) and Muhammadiyah have initiated ecological movements such as NU's environmental jihad against deforestation and Muhammadiyah's reforestation campaign through IMM. However, implementation is often sporadic due to the lack of a structured fiqh priority framework (Qonitah, M, 2025).

A number of previous studies highlighting the above policy gap have also been conducted by several researchers. Among others, Huda (2021) emphasizes *hifz al-bi'ah* as a primary doctrine in social fiqh that is parallel to *dharuriyat*, *hajiyyat*, and *tahsiniyat* to overcome the ecological crisis. while the maqasidi interpretation study (2025) positions *hifz al-bi'ah* as an essential mediator for *kulliyat al-khamsah* (*hifz al-din, al-nafs, al-'aql, al-nasl, al-mal*), with the principles of *tawazun* and prevention of *ifsad* as the basis for Qaradawi's environmental *hisbah* (Huda, 2021; UINKHAS Research, 2025). In addition, the reconstruction of contemporary *maqasid sharia* adds *hifz al-bi'ah* as the sixth pillar, as outlined in the analysis of the environmental crisis that threatens *al-dharuriyyat al-khamsah* (Supreme Court of Indonesia, 2025).

The novelty of this research lies in its focus on elucidating the integration of the concept of *fiqh awlawiyat* with Islamic ecology in formulating a tiered ecological fiqh approach model. Therefore, this research is expected to contribute to theoretical enrichment in the discourse of ecological fiqh studies and serve as a reference for policies aimed at preventing ecological problems based on a fiqh approach. On this basis, this research is urgently needed.

RESEARCH METHODS

This study uses a qualitative approach in the form of a literature review (Zulkifli, N, 2023). This study falls under the category of normative-philosophical Islamic legal research focused on analyzing fiqh thinking to explore Islamic law deductively from primary data (Idri, M. A, 2021) The normative approach was chosen because it aims to formulate the *fiqh awlawiyat* approach in relation to addressing ecological problems, namely as an ethical guide (Sari, 2024). Primary data uses various classical and contemporary fiqh literature that explains various developments in the concept of Islamic law orientation (*maqasid syariah*) in relation to environmental protection.

Data was collected through thematic documentation techniques (*maudhu'i*) (Abdullah, 2023), which involved the excavation (*takhrij*) of verses from the *Qur'an*, authentic *hadith*, and fiqh books from primary sources such as standard *mushaf*, *Sahih Bukhari-Muslim*, and secondary sources such as the works of al-Syatibi (*Al-Muwafaqat*) and al-Qaradawi (*Fiqh al-Awlawiyat*). Data analysis was conducted iteratively through the following stages (Annaprimadoniati, 2024): (1) text description (*ma'nawi and lafdzi*); (2) *ta'lil* (explanation of legal reasoning); and (3) *qiyas* and contemporary *ijtihad* for ecological priority models, following the principles of *ushul fiqh qath'iy-zhanni* as formulated by Firdaus F (Firdaus, 2013).

RESULTS AND DISCUSSION

Ontological Discourse on *Fiqh Awlawiyat*

Fiqh awlawiyat is a discipline of fiqh that regulates the determination of urgency (*taqdim al-muhimmat*) in implementing Sharia law when faced with emergencies, conflicts of interest, or scarcity of resources (Ifandy, 2024). Its basic principle is derived from the *ushul fiqh* rule "*al-aslu fil asyya' al-takhsis*" (the principle is to prioritize the most essential) (Ismail, 2018), as elaborated by al-Syatibi in *Al-Muwafaqat fi Ushul al-Shari'ah* that sharia targets *maslahah* by prioritizing *dharuriyyat* al-maqasid over secondary matters (Al-Syatibi, 1997).

Furthermore, *Fiqh awlawiyat* in the view of Islamic ecology considers environmental protection (*hifz al-bi'ah*) as an independent Sharia objective or a main supporter of basic needs (*dharuriyat*) (Priyatno, 2025). This means that protecting nature is not an addition, but rather a mandatory priority because environmental damage directly interferes with the five basic objectives of Islam: *hifz al-din*, *al-nafs*, *al-'aql*, *al-nasl*, dan *al-mal* (Al-Syatibi, 1997).

Discussions regarding *Fiqh awlawiyat* have been widely mentioned by scholars, as explained by al-Ghazali, that *dharuriyyat* precedes *hajiyyat* during himaroh (Al Ghazali, 2015). Similarly, Al-Amidi in Al-Ihkam reinforces that conflicts of interest are resolved through *taqdim maslahah* esensial (Al-Amidi, 2009), while al-Qarafi in Al-Furuq applies it to the priority of clean water over secondary interests (Al-Qarafi, Shihabuddin, 1998).

