



Environmental Fiq'h Paradigm on the Concept of Green and Blue Economy in Goals

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ABSTRACT

Fiqh al-bi'ah is the regulation of Islamic legal norms that regulate human behavior and actions related to environmental conservation. Likewise with the green economy and blue economy, it is a code of economic behavior that must be maintained and preserved. The purpose of this research is to find out the concept of fiqh al bi'ah in the concept of green and blue economy in realizing sustainable development. The research method used is descriptive qualitative. type of library research by collecting and analyzing data sources from information in answering existing problems of inaccordance with the facts. The results of the study show that Fiqh al-bi'ah in the Maslahah-based concept of green economy and blue economy regulates the principles of good-bad or halal-haram which will become a benchmark for evaluating human actions towards the environment both on land, sea and water in the economy, so that in this way, Muslims will be able to present a religious approach that is based on the Qur'an, Hadith, Ijtihad and Qiyas in looking at environmental issues in orde

INTRODUCTION

The increasingly complex and serious global problem faced by humans in this world is an environmental problem. The dense population will increasingly lead to limited natural resources, the use of technology to be able to exploit nature in an uncontrolled manner resulting in a decrease in the quality of the environment. There have been many natural upheavals that have occurred such as erosion, depletion of the ozone layer, ecological imbalances which in turn will endanger survival.

Cases of environmental pollution originating from human behavior and environmental turmoil, whether in the sea or in the air, are increasingly hitting nations throughout the universe. Starting from winds, storms, floods, tsunamis, earthquakes, volcanic eruptions. This is a concern for the importance of environmental awareness and maintaining existing sustainability.

Islam is a comprehensive and complex religion that pays attention to the needs of all creatures that live in the universe, including plants, animals and especially humans both individually and socially. The problem that needs special attention is the environment. Because human resources and living things in nature are very dependent on environmental sustainability in order to be able to create beautiful natural resources and provide benefits not danger or disaster.

A doctrine that reminds people to be aware of environmental issues and strive to maintain natural ecosystems. *Rahmatan lil alamin* is not just an Islamic motto, but is the goal of Islam itself.

In accordance with these objectives, it is only natural that Islam becomes a pioneer for the management of nature and the environment as a manifestation of compassion for nature. Apart from prohibiting causing damage to the earth, Islam also has an obligation to protect the environment and respect the universe which includes the universe which includes humans, plants, animals, other living things and even non-living creatures. As members of an equal ecological community, humans are inspired to love, cherish and preserve the universe and all of its contents without discrimination and without domination.

The emergence of the *Fiqh al-bi'ah* discourse among scholars is a breakthrough in a new paradigm for managing the environment through a religious teaching and as an alternative solution in environmental management so that the right to the environment does not only belong to Westerners but is a right for every community in the world. Indonesia, which incidentally has a Muslim community, is aware of environmental sustainability and is determined by the role of the ulema and kiyai who participate in environmental preservation. Therefore the issuance of a fatwa on global warming in mid-2007 and two fatwas the previous year against burning and deforestation show how much the Indonesian ulemas have made a leap forward compared to the ulema in other Islamic countries.

Fiqh or Islamic law when dealing with current realities it seems very stagnant. In fact, *fiqh* should be able to dialectic with reality, because it is said that there are permanent (*al-tsawabit*) and changing (*al- mutaghayyirat*) elements of *fiqh*. There is a dialectic between text and reality can be shown by

the extent to which fiqh has so far responded the development of issues faced by the people on the basis of benefit.

One of the important issues faced by humans since the beginning his life to become a global issue is an environmental issue (bi`ah; environment). Fiqh which has long been embedded in the basics of reasoning through ushul al-fiqh it seems that they are still stagnant when dealing with environmental issues which have actually been a discourse for a long time.

Evidence of the stagnation of fiqh thinking in this context, among other things, is that until now there is no environmental fiqh format (fiqh al-bi`ah) that is arranged methodically and systematically. As a result, the environmental crisis in in the midst of the Muslim community is often only addressed theologically.

