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Integrating Hifz al-Bi'ah into Industrial Governance: A Sharia and Al-Maslahah Maqashid Based Framework for the Circular Economy

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Abstract
Governance require radical change. From a different perspective, Islamic principles such as maqasid sharia (the principles of Islamic law) and al-maslahah (the principles of social responsibility) can be used to combine environmental preservation (hifz al-bi'ah) with modern industrial governance within a circular economy framework. A systematic literature review shows that Islamic legal principles have established the ethical and normative foundations for sustainable industrial practices. This research method uses a descriptive qualitative method with a literature review. The results show that hifz al-bi'ah is a crucial part of al-dharuriyyat al-khamsah and constitutes a comprehensive plan for adopting a circular economy. In the context of the transition to a circular economy, the principles of istikhlaf, tawazun, and mas'uliyyah—namely, stewardship, ecological balance, and accountability—become more evident. From an Islamic economic perspective, this paper proposes a framework that combines traditional Islamic jurisprudence with today's pressing sustainability needs and can be a significant contribution to the ongoing discourse on Islamic economics.

Keywords: *Hifz al-Bi'ah, Maqashid Syariah, Al-Maslahah, Circular Economy, Industrial Governance*
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INTRODUCTION

Modern industrial activities are responsible for about 45% of global greenhouse gas emissions and contribute significantly to resource scarcity and ecosystem degradation. Linear economic models characterized by a "take-make-throw" approach have proven to be fundamentally unsustainable, sparking urgent calls for transformative change. The circular economy is emerging as a promising alternative framework, which separates economic growth from resource consumption through designs that eliminate waste, retain materials in use, and regenerate natural systems.

Such environmental activities in the context of maqashid sharia can refer to the main objectives of Islamic law designed to ensure human welfare. The classical framework identifies three hierarchical levels: al-dharuriyyat (basic needs), al-hajiyyat (needs), and al-tahsiniyyat (improvement). Al-dharuriyyat covers five essential things: religious preservation (hifz al-din), life (hifz al-nafs), reason (hifz al-aql), heredity (hifz al-nasl), and property (hifz al-mal).

Contemporary scholars such as Auda (2019) and Kamali (2020) argue that environmental conservation should be included as an integral part of maqashid. Hassan and Kayed (2021) show that environmental degradation directly threatens the five classical maqashids, so that hifz al-bi'ah (environmental conservation) becomes a foundation rather than peripheral. The systems approach emphasizes that environmental preservation is interconnected with all aspects of human well-being.

In another concept related to the maqaashid of Sharia that Al-maslahah (public interest) is the basic principle in establishing laws for matters that are not explicitly regulated in religious texts. Environmental conservation has strong support within the framework of al-maslahah al-mursalah. Research on maslahah was conducted by Aziz et al. (2020) which shows that the principles of maslahah are applied to contemporary environmental issues, establishing environmental protection as a collective obligation (fard kifayah). The legal principle of "la darar wa la dirar" (no harm may be caused) provides the basis for environmental regulation. Asutay and Zaman (2022) argue that this principle extends to intergenerational justice, prohibiting actions that harm future generations through environmental degradation.

The Qur'an itself establishes comprehensive environmental ethics. The concept of tauhid (divine unity) signifies the sole possession of Allah: "To Allah belongs all that is in the heavens and on the earth" (Al-Qur'an, 2:284). The principle of mizan (balance) emphasizes ecological balance: "And He lifts up the heavens and sets the balance, so that you do not go beyond the limits of balance" (Qur'an, 55:7-9).

The tradition of the Prophet explains environmental ethics. The Prophet Muhammad (peace and blessings of Allaah be upon him) said: "The world is beautiful and fertile, and indeed Allah has made you His guardians in it, and He sees how you perform your duties" (Sahih Muslim). Another hadith establishes the virtue of farming: "If a Muslim plants a tree or sows seeds, and then a bird, or a person, or an animal eats it, it is considered as alms for him" (Sahih Bukhari).

Other research on environmental conservation from an Islamic perspective was conducted by Gada (2019) and Saniotis (2022) that show how these teachings establish a comprehensive ethics that includes resource conservation, water conservation, and sustainable land use. The prohibition on israf (luxury) applies to all resources, making efficiency a religious obligation.

