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ARTICLE

Mechanisms for Promoting Environmental Citizenship in Algerian Society (Examples from the Objectives of Islamic Law and Jurisprudential Principles)

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Abstract

This study aims to explore mechanisms for activating environmental citizenship in Algerian society through an approach that integrates the Islamic legal perspective and major jurisprudential principles with existing legal and institutional efforts. The research highlights the importance of the environment in Islamic Sharia, and examines the concept of the environment in both Islamic and Algerian legislation, as well as mechanisms for its protection, with a focus on the preventive role embedded in the Prophetic Sunnah. The study also addresses the major jurisprudential maxims as a framework for regulating the relationship between humans and the environment, and presents contemporary jurisprudential and societal applications within the Algerian context. Furthermore, it examines the role of religious and educational institutions in promoting environmental citizenship behaviors. The study concludes that integration between religious, educational, and legal frameworks is essential to instill a responsible environmental culture in society.

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Introduction:

Praise be to Allah, who revealed in His Book that which ensures the well-being of humanity in both their worldly lives and their Hereafter. Peace and blessings be upon the chosen Prophet, Muhammad ibn Abdullah, and upon his family and all his companions.

To proceed:

Indeed, Allah the Almighty created man and facilitated for him the means of life in this world. He subjected to him what is on earth to aid him in building it and in fulfilling the purposes of his existence. Allah permitted him to benefit from the blessings of the universe and commanded him to make good use of them within the bounds of wisdom and moderation. However, man has often neglected this responsibility and pursued comfort and luxury without consideration for the harm such behavior might cause. This has led to damage to the environment in which he lives, including harm to humans, animals, and plants.

This scientific and technological advancement—despite its numerous benefits—has produced negative consequences that have impacted the environment and its components, causing pollution and degradation, and directly threatening the lives of living beings. Thus, an urgent need has arisen to adopt effective measures and clear mechanisms to protect the environment from such abuse, whether from the perspective of Islamic Sharia or through positive legal systems, foremost among them being Algerian law.

It is from this standpoint that the present study has emerged, under the title:

"Mechanisms for Promoting Environmental Citizenship in Algerian Society (Examples from the Objectives of Islamic Law and Jurisprudential Principles)",

with the aim of shedding light on the efforts made within both systems and examining the extent to which they align in addressing this critical and existential issue.

First: Importance of the Study

1. This research addresses a central issue in the modern era—environmental protection—and approaches it from a Sharia-based and jurisprudential perspective.
2. It highlights how major jurisprudential principles and the higher objectives of Islamic law (Maqāṣid al-Sharīʿa) can contribute to fostering responsible environmental behavior.
3. It sheds light on the concept of *environmental citizenship* as a modern notion that can be grounded within the Islamic framework.
4. It demonstrates the balanced relationship that Islam establishes between human beings and the environment as part of their religious responsibility.
5. It links Islamic legal principles with the real-life environmental challenges faced by Algerian society.

Second: Objectives of the Study

1. To clarify the Sharia-based framework that governs the relationship between humans and the environment through major jurisprudential principles and the higher objectives of Islamic law.
2. To emphasize the importance of environmental protection as a religious and human duty.
3. To activate the concept of environmental citizenship in light of Islamic references.
4. To derive practical and applicable Sharia-based mechanisms for environmental protection in Algeria.
5. To highlight the role of religious and educational institutions in promoting a sustainable environmental culture.
6. To provide scientific recommendations that contribute to formulating environmental policies more aligned with Islamic values.

Third: Research Problem

The relationship between human beings and the environment is one of the core issues in contemporary thought, due to the serious threats posed by environmental challenges to human life and cosmic balance. In light of these challenges, a critical question arises concerning the extent to which Islamic references—represented by the higher objectives of Sharia and major jurisprudential principles—can offer a guiding framework that helps instill responsible environmental behavior and activate the concept of environmental citizenship in Muslim societies in general, and in Algerian society in particular.

Hence, the central research problem can be formulated as follows:

To what extent can environmental citizenship be promoted in Algerian society in light of the objectives of Islamic Sharia and major jurisprudential principles, and what are the possible Sharia-based and educational

mechanisms to achieve this?

This main question gives rise to several sub-questions, including:

1. What is the concept of environment and environmental citizenship from both Sharia-based and legal perspectives?
2. What are the major jurisprudential principles that regulate the relationship between humans and the environment?
3. How do the objectives of Islamic law contribute to building comprehensive environmental awareness?
4. What preventive and educational mechanisms can be employed in the Algerian context to protect the environment?

