

Eco-Governance *Fiqh* and Urban Waste Management: A Critical Study of Environmental Policy in Yogyakarta

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Abstract

Urban waste is conventionally framed as residual material subject to technical management; however, it constitutes a vital element of the urban ecological system. Focusing on Yogyakarta City, this study examines how environmental policy and Islamic legal reasoning in this context construct, justify, and address urban waste governance. Employing a critical legal studies approach to expose the contingent and ideological underpinnings of legal rationality, the analysis reveals that existing governance structures are marked by a fragmented and anthropocentric paradigm emphasizing managerial efficiency, immediacy, and the preservation of urban order. Within this framework, the concept of *maṣlahah* (public interest) operates as a justificatory dispositive that normalizes, defers, and conceals environmental harm, thereby producing what the article terms pseudo-environmental justification. This mode of reasoning reduces complex ecological relationships to administratively manageable units, effectively displacing systemic accountability. The article advances the concept of eco-governance *fiqh* (*fiqh al-ḥawkamah al-bi'iyah*) as a critical and constructive intervention. Rather than offering a purely normative extension of *fiqh al-bi'ah* (ecological *fiqh*), this framework reconceptualizes Islamic legal reasoning as an epistemic practice oriented toward ecological relationality, systemic interdependence, and accountability. By situating Islamic jurisprudence within broader discourses of law, power, and ecology, the study contributes to reimagining environmental governance beyond technocratic and anthropocentric constraints.

[Sampah perkotaan secara konvensional dipahami sebagai material sisa yang tunduk pada pengelolaan teknis. Padahal, ia merupakan elemen penting dalam sistem ekologi perkotaan. Dengan berfokus pada Kota Yogyakarta, penelitian ini mengkaji bagaimana kebijakan lingkungan dan penalaran hukum Islam dalam konteks tersebut membentuk, melegitimasi, dan merespons tata kelola sampah perkotaan. Dengan menggunakan pendekatan critical legal studies untuk mengungkap landasan kontingen dan ideologis dari rasionalitas hukum, analisis ini menunjukkan bahwa struktur tata kelola yang ada ditandai oleh paradigma yang terfragmentasi dan antroposentris, yang menekankan efisiensi manajerial, kecepatan respons, serta pemeliharaan keteraturan perkotaan. Dalam kerangka ini, konsep *maṣlahah* berfungsi sebagai dispositif justifikatif yang menormalisasi, menunda, dan menyamarkan kerusakan lingkungan, sehingga menghasilkan apa yang dalam artikel

ini disebut sebagai pseudo-justifikasi lingkungan. Pola penalaran ini mereduksi relasi ekologis yang kompleks menjadi unit-unit yang dapat dikelola secara administratif, yang pada akhirnya menggeser akuntabilitas sistemik. Artikel ini mengajukan konsep fikih tata kelola ekologis (fiqh al-hawkamah al-bi'iyah) sebagai intervensi kritis sekaligus konstruktif. Alih-alih sekadar merupakan perluasan normatif dari fikih ekologi (fiqh al-bi'ah), kerangka ini mekonseptualisasi ulang penalaran hukum Islam sebagai praktik epistemik yang berorientasi pada relasionalitas ekologis, interdependensi sistemik, dan akuntabilitas. Dengan menempatkan yurisprudensi Islam dalam diskursus yang lebih luas mengenai hukum, kekuasaan, dan ekologi, penelitian ini berkontribusi pada upaya membayangkan kembali tata kelola lingkungan melampaui batas-batas teknokratis dan antroposentris.]

Keywords: Eco-Governance *Fiqh*, Environmental Policy, Islamic Environmental Law, Urban Waste Management, Yogyakarta City.

Introduction

The global discourse on environmental issues has progressively transitioned from perceiving ecological degradation as a purely technical challenge to recognizing it as a systemic crisis embedded within political, economic, and social frameworks.¹ Urban waste, in particular, has become a focal point of scholarly debate, where concerns related to sustainability, governance, and justice converge.² Researchers in environmental studies and urban governance contend that waste is not simply a byproduct of consumption but a fundamental component of urban ecological systems, reflecting patterns of inequality, regulatory shortcomings, and unsustainable development. While certain approaches prioritize technological innovations and policy efficiency,³ others emphasize the structural and epistemological constraints inherent in prevailing waste management paradigms.⁴ Critical perspectives underscore how dominant frameworks frequently normalize environmental harm by portraying it as an unavoidable consequence of urbanization,⁵ thereby concealing its systemic character. This tension exposes a broader theoretical divide between technocratic and critical approaches, prompting essential questions regarding the conceptualization, governance, and justification of environmental harm in contemporary urban settings.⁶

¹ W. Neil Adger et al., “Advancing a Political Ecology of Global Environmental Discourses,” *Development and Change* 32, no. 4 (September 2001): 681–715; Christoph Görg et al., “Challenges for Social-Ecological Transformations: Contributions from Social and Political Ecology,” *Sustainability* 9, no. 7 (June 2017): 1045.

² Erik Swyngedouw and Nikolas C. Heynen, “Urban Political Ecology, Justice and the Politics of Scale,” *Antipode* 35, no. 5 (November 2003): 898–918.

³ Jochen Monstadt, “Conceptualizing the Political Ecology of Urban Infrastructures: Insights from Technology and Urban Studies,” *Environment and Planning A: Economy and Space* 41, no. 8 (August 2009): 1924–42; Steffen Lehmann, “Optimizing Urban Material Flows and Waste Streams in Urban Development through Principles of Zero Waste and Sustainable Consumption,” *Sustainability* 3, no. 1 (January 2011): 155–83.

⁴ Rachael E. Marshall and Khosrow Farahbakhsh, “Systems Approaches to Integrated Solid Waste Management in Developing Countries,” *Waste Management* 33, no. 4 (April 2013): 988–1003; Markus M. Bugge, Arne Martin Fevolden, and Antje Klitkou, “Governance for System Optimization and System Change: The Case of Urban Waste,” *Research Policy* 48, no. 4 (May 2019): 1076–90.

⁵ See: Erik Swyngedouw, “Urbanization and Environmental Futures: Politicizing Urban Political Ecologies,” in *The Routledge Handbook of Political Ecology* (London: Routledge, 2015).

⁶ Ryan Holifield, “Actor-Network Theory as a Critical Approach to Environmental Justice: A Case against Synthesis with Urban Political Ecology,” *Antipode* 41, no. 4 (September 2009): 637–58; Rajyashree N. Reddy,

Within the field of Islamic legal studies, environmental concerns have garnered increasing scholarly attention through the development of *fiqh al-bi'ah* (ecological *fiqh*),⁷ which aims to establish normative principles for environmental protection.⁸ Nevertheless, existing scholarship often remains predominantly anthropocentric, emphasizing human interests while insufficiently addressing the intricate interdependence within ecological systems. This limitation is especially apparent in the context of waste management, where legal reasoning tends to concentrate on issues of cleanliness, prohibition, and individual responsibility, rather than on broader systemic ecological impacts. Although concepts such as *maqāṣid al-sharī'ah* (the higher objectives of Islamic law) have been invoked to support environmental protection,⁹ their application frequently lacks critical engagement with long-term ecological consequences. Consequently, environmental harm may be inadvertently legitimized through interpretations that prioritize immediate utility over sustainability. This situation necessitates a re-examination of Islamic legal reasoning, not only in terms of its normative principles but also regarding its epistemological foundations, particularly with respect to how environmental issues are conceptualized, assessed, and addressed.

In Indonesia, the issue of urban waste management has become increasingly critical, reflecting the rapid urbanization and the constraints of current governance frameworks.¹⁰ Despite the introduction of numerous regulatory instruments at both national and regional levels, waste management continues to encounter persistent challenges, such as landfill overcapacity, uneven distribution of services, and community opposition.¹¹ These challenges extend beyond technical difficulties, highlighting deeper structural and conceptual deficiencies in environmental governance. Yogyakarta City represents a particularly salient case, as it exemplifies both progressive regulatory efforts and significant ecological pressures.

“The Urban Under Erasure: Towards a Postcolonial Critique of Planetary Urbanization,” *Environment and Planning D: Society and Space* 36, no. 3 (June 2018): 529–39; Adrienne Showalter Matlock and Jacob E. Lipsman, “Mitigating Environmental Harm in Urban Planning: An Ecological Perspective,” *Journal of Environmental Planning and Management* 63, no. 3 (February 2020): 568–84.

