

An Expository Study of Islamic Environment Law

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Abstract

Islam as a complete way of life has provided for the concept of protection of the environment over 1400 years before the world became increasingly concerned about the safety of the world we live in. The Islamic concept of environmental law is predicated mainly on the concept of the duty of the human being to ensure that he causes no harm to others and others don't cause harm to them. The sharia principle does not end on only the individual safeguarding and ensuring that he causes no harm to the environment but extends to positive acts that will make the environment even safer than it was met. Upholding the concept of environmental protection under Islamic law is exceedingly important in the present generation in view of the fact that over two billion people of the world are Muslims hence greatly important in preserving and protecting the environment. The principle of environmental protection is likely to enjoy greater respect on the part of Muslims because the laws are that of the creator and the lord of mankind as taught by the messenger that was sent as mercy to mankind. The use of admonishment in enlightening people on the importance of protecting the environment needs not be over emphasized. The paper will therefore discuss the concept of environmental law under Islamic law. The advantage Islamic concept of environment law has over conventional laws in terms of observance by the believers will equally be visited, the role of admonishment in environmental protection and suggestions on how best this Islamic principles will be used for the good of all.

Keywords: Islam, environment, pollution, admonishment.

1. INTRODUCTION

Islam considers environment as a very vital aspect of the existence of man. Without a safe environment, people cannot worship Allah the Almighty in peace and tranquility. It is therefore very important for people to ensure that they consider protection of the environment as a very important aspect of the religion of Islam. The Glorious Qur'an, the hadith and indeed other sources of Islamic law have all pointed to the importance of the environment to mankind and the obligation on all to ensure that they respect and use the environment in accordance with the principles set by Islamic law. In addition to ensuring that no harm is done to the environment, it is encouraged and indeed highly rewarding for a person to preserve and encourage other people to safely deal with the environment. The act of encouraging others to respect the environment falls under the principle of calling people to good acts and discouraging them from doing evil. This noble principle in Islam can be a very important means of ensuring respect for the environment hence the reason for this paper.

2. MEANING OF ENVIRONMENT

Different authors have looked at the meaning of environment from different perspectives, though a scientific approach to the meaning of environment seems to carry greater weight. Environment signifies the sum total of all the external conditions and influences affecting the development and life of organisms.¹ There is interdependence between the living organism and the matter from which they derive their source of life and subsistence. For example food, water and air greatly determine their harmonious existence.²

Despite the glaring fact that the smooth and continues existence of man strongly depends on how friendly he interacts with his echo system,³ yet man continues abuse and cause destruction to the echo system in order to maximize profit for example the cutting of timbers⁴, environmental pollution in the cause of exploration,⁵ the ozone¹ is harmed through the uses of gases that are known to be harmful to the environment

¹ Hammad, M, (1990), "Environment, Ecology and Islam" *NSWIF*, Vol. 5:3, 25

² Haneef, S.S., (2002), "Principles of Environmental Law in Islam", *Arab Law Quarterly*, Vol. 17, No. 13, 24.

³ An ecosystem is a dynamic complex of plant, animal, microorganism, and the nonliving environment interacting as a functional unit. Ecosystem services directly and indirectly provide products for human consumption and maintain healthy living environments. Bahn, H., et al, Ecosystem Services Discussion Paper, available at http://www.nifa.usda.gov/nea/nre/pdfs/ecosystems_discussion_doc.pdf. viewed on 18 August, 2014.

⁴ Ibid

⁵ Ibid

and thereby leading to global warming.² The result thereof is the accumulation of wealth at the expense of safe environment for the present and future generation.³

3.1 ISLAMIC LAW ON ENVIRONMENT

The basic environmental elements are water, air, cattle, crops pasture and forests. They occupy vital importance in the Islamic value system. The Qur'an and the sunnah steps on the preservation of both the quality and quantity of these elements. For example water has been regarded as a source of life. The Qur'an says "We made from water everything."⁴ Allah says further "Allah has created every animal from water."⁵ To emphasize the importance of using everything justly, the Prophet (PBUH) advised his companions to use less water even at the bank of a flowing stream. He equally prohibited urination in the water and in the whole of animals.⁶

