

Here, I came to the conclusion that the search for another livable planet, according to my understanding of the verses of the Qur'an,<sup>[4]</sup> will yield nothing. All the scenarios in this respect will remain listed under the heading: "Science Fiction"! We should rather make life on earth possible for generations to come. I hope that my position regarding the said issue will not be interpreted as anti-science, or against research in outer space. Nevertheless, I would like to see that the enormous funds spent on building observatories to receive messages from outer space, will be used to relief the poverty and diseases that infest our planet earth. At least no one can deny the clear message that we are receiving all the time from disenchanted fellow human beings. It is the imbalance between the south and the north, caused at the hands of the latter, which prevents a proper I'mar.

I have always been sarcastic about them (aliens!) discovering us on earth doing what we are doing now! Before we invite guests from outer space, our home (i.e. earth) should be tidy. From an Islamic perspective, this is only possible if the Shari'ah is fulfilled, and humanity lives according to divine law. The Qur'an shows that any attempt to achieve I'mar and prosperity away from divine revelation and guidance will certainly lead to destruction:

"Do they not travel through the earth; and see what was the End of those before them? In strength they tilled the soil and populated it in greater numbers than these have done: there came to them their apostles with Clear (Signs), (which they rejected, to their own destruction): it was not God who wronged them, but they wronged their own souls." Qur'an, 30:9

The I'mar of the earth should be in areas and projects that could benefit humanity and not harm her. This means that projects and activities that destroy the environment are excluded. The capitalist system encourages destructive industries such as the tobacco industry. It pollutes the air, destroys the health which results in lost time and money in treating the resulting diseases, misuse of the land which could be used to plant a nutritious crop, ...etc. One can only cite the statement of Dr. Yusuf Al-Qaradawi regarding this issue, he said:

(Continued.....)

☆ عام دولفظ ہوتا ہے جو فراوی ایک جماعت کو لفظاً یا معنایاً شامل ہو ☆

support and backing for the institution of Khilafah. This will strengthen the human being to fulfill his/her basic role on earth, which is to worship God.

### 3. "Inhabitation" (I'mar):

The Qur'an, moreover, makes it clear that the earth is our habitat and that we are required to dwell on it, work it out and establish a balanced way of life without excesses or deficiencies. To limit the translation of I'mar' to inhabitation will not do justice. The meaning includes spreading and settling all over the earth, inhabiting every livable quarters, building ... etc. In short, it includes every positive activity that would make life on earth prosperous. If an activity diverts humanity from the right path (i.e. against the Shari'ah) then it cannot be considered as I'mar. The following verse reflects the relationship between creation and the positive role expected from humanity:

"To the Thamud People (We sent) Salih, one of their own brethren. He said: "O my People! Worship God: you have no other God but Him. It is He Who has produced you from the earth and settled you therein: then ask forgiveness of Him, and turn to Him (in repentance): for my Lord is (always) near, ready to answer" Qur'an, 11:61

This verse reminds us of the bounty that God has bestowed upon humanity. There is a beautiful connection in the verse between demanding pure monotheism from humanity at large, despite the context which uses the people of Thamud as a medium. Believing in the oneness of God and the notion of I'mar come hand in hand.

The renowned contemporary Muslim scholar Sayyid Qutub commented on this verse, he said:

"And Salih reminded them (the people of Thamud) about their origination from earth, the creation of every individual from the nutrition of the earth or from its components that make up their bodies. Despite being (created ) from this earth and its elements, Allah appointed them vicegerents so that they may inhabit it! He wanted them to be vicegerents as a species, and as individuals to replace those who came before they did!"<sup>[3]</sup>

☆ خاص وہ لفظ ہے جو کسی معلوم معنی یا معلوم مسمیٰ کے لئے انفرادی طور پر وضع کیا گیا ہو☆

"Then We subjected the Wind to his power, to flow gently to his order, whithersoever he willed ..." Qur'an, 38:36

The above list does not exhaust all the relevant verses. There is a unique quotation from the Qur'an that connects the notion of 'subjection' with the Hereafter. The following three verses, though specifically mention the subjection of animals and ships for riding, certainly go beyond the literal meaning:

"That has created pairs in all things, and has made for you ships and cattle on which you ride,

In order that you may sit firm and square on their backs, and when so seated, you may celebrate the (kind) favor of your Lord, and say, "Glory to Him Who has subjected these to our (use), for we could never have accomplished this (by ourselves). "And to our Lord, surely, must we turn back!" Qur'an, 43:12-14

It is clear that humanity was not restricted to the use of ships and animals to move from one place to another. There are many other modes of transportation that are subjected to our use. One can see the underlined supplication (du'a') contained within the above verses imprinted on stickers which decorate many Muslim cars, or hanging inside cars. One can also here the du'a' recited before takeoff of many airplanes that are owned by Muslim companies. But it seems that this is not the limit!