⁷ See: Muḥammad Jabbār Hāshim, *Fiqh al-Bi'ah fī al-Sharī'ah al-Islāmiyyah* (Kufa: University of Kufa, 2011); 'Abd al-Raḥmān ibn 'Umar al-Suḥaybānī, *Aḥkām al-Bi'ah fī al-Fiqh al-Islāmī* (Saudi Arabia: Dār Ibn al-Jawzī, 2008).

⁸ See: Samira Idlallène, *Rediscovery and Revival in Islamic Environmental Law: Back to the Future of Nature's Trust*, 1st ed. (Cambridge University Press, 2021).

⁹ Nur Wahida Md Taha, Betania Kartika Muflih, and Mohammad Aizat Jamaludin, “Environmental Preservation from Maqasid Shariah and Islamic Perspective: A Literature Review,” *Amorti: Jurnal Studi Islam Interdisipliner* 4, no. 1 (January 2025): 1–8; M. Khusnul Khuluq and Asmuni Asmuni, “Hifz al-Bi'ah as Part of Maqashid al-Shari'ah and Its Relevance in the Context of Global Climate Change,” *Indonesian Journal of Interdisciplinary Islamic Studies (IJIS)* 7, no. 2 (2024): 161–78.

¹⁰ Jean-Jacques Dethier, “Trash, Cities, and Politics: Urban Environmental Problems in Indonesia,” *Indonesia*, no. 103 (2017): 73–90; Reza Darma Al Fariz et al., “Good Environmental Governance Roles in Sustainable Solid Waste Management in Indonesia: A Review,” *Journal of Community Based Environmental Engineering and Management* 8, no. 8 (March 2024): 45–56.

¹¹ Abeer Abdalnabi Ali et al., “Transformative Solutions in the Global South: Addressing Solid Waste Management Challenges in Jakarta Through Participation by Civil Society Organizations?,” in *Environmental Governance in Indonesia*, vol. 61, ed. Annisa Triyanti et al., Environment & Policy (Cham: Springer International Publishing, 2023), 329–51; Setyo Widagdo and Syahriza Alkohir Anggoro, “Combating Ocean Debris: Marine Plastic Pollution and Waste Regulation in Indonesia,” *The International Journal of Marine and Coastal Law* 37, no. 3 (April 2022): 458–92; Dikhorr Afnan et al., “Community Empowerment Model in the Refuse-Derived Fuel Waste Management Program in Indonesia,” *Cleaner Waste Systems* 12 (December 2025): 100364.

While the city has implemented various policies aimed at waste reduction and sustainability promotion,¹² recurrent waste crises underscore the limitations of these measures in addressing systemic ecological imbalances.¹³ The simultaneous presence of regulatory innovation and environmental degradation renders Yogyakarta City a valuable empirical context for analyzing the construction, implementation, and contestation of environmental policy within a complex urban environment.

This study identifies a significant gap in both environmental governance and Islamic legal scholarship: the lack of a comprehensive framework that adequately reflects the ecological complexity inherent in urban waste management. Current approaches often treat waste as an isolated issue, neglecting its integration within broader ecological systems. To address this deficiency, the study proposes the concept of eco-governance *fiqh (fiqh al-hawkamah al-bi'iyah)* as an innovative theoretical framework that reconceptualizes the environment as an interconnected ecological order. In doing so, it introduces eco-legal *fiqh* reasoning as a critical analytical tool to examine how Islamic legal norms and policy frameworks engage with environmental challenges. The originality of this research lies in its synthesis of socio-legal critique with Islamic jurisprudential theory, thereby reorienting legal reasoning toward a systemic, *maqāṣid*-based paradigm. Consequently, the study seeks to critically analyze the construction and justification of environmental policy in urban waste governance, contributing to the advancement of a more ecologically grounded approach within Islamic law.

Research Methodology

The Study Context

This study is conducted in Yogyakarta City, Special Region of Yogyakarta (*Daerah Istimewa Yogyakarta*, DIY) (see Figure 1), a major urban center in Indonesia characterized by rapid urbanization, high population density, and dynamic socio-cultural interactions.¹⁴ Renowned for its educational institutions, tourism activities, and cultural heritage, Yogyakarta City faces increasing pressure on its environmental infrastructure, particularly in waste management.¹⁵ The escalating volume of urban waste, coupled with limited landfill capacity and recurrent waste crises, highlights systemic challenges in environmental governance. Concurrently, Yogyakarta City has developed a relatively comprehensive regulatory framework,

¹² Nursamsiyah Nursamsiyah and Zuly Qodir, "The Strategy of the Yogyakarta City Government in Implementing a Sustainable Zero Inorganic Waste Policy," *Society* 12, no. 2 (November 2024): 167–92; K. N. Fitriana et al., "Policy Innovations for Sustainable Waste Management in Yogyakarta City," *IOP Conference Series: Earth and Environmental Science* 1556, no. 1 (November 2025): 012083.

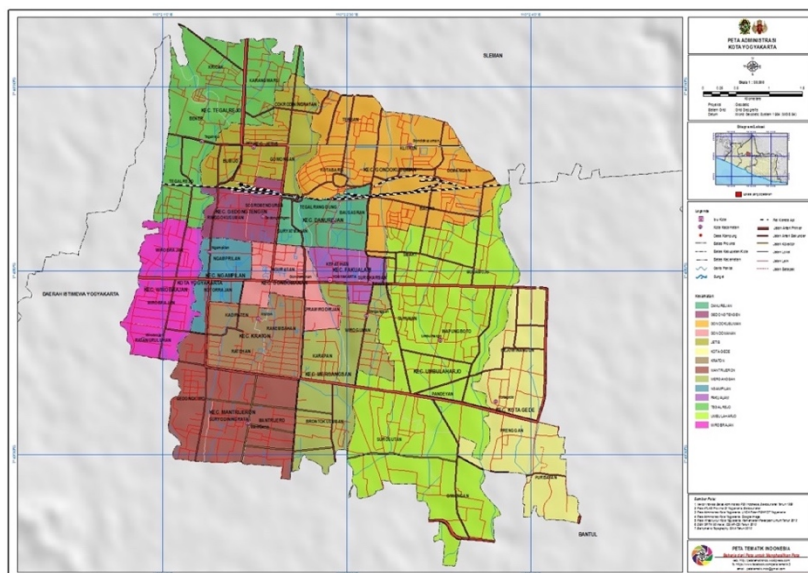
¹³ Ilham Agustian Candra, "From Waste to Crisis: The Environmental Security Implications of Jogja Waste Emergency," *Políticos: Jurnal Politik dan Pemerintahan* 5, no. 1 (March 2025): 57–70.

¹⁴ Bambang Hari Wibisono and Alfian Yoga Sulistya, "Contemporary Urban Development of Yogyakarta Municipality's Peri-Urban Areas," *World Review of Science, Technology and Sustainable Development* 18, no. 2 (2022): 135; I. Dewa Putu Wijana and Adwidya Yoga, "Exploring Approaches and Motivations of Plays on Words in Enterprise Names in Yogyakarta," *Jurnal Arbitrer* 12, no. 1 (March 2025): 44.

¹⁵ Gregorius Andika Ariwibowo and Indra Fibiona, "Sustainable Urban Cultural Heritage Policy in the City of Yogyakarta, Indonesia," *Journal of Heritage Management* 10, no. 1 (June 2025): 67–85; Leksono Probo Subanu, "Governing Urban Development in Dualistic Societies: A Case Study of the Urban Region of Yogyakarta, Indonesia," in *Sustainable City Regions*, vol. 7, ed. Tetsuo Kidokoro et al., cSUR-UT Series: Library for Sustainable Urban Regeneration (Tokyo: Springer Japan, 2008), 41–60.

encompassing local bylaws, mayoral regulations, and provincial policies aimed at addressing waste management (see Table 2). This interplay of regulatory innovation and persistent ecological challenges renders Yogyakarta City a critical site for examining the construction, implementation, and contestation of environmental policy within an urban ecological system.

Figure 1
Location of Study Area



Source: petatematikindo.wordpress.com (2013).

Data Collection

This study utilizes in-depth interviews and document analysis as complementary data sources to capture both empirical practices and normative frameworks in urban waste governance. In-depth interviews were chosen to obtain nuanced, experience-based insights from actors directly involved in or affected by waste management policies. Informants were purposively selected to represent diverse yet interconnected perspectives within the governance ecosystem, including state officials, community actors, environmental activists, and waste management practitioners (see Table 1). This diversity is crucial for elucidating how environmental policy is interpreted, implemented, and contested across institutional and social contexts, as well as how Islamic legal reasoning is articulated in practice.