When sayyidna Abubakar sent Muslim army he told them "Do not cut down a tree, do not abuse a river, do not harm crops and animals and always be kind and humane to Allah's creation, even to your enemies."⁷ In short, the global village is now a homogenized consumer culture which impacts negatively on the biosphere.⁸ This has been achieved by the progressive dilution and destruction of old traditional values and the marginalization of the great religion.⁹ Islam as a way of life expects human being to conserve the environment because it is God's creation.¹⁰ The Qur'an states

"It is Allah who erected the heavens without pillars that you [can] see; then He established Himself above the Throne and made subject the sun and the moon, each running [its course] for a specified term. He arranges [each] matter; He details the signs that you may, of the meeting with your Lord, be certain. And it is He who spread the earth and placed therein firmly set mountains and rivers; and from all of the fruits He made therein two mates; He causes the night to cover the day. Indeed in that are signs for a people who give thought. And within the land are neighboring plots and gardens of grapevines and crops and palm trees, [growing] several from a root or otherwise, watered with one water; but We make some of them exceed others in [quality of] fruit. Indeed in that are signs for a people who reason".¹¹

The Qur'an states further "And We gave understanding of it [i.e., the case] to Solomon, and to each [of them] We gave judgement and knowledge. And We subjected the mountains to exalt [Us], along with David and [also] the birds. And We were doing [that]."¹²

Other creatures besides man equally praise Allah the creator of the universe. That alone should have been enough reason for man to ensure that he protects them because of their spiritual significance. The Qur'an states "The seven heavens and the earth and whatever is in them exalt Him. And there is not a thing except that it exalts [Allah] by His praise, but you do not understand their [way of] exalting. Indeed, He is ever Forbearing and Forgiving."¹³

In a similar vein, the environment contains Allah's creatures that deserve protection. Similarly, preserving other creatures is a good act which believers are always encouraged to do. The Qur'an states regarding doing good acts thus "So whoever does an atom's weight of good will see it. And whoever does an atom's weight of evil will see it."¹⁴ The act of protecting and preserving the environment or other creatures that deserve to be treated justly is an act of justice which the Qur'an has in various places encouraged. The Qur'an states "Indeed, Allah orders justice and good conduct and giving to relatives and forbids immorality and bad

¹ Ozone (O₃) is a molecule made up of three atoms of oxygen (O), and is mostly found in the stratosphere, where it protects us from the Sun's harmful ultraviolet (UV) radiation. Although it represents only a tiny fraction of the atmosphere, ozone is crucial for life on Earth. Available at http://aura.gsfc.nasa.gov/ozonholeposter/Ozone-Hole-Poster_hiRes_508.pdf viewed on 18 August 2014.

² The Ozone Hole and Global Warming, available at http://www.didax.com/newsletter/pdfs/earthday_2-5288.pdf viewed 15 July, 2014.

³ Akhtar, M.R., (1996), "Towards an Islamic Approach to Environmental Balance, Islamic Economic Studies", Vol. 3 No. 2, 59.

⁴ Qur'an 21:30

⁵ Qur'an 17:30.

⁶ Sunan Ibn Majah

⁷ Ismail, Y., The Foundations of Islamic Environmental Law, available at www.scibed.com/doc/22305945/islamic-environmental-law viewed on 3 June, 2014.

⁸ Khalid, F., (2010, September), Islam and the Environment. Paper presented at 15th Annual Conference on Environment in Islam. Held at Royal Aal al-Bayt Institute of Islamic Thought, Amman Jordan.

⁹ Ibid

¹⁰ Izzi-Dein, M., (1997), Islam and the Environment, *Theory and Practice, Journal of Belief and Values*, No. 1 at 15.

¹¹ Qur'an 13:2-4

¹² Qur'an 21:79

¹³ Qur'an 17:44

¹⁴ Qur'an 99:7-8

conduct and oppression. He admonishes you that perhaps you will be reminded.”¹ This equally amounts to act of kindness, (*ihsan*), under the sharia, kindness or *ihsan* comes with special reward because it is an addition that is made after a person has been given that which is his right or which he deserves. The Messenger of Allah said that Allah has decreed kindness in all things.²

Allah in his wisdom has placed this important responsibility of protecting the environment solely on man. This is because Allah has blessed human race with a sense of judgement and the ability to use his reason to do good or evil that is unequal to that of all other creatures. The Qur’an speaks “Indeed, We offered the Trust to the heavens and the earth and the mountains, and they declined to bear it and feared it; but man [undertook to] bear it. Indeed, he was unjust and ignorant.”³