The mindset of "disaster theology" by assuming that natural phenomena Natural disasters are always considered to be the manifestation of the "hand" of God's absolute power and elevating ordinary (profane) natural phenomena to a sacred level, even if they exist indication of human negligence. This mindset ensnare Muslims in shackles of fatalism (jabariyyah) when responding to various disasters in homeland, such as floods and landslides, which were actually caused by their own hands.

On the other hand, the terms green economy and blue economy have come before us known to the public than fiqh al bi'ah, even though it was far before the Qur'an has often discussed the relationship between Islam and the environment.

The ideas about the green economy are to support environmental development (pro-environment), which has an effect on development of an economic system towards an environmentally friendly economy. There is also a growing green company that carries the 3 P jargon, namely: people (related to social), profit (economic development), and planet(Protection of the environment). Meanwhile, the idea of the blue economy is to support the concept of blue ocean and blue sky.

It is the same with fiqh al-bi'ah, the underlying root of the problem the emergence of the green economy and the white economy is an environmental crisis caused by a shift in human lifestyle that wants all very easy and fast. Many packaged products are disposable immediately wasted is one of the consequences of changing lifestyles man. The product packaging waste is known to be not environmentally friendly and takes tens or even hundreds of years to decompose by the earth. The problem of disposing of factory and household waste Polluting rivers and oceans also affects human health.

Many marine catches contain heavy metals, resulting in marine catches affect the level of consumer health. Lots of forest deforested due to the high demand for industrial raw materials made of wood, without any effort to reforest. Very bad air quality once due to pollution and also the spread of greenhouses that contributed carbon dioxide emissions. As a result, natural disasters are currently evenly distributed in various regions, as well as damage to ecosystems, forests, and global climate change.

Problems caused by not paying attention to the importance of maintaining two points, namely green and blue economy, will indirectly affect the Indonesian nation, especially in realizing sustainable development goals (SDGs). This needs to be anticipated from afar to minimize the impact that will affect the nation in creating sustainable development (Sustainable Development Goals (SDGs)).

From the phenomena that exist, it is necessary to have studies that provide knowledge, especially about the paradigm of environmental jurisprudence in the hope that humans are able to realize their roles and responsibilities in protecting and preserving the environment in order to realize sustainable development goals (SDGs). 'ah in the Green and Blue Economy Concept to Realize Sustainable Development (SDGs).

LITERATURE REVIEW

Environmental Fiqih (Al-Bi'ah)

The concept of the title caliph on earth given to humans by Allah SWT is the main foundation for explaining the position of environmental jurisprudence. As far as we understand, fiqh is the order of science that is dominant in regulating human life on earth. Broadly speaking, the discussion in fiqh is related to the arrangement of human life, namely 1) Rub'u al ibadat, namely the part that organizes between humans as creatures and Allah SWT. creator, 2) Rub'u al Mu'amalat, which is the part that organizes human relations with each other, 3) Rub'u al munakahat, which is the part that organizes human relations in the family environment, 4) Rub'u al Jinayat, which is the part that regulate order in human activities that guarantee safety and peace in life.

These four outlines need to organize the main areas of human life in order to create a clean, healthy, prosperous, safe and happy life both physically and spiritually throughout the world and beyond, which in religious terms is commonly called sa'adat at darayn(the happiness of the afterlife)(Alie Yafie, 2006).

Normatively, as the heirs of the prophet in the task of guiding the people, the clergy in the social structure function as the religious elite and play a strategic role in determining the direction of the life of their people. Fiqh Biah (Environmental Fiqh) discusses Islamic environmental norms that can affect the background of human thinking. Kalimantan Ulama have views on the response of Islamic teachings to the environmental crisis. Their views are embodied in three conceptual elements(Sukarni, 2011).