If we drop for one minute that which is subjected, we will be left with the notion of 'subjection' along with that of returning ultimately to our Lord. What I would like to suggest here is the possibility of extending, in an abstract way, the notion of 'subjection' to every thing that is of help to human beings, regardless of its degree of sophistication. That end result will be a human psyche that is constantly reminded of the Hereafter. This should not be interpreted as a gloomy approach: On the contrary, I think that people who reach this state appreciate life as the farm which one works out here, yet the harvest is there in the Hereafter.

Therefore, all mentioned verses clearly state that the heavens and the earth, the rivers and the seas, the cattle and animals, and much more are subjected to humanity. In this, we find

☆ اصول فقہ چار ہیں۔ نمبر ۱ کتاب اللہ۔ نمبر ۲ سنت رسول اللہ۔ نمبر ۳ اجماع امت۔ نمبر ۴ قیاس ☆

"And He has subjected to you, as from Him, all that is in the heavens and on earth: behold, in that there are Signs indeed for those who reflect." Qur'an, 45:13

"Do you not see that God has subjected to your (use) all things in the heavens and on earth. And has made His bounties flow to you in exceeding measure, (both) seen and unseen?" Qur'an, 31:20

"He has made subject to you the Night and the Day; the Sun and the Moon; and the Stars are in subjection by His command: verily in this are Signs for people who are wise." Qur'an, 16:12.

There are other verses that point to the temporal nature of the subjected elements. The reason behind highlighting the temporality of things is to remind people of the Hereafter. It is hoped that once people are conscientious of the limitation of life on earth, they will behave in a positive and constructive way. As a result, it is anticipated that the environment itself will benefit from the proper behavior of people. That the cosmic order and natural phenomena ultimately come to an end, is reflected in this verse:

"...He has subjected the sun and the moon (to his Law)! Each one runs (its course) for a term appointed. He does regulate all affairs, explaining the Signs in detail, that you may believe with certainty in the meeting with your Lord." Qur'an, 13:2

The subjection of the elements that make up the environment is spoken of in many chapters of the Qur'an:

"It is He who has made the sea subject, that you may eat thereof flesh that is fresh and tender, and that you may extract therefrom ornaments to wear; and you see the ships therein that plough the waves, that you may seek (thus) of the bounty of God and that you may be grateful." Qur'an, 16:14

"It is God who has created the heavens and the earth and sends down rain from the skies, and with it brings out fruits wherewith to feed you; it is He who has made the ships subject to you, that they may sail through the sea by His command; and the rivers (also) has He made subject to you." Qur'an, 14:32.

"...Call in remembrance that He made you inheritors after the people of Noah..." Qur'an, 7:69

"And remember how He made you inheritors after the 'Ad people and gave you habitation in the land..." Qur'an, 7:74

The declaration of the institution of khilafah, which Allah [S.W.T] has informed the angels about, was reinforced by the verse that shows that Allah [S.W.T] has taught Adam the 'names' (asma') of all things: "And He taught Adam the nature of all things..." Qur'an, 2:31

This discussion leads us to realize that there is an organic connection between proper knowledge and right behavior. Indeed, knowledge becomes a tool that renders humanity morally responsible. Ibn Kathir said in his exegesis, regarding the above verse, the following important statement:

"The right (interpretation) is that He taught him the names of all things: their particulars, attributes and functions"<sup>[2]</sup>

Therefore, vicegerency is based upon knowledge that enables the human being to be a care taker of the environment in which he/she dwells. Humanity should behave in such a way that would maintain the balance that exists within the environment. Rather, I should say to retrieve the balance that has existed before we have caused, collectively, many ecological disasters:

"And the earth We have spread out; set thereon mountains firm and immovable; and produced therein all kinds of things in due balance." Qur'an, 15:19

## 2. Subjection (Taskhir):

The earth is made available for human use, without abuse or misuse. The circle of things available for the benefit of humanity is much greater than that of the environment. There are numerous verses in the Qur'an that could be cited in this respect, but it suffices to mention three of them:

☆ علم اصول فقہ کی غرض یہ ہے کہ شریعت کے احکام فریہ کو عملی دلائل کے ساتھ جاننا جائے ☆

"Behold, your Lord said to the angels: "I will create a vicegerent on earth." They said: "Will place therein one who will make mischief therein and shed blood? While we do celebrate Your praises and glorify Your holy (name)?" He said: "I know what you know not." Qur'an, 2:30

In her/his capacity as a vicegerent, the human being is perceived as the trustee of the earth. She/he is not supposed to cause corruption in any form on earth (i.e. the environment). Life on earth entails great responsibilities. It is a test with accountability. It is followed by either reward or punishment. These meanings are mentioned in the Qur'an and the Sunnah. Vicegerency as a test is found in the following verse:

"It is He who has made you (His) vicegerents, inheritors of the earth. He has raised you in ranks, some above others, that He may try you in the gifts He has given you: for your Lord is quick in punishment, yet He is indeed Oft-forgiving, Most Merciful." Qur'an, 6:165