Islam, man and cosmos are in a state of unity, harmony and are complimentary. Planting trees, treating animals gently, avoiding pollution in water are as good as feeding the poor and attending the sick.⁴

The Islamic perspective on the environmental rests on the firm belief that Allah (SWT) is the sole creator and sustainer of the universe.⁵ The whole universe along with all of its factors has been created by Allah with perfect wisdom (*hikmah*).⁶ The number, quality and quality of these factors is precisely determined by the divine plan of Allah (SWT) each of these factors play its ordained role. Everything created by Allah has a just purpose which must be fulfilled.⁷

Much as Islam guards and warns man against abuse and destruction of the environment, it however does not discourage sustainable development.⁸ The Qur’an says that “it is He who has created you on the earth and settled you therein”⁹ the Islamic approach towards the development of the earth’s resources thus by Ali Ibn Abi Talib to a man who had developed and reclaimed abandoned land “Partake of it gladly, so long as you are a benefactor, not a deposer; cultivator, not a destroyer.”¹⁰

A fundamental rule under the shari’a is that nothing of this environment including man who benefits from the environment will permanently remain. Only Allah the creator of man and his environment will eternally remain. Allah says “We did not create the heavens and earth and what is between them except in truth and [for] a specified term. But those who disbelieve, from that of which they are warned, are turning away.”¹¹ The Qur’an states further “Everyone upon it [i.e., the earth] will perish. And there will remain the Face of your Lord, Owner of Majesty and Honor.”¹²

Islam perfectly affirms that the echo system must be respected on a balance to such an extent that man benefits from the environment but without causing harm to the environment.¹³ The Qur’an states “The Most Merciful Taught the Qur’an. Created man. [And] taught him eloquence. The sun and the moon [move] by precise calculation.”¹⁴ This verse has clearly shown the Islamic position consisting balance in actions or equilibrium. To this extent one could say that Islam allows the use of the environment by man but shall be used on the balance of proportion so much that its use cannot damage or cause damage to the environment. In fact humans are asked to use the energy and health bestowed by Allah on them in such a manner that they do not cause harm to themselves.

If a man misuses the environment, the effect does not end from just harming the plants and animals in the environment. It however leads to the destruction of property and life of man himself. For example, global warming is known to cause several diseases like cancer, asthma etc.¹⁵ Similarly, it leads to bush fire which causes deaths and destruction of property.¹⁶ Further, deforestation causes desertification and flooding, in any case, the Qur’an insists “And the earth – We have spread it and cast therein firmly set mountains and caused to grow therein [something] of every well-balanced thing. And We have made for you therein means of living and

¹ Qur’an 16:90

² Imam Nawawi, *Al-Nawawi Forty Hadith Collection*.

³ Qur’an 33:72

⁴ Nasir, S.H., (1990), “Islam and Environmental Crisis”, *Mass Journal of Islamic Science*, Vol. 6, 32-51.

⁵ Abdulqadir, A.A., (2013), *An Expository Study of the Islamic Approach in the Jurisprudence of the Right to Healthful Environment*, *IIUMLJ*, Vol. 21: 105.

⁶ Ibid

⁷ Ahmad, H., 1980, *Islamic Environmental Systems Engineering and Law, Politics, Education, Economics and Sociology of Science and Culture of Islam*, London: Macmillan Press. 1-5.

⁸ Bagader, A.A., (1994), *Environmental Protection in Islam*, UK: IUCN Gland, 5.

⁹ Qur’an 11:61.

¹⁰ Related by Yahya ibn Adam al-Qarashi in *Kitab al-Kharaj* and Bukhari in *al-Adab al-Mufrad*.

¹¹ Qur’an 46:3

¹² Qur’an 55:26-27

¹³ Akhtar, M.R., n. 8.

¹⁴ Qur’an 55:1-5.

¹⁵ Lockwood, A.H., (2009), *Coal’s Assault on Human Health*, USA:PMG, 35.

