

Negotiating *Shari'a* and Sustainability: The Changing Roles of Islamic Organisations in Indonesia's Environmental Legal Reform

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Article	Abstract
<p>Keywords: Shari'a; Sustainability; Islamic Organization.</p> <p>Article History Received: Aug 14, 2025; Reviewed: Oct 16, 2025; Accepted: Oct 22, 2025; Published: Nov 27, 2025.</p>	<p><i>Responses to the global ecological crisis called for reforms to environmental law that integrate scientific understanding alongside the ethics of religions. In Indonesia, Islamic communities influence the discourse on ecological legal order. However, their influence has been appreciated very little through the lens of responsive legal politics, as described by Nonet and Selznick, where law is seen as responsive to social critique and is coupled with the notion of substantial justice. Responding to this gap, this study looks at how the three largest Islamic bodies the Indonesian Ulema Council (MUI), Muhammadiyah, and Nahdlatul Ulama approach the intersection of sharia and the principles of sustainability within the discourse on renewing environmental law in Indonesia. Guided by qualitative research, this study employs a document study approach and critical discourse analysis on Islamic legal texts, fatwas, thematic fiqh, and bahtsul masail, and examines their environmental law texts. The theory of responsive law, and the critique of the legal frameworks advanced by these institutions, enables the assessment of the presence of responsive law. The findings indicate that MUI functions as a moral legitimizer by issuing symbolic yet non-participatory ecological fatwas; Muhammadiyah operates as an epistemic producer and normative advocate through the advancement of progressive environmental fiqh and policy interventions; whereas NU embodies cultural-communitarian engagement with a cosmological perspective and a grassroots foundation. These three organizations exemplify a transition from normative law to a legal framework that is more attuned to ecological challenges, signifying a crucial transformation in the contextualization of Islamic law within Indonesia's sustainability agenda.</i></p>



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A. INTRODUCTION

Various phenomena of environmental crises that have occurred in recent decades have prompted the Muslim community to begin actively voicing the urgency of environmental conservation (Rusfiana & Kurniasih, 2024). This marks a shift in the narrative

of environmental conservation, which was previously considered outside the realm of religion and is now becoming a concern related to spiritual and ethical values. This also includes the realm of Religious Law (Shantaran et al., 2018). Incorporating Islamic Law, sharia studies related to the environment have gained popularity over the last decade, emphasizing the need for a sharia-based ethical framework for environmental protection in Islam (Hussein et al., 2024).

In Indonesia, Islamic organizations have seriously put environmental issues at the forefront of their movement. The movement is not an invitation or proselytization but an intervention in positive law and legal advocacy. For example, Muhammadiyah conducted a judicial review of the Water Resources Law in 2013, opposing injustice in the management of Water Resources. The private sector is allowed to control water sources, which, in this case, for Muhammadiyah, is not justified, as water is a vital source of human life. This lawsuit was then granted by the Constitutional Court (MK) through MK Decision Number 85/PUU-XI/2013. In its decision, the Constitutional Court stated that Law Number 7/2004 on Water Resources is contrary to the 1945 Constitution and lacks binding legal force because it opens opportunities for the liberalization and commercialization of water (Wahdini et al., 2025).

In addition, the Indonesian Ulema Council (MUI), as an institution that is a partner of the Indonesian government in the religious sector, has also massively issued environmental fatwas to serve as normative religious guidance for Indonesian Muslims (Koehrsen, 2021). It started with MUI Fatwa No. 41/2014 on Waste Management to Prevent Environmental Damage. This fatwa prohibits littering, requires the government and entrepreneurs to manage waste properly, and stipulates that it is mandatory to recycle waste into valuable goods for the benefit of the people (Mangunjaya & Praharawati, 2019). The function of a fatwa is an essential religious instrument that serves as an ethical guide for Indonesian Muslims in environmental conservation and sustainability.

Likewise, Nahdlatul Ulama (NU) had already initiated the concept of Environmental Jurisprudence in the 1980s. (Zaenurrosyid et al., 2020). This jurisprudence then develops as a scientific Khazanah that continues to grow within the organization and on a national scale. Furthermore, through the Bahtsul Masail Institute and the Institute for Disaster Management and Climate Change (LPBI-NU), its decisions clearly declare that NU forbids environmental destruction and conveys the urgency of sustainability (Sobirin & Khasanah, 2023).

