

**STRENGTHENING LEGAL AWARENESS EDUCATION ON
ENVIRONMENTAL PERMITS THROUGH FIQH AL-BI'AH FOR
SUSTAINABLE FISHERIES GOVERNANCE**

THESIS

by
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**SHARIA ECONOMIC LAW DEPARTMENT
SHARIA FACULTY
STATE ISLAMIC UNIVERSITY MAULANA MALIK IBRAHIM
MALANG
2026**

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MALANG

2026

STATEMENT OF THE AUNTENTICITY

In the name of Allah,

With consciousness and responsibility toward the development of science, the writer declares that thesis entitled:

STRENGTHENING LEGAL AWARENESS EDUCATION ON ENVIRONMENTAL PERMITS THROUGH FIQH AL-BI'AH FOR SUSTAINABLE FISHERIES GOVERNANCE

Is truly writer's original work which can be legally justified. If this thesis is proven result of duplication or plagiarism from another scientific work, it as precondition of degree will be stated legally invalid.

Malang, 7th April 2026

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STRENGTHENING LEGAL AWARENESS EDUCATION ON ENVIRONMENTAL PERMITS THROUGH FIQH AL-BI'AH FOR SUSTAINABLE FISHERIES GOVERNANCE

The supervisor stated that the thesis has fulfilled the scientific requirements to be proposed and to be examined on the Assembly Board of Examiners.

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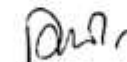
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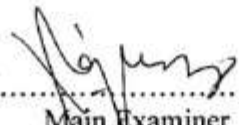
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MOTTO

“Whenever you think Allah is silent or quite when you are going through a difficult time remember that the teacher is always quiet during the test.”

(Aghite Khadijah)

“...Call upon me, I will respond to you..”

(QS. Ghafir verse 60)

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From all the teaching, advice, guidance, and help of service for us to finish the thesis, then with all humility the writer will express the gratitude which is unequalled to:

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5. Aditya Prastian Supriyadi, M.H., as a thesis supervisor. The author would like to thank you for the time and patience given during the thesis writing process. Thank you for making every consultation process easier and understanding every difficulty that the author faces. May Allah SWT always bestow health, blessings, and the best reward for every kindness he gives.
6. All lecturers at Sharia Faculty of the State Islamic University of Maulana Malik Ibrahim Malang who have provided learning to all of us. With sincere intentions, may all of their charity be part of worship to get the pleasure of Allah SWT.
7. Staff of Sharia Faculty of The State Islamic University Maulana Malik Ibrahim of Malang.
8. The author's parents who have always been with the author from the first breath until now. The author hopes that you will always be healthy, live a long live, and be able to witness other successes that the author will achieve in the future.
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With the completion of this thesis report, the hope that knowledge which we have gained during our studies can provide the benefits of life in the word and the here after. As a human who has never escaped fault, the author is very hopeful for the forgiveness, criticism and suggestions from all parties for future improvement efforts.

Malang, 7th April 2026

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TRANSLITERATION GUIDELINES

In writing scientific papers, the use of foreign terms is often unavoidable. In general, according to the General Guidelines for Unified Indonesian Language, foreign words are written (printed) in italics. In the context of Arabic, there are special transliteration guidelines that apply internationally. The following is a table of transliteration guidelines as a reference for writing scientific papers. The Arabic-Indonesian transliteration of the Faculty of Sharia, UIN Maulana Malik Ibrahim Malang is guided by the Library of Congress (LC) model of the United States as follows:

Arab	Indonesia	Arab	Indonesia
ا	'	ط	T
ب	B	ظ	Z
ت	T	ع	'
ث	Th	غ	Gh
ج	J	ف	F
ح	H	ق	Q
خ	Kh	ك	K
د	D	ل	L
ذ	Dh	م	M
ر	R	ن	N
ز	Z	و	W
س	S	ه	H
ش	Sh	ء	'
ص	Ṣ	ي	Y
ض	Ḍ		

To indicate a long vowel sound (madd), the method is to write a horizontal streak above the letter, such as ā, ī dan ū (أ, ي, و). Arabic double vowels are transliterated by combining the two letters “ay” and “aw” such as layyinah, lawwāmah. Words ending in tā’ marbūṭah and functioning as an adjective or muḍāf ilayh are transliterated with “ah”, while those functioning as muḍāf are transliterated with “at”.

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Strengthening Legal Awareness Education on Environmental Permits Through Fiqh al-Bi'ah for Sustainable Fisheries Governance

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Abstract

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Fishery enterprises in Jember Regency demonstrate low compliance with environmental permit regulations under Government Regulation No. 22/2021. This situation reflects the suboptimal performance of the Jember Regency Environment Agency in delivering legal the Jember Regency Environment Agency in delivering legal education. This condition is reflected in the ongoing operation of illegal shrimp farms, which have a negative impact on the environment and the surrounding residents. This research aims to analyze the urgency of legal awareness education regarding environmental permits, as conducted by the Jember Regency Environment Agency, in managing illegal and environmentally harmful fisheries, and to review it from the perspective of Fiqh al-Bi'ah. The study employs an empirical juridical method. Data collection techniques include interviews, observations, and documentation as primary sources, supported by literature and statutory materials as secondary sources. The findings reveal that legal education provided by the Environment Agency plays a crucial role in promoting compliance with environmental regulations among fishery business actors.. In the concept of Fiqh al-Bi'ah, education is a persuasive effort before the imposition of sanctions, aiming to cultivate awareness that protecting the environment is an act of worship and a moral responsibility of humans as caliphs on earth. This study contributes to enriching the understanding of legal awareness education by emphasizing ethical values within Fiqh al-Bi'ah as the basis for fostering compliance and promoting sustainable environmental and economic development.

1. Introduction

The problem of environmental damage resulting from business activities that fail to comply with licensing provisions remains a key concern in Indonesia environmental management efforts. Ecosystem damage demonstrate that the level of compliance among business actros with environmental regulations remains low, particularly in the aquaculture sector, which has the potential to generate waste, trigger eutrophication, and disrupt ecological stability. This low compliance is influenced by weak supervision, lack of understanding of business actors, and inconsistent implementation of environmental policies by local governments.¹ This situation highlights the importance of legal education in promoting compliance with environmental permits as a means to control impacts, particularly

¹ Citra Fitrie Riany, Stefan Partelow, and Ben Nagel, "Governance Challenges for Indonesian Pond Aquaculture: A Case Study of Milkfish Production in Gresik," *Frontiers in Aquaculture* 2 (September 11, 2023): 1254593, <https://doi.org/10.3389/FAQUC.2023.1254593/BIBTEX>.

since the aquaculture sector has been shown to have a potential for water pollution if not properly managed.²

In the Government Regulation Number 22 of 2021 concerning the implementation of Environmental Protection and Management introduces environmental approval as an integral part of business licensing. Article 3, paragraph (1) requires every business or activity that has an essential or non-negligible impact on the environment to have an environmental approval. Furthermore, Article stipulates that business actors must own specific environmental documents, namely the Environmental Impacts Analysis (AMDAL), Environmental Management and Monitoring Efforts (UKL-UPL), and Environmental Management and Monitoring Capability Statement Letter (SPPL). This provision legally requires every business actor to ensure that its operational activities do not cause harm to the environment.