Fourth: Research Methodology

This study adopts an inductive-analytical approach by tracing relevant religious texts and the views of jurists and scholars of Maqāṣid (objectives of Islamic law) related to environmental protection. These sources are then analyzed to extract both theoretical and practical frameworks that support the concept of environmental citizenship. Additionally, the comparative method is employed when examining Algerian legal provisions and comparing them to the Islamic perspective.

The research is structured into main topics and sections that cover conceptual, legal, and practical aspects, with a focus on real-life examples from Algerian society. It seeks to bridge the gap between theoretical foundations and practical implementation.

Main Topic One: The Concept of the Environment in Islamic Sharia and Algerian Legislation

This topic is divided into two sections:

- **Section 1.1: Definition of the Environment**
- **Section 1.2: The Importance of the Environment**

Section 1.1: Definition of the Environment

Linguistically, the Arabic term *"bī'ah"* (environment) is derived from the triliteral root *bā'-hamzah-h*, which refers to settling or residing in a specific place. Ibn Manẓūr defined it in *Lisān al-'Arab* as follows: "*al-bā'ah* refers to a dwelling; *abātu bi-l-makān* means I stayed in that place; *bawwāka baytan* means he prepared and settled you in a house."

In Islamic terminology, the environment encompasses everything that surrounds the human being, including living creatures and natural elements, which influence and interact with human life. This interaction involves aspects of stewardship (*istikhlāf*), development (*ta'mīr*), and preservation of all creations. These dimensions are rooted in the objectives of Islamic law (*maqāṣid al-sharī'ah*), which aim to safeguard life, wealth, honor, religion, and intellect—all of which are directly affected

by the state of the environment.¹

Definition of the Environment in Islamic Law

Islamic jurists (fuqahā') did not provide a specific or explicit definition of the term "environment" (*al-bī'ah*). However, they addressed practical matters related to the prevention of environmental harm through various dispersed legal rulings rooted in Islamic jurisprudence. Several contemporary scholars have attempted to define the environment from an Islamic perspective. For example:

- **Dr. Yūsuf al-Qaradāwī** defined the environment as: *"The surroundings in which a person lives, and to which he returns when he travels or migrates far away—it is his ultimate refuge, whether he wills it or not."*
- **Dr. Quṭb al-Raysūnī** defined it as: *"The habitat of God's creatures, both living and non-living, within which they organize relationships, interact, and integrate—within the framework of divine universal laws (ṣunān kawṇiyyah) and cosmic principles (nawāmiṣ ilāhiyyah)—resulting in a balanced system that governs human conduct in terms of stewardship and development."*
- Another definition describes the environment as: *"A collection of natural, social, and cultural systems within which humans and other creatures live, draw sustenance, and carry out their activities."*

In summary, the environment is the surrounding space in which humans and other living beings exist, encompassing the natural phenomena created by Allah (SWT), which both influence and are influenced by human behavior².

Definition of the Environment in Algerian Legislation

The Algerian legal framework does not provide a singular, direct definition of the environment in a unified law. Rather, the concept is addressed across various legal texts. A notable reference is found in **Law No. 03/10 on Environmental Protection within the Framework of Sustainable Development**, issued on **July 19, 2003**.

According to **Article 2** of the law, the environment is defined as: *"The setting in which humans live alongside other living and non-living beings, including air, water, soil, minerals, and other natural resources."*

From this definition, it is evident that the environment includes the natural elements surrounding humans that constitute the conditions for their survival. This comprehensive approach reflects the legislator's awareness

of the importance of ecological balance in contemporary environmental law⁴.

Third: The Importance of the Environment in Islamic Law

Islamic law places great emphasis on the environment, considering it an integral part of the divine creation entrusted to humankind. Allah has subjected it to serve human beings and commanded them to develop (*ta'nīl*) it and avoid corruption (*fasād*) upon it, as stated in Sūrat Hūd (11:61):

"He brought you forth from the earth and settled you therein, so seek forgiveness from Him and then repent to Him."

This verse indicates that man was created from the earth and given residence and sustenance within it. He is thus tasked with cultivating, developing, and benefiting from its resources within the limits set by Islamic law—without exploiting or corrupting it. In Islamic thought, humans are trustees (*amānāh*) and stewards (*khālifāh*) of the Earth, and the word *"ista'marakum"* (He enjoined upon you its development) emphasizes this responsibility.