Table 1
Categories of Informants

| Informant Category | Sex | Interview Date | Code | Interview Location |
|-------------------------------|-----|-------------------|------|--------------------|
| Government Official | M | January 20, 2025 | SH | Office |
| Municipal Police Officer | M | February 10, 2025 | AH | Office |
| City Environmental Service | F | October 28, 2024 | SW | Office |
| City Cultural Service | M | November 17, 2024 | BA | City Park |
| Waste Management Practitioner | F | January 21, 2025 | IU | Office |
| Environmental Activist | F | December 7, 2024 | WS | Cafe |
| Religious Figure | M | January 15, 2025 | IK | Home |

Source: Data were compiled from interviews with informants.

Concurrently, a document analysis was undertaken to investigate the formal legal and normative frameworks that influence waste governance. The documents selected for this analysis comprised regional regulations, gubernatorial, and mayoral policies, as well as religious directives, notably the Indonesian Ulama Council's (*Majelis Ulama Indonesia*, MUI) fatwa on waste management (refer to Table 2). These documents were chosen due to their legal authority, policy significance, and normative impact on environmental governance structures. By integrating state regulations with religious texts, this study elucidates the interplay between formal legal systems and Islamic normative frameworks, thereby facilitating a more comprehensive socio-legal examination of urban waste governance.

Table 2
List of Analyzed Legal and Policy Documents

| Document Type | Title |
|-----------------------|---|
| Provincial Regulation | Governor Regulation of DIY No. 21 of 2014 on Waste Management Guidelines |
| Local Regulation | Regional Regulation of Yogyakarta City No. 10 of 2012 on Waste Management |
| | Regional Regulation of Yogyakarta City No. 1 of 2022 on Amendments to Regional Regulation of Yogyakarta City No. 10 of 2012 on Waste Management |
| Mayoral Regulation | Yogyakarta Mayoral Regulation No. 40 of 2024 on Reducing of Single-Use Plastic Waste Generation |
| | Yogyakarta Mayoral Regulation No. 67 of 2018 on Waste Management Strategy |
| Religious Fatwa | MUI Fatwa No. 47 of 2014 on Waste Management |

Source: Documents collected by the authors.

Research Approach

This study employs a critical legal studies framework to examine environmental governance and Islamic legal reasoning. Critical legal studies is utilized to reveal that legal frameworks are not neutral instruments but are embedded within power relations, ideological assumptions, and socio-political and economic contexts.¹⁶ Applied to urban waste governance, this approach facilitates a critical analysis of the construction and justification of environmental policies, particularly through the concept of public interest (*maṣlaḥah*) and how such justifications may obscure systemic ecological harm. The integration of critical legal studies with Islamic legal analysis addresses a notable gap in the existing literature, which seldom engages critical legal theory in dialogue with Islamic jurisprudence. While prior research on Islamic environmental law often emphasizes normative principles, it frequently lacks a critical investigation of how legal reasoning functions within practical governance structures. This study fills this gap by situating Islamic legal reasoning within a broader socio-legal context, thereby enabling a more nuanced analysis of the interplay among state regulation, religious authority, and ecological realities. Consequently, the proposed methodological framework not only enhances the analytical rigor of the study but also contributes to the advancement of a more critically engaged and contextually grounded approach to Islamic environmental jurisprudence.

¹⁶ Frank Munger and Carroll Seron, “Critical Legal Studies versus Critical Legal Theory: A Comment on Method,” *Law & Policy* 6, no. 3 (July 1984): 257–97; Vincentius Setyawan and Bariah Safrut, “Rethinking Law and Justice: The Core Principles of Critical Legal Studies against Legal Formalism,” *Nusantara: Journal of Law Studies* 4, no. 2 (October 2025): 74–85.

Data Analysis

This study employs a triangulation approach in data analysis to enhance the validity and depth of interpretation across multiple data sources. The initial phase involves data reduction, wherein interview transcripts and documentary materials are systematically organized and categorized according to key themes such as environmental policy, ecological impacts, and legal reasoning. This process refines the data into analytically meaningful units while maintaining empirical complexity. Subsequently, data display is conducted through thematic narratives and comparative matrices, facilitating the identification of patterns, inconsistencies, and relationships among regulatory frameworks, empirical practices, and religious discourses. This stage enables a comprehensive understanding of waste governance in both normative and practical dimensions. The analysis then advances to interpretation, employing the conceptual framework of eco-governance *fiqh (fiqh al-hakamah al-bi'iyah)*. This involves a critical examination of how environmental harm is constructed, how claims of *maslahah* are justified, and how policy frameworks address the systemic nature of ecological disruption. Finally, conclusions are drawn by synthesizing these insights to reveal systemic gaps between legal regulations and ecological sustainability, emphasizing the persistence of anthropocentric bias and the normalization of long-term environmental harm within urban waste governance.

Eco-Governance *Fiqh*: A Conceptual Framework

The development of *fiqh al-bi'ah* represents a significant advancement in articulating Islamic legal perspectives on environmental protection.¹⁷ Nevertheless, its analytical framework often remains restricted to a normative and issue-specific approach that treats environmental problems as isolated and fragmented phenomena. Within the realm of environmental governance, particularly in urban waste management, this approach tends to prioritize considerations of permissibility, cleanliness, and individual responsibility, while inadequately addressing the systemic dimensions of ecological disruption. Consequently, environmental harm is frequently conceptualized in localized and immediate terms rather than as manifestations of a broader ecological imbalance. This limitation reflects an underlying anthropocentric orientation, wherein environmental concerns are primarily framed in relation to *maslahah*,¹⁸ rather than as components of an interconnected ecological system. As a result, *fiqh al-bi'ah* remains insufficiently equipped to confront complex environmental challenges that are inherently systemic, relational, and long-term in nature.

In addressing these limitations, this study introduces the notion of *fiqh al-hakamah al-bi'iyah* as a conceptual framework that reconceptualizes the environment as an interconnected ecological system characterized by interdependence, balance, and continuity. This perspective aligns with broader ecological thought, which emphasizes the relational and

¹⁷ See: Richard Foltz, Frederick Mathewson Denny, and Azizan Haji Baharuddin, eds., *Islam and Ecology: A Bestowed Trust*, Religions of the World and Ecology (Cambridge, Mass: Center for the Study of World Religions, Harvard Divinity School: Distributed by Harvard University Press, 2003).

¹⁸ See: Mawil Izzi Dien, *The Environmental Dimensions of Islam* (Cambridge: The Lutterworth Press, 2000).

systemic nature of environmental processes.¹⁹ Within this framework, environmental issues are not regarded as isolated legal problems but as manifestations of disturbances within a wider ecological justice order.²⁰ Specifically, in the context of urban environmental governance—particularly waste management—eco-governance *fiqh* shifts the analytical focus from individual actions to systemic processes, including production, consumption, circulation, and disposal. By emphasizing the principle of good governance, this framework provides a more holistic and dynamic approach to analyzing environmental governance, thereby bridging the divide between normative legal reasoning and ecological complexity.

The significance of eco-governance *fiqh* is particularly pronounced in the analysis of urban waste governance, where environmental challenges are inherently systemic and cumulative. Contemporary research in urban political ecology has established that waste constitutes a fundamental component of the ecological metabolism of cities, influencing environmental quality, public health, and social inequality.²¹ Conventional legal frameworks that emphasize short-term solutions or localized interventions frequently fail to address these interconnected effects comprehensively.²² In contrast, *fiqh al-ḥanḳamah al-bi'iyah* facilitates a transition toward long-term, sustainability-focused analysis by prioritizing the prevention of systemic harm and the maintenance of ecological balance. Moreover, it offers a critical perspective for reevaluating the application of *maṣlahah* in environmental policy, especially when short-term advantages are employed to justify practices that result in long-term ecological degradation. Consequently, this framework is indispensable for revealing the structural contradictions inherent in urban waste governance and for redirecting legal reasoning toward principles of sustainability and ecological interdependence.

In this study, eco-governance *fiqh* is employed as an analytical framework to guide the interpretation of both empirical data and normative sources. It operates in conjunction with eco-legal *fiqh* reasoning to critically assess the construction, justification, and implementation of environmental policies within the context of urban waste governance. This entails an examination of regulatory frameworks, stakeholder perspectives, and religious discourses to elucidate how environmental harm is conceptualized, how claims of *maṣlahah* are articulated, and how systemic ecological impacts are either addressed or neglected. This approach aligns with critical legal scholarship that highlights the role of law in shaping and legitimizing eco-social transition.²³ Through this operationalization, eco-governance *fiqh* facilitates a transition

¹⁹ Leonid Melnyk et al., “Navigating Sustainability and Ecosystem Management Through a Systemic Lens: Core Principles,” in *Ecosystem Management*, 1st ed., ed. Arnab Banerjee et al. (Wiley, 2024), 353–96.