However, the implementation of this regulation in Jember Regency reveals the existence of essential problems that will be the focus of this research, as seen in the cases of PT Berjaya Anugerah Sejahtera in Sumberejo Village and PT Alam Anugerah Pertiwi in Ambulu District, which are known to violate the provisions of environmental permits still.³ PT Berjaya Anugerah Sejahtera is known to have an environmental permit that expired in 2019, while PT Alam Anugerah Pertiwi does not have a wastewater treatment plant. Both continue to operate without UKL-UPL documents, despite having harvested 14 times. As a result, the pond activities have had a direct impact on the surrounding ecosystem, such as damage to mangroves in the pond area, the emergence of itchy skin diseases among fishermen due to water pollution, and changes in the color of the water used by local residents. This condition prompted the Jember Regency Regional Representative Council to recommend the closure of the ponds as a preventative measure against community losses and environmental damage.⁴ However, the researcher considers that the problem of illegal ponds should not be solved immediately only using a repressive approach, but also through increased education and legal awareness for business actors. In this case, the Jember Regency Environment Agency plays a crucial role as the authority responsible for providing guidance and education.

This research refers to various previous studies to provide an overview of the existing problems. Research by Esa Kurniawan Siregar, Lintje Anna Marpaung, and Baharudin (2022) indicates that many shrimp pond activities in West Coast Regency continue to operate without environmental permits. Therefore, the government must issue written warnings or take coercive actions.⁵ Meanwhile, research by Lisa Medika Yati, Rembrandt, and Syofiarti (2024) highlights that shrimp farming actors are often not environmentally friendly because they

² Dhiana Puspitawati et al., "The Design of Regulatory Reform in Aquaculture in Indonesia: Opportunities and Threats of the Implementation of SDGs in Fisheries Governance," *AAFL Bioflux* 15, no. 3 (June 30, 2022): 1215–1225, <https://www.scopus.com/pages/publications/85133786224>.

³ Fifing Espradina, "DPRD Jember Minta Operasional Tambak Udang PT BAS Di Sumberejo Dihentikan Sementara," accessed October 26, 2025, <https://jember.inews.id/read/600389/dprd-jember-minta-operasional-tambak-udang-pt-bas-di-sumberejo-dihentikan-sementara>

⁴ Dwi Linda, "Desak Penutupan Tambak Udang PT AAP, DPRD Jember Soroti Pelanggaran Izin Tak Lengkap Dan Kerusakan Lingkungan", *Tugu Jatim ID*, News, September 12, 2025, accessible 17 September 2025, <https://tugujatim.id/dprd-jember-desak-penutupan-tambak-udang-pt-aap/>.

⁵ Esa Kurniawan Siregar et al., "IMPLEMENTASI PASAL 36 AYAT (1) UNDANG-UNDANG NOMOR 32 TAHUN 2009 TENTANG PERLINDUNGAN DAN PENGELOLAAN LINGKUNGAN HIDUP TERHADAP KEGIATAN/USAHA TAMBAK UDANG YANG BELUM MEMILIKI IZIN LINGKUNGAN," *Jurnal Hukum Malahayati* 3, no. 2 (2022): 11–17, <https://doi.org/10.33024/jhm.v3i2.5057>.

encounter obstacles in managing documents (AMDAL).⁶ This is reaffirmed by research by Siska Elvandari, Ansiha Nur, and Budhi Primasari (2024), who found that the existence of illegal shrimp ponds often ignores environmental impacts and causes community unrest, while local governments have not made adequate control efforts.⁷

These previous studies have essentially offered initial solutions, such as the need for stricter supervision, administrative enforcement in the form of written warnings, and improvements to Environmental Impact Assessment procedures to facilitate business actors in fulfilling their environmental obligations. While these studies have demonstrated their strengths in mapping licensing issues and the ecological impacts of the shrimp farming industry, most have focused on problem descriptions and have not provided a preventative legal development approach. To address these limitations, this study aims to develop a legal awareness education strategy for fisheries businesses in Jember Regency, focusing on environmental approval obligations. Using a *fiqh al-bi'ah* perspective and focusing on the role of the Environmental Agency, this study presents a scientific novelty in the form of an analysis that combines positive legal aspects with sharia based environmental ethics, thus providing a more comprehensive contribution to regulating illegal, environmentally unfriendly fisheries.

Based on the results of the analysis of the problems that have been described, the researcher is interested in analyzing how legal awareness education related to environmental permit obligations can function as an effective instrument in regulating illegal fishing business activities that are not environmentally friendly in Jember Regency. The researcher formulated two main problems, namely (1) What is the urgency of legal awareness education on environmental permit obligations that can be carried out by the Jember Regency Environment Agency in regulating illegal fishing businesses that are not environmentally friendly? (2) What is Fiqh al-Bi'ah's view on the urgency of legal awareness education on environmental permit obligations that can be carried out by the Jember Regency Environment Agency in regulating illegal fisheries businesses that are not environmentally friendly?.

This study aims to analyze the importance of legal awareness education regarding environmental permit obligations carried out by the Jember Regency Environment Agency in an effort to regulate illegal fishing business activities that can have a negative impact on the environment. In addition, this study also intends to examine the views of Fiqh al-Bi'ah regarding the importance of legal awareness education on environmental permit obligations that can be applied by the Jember Regency Environment Agency in regulating illegal fishing businesses that are not friendly to the environment.

2. Methods

The research uses an empirical juridical method, which is an approach that aims to examine how law is applied in practice in the field. The main focus is on the implementation of environmental law awareness education carried out by the Jember Regency Environment Agency against illegal fisheries business actors. This research uses three types of approaches, namely the sociological juridical approach, the legislative approach, and the conceptual approach. In this study, two types of data sources were used, namely primary data and

⁶ Medika Yati Lisa, "Upaya Pemerintah Daerah Mengatasi Pencemaran Lingkungan Akibat Pembangunan Usaha Tambak di Kawasan Sempadan Pantai di Kecamatan Batang Anai Kabupaten Padang Pariaman" (masters, Universitas Andalas, 2024), <https://doi.org/10/BAB%252520IV.pdf>.