Islam's concern for the environment manifests in several dimensions⁵:

1. **The Environment as a Divine Blessing:** The Qur'an highlights numerous signs of Allah's mercy found in the environment, reminding humans of the blessings that surround them, such as in Sūrat al-Jāthiyah (45:13):

"And He has subjected to you whatever is in the heavens and whatever is on the earth—all from Him. Indeed, in that are signs for a people who give thought."

2. **Command to Preserve and Prohibition of Corruption:** Islam explicitly forbids actions that harm the delicate ecological balance that Allah has created, as stated in Sūrat al-A'rāf (7:56):

"And do not cause corruption upon the earth after its reformation."

3. **The Environment as a Trust:** Legal texts in Islam assign humans the responsibility of building the Earth, not destroying it. Therefore, preserving natural resources and preventing their depletion becomes a legal and moral duty.

4. **Purity and Cleanliness as Core Environmental Values:** The Prophet Muhammad said:

⁴ Quṭb Al-Raisuni, Studies in Islamic Environmental Jurisprudence, Ihya Magazine, Issue 6, Morocco, 2004.

⁵ People's Democratic Republic of Algeria, Law on Environmental Protection within the Framework of Sustainable Mustafa Makhdoum, Rules of Means in Islamic Sharia, 1st Edition, Riyadh: Dar Ishbiliya, 1999, p. 53;

Abdul-Ghafoor Abdul-Fattah Qari, Dictionary of Library and Information Terminology, Riyadh: King Fahd National Library, 2000, p. 35

⁶ Development, No. 03/10, dated July 19, 2003.

⁷ Mohammed Ratib Al-Nabulsi, The Universe and Man in the Holy Qur'an, Dar Al-Qalam, Damascus, 2nd Edition, 2003.

¹ Ibn Manẓūr, Lisān al-'Arab, under the root "B-W-'", vol. 1, p. 36, 3rd ed., Dār Ṣādir, Beirut, 1414 AH.

² Law No. 03-10 on Environmental Protection within the Framework of Sustainable Development, Official Gazette of the People's Democratic Republic of Algeria, No. 43, 2003.

³ Yusuf Al-Qaradawi, Environmental Care in Islamic Law, Alam Al-Ma'rifah Series, Kuwait, Issue 188, 1994

"Purity is half of faith." [Narrated by Muslim] This hadith indicates that Islam considers both spiritual and physical cleanliness—extending to environmental hygiene—as part of a believer's faith.

5. Encouragement of Afforestation and Protection of Flora and Fauna:

The Prophet ﷺ said:

"If a Muslim plants a tree or sows a crop and a bird, person, or animal eats from it, it is counted as charity (ṣadaqah) for him." [Narrated by al-Bukhārī and Muslim]

This hadith shows a clear environmental dimension in righteous deeds².

Section Two: Mechanisms for Environmental Protection

First Branch: Definition of Environmental Protection Mechanisms³

1. Definition of "Mechanism"

- **Linguistically:**

The Arabic term *"āliyyah"* (plural: *ālīyyāt*) refers to a tool or means used to achieve a specific goal. It denotes the instrumentality or method employed to realize an objective.

- **Technically:**

A *mechanism* refers to the method, approach, or technical tool used to implement a specific action or reach a defined result. It may also describe the system relied upon to operate certain processes, especially those that minimize or replace manual labor.

Conclusion:

A *mechanism* represents the deliberate method or tool adopted to effectively accomplish a particular aim.

2. Definition of "Protection"

- **Linguistically:**

In Arabic, *ḥimāyah* means safeguarding, defending, and preventing harm. For instance, it is said, *"So-and-so protected his companions,"* meaning he defended them. Therefore, *ḥimāyah al-bī'ah* means preserving the environment and shielding it from any source of harm or degradation⁴.

- **Technically:**

Protection refers to the preservation of persons or property from danger through legal or physical means. It includes the procedures and regulations aimed at ensuring safety and security. The concept is also found

in Islamic jurisprudence—for example, in the context of a truce agreement (*'ahd amān*), wherein the state must ensure the safety of those under its protection⁵.

Both linguistically and technically, *protection* revolves around the ideas of prevention and defense. It thus constitutes a core principle in any legal system concerned with maintaining the safety and integrity of the environment⁶.

Third: Types of Environmental Protection Mechanisms: Environmental protection mechanisms are generally divided into two main types: preventive mechanisms and deterrent mechanisms.

A/ Preventive Mechanisms for Environmental Protection: These refer to a set of measures, restrictions, tools, and techniques imposed by administrative authorities or the *ḥisbah* system upon individuals, with the aim of safeguarding the environment and maintaining its integrity⁷.

