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The Ecological Veto in Islamic Law: Reconstructing Natural Resource Governance from Prophetic Precedents

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Abstract

Extractive industrial practices increasingly exacerbate global socio-ecological degradation, revealing the structural limitations of conventional market-driven governance and economic cost-benefit models in internalizing environmental damage. While contemporary environmental literature offers technocratic frameworks, existing Islamic legal scholarship remains divided between abstract eco-theological norms that lack operational legal enforceability and secular administrative regimes that bypass religious jurisprudence. To address this gap, this study examines the historical-normative precedents of early Islamic natural resource statecraft as its primary object of analysis. Employing a qualitative historical-normative design, this research utilizes uṣūlī hermeneutical methods, specifically takhrīj al-manāṭ (extraction of legal ratio legis), and the analytical framework of maqāṣid al-sharī'ah to evaluate canonical Hadith records regarding the revocation of Abyad bin Hammal's salt mining concession and the institutionalization of the ḥimā Al-Naqī conservation zone. The findings demonstrate that early Islamic jurisprudence establishes an operational "ecological veto" mechanism: natural resource concessions operate not as perpetual private property rights, but as conditional public trusts (amānah) subject to mandatory revocation if they compromise ecological equilibrium or public access. Theoretically, this study reorients ḥifẓ al-māl from monetary asset accumulation to the preservation of natural capital. Practically, it proposes actionable regulatory reforms for modern mining policies, including non-automatic permit renewals, strict liability through upfront ecological bonds (al-kharāj bi al-ḍamān), and binding mining moratoriums in critical ecosystems. Ultimately, this research confirms that Islamic legal precedents offer a binding constitutional framework capable of constraining market externalities.

Keywords: *environmental conservation; environmental jurisprudence; extractive industries; maqasid al-shariah; natural resource governance.*

Introduction

The global socio-ecological crisis has reached a critical juncture, exacerbated by the hegemony of anthropocentric paradigms and extractive capitalism that reduce nature to a mere economic commodity (Petrova, 2024). While resource extraction generates short-term macroeconomic indicators such as GDP growth and employment, its planetary footprint, manifested in deforestation in Latin America, heavy metal contamination in Africa, and coastal degradation in Southeast Asia, demonstrates systemic environmental vulnerability. Crucially, contemporary secular regulatory mechanisms, dominated by market-based instruments and technocratic cost-benefit analyses, have proven fundamentally inadequate to arrest this destruction because they internalize environmental damage merely as negotiable financial externalities (Adabor & Buabeng, 2021; Fitrianto et al., 2025; Omri & Omri, 2025; Zhang et al., 2024). This structural failure necessitates an alternative normative and binding legal paradigm. An Islamic legal perspective, specifically grounded in the principles of *Maṣlaḥah* and *Siyāsah Shar'iyyah*, offers a critical intervention by embedding natural resource governance within an unyielding ethical-constitutional framework that possesses the authority to override market imperatives. (Alhassan & Kwakwa, 2023; Thakur et al., 2025).

The empirical manifestation of this socio-ecological devastation is precisely evidenced by a series of environmental tragedies across the Global South, which serves as the epicenter of global extraction. In Latin America, particularly within the Amazon belt and the Andes mountains, the massive expansion of critical mineral mining industries, such as lithium and copper, has precipitated permanent deforestation that decimates biodiversity corridors while simultaneously forcibly displacing indigenous communities (Lehner et al., 2025). Similar patterns of systemic exploitation are also crippling the African continent. Massive-scale gold and cobalt mining practices in nations such as Ghana and the Democratic Republic of the Congo have been proven to persistently contaminate watersheds with heavy metal waste. This chronic pollution not only devastates aquatic ecosystems but also engenders acute public health emergencies and perpetuates structural poverty resulting from the dispossession of agricultural land (Yalley et al., 2025).