Operationally, *Fiqh awlawiyat* classifies priorities into three hierarchies, namely *dharuriyyat* (vital needs such as *hifz al-nafs* and *hifz al-din*, the neglect of which results in destruction), *hajiyyat* (complementary needs to avoid hardship), and *tahsiniyyat* (moral improvements) (Alfian, 2022). Ibn Taimiyyah in *Majmu' al-Fatawa* applied this to the distribution of zakat, which prioritizes the poor and needy (Ibn Taimiyyah, 1995).

In the contemporary era, *fiqh awlawiyat* has developed into a dynamic *ijtihad* that responds to global challenges such as economic crises, pandemics, and environmental degradation (Hallaq, 2023) as developed by Yusuf al-Qaradawi in *Fiqh al -Awwaliyyat* develops the classical principle of *fiqh* priority by incorporating the dimension of social *hisbah* (social supervision-public virtue), in which emergency humanitarian aid (e.g., natural disasters, famine) takes precedence over *sunnah* rituals (*sunnah* prayers, *sunnah* fasting) when there is a conflict of interest (Hidayat, 2024).

Classical and Contemporary Ecological Fiqh Literacy

Many early scholars have discussed ecology, as expressed by: Al-Ghazali in *Ihya' Ulum al-Din* viewed nature as a sign of God whose preservation is equivalent to the maintenance of a mosque, prohibiting wastefulness (Al Ghazali, 2005). Ibn Taimiyyah, through *Majmu' al-Fatawa*, applied ecological *hisbah* with the principle of "*la dharar wa la dhirar*" (HR. Ibn Majah no. 2340), prohibiting pollution that threatens communal health (Ibn Taimiyyah, 1995). Al-Syatibi in *Al-Muwafaqat* classified nature conservation as *maslahah dharuriyyat*, which protects *kulliyat al-khamsah* from ecosystem degradation (Al-Syatibi, 1997). Al-Qarafi in *Al-Furuq* distinguishes the priority of *hifz al-nasl* (future generations) over instant consumption (Al-Qarafi, 1998). Ibn Qudamah in *Al-Mughni* obligates the management of primary water with the argument QS. Al-A'raf: 56 (Ibn Qudamah, 1997).

The thoughts of contemporary scholars and their innovations in ecological studies are also important, as expressed by: Sheikh Yusuf al-Qaradawi in *Fiqh al-Bi'ah* developed ecology as modern "*fiqh ummah*," applying *sadd al-dzari'ah* to industrial waste (HR. Muslim no. 278) (Al-Qaradawi, 2011). KH Ali Yafie, through Contemporary Sharia Objectives, introduces *hifz al-bi'ah* as the sixth sharia objective, implemented in MUI fatwa No. 30/2016 (Yafie, 2018). Seyyed Hossein Nasr in *Man and Nature* offers a paradigm of the sacredness of nature based on ecological monotheism (Nasr, 2019). While Wahbah al-Zuhaili in *Fiqh al-Islam* requires forestry *hisbah* (Al-Zuhaili, 2006). Jasser in *Maqasid al-Shariah* as Philosophy proposes a systemic model of global ecological justice (Auda, 2008).

The Hierarchy of *Fiqh Awwaliyyat* Approaches in Preventing Ecological Problems

It is important to understand that ecological fiqh is a branch of fiqh that explores the basic teachings of Islamic law on environmental conservation (Khan, 2025). This concept highlights the Islamic view that emphasizes the urgency of preserving and protecting nature in a responsible manner (Amiruddin, 2024). This concept of Islamic ecology also refers to a theological-fiqh framework that positions nature as a manifestation of *tawhid* and *amanah*, which demands the preservation of ecosystem balance through the prevention of damage (*fasad fi al-ard*) (Nasr, 2023). This paradigm integrates vertical (God and nature) and horizontal (humans and nature) relationships as obligatory acts of worship through the principles of *hisbah* and *sadd al-dzari'ah*, as emphasized in QS. Al-Baqarah: 30.