B/ Deterrent Mechanisms for Environmental Protection: These are non-criminal legal methods and mechanisms, relying on administrative sanctions on the one hand, and civil liability on the other. They consist of measures and procedures of a deterrent nature applied against violators of environmental protection laws, with the objective of enforcing compliance and preventing harm or damage caused by such violations. Islamic law has acknowledged the environment through numerous foundational legal principles, while the Algerian legislator has addressed the various forms and components of the environment through specific provisions of Law No. 03/10 concerning the protection of the environment within the framework of sustainable development⁸.

It can be concluded that both Islamic law and Algerian legislation accord significant importance to the environment and the preservation of its resources and elements. Moreover, administrative bodies and other relevant institutions play a pivotal role in the supervision and enforcement of environmental protection, primarily through administrative regulation mechanisms⁹.

Fourth: Preventive Mechanisms for Environmental Protection in Islamic Law and Their Relation to the Objectives (Maqāṣid) of the Shari'ah: Islamic law, through its textual sources, juristic rules, and overarch-

² Abdel-Salam Abu Al-Nil, *Environmental Jurisprudence in Islamic Sharia*, Dar Al-Fikr Al-Arabi, Cairo, 2007.

Ahmed Mukhtar Omar, *Contemporary Arabic Language Dictionary*, 4th Edition, Cairo: Dar Alam Al-Kutub, 2008, Vol. 1, p. 2441.

³ Ahmed Mukhtar Omar, *Op. cit.*, p. 559.

⁴ Gabriel Cornu, *Dictionary of Legal Terms*, Translated by Mansour Al-Qadi, 1st Edition, Cairo: University Publishing House, 1998, p. 726.

⁵ Ibn Qudamah, *Al-Mughni*, Vol. 7, 1st Edition, Riyadh: Dar Alam Al-Kutub, 1409 AH / 1989 AD, pp. 154–159.

⁶ Raq Mohammed Labi, *Procedural Protection of the Environment: From Monitoring to Prosecution*, 4th Edition, Cairo, Dar Al-Nahda Al-Arabiya, 2009, p. 69.

⁷ Al-Tabari, *Jami' al-Bayan fi Ta'wil al-Qur'an*, Vol. 2, Edited by Ahmad Muhammad Shakir, 1st Edition, Al-Risalah.

⁸ Al-Qurtubi, *Al-Jami' li-Ahkam al-Qur'an*, Vol. 7, Edited by Ahmad Al-Bardouni and Ibrahim Atfayish, 2nd Edition, Cairo, Egyptian Book House, 1384 AH / 1964 AD, p. 226.

⁹ Samia Tawahri, *Mechanisms of Environmental Protection and Their Role in Achieving Sustainable Development in Algeria*, Master's Thesis, Regional Authorities and Local Communities Program, Faculty of Law, University of Bejaia, 2015/2016, p. 52.

¹⁰ Foundation, 1420 AH / 2000 AD, p. 123.

ing legal objectives (*maqāṣid al-sharī'ah*), has established a comprehensive preventive framework for environmental protection. This is addressed in the following subsections:

Preventive Mechanisms in the Qur'an and the Sunnah: Islamic law, as embodied in the Qur'an and the Prophetic Sunnah, stands out among the divine legal systems in its deep concern for the environment and its emphasis on environmental integrity. The preventive approach within these sources may be illustrated as follows:

1. Preventive Mechanisms in the Qur'an: The human being is duty-bound to protect the environment with which God has blessed him, preserving it so that it may fulfill the function for which it was created. God has sternly warned against corrupting or harming the environment. Among the relevant verses:

- **Surat al-Baqarah [2:211]:** This verse indicates that distorting or wasting God's blessings and spreading corruption may lead to severe divine punishment.
- **Surat al-Baqarah [2:60]:** A direct prohibition against spreading corruption on Earth is stated in this verse.
- **Surat al-A'raf [7:56]:** The verse conveys a general prohibition against all forms of corruption, whether great or small, after the Earth has been set in order.
- **Surat al-Rum [30:41]:** This verse links environmental degradation—including the scarcity of produce and livelihood—to the sins of humanity, suggesting that moral and religious transgressions lead to environmental imbalance.
- **Surat al-Baqarah [2:36]:** This verse affirms that the Earth is a place of dwelling and sustenance for a divinely appointed term, thereby underscoring the importance of responsible human stewardship².