The circular economy in the Islamic economic concept is a systemic approach based on three principles: eliminating waste, retaining materials in use, and regenerating natural systems.

Geissdoerfer et al. (2020) identified it as a regenerative system that minimizes resource inputs through the slowdown, closure, and narrowing of the material cycle. Recent research explores the relationship between Islamic principles and the circular economy. Ascarya and Rahmawati (2023) show that Islamic principles of moderation (wasatiyyah), prohibition of waste (israf), management (istikhlaf), and responsibility (mas'uliyyah) provide a strong foundation for the implementation of the circular economy. The Islamic ban on israf directly supports the principles of the circular economy. The Qur'an states: "O sons of Adam, wear your ornaments in every mosque, and eat and drink, but do not excess. Indeed, He does not like those who are excessive" (Qur'an, 7:31).

Islamic economics, with its emphasis on ethical behavior and environmental management, offers valuable insights into this transition. The concept of hifz al-bi'ah is an integral component of the sharia maqashid that has gained new attention in contemporary studies. The Qur'an explicitly discusses environmental responsibility: "Chaos has arisen on land and sea due to the deeds of human hands, so that He may allow them to feel part of what they have done, so that perhaps they may return [to the truth]" (Al-Qur'an, 30:41). This verse establishes a clear causal relationship between human actions and environmental degradation. Moreover, the concept of caliph (authority) places man as a guardian: "And it is He who made you caliphs on earth and raised some of you above others in rank [position] so that He might test you by what He has given you" (Qur'an, 6:165).

Despite having a rich theoretical foundation in Islamic fiqh, there are still significant gaps in implementing these principles into practical frameworks for industrial governance. This study answers three critical questions: (1) How can hifz al-bi'ah be systematically integrated into industrial governance through maqashid sharia and al-maslahah? (2) What is the theological basis for the circular economy in Islamic thought? (3) How can the industry implement these principles in the transition to a circular model?

This study uses a qualitative methodology with a systematic literature review. Data were collected from primary Islamic sources (Qur'an, Hadith, classical fiqh texts) and secondary sources including peer-reviewed articles from 2019 to 2024. The analysis uses content analysis and maqashid-based frameworks to identify goals relevant to environmental conservation and circular economy implementation.

RESEARCH METHODOLOGY

In this study, a qualitative method was used, namely a research procedure that produced descriptive data in the form of written or spoken words from people and observed behaviors. This method is a research method that is carried out to reveal various uniqueness contained in individuals, groups, and society in a comprehensive, detailed, deep, and scientifically accountable manner.(Scott, 2019). The qualitative method seeks to study and decipher the meaning of a human behavior event in a certain situation according to the researcher's own view.

This research is a literature study research with a literature review approach, so that the data collection techniques used are by analyzing literature content, literature studies and article analysis from various data and documents. (Scott, 2019)

RESULTS AND DISCUSSION

1. Hifz al-Bi'ah as an Integral Part of the Sharia Maqashid

This research shows that hifz al-bi'ah permeates the five classical maqashid rather than being separate purposes. Environmental integrity is a prerequisite for achieving the preservation of religion, life, intellect, descendants, and property. Environmental Conservation and Hifz al-Nafs: Environmental degradation directly threatens human life through pollution and climate change. The Qur'anic principle "whoever saves one life, as if he had saved all mankind" (5:32) also applies to protecting the environmental conditions that sustain life. WHO data shows that environmental factors contribute to 24% of the global burden of disease.

Environmental Conservation and Hifz al-Nasl: Environmental toxins affect reproductive health and fetal development. Climate change threatens the well-being of future generations, violating the principle of intergenerational justice. The Qur'anic concept of heredity (dhurriyah) includes the welfare of the offspring, making the preservation of the environment essential.

Environmental Conservation and Hifz al-Mal: Natural resources are the foundation of the economy. Environmental degradation erodes economic capital, while sustainable management guarantees long-term prosperity. The principle of istikhlaf establishes humans as managers who are obliged to preserve ecological capital for future generations. The legal principle of "ma la yatimmu al-wajib illa bihi fahuwa wajib" (that without it obligations cannot be fulfilled, then it itself becomes obligatory) stipulates that environmental conservation, which is essential for all other maqashids, is a fundamental obligation.