The participation of Islamic organizations is considered very important amid the inability of state regulations to practically stop various environmental damages in Indonesia, such as pollution, natural exploitation, forest deforestation, and others. In fact, sometimes regulations are considered to support and legitimize corporations to create environmental damage (Helfaya et al., 2018). This pattern suggests a negotiation between Sharia principles and the legal framework in Indonesia. With a narrative rooted in sustainability principles and informed by religious ethics, it is expected to be a bright spot in addressing the climate crisis and mitigating environmental damage. MUI, Muhammadiyah, and NU are civil society forces based on religious movements that can serve as a bridge between positive law, community behavior, and environmental conservation practices in Indonesia.

Numerous studies have examined the role of Islamic organizations in addressing environmental sustainability issues. Likewise, the role of Islamic organizations in the context of environmental law reform in Indonesia. But those that focus on highlighting how the legitimacy of movements, narratives, discourses, and legal products of Islamic organizations can become progressive legal instruments in the issue of environmental sustainability are still limited. The role of Islamic organizations, such as MUI, Muhammadiyah, and NU, in the politics of environmental law in Indonesia is significant as an ethical guide to the process of formulating state policies to mitigate or prevent environmental damage from worsening. Nonet and Selznick, in their theory of responsive law, state that the law must read the phenomena that occur and surround it, and must show partiality to vulnerable groups, which is particularly important in this issue, as it relates to responding to the environmental crisis (Nonet et al., 2017).

Although still limited, studies on the role of Islamic organizations in law reform related to environmental conservation continue to grow. Various studies employ a multidisciplinary approach to examining the phenomenon of climate crisis, combining elements of religious, legal, and environmental studies (Hancock, 2020; Shaleh & Islam, 2024). Speidl (2025) Research illustrates how Sharia principles can be contextualized to endorse environmental sustainability and conservation policies, while promoting active engagement of the Muslim community in environmental advocacy.

Nevertheless, notwithstanding the focus on this matter, there is a scarcity of research investigating the tangible influence of Islamic organizations in Muslim-majority nations on environmental law reform, particularly within the framework of contemporary legal principles. A lot of the writing is about the theoretical and normative levels, but it doesn't

talk about the progressive political process of law based on religious values. In practice, Islamic mass organizations function as civil society entities that serve as law-making bodies rather than merely law-abiding entities. This phenomenon exhibits characteristics of a transformative society that is not only governed by the law but also actively engages in its formulation and interpretation in accordance with the principles of social-ecological justice.

Although the discussion of how the role of Islamic organizations in the environmental policy legislative process is growing and continues to be carried out, those who use Nonet and Selznick's responsive law knife are still limited. The characteristics of this theory prioritize the urgency of the law's real purpose and the community's involvement in the law's dynamics. This study aims to bridge the value aspects of Islamic law that seek to transform Indonesian legal politics in the ecological sector, focusing on benefits and sustainability. The hope is that the legal products emerging will embody the principle of environmental sustainability.

Therefore, this study explains how Islamic organizations, namely MUI, Muhammadiyah, and NU, contribute to Indonesian environmental politics through the application of Nonet & Selznick's *hukum responsif*. The primary objective is to comprehend the organization's role and contribution in shaping environmental law and its associated practices, as well as how it utilizes the law's framework to promote environmental sustainability. This study will specifically examine how these organizations are performing, providing them with advice, recommendations, and insights on various critical environmental issues, including deforestation, pollution, and forest destruction.

B. METHODS

This research uses normative legal research with a conceptual approach (Taekema, 2018). The legal materials used are in the form of policy products from Islamic organizations, namely MUI, Muhammadiyah, and NU, and review how these organizations practice in the ecological sector. In line with this, this research can also be described as a qualitative-critical study, examining the response of the law (Creutzfeldt et al., 2020). After the legal materials are collected, the author classifies the products into fatwa, fiqh, or the results of the Islamic organization's deliberation decisions. Furthermore, an in-depth analysis is conducted regarding the relationship or relevance of movements, narratives, and legal products of Islamic organizations to government policies in the environmental sector. With Nonet & Selznick's responsive legal framework, this research design can analyze how the

negotiation of Sharia principles leads to the development of positive law and public policy in Indonesia. The results can then be seen to what extent Islamic organizations contribute to the issue of environmental preservation, both universally and specifically.