From these verses, it is evident that the environment in Islam is not subject to arbitrary human exploitation. Rather, humankind is entrusted as a vicegerent (*khalīfah*) on Earth and is therefore obligated to manage its resources wisely, maintain its balance, and prevent any form of destruction, pollution, or harm—be it to human beings or to any other creatures.

Section Two: Preventive Mechanisms for Environmental Protection in the Prophetic Sunnah

The Prophetic Sunnah pays considerable attention to environmental preservation. Numerous texts encourage Muslims to care for the environment, such as promoting the planting and protection of trees, and prohibiting acts that may harm or pollute natural resources. This clearly reflects the preventive dimension outlined by Islamic law in this context. The most prominent preventive mechanisms derived from the Sunnah include the following:

First: Encouragement to Keep Public Roads Clean and Remove Harm from Them

The Prophet Muhammad (peace be upon him) considered removing harmful objects from public roads as an act of faith. Abu Hurairah (may Allah be pleased with him) narrated that the Prophet said: "Faith has over seventy branches, the highest of which is saying: 'There is no god but Allah,' and the lowest of which is removing something harmful from the road. Modesty is a branch of faith." (Narrated by Muslim) This hadith indicates that removing harmful objects from public pathways is a devotional act that reflects genuine faith. The term "harm" is used in a general sense, encompassing both physical nuisances such as garbage and waste, and non-physical forms of harm, which underscores the comprehensive preventive approach of Islam.

Second: Prohibition of Relieving Oneself in Public Pathways and Shaded Areas

One of the forms of environmental pollution that Islam strongly prohibits is relieving oneself in public areas, such as roads or places where people rest and seek shade. Abu Hurairah (may Allah be pleased with him) narrated that the Prophet said:³ **"Beware of the two things that bring curses." They said, "What are they, O Messenger of Allah?" He said, "Relieving oneself in the roadways or in the shade [where people seek shelter]." (Narrated by Muslim)** This hadith highlights that causing environmental pollution in shared public spaces is an infringement upon the rights of others and is thus religiously forbidden⁴.

Third: Prohibition of Urinating in Still Water: As part of the effort to preserve natural resources, the Prophet forbade urinating in stagnant water that people may use. Abu Hurairah (may Allah be pleased with him) narrated that the Prophet said:⁵ **"None of you should urinate in stagnant water that is not flowing, and then bathe in it." (Narrated by al-Bukhari and Muslim).** In another narration: **"None of you should urinate in still water." (Narrated by Muslim).** This prophetic directive reflects the Islamic emphasis on safeguarding water sources and preventing their contamination, as they are vital public resources⁶.

Section Three: Major Legal Maxims as a Foundational Framework for the Relationship Between Humans and the Environment

Islamic jurisprudence is distinguished by a set of comprehensive legal maxims upon which many rulings are based. These are general principles characterized by both breadth and flexibility, making them applicable across times and contexts. Among these maxims are

¹ Ibn Kathir, Tafsir al-Qur'an al-Azim, Vol. 1, p. 236.

² Saleh Darokash Al-Kash, International Conference on "Mechanisms of Environmental Protection", Jil Scientific

³ Research Center, Conference Proceedings Series, Tripoli - Lebanon, December 26-27, 2017, p. 49.

⁴ Muslim, Sahih Muslim, Book of Purification, Chapter on the Prohibition of Relieving Oneself in Public Paths, Hadith No. 269.

⁵ Dr. Ahmed Al-Raisouni, The Theory of Maqasid according to Imam Al-Shatibi, Dar Al-Kalima, Beirut, 2nd Edition, 2001.

⁶ Muslim, Sahih Muslim, Book of Faith, Chapter on the Number of Branches of Faith, Hadith No. 35, p. 63

those that offer a foundational reference for constructing a responsible and balanced relationship between humans and their environment, and that help to promote environmental citizenship from an Islamic legal perspective. The most prominent of these maxims include¹:

First: The Maxim “Harm Must Be Removed”

Text of the maxim: *Al-Darar Yuzāl* (Harm must be eliminated)

Explanation: This is one of the broadest and most significant maxims in Islamic jurisprudence. It reflects a general principle in Islamic law, which is to alleviate harm to the greatest extent possible. The term "harm" here includes any material or non-material damage affecting humans, animals, or the environment.

Scriptural foundations:

- The Prophet (peace be upon him) said: “*There should be neither harming nor reciprocating harm.*” (Narrated by Mālik in *al-Muwattaʿ* and Ibn Mājah, among others)
- Allah says in the Qur'an: “And do not throw yourselves with your own hands into destruction.” [Al-Baqarah: 195].