Environmental experts divide the environment into 3 groups (Joko Subagyo, 2002) namely: 1. Physical Environment, namely everything around us in the form of inanimate objects. 2. Biological Environment, namely everything around us belonging to living organisms. 3. Social Environment, is human (the people around him). Over the past years, there have been several catastrophic natural disasters in various parts of the world, in large and small countries, technologically advanced countries or industrial or agricultural countries, technologically sophisticated countries and countries with a traditional focus (Bastian Affeltranger, 2007). Starting from the flood disaster to the tsunami has

occurred. In the eyes of Islam this happens because of punishment or a test from Allah SWT.

The study of Environmental Fiqh is based on an understanding of how humans are able to maintain and preserve existing natural resources as a manifestation of humans in managing the universe. There are several things related to environmental jurisprudence where humans as caliphs on earth need to carry out their mandate to maintain as a form of environmental preservation including (Alie Yafie, 2006):

- 1) Protection of body and soul (hifdh al nafs): every soul and body of living things is something your Honour. Therefore, it is necessary to maintain and protect every living creature (human, animal, plant) regardless of their degree status.
- 2) 2)Aligning the goals of life in the afterlife: harmonizing between the goals of the world and the hereafter is how humans can fulfill their needs in running the wheel of life but not forgetting the goals of the hereafter, namely to get the pleasure of Allah SWT.
- 3) The need for production and consumption must be balanced: producing or consuming something must be in accordance with the level of human ability to meet needs and not exaggerate in all things.
- 4) The balance of the ecosystem must be maintained: The human task of processing and preserving nature cannot be separated from the role of humans in maintaining the balance of the ecosystem.
- 5) All creatures are noble (muhtaram): humans must also take care of every living thing in the world, because living things other than humans can also be used in a balanced way not to be hunted for their extinction.
- 6) Humans carry out their caliphate duties in terms of processing and managing the universe. Of the many explanations about the basic principles of environmental fiqh, all of them are related to human duties as caliphs on earth. Because humans have a mind that can be used to process and manage the universe.

Blue Economy

The concept of the blue economy was first introduced by Gunter Pauli, an economist from Belgium, in his book *The Blue Economy, 10 Years, 100 Innovations, 100 Million Jobs*. In the book, which was first published in 2010, Pauli suggests changing industrial processes to address environmental issues. This is done by shifting scarce and high-cost energy resources to simpler and cleaner technologies (Amelia, 2022).

While the World Bank defines the blue economy as environmentally sound utilization of marine resources for support economic growth, prosperity, and livelihoods as well as preserving marine ecosystems (Amelia, 2022).

Pauli also refers to the blue economy as an economic and social model new. This economic model is different from the red economy applies now, namely dredging the contents of the earth as well as a green economy (green economy) which focuses on alternative energy. The ultimate goal of the concept This blue economy is blue ocean and blue sky. Abundant society with the

resources available in nature, but the sky and sea remain blue. The blue economy operates on 19 principles which are classified in three groups, namely taking inspiration from nature and waters, changing ways work in business, and live in their respective territories (Amelia, 2022).

Green Economy

Green economy is a form of economy that does not only focus on meeting the needs of the community but also attaches importance to impact on the environment (Wu et al., 2020). In (Loiseau, 2016), explained that the green economy is an economic concept that has different implications from the economy in general because prioritizing the future of natural resources, environmental welfare, and reducing the risk of using natural resources.

The practice of green economy is said to be an economic practice that attaches importance to long-term plans because of the existence of practice. This economy can reduce poverty, carbon dioxide emissions, and ecosystem degradation (J.K. Musango et al., 2014).

Green Growth or Green Economic Growth is resilient economic growth without neglecting environmental issues, prioritizing low-carbon development as well as socially inclusive. Not far from the definition of Green Growth, Green Economy is defined as economic activities that can create prosperity society through limited natural resources and low carbon.

The Indonesian government has also prepared a Green Growth program as mitigation measures against climate change. This step includes the mix policy, both in terms of substance, institution and financing. One of the forms of this step is the substitution of aspects of climate change in the National Medium Term Development Plan (RPJMN) 2020-2024.