¹⁶ Ibid

[for] those for whom you are not providers.”¹

The existence of this balance in turn applies two constraints: firstly, human and non human beings can neither demand more resources and the natural echo system is capable of providing them on sustainable basis.² Secondly, both human and non human beings cannot discharge their products into the system in greater qualities than the system is capable of recycling without impairing its productivity.³

It is the responsibility of the Muslim Ummah to ensure that he exerts his best in ensuring that he even improves the status of the environment. The Prophet (PBUH) said “There is no Muslim who plants a tree or sows a field and a human, bird or animals eats from it shall be reckoned as charity from him.”⁴ This is because man is the main destroyer of the environment.⁵ In the last 30 years new parks have been established but the destruction continues. Half of the world’s tropical forests have been destroyed in the last 100 years.⁶ As cities grow so do pollution problems. An estimated 50 million children grow in developing countries suffer from chronic coughing because of smoking acid rain problem has moved.

3.2.1 NATURAL ELEMENTS THAT EXIST AROUND MAN

Basically, when mention is made of the natural elements that exist around man and serve as conditions for his continues existence for the service of his Lord who created him, water, air, land, plant and animals must readily come to mind. With respect to each of these categories Islamic law has clearly emphasized their importance and has called man to be a respecter of each of these important environmental elements this is in view of the important role they play in the existence of man and other living things.

3.2.2 WATER

Islam looks at water as an essential thing for the living and necessary for the existence of man.⁷ Scientifically, the human body is believed to contain certain percentage of water and that goes to show that the healthy existence of man largely depends on his water intake.⁸ Undoubtedly, a person is expected to take certain liters of water every day to have a healthy life.⁹

Water is not just essential to the body, but crops and plants equally need water for their survival and growth thereby producing food for the sustenance of man and other animals. The Qur’an says “Have those who disbelieved not considered that the heavens and the earth were a joined entity, and We separated them and made from water every living thing? Then will they not believe?”¹⁰ Allah says further “Then you turned away after that. And if not for the favor of

Allah upon you and His mercy, you would have been among the losers.”¹¹ The Qur’an states in yet another verse “And those who fear Allah are not held accountable for them [i.e., the disbelievers] at all, but [only for] a reminder – that perhaps they will fear Him.”¹² Allah equally draws our attention thus

“O people, if you should be in doubt about the Resurrection, then [consider that] indeed, We created you from dust, then from a sperm-drop, then from a clinging clot, and then from a lump of flesh, formed and unformed that We may show you. And We settle in the wombs whom We will for a specified term, then We bring you out as a child, and then [We develop you] that you may reach your [time of] maturity. And among you is he who is taken in [early] death, and among you is he who is returned to the most decrepit [old] age so that he knows, after [once having] knowledge, nothing. And you see the earth barren, but when We send down upon it rain, it quivers and swells and grows [something] of every beautiful kind.”¹³

There is no doubt that global warming leads to drought and if that is the case, it then becomes unlawful to indulge in anything that will hinder people from getting clean water. Allah makes it clear that in addition to human beings, other living things equally benefit from water hence the need to respect their right. Allah says “And it is He who sends the winds as good tidings before His mercy [i.e., rainfall], and We send down from the sky pure water. That We may bring to life thereby a dead land and give it as drink to those We created of

¹ Qur’an 15:19-20.

² Akhtar, n. 8.

³ Ibid

⁴ Abdullahi, M., (1985), *Mishkat al-Masabih*, Vol. 2, Beirut: Al-Maktaba al-Islami, 442.

⁵ Ismail, I. n. 12.

⁶ Ibid

⁷ Abd Allah, U.F., Living Islam with Purpose, <http://www.nawawi.org/wp-content/uploads/2013/01/Article6.pdf> viewed 12 August, 2014.

⁸ Lehman, S., Water is Essential for Living, <http://nutrition.about.com/od/hydrationwater/a/waterarticle.htm>. viewed 12 July, 2014.