Relation to the environment:

- Environmental pollution, deforestation, destruction of habitats, and wasteful resource consumption all fall under the category of "harm."
- This maxim obliges individuals, communities, and states to remove existing environmental harm and to prevent its occurrence.
- Based on this principle, polluters can be held responsible to rectify the damage they have caused to the environment².

Second: The Maxim “Custom is a Legal Reference”

Text of the maxim: *Al-ʿĀdah Muḥakkamah* (Custom is authoritative)

Explanation:

This maxim means that what people commonly practice and deem acceptable—provided it does not contradict Islamic law—can be considered a valid source of rulings. Accepted customs or local norms are recognized as supplementary sources of Islamic legal inference.³

¹ Al-Bukhari, Sahih al-Bukhari, Book of Ablution, Chapter on the Prohibition of Urinating in Still Water, Hadith No. 236. Muslim, Sahih Muslim, same reference as above.

Dr. Ya'qub bin Abdul Wahhab Al-Bahhasin, Major Jurisprudential Principles and Their Impact on Islamic Jurisprudence, Maktabat Al-Rushd, Riyadh, 5th Edition, 2006.

² Dr. Mohammed Mustafa Al-Zuhayli, Jurisprudential Rules and Their Applications in the Four Schools of Thought, Dar Al-Fikr, Damascus, 2nd Edition, 2006.

³ Walidah Hadadi, “Shaping Environmental Citizenship Values among University Youth via Social Media,” Journal of Humanities and Social Sciences Researcher, University of El Oued, Issue 12, 2020.

Scriptural foundations:

- Allah says in the Qur'an: “**Hold to forgiveness; enjoin what is right; and turn away from the ignorant.**” [Al-A'rāf: 199]
- The Prophet (peace be upon him) said: “*What Muslims deem to be good is also good in the sight of Allah.*” (Narrated by Ahmad:

Its Relationship to the Environment:

- Positive environmental practices—such as recycling, organic farming, and water conservation—can evolve into binding customs (*ʿurf*) when adopted by society and endorsed by Islamic law.
- Custom can also serve as a deterrent to harmful behaviors; when society establishes a norm of respecting natural spaces and refraining from polluting them, violating such norms becomes a form of transgression⁴.
- This underscores the vital role of Islamic education and environmental media in cultivating eco-friendly habits and fostering an environmental culture grounded in religious values⁵.

Third: The Legal Maxim “The Ruler’s Actions Concerning His Subjects Are Tied to the Public Interest”

Text of the Maxim: *Taṣarruf al-imām ʿala al-raʿiyyah manūf bi-l-maṣlaḥah*

Explanation:

This maxim concerns the conduct of the ruler or authority figure, stipulating that their decisions and policies must aim to achieve the public good and prevent harm to society. It establishes a foundation for environmental stewardship within the framework of political and religious responsibility.⁶

Scriptural Foundations:

- The Prophet Muhammad (peace be upon him) said: “*Each of you is a shepherd, and each of you is responsible for his flock.*” (Narrated by al-Bukhārī and Muslim)
- Allah says in the Qur'an: “[He] has chosen you and has not placed upon you in the religion any hardship.” [Al-Hajj: 78]

Its Relationship to the Environment:

⁴ Dr. Nour Al-Din Al-Khadimi, Objectives of Islamic Sharia and Their Relation to Jurisprudential Rulings, Ibn Hazm Publishing, Beirut, 1st Edition, 2001.

⁵ Shahrzad Bouzidi and Lahou Louhi, “The Impact of Environmental Citizenship on Achieving Sustainable Development – A Case Study of Arjoum Mills in Biskra,” Journal of Economic Integration, Issue 7, 2020.

⁶ Ahmed bin Yahya Al-Wansharisi, Idāh Al-Masalik ila Qawā'id Al-Imam Malik, Dar Al-Gharb Al-Islami, Beirut, 2nd Edition, 1991. Shahrzad Bouzidi and Lahou Louhi, “The Impact of Environmental Citizenship on Achieving Sustainable Development – A Case Study of Arjoum Mills in Biskra,” Journal of Economic Integration, Issue 7, 2020

- Environmental policies, regulations, and industrial projects must be based on public environmental interest.
- It is impermissible to pursue development in ways that harm the environment or public health.
- This maxim legitimizes the ruler's authority to implement strict measures against polluters, impose penalties, and prohibit projects that damage the environment¹.