On the other hand, this vicegerency is subjected to observation:

"Then We made you heirs in the land after them, to see how you would behave!" Qur'an, 10:14

The same message is implied in the Hadith of the Messenger of Allah, [S.A.A.S.]:

"Verily, this world is sweet and appealing, and Allah placed you as vicegerents therein; He will see what you will do. So, be careful of [what you do in] this world and [what you do to/with] women, for the first test of the children of Israel was in women!"<sup>[1]</sup>

It is rather clear, now, that the Islamic world-view indicates that vicegerency on earth forms a test which includes how human beings relate to the environment. Is it going to be based upon divine instructions, or based upon personal desires and conjectures that might lead to the destruction of our environment. If the latter condition prevails, then vicegerency will be entrusted to a different people or generation. This possibility of this kind of switch is understood from the following two verses:

• اِنَّ اَصُوْلَ فِتْنَةٍ وَّهُمْ لَمْ يَكُنْ فِيْهَا مِنْ اَحْكَامِ كَلِّ لَمْ يَكُنْ فِيْهَا مِنْ اَحْكَامِ كَلِّ لَمْ يَكُنْ فِيْهَا مِنْ اَحْكَامِ كَلِّ لَمْ يَكُنْ فِيْهَا مِنْ اَحْكَامِ كَلِّ

Moreover, Allah [S.W.T] shows that the Qur'an encompasses the foundations for knowledge and ethics, He says: "...Nothing have We omitted from the Book..." Qur'an, 6:38

In addition, the Qur'an announces that Islam, as a Din, has been perfected by Allah [S.W.T]. It is considered a comprehensive way of life which accommodates every aspect of it. The Islamic world-view is established upon the very notion of Islam as a perfect religion: "...This day have I perfected your religion for you, completed My favor upon you, and have chosen for you Islam as your religion" Qur'an, 5:3

It is no wonder, in the light of what has been discussed above, that a jurisprudence of the environment is founded. This paper presents all aspects of the environment from within the Islamic world-view, an not as something alien to it.

### **Jurisprudence [Fiqh] vs. Philosophy of the Environment:**

This paper chose jurisprudence (fiqh) over philosophy for many reasons. The first reason is that "philosophy" is a term borrowed from the western world-view and therefore remains, until today, not welcomed in Islamic consciousness. Philosophy is still associated with sophistry and metaphysics which hampers its ability to bring about favorable behavior. Fiqh, on the other hand is a accepted and associated in Islamic consciousness with the lawful and the prohibited in human behavior. Therefore, it is more capable of modifying behavior positively

Furthermore, once this subject is accepted as part of jurisprudence, it becomes, relatively speaking, easier to include as integral part of the books of Fiqh, and in school curricula. This may facilitate the spread of environmental awareness which is part and parcel of Islam.

The Categories of the Relationship Between Human Beings and the Environment:

#### **1. Vicegerency (Khilafah):**

The human being, in the Islamic world-view is considered a vicegerent (khalifah). This vicegerency is declared before the creation of the first human being:

☆ انفعه حقیقته الفتح والشوق ☆ فقه کے معنی ہیں کھولنا اور بیان کرنا ☆

## Towards an Islamic Jurisprudence of the Environment

Fiqh al-Bi'ah fil-Islam  
By: Prof. Mustafa Abu-Sway

[This paper is based on a lecture given at the Belfast Mosque in February 1998]

This paper aims at formulating a coherent and systematic jurisprudence of the environment based on the Islamic revealed knowledge and heritage. The latter reflects the practical experience in the field and, therefore, forms the ground for a positive relationship with the environment. Within the Islamic world-view, this positive relationship is perceived as an act of faith which comes in line with the essential role of human beings on earth: to worship the one and only God. Therefore, our relationship with the environment should be regulated in the field of jurisprudence.

In addition, the paper explores how the Islamic world-view takes care of the different components of the environment, each separately. Finally, there is a discussion of the aims [maqasid] of the Shari'ah, where the aims are reconsidered.

### The Epistemological Framework:

Islam is considered a comprehensive way of life whose teachings cover, directly or indirectly, every possible human relationship including that with the environment. These teachings are primarily available in the revealed knowledge which comprises the Qur'an and the Sunnah. There remains two other sources, namely the Ijma' and Qiyas; they are dependent on the first two in different ways and degrees. The relationship is so complex that cannot be represented in this paper for brevity. It is discussed, however, in books of Usul al-Din.

In what follows, some of the verses that define the epistemological parameters of the Qur'an are considered. One verse, at the beginning of Surat Al-Baqarah, presents the Qur'an as a book of guidance:

"This is the Book; In it is guidance sure, without doubt, to those who fear God" (Qur'an, 2:2)

☆ کتاب و سنت سے اخذ کردہ احکام، فقہی احکام کہلاتے ہیں ☆