ISLAMIC LAW AND THE ENVIRONMENT: SOME BASIC PRINCIPLES

Dr Omar A Bakhashab*

THE DIVINE RATIONALE FOR THE EXISTENCE OF MANKIND ON EARTH

The Almighty, praise be unto Him and glory, created Man and placed him on this Earth, providing him with the capability to make use of its resources. This is referred to in the Holy Quran:

... It is He Who hath produced you from the earth and settled you therein ... (11:61).

It is He Who had made the earth manageable for you, so traverse ye through its tracts and enjoy of the sustenance which He furnishes: but unto Him is the resurrection ... (67:15).

Man was created and placed on Earth to settle thereon and to make use of its resources but for a certain time only, until the Lord comes to redeem the Earth and that which is on it.¹

Indeed, all things including the Earth and all its resources are owned by the Lord, as stated in the following verse:

To Him belongs what is in the heavens and on earth and all between them, and all beneath the soil. (20:6.)

The Lord created the Heavens and the Earth and all that is between them and entrusted its creation to Man, making him its steward, as is stated in the following verse:

Behold, thy Lord said to the angels: "I will create a viceroy on earth". They said "Will Thou place therein one who will make mischief therein and shed blood?—Whilst we do celebrate Thy praises and glorify Thy holy (name)?" He said: "I know what ye know not" (2:30).

In so doing, the Almighty gave Man authority over all things created by Him, for his welfare and benefit.²

It is We Who have placed you with authority on the earth, and provided you therein with means for the fulfilment of your life ... (7:10).

The Holy Quran indicates that the Almighty ordered Man to settle on the face of the Earth and to build dwelling places in which to find shelter, and to procreate and benefit from that which is to be found on Earth, caring for it generation upon generation, until the Lord redeems the Earth and that which is upon it. This is the divine rationale for the existence of mankind on the face of this planet.

And remember how He made you viceroys after A'ad and gave you station in the earth. Ye choose castles in the plains and hew the mountains into dwellings. So remember (all) the bounties of Allah and do not evil, making mischief in the earth (7:74).

* P.O. Box No—9219, Jeddah, Saudi Arabia.
¹ Al-Tabari, Jami' al-Bayan, Cairo, 1373 AH/1953.
THE SOURCE OF MAN'S DUTIES TOWARDS THE NATURAL ENVIRONMENT

By bestowing upon Man such benefits and authority, the Lord honoured Man above all other creatures, as indicated in the following verse:

We have honoured the sons of Adam; provided them with transport on land and sea, given them for sustenance things good and pure; and conferred on them special favours, above a great part of our Creation . . . (17 : 70).

This in turn generates an obligation upon, and a commitment of Man to shoulder his responsibilities with regard to the Lord's creation, to preserve and conserve the natural environment, and to make it a source of welfare for all of the Lord's creatures.

And whereas Man has been given the privilege to benefit from the resources to be found on Earth and those which are stored within it, he is also bound by the Lord to preserve all the resources which the Lord has provided for his use. Reference is made to this in the Holy Book: "He it is who hath placed you as viceroy of the earth . . ." (6 : 165).

All that can be seen in the universe is an expression of the greatness of the Creator; indeed the universe has been made according to God's divine plan. The planets, including the Earth, move in a precise and definite pattern and on the Earth night follows day regularly. The heat of the sun evaporates waters from the oceans and rivers; through the atmosphere they are carried by the winds in the form of rain which succours God's creatures from the torments of thirst and waters the earth to produce food. The Holy Quran refers in elaborate detail to many of these phenomena and to their importance.

He merges night into day, and He merges day into night; and he has full knowledge of the secrets of (all) hearts. (57 : 6.)

And we send the fecundating winds, then caused the rain to descend from the sky, therewith providing you with water (in abundance) though ye are not the guardians of its store. (15 : 22.)

The interaction of all these factors, in accordance with rules established by the Almighty, guarantees the continuity of life on Earth.

If Man looks about him and considers everything which surrounds him on Earth, he will observe that he lives in constant interaction with other forms of life and the physical elements of the environment, each of these components contributing to the functioning and balance of nature. This is referred to in the Holy Book:

And the Earth we have spread out (like a carpet); set thereon mountains firm and immovable, and produced therein all kinds of things in due balance. (15 : 19.)

The Almighty also created the universe for Man to explore it, in order that by doing so, he should discover the majesty and greatness of the Creator in His guidance of this universe, and in the laws and rules governing its proper functioning.

The subjection of Man to the Heavens and Earth and all that lies between them is

3 Ibid.
5 See al-kassany, Badai' al-Sanai' fi Tarikh al-Sharai', Cairo, 1327 AH/1907.