⁹ Ibid

¹⁰ Qur’an 21:30

¹¹ Qur’an 2:64

¹² Qur’an 6:99

¹³ Qur’an 22:5

numerous livestock and men.”¹The Qur’an says further “And have you seen the water that you drink? Is it you who brought it down from the clouds, or is it We who bring it down?”² The Qur’an states further “Then is He who creates like one who does not create? So will you not be reminded?”³ Allah added “And it is He who subjected the sea for you to eat from it tender meat and to extract from it ornaments which you wear. And you see the ships plowing through it, and [He subjected it] that you may seek of His bounty; and perhaps you will be grateful.”⁴ The Qur’an states further “[Remember] when He overwhelmed you with drowsiness [giving] security from Him and sent down upon you from the sky, rain by which to purify you and remove from you the evil [suggestions] of Satan and to make steadfast your hearts and plant firmly thereby your feet.”⁵

In Islam, Water is equally used for several social functions like cooking, drinking and other activities. This is in addition to the use of water for religious services like ablution and birth. The Qur’an states

“O you who have believed, when you rise to [perform] prayer, wash your faces and your forearms to the elbows and wipe over your heads and wash your feet to the ankles. And if you are in a state of janabah, then purify yourselves. But if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and do not find water, then seek clean earth and wipe over your faces and hands with it. Allah does not intend to make difficulty for you, but He intends to purify you and complete His favor upon you that you may be grateful.”⁶

Water is indeed a very important element of the environment under Islamic law. It is not only a useful component of our life but equally useful for other religious activities.

3.2.3 AIR

Air is an essential element for the survival of plants and animals. Animals need air for the purpose of respiration and plants equally need air for the purpose of photosynthesis.⁷ The Qur’an states “And We have sent the fertilizing winds and sent down water from the sky and given you drink from it. And you are not its retainers.”⁸ No one has the power to direct the winds to the places of need but Allah the lord of the universe. The Qur’an states

“Indeed, in the creation of the heavens and the earth, and the alternation of the night and the day, and the [great] ships which sail through the sea with that which benefits people, and what Allah has sent down from the heavens of rain, giving life thereby to the earth after its lifelessness and dispersing therein every [kind of] moving creature, and [His] directing of the winds and the clouds controlled between the heaven and earth are signs for a people who use reason.”⁹

In yet another verse, Allah says

“And it is He who sends the winds as good tidings before His mercy [i.e., rainfall] until, when they have carried heavy rainclouds, We drive them to a dead land and We send down rain therein and bring forth thereby [some] of all the fruits. Thus will We bring forth the dead; perhaps you may be reminded.”¹⁰

The destruction of the air and its pollution not only endangers the living but even the yet unborn. Nuclear bombs are made by made which through the air kills the living and affects the yet unborn.¹¹ To that effect, it becomes an obligation on all to ensure that the air is kept safe and we will be questioned on the day of judgement on the way and manner we handled this precious gift. After the World War II, when the rapid and unfettered growth of industries blatantly affected the environment, punitive measures were developed in order to have the law make deterrence, stringent penalties were prescribed.¹² The wars have equally affected the world economy negatively.¹³

3.2.4 LAND

The importance of land needs not be over emphasized because we all live on it. Of all the planets, earth is the

¹ Qur’an 25:48-49

² Qur’an 56:68-70

³ Qur’an 16:14

⁴ Qur’an 5:11

⁵ Qur’an 8:11

⁶ Qur’an 5:6

⁷ Lackner, K.S., Capturing Carbon Dioxide From Air available at http://www.netl.doe.gov/publications/proceedings/01/carbon_seq/7b1.pdf. viewed on 19 July, 2014.

⁸ Qur’an 15:22

⁹ Qur’an 2:164

¹⁰ Qur’an 7:57

¹¹ For example the Hiroshima and Japan nuclear plant tragedy.

¹² Ansari, A.H., (2000), “Environmental Protection Through Law of Tort: A Critical Appraisal”, *Malaysian Law Journal*, Vol. 4, 32.

¹³ Ansari, A.H., (2007), “GATT/WTO and MEA’s: Resolving the Competing Paradigm”, *International Trade Law and Policy*, Vol. 6:2, 3.

only planet that both plants and animals can live on. Allah says “And the earth He laid [out] for the creatures.”¹

Allah has equally mentioned to us His bounties on the earth for the benefit of man. He says “And of His signs is that He created you from dust; then, suddenly you were human beings dispersing [throughout the earth].”² The Qur’an states further “And Allah has caused you to grow from the earth a [progressive] growth. Then He will return you into it and extract you [another] extraction.”³ Man should therefore practically express his gratitude to Allah by ensuring that he respects the favours Allah made to him by giving him the land on which he lives.