C. RESULTS AND DISCUSSION

Community ecological awareness is a crucial factor in addressing the climate crisis and resolving the significant environmental conflicts that have emerged in recent decades. In connection with this awareness, the role and function of religion are needed, not only as a value that is not moving and rigid, but also as an ethical guide that can be obeyed by people who have religious beliefs (Koehrsen & Burchardt, 2024). Koehrsen then stated that, in the context of these ethical guidelines, it is essential to present the relativity of religious organizations not only in the normative realm, but also in the practical realm. Gade (2019) Interestingly, in Indonesia, Islamic discourses related to environmental sustainability are also proliferating. Various issues, such as environmental fatwas, civil society movements, and eco-pesantren, are being discussed. Amri (2013) also emphasized the urgency of major Islamic organizations in Indonesia, such as Muhammadiyah and NU, to present this issue as the main agenda of the organization and to make its members become effective agents of environmental propaganda. Then, Islamic organizations in Indonesia pay serious attention to environmental sustainability and make it a main agenda item for the organization. Even in the realm of legal politics, influencing government policies to be more ecological.

Nonet and Selznick (1978) in their theory of responsive law state that law is an open entity to social transformation and is linked to the ethics of society at large. This theory is then relevant in examining how the transformation of environmental law in Indonesia is intervened with religious values to realize environmental sustainability by Islamic organizations such as NU, Muhammadiyah and MUI. Poderati (2021) research reveals that the role of Islamic organizations in Indonesia in promoting environmental sustainability begins with small movements that have an impact through the legal basis of fatwas, such as those on waste management and animal protection, highlighting the responsibility of Islamic organizations in environmental practices in Indonesia. Conversely, Feener (2013) Feener is even broader in his review of the urgency, stating that international relations are needed to create harmony not only in Indonesia but also in the Southeast Asian region, to become a role model for ecotheological practices that extend beyond mere textual interpretation. (Sayem, 2022). Therefore, responsive legal theory offers a suitable analytical framework for

interpreting Islamic organizations' evolving roles as progressive legal transformation actors rather than normative guardians.

1. Indonesian Ulema Council (MUI): Moral and Symbolic Legitimitor

The Indonesian Ulema Council (MUI) strategically provides moral and symbolic legitimacy for the reform of environmental laws in Indonesia. This group uses Islamic ideas in talks about sustainability and protecting the environment by giving out ecological fatwas (Iskandar & Sofuoğlu, 2025). Through the Institute for Environmental and Natural Resources Conservation (LPLH-SDA), MUI is increasingly aggressively engaged in the environmental conservation sector, even as a strategic partner of the government. MUI cooperates across religions in this effort. (Mufid, 2023). This demonstrates extraordinary concern, and MUI acts as a social-religious actor that is expected to effectively communicate environmental preservation to Indonesians.

The Indonesian Ulema Council (MUI) actively began issuing ecologically nuanced fatwas beginning in 2014. Fatwa No. 4 of 2014 on the Preservation of Rare Animals to Maintain Ecosystem Balance became the first fatwa issued as a pioneer in Indonesian history. The MUI, as a strategic partner of the government, makes decisions related to religious matters and environmental sustainability (Harnowo & Habib, 2024). Since then, the Indonesian Ulema Council (MUI) has become increasingly active in developing an Islamic normative framework that supports the principle of ecological sustainability, issuing numerous fatwas on water pollution, waste management, the exploitation of natural resources, and, most recently, climate change.