Meanwhile, in Southeast Asia, the ambition for industrial downstreaming and the global energy transition has paradoxically engendered a lethal ecological irony. The clearing of tropical rainforests and coastal reclamation for the construction of massive nickel smelting complexes have precipitated extreme marine sedimentation, devastating coral reef ecosystems and obliterating the livelihoods of traditional fishing communities (Cahyono et al., 2025; Taufiq et al., 2025). This sequence of ecological tragedies across the globe definitively confirms that extractive capitalism systematically reproduces socio-ecological vulnerabilities on a planetary scale (Petrova, 2024). Confronted with an escalation of destruction that has transgressed the thresholds of natural resilience, the intervention of an ethical framework, one that transcends mere economic cost-benefit analysis, becomes an empirical imperative. It is at this critical juncture that the reconstruction of spatial logic grounded in *Maslahah*, derived from the trajectory of Islamic civilization, finds its contextual urgency to dismantle the hegemony of modern extractivism.

Existing scholarship addressing environmental governance and Islamic jurisprudence can be critically synthesized into three primary thematic trajectories, each exhibiting distinct analytical scope and limitations. The first trajectory comprises secular and technocratic approaches that emphasize Environmental, Social, and Governance (ESG) frameworks and technological innovations to mitigate degradation. While providing quantifiable metrics, these models remain bound to market rationales and fail to address the core moral and structural drivers of extractivism. (Afandi et al., 2024; Nasr, 1996). The second trajectory encompasses normative eco-theological literature, which constructs arguments around khilāfah (stewardship) and amānah (trust) to establish an Islamic environmental ethic. Foundational works and recent inquiries successfully establish that Islam forbids *ifsād* (destruction). However, this body of literature remains predominantly moralistic and abstract, lacking operational legal mechanics or binding policy instruments capable of confronting state-backed corporate extraction. (Afandi et al., 2024; Işık et al., 2024; Khuluq & Asmuni, 2025; Nasr, 1996). The third trajectory examines applied socio-legal and economic frameworks within contemporary Muslim contexts. Studies on environmental legal reform highlight how legal dualism and political opportunism marginalize Islamic ethics in state policy. Concurrently, Islamic economic scholarship overwhelmingly focuses on financial technology and social fund efficiency (zakat/waqf), inadvertently positioning Islamic law as a passive enabler of commercial transactions rather than a structural counterweight to destructive mining investments (Amri et al., 2024; Efendi et al., 2025; Susana et al., 2025). This scholarship has successfully established the understanding that Islam fundamentally rejects *ifsad* (corruption/destruction) and affirms that the default legal status of natural resource utilization is *ibahah* (permissibility), provided it does not engender greater *mafsadah* (harm).

Other strands of literature, such as Susana et al. (2025), examine the reconstruction of Islamic legal norms within environmental governance in Indonesia, with a specific focus on critiquing the Job Creation Law. Their findings indicate that the dualism between secular-extractive state law and conservationist Islamic ethics has precipitated weak law enforcement against environmentally destructive corporations (Susana et al., 2025). This underscores the imperative for legal reform that transcends mere administrative adjustments, addressing instead the philosophical dimensions of *khalifah* by recognizing nature as a legal subject entitled to protection.

Işık et al. (2024) investigate the global supply chain roadmap and its implications for natural resource sustainability. Their findings indicate that while technological factors and Environmental, Social, and Governance (ESG) criteria play a dominant role in mitigating environmental degradation, this approach tends to be technocratic, often disregarding theological-ethical dimensions (Işık et al., 2024). This study offers the insight that current global natural resource governance remains heavily reliant on secular economic instruments, which frequently fail to address the root moral crisis inherent in the exploitation of nature.

Efendi et al. (2025) examine the discourse on environmental conservation within public policy debates in Aceh. Their findings indicate that despite the formalization of Islamic Sharia, the issue of environmental preservation in local political contestations (regional elections) remains peripheral, overshadowed by practical economic concerns (Efendi et al., 2025). This underscores that the formalization of Sharia does not necessarily correlate with ecological consciousness unless it is supported by an operational and binding environmental of *fiqh*.

Conversely, Amri et al. (2024) examine the role of Islamic social finance instruments, such as *zakat* and *waqf*, in supporting social impact investments. Their findings indicate that current Islamic economic scholarship predominantly focuses on the adoption of financial technology (fintech) to enhance the efficiency of social funds, yet there is a scarcity of discourse regarding the utilization of these instruments to curb destructive extractive investments (Amri et al., 2024). This study illuminates an epistemological void wherein Islamic law is frequently positioned as an enabler of the prevailing economic system rather than a critic of destructive mining policies.