The earth is equally made a sacred place for the purpose of worship and the attainment of Allah’s pleasure. For example the city of Mecca and jarusallem are described as holy cities in the Qur’an. The Qur’an states “Exalted is He who took His Servant [i.e., Prophet Muhammad by night from al-Masjid al-haram to al-Masjid al-Aqsa, whose surroundings We have blessed, to show him of Our signs. Indeed, He is the Hearing, the Seeing.”⁴ Similarly, the Prophet (PBUH) mentioned. Additionally, Madina and Quds are all sacred places in Islam.⁵

The soil is equally used for acts of worship like *tayyuum* under Islamic law. The Qur’an states. “if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and do not find water, then seek clean earth and wipe over your faces and hands with it. Allah does not intend to make difficulty for you, but He intends to purify you and complete His favor upon you that you may be grateful.”⁶

The prophet (PBUH) equally said “The whole earth has been created as a place of worship for me, pure and clean.”⁷ Rocks equally play important role in the stability of the earth the Qur’an states “And it is He who spread the earth and placed therein firmly set mountains and rivers; and from all of the fruits He made therein two mates; He causes the night to cover the day. Indeed in that are signs for a people who give thought.”⁸ The Qur’an says further “And the earth We have spread it and cast therein firmly set mountains and caused to grow therein [something] of every well-balanced thing.”⁹ Modern science has equally emphasized the importance of the rocks in the stability of the earth.¹⁰

Islam permits the use of rocks for the purpose of purification and ablution. According to Muslim scholars rocks can only be used for ablution in the absence of water. All of these go to show that land is a very important element of the environment and its preservation is exceedingly important for the survival of man and other living creatures.

3.2.5 PLANTS AND ANIMALS

Plants are living creatures that have enormous role to play for the subsistence of man. They provide food for the consumption of man. The Qur’an says “And from the fruits of the palm trees and grapevines you take intoxicant and good provision. Indeed in that is a sign for a people who reason.”¹¹

The human nature needs both plants and animals because human beings are carnivorous hence they need both plants and meat. The absence of one can negatively affect man and as such their importance cannot be over emphasized. Fruits are a kind of plants that are very important for the wellbeing of man without which man cannot have a healthy living. The importance of fruits in the treatment or management of certain disease is well appreciated by experts. For example, certain fruits are believed to be good for diabetic patients.¹²

Plants are equally a source of joy to man. The Qur’an states “And their description in the Gospel is as a plant which produces its offshoots and strengthens them so they grow firm and stand upon their stalks, delighting the sowers – so that He [i.e., Allah] may enrage by them the disbelievers. Allah has promised those who believe and do righteous deeds among them forgiveness and a great reward.”¹³ This shows that the concept of green peace is highly placed and acceptable under Islamic law.

¹ Qur’an 55:10

² Qur’an 30:20

³ Qur’an 71:17-18

⁴ Qur’an 17:1

⁵ See also Qur’an 95:3

⁶ Qur’an 5:6

⁷ Bukhari and Muslim

⁸ Qur’an 13:3

⁹ Qur’an 15:19, see also Qur’an 16:15, Qur’an 21:31, Qur’an 27:61, Qur’an 31:10, Qur’an 41:10, Qur’an 50:7 etc.

¹⁰ Dodick F., and Orion, N., 2003, *Geology as an Historical Science: Its Perception within Science and the Education System*, Netherlands: Kluwer Academic Publishers.

¹¹ Qur’an 16:67.

¹² Bazzano, L.A., Dietary Intake of Fruit and Vegetable and the Risk of Diabetic Mellitus and Cardiovascular Disease, available at http://www.who.int/dietphysicalactivity/publications/F%26v_cvd_diabetes.pdf.

¹³ Qur’an 48:29.