The Indonesian Ulema Council (MUI) has shifted from merely issuing normative-ritual fatwas to an institution with social-ecological sensitivity that contributes to national environmental law reform. Through its ecological fatwas, MUI situates Islamic values within the framework of global responsibility for the environmental crisis and makes religion an ethical tool for raising people's ecological awareness (Ramlan, 2019). Here are the fatwas issued by MUI with ecological nuances:

Table 1. MUI's ecological fatwa

Fatwa	Subject	Substance
Fatwa No. 4 of 2014	Rare Animal Preservation to Maintain Ecosystem Balance	Forbidding the hunting and trade of endangered animals; ordering the protection of ecosystems
Fatwa No. 11 of 2015	Waste Management to Prevent Environmental Damage	Requiring wise waste management and prohibiting littering.
Fatwa No. 17 of 2016	Water Pollution Control	Forbidding water pollution that damages ecosystems and endangers public health
Fatwa No. 30 of 2016	The Law on Forest and Land Burning, and Its Control	Declaring forest and land burning haram because it causes damage, environmental pollution, harm to others, health problems, and other adverse impacts
Fatwa No. 01 of 2017	Ethical Exploitation of Natural Resources	Emphasising the principles of justice, sustainability, and responsibility in the exploitation of natural resources.
Fatwa No. 86 of 2023	Global Climate Change Control	Outlawing actions that exacerbate the climate crisis, such as deforestation, forest burning, etc.

The fatwas of the Indonesian Ulema Council (MUI) with ecological nuances can be examined as an indication of the evolution of religious law towards adaptive legal attributes, as articulated in Nonet and Selznick's theory of responsive legal politics. According to this idea, responsive legislation is an expression of moral principles that exist in society and are accessible to participation and substantive justice, rather than merely a neutral process (autonomous) or a tool of power (repressive). The function of Islamic law, which simultaneously governs certain aspects of worship and employs a value-based approach to address modern issues, is reflected in all these fatwas. In Nonet and Selznick's theoretical framework, MUI, through its ecological fatwas, has transformed into a responsive legal agent, which not only responds to social-ecological realities but also seeks to direct laws (and policies) towards a more just and sustainable direction.

2. Muhammadiyah: Epistemic Producer and Normative Advocate

Muhammadiyah is an Islamic organization whose movement, in addition to presenting written products as ethical guidelines for environmental protection, is also actively involved in various environmental advocacy efforts. It defends vulnerable groups, such as indigenous peoples and communities, who are considered disadvantaged by the state in the escalation of environmental conflicts (Setiawan et al., 2022). Muhammadiyah develops epistemic and fiqh concepts regarding the environment, including *Fikih Air* (fiqh on water), *Fikih Kebencanaan* (fiqh on disaster), and *Fikih Agraria* (fiqh on agrarian affairs) (Wahdini et al., 2025). The aim is to provide Muslims with guidelines for preserving the environment. This method demonstrates Muhammadiyah's efforts to transform religious understanding so that it is more responsive to modern environmental issues.

Table 2. Muhammadiyah's legal products with an ecological nuance

Year of Establishment	Legal Products	Substance
XXVIII National Conference of Tarjih Muhammadiyah 2014 AD in Palembang	<i>Fikih Air</i>	-Water as a public right and social trust -Prohibition of privatisation and commercialisation of water -Principles of distribution justice and sustainability
XXIX National Conference of Tarjih Muhammadiyah May 2015 AD in Yogyakarta	<i>Fikih Kebencanaan</i>	-Disasters as a test and collective responsibility -Responsibility for mitigation and adaptation -Community participation in preparedness
XXXI National Conference of Tarjih Muhammadiyah 2020 M in Gresik	<i>Fikih Agraria</i>	- Land ownership rights within the framework of social justice - Anti-land concentration and agrarian monopoly - Protection for farmers and ecosystems
2024	Mining Fatwa and the Urgency of Equitable Energy Transition	Forbidding mining that harms the environment

Based on these data, Muhammadiyah, through its legal products, transforms into an Islamic organization that critiques government policies to promote environmental

sustainability and prevent environmental conflicts. Muhammadiyah even transforms its fiqh reasoning into public law with permanent alliances, for example, the fiqh reasoning on water, which serves as the basis for judicial review by the Constitutional Court. In some agrarian conflicts, Muhammadiyah has even been active in assisting marginalized communities, such as those involved in the Wadas conflict, Rempang, and others. Muhammadiyah criticism aims to foster mutual awareness between the government and citizens, emphasizing the importance of preventing environmental damage and its sustainability aspects. Muhammadiyah is transforming and proving itself to be a progressive Islamic movement, as reflected in the tagline narrated by this organization. Muhammadiyah's involvement in legal politics has also had a significant impact on the national legislative process.