The efforts in it include quality improvement environment, increasing disaster resilience and climate change, as well as low carbon development. Through green economic growth, it is hoped that the industrial sector of the economy can be integrated to realize this responsible use of natural resources, preventing and reduce pollution and create opportunities for increased well-being by building a green economy. Thus, sustainable development can increasingly be realized based on understanding that the conflict between the economy and the environment can be well reconciled (Galih, 2022).

The following are various definitions and concepts of the green economy quoted from Collection of Thoughts on Green Economy Development in Indonesia (Year 2010 – 2012) (Galih, 2022):

1. In 2011, the green economy was defined by UNEP as a system economic activities related to distribution, production and consumption of goods and services that lead to an increase in welfare society in the long term. However, without causing future generations face significant environmental risks or ecological scarcity.
2. In the same year, UNCTAD defined the green economy as a system an economy that results in increased human well-being and reducing inequality through non-causing activism future generations face significant environmental risks as well ecological scarcity.

3. In 2011, UNCSO defined the green economy as a focused lens in seizing opportunities to improve economic goals as well environment simultaneously.
4. The Green Economy Coalition, in 2011, defined a green economy as a resilient economy that can provide a better quality of life Good. However, in the process, it is necessary to limit the carrying capacity earth ecology.
5. Still in the same year, the International Chamber of Commerce believes that a green economy cannot be separated from growth economic and environmental responsibility go hand in hand. Through a green economic system, the two can also strengthen each other to support progress in social development. In 2012, the Danish 92 Group explained that a green economy is not a condition, but a process of transformation and dynamic progress that is sustainable.
6. According to the Danish 92 Group, a green economy generates prosperity human rights and access to fair opportunities for all. In this process, environmental and economic integrity is also necessary maintained to suit the earth's limited carrying capacity.
7. The Government of South Africa in 2012 also provided his statement on the definition of a green economy. They said that a green economy should be able to provide an entry point for expanding the base of empowerment for the black economy as well handling the needs of women as well as young entrepreneurs. In addition, the concept of a green economy can still offer opportunities for companies on socioeconomic activism.
8. While the Indonesian government, in 2010 defined the economy green as a development paradigm that is centered on the approach resource efficiency with a strong emphasis on the internalization of costs depletion of natural resources and environmental degradation. Furthermore, the green economy is a system of efforts to eradicate poverty, create decent jobs and ensure sustainable economic growth.

Sustainable Development/SDGs

The definition of sustainable development since it was introduced by the World Commission on Environment and Development (WCED) as stated in Our Common Future or the Brundtland report, is still in the realm of debate among environmental experts. Here are some definitions of sustainable development:

- 1) Sustainable development is basically a development strategy that provides a kind of threshold (limit) for the continuation of natural ecosystems in terms of the resources contained therein(Hendrik, 2016)..
- 2) The International Union for Conservation of Nature and Natural Resources (IUCN) in its world conservation strategy defines that to become a sustainable development, the implementation of development must consider environmental, social and economic factors based on living resources and consider alternative long-term gains or losses(AB Wibowo, 2014).

- 3) Law Number 32 of 2009 concerning Environmental Protection and Management, sustainable development is defined as a conscious and planned effort that integrates environmental, social and economic aspects into a development strategy to ensure environmental integrity as well as safety, capability, welfare, and quality of life for current and future generations (JDIH BPK RI, 2017).

In 2015, 193 countries adopted the Sustainable Development Goals (SDGs) as a guideline for development policies up to 2030, to create a peaceful and prosperous life in the present and the future. The SDGs are based on the idea that to achieve sustainable progress, economic growth must go hand in hand with concern for the environment and social justice. Based on the report "The Sustainable Development Goals Report 2018" compiled by the World Bank, much progress has been achieved in the 3 years of implementing the SDGs such as reducing maternal and infant mortality, reducing the number of early marriages, and increasing people's access to electrical energy worldwide. Even so, there are still many achievements that are still far from the target, such as in the social, sanitation and environmental fields. The report stated that given the progress achieved to date, there is concern that many of the SDGs targets will not be achieved by the 2030 deadline (Mickael, 2015)..