⁷ Siska Elvandari, Ansiha Nur, and Budhi Primasari, "Pengendalian Pencemaran Lingkungan Atas Keberadaan Tambak Udang Ilegal Di Batang Anai Kabupaten Padang Pariaman Sebagai Upaya Perlindungan Hukum Terhadap Kesehatan Masyarakat," *UNES Law Review* 6, no. 2 (December 20, 2023): 5763-5779, <https://doi.org/10.31933/UNESREV.V6I2.1407>.

secondary data. Primary data was obtained through interviews, observations, and direct documentation with the Jember Regency Environment Agency and fisheries business actors. Meanwhile, secondary data is obtained from various literature, laws and regulations, scientific journals, and other official documents that function as supporting primary data. The plan to apply the method in this research in the field is carried out through several stages. First, the researcher will carry out direct observations at the Jember Regency Environmental Agency to examine how legal awareness education activities are implemented regarding environmental permits for fisheries business actors. Second, interviews were conducted with officials and staff of the Jember Regency Environmental Office, as well as several fisheries business actors, to obtain data on the level of legal awareness, obstacles in the implementation of education, and the effectiveness of the programs carried out. Third, the researcher will collect documents related to relevant regional regulations and policies as supporting data. All data obtained were used to analyze policies and efforts to control environmentally harmful fisheries activities in Jember Regency.

3. Results and Discussion

3.1. Strengthening Environmental Permit Compliance Through Legal Awareness Education in Jember

Developments in the fisheries sector of Jember Regency, both in fishing and aquaculture activities, have shown a consistent increase in recent years. According to data from the Jember Regency Fisheries Office, there has been a significant increase in production. Between 2020 and 2023, the number of fish catches increased from approximately 9,978 tons to 13,795 tons. Meanwhile, the aquaculture sector also experienced growth from 11,059 tons to 15,479.7 tons.⁸ According to data released by the Central Statistics Agency (BPS) of Jember Regency, the agriculture, forestry, and fisheries sectors are the most significant contributors to the regional economic structure, accounting for more than 25% of the total Gross Regional Domestic Product (GDP).⁹ The increase in production deserves appreciation. However, legality and sustainability aspects must still be the main focus because they are both important requirements for realizing sustainable economic growth. Fishery business activities carried out without environmental permits risk causing a large ecological impact. This can be seen from various community reports related to shrimp pond activities that do not meet environmental permit obligations. Some cases, such as PT Alam Anugerah Pertiwi and PT Berjaya Sejahtera, are still operating without adequate environmental permits.¹⁰ This condition causes damage to the mangrove ecosystem around ponds, reduce water quality, and disturbs the balance of the coastal environment. If illegal fish farming activities in Jember Regency are not addressed immediately, the potential for detrimental environmental impacts will be more widespread and long-term. Fish farming activities conducted without ecological permits can cause water

⁸ Dinas Perikanan Kabupaten Jember, Laporan Akuntabilitas Kinerja Instansi Pemerintah (LAKIP), 2023.

⁹ "Pertumbuhan Ekonomi Kabupaten Jember 2024 - Badan Pusat Statistik Kabupaten Jember," accessed November 2, 2025, <https://jemberkab.bps.go.id/id/pressrelease/2025/03/03/348/pertumbuhan-ekonomi-kabupaten-jember-2024.html>.

¹⁰ Dwi Linda, "Desak Penutupan Tambak Udang PT AAP, DPRD Jember Soroti Pelanggaran Izin Tak Lengkap Dan Kerusakan Lingkungan."

pollution and reduce the quality of coastal resources. Organic waste from fish feed and metabolic waste can increase nutrient levels in the water, triggering eutrophication, the excessive growth of phytoplankton and algae that can reduce dissolved oxygen levels and lead to mass mortality of aquatic life. Furthermore, the use of antibiotics and pesticides to maintain pond productivity can disrupt the natural microbial balance and contaminate coastal sediments, potentially affecting human health through the food chain. The Worldfish report (2021) states that the development of the fisheries industry in Indonesia without strict environmental regulation can trigger social conflicts due to land grabs, reduce the productivity of capture fisheries, and increase the cost of ecosystem restoration in the future.¹¹ Therefore, the ecological damage that occurs not only has an impact on the decline of fishery production due to the deterioration of fishery quality, but also has the potential to reduce fishermen's income, worsen the socio-economic conditions of coastal communities, and threaten the sustainability of natural resources that are the main support of the regional economy.

The legal basis related to environmental permit obligations for fisheries business actors is a vital instrument to ensure that economic activities can take place in line with the principles of ecological sustainability. In Indonesia, regulations related to environmental permits are listed in Law Number 32 of 2009 concerning Environmental Protection and Management, which was later refined through Government Regulation Number 22 of 2021 concerning the Implementation of Environmental Protection and Management. This regulation introduces an environmental approval system as part of the risk-based business licensing mechanism. According to Article 4 of Government Regulation No. 22 of 2021, every business plan or activity that has the potential to impact the environment is required to include environmental documents. The document can be in the form of an Environmental Impact Analysis, Environmental Management Efforts, and Environmental Monitoring Efforts (UKL-UPL), or an Environmental Management and Monitoring Capability Participation Letter (SPPL). This regulation is designed to ensure that every fishery business activity, particularly those with the potential to have a significant environmental impact, undergoes the AMDAL or UKL-UPL review process before obtaining an operational permit. Based on an article entitled "*Implementation of Good Practices in Environmental Licensing Processes*" by de Godoi, Mendes, and Batalhao (2022), it is explained that the implementation of good practices in the environmental licensing system is an essential factor that plays a role in increasing the effectiveness of environmental policies, both at the national and regional levels.¹² An ideal environmental licensing system must be able to ensure open access to information, legal accountability, and community participation as a form of implementing social justice and environmental sustainability effort.¹³

¹¹ "Exploring Indonesian Aquaculture Futures | WorldFish," accessed November 2, 2025, <https://worldfishcenter.org/publication/exploring-indonesian-aquaculture-futures>.

¹² Emiliano Lobo de Godoi, Thiago Augusto Mendes, and André C.S. Batalhão, "Implementation of Good Practices in Environmental Licensing Processes," *Laws* 2022, Vol. 11, Page 77 11, no. 5 (October 12, 2022): 77, <https://doi.org/10.3390/LAWS11050077>.

¹³ Dani Berlan Ramadhan, Shaffira Maharannie Putri, and Arkian Arief, "Constitutional Rights Guarantee and Integrated Licensing System for Sustainable Environmental Development in East Kalimantan," *Constitutionale* 4, no. 1 (March 30, 2023): 49-60, <https://doi.org/10.25041/CONSTITUTIONALE.V4I1.2937>.