Plants equally provide oxygen for the benefit of man. They are equally a source of carbohydrate. Forest for example make up a great percentage of the world's land mass and they protect the soil from erosion and serve as home for many inhabitants and a source of income for millions of people around the world.¹ Tropical forests are one of the greatest storehouses of nature's diversity on Earth; of all of the world's land species, around two thirds live in forests. Many of these rare creatures - orang-utans, tigers, jaguars, forest elephants and rhinos are increasingly threatened due to man's activities in the forest.² Lot of natural medicines, fuel, wax, oil, perfumes etc are found from trees to this extent, the Qur'an states that the honey bee eat from various trees and produces the honey which is medicinal for man.³

Just like plants, animals serve a lot of purpose for the protection and preservation of the environment, to that extent, Islam commands that they must be respected and treated with dignity. Animals and indeed all creatures praise and worship Allah alone, that is enough reason for man to respect and allow them to remain and engage in the worship of their creator. The Qur'an says "The seven heavens and the earth and whatever is in them exalt Him. And there is not a thing except that it exalts [Allah] by His praise, but you do not understand their [way of] exalting. Indeed, He is ever Forbearing and Forgiving."⁴

Animals provide sustenance for one another, for man and to plants. Their bodies and their dung enrich the soil and the sea. They contribute to the atmosphere by respiration and their movement and migration; contribute to the distribution of plants. They provide food for one another and provide mankind with leather, wool, hair, medicine and perfumes and means of conveyance as well as meat, milk and honey. The Qur'an states "And the grazing livestock He has created for you; in them is warmth and [numerous] benefits, and from them you eat. And for you in them is [the enjoyment of] beauty when you bring them in [for the evening] and when you send them out [to pasture]. And they carry your loads to a land you could not have reached except with difficulty to yourselves. Indeed, your Lord is Kind and Merciful. And [He created] the horses, mules and donkeys for you to ride and [as] adornment. And He creates that which you do not know."⁵

The importance of animals presupposes the existence of rights specially accorded to them by the sharia. In fact they are seen as creatures of our like in the world of their own. The Prophet (PBUH) has in several traditions mentioned the importance and necessity of humane treatment of animals under the sharia. The prophet (PBUH) said "The merciful are shown mercy by the All Merciful. Show mercy to those on earth, and He who is in the heavens will show mercy unto you."⁶ The Prophet (PBUH) was asked whether there is reward for doing good to animals and he said "there is reward in doing good to everything". The prophet (PBUH) said in another tradition that a man was admitted into paradise for giving water to a dog and a woman was admitted into fire for starving a cat to death.⁷

The discussion has clearly shown that Islam respects plants and animals thereby oblige man to ensure that he respects their right to existence. Though man is allowed to use them, he must ensure that he makes a positive use of them and their destruction also negatively affect man directly or indirectly.

4. CAMPAIGNING FOR ENVIRONMENTAL PROTECTION

The individual must also ensure that he spread the message of the concept of Islamic law on the issue of calling people to the act of good and to forbid wrong doing. The Qur'an says "And let there be [arising] from you a nation inviting to [all that is] good, enjoining what is right and forbidding what is wrong, and those will be the successful."⁸ The Qur'an states further

"You are the best nation produced [as an example] for mankind. You enjoin what is right and forbid what is wrong and believe in Allah. If only the People of the Scripture had believed, it would have been better for them. Among them are believers, but most of them are defiantly disobedient."⁹

Similarly the prophet (PBUH) equally said that if a person sees a wrong being done, he should prevent it with his hand, if he cannot then he should prevent it by his mouth, if he cannot then he should dislike it in his heart, that

¹ Domson, O. and Vlosky, R.P., A Strategic Overview of the Forest Sector in Ghana, available at <http://www.lsuagcenter.com/NR/rdonlyres/10AF8836-05BA-4F7A-8AB9-E86C0B6EC792/53404/wp81.pdf>, viewed on 23 July, 2014.

² Greenpeace International, <http://www.greenpeace.org/international/en/campaigns/forests/> viewed on 12 August, 2014.

³ Quran 16:69

⁴ Qur'an 17:44.

⁵ Qur'an 16:5-8

⁶ Bukhari, M., (2011), Sahihu Al-Bukhari, KSA: Dal al-Kutub Al-Najati. Hadith 1284.

⁷ Ibid hadith 3482.