Sustainable development, also known as sustainable development, is a development process that includes both the social and economic environment of the community, which has the principle of trying to meet current needs without sacrificing meeting all needs in future generations (Dewi, 2019).

The Sustainable Development Goals (SDGs) are an agreement new development to replace the MDGs (Millennium Development Goals). which has a validity period of 2015-2030 agreed by more than 190 countries with generally stated goals and procedures procedures namely a peaceful society without violence, non-discrimination, participation, open governance and multi-partnership cooperation parties (Mickael, 2015)..

Sustainable Development Goals (Sustainable Development Goals)/SDGs (Mickael, 2015).. are:

1. Zero poverty, Alleviation of all forms of poverty everywhere;
2. Zero hunger End hunger, achieve food security and improve nutrition, and promote sustainable agriculture;
3. Healthy and prosperous life, Promoting healthy living and supporting welfare for all age;
4. Quality education, ensuring proper quality education and inclusive and promote lifelong learning opportunities for all person;
5. Gender equality, achieving gender equality and empowering all women;
6. Clean water and proper sanitation, ensuring access to water and sanitation for all;
7. Clean and affordable energy, Ensuring access to affordable, reliable, sustainable and modern energy for all;
8. Promote decent work and economic growth sustainable and inclusive economic growth, employment and decent work for all;

9. Industry, innovation and infrastructure, Build strong infrastructure, promote sustainable industrialization and encourage innovation;
10. Reducing the gap, Reducing disparities within and between countries;
11. Cities and communities sustainable, Making cities inclusive, safe, resilient, and sustainable;
12. Responsible consumption and production, Ensuring sustainable patterns of consumption and production;
13. Handling climate change, Taking important steps to combat climate change and its impact;
14. Marine ecosystems, Protection and use of oceans, seas and marine resources in a sustainable manner;
15. Terrestrial ecosystems, Manage forests in a sustainable manner, against changes in land use desert, stop and rehabilitate land damage, stop extinction of biodiversity;
16. Peace, justice and strong institutions, Encouraging a just, peaceful and inclusive society;
17. Partnership to achieve goals, Revive partnerships globally for sustainable development.

METHODOLOGY

Definition of theory In general, theory is a system of concepts the relationships between these concepts help us understand phenomena the. According to Jonathan H. Turner, the theory is defined as: "The process of developing ideas helps us(Richard, 2008).

This type of research as a whole is a type of writing descriptive (descriptive research) with qualitative research, namely procedures research that produces descriptive data in the form of written words from observed people and behavior, supported by literature studies or literature study based on in-depth literature review in the form of data and numbers, so that reality can be well understood(Lexy, 2013).. Results Qualitative research is not presented in numerical form, but in depth the form of words according to the character of a qualitative approach(J.R.Raco, 2010).

Method that is used in this research is research library namely by studying and studying several articles and journals about the chapters studied, the results of previous studies that discussed similar problem. The approach used in the research and writing this is the concept approach in this section is done assessment of the concepts and theories used based on the literature

which are available. The process of data analysis has basically started since data collection was carried out and worked intensively. Analysis includes presentation of data and discussion carried out qualitatively conceptual.

Context relates to the rights related to the structure of the work, while the construct is in the form of an analytical concept building. the construct become a frame of analysis(Suwardi, 2011).

This study aims to find out about Maqasid Sharia Fiqh al-Bi'ah on the concept of Green Economy which is used as an effort environmental Conservation. This research is a qualitative research and using data collection methods that are carried out in a way literature study research, namely by studying, exploring, and citing theories or concepts from a number of literature. Whereas The data analysis used is content analysis an accurate understanding and interpretation is obtained.