Fourth: The Legal Maxim "There Is to Be Neither Harm Nor Reciprocal Harm"

Text of the Maxim: *Lā ḍarar wa-lā ḍirār*

Explanation:

Despite its brevity, this maxim is among the most significant in Islamic jurisprudence. It establishes the fundamental principle that it is impermissible to cause harm to oneself or others. The distinction between this maxim and "*harm must be removed*" is that this one is **preventive**, while the other is **remedial**.²

Scriptural Foundations:

- The Prophet (peace be upon him) said: "*There is to be neither harm nor reciprocal harm.*" (Narrated by Ibn Mājah and others; authenticated by al-Albānī³)

Its Relationship to the Environment:

- Individuals are prohibited from inflicting harm on the environment, whether by cutting down trees, polluting the air or water, overgrazing, or engaging in illegal hunting.
- They are also prohibited from harming others environmentally, such as by constructing polluting factories near residential areas or disposing of waste in water sources.
- This maxim applies to all forms of environmental harm—whether direct or indirect, immediate or long-term⁴.

These overarching legal maxims are not rigid textual statements; rather, they are dynamic legal tools that can be activated to cultivate environmentally responsible behavior in Muslim societies. They highlight the deep compatibility of Islamic law with modern environmental principles and even surpass contemporary frameworks by having long preceded them in establishing the protection of the earth from corruption and degradation. This necessitates that Islamic countries—such as Algeria—capitalize on this rich jurisprudential legacy in crafting environmental legislation and fostering an eco-

logical consciousness that interlinks faith, national responsibility, and environmental stewardship⁵.

Section Four: Jurisprudential and Societal Applications for Environmental Protection in the Algerian Context

First Subsection: Contemporary Jurisprudential Efforts in Environmental Protection

In recent decades, there has been an increasing body of jurisprudential work aimed at rooting environmental protection within the framework of Islamic law. Fatwa bodies and contemporary scholars have contributed to highlighting that preserving the environment is among the religious duties connected to the objectives of Shariah. Among the most prominent of these efforts are:

1. Considering pollution as a form of harm that is religiously prohibited, based on the jurisprudential principle: "Harm must be eliminated," which entails preventing individuals or entities from actions that cause harm to others, such as disposing of waste into water bodies or the air.
2. Fatwas issued by jurisprudential councils (such as the International Islamic Fiqh Academy) which regard ecological balance as a trust for which humans will be held accountable, and that violating creatures or natural resources constitutes corruption on earth⁶.
3. Integrating environmental concerns within the jurisprudence of transactions, making it obligatory to consider the environmental impact of economic activities such as consumption, production, and resource depletion.
4. Linking environmental protection to the higher objectives of Shariah, such as preserving life (from diseases caused by pollution) and safeguarding wealth (from losses due to environmental disasters), thereby providing a firm legislative foundation for environmental responsibility.

Second Subsection: Examples of Environmental Programs or Initiatives in Algeria from a Shariah Perspective

Despite the environmental challenges facing Algeria, several environmentally oriented initiatives have emerged in recent years that can be interpreted or supported from a religious perspective, including:

5. National afforestation programs aimed at combating desertification and restoring ecological balance. These fall under the religious categories of "reviving the earth" and "planting," supported by numerous prophetic hadiths emphasizing the virtue of planting trees even at the end of times⁷.

¹ Badr Al-Din Al-Zarkashi, Al-Manthur fi al-Qawa'id al-Fiqhiyya, Kuwaiti Ministry of Endowments.

² Ahmed bin Yahya Al-Wansharisi, Idah Al-Masalik ila Qawa'id Al-Imam Malik, Dar Al-Gharb Al-Islami, Beirut, 2nd Edition, 1991.

³ Dr. Wahbah Al-Zuhayli, Theory of Harm in Islamic Jurisprudence, Dar Al-Fikr, Damascus, 1st Edition, 1982.

⁴ Shahrazad Bouzidi and Lahou Louhi, "The Impact of Environmental Citizenship on Achieving Sustainable Development - A Case Study of Arjoun Mills in Biskra," Journal of Economic Integration, Issue 7, 2020

⁵ Ahmed bin Yahya Al-Wansharisi, Idah Al-Masalik ila Qawa'id Al-Imam Malik, Dar Al-Gharb Al-Islami, Beirut, 2nd Edition, 1991.

⁶ Jalal al-Din Al-Suyuti, Al-Ashbah wa al-Naza'ir, Dar Al-Kutub Al-Ilmiyya, Beirut, 1st Edition, 2003

⁷ Walidah Hadadi, "Shaping Environmental Citizenship Values among University Youth via Social Media," Journal of

6. Waste recycling projects launched by some municipalities or youth associations, which can be supported by the legal maxim "No harm and no reciprocating harm," as well as by the principle of preserving blessings and wisely investing resources.