3. Nahdlatul Ulama (NU): Cosmology and Community Involvement

Nahdlatul Ulama (NU) represents an Islamic organization that bases its approach to environmental sustainability on Islamic cosmology. Its role at the grassroots level is vital as a practical platform for Indonesian society in environmental management. In addition to issuing fatwas at the central to local levels, NU also focuses on movements such as the establishment of waste banks, ecopesantren, and instilling the values of environmental fiqh in the community. These characteristics can be considered a holistic and impactful approach (Koehrsen, 2021).

NU's roots in environmental conservation date back to the 1994 Cipasung Congress and the National Forestry and Environment Movement, which later coined the term "environmental jihad" (Azharghany, 2022). NU believes that it is obligatory to prevent environmental damage as part of the worship relationship as a Caliph. As NU initially condemned the industrialization of the new order era, which created many environmental problems (Arnez, 2014). Movements like the Disaster and Climate Change Mitigation Agency (LPBINU) and NU Farmer Santri are concrete examples of how these values are translated into social practices and environmental advocacy at the local level.

Thus, NU plays an essential role in negotiating sharia and sustainability, not through legal formalism but through the revitalisation of Islamic cosmology and transformative communal practices that connect spirituality, ecology, and social justice in the context of climate change and the global environmental crisis. Nevertheless, institutionally, NU, in its various forums, has also produced several decisions with an ecological nuance.

Table 3. Decision of the Forum NU with an ecological nuance

Year and Forum	Decision Topic	Substance
30th NU Congress, Lirboyo Year 1999	Exploitation of Natural Resources	Prohibiting the destructive exploitation of natural resources; advocating for the principles of benefit and sustainability.
National Conference of NU Scholars – 2006, Surabaya	Deforestation and Reforestation	Forbidding Illegal logging; reforestation is a collective responsibility.
NU Grand Conference – 2012, Cirebon	Water Crisis and Privatisation	Water is a public right; the privatisation of water contradicts the <i>maqashid of sharia</i> .
National Conference of NU Scholars – 2017, Lombok	Mining and Environmental Damage	Mining that damages the environment is declared haram according to Sharia law.
Halaqah Fiqh al-Bi'ah NU – 2018	Environmental Jurisprudence (Fiqh al-Bi'ah)	Encouraging the emergence of environmental jurisprudence based on Sufism, <i>maqasid</i> , and locality
34th NU Congress, Lampung – 2021	Energy Fiqh and Climate Crisis	Calling for a clean energy transition; urging countries to ensure climate justice

Nahdlatul Ulama (NU), through its network of *pesantren*, *kiai*, and local communities, demonstrates that religious norms and ecological values are articulated in the form of formal legal products and instilled in the daily practices of society, particularly through the traditions of *tafaqquh fiddin*, *tasawuf*, and the concept of *rahmatan lil alamin*. In this context, Nahdlatul Ulama (NU) does not regard law as a coercive or administrative instrument but as a manifestation of collective moral values that evolve through social interactions (Franklin, 2014). This aligns with the principle of responsive law, which views law not as a closed normative system but as an ethical and social instrument rooted in the real needs of society and substantive justice. In addition to issuing fatwas and publishing books related to

environmental preservation, NU also has a Disaster Management and Climate Change Institute (LPBI-NU) that focuses on this field. In addition, the eco-pesantren movement and waste banks are tangible manifestations of NU's commitment to upholding the principle of environmental care. Various NU legal products also demonstrate a commitment to preventing environmental damage, making sharia principles a pioneer in social transformation and a means of fostering joint ecological awareness (Feener, 2013).

Viewed from the perspective of Nonet and Selznick's responsive law, what NU has done illustrates the struggle of ecotheological values from the grassroots and traditional contextual interpretations towards modern practices in the environmental sector. It also highlights the genuine responsibility of Sharia values towards policies based on justice, environmental preservation, and sustainability.