RESEARCH RESULT

Paradigm of the relationship between the environment and economic development in view of the world bank (1994) in Sanim (2006) is as following (B.Sanim, 2006): (1) Economic Development and sound environmental managerial are complementary aspects of the same agenda; (2) Without adequate environmental protection, development will be undermined; without development, environmental protection will fall; and (3) Development and environmental; false dichotomy.

In environmental problems can not be fully given to market mechanism, this is because externally when there is an impact on the level of welfare of third parties arising from one's actions because without being collected compensation or payment then the condition of the mechanism the market will tend to ignore the costs incurred by the company. But when viewed externally when it has an impact on people others (external benefits and external costs) all of which are not requires an obligation to receive or make payments (IGWM, 2010).

The application of green economy and blue economy is pragmatism countries in the world on environmental issues. This pragmatism awareness based on conformity with Van Peursen's theory which states that the pattern of human relations with culture develops through three stages, namely the mystical stage, the ontological stage, and the functional stage. The mystical stage is the phase when humans believe in abstract things such as the power behind the universe and things that are magical. The ontological stage is the phase when humans begin to master nature and exploit it. While the functionality stage is the phase when humans begin to be aware of environmental deterioration and begin to maintain a good relationship with nature (Jimly, 2013).

The phenomenon of decreasing quality of natural resources, massive environmental damage, pollution, floods and the increasing extent of critical land, is evidence of the impact of economic development that is not in line with nature and environmental preservation (Soemarwoto, 1997). Islam has given rules and obligations for every human being to always protect nature. As Allah says in the Qur'an, namely, meaning: ... He (Allah) has created you from earth (soil) and ordered you to prosper it... (QS Hud: 61). The verse above explains that the function of humans as God's caliph is to prosper the earth (nature closest to humans) by means of the best charity or creative work. Frankel argues that, humans actually have concern for the environment and the economy, not just one of them. When income increases, the demand for a quality environment

will also increase. From Frangkel's opinion above, it can be seen that actually the environment and the economy are two things that mutually support each other (symbiotic mutualism) (Frangkel, 2005).

Formulating ecological fiqh on a green economy basis is an effort to develop scientific insights and change scientific thought systems with religious nuances, bearing in mind that fiqh science in the current context is of course inversely proportional to the situation of fiqh science when it was initially built, formulated, designed and systematized.

DISCUSSION

Fiqh al bi'ah not only develops scientific insights on the green economy but also pays close attention to the blue economy. Because the nature of human duties on the environment on earth does not only revolve around the land environment but the sea and air must also be considered because the urgency for the oxygen that humans breathe must always be maintained and the existing marine resources must not be polluted so that it will have an impact on marine resources that are become a very important commodity for humans as a protein material for the body.

Before entering into a discussion of the application of the concept to maqâshid al-syarî'ah fiqh al-bi'ah in green economy and blue economy discourse, it is better to first introduce sources of Islamic law (mashâdir al-Ahkam). So far, the most well-known sources of Islamic law have been heard of three kinds, namely: the Qur'an, al-Sunnah and Ra'y. From here the thought of various variations of fiqh was developed. Environmental Fiqh is also a must refer to this source.

It's just that this source is very limited because it only reaches out legal format principles only. This principle is then felt strongly important to be developed to overcome environmental problems contemporary in the economic sector. Determination and at the same time development Legal products by themselves absolutely require a method. In The previous sub-discussion has mentioned that the main purpose of setting Islamic law is to realize human welfare. Kemashlaha-tan will continue to change and increase with the progress of time.

The substance of the green economy or blue economy itself is found in the concept of Maqashid Syariah which emphasizes benefit, namely:

1) Maintenance of religion (Hifzhu ad-din).