²⁰ Anne Stephens, Ann Taket, and Monica Gagliano, “Ecological Justice for Nature in Critical Systems Thinking,” *Systems Research and Behavioral Science* 36, no. 1 (February 2019): 3–19; Bambang Wahyudi et al., “Ecological Justice in Islamic Family Law: Integrating Maqasid al-Shari’ah with Environmental Ethics in Post-Pandemic Societies,” *Islamic Law and Social Issues in Society* 1, no. 2 (October 2025): 160–84.

²¹ See: Nik Heynen, Maria Kaika, and Erik Swyngedouw, eds., *In the Nature of Cities: Urban Political Ecology and the Politics of Urban Metabolism* (London: Routledge, 2006); Sashi Kirana H et al., “Social Perceptions of Health in Urban and Rural Indonesia,” *Jurnal Pendidikan Sosial Indonesia* 3, no. 3 (February 2026): 153–62.

²² Achmad Alfian Kurniawan and Istiqomah Fadlillah, “From Anthropocentric to Ecocentric Jurisprudence: A Maqasid-Based Reconstruction of Islamic Environmental Ethics toward Intergenerational Equity,” *Al’Adalah* 28, no. 2 (December 2025): 105–26.

²³ João Telésforo, “Towards an Insurgent Ecological Law: Limits and Potentials of Law as an Instrument to a Just Eco-Social Transition,” *Revista Direito e Práxis* 15, no. 3 (September 2024): e86411.

from descriptive analysis to a critical engagement with the underlying assumptions and rationalities that inform environmental governance.

The eco-governance *fiqh* is significant not only for its analytical capabilities but also for its normative and transformative orientation. By incorporating systemic ecological awareness within a *maqāṣid*-based framework, it broadens the scope of Islamic legal reasoning beyond the protection of immediate human interests to include the preservation of ecological integrity as a fundamental objective. This shift aligns with broader movements in environmental ethics advocating a transition from anthropocentric to ecocentric paradigms.²⁴ In doing so, eco-governance *fiqh* challenges the epistemological foundations of conventional legal reasoning and advances a more relational, sustainability-oriented approach to Islamic jurisprudence. Consequently, it constitutes not merely a conceptual innovation but a critical intervention aimed at harmonizing Islamic legal thought with the imperatives of ecological justice and long-term environmental sustainability.²⁵

Fragmented Environmental Governance and the Constraints of Regulatory Frameworks

The governance of urban waste in Yogyakarta City, when analyzed through both regulatory documents and empirical practices, demonstrates persistent fragmentation that cannot be sufficiently attributed to mere administrative inefficiency. Instead, this fragmentation reflects deeper structural and epistemological limitations inherent in the legal framework governing environmental management. At the formal level, the regulatory framework appears comprehensive. The Regional Regulation of Yogyakarta City No. 10 of 2012 establishes a foundational legal structure delineating responsibility for waste reduction, handling, and community participation. This framework is further reinforced by the Regional Regulation of Yogyakarta City No. 1 of 2022, which introduces revisions aimed at strengthening institutional roles and enhancing waste governance outcomes. Although these regulations ostensibly indicate a commitment to integrated waste management, as stated by SH, a closer examination reveals that such integration is confronted with challenges related to complexity.

Data concerning illegal waste dumping in Yogyakarta City during the 2023-2024 period reveal consistent enforcement of regulations targeting both local and non-local offenders. In 2023, a total of 45 violations were documented, with the majority (34 individuals) originating from within Yogyakarta City and 11 from outside the city. These incidents predominantly occurred along strategic thoroughfares, including Jl. Kusumanegara, Jl. Magelang, Jl. K.H. Dahlan, and in front of SMA 9, Yogyakarta. Penalties for these violations ranged from IDR 40,000 to IDR 400,000, accompanied by subsidiary sanctions lasting between one and seven days. In 2024, the number of recorded violations decreased to 20, comprising 11 local and 9

²⁴ See: Seyyed Hossein Nasr, *Religion and the Order of Nature* (New York Oxford: Oxford University Press, 1996).

²⁵ Muhammad Wahdini, Kamsi Kamsi, and Hasse Jubba, "Environmental Governance in Indonesia: Muhammadiyah's Role, State Intervention, and Legal Practice Dynamics," *Syariah: Jurnal Hukum dan Pemikiran* 24, no. 1 (May 2024): 189–205; Ihyani Malik et al., "Gender Analysis in the Islamic Law-Based Ecofeminism Movement for Ecosystem Protection," *El-Mashlahah* 15, no. 1 (June 2025): 101–24; Handoko Handoko, Sheena Kaur, and Lau Su Kia, "Cultivating Sustainability: A Cultural Linguistic Study of Minangkabau Environmental Proverbs," *Jurnal Arbitrer* 11, no. 1 (April 2024): 72–84.

non-local violators. Key locations for these infractions included Jl. Ringroad Giwangan, Demangan, Jl. Mangunsarkoro, and Jl. Wongsodirjan. Fines ranged from IDR 50,000 to IDR 400,000, with subsidiary sanctions similarly spanning one to seven days. Over the two-year period, total fines collected amounted to IDR 11,590,000. As illustrated in Table 3, despite ongoing enforcement efforts, illegal waste dumping persists at high-traffic and strategically significant sites. These findings highlight the necessity for enhanced waste management strategies, increased public awareness initiatives, and intensified monitoring in areas identified as vulnerable to violations.

Table 3
Data on Illegal Waste Disposal Violations in Yogyakarta City (2023-2024)

| Year | Violations | | Fines (IDR) | Total Fines Collected (IDR) |
|---|-----------------|-----------------------|----------------|-----------------------------|
| | Local Offenders | Out-of-Town Offenders | | |
| 2023 | 34 | 11 | 40,000-400,000 | 10,240,000 |
| 2024 | 20 | 9 | 50,000-400,000 | 1,350,000 |
| The total fines collected over the two-year period | | | | 11,590,000 |

Source: Authors' compilation based on archival documents (2023-2024).²⁶

The fragmentation is apparent in the structuring of regulatory provisions. Waste reduction and waste management are treated as separate domains, each governed by distinct mechanisms and institutional responsibilities. While the Regional Regulation of Yogyakarta City No. 10 of 2012 underscores the importance of waste reduction at the source, it concurrently places considerable operational emphasis on downstream processes such as collection, transportation, and final disposal. This dual framework generates a tension between preventive and reactive approaches, with the latter frequently prevailing in practice. The Regional Regulation of Yogyakarta City No. 1 of 2022 seeks to address this imbalance by enhancing community participation and waste reduction initiatives. However, it does not fundamentally transform the underlying segmentation of governance functions. Instead, it perpetuates a layered system in which multiple actors operate within parallel, rather than integrated frameworks.²⁷

The Governor Regulation of DIY No. 21 of 2014 further reinforces this structural fragmentation by establishing guidelines on waste management, licensing, and environmental compensation. Although the regulation introduces mechanisms aimed at improving coordination, its primary emphasis remains procedural. Detailed provisions concerning licensing requirements, administrative compliance, and compensation schemes operate within a technocratic framework that prioritizes regulatory order over ecological integration. This focus on compliance fosters an appearance of effective governance, yet it largely neglects the systemic dynamics of waste generation and its ecological consequences. At the municipal level, the Yogyakarta Mayoral Regulation No. 67 of 2018 and Yogyakarta Mayoral Regulation No. 40 of 2024 exemplify this approach. These regulations set forth ambitious objectives, including specific targets for waste reduction and enhancements in service

²⁶ "Data on Illegal Waste Disposal Violations in Yogyakarta City," 2023-2024.