4. Comparative Analysis: From Normativity to Reform

Although MUI fatwas have begun to transform towards sustainability, as evidenced by the emergence of various MUI fatwas with an environmental nuance, in the normative spectrum of fatwa reform, MUI fatwas are still merely invitations. This call has not yet resulted in significant legal reform. For example, MUI Fatwa No. 86 of 2023 on the Law on Global Climate Change Control does not directly criticize various laws and regulations that are considered weak in terms of environmental reform efforts. This is in contrast to Muhammadiyah, whose legal products explicitly criticize various government policies. Through its narrative of constitutional jihad and environmental advocacy, Muhammadiyah clearly demonstrates progressive efforts from the normative to environmental sustainability reform. Nahdlatul Ulama is also no exception, with its leaders often making critical statements. Most importantly, there is a grassroots movement that demonstrates NU's environmental fiqh reasoning, leading to real reform movements such as waste banks and eco-pesantren.

Table 4. Comparative Analysis: From Normativity to Reform

Aspect	MUI	Muhammadiyah	NU
Role in Environmental Reform	Moral and symbolic legitimator of environmental issues	Producer of ecological and public policy advocates	Community-based norms and policy based ecological awareness educator
Type of Law (Nonet & Selznick)	Towards being responsive, but still maintaining an	Real examples of responsive progressive,	Responsive in law: cultural and transcendent forms

	authoritative normative character	adaptive, participatory	through sociocultural practices of <i>pesantren</i>	the of
Form Of Product/Intervention	Environmental fatwas (2014–2023) as a declaration of public ethics	Thematic Fiqh: <i>Fikih Air, Kebencanaan, Fikih Agraria; Mining Fatwa</i>	Bahtsul Halaqah Bi'ah, grassroots movements, such as <i>Santri Tani NU, LPBINU</i>	Masail, Fiqh al- and
Responsive Characteristic	Open to environmental issues, but the approach is still top-down and symbolic.	Normative-critical, open to social critique, civil society, and reform	Emancipatory, based on living traditions, Nusantara Islamic cosmology, and ecological piety	
Involvement in State Reform	Collaborative, but often positioned as a formal legitimiser	Active intervention through position statements, legal recommendations, and environmental regulation advocacy	Sociocultural approach in forming law from the bottom up	

E. CONCLUSION

The roles played by Muhammadiyah, Nahdlatul Ulama (NU), and the Indonesian Ulema Council (MUI) in the country's environmental law reform demonstrate a slow transition from a normative-theological approach to a more flexible, adaptable, and context-specific legal framework. Even though these Islamic organizations respond to the ecological issue in diverse ways using various Islamic legal tools, they are still in the process of reforming. Although they are still top-down and more reactive than transformative, ecological fatwas serve as references for public ethics, and the Indonesian Ulema Council (MUI) acts as a moral-symbolic legitimator. According to Nonet and Selznick, MUI's stance represents a change from authoritative to responsive legislation. It is still not entirely critical of the power systems that sustain ecological harm, though.

Muhammadiyah, on the other hand, positions itself as a creator of progressive Islamic legal standards through thematic fiqh that combines ecological justice and assistance for marginalized communities with *maqāṣid al-sharī'ah*. This exemplifies Nonet and Selznick's ideal form of responsive law, which is one that actively engages in public policy, promotes

substantive ideals, and is amenable to social criticism. Through networks of pesantren and traditional communities, Nahdlatul Ulama (NU) at the grassroots level brings Islamic law to life as a cultural and spiritual practice. Nahdlatul Ulama (NU) uses a cosmology grassroots engagement strategy to develop laws that address ecological consciousness at the local and communal level. This illustrates that social practices and transcendent values ingrained in the community can also lead to legal reform rather than just formal changes.

All things considered, these three organizations show how discussions between sharia and sustainability in Indonesia have progressed toward a more inclusive, contextual, and responsive Islamic law to deal with modern ecological issues. The responsive legal theory is pertinent in this context not only as an analytical instrument but also as a normative basis for promoting the evolution of Islamic law in the direction of greater justice, sustainability, and the environment.

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