The legal basis for the authority of the Jember Regency Environment Agency in carrying out education related to environmental permit obligations for illegal pond businesses departs from the principle of government decentralization in ecological management. Based on Article 63 paragraph (3) letter d of Law Number 32 of 2009 concerning Environmental Protection and Management, local governments have the authority to carry out guidance, supervision, and community empowerment in efforts to manage and preserve the environment. This authority is reaffirmed in Jember Regent Regulation Number 18 of 2023, Article 7, paragraph (2) letter g, which explains that the Jember Environment Agency has the responsibility to carry out coaching activities and give awards in the field of environmental management. Recent research suggests that the effectiveness of environmental governance, particularly at the regional level, is highly dependent on cooperation among government, community, and the implementation of sustainable educational activities. For example, a study titled "*Participatory Environmental Education to Strengthen Environmental Governance in a Local Government in Lima*" (2023) demonstrates that environmental education programs involving direct community participation can encourage increased commitment and responsibility among local governments in managing natural resources.¹⁴ In line with this, the role of the Jember Regency Environment Agency in providing legal guidance and education to actors involved in illegal fishing is a form of applying environmental governance principles that emphasize law enforcement and legal awareness for fishery business actors. Field research revealed three primary factors contributing to ongoing environmental permit violations among fisheries businesses in Jember Regency. First, low understanding of legal obligations: business actors prioritize production over environmental comronmental permits, including the following :

a. Low Understanding

The low understanding of business actors of legal obligations in environmental management is one of the leading causes. Generally, they focus more on increasing pond production without considering the potential environmental impact and legal risks that can arise from these operational activities.

b. Limitations of Field Supervision Intensity

Limited field oversight occurs because the Environmental Agency faces a shortage of personnel and funds, preventing all fisheries business areas from being routinely monitored. This situation has led some businesses to feel freer to operate without obtaining environmental approvals, as they perceive a low likelihood of direct sanctions for failing to fulfill these obligations, which they should have fulfilled before starting their operations to ensure more sustainable environmental management.

c. Lack of Socialization

Some informants also revealed that the lack of socialization and assistance activities from the Jember Regency Environment Agency caused many business actors not to understand the technical procedures and the importance of the legal aspects of the ownership of the environmental permit.

The persistence of illegal operations despite clear regulatory requirements reveals a significant gap between formal legal norms and actual compliance among fishery business

¹⁴ Gina Beatriz Riera Campoblanco, Pedro Javier Tamayo Huamán, and Oscar Leonardo Quispe Vilca, "Educación Ambiental Participativa Para Fortalecer La Gobernanza Ambiental En Un Gobierno Local de Lima. Perú," *Revista de Climatología* 23 (December 31, 2023): 3811–3821, <https://doi.org/10.59427/RCLI/2023/V23CS.3811-3821>.

actors. This gap underscores the vital role of legal education in fostering complete level of legal awareness among fishery business actors. The role of legal education from the Jember Regency Environment Agency is vital in fostering understanding and compliance based on awareness, rather than merely due to pressure or legal obligations. Effective compliance strategies require both repressive enforcement and preventive educational approaches. Legal awareness education operates through four interconnected dimensions: (1) legal knowledge – understanding the content of regulations; (2) legal measure. In the realm of law, legal awareness education encompasses four main aspects: increasing legal knowledge, understanding the law, taking actions in accordance with its provisions, and fostering a legal culture. This is in line with the article entitled *The Role of Environmental Law in Farmers' Environment-Protecting Intentions and Behavior Based on Their Legal Cognition*, " which revealed that increasing the understanding of environmental law in agricultural business actors in Jiangxi, China, has a significant effect on strengthening their intentions and actions to maintain ecosystem sustainability.¹⁵ The results of a similar study were also presented by Maumoh and Yindi (2021) in their research, "*Understanding the Farmers' Environmental Citizenship Behaviors Towards Climate Change*." The study explains that knowledge about the environment and a sense of moral responsibility have an essential role in encouraging compliance with regulations, especially when educational activities are not only informative but also contain elements of environmental ethics.¹⁶

The effectiveness of the legal awareness education program run by the Jember Regency Environment Agency is evident from the level of change in people's legal attitudes and behaviors, as reflected in the four indicators. At the legal knowledge stage, the Environment Agency plays a crucial role in providing information that is easily understandable to the public. Meanwhile, at the stage of legal understanding, this agency functions as a link between legal norms and real conditions in the field. Then, at the stage of action in accordance with the law, it is realized through a form of participatory supervision that involves the community directly in the process of enforcing environmental regulations. The stage of legal culture can be said to be achieved when compliance with the rules has become a social habit that is embedded among fishery business actors. Research conducted by Renata et al. (2025) regarding the *Innovation of the Fishery Licensing Integration System (SIRIP) at the East Java Provincial Marine and Fisheries Service* explains that the success of the fisheries licensing system does not only depend on applicable regulations, but also on the quality of education and public services provided by the apparatus to business actors. The existence of an open and easily accessible licensing system also encourages the active involvement of coastal

¹⁵ Pinyi Su et al., "The Role of Environmental Law in Farmers' Environment-Protecting Intentions and Behavior Based on Their Legal Cognition: A Case Study of Jiangxi Province, China," *Sustainability* 2023, Vol. 15, Page 8571 15, no. 11 (May 25, 2023): 8571, <https://doi.org/10.3390/SU15118571>.

¹⁶ Immaculate Maumoh and Emmanuel H. Yindi, "Understanding the Farmers, Environmental Citizenship Behaviors Towards Climate Change. The Moderating Mediating Role of Environmental Knowledge and Ascribed Responsibility," *International Journal of Advanced Engineering, Management and Science (IJAEMS)* 7, no. 1 (February 23, 2021): 2454–1311, <https://doi.org/10.22161/ijaems>.

communities in increasing compliance with the law.¹⁷ Research conducted by Chen & He et al. (2025) entitled *From Value recognition to effective implementation: the main problems and strengthening paths of law enforcement to combat IUU fishing* also shows a similar thing. They emphasized the importance of enhancing ecological values and legal norms among law enforcement officials and the community so that compliance with regulations does not arise solely out of fear of sanctions, but because of awareness and acceptance of the values contained in these regulations. This approach is believed to establish a more sustainable compliance.¹⁸