²⁷ Supratiwi Supratiwi, "Community Participation in Sustainable Waste Management in Yogyakarta City," *Proceeding International Conference on Health Science and Technology* 1 (November 2025): 438-45.

delivery. Nonetheless, their underlying operational logic is grounded in managerial rationality. Waste is framed primarily as a problem requiring efficient management, rather than as an indicator of broader ecological imbalances.²⁸ The emphasis on quantifiable outcomes—such as the volume of waste collected or processed—reinforces a performance-oriented framework that prioritizes short-term accomplishments over long-term sustainability.²⁹

Empirical evidence derived from in-depth interviews offers valuable insights into the practical functioning of the fragmented regulatory framework. SH, as a government official responsible for waste management, remarked, “*We already have clear regulations, and each agency has its own responsibilities. However, in practice, coordination is limited. Everyone operates within their own scope.*”³⁰ This observation highlights a significant limitation: while coordination exists at the formal structural level, it does not result in meaningful integration. AH emphasized, “*Our primary priority is to ensure that waste is collected and transported on time. If this fails, the public responds immediately.*”³¹ This focus on immediacy underscores the pressure to maintain visible order, frequently at the expense of addressing underlying systemic challenges. Waste governance thus becomes reactive, motivated by the imperative to prevent immediate disruptions rather than to establish long-term ecological sustainability. Perspectives from community members further illuminate the ramifications of this fragmentation. BA, who participated in local waste management initiatives, remarked, “*There are many programs—recycling, waste banks, awareness campaigns—but they are not connected. Each program operates independently.*”³² This lack of integration indicates the absence of a unifying framework capable of linking diverse initiatives into a coherent system. Similarly, WS observed, “*The problem is not the lack of policy, but the way policies are designed. They do not consider waste as part of a larger system.*”³³

From the perspective of critical legal studies, these findings illuminate the limitations inherent in regulatory rationality. Law is frequently presumed to operate as a neutral and rational tool capable of managing complex phenomena. However, scholars within the critical legal studies tradition have long contended that legal frameworks are influenced by institutional constraints, power dynamics, and ideological dimensions.³⁴ In the context of Yogyakarta City, the regulatory framework embodies a technocratic ideology that emphasizes order, efficiency, and administrative control.³⁵ This ideology informs the definition and

²⁸ Ni-Bin Chang, Ana Pires, and Graça Martinho, “Empowering Systems Analysis for Solid Waste Management: Challenges, Trends, and Perspectives,” *Critical Reviews in Environmental Science and Technology* 41, no. 16 (August 2011): 1449–530.

²⁹ Samet Memis and Ramazan Ozkan Yildiz, “Green Human Resource Management: A Hybrid Soft Decision-Making Approach,” *Management Decision*, February 10, 2026, 1–58.

³⁰ SH, “Interview with a Government Official,” January 20, 2025.

³¹ AH, “Interview with a Municipal Police Officer,” January 20, 2025.

³² BA, “Interview with a Representative of the City Cultural Service,” November 17, 2024.

³³ WS, “Interview with an Environmental Activist,” December 7, 2024.

³⁴ See: Julia Black, “New Institutionalism and Naturalism in Socio-Legal Analysis: Institutional Approaches to Regulatory Decision Making,” *Law & Policy* 19, no. 1 (January 1997): 51–93; Thomas E. Webb, “Critical Legal Studies and a Complexity Approach: Some Initial Observations for Law and Policy,” in *Handbook on Complexity and Public Policy*, ed. Robert Geyer and Paul Cairney (Edward Elgar Publishing, 2015).

³⁵ Sumardiyanto Sumardiyanto, “Dynamics of Spatial Planning Regulation in Protecting Cultural Values (Case Study: Yogyakarta–Indonesia),” *International Conference Proceeding of Southeast Asian Urbanism 2.0*, June 11, 2025, 23–39; Bagoes Wiryomartono, “The Politics of Development in Indonesia: The Aesthetic Culture and Power Play in Architecture and Urban Design,” *International Journal of Urban Sciences* 16, no. 2 (July 2012):

management of environmental issues, favoring solutions that are quantifiable and manageable within existing institutional arrangements. A notable consequence of this regulatory rationality is the persistence of a linear model of waste management. Despite policy commitments aimed at waste reduction, governance practices remain predominantly focused on disposal. Landfills continue to serve as the primary repository for waste, a reliance implicitly reinforced by regulatory provisions that prioritize waste handling mechanisms.³⁶ Although necessary, these provisions reinforce the perception of waste as an endpoint rather than as a component of a cyclical ecological process.

The Construction of *Maṣlahah* and the Problem of Pseudo-Environmental Justification

The preceding section has illustrated the structural fragmentation inherent in environmental governance. A more nuanced analysis, however, reveals that this fragmentation is perpetuated and legitimized through a specific mode of legal reasoning centered on the concept of *maṣlahah*. Within both regulatory discourse and religious guidance, *maṣlahah* serves as a foundational justificatory principle, conferring normative legitimacy upon policy decisions and governance practices.³⁷ Nevertheless, rather than functioning as a stable and universally coherent concept, *maṣlahah* in the context of urban waste governance in Yogyakarta City emerges as a contested and selectively constructed notion, influenced by institutional priorities, practical constraints, and epistemological limitations.³⁸ This section contends that the dominant application of *maṣlahah* engenders what may be characterized as pseudo-environmental justification, wherein assertions of public benefit serve to obscure rather than address systemic ecological harm.

At the formal level, the concept of *maṣlahah* is integrated within both state and religious frameworks. Although regional regulations, such as the Regional Regulation of Yogyakarta City No. 10 of 2012 and its subsequent revision in the Regional Regulation of Yogyakarta City No. 1 of 2022, do not explicitly reference the term *maṣlahah*, their normative orientation clearly aligns with the principle of public benefit, particularly concerning public health, environmental cleanliness, and urban order. Waste management is conceptualized as an essential function aimed at maintaining social welfare, preventing disease, and ensuring the

203–23; Devi Pratiwy et al., “Ideology in Marine Ritual Discourse of Acehnese Speech Community,” *Jurnal Arbiter* 10, no. 4 (2023): 300–308; Hariyanto Hariyanto et al., “Democratization of Village Autonomy in the Construction of Indonesian Administrative Law: Is It Possible?,” *Jurnal Media Hukum* 32, no. 2 (July 2025): 190–209.

³⁶ Pablo Emilio Escamilla-García, “Landfills in Developing Economies: Drivers, Challenges, and Sustainable Solutions,” in *Technical Landfills and Waste Management*, ed. Abdelkader Anouzla and Salah Souabi, Springer Water (Cham: Springer Nature Switzerland, 2024), 157–70.

³⁷ Habib Ahmed, “Islamic Normative Legal Theory: Framework and Applications,” *Journal of Law and Religion* 40, no. 1 (January 2025): 28–58; Hananta Aldhanny Wibisono, Reza Octavia Kusumaningtyas, and Helmi Ayuradi Miharja, “E-Government and Artificial Intelligence in Electronic Administration: A Normative Legal Analysis of Modern Government Digitalization,” *Journal of Law and Digital Civilization* 1, no. 1 (March 2026): 1–17; Achmad Siddiq et al., “Reconstructing Waqf Share Policies: A Maqashid Sharia Approach with Insights from Indonesia,” *El-Masblahab* 15, no. 1 (June 2025): 79–100.

³⁸ Lulut Dyah Wardani and Muhammad Jefri Kurniawan, “Juridical Review of the Role of the Civil Service Police Unit of Yogyakarta City in Enforcing the Yogyakarta City Regional Regulation on Waste Management,” *Fortiori Law Journal* 5, no. 01 (June 2025): 151–68.

efficient operation of urban life.³⁹ Likewise, the Yogyakarta Mayoral Regulation No. 40 of 2024 underscores the importance of effective service delivery, framing waste management as a public good that must be preserved to promote societal well-being.

This orientation is further reinforced by religious guidance, most notably the MUI Fatwa No. 47 of 2014. The fatwa articulates a moral obligation to uphold cleanliness (*naẓāfah*) and to prevent harm (*darar*), thereby framing waste management as both a religious duty and a social responsibility. In doing so, it implicitly invokes the concept of *maṣlahah* as a foundational principle justifying environmental action. However, a closer examination of the fatwa reveals that its normative emphasis remains predominantly behavioral and individualistic. It highlights proper waste disposal, community participation, and ethical responsibility but does not comprehensively address the systemic aspects of waste generation and its ecological consequences.⁴⁰ This limitation becomes increasingly apparent when the fatwa is examined in conjunction with empirical data derived from interviews. IK, engaged in environmental outreach, remarked, “*Islam teaches that cleanliness is an integral aspect of faith. Adherence to this principle has the potential to contribute significantly to the resolution of environmental issues.*”⁴¹

While this statement reflects a widely accepted ethical stance, it simultaneously exemplifies a reduction of environmental governance to individual moral behavior. The presumption that behavioral change alone can address environmental challenges neglects the structural determinants of waste generation, including production and consumption patterns as well as policy frameworks.⁴² In this context, the invocation of *maṣlahah* becomes narrowly confined to immediate and tangible benefits, such as cleanliness and order, thereby overlooking less visible yet more consequential ecological impacts. This selective interpretation of *maṣlahah* is not confined to religious discourse but is also apparent in policy implementation. Interviews with government officials reveal a pragmatic approach wherein *maṣlahah* is implicitly equated with operational efficiency. SH remarked, “*Our responsibility is to ensure that waste does not accumulate. If the city is clean, that is already a benefit for the public.*”⁴³ This viewpoint aligns *maṣlahah* with the immediate goal of maintaining urban order, assessed through visible indicators such as cleanliness and service continuity. However, it fails to consider the environmental costs associated with waste disposal, including landfill overuse, pollution, and resource depletion. Consequently, policies prioritizing rapid waste removal

³⁹ Calvin Wan, Geoffrey Qiping Shen, and Stella Choi, “Waste Management Strategies for Sustainable Development,” in *Encyclopedia of Sustainability in Higher Education*, ed. Walter Leal Filho (Cham: Springer International Publishing, 2019), 2020–28.