All Muslim scholars agree that religion is a must takes precedence when setting laws. The religion in question of course Islam itself. The reason why the religion of Islam must maintained, because Religion is the greenest or most concerned environment of this earth is Islam. As in this book entitled "Green Deen", Ibrahim Abdul Matin, a US citizen Muslim, said "on among Muslims and anyone else concerned about saving the Earth. This lens encompasses a variety of principles - the Oneness of creation, stewardship of the planet and the trust that comes with it, justice, balance, and the signs of God. All of these principles point to the same well-kept secret: that Islam teaches a deep love of the planet, because loving the planet means loving

ourselves and loving our Creator". Prophet Muhammad too once said "Ju'ilat al-ardhu kulluha masjidan," the whole earth made into a mosque. In the view of Ibrahim Abdul Matin this hadith is not only explains that we can pray in any place clean and holy, but there is an implied message to protect nature.

In other words maintaining the Islamic religion is a reflection of maintenance of the environment itself. Religion also teaches keeping the sea clean which is a tool The main thing in performing ablution for Muslims and purifying all things that are dirty and disgusting. So the blue economy is also very support maintaining religion because the sanctity in worship becomes something that is afdhol and must be done by the Muslim community.

2) Maintenance of the soul (Hifdzu an-nafs).

It is maintaining the right to live with dignity and maintain the soul to avoid acts of persecution, in the form of murder, mutilation of limbs or acts of maiming. (Abu Zahra, 2008).

Islam certainly highly values the soul human.so that in any activity including economy, safety soul comes first. From UNEP's definition, a green economy is not only related to environment but also the social welfare of society.

Here actually there is a reciprocity between the human soul and the environment Alone. For example, environmental pollution caused by some industries often endanger human lives. Companies that apply maqasid Syariah not only relying on green washing alone, as an eraser of sin or image bad in society. But he will take preventive action for truly feeling responsible for the souls of every human being.

3) Maintenance of reason (Hifdzu al-aql).

A healthy environment often helps humans to think clearly and positively. This is where the go green industry comes into play in creating an atmosphere that does not disturb the mind public. Maintenance of this sense is also often implemented with various ways such as providing scholarships for outstanding students, holding competitions in potential development or also receiving company visits conducted by students to factories for research.

The cleanliness of water and air is also able to make someone more calm down to think. Because air pollution and water pollution can cause respiratory problems for humans and this will in the future results in the work of the brain that functions to think and reason become obstructed.

4) Maintenance of offspring (Hifdzul an-nasl).

Efficient use of resources in a green concept economy and blue economy have been discussed in maqashid sharia. The efficient use of resources is closely related to maintenance descendants. Where the efficient use of resources provides land for future generations to be able to utilize the resources resources both at sea, on land and in the air. There is a hadith that means, "If you hear that the Dajjal has come out, whereas you are still planting date palms, so don't be in a hurry fix it, because there is still

human life after that" (narrated by Abu Dawud Al-Ansari). From this hadith we can know that Islamic Economics not only aiming to think about the benefit of the current generation, but also the generations to come. Industrial companies as well other economic actors should always think about the long term impact long for everything.

5) Maintenance of assets (Hifdzu al-maal).

A healthy economy always generates profits in the right way Correct. As well as preventing economic activities that can tarnish personal property as well as other people's assets such as Tadlis, Gharar, Riba and others. In order of khamsah kulliyah (five maintenances). The majority of scholars agree put treasure last. This is different from the triple bottom line concept put profits in first place. This is where the difference in concept green economy that is driven by conventional economics with the concept maqashid sharia Islamic economics. If the conventional economy is profit oriented, then Islamic Economics is falah oriented. From the explanation of the five maintenance earlier, we can conclude that the Principle, low carbon is basically in line with the Care of the soul and sense. The principle of resource efficiency is also in line with maintenance lineage and property. And the principle of Socially inclusive is found in all fifth maintenance in the concept of maqashid sharia. Then it is clear that real green economy activities are economic activities that prioritizing the maintenance of religion, life, mind, property, lineage, and property.