Education that is carried out in an organized manner not only plays a role in preventing environmental damage in the pond area, but also serves as a means to encourage sustainable economic empowerment while increasing compliance with environmental law regulations. This education can also promote the implementation of more environmentally friendly cultivation practices, such as efficient waste management with open environmental reporting. These efforts can ultimately increase productivity while strengthening the economic value of fishery products. This finding aligns with research by Carvalho et al. (2021), who conducted an *Environmental Education and Communication Project on Migratory Fishes and Fishing Communities*. The study reveals that environmental education programs involving the active participation of fishing communities can foster ecological awareness while strengthening the link between economic welfare and the sustainability of aquatic resources.¹⁹ As explained by Sierra Castillo et al. (2024), entitled *Enforcement, Deterrence, and Compliance in Co-Managed Small-Scale Fisheries*. Education carried out sustainably and collaboratively in the management of fisheries and aquaculture can form a social norm of compliance that emerges independently, where the community plays the role of supervisors for themselves and others.²⁰ The implementation of education also helps reduce the burden of supervision and law enforcement faced by the Environment Agency, as increased compliance with environmental permits arises from self-awareness and a willingness to comply, rather than from pressure or coercion. The urgency of implementing education not only functions preventively, but is also a step in building environmental governance in fisheries businesses that are ecologically, economically efficient, and law-abiding in Jember Regency.

In carrying out legal education activities for fishery business actors who do not yet have a permit, the Jember Regency Environmental Service can carry out four stages, which are steps to increase legal awareness of business actors, including:

- a. Legal Knowledge

¹⁷ Renata Nanda Swastika and Vidya Imanuari Pertiwi, "Innovation of the Fishery Licensing Integration System (SIRIP) Program for the Marine and Fisheries Office of East Java Province," *Jurnal Dialektika: Jurnal Ilmu Sosial* 23, no. 1 (April 22, 2025): 238–253, <https://doi.org/10.63309/DIALEKTIKA.V23I1.445>.

¹⁸ Linlin Chen and Yuejun He, "From Value Recognition to Effective Implementation: The Main Problems and Strengthening Paths of Law Enforcement to Combat IUU Fishing," *Frontiers in Marine Science* 12 (July 16, 2025): 1596492, <https://doi.org/10.3389/FMARS.2025.1596492/BIBTEX>.

¹⁹ Sara Costa Carvalho et al., "An Environmental Education and Communication Project on Migratory Fishes and Fishing Communities," *Education Sciences* 2021, Vol. 11, Page 337 11, no. 7 (July 6, 2021): 337, <https://doi.org/10.3390/EDUCSCI11070337>.

²⁰ Sierra Castillo et al., "Enforcement, Deterrence, and Compliance in Co-Managed Small-Scale Fisheries," *Ecology and Society, Published Online: 2024-10-31 | Doi:10.5751/ES-15362-290410* 29, no. 4 (October 31, 2024), <https://doi.org/10.5751/ES-15362-290410>.

Carry out legal socialization related to the importance of environmental permits and the legal risks associated with business actors operating without a license, so that they understand the legal aspects of their business activities. Educational activities are carried out directly in the target location or community by utilizing media such as simple modules and learning videos that explain the rights and obligations of business actors, licensing procedures, and the legal implications of environmental permit violations.

b. Understanding The Law

Carry out direct coaching in the field to ensure that business actors understand the correct licensing procedures and their obligations in preserving the environment. This activity was carried out through simulation of real cases involving legal practitioners and environmental experts. In addition, coaching also includes environmental permit simulation training, where business actors have the opportunity to directly practice the process of preparing and filling out UKL-UPL or AMDAL documents in a simple manner.

c. Legal Action

Provide administrative assistance by assisting business actors in the management of licensing documents and the preparation of UKL-UPL in accordance with the provisions of applicable regulations, and in addition, encourage fishery business actors to conduct their business activities in accordance with environmental permits through field coaching, routine monitoring, and recognizing business units that demonstrate compliance with established provisions.

d. Legal Culture

Efforts to foster a culture of compliance with environmental permits in a sustainable manner can be carried out through the formation of communities, as well as the implementation of routine supervision and evaluation to assess the level of compliance of business actors after receiving coaching. This step is also a follow-up to ensure the sustainability of business activities oriented towards environmental sustainability.

The measures implemented by the Jember Regency Environment Agency are in line with the findings of a research entitled *Environmental Knowledge, Regulatory Compliance Mechanisms, and Environmental Sustainability Practices of Manufacturing Small and Medium Enterprises (SMEs) in Uganda*, which explains that increasing understanding of regulations has a positive effect on the effectiveness of compliance and business sustainability performance.²¹ The implementation of legal education programs for fisheries business actors still faces several obstacles in the field, some of which include:

a. Low Involvement of Business Actors

The lack of involvement of business actors in legal socialization activities is because most of them focus their time and energy more on production and marketing activities than on participating in counseling activities. There is still a

²¹ Kasimu Sendawula et al., "Environmental Knowledge, Regulatory Compliance Mechanisms, and Environmental Sustainability Practices of Manufacturing Small and Medium Enterprises (SMEs) in Uganda," *Journal of Innovation and Entrepreneurship* 2024 13:1 13, no. 1 (October 16, 2024): 1-19, <https://doi.org/10.1186/S13731-024-00426-Z>.

strong pragmatic view among business actors who consider environmental permits to be merely an administrative formality without providing real economic benefits.

b. Limited Human Resources and Budget

The limitation of human resources and budget at the Jember Regency Environment Agency is also an obstacle that prevents educational activities from reaching all coastal areas and pond center areas in Jember Regency.

c. Lack of Communication Between Related Parties

The Jember Regency Environment Agency also emphasized that coordination between agencies, especially the Marine and Fisheries Service and the Investment and One-Stop Integrated Services Office (DPMPTSP), still needs to be strengthened so that comprehensive information regarding licensing can be conveyed. This lack of communication results in many business actors not clearly understanding the procedures and legal benefits of owning environmental permits.