The Islamic ecological priority hierarchy model is based on the principle of *fiqh awwaliyyat* as viewed by Yusuf al-Qaradawi, namely a fiqh approach that adapts *maqasid syariah* for *hifz al-bi'ah* (environmental protection) (Kamali, 2022). This model divides ecological obligations into three levels of priority, similar to Maslow's pyramid but based on sharia as developed by Imam Abu Ishaq asy-Syatibi in *Al-Muwafaqat fi Ushul asy-Syari'ah*, dividing Islamic legal priorities based on the level of urgency of human needs to achieve sharia objectives. The three levels are explained as follows:

1. Primary Hierarchy (*dharuriyyat*)

The hierarchy of priorities at this primary level emphasizes essential aspects that guarantee the basic existence of humanity (*kulliyat al-khamsah*). If these are not fulfilled, total destruction (*fana' al-maujud*) of Islamic society could occur. According to Asy Syatibi, the five basic principles of religious teachings (*Kulliyatul Khams*) fall into this category (Al-Syatibi, 1997).

The application of the primary hierarchy in ecological jurisprudence leads to the prevention of natural disasters that can damage ecosystems and the environment, so preventive measures are a top priority in *hifdz al bi'ah* (Khalifah, 2026). For example: closing illegal mines and prohibiting illegal logging that violates regulations, so that by closing these mines, we can maintain *Kulliyatul Khams* to run properly and normally (Muyassar, 2023).

In the Indonesian context, the implementation of this primary hierarchy can also be found in the Indonesian Ulema Council's Fatwa Number 30 of 2016 concerning the Law on Forest and Land Burning and its Control. This fatwa explicitly declares forest and land burning that causes damage, environmental pollution, health hazards, and the prevention and control of fires to be haram, and that taking preventive and control measures is obligatory (MUI, 2016).

2. Secondary Hierarchy (*hajiyyat*)

The hierarchy of priorities at this secondary level prioritizes aspects of benefit that can eliminate extreme hardship (*taklif syadid*) even at the *dharuriyyat aman* level. In other words, this secondary hierarchy facilitates *muamalah* without damaging the primary one

(Nurholis, 2025). Therefore, if this hierarchy is not fulfilled, it will not be destroyed but may experience difficulties (Al-Syatibi, 1997).

The application of this secondary hierarchy in ecological fiqh, such as water and forest conservation, aims to eliminate prolonged scarcity. This priority can be carried out after a mass disaster has been prevented (Ja'far Imael, 2024). This maintains the *maqasid shariah* in the form of *hifz al-mal* (sustainable economy) & *hifz al-nasl* (water/forest inheritance for children and grandchildren) (Zulkifli, N, 2023). More details are as follows.

First, water conservation (*hifz al-mal*). Through the construction of reservoirs and the prohibition of water-intensive industries with the argument: "Do not waste water even if it flows in rivers" (HR. Ibnu Majah) so that the water discharge becomes stable, rice field irrigation is safe, and the farmers' economy is sustainable because without conservation, farmers will experience chronic drought, which will destroy their livelihood. Second, forest conservation (*hifz al-nasl*).

Through a logging moratorium and a movement to plant 1 million trees, river basins can be preserved, flooding can be reduced, and groundwater levels can rise, thereby protecting future generations from scarcity (Yaakob, 2024).

3. Tertiary Hierarchy (*tahsiniyyat*)

The hierarchy of priorities at the primary level emphasizes aspects of benefit that can perfect morals, ethics, and ihsan by improving the quality of life towards perfection (Hajar, 2024). so that if this hierarchy is not fulfilled, it does not threaten the existence of one of the five basic objectives of Islam and does not cause difficulties (Al-Syatibi, 1997).

The law of this tertiary hierarchy is sunnah and becomes the third priority, whose function is to perfect the maqasid pyramid: *dharuriyat* to maintain existence, *hajiyyat* to eliminate difficulties, and *tahsiniyat* to achieve Islamic perfection (Nurholis, 2025), For example: mosque aesthetics, table manners, smiling when buying and selling, clean and neat clothing.

The application of the tertiary hierarchy in ecological fiqh, such as Eco Pesantren and Green Mosque (Hajar, 2024). An environmentally-friendly pesantren program (Eco Pesantren) that combines Islamic curriculum with eco-theology, training santri as voluntary conservation agents through zero waste, hydroponics, and reforestation, as implemented by PCNU, Pekalongan Regency through the "Green Pesantren" program led by the Head of LPBINU (Eko Prasetyo). This is intended to empower students and boarding schools to care for the environment, with a focus on ecological practices such as tree planting and healthy agriculture, as part of a strategy for developing environmentally and economically conscious boarding schools, in line with the 2025 Santri Day commemoration (NU Online, 2025).