There are several concepts of preserving animal resources in Islam (Mahrus, 2006). First, apart from for the sake of consumption, animals that permissible consumption in Islam on average including animals that has a fairly large population, not including rare animals whose population is only small. Second, the law also does not allow it animal abuse. Third, Islam recommends caring for animals by giving freedom of life or providing the necessities of life animal, if only the animal is in his possession. Fourth, deep rules of killing animals, Islam only prioritizes over animals that are including types of dangerous animals (al-fawasiq al-khams) and similar animals, namely animals that disturb or attack humans.

Human negligence and incompetence is one of the main causes environmental damage. To overcome this, humans must change behavior and way of looking at nature. Sonny Keraf in the introduction his book "Environmental Ethics", emphatically states: "Humans are wrong look at nature and misplace oneself in the context of the universe entirely". God's mandate to humans, should be read in framework of istikhlâf (duties of the caliphate), namely managing the earth in full responsibility. According to A. Qadir Gassing, the command to manage the environment should be understood as God's taklîf (imposition) on humans. (mukallaf) includes the obligation to maintain and prohibit damage to the environment that must be obeyed (Gassing, 2007)..

With shari'ah control, the economy aims to achieve four things main; (1) the target results are profit (material) and benefits (non-material), (2) growth, meaning it continues to increase, (3) sustainability, within a period as long as

possible, and (4) the blessing or pleasure of Allah. Objective companies or business people are not only looking for profit (*qimah madiyah* or material values) as much as possible, but also must be able to obtaining and providing non-material benefits to the company's internal organization and external (environment), either through community and environmental empowerment in a systematic, planned and continuous. So the result is the continuation of the blessing of life.

Because the activities of human life are innumerable, a regulation or fatwa resulting from *ijtihad*, however perfect and complete at the time it was made, it was always felt to be lacking or there was a lack of clarity on its meaning.

Therefore, the discovery of the law is a deep sine *quanon* condition any existing legal system. Islamic jurists are aware of this so that among them the adage is very well known which reads "legal texts are limited...while legal cases are unlimited", (*annushûsh mutanâhiyah...wa ammâ al-waqâ'i' ghair mutanâhiyah*).

Therefore, *ijtihad* is needed which is based on the legal *istinbâth* methodology from its sources which of course contains *Maslahah* elements in it based on the principle of *maqhasid al-Syari'ah* which is the main basis. The dissemination of green economy and blue economy that breathes the universal values of *Maqashid Syariah* (associating environmental issues with aspects of sharia goals) in *fiqh al-bi'ah* has resulted in a decrease in people's passivity. The basis of the green economy on the problem of inequality caused by the unequal distribution of green production factors can be overcome based on the principles of *al-adl* (justice), *Maslahah* (public interest) and *Musawah* (equality). Various obstacles that arise will be overcome because the purpose of the *Shari'a* is a concept based on the guidelines set by the Creator.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion of this study is that *Fiqh al-bi'ah* is a regulation of Islamic legal norms that regulate human behavior and actions related to environmental conservation. Likewise with the green economy and blue economy, it is a code of economic behavior that must be maintained and preserved. Economic development and also the preservation of the land, sea and air environment must actually continue to go hand in hand, even though there are pluses and minuses between the two, but humans are the main actors of these two things where humans are the executors of economic development and are also responsible for environmental preservation both on land and at sea must make these two things to walk in balance.

As is well known, most of the ecological and aquatic crises are motivated by human actions. It is in this context that the significance of reconstructing the paradigm of *Fiqh al-bi'ah* in the *Maslahah*-based concept of green economy and blue economy is to regulate good-bad or halal-haram rules which will become a benchmark for evaluating human actions towards the environment both on land, sea and air in the economy. so that in this way, Muslims will be able to present a religious approach that is based on the *Qur'an*, *Hadith*, *ijtihad* and

Qiyas in viewing environmental issues in order to realize sustainable development.

Recommendations for this research are intended for environmental activists, educators, government and the whole community to always protect the environment because it is the earth's most valuable asset for the sustainability of life.

ADVANCED RESEARCH

Every research must have limitations, here researchers hope to future researchers to go deeper and review existing research so that they can provide more complete and useful information.

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