In response to these challenges, the Environment Agency has developed a multi-pronged strategy. First, it will develop digital and community-based education platforms, utilizing social media to disseminate permit guidance accessible anytime. Second, it will, by utilizing official social media as a means of disseminating information through the Jember Regency Environment Agency account. The account will contain a brief guide related to the process of managing environmental permits, so that the public can easily access them whenever needed. Second, to overcome resource limitations, the Environment Agency will collaborate with non-governmental organizations engaged in the environment to strengthen technical training and legal assistance based on research results. Third, in order to increase the participation of business actors, the Environment Agency seeks to provide administrative incentives in the form of accelerating the licensing process for those who actively participate in educational programs and show compliance with legal provisions. Finally, the agency will strengthen coordination between agencies through the establishment of an environmental licensing communication forum, so that education and law enforcement policies can run in an integrated manner. The Jember Regency Environment Agency believes that this collaborative and participatory approach is a real step in expanding legal awareness, building a culture of compliance with environmental permits, and encouraging the fisheries sector towards sustainable management

3.2. Integrating Fiqh al-Bi'ah into Legal Awareness for Environmental Permits in Jember's Fishery Sector

According to Suyamto, as quoted by Angger Sigit²², supervision is an effort or act to find out and assess the actual reality of responsibility in the implementation of duties whether it is in accordance with what it should be. The purpose of supervision itself in a narrow sense is the suitability of whether the tasks carried out are appropriate with the predetermined

²² S.H Angger Sigit Pramukti, S.H. Dan Meylani Chahyaningsih, "Pengawasan Hukum Terhadap Aparatur Negara" (Yogyakarta: Pustaka Yustisia, 2016), https://Books.Google.Co.Id/Books?Id=Mrvieaaaqbaj&Pg=Pa1&Source=Gbs_Toc_R&Cad=1#V=OnePage&Q&F=False.

benchmarks. The purpose of supervision is to ensure that the implementation of tasks is in accordance with the standards or benchmarks that have been determined. Supervision is also a tool to compare "*Das Sollen*" (what should happen according to plan) and "*Das Sein*" (reality or implementation that occurs), so that it can be known whether there are irregularities or inconsistencies that need to be corrected.

The main principle in *Fiqh al-Bi'ah* emphasizes that man's relationship with nature is a mandate from Allah Subhanahu Wa Ta'ala. Humans play the role of *Khalifah fi al-ard*, who have the responsibility to manage and maintain the balance of the environment sustainably, without overexploiting it. The mandate means that humans have a responsibility to play the role of guardians and managers of the earth based on moral awareness, so as not to create *fasad* on the earth.²³ This responsibility is based on the principle of *maslahah* and the rule of *la darara wa la dirara*, which emphasizes that every human action against the environment must bring benefits and prevent harm to the environment. The main goal of *Fiqh al-Bi'ah* is to maintain the sustainability of the creation of Allah Subhanahu Wa Ta'ala by balancing the fulfillment of human needs and the preservation of the natural environment. From the perspective of *maqashid sharia*, preserving the environment is part of efforts to protect life (*hifz al-nafs*) and property (*hifz al-mal*). This is because environmental damage can have a direct impact on both aspects.²⁴ Thus, legal policies such as the obligation to have environmental permits for fishery business actors can be considered as a form of applying *Fiqh al-Bi'ah* values in a positive legal system. Protecting the environment is also a form of worship and the realization of human responsibility as the caliph of Allah on earth.

Islamic values that emphasize the importance of preserving the environment are highly relevant to the context of shrimp pond business actors, as these economic activities are often directly related to the balance of coastal and marine ecosystems. According to the perspective of *Fiqh al-Bi'ah*, shrimp pond business actors have the responsibility as *caliph fi al-ard* to ensure that their production activities do not cause *fasad* (damage), such as water pollution due to pond waste or the destruction of mangrove forests, which act as natural buffers for coastal ecosystems.²⁵ In this case, shrimp pond business actors are obliged to have an environmental permit as a form of responsibility in maintaining the balance of nature, which is a mandate from Allah Subhanahu Wa Ta'ala. In fact, several cases in Jember Regency have demonstrated that shrimp pond activities continue to operate without environmental permits, as seen in instances involving PT Alam Anugerah Pertiwi and PT Berjaya Anugerah Sejahtera. This practice highlights the low legal awareness among business actors regarding Islamic values, underscoring the importance of ecological responsibility and the ethical

²³ Labeeb Bsoul et al., "Islam's Perspective on Environmental Sustainability: A Conceptual Analysis," *Social Sciences* 11, no. 6 (May 1, 2022): 228, <https://doi.org/10.3390/SOCSCI11060228>.

²⁴ Eny Latifah, "Fiqh Al-Bi'ah and the Concept of Green and Blue Economy for Achieving Sustainable Development in the Context of SDGs," *Invest Journal of Sharia & Economic Law* 4, no. 1 (April 1, 2024): 74-99, <https://doi.org/10.21154/INVEST.V4I1.7732>.

²⁵ M M Amiruddin et al., "Reforming Fiqh Al-Bi'ah (Ecological Jurisprudence) Based on Islam Hadhari," *International Journal of Law and Society (IJLS)* 3, no. 3 (December 17, 2024): 187-205, <https://doi.org/10.59683/IJLS.V3I3.99>.

management of natural resources.²⁶ Legal awareness education for shrimp pond business actors needs to focus not only on formal compliance with licensing, but also on instilling Fiqh al-Bi'ah values as an ethical basis for maintaining the sustainability of the coastal environment.

which is a moral agreement between humans and Allah to manage the earth sustainably. This is so that economic activities, such as agriculture, industry, and fisheries, do not exceed the ecological limits set by *Allah*. From the perspective of *fiqh al-bi'ah*, regulations regarding environmental permits are a form of human responsibility towards the earth, mandated by Allah Subhanahu Wa Ta'ala. Humans were created as caliphs of the earth, who have the responsibility to maintain the balance of nature (*tawazun*) and avoid any form of *fasad* or damage that can threaten survival. Environmental regulations, such as business licenses and waste management, are not only obligations, but also a form of obedience to Allah's commands, so as not to cause damage after the earth is created in a perfect state.²⁷ Fiqh al-bi'ah considers that obedience to environmental permits must be understood as part of worship that upholds the principles of environmental justice. Every individual and business actor has responsibility for the impact that arises from their economic activities. Fiqh al-bi'ah not only emphasizes personal awareness but also demands legal education for business actors, including in the fisheries sector, to understand their moral and legal responsibilities towards the environment. The application of this principle is crucial in efforts to control illegal shrimp ponds that operate without environmental permits, because these activities have been proven to damage coastal ecosystems and pollute the waters in the Jember Regency area.

Education in Islam plays a vital role in shaping moral character and fostering obedience to the law, which is the foundation for environmentally responsible behavior. The concept of *ta'dib* in Islamic education encompasses not only the process of imparting knowledge but also the development of morals, as well as the cultivation of legal awareness rooted in divine values. In *fiqh al-Bi'ah*, *ta'dib* is a crucial means of cultivating ecological awareness, which not only encourages humans to recognize Allah's laws related to nature but also to take responsibility for the sustainability of life on earth. Legal awareness education for key fishery business actors, especially those operating without environmental permits, should focus on instilling moral awareness that ecosystem damage resulting from illegal pond activities is a form of *fasad fi al-ard* prohibited in Islam. The primary goal of *fiqh al-Bi'ah* is not only to regulate human interaction with nature ethically, but also to guide Muslims toward achieving a balance between economic needs and environmental sustainability. The concept of *ta'dib* in education functions transformatively in shaping legal awareness and fostering compliance with legal values that align with human social and environmental responsibilities as stewards of the earth.²⁸ In line with this, Ibrahim (2024) stated that the unification of Islamic

²⁶ Dana Baker et al., "Relationships Matter: Assessing the Impacts of a Marine Protected Area on Human Wellbeing and Relational Values in Southern Tanzania," *Frontiers in Marine Science* 8 (June 17, 2021): 673045, <https://doi.org/10.3389/FMARS.2021.673045/BIBTEX>.