The three priority hierarchies above will work well when individuals, communities, and the government can work together, as well as several principles that can support the success of environmental protection, such as:

First, the principle of *khalifah* as the main mandate. This principle places *hifz al-bi'ah* (environmental protection) as the existence of *kulliyat al-khamsah* (the five objectives of sharia: religion, soul, mind, offspring, property) (Mutakin, 2023). Second, the principle of prevention (*Sadd al-Dzari'ah*). This principle emphasizes the priority of preventing harm over economic benefits. Example: Closing illegal mines (*dharuriyat*) is more important than royalties (*hajiyyat*) based on the Hadith “*La dharar wa la dhirar*” (HR. Ibn Majah 2340). Third, the principle of justice. This principle maintains the balance of the ecosystem (QS. Ar-Rahman: 7-9) for future generations, not for immediate consumption. The principle of *mizan* guarantees the fair distribution of resources among humans and living creatures (Imam Fatkhullah, 2025). By implementing these three principles and maintaining the priority scale of *dharuriyat*, *hajiyyat*, and *tahsiniyat*, environmental protection can be realized.

Furthermore, as an example: Forest Fires and Illegal Mining in Indonesia. Kalimantan's forests were burned extensively due to illegal palm oil land clearing (1.2 million hectares in 2023), accompanied by coal mining waste polluting rivers. Thick smoke causes mass respiratory infections (*hifz al-nafs*), mosques are covered in dust, making it difficult to worship (*hifz al-din*), farmers lose their fertile fields (*hifz al-mal*), children are born with disabilities due to contaminated water (*hifz al-nasl*), and communities are traumatized by floods and landslides (*hifz al-'aql*) (Wachyuni, 2025). Further illustrations can be seen in the following table.

Table 1. Direct Threats to *Kulliyat al-Khamsah*

<i>Maqasid Sharia</i>	Ecosystem Damage	Impact of <i>Fasād fi al-Ard</i>
<i>Hifz al-Din</i>	Pollution of mosques & damage to natural verses	Disruption of worship, loss of monotheism towards nature
<i>Hifz al-Nafs</i>	Air and water pollution	Cancer, respiratory infections, mass deaths
<i>Hifz al-'Aql</i>	Trauma from disasters and environmental stress	Mental disorders in children, loss of focus in worship due to ecological distress
<i>Hifz al-Nasl</i>	Damaged marine and forest ecosystems	Fish infertility, birth defects in future generations, exposure to toxic materials
<i>Hifz al-Mal</i>	Deforestation & land erosion	Economic collapse for primary sectors

As for the real examples of palm oil forest burning and illegal mining, it is clear how dangerous the environmental damage (*fasād fi al-ard*) caused by humans is. These actions cause *maḍārrat* (great harm) and directly threaten *kulliyāt al-khamsah* (the five main objectives of *Sharia*): *hifz al-nafs* (loss of life due to flooding), *hifz al-mal* (farmers going

bankrupt), *hifz al-nasl* (children with mercury disabilities), *hifz al-'aql* (mass trauma), and *hifz al-din* (polluted mosques) (Al-Qaradāwī, 2011). This is in stark contrast to the economic objectives of opening up land for palm oil and mining, which only pursue temporary profits: CPO exports worth Rp440 trillion and coal worth US\$2 billion/year to China and India [BPDP, 2025]. The benefits are unevenly distributed—corporate elites become wealthy, while ordinary people suffer from pollution, flooding, and continued poverty. Therefore, *Fiqh Awlawiyat* plays a crucial role in demonstrating that protecting the environment (*hifz al-bī'ah*) is the primary objective that supports the fulfillment of the five fundamental objectives of Islam: *hifz al-din, al-nafs, al-'aql, al-nasl, and al-mal* (Al-Syatibi, 1997). Based on this description, the maqasid-based fiqh priority approach in addressing ecological problems also requires collaboration between various elements of society and the government in order to have a real impact on environmental protection.

CONCLUSION

The main discussion of this study concludes that the *fiqh awlawiyat* paradigm which prioritizes the hierarchy of aspects of benefit in various orientations of Islamic law (*maqasid sharia*), can be a model for an ecological fiqh approach in responding to environmental problems. This fiqh priority approach views the prevention of environmental damage as a priority measure (*dhoruriyat*) over policies of excessive natural resource exploitation.

The findings of this study contribute to the importance of an ecological fiqh paradigm framework that prioritizes preventive measures in preventing ecological problems. However, this study is still limited to a theoretical and conceptual study. Further research is needed to examine its application in empirical case studies

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