⁸ Qur'an 2:104

⁹ Qur'an 2:110

is the least of *iman*.¹

The universe humans stay in is itself a sign of the existence of Allah. It follows therefore man and the environment both emanate from the same source and are bound by only one purpose, which is to serve the divine will. This bonding of the cosmic to the subatomic is the deep ecology of Islam but it is not a relationship of equals as we can see in the hierarchy of the food chain dominated by man.²

Generally, the principles of Islamic law contains basically three principles

1. the interest of the community takes precedence over the interest of the individual;
2. relieving hardship takes precedence over promoting benefit;
3. A bigger loss cannot be prescribed to alleviate a smaller loss and a bigger benefit takes precedence over a smaller one. Conversely, a smaller harm can be prescribed to avoid a bigger harm can be prescribed to avoid a bigger harm and a smaller benefit can be dispensed with I preference to a bigger one.³

The Prophet (PBUH) was sent as mercy to mankind hence he admonished the believers on righteous acts that will shower blessing to the whole of humanity. The Qur'an says "And We have not sent you, [O Muhammad], except as a mercy to the worlds."⁴

During the golden era Islamic science and technology, no one could anticipate or come across such environmental problems because scientific advancement those days was based on Islamic principle of moderation and common interests. They were not dominated by material values. It was so because it is imperative in Islam that the spiritual view of the universe be reinstated and reaffirmed to provide a better alternative philosophical framework for contemporary men's interaction with nature and its fellow men. Islam offers a view of the universe, wherein the spiritual or the transcendental paradigm has supremacy over the physical or temporal standards and which provides not merely a formal ground for religious life but all worship Allah.⁵

The Islamic concept of environmental law is exceedingly important to be promoted and observed in the present generation in view of the fact that over two billion of the world's population are Muslims and the observance of the Islamic principles of environmental protection is likely to win greater respect than the conventional environmental law due to the fact that the legislator of Islamic principles is Allah the lord of mankind who taught us what is best to us through his messenger Muhammad (PBUH).⁶

Similarly, the Islamic rules do have spiritual under tone. Meaning any person that disrespects the Islamic rules concerning the environment even if he is not punished in the world, the anger and punishment of Allah awaits him in the hereafter. The implication of this is that greater observance and respect will be accorded to the laws of Allah.

Treaties are made but observance always proves difficult due to absence of effective mechanisms for enforcement. Islamic institutions should help in creating awareness access to justice, access to justice and must be encouraged in case of breach since access to justice is a well recognized human right.⁷

4. CONCLUSION

Environment plays a pivotal role in the prosperity of the human race and all that lives in the environment. Despite the fact that man appreciates the importance of environment his activities are directed towards harming the environment and threatening the echo system. A destruction of any of these components of the echo system directly affects man which threatens his existence and those of the generation yet unborn.

The approach of Islam on issues relating to the environment is based on justice and equity. Extravagance is prohibited in all respect. There is no gainsaying the fact that the destruction of the environment lead to the destruction of other living creatures which Islam strongly prohibits. Justice and kindness must not just be spoken but must also be in action. The destruction of the environment not only affects the living but also the generation yet unborn who equal have the right to live and enjoy from the environment just as the present generation is living and enjoying.

¹ Annawai I.,

² Khalid F., The Environment- A Crisis of Values An Islamic Response, available at <http://www.ifees.org.uk/download.php?id=28>. Viewed on 30 July, 2014.

³ Khan, T.A., Environmental Law, available at [http://ceej.pk/cms/docs/SAEJ/5%20Thematic%20Session%203/3%20Environmental%20Law%20-%20In-Service%20Legal%20Education%20&%20Capacity%20Building%20\(J%20Tanvir%20A%20Khan\).pdf](http://ceej.pk/cms/docs/SAEJ/5%20Thematic%20Session%203/3%20Environmental%20Law%20-%20In-Service%20Legal%20Education%20&%20Capacity%20Building%20(J%20Tanvir%20A%20Khan).pdf). Viewed on 3 August, 2014.

⁴ Qur'an 21:107.

⁵ Ansari, A.H. and Jamal, P., (2001-2012), "Towards an Islamic Jurisprudence of Environment: An Expository Study", *Religion and Law Review*, Vol. X-XI, 82.

⁶ Qur'an 33:21

⁷ Ansari, A.H., (2012), "Rio Principle 10 and Environmental Impact Assessment with Reference to the Malaysian Practice", *Indian Journal of International Law*, Vol. 52, No. 1, 27.

Enlightenment on the Islamic approach to environment, proactive approach by those in authority and the maximization of the just use of the environment will help in making the environment safe for the present generation and the generations yet unborn.

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