²⁷ Choirur Rois, Nur Jannani, and Moh Hoirul Mufid, "Islamic Law Paradigm Responding Conflicts of Interest of Economic Development and Ecological Conservation Hifdz Al-Bi'ah Perspective," *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (2024): 193–210, <https://doi.org/10.29240/JHI.V9I1.8660>.

²⁸ Muhammad Nurcholis Alhadi, Khudzaifah Dimiyati, and Kelik Wardiono, "Ta'dib As An Alternative Concept Of Legal Education In Indonesia," *Journal of Positive School Psychology* 6, no. 9 (October 9, 2022): 2958–2971, <https://journalppw.com/index.php/jpsp/article/view/12791>.

education with legal values and ethics is sufficient to form a sustainable mindset that can encourage compliance with the law.²⁹ In its application, legal education activities carried out by the Jember Regency Environment Agency can be considered as a tangible form of the principle of ta'dib that instills a sense of responsibility. Through this approach, illegal fishery business actors are not only given an understanding of the applicable legal provisions, such as environmental permits and waste management, but are also directed to realize the meaning behind this compliance, that protecting the sea, ponds, and coastal ecosystems is part of the mandate given by Allah Subhanahu Wa Ta'ala.

The educational approach applied by the Jember Regency Environment Agency not only emphasizes the delivery of the rule of law but also builds the moral awareness of the community, especially fishery business actors, to understand that protecting the ecosystem is part of their responsibility. Prioritizing coaching and education rather than repressive actions is the right step to ensure that business actors continue to carry out their business activities in an environmentally friendly manner without sacrificing economic sustainability and community employment, so as to create a balance between natural preservation and social welfare. Integrating religious values in environmental literacy can increase compliance with the law and encourage more sustainable changes in people's behavior.³⁰ Education based on the concept of Fiqh al-Bi'ah and the principles of amar ma'ruf nahi munkar can strengthen environmental policies and encourage the community to participate more in preventing illegal business activities that have the potential to damage the environment.³¹

Fiqh al-Bi'ah is a form of human understanding of the environment based on the sources of the Qur'an and Hadith. The scope of the study includes the functions and roles of humans on earth, human relationships with themselves, and human interaction with their physical environment consisting of biotic and abiotic elements. In this case, humans have a role as the manager as well as the guardian of the balance of nature as explained in Qs. Al-Baqoroh [2]: 30, which reads:

وَإِذْ قَالَ رَبُّكَ لِلْمَلٰٓئِكَةِ اِنِّيْ جَاعِلٌ فِى الْاَرْضِ خَلِيْفَةًۭ قَالُوْۤا اَتَجْعَلُ فِيْهَا مَنْ يُفْسِدُ فِيْهَا وَيَسْفِكُ الدِّمَآءَ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَۗ قَالَ اِنِّيْۤ اَعْلَمُ مَا لَا تَعْلَمُوْنَ

Means: *And (remember) when your Lord said to the angels, 'I am going to make a caliph on earth.' They said, 'If you want to make a person who destroys and sheds blood there, while we praise you and sanctify your name?' He said, 'Surely I know what you do not know.'* This verse emphasizes that humans are appointed as caliphs on earth, namely creatures who are given the responsibility to manage, care, and maintain the preservation of the environment so that they remain in harmony with the will of Allah Subhanahu Wa Ta'ala. As a caliph, humans are not

²⁹ Molina Ibrahim et al., "Addressing Contemporary Ethical and Moral Issues through Islamic Education," *Journal on Islamic Studies* 1, no. 1 (June 10, 2024): 36-51, <https://doi.org/10.35335/KBBZAR83>.

³⁰ H. Husamah et al., "Spirituality-Based Environmental Literacy among Prospective Biology Teacher in Indonesia: Analysis Based on Gender, Accreditation, and Semester-Level Aspects," *JPBI (Jurnal Pendidikan Biologi Indonesia)* 9, no. 3 (November 14, 2023): 418-432, <https://doi.org/10.22219/JPBI.V9I3.29500>.

³¹ Aji Baskoro, "Environmental Education: Awareness, Urgency and Solutions Through the Bridge of Environmental Fiqh and Green Constitution," *Proceeding International Conference on Religion, Science and Education* 4 (April 16, 2025): 1207-1221, <https://sunankalijaga.org/prosiding/index.php/icrse/article/view/1563>.

only given the right to utilize natural resources, but also have the obligation to maintain their sustainability so as not to cause damage to the earth. If the environmental component is damaged and polluted, then humans themselves will bear the impact. This is as explained in Qs. Al-Baqoroh [2] :11-12 which reads:

وَإِذَا قِيلَ لَهُمْ لَا تُفْسِدُوا فِي الْأَرْضِ قَالُوا إِنَّمَا نَحْنُ مُصْلِحُونَ ﴿١١﴾ أَلَا إِنَّهُمْ هُمُ الْمُفْسِدُونَ وَلَكِنْ لَا يَشْعُرُونَ ﴿١٢﴾

Means: *And when it is said to them, 'Do not do any harm to the earth!' They replied, 'Actually, we are the ones who make improvements'. Remember, they are the ones who do damage, but they do not realize it.* This verse emphasizes that humans often do not realize that their actions towards nature, such as pollution or careless waste disposal, are actually a form of damage that will eventually harm themselves.³² One of the real forms of this behavior can be seen in shrimp pond business activities that are carried out without environmental permits and carried out in a way that is not friendly to nature, such as the case of the violation of shrimp pond permits in Ambulu District, Jember Regency by PT Alam Anugerah Pertiwi, which is known to dispose of its pond waste carelessly to cause water pollution and damage to the mangrove ecosystem.³³

In this case, the Environment Agency not only acts as a supervisor of the implementation of the law, but also functions as a *muaddib* or coach who instills environmental values through legal education activities, and shows that the implementation of environmental law education is a form of applying *fiqh al-bi'ah* in the local government governance system. An educational approach based on religious values can increase the effectiveness of the implementation of regulations, because legal compliance that arises from moral awareness tends to last longer than compliance that is only driven by fear of sanctions.³⁴ Environmental education and development strategies carried out by local governments can have a great influence on community behavior in an effort to prevent environmental damage, such as environmental pollution.³⁵

Fiqh al-Bi'ah views that education plays a crucial role in efforts to preserve the environment, as it is a persuasive approach to foster awareness of the mandate of the human caliphate on earth before the imposition of sanctions (*ta'zir*). In this perspective, educational activities not only serve as a means of conveying information but also aim to foster legal awareness that humans bear a *ilahiah* to maintain the balance of the ecosystem.³⁶ This is very

³² Buya Yunhendri Danhas, *Kitab Induk Ilmu Lingkungan (Environment Science) Fiqh Al Bi'ah*, (Sleman: Deepublish Digital, 2024).