⁴⁰ Zaitun Abdullah, Rifkiyati Bachri, and Endra Wijaya, “The Dynamics of Green Fatwa in Indonesia,” in *Proceedings of the International Conference on “Changing of Law: Business Law, Local Wisdom and Tourism Industry” (ICCLB 2023)*, vol. 804, ed. Mirsa Umiyati et al., Advances in Social Science, Education and Humanities Research (Paris: Atlantis Press SARL, 2023), 1563–68; Elma Haryani and Muhamad Muradillo, “Green Fatwa: Dynamics of the Indonesian Ulema Council (MUI) Fatwa on Environmental Issues,” *RADEN INTAN: Proceedings on Family and Humanity* 2, no. 2 (July 2025): 485–92.

⁴¹ IK, “Interview with a Religious Figure,” January 15, 2025.

⁴² Dara O’Rourke and Niklas Lollo, “Transforming Consumption: From Decoupling, to Behavior Change, to System Changes for Sustainable Consumption,” *Annual Review of Environment and Resources* 40, no. 1 (November 2015): 233–59; Joachim H. Spangenberg and Sylvia Lorek, “Sufficiency and Consumer Behaviour: From Theory to Policy,” *Energy Policy* 129 (June 2019): 1070–79.

⁴³ SH, “Interview with a Government Official.”

may be deemed beneficial in the short term, despite their contribution to long-term ecological degradation. SW provides a critical perspective on this dynamic: “*The problem is that ‘benefit’ is defined too narrowly. What is considered beneficial today may become harmful in the future.*”⁴⁴ AH also confirmed this criticism.⁴⁵

These observations underscore a disconnect between lived experiences and regulatory abstractions. While practitioners understand waste as an integral component of a broader system, policy frameworks persist in treating it as a discrete object for management.⁴⁶ This disconnect is fundamental to comprehending why current approaches fail to achieve sustainable outcomes. Regulatory documents perpetuate this limitation. Although the Regional Regulation of Yogyakarta City No. 1 of 2022 incorporates provisions for waste reduction and community participation, its operational logic remains predominantly linear. Waste is conceptualized as an entity to be minimized at the source and subsequently managed through a sequential process culminating in disposal.⁴⁷ Similarly, the Yogyakarta Mayoral Regulation No. 67 of 2018 sets forth strategic targets for waste reduction but situates these objectives within a managerial paradigm that prioritizes efficiency and performance metrics. The systemic interrelations among production, consumption, and ecological impact are insufficiently developed within these frameworks. Accordingly, stakeholders should reconsider existing definitions of waste, propose a new taxonomy grounded in the rationale for waste generation and its intrinsic nature concerning ownership and management,⁴⁸ and develop alternative definitions of waste and non-waste.⁴⁹ This approach aims to promote more sustainable management practices by conceptualizing waste as a valuable resource.

The continued reliance on a linear model has significant implications for environmental governance and sustainability initiatives.⁵⁰ By focusing predominantly on downstream waste management activities—such as collection, transportation, and disposal—policies inadvertently reinforce and perpetuate the underlying conditions that lead to excessive waste generation.⁵¹ This limited perspective overlooks critical upstream interventions within production systems, including packaging design, industrial processes,

⁴⁴ SW, “Interview with a Representative of the City Environmental Service,” October 28, 2024.

⁴⁵ AH, “Interview with a Municipal Police Officer.”

⁴⁶ “Observation Notes,” December 2024.

⁴⁷ “Data on Illegal Waste Disposal Violations in Yogyakarta City,” 2023–2024.

⁴⁸ Eva Pongrácz and Veikko J. Pohjola, “Re-Defining Waste, the Concept of Ownership and the Role of Waste Management,” *Resources, Conservation and Recycling* 40, no. 2 (January 2004): 141–53.

⁴⁹ Ayhan Demirbas, “Waste Management, Waste Resource Facilities and Waste Conversion Processes,” *Energy Conversion and Management* 52, no. 2 (February 2011): 1280–87.

⁵⁰ Afrizal Nur et al., “Qur’anic Ecotheology and the Ethics of Forest Protection in Indonesia,” *Jurnal Studi Ilmu-Ilmu Al-Qur’an dan Hadis* 26, no. 2 (July 2025): 351–82; Bambang Iriawan et al., “Spiritual Ecology Across Faiths: A Comparative Study of GreenSufism in Indonesia and GreenFaith in the United States,” *Jurnal Ilmiah Peuradeum* 14, no. 1 (January 2026): 51–76; Sukarni Sukarni and Hafini bin Mahmud, “Development and Concept of Environmental Fiqh in the Works of Banjar Scholars: Historical and Thought Analysis,” *Syariah: Jurnal Hukum dan Pemikiran* 24, no. 1 (May 2024): 172–88.

⁵¹ Hridoy Roy et al., “Opportunities and Challenges for Establishing Sustainable Waste Management,” in *Trash or Treasure*, ed. Pardeep Singh and Anwesha Borthakur (Cham: Springer Nature Switzerland, 2024), 79–123; Moharana Choudhury, Sushobhan Majumdar, and Mika Sillanpää, “Understanding Waste Management: A Comprehensive Overview of Environmental, Economic, and Social Implications,” in *The Circular Path*, ed. Moharana Choudhury, Sushobhan Majumdar, and Mika Sillanpää, Waste as a Resource (Cham: Springer Nature Switzerland, 2026), 3–25.

and consumption patterns. In the absence of robust regulatory frameworks addressing these areas, waste generation escalates at a rate that exceeds the capacity of current management infrastructures.⁵² Consequently, a structural imbalance arises between waste production and waste management capabilities, resulting in a cyclical dynamic wherein management systems are persistently overwhelmed and compelled to operate reactively. Rather than preventing waste at its source, policies remain confined to addressing its visible consequences. As a result, waste governance is symptom-focused rather than cause-focused,⁵³ thereby constraining its effectiveness in promoting long-term environmental sustainability and systemic change.

This study highlights a temporal constraint inherent in the conceptualization of *maṣlahah*. By emphasizing immediate outcomes, policymakers and practitioners may unintentionally legitimize practices that cause delayed or dispersed harm. This temporal disjunction constitutes a central aspect of what this study defines as pseudo-environmental justification—a form of justificatory reasoning that ostensibly aligns with the public interest but neglects the long-term and systemic dimensions of environmental impact. This pseudo-function works through processes of abstraction and simplification, whereby complex ecological phenomena are reduced to manageable categories, and the assessment of benefits is limited to those effects that are immediately observable and quantifiable. This tendency is further reinforced by the institutional logic of governance, which prioritizes efficiency, accountability, and performance metrics. For instance, the Yogyakarta Mayoral Regulation No. 67 of 2018 establishes targets for waste reduction and service delivery, emphasizing measurable outcomes. Although such targets are significant, they also influence the interpretation and implementation of *maṣlahah*,⁵⁴ whereby benefits are evaluated primarily in terms of outputs—such as the volume of waste collected or reduced—rather than through the lens of systemic ecological sustainability.

Reframing Urban Waste as an Ecological System: Toward Eco-Governance *Fiqh*

The preceding analyses have identified two interrelated limitations in the governance of urban waste in Yogyakarta: structural fragmentation within regulatory frameworks and the selective construction of *maṣlahah* that legitimizes short-term, anthropocentric interventions. Collectively, these findings reveal a deeper epistemological issue—specifically, the failure to conceptualize waste as an integral component of an interconnected ecological system. This study advances a fundamental reconceptualization of urban waste, not merely as residual material to be managed but as a constitutive element of the city’s ecological metabolism.

⁵² Anuradha Jayaraman, Sandeep Tripathi, and Sanjeevi Ramakrishnan, “Regulatory Concerns for Solid Waste Management,” in *Solid Waste Management*, 1st ed., ed. Priyanka Singh, Pooja Agarwal, and V. Vivekanand (Wiley, 2026), 397–430.

⁵³ See: Kristina I. B. Borjesson, “The Affective Sustainability of Objects; A Search for Causal Connections (Studies of Theory, Processes and Practice Related to Timelessness as a Phenomenon)” (University of the Arts London, 2006).

⁵⁴ Maskun et al., “Legal Framework Model for Sustainable Solid Waste Management in Indonesia: A Contemporary Environmental Fiqh Perspective,” *MILRev: Metro Islamic Law Review* 4, no. 2 (September 2025): 1097–122; Hariyanto Hariyanto, Muhammad Mutawalli Mukhlis, and Daud Risma, “The Role and Authority of the Deputy Regional Head According to Islamic Principles within the Framework of Regional Government Law,” *JURIS (Jurnal Ilmiah Syariah)* 24, no. 1 (February 2025): 13–27.

Building upon this reconceptualization, it proposes eco-governance *fiqh* as a theoretical and analytical framework capable of reorienting Islamic legal reasoning toward systemic ecological sustainability.

Reconceptualizing waste as an ecological system necessitates a transition from linear to systemic thinking. Within this framework, waste is perceived as an integral component of the city's ecological metabolism—a dynamic process characterized by the flow of materials through interconnected networks of production, consumption, and disposal, which interact with environmental, social, and economic systems. This approach corresponds with the principle of interdependence, wherein alterations in one segment of the system generate repercussions throughout the entire system.⁵⁵ For example, consumption patterns influence the generation of waste, which subsequently impacts environmental quality, public health, and social equity. Eco-governance *fiqh* offers a conceptual framework for incorporating this systemic perspective into Islamic legal reasoning. Fundamentally, this framework is anchored in the principle of *al-ḥawkamah al-bi'iyah* (environmental governance)—a structured and interconnected order that regulates the relationship between human activities and the natural environment.⁵⁶ In contrast to conventional *fiqh al-bi'ah*, which frequently addresses environmental issues in a fragmented and issue-specific manner, eco-governance *fiqh* underscores the relational and dynamic characteristics of ecological systems. It interprets environmental harm not as an isolated infringement but as a disruption of systemic balance (*tawāzun niẓāmi*).⁵⁷

This paradigm shift carries significant implications for the conceptualization of legal responsibility. Within a systemic framework, responsibility cannot be confined to individual actions or isolated events; rather, it must encompass the cumulative and interconnected effects of multiple actors and processes.⁵⁸ For instance, waste generation is not solely attributable to individual consumer behavior but is influenced by broader structures, including industrial production, market dynamics, and regulatory policies.⁵⁹ Consequently, eco-governance *fiqh* advocates for a redistribution of responsibility across these interconnected domains, acknowledging that environmental harm arises from systemic interactions rather than discrete acts. By offering a methodological approach to analyze the engagement of legal norms with ecological systems, this approach entails a critical examination of the underlying assumptions in legal reasoning, particularly concerning concepts such as *maṣlahah* and *ḍarar*. Instead of treating these concepts as immutable

⁵⁵ Matjaz Mulej et al., “Interdependence of Systems Theories – Potential Innovation Supporting Innovation,” *Kybernetes* 35, no. 7/8 (August 2006): 942–54; Irene Eusgeld, Cen Nan, and Sven Dietz, “‘System-of-Systems’ Approach for Interdependent Critical Infrastructures,” *Reliability Engineering & System Safety* 96, no. 6 (June 2011): 679–86.

⁵⁶ Mirzaq Fayzah, “Maḥūm al-Ḥawkamah al-Bi'iyah wa Mabādi'uhā,” *Journal of Environmental Sustainable Development and Human Health* 1, no. 2 (2023): 255–66.

⁵⁷ Ahmed Alsayed Eldeqen, “At-Taḥawwul min al-Idārah al-Bi'iyah ilā al-Ḥawkamah al-Bi'iyah,” *Arab Journal of Administration* 39, no. 2 (June 2019): 253–78.

⁵⁸ See: Jérôme Pelenc et al., “Sustainable Human Development and the Capability Approach: Integrating Environment, Responsibility and Collective Agency,” in *The Capability Approach and Sustainability* (Routledge, 2014); Olarotimi Ogungbemi, “Nature Speaks: Agency and Environment in Ben Okri's the Famished Road,” *Jurnal Arbitrer* 11, no. 2 (June 2024): 186–95.

⁵⁹ See: Ana Paula Bortoleto, *Waste Prevention Policy and Behaviour: New Approaches to Reducing Waste Generation and Its Environmental Impacts* (Abingdon, Oxon; New York, NY: Routledge, 2015).

principles, eco-legal *fiqh* reasoning situates them within a broader ecological context, assessing their implications in terms of systemic sustainability.

At the empirical level, data obtained from interviews consistently indicate that individuals directly involved in waste management possess an intuitive understanding of the systemic nature of the issue, despite the absence of such recognition within formal policy frameworks. One waste management practitioner, IU, stated, “Waste is not something that appears at the end. It starts from production, from what people buy, what they use, and how they dispose of it.”⁶⁰ This assertion highlights a critical insight: waste should not be viewed as an isolated endpoint but rather as a process embedded within a continuum of socio-economic and ecological interactions. BA participated in community-based recycling initiatives and further explained, “If we only focus on collecting and transporting waste, we are only dealing with the surface. The real issue is how waste is produced in the first place.”⁶¹ A similar statement was also confirmed by SW, who also participated in community-based recycling initiatives.⁶²

Eco-governance *fiqh* reasoning provides a critical intervention by re-examining the epistemological foundations of *maṣlahah*. Rather than treating public interest as a fixed or self-evident concept, this approach underscores the necessity of evaluating *maṣlahah* in relation to systemic ecological conditions.⁶³ It advocates a shift from a static to a dynamic understanding of benefit, one that incorporates the temporal and spatial dimensions of environmental impact.⁶⁴ Within this framework, a policy cannot be deemed beneficial if it results in harm that is deferred, displaced, or distributed across ecological systems.⁶⁵ This reorientation necessitates a fundamental reconsideration of how *maṣlahah* is operationalized in both legal and policy contexts. It involves moving beyond individual behavior and immediate outcomes to address the structural and systemic factors influencing environmental conditions.⁶⁶ Furthermore, it requires the integration of ecological knowledge into legal reasoning to ensure that assessments of benefit are informed by an understanding of environmental interdependence. In the context of Yogyakarta City, despite the presence of multiple regulatory and normative frameworks in place, the continued prevalence of waste-related problems indicates that the current strategies are insufficient.⁶⁷

⁶⁰ IU, “Interview with a Waste Management Practitioner,” January 21, 2025.

⁶¹ BA, “Interview with a Representative of the City Cultural Service.”

⁶² SW, “Interview with a Representative of the City Environmental Service.”

⁶³ Lina Marlina Susana et al., “Reconstructing Islamic Legal Norms in Environmental Governance: A Maqasid-Based Legal Critique of Indonesia’s Resource Policies,” *Al-Istinbath: Jurnal Hukum Islam* 10, no. 2 (September 2025): 650–70.

⁶⁴ Asif Bashir, “Stewardship and Sustainability: Islamic Legal Frameworks for Environmental Ethics and Climate Action,” *Bulletin of Engineering Science, Technology and Industry* 3, no. 3 (October 2025): 537–45.

⁶⁵ See: R. D. White, *Environmental Harm: An Eco-Justice Perspective* (Bristol: The Policy Press, 2013).

⁶⁶ Zohora Azmin Shompa, Mohamed Aslam Akbar, and Hazwani Mohd Mohadis, “Harmonizing Maqasid al-Shari’ah with Sustainable Waste Management Practices: A Conceptual Framework for Principles and Implementation,” *International Journal of Islamic and Middle Eastern Finance and Management* 18, no. 1 (January 2025): 142–65.

⁶⁷ Surahma Asti Mulasari et al., “Community-Driven Waste Management: Insights from an Action Research Trial in Yogyakarta, Indonesia,” *The Open Public Health Journal* 17, no. 1 (December 2024): e18749445334410; Laurentius Kevin Hendinata and Tantri Ardiwinata, “Public Perspectives and Strategies in Implementing Waste Separation in Developing Countries: A Case Study in Yogyakarta, Indonesia,” *International Journal of Environment and Waste Management* 38, no. 2 (2025): 225–40.

Eco-governance *fiqh* constitutes not only an analytical framework but also a normative endeavor aimed at reshaping the epistemological foundations of Islamic jurisprudence. It critiques the predominance of anthropocentric paradigms and advocates for a more relational and eco-centric approach to legal reasoning. This transformation holds particular significance in the context of urban waste governance, where the impacts of environmental degradation are increasingly apparent.⁶⁸ The case of Yogyakarta City exemplifies both the urgency and the potential inherent in this transformation. The persistence of waste-related challenges, despite comprehensive regulatory measures, suggests that current approaches remain inadequate. Concurrently, the existence of community initiatives, practitioner insights, and emerging policy innovations indicates the feasibility of alternative strategies. Eco-governance *fiqh* offers a framework for integrating these components into a coherent and sustainable governance model.

Data from interviews indicate that such a reorientation is both essential and achievable. As IU stated, “*We need to change the way we think about waste. It is not just about managing what is already there, but about preventing it from being created.*”⁶⁹ This perspective closely aligns with the preventive orientation of eco-governance *fiqh*, which prioritizes the avoidance of harm over its subsequent mitigation. By emphasizing prevention, this framework shifts the focus from reactive to proactive governance, addressing the root causes of environmental issues rather than merely their symptoms. The normative dimension of eco-governance *fiqh* further differentiates it from conventional approaches. By integrating ecological awareness within a *maqāṣid*-based framework,⁷⁰ it broadens the scope of Islamic legal reasoning beyond the protection of immediate human interests. While traditional applications of *maqāṣid al-sharī‘ah* have concentrated on preserving religion, life, intellect, lineage, and property, eco-governance *fiqh* extends this framework to encompass the preservation of ecological integrity as a fundamental objective. This extension reflects a recognition that human well-being is intrinsically linked to the health of ecological systems.

In practical terms, the implementation of eco-governance *fiqh* necessitates a fundamental reorientation of policy priorities and institutional frameworks. Instead of focusing primarily on downstream waste management and disposal, policies must critically address the upstream determinants of waste generation. This shift requires the development of regulatory mechanisms that oversee production practices, particularly concerning

⁶⁸ Vellayati Hajad et al., “Land Politics and Food Security: A New Perspective on Land Degradation in Indonesia,” *Jurnal Ilmiah Peuradeun* 13, no. 2 (May 2025): 813–46.

⁶⁹ IU, “Interview with a Waste Management Practitioner.”

⁷⁰ Uthman Mehdad Al-Turabi and Jasser Auda, “Toward a Maqāṣid-Based Legal Reform: Systemic Thinking for Social Transformation in the Modern Muslim World,” *Indonesian Journal of Islamic Law* 8, no. 2 (December 2025): 209–28; Ali Ali Gobaili Saged and Fatema Alzahraa Alsied Aly, “Systematic Destruction and Contemporary Ecological Crises: A Quranic Maqasid-Based Perspective on Environmental Protection,” *QURANICA - International Journal of Quranic Research* 17, no. 2 (December 2025): 299–325; M. Taufiq, Suaidi Suaidi, and Kudrat Abdillah, “Toward Ecological Justice: A Maqāṣid-Based Socioeconomic Analysis of Coastal Reclamation in Tapakerbau, Indonesia,” *Ay-Syir’ab: Jurnal Ilmu Syari’ah dan Hukum* 59, no. 1 (September 2025): 48–63; Miatul Qudisia and Jauhara Albar Rouhullah, “Nizām Al-Qur’ān and the Unveiling of Qur’anic Maqāṣid: An Epistemological Study of Structural Tafsīr in Farrin and Chishti,” *Basmala: Journal of Qur’an and Hadith* 1, no. 2 (December 2025): 202–30; Ahmad Rezy Meidina et al., “Online Marriage and Divorce Fatwas: Religious Authority and the Digital Transformation of Islamic Family Law,” *Journal of Law and Digital Civilization* 1, no. 1 (March 2026): 19–38.

packaging design, industrial efficiency, and material usage. Concurrently, it demands the promotion of sustainable consumption patterns through public awareness, ethical responsibility, and behavioral change grounded in ecological values. Moreover, eco-governance *fiqh* advocates for the integration of circular economic models that emphasize reuse, recycling, and resource optimization, thereby reducing waste at its source. Although some aspects of this approach are evident in existing initiatives, such as community-based recycling programs and local waste banks,⁷¹ these efforts remain peripheral and fragmented. They have yet to be fully institutionalized within the broader governance system. Therefore, a more holistic and value-driven framework is essential to transform these isolated practices into central components of environmental policy and governance.

Conclusion

This study critically examines urban waste governance in Yogyakarta City by situating it within a broader ecological and socio-legal context. Moving beyond conventional conceptions of waste as merely residual material, the research demonstrates that waste constitutes an integral component of the city's ecological system. Through an analysis of regulatory frameworks, empirical data derived from in-depth interviews, and religious guidance, the study reveals that current environmental governance operates within a fragmented and predominantly anthropocentric paradigm. Although legal instruments are formally comprehensive, they function within compartmentalized structures that fail to capture the systemic interconnections underlying urban ecological challenges. Consequently, waste governance remains largely reactive, addressing immediate symptoms rather than the structural causes of environmental degradation. A key finding of this research is the identification of the limitations inherent in regulatory rationality. The assumption that legal frameworks can effectively govern environmental complexity is challenged by empirical evidence demonstrating discrepancies between regulatory design and implementation. Institutional coordination often remains procedural, and policy outcomes are influenced by managerial priorities that emphasize efficiency and short-term performance over ecological sustainability. This structural limitation is further exacerbated by the persistence of a linear model of waste management, wherein disposal continues to dominate despite policy commitments to reduction and sustainability. These conditions suggest that the challenges of waste governance are not merely technical or administrative but are fundamentally conceptual, rooted in the manner in which environmental issues are framed within legal discourse.

At the epistemological level, this study introduces the concept of pseudo-environmental justification to characterize the selective and temporally constrained construction of public interest within environmental governance. The findings reveal that

⁷¹ Rieko Kubota, Masahide Horita, and Tomohiro Tasaki, "Integration of Community-Based Waste Bank Programs with the Municipal Solid-Waste-Management Policy in Makassar, Indonesia," *Journal of Material Cycles and Waste Management* 22, no. 3 (May 2020): 928–37; Susi Fitria Dewi et al., "The Forbidden Forest Myth as a Social and Ecological Asset in the Kajang Community," *Jurnal Ilmiah Peuradeum* 13, no. 3 (September 2025): 1809–30; Ine Fauzia, Nasrudin Nasrudin, and Suteja Wiradana Kusuma, "Waste Donation: Empirical Analysis of Faith-Based Ecological Ethics in Indonesia," *Al-Muamalat: Jurnal Ekonomi Syariah* 12, no. 2 (December 2025): 378.

maṣlahah (public interest) is frequently invoked to justify policies prioritizing immediate social benefits—such as cleanliness, efficiency, and service continuity—while simultaneously obscuring long-term ecological damage. This mode of justification reflects an anthropocentric bias that reduces environmental concerns to their immediate utility for human well-being, thereby neglecting the broader ecological systems upon which such well-being depends. By elucidating the ideological function of pseudo-environmental justification, the study contributes to a critical re-examination of Islamic legal reasoning in environmental contexts, underscoring the necessity to reassess the interpretation and application of normative principles. In response to these structural and epistemological limitations, the study advances eco-governance *fiqh* as a conceptual and analytical framework for rethinking environmental governance. By emphasizing principles of interdependence, balance, and systemic integrity, eco-governance *fiqh* reconceptualizes environmental harm as a disruption of ecological order rather than as an isolated legal issue. This framework shifts Islamic legal reasoning from a fragmented and anthropocentric orientation toward a systemic and sustainability-oriented paradigm. It integrates ecological awareness into a *maqāṣid*-based approach, thereby expanding the scope of legal reasoning beyond the protection of immediate human interests to include the preservation of ecological systems as a fundamental objective. In doing so, it offers a coherent theoretical foundation for aligning Islamic jurisprudence with contemporary environmental challenges.

Nevertheless, this study acknowledges several limitations. Its empirical focus is restricted to a specific urban context; although Yogyakarta City offers a rich and pertinent case study, the findings may not be entirely generalizable to other regions characterized by different socio-political and ecological conditions. Furthermore, the research primarily concentrates on regulatory frameworks, selected informants, and key religious guidance. While these elements suffice for the current analysis, they do not encompass the full spectrum of actors and perspectives involved in environmental governance. Future research should therefore aim to broaden the empirical scope by incorporating comparative studies across various cities or regions and by engaging a wider array of stakeholders, including private sector participants and marginalized communities. Additionally, further theoretical development is necessary to refine and operationalize eco-governance *fiqh* (*fiqh al-ḥawḳamah al-bi'iyah*) within diverse environmental contexts, extending its application beyond waste management to other ecological issues. Such endeavors would not only enhance the analytical rigor of the framework but also increase its practical relevance in promoting sustainable environmental governance.

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