A critical synthesis of these three bodies of literature reveals a profound epistemological and methodological gap at the intersection of Islamic jurisprudence and natural resource governance. Existing studies present a clear dichotomy: secular-technocratic frameworks offer operational mechanisms but lack moral-philosophical leverage, whereas contemporary Islamic environmental scholarship offers ethical leverage but lacks operational legal enforceability. Crucially, previous research has overlooked the legal-historical precedents of classical Islamic statecraft (*Siyāsah Shar'iyyah*), wherein early Islamic authorities actively revoked resource concessions (*iqṭā'*) and institutionalized protected ecological zones (*ḥimā*). By failing to examine how classical jurisprudence operationalized these mechanisms to restrain economic monopolies and environmental harms, modern Islamic legal scholarship has been reduced to passive moralizing, leaving the systemic mechanics of extractive governance largely unchallenged.

To address this gap, this study offers a novel contribution by reconstructing early Islamic historical precedents as an operational public policy framework to restrain extractive industries. Unlike previous eco-theological studies that rely on general stewardship ethics, or contemporary legal analyses that operate within the constraints of secular legal dualism, this research advances a comparative theoretical contribution across three distinct dimensions. Paradigmatically, it reinterprets *ḥifẓ al-māl* (preservation of wealth) from its conventional capitalistic focus on monetary accumulation to the protection of "natural capital" as a prerequisite for human existence. Juridically, through a rigorous takhrīj al-manāṭ (extraction of legal ratio legis) of Prophetic rulings specifically the revocation of Abyad bin Hammal's mining concession and the establishment of the ḥimā conservation zoneit establishes that mining permits in Islamic law are conditional public trusts (*amānah*) rather than absolute or perpetual property rights. Operationally, it translates these classical precedents into a contemporary "ecological veto" framework, offering actionable policy mechanisms such as strict liability (*al-kharāj bi al-ḍamān*), non-automatic permit renewals, and absolute moratoriums in critical ecosystems. By systematically comparing classical jurisprudence with modern regulatory failures, this article demonstrates that Islamic law provides not merely a passive moral commentary, but a binding constitutional basis for sustainable natural resource governance.

Method

This study employs a qualitative methodology utilizing a historical-normative and hermeneutical research design. This framework is selected to transcend static, literal interpretations of Islamic legal texts, synthesizing historical natural resource management precedents through the analytical lens of *maqāṣid al-sharī'ah* (Batubara, 2023). Consequently, this method facilitates a comprehensive mapping of historical precedents and the establishment of their relevance to contemporary mining issues.

The data sources consist of primary classical literature (kitāb turāth) and contemporary secondary academic scholarship. Primary sources encompass canonical Hadith collections and foundational treatises on political jurisprudence (*fiqh siyāsah*), notably Al-Māwardī's Al-Aḥkām al-Sulṭāniyyah and Abū Yūsuf's Kitāb al-Kharāj, while secondary sources include peer-reviewed contemporary literature on ecological economics, natural resource governance, and environmental jurisprudence.

To ensure the validity, credibility, and interpretive rigor of the analysis, and to minimize researcher bias or anachronistic projections, this study implements a rigorous analytical and verification procedure across three interconnected steps. First, textual and commentary triangulation was conducted by systematically cross-referencing primary Hadith narrations regarding resource concessions (*iqṭā'*) and conservation zones (ḥimā) with classical Hadith commentaries (*shurūḥ al-ḥadīth*, such as Ibn Ḥajar's Fatḥ al-Bārī and Al-Khaṭṭābī's Ma'ālim al-Sunan), thereby ensuring an accurate contextualization of the socio-historical background (*asbāb al-wurūd*) and preventing impressionistic textual readings.