³³ "DPRD Jember Temukan Pelanggaran Perizinan Tambak Udang PT AAP Di Ambulu - DEWAN PERWAKILAN RAKYAT DAERAH," accessed November 3, 2025, <https://dprd.jemberkab.go.id/dprd-jember-temukan-pelanggaran-perizinan-tambak-udang-pt-aap-di-ambulu/>.

³⁴ Ayunda Serly, Khozin Khozin, and Rahmad Hakim, "Internalising Environmental Values through Islamic Religious Education in Junior High School: Internalisasi Nilai-Nilai Lingkungan Hidup Melalui Pendidikan Agama Islam Di Sekolah Menengah Pertama," *Halaqa: Islamic Education Journal* 9, no. 1 (June 11, 2025): 149–164, <https://doi.org/10.21070/HALAQA.V9I1.1724>.

³⁵ Humam Mahdi et al., "Green Islamic School: Integrating Environmental Education in the Islamic Education Curriculum," *Cendekiawan : Jurnal Pendidikan Dan Studi Keislaman* 3, no. 3 (December 31, 2024): 565–5674, <https://doi.org/10.61253/CENDEKIAWAN.V3I3.270>.

³⁶ Salmi Wati, Kunalan Kuriaya Institut Aminuddin Baki Cawangan Genting Highlands Pahang, and Muaddy Akhyar, "Integrating Ecopedagogy into the Islamic Religious Education Curriculum to Foster Ecological Awareness," *Dirasah : Jurnal Studi Ilmu Dan Manajemen Pendidikan Islam* 8, no. 2 (August 1, 2025): 713–723, <https://ejournal.iaifa.ac.id/index.php/dirasah/article/view/2021>.

appropriate to apply to illegal fishery business actors who do not pay attention to environmental aspects, such as the management of ponds without permits or the disposal of waste directly into the waters, which is a tangible form of *the fasad of fi al-ard* (damage to the earth). Education is an effective means to foster understanding that maintaining the sustainability of marine resources is part of worship and a form of responsibility as a caliph *fi al-ard*, not just an obligation driven by legal demands.³⁷ In the context of environmental law enforcement, the educational approach as taught in Fiqh al-Bi'ah plays a role as the first step in preventing practices that damage nature, as well as being a manifestation of *rahmatan lil-alamin* which emphasizes the importance of awareness and coaching before taking action.

In the view of *Fiqh al-Bi'ah*, education is seen as the first step that must be taken before the imposition of sanctions (*ta'zir*). This is because the education process is persuasive and plays a role in fostering moral awareness and responsibility for the environment, especially for business actors in the fisheries sector. This view is in line with the thinking of Yusuf al-Qardhawi, who affirmed that the government (*wali al-amr*) has the authority to impose sanctions on those who damage the environment. However, the application of these sanctions should ideally be carried out after the education and coaching steps have not provided the expected results. The application of punishment without being preceded by an education process has the potential to only cause fear, not build a deep understanding of human responsibility as a caliph on earth. This view is in line with the hadith of the Prophet Muhammad *Shallallahu alaihi wasallam*, which describes the importance of joint efforts in preventing environmental damage. As he said:

مَثَلُ الْقَائِمِ عَلَى حُدُودِ اللَّهِ وَالْوَأَقِ فِيهَا كَمَثَلِ قَوْمٍ اسْتَهَمُوا عَلَى سَفِينَةٍ فَأَصَابَ بَعْضُهُمْ أَعْلَاهَا وَبَعْضُهُمْ أَسْفَلَهَا فَكَانَ الَّذِينَ فِي أَسْفَلِهَا إِذَا اسْتَقَرَّوْا مِنَ الْمَاءِ مَرُّوا عَلَى مَنْ فَوْقَهُمْ فَقَالُوا لَوْ أَنَّا خَرَقْنَا فِي تَصْنِينِنَا خَرْقًا وَلَمْ نُؤْذِ مَنْ فَوْقَنَا فَإِنْ يَتْرُكُوهُمْ وَمَا أَرَادُوا هَلَكُوا جَمِيعًا وَإِنْ أَخَذُوا عَلَى أَيْدِيهِمْ نَجَوْا وَنَجَّوْا جَمِيعًا.

Means: "The parable of those who uphold the law of Allah and those who commit transgressions, is like a people who are riding in a ship. Some of them occupy the place above and some others are below. So those who are at the bottom, if they want to fetch water, they must pass by the person above them. So take the initiative to make a hole in their part, so as not to disturb the people above. If their will is left unchecked, all the passengers on board will surely perish, and if they are prevented then they will be safe and all the others will be saved." This hadith emphasizes that prevention of environmental damage is a shared obligation. If violations are left without action, then the impact will be felt by all parties. However, if the perpetrator is prevented and given a warning, then safety and environmental balance can be maintained. This hadith also emphasizes the importance of preventing evil (*al-anhy'an al-munkar*) so that the actions of a few parties do not cause harm to society at large.³⁸ The application of sanctions is carried out after a persuasive and educational approach has not succeeded in changing the behavior of violators. In Fiqh al-Bi'ah, sanctions are interpreted as the last repressive step, not as an initial intervention action. This emphasizes

³⁷ Eny Latifah, "Fiqh Al-Bi'ah and the Concept of Green and Blue Economy for Achieving Sustainable Development in the Context of SDGs," *Invest Journal of Sharia & Economic Law* 4, no. 1 (April 6, 2024): 74-99, <https://doi.org/10.21154/INVEST.V4I1.7732>.

³⁸ Muhammad Harfin Zuhdi, *Paradigma Fiqh Al-Biah Berbasis Kecerdasan Naturalis* (Mataram : Sanabil, 2020), 71.

that efforts to preserve the ecosystem are a moral obligation as well as a legal responsibility inherent in Islamic teachings.³⁹

Environmental conservation in Fiqh al-Bi'ah has strong relevance to the case of illegal fishery business actors who operate without environmental permits and dispose of pond waste, thereby polluting the surrounding waters. This kind