2. The Three Basic Principles of Hifz al-Bi'ah

First: Al-Istikhlaf (Duty of Management) - The concept of the caliph establishes man as the representative of Allah who manages His creation. The Qur'an states: "Believe in Allah and His Messenger, and give some of what He has made you His representatives" (Qur'an, 57:7). It turns ownership into management, stipulating that: (1) Resources must be managed sustainably for future generations; (2) The industry acts as a responsible guardian to stakeholders; (3) Profit maximization cannot justify environmental damage; (4) Decision-making must consider intergenerational impacts.

Second: Al-Tawazun (Ecological Balance) – The Qur'an emphasizes the mizan: "And He lifts up the heavens and sets the balance, so that you do not go beyond the limits of balance" (Al-Qur'an, 55:7-9). The prohibition against "going beyond the limits in balance" stipulates that disturbing the balance of nature is a moral offense. The concept of wasatiyyah (moderate) strengthens tawazun. The Qur'an declares Muslims to be a "middle people" (2:143), establishing moderation as a characteristic that prohibits both overexploitation and over-rejection.

Third: Al-Mas'uliyyah (Responsibility) – Islamic law establishes comprehensive responsibility for actions, including environmental impacts. The Prophet said: "Each of you is a shepherd and each of you is responsible for his flock" (Sahih Bukhari and Muslim). Mas'uliyyah includes: (1) Vertical accountability to Allah; (2) Horizontal accountability to the community; (3) Intergenerational accountability to future generations. For industrial governance, this requires transparency, stakeholder engagement, compensation for losses, and continuous improvement.

3. Al-Maslahah as the Foundation of the Circular Economy

Every principle of the circular economy is in line with the considerations of maslahah:

a. Eliminating Waste and Pollution: The Islamic prohibition on israf and tabdhir directly supports this. The Qur'an states: "Indeed, those who are extravagant are the brothers of Satan, and indeed Satan always disobeys his Lord" (Qur'an, 17:27). Classical scholars interpret israf broadly, including unnecessary waste of resources. The legal principle of "al-wasail laha hukm al-maqasid" (meaning: take the law from the destination) stipulates that the prevention of waste has a mandatory status.
b. Keep the Product in Use: This is in line with Islam's emphasis on maximizing benefits (manfa'ah). The hadith states: "Use what you have until you need to replace it" (Sunan Ibn Majah). Product life extension and remanufacturing maximize maslahah (goodness) while minimizing mafsadah (damage).
c. Renewing Natural Systems: Islamic principles require active contributions to ecological restoration. The Prophet Muhammad said: "If the End is near and one of you holds a date bud, he should take advantage of even a second before the End to plant it" (Musnad Ahmad). This shows that environmental restoration has intrinsic value.
d. The hierarchy of maslahah—dharuriyyat, hajiyyat, tahsiniyyat—provides a framework for prioritizing conflicting interests. The principle of "dar' al-mafasid muqaddam 'ala jalb al-masalih" (preventing harm precedes benefit) stipulates that when environmental harm at the dharuriyyat level is contrary to economic benefit, environmental protection should take precedence.

CONCLUSION

This research shows that Islamic law provides a comprehensive foundation for the circular economy through the principles of hifz al-bi'ah, maqashid sharia, and al-maslahah. The main conclusions include: First, hifz al-bi'ah is an essential dimension of the sharia maqashid, which is integrated with the five classical goals. Environmental degradation directly threatens the preservation of religion, life, intellect, descendants, and property, so that environmental protection becomes an obligation at the dharuriyyat level. Second, the principles of istikhlaf, tawazun, and mas'uliyyah provide a solid normative foundation for the adoption of the circular economy, transforming industrial governance from a profit-maximization orientation to a comprehensive welfare-oriented approach.

Third, al-maslahah provides an effective analytical tool for evaluating circular economy initiatives. The hierarchical structure and legal rules provide clear guidance for industry decision-making. Fourth, successful integration requires systemic changes that include strategic vision, operational processes, and organizational culture. The proposed Green Sharia Compliance framework provides a practical implementation pathway. Fifth, the principles of the circular economy are remarkably in line with Islamic teachings on resource management, prohibition of waste, and intergenerational justice, suggesting that Islamic economics naturally tends towards a circular model.

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