7. Environmental awareness campaigns held in mosques and schools, supported by the Ministries of Religious Affairs and Education, combining religious motivation with national responsibility.

8. The establishment of nature reserves and green areas, which align with the jurisprudential concept of "protection" (al-himayah) used by the Prophet Muhammad (peace be upon him) to safeguard vital resources for the benefit of the community.

Section Five: The Role of Religious and Educational Institutions in Consolidating Environmental Citizenship

First Subsection: Mosques and Religious Education as Mediums for Environmental Awareness

Mosques are among the most influential institutions within Algerian society due to their social trust and spiritual status. Some sermons and religious lessons have increasingly addressed environmental and environmental citizenship topics. The following proposals are made:

9. Incorporating environmental topics into Friday sermons and religious lessons by linking them to relevant scriptural texts and prophetic traditions related to cleanliness, planting, and kindness to animals¹.

10. Encouraging imams and preachers to highlight local environmental issues (such as pollution in neighborhoods, fires, or water scarcity) and connect these issues to religious obligations.

11. Organizing youth workshops and meetings in mosques about environmental protection, in cooperation with local associations and municipalities.

Second Subsection: Integrating Environmental Concepts into Educational and Cultural Curricula

The Algerian school plays a pivotal role in shaping collective awareness; therefore, integrating environmental concepts into curricula is a fundamental step toward establishing environmental citizenship:

- Incorporating environmental and environmental citizenship concepts into educational subjects (such as Islamic Studies, Civic Education, and even Arabic language through texts), linking them to the objectives of Shariah².

- Activating environmental clubs within educational institutions and encouraging students to engage in

awareness and volunteer activities related to cleanliness, tree planting, and recycling.

- Training teachers on the ethical dimension of the environment through training courses that combine environmental, moral, and religious education.

- Coordinating between the Ministries of Education and Religious Affairs to issue reference guides that connect Islamic values with environmental responsibility³.

Conclusion

Environmental protection is not merely a legal or technical issue; it is a religious, ethical, and human commitment. This study has shown how Islamic Shariah has established advanced environmental concepts through its objectives of preserving life, lineage, and wealth, as well as through the major jurisprudential principles that regulate the relationship between humans and their natural environment. The study also highlighted that environmental citizenship requires broad societal awareness and combined efforts from various actors, especially religious and educational institutions, which represent effective platforms for awareness and upbringing. The study concluded with the necessity of activating these mechanisms within a comprehensive and sustainable vision that takes into account the Algerian specificity and global developments.

Findings

1. Islamic Shariah, through texts, objectives, and principles, demonstrates a profound concern for the environment and mandates its protection.

2. Environmental protection mechanisms are diverse—legislative, institutional, educational, and religious—making their integration essential.

3. The major jurisprudential principles (such as "harm must be eliminated," "custom is authoritative," and "hardship brings ease") provide flexible frameworks that can be applied to contemporary environmental issues.

4. Promising models exist in Algeria for environmental programs based on religious or social awareness, though they require expansion and strengthening.

5. There is a relative weakness in integrating environmental issues into educational curricula and religious sermons compared to the importance of the topic.

Recommendations

¹ Humanities and Social Sciences Researcher, University of El Oued, Issue 12, 2020.

² Khaled Hamed and Fadila Araibiya, "Prospects for Promoting Environmental Citizenship Dimensions as a Mechanism for Environmental Protection," University of Oum El Bouaghi Journal of Human Sciences, Issue 29, 2021.

³ Ibrahim Al-Dhahabi and Ashwaq Ben Ammar, "The Role of Civil Society Organizations in Promoting the Principles of Environmental Citizenship," Al-Shamil Journal of Educational and Social Sciences, University of El Oued, Issue 6, 2021.

1. Strengthen environmental religious discourse through training programs for imams and preachers to clarify the status of the environment in Islam.
2. Clearly integrate environmental concepts into educational curricula across all educational levels.
3. Activate partnerships between state institutions and civil society in environmental awareness campaigns, linking them with religious and ethical content.
4. Allocate study materials or independent units on environmental citizenship within Islamic and social sciences disciplines.
5. Encourage contemporary jurisprudential ijtihad in the field of environment to issue fatwas that consider modern developments and sustainable development challenges.
6. Support community environmental initiatives and link them with religious and educational institutions to enhance effectiveness and impact.

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