Second, the extraction of legal norms followed established *uṣūlī* analytical methods, specifically *takhrīj al-manāṭ* (identifying the underlying ratio legis or *'illat*) and tanqīḥ al-manāṭ (refining the legal cause by isolating irrelevant situational attributes from essential legal determinants), which anchored modern legal analogies (*qiyās*) strictly to verified classical legal causes rather than speculative assumptions. Third, inter-textual legal verification was executed by cross-verifying interpretations of property classifications (*milkiyyah 'āmmah*) and state discretionary authority across major classical jurisprudence manuals (fiqh) and historical chronicles (*tārīkh*) to determine whether historical state interventions constituted exceptional ad-hoc political measures or established normative legal doctrines. Finally, the inductively derived historical legal causes ('illat) were deductively synthesized within the contemporary *maqāṣid al-sharī'ah* framework (specifically *ḥifẓ al-bī'ah* and *ḥifẓ al-māl*) to formulate an applied ecological governance framework relevant to modern mining regulations.

Result and Discussion

Reinterpreting *Maqāṣid* and *Milkiyyah 'Āmmah* Within an Ecological Context

Prior to examining historical precedents regarding mining policy, it is imperative to re-situate the theoretical framework, which is frequently reduced within conventional fiqh discourse. In the context of the global climate crisis, two key concepts in Islamic law, *maqāṣid al-sharī'ah* and *milkiyyah 'āmmah* (public ownership), necessitate a re-reading that transcends literal textual interpretations.

Traditionally, within the hierarchy of *maqāṣid, ḥifẓ al-māl* (the preservation of wealth) has often been interpreted through a capitalistic lens as the protection of individual assets or state revenue against theft and damage. However, an ecological reconstruction demands a paradigmatic shift. In the context of natural resource extraction, *ḥifẓ al-māl* can no longer be understood merely as the accumulation of mining profits or royalties; rather, it must be interpreted as the protection of "natural capital" essential for ensuring intergenerational survival. As asserted by Khuluq and Asmuni, environmental degradation resulting from excessive extraction inherently constitutes the most fundamental form of wealth destruction (*iḍā'at al-māl*), as it erodes the earth's carrying capacity, which is the very foundation of all economic activity (Khuluq & Asmuni, 2025).

Furthermore, this conceptual transition from a mere "state right to control" to a fundamental "state obligation to protect" is directly derived from classical fiqh siyāsah literature. In Al-Aḥkām al-Sulṭāniyyah, Al-Māwardī explicitly establishes that surface minerals (*al-ma'ādin al-ẓāhirah*) that are abundant and essential to public welfare cannot be granted as exclusive private concessions (*iqṭā'*), because they constitute public property (*shurakā'*) in which all society holds a shared entitlement: "As for surface minerals (*al-ma'ādin al-ẓāhirah*), those which are exposed and readily accessible, such as salt, water, and sulfur... it is impermissible to grant them as an exclusive concession (*iqṭā'*) to any individual, for they constitute wealth in which all of mankind hold a shared right (*shurakā'*)." (Al-Māwardī, 1996).

Al-Māwardī explicitly posits that mineral deposits which are abundant and essential to public welfare must not be privatized or granted as exclusive concessions (*iqṭā'*) to individuals:

> "*As for surface minerals (al-ma'ādin al-ẓāhirah), those which are exposed and readily accessible, such as salt, water, and sulfur... it is impermissible to grant them as an exclusive concession (iqṭā') to any individual, for they constitute wealth in which all of mankind hold a shared right (shurakā').*" (Al-Māwardī, 1996).

This legal boundary proves that state authority over natural resources is not an absolute proprietary right (*mālik*) or an unrestricted administrative privilege; rather, it is a fiduciary capacity (*amānah*). This conclusion is further reinforced by Abū Yūsuf's foundational treatise, *Kitāb al-Kharāj*, which cautions the sovereign that state land policies prioritizing short-term revenue extraction over ecological sustainability lead directly to environmental devastation and the ruin of citizens (*kharāb al-arḏ wa halāk al-ra'iyyah*) (Abū Yūsuf, 1979). Synthesizing these primary texts demonstrates that in Islamic jurisprudence, state control (*taṣarruf*) is legally valid only to the extent that it fulfills the public interest (*al-maṣlaḥah*). Consequently, discretionary state rights are epistemologically subordinate to the primary legal obligation to protect the ecological foundations of public welfare.

Grounded in this conceptual reconstruction, the "ecological veto right" operates as a binding legal mechanism derived from the normative hierarchy of *maqāṣid al-sharī'ah*. Within *uṣūl fiqh*, public interest is categorized into three tiers: *Ḍarūriyyāt* (essentials/existential), *Ḥājiyyāt* (needs/secondary), and *Taḥsīniyyāt* (embellishments/tertiary). The primary problematic in modern mining governance, as critiqued by Susana et al., is the occurrence of a hierarchical inversion (*marātib al-maṣāliḥ*) (Susana et al., 2025). The state frequently prioritizes mining revenue, which inherently constitutes taḥsīniyyāt or *ḥājiyyāt* for the state treasury, above the safety of citizens' living environments, which constitutes *ḍarūriyyāt*. Consequently, what emerges is a phenomenon termed illusory benefit (*maṣlaḥah wahmiyyah*), where short-term economic profits are prioritized while actively destroying the foundations of existence (*ḥifẓ al-nafs and ḥifẓ al-bī'ah*).

To correct this inversion, the ecological veto mechanism applies two fundamental legal maxims:

1. Prioritizing prevention of harm over acquisition of benefits (*Dar' al-mafāsid muqaddam 'alā jalb al-maṣāliḥ*): Macroeconomic returns represent the acquisition of benefits (*jalb al-maṣāliḥ*), whereas ecosystem degradation constitutes fundamental harm (*mafsadah*). When an extractive project causes structural damage to natural capital, Islamic jurisprudence mandates that it must be legally nullified regardless of monetary yields (Gharbi & Abushoufa, 2025).
2. Ecological Interdependence (*Ta'alluq al-Maṣāliḥ*): *Ḥifẓ al-māl* cannot exist in isolation from *ḥifẓ al-bī'ah*. Should water resources become contaminated due to mining operations (Yalley et al., 2025), the harm directly threatens *ḥifẓ al-nafs* (life preservation) and *ḥifẓ al-nasl* (future generations).

Accordingly, the ecological veto right is formulated as a binding normative rule: "Any policy or administrative licensure granting mining rights which is scientifically demonstrated to compromise the sustainability of vital ecological functions (water, air, productive soil) is rendered null and void (*bāṭil*), as it fundamentally contravenes the immutable principles (*al-thawābit*) of life preservation". This framework directly challenges the financial compensation paradigm (e.g., CSR or monetary indemnity) prevalent within conventional Islamic economic literature (Amri et al., 2024). In accordance with the maxim *Al-ḍarar yuzāl* (Harm must be eliminated), environmental destruction must be halted at its source rather than merely monetized or compensated.

Prophetic Precedents of Ecological Veto: Historical Practice and Legal Reconstruction

Historical records demonstrate that the Prophet (peace be upon him) functioned not merely as a spiritual leader, but also as a head of state (*ra'īs al-dawlah*) who established the constitutional foundations for natural resource governance. Contrary to the assumption that early Islamic economic policies were characterized by unconstrained laissez-faire principles, an examination of Hadith and Siyar literature reveals that the Prophet implemented decisive market interventions when economic activities threatened public welfare and ecological equilibrium. This legal politics was operationalized through two primary historical precedents: the revocation of mining concessions and the establishment of protected conservation zones (*ḥimā*).

The most fundamental legal precedent in Islamic mining governance is the revocation of the salt mine concession in Ma'rib. Recorded in Sunan Abī Dāwūd (No. 3064) and Al-Tirmidhī (No. 1380), Abyad bin Hammal Al-Ma'ribi petitioned the Prophet for the management rights of a salt mine. Initially, the Prophet granted this concession (*iqṭāʿ*). However, this policy was promptly annulled upon receiving factual information regarding the specific characteristics of the resource:

> *"Narrated by Abyad bin Hammal: He approached the Messenger of Allah (peace be upon him) and petitioned for the concession [management rights] of a salt mine. The Prophet granted it to him. However, when Abyad turned to depart, a man in the assembly remarked: 'Do you realize what you have granted him? Indeed, you have granted him The Flowing Water [al-mā' al-ʿidd, a metaphor for an inexhaustible, public-vital resource].' Consequently, the Prophet revoked the grant from him."*

From the perspective of legal statecraft, the Prophet's action demonstrates that mining licenses in Islamic law are strictly conditional and revocable, rather than permanent private rights. As analyzed by Susana et al., the principle of state supervision (ḥisbah) mandates government intervention or permit revocation if privatization compromises public access to vital resources (Susana et al., 2025). Crucially, the Prophet did not wait for severe environmental degradation to manifest; he revoked the concession preemptively on the grounds of potential resource monopolization and public detriment. Complementing this restrictive measure, the Prophet introduced a progressive spatial planning framework through the institution of ḥimā. By designating *Al-Naqī* as a *ḥimā* zone, public grazing and commercial exploitation were strictly prohibited to preserve ecological infrastructure for state welfare (Zaman et al., 2026). In the context of global deforestation and land degradation (Thakur et al., 2025; Yalley et al., 2025), ḥimā offers a historical legal precedent for freezing commercial property rights to safeguard critical ecosystems.

To bridge these historical precedents with modern industrial extraction, it is methodologically necessary to reconstruct the underlying ratio legis (*'illat al-ḥukm*) via *takhrīj al-manāṭ* (extraction of the legal cause). Analyses that reduce the Hadith to a literal prohibition against privatizing "salt" suffer from a stagnation of relevance when confronted with contemporary critical minerals such as nickel, coal, and lithium.

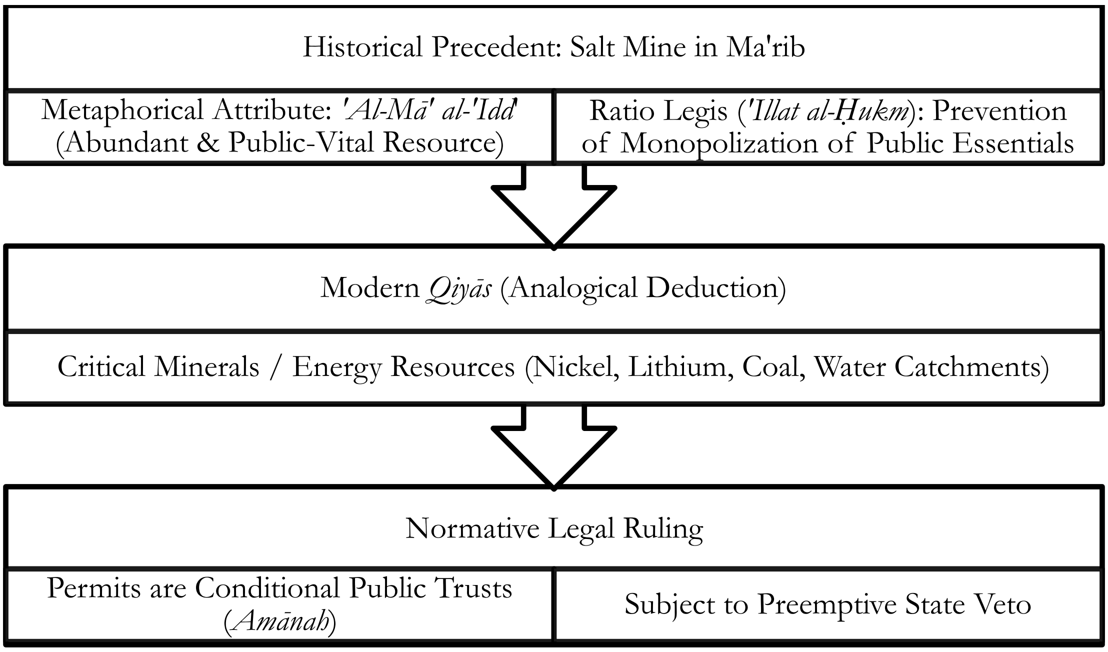

Figure 1. Methodological derivation of the legal cause (ratio legis) from Prophetic precedent to modern critical mineral governance through Takhrīj al-Manāṭ and Qiyās.

The crux of this reconstruction lies in the semantic analysis of the metaphorical diction *al-mā' al-'idd* (inexhaustible flowing water). *Uṣūlī* scholars concur that the underlying legal cause (*'illat*) for revoking the concession was not the material substance of salt per se, but its attributes as an abundant natural resource essential to collective public welfare (*mā lā kulfah fihi*). Applying the uṣūlī rule of *'umūm al-lafẓ bi-la-khuṣūṣ al-*

sabab (generality of expression over specificity of cause), salt serves merely as an illustrative case. Utilizing *qiyās* (analogical deduction), any modern mining commodity that possesses the attributes of *al-mā' al-'idd* and is vital to public survival inherits the exact legal status of the Prophetic salt concession: it cannot be granted as an unrestricted private monopoly and must remain under strict state stewardship for the common good. Furthermore, while this legal logic accommodates artisanal, subsistence extraction where human effort/cost (*kulfah*) is present, it strictly prohibits massive industrial extraction that causes irreversible ecological destruction (*ifsād*) (Thakur et al., 2025).

Contemporary Mining Governance: Operationalizing Ecological Veto in Modern Policy

The aforementioned reconstruction of the ratio legis and the formulation of the ecological veto right entail logical consequences for contemporary mining governance. When extrapolated to the realm of public policy, the Islamic principles derived from the historical narrative of Abyad bin Hammal propose a framework of Islamic ecological constitutionalism. This framework necessitates fundamental reform across three principal regulatory domains: licensing mechanisms, accountability standards, and spatial preservation.

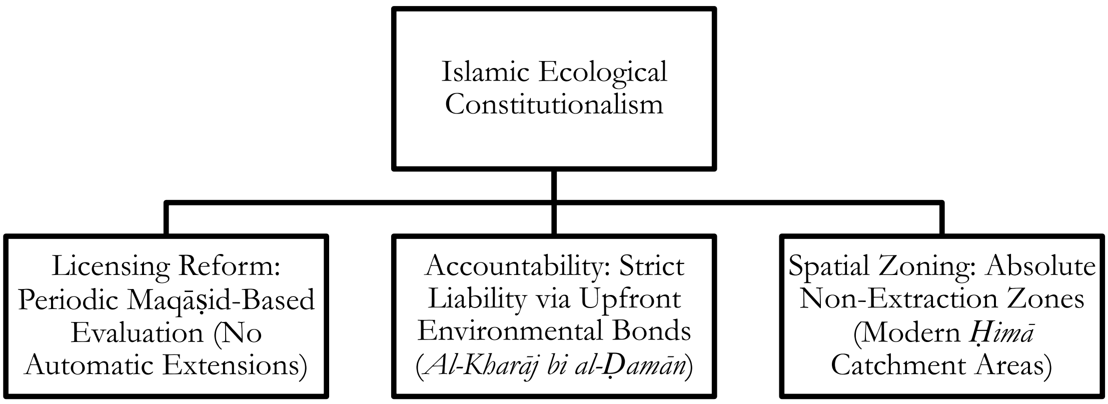

Figure 2. Operational framework of Islamic Ecological Constitutionalism across three core regulatory domains.

A primary critique of contemporary mining regulations, as exemplified by the Job Creation Law analyzed by Susana et al., concerns the guarantee of automatic license extensions for concession holders (Susana et al., 2025). From the perspective of fiqh siyāsah, automatic extension clauses are rendered legally invalid. The Prophetic precedent regarding license revocation establishes that mining concessions do not constitute permanent proprietary rights, but rather a trust (*amānah*) that is inherently temporal and conditional. Modern policy must therefore adopt a mechanism of periodic maqāṣid-based evaluation. Rather than treating permits as automatic administrative entitlements, their continuation must be strictly contingent upon ongoing compliance with *ḥifẓ al-bī'ah*. Where empirical evidence demonstrates structural environmental damage, the state holds a mandatory duty to execute an ecological veto and revoke the permit.

Empirical data presented by Thakur et al. demonstrates that post-mining landscapes are frequently abandoned without adequate reclamation measures (Thakur et al., 2025). To internalize these negative externalities, contemporary policy must incorporate the legal maxim *Al-kharāj bi al-ḍamān* (Entitlement to revenue is contingent upon liability). In modern regulatory policy, this principle translates into a mandatory upfront ecological restoration bond required prior to extraction. Should a corporation fail to rehabilitate the post-mining site or contaminate surrounding water systems (Yalley et al., 2025), these funds are automatically forfeited to finance state remediation. This effects a paradigm shift from voluntary CSR, often treated as discretionary benevolence, to a legally binding strict liability framework.

The scholarly findings regarding the institution of ḥimā during the Prophetic era provide clear theological legitimacy for governments to establish absolute mining exclusion zones. Echoing the critique by Khuluq and Asmuni regarding the lax protection of conservation areas, the modern state must decisively designate critical water catchment areas, protected forests, and vulnerable coastal ecosystems as modern ḥimā zones (Khuluq & Asmuni, 2025). Within these designated zones, the issuance of any mining licenses (IUP) is religiously impermissible (*ḥarām*) and legally void. Far from being anti-development, this spatial policy constitutes a vital national strategy to safeguard long-term water and food security, prioritizing existential necessities (*ḍarūriyyāt*) over transient foreign exchange revenues (*taḥsīniyyāt*).

Through these triadic regulatory reforms, Islamic jurisprudence transcends mere moral commentary, providing a binding constitutional framework capable of disciplining market forces and protecting natural capital.

Conclusion

This study set out to fill the epistemological gap between escalating socio-ecological degradation and the functional stagnation of contemporary Islamic environmental jurisprudence (*fiqh al-bi'ah*) by reconstructing an operational natural resource governance framework grounded in Prophetic historical precedents. Through a historical-normative analysis of classical jurisprudential literature, the findings demonstrate that early Islamic statecraft established a definitive legal mechanism for natural resource governance. Specifically, the Prophetic revocation of Abyad bin Hammal's salt mining concession and the institutionalization of the *ḥimā Al-Naqī* conservation zone confirm that mining permits in Islamic law do not constitute absolute or perpetual private property rights; rather, they function as conditional public trusts (*amānah*) subject to mandatory state revocation if proven to jeopardize public access or ecological equilibrium.

Within the methodological scope of historical-normative jurisprudence, these findings offer a significant paradigmatic reorientation for *maqāṣid al-sharī'ah* in environmental policy. Theoretically, this research displaces the conventional capitalistic interpretation of *ḥifẓ al-māl*, historically restricted to financial asset protection, in favor of preserving natural capital as a fundamental prerequisite for human survival. Conceptually, ecological interest (*al-maṣlaḥah al-bī'iyyah*) is elevated from a secondary policy variable to an authoritative "ecological veto right" capable of nullifying destructive economic activities. When translated into contemporary regulatory governance, this jurisprudence provides a conceptual rationale for transitioning from automatic mining permit renewals to periodic evaluation mechanisms, internalizing strict liability through upfront ecological bonds (*al-kharāj bi al-ḍamān*), and enforcing absolute non-extraction zones in critical ecological catchment areas.

Despite these conceptual contributions, several limitations circumscribe the boundaries of this study. Methodologically, as a qualitative historical-normative inquiry, this research relies primarily on the hermeneutical extraction (*takhrīj al-manāṭ*) of classical texts and early Prophetic precedents, which does not encompass the dynamic evolution of mining regulations across later Islamic empires. Analytically, while the study establishes the normative-legal rationale for an ecological veto, it does not provide quantitative or financial metrics for quantifying environmental degradation or calculating sharia-compliant indemnity valuations (*ḍamān*). Furthermore, the scope remains strictly focused on normative legal framework design, without empirically evaluating the complex political-economy constraints and corporate lobby pressures that modern governments face during implementation. Consequently, future research should bridge these limitations by developing quantitative models for sharia-compliant ecological guarantee funds, conducting comparative empirical studies on mineral governance across contemporary Muslim-majority states, and investigating the socio-political dynamics of operationalizing Islamic ecological veto mechanisms within modern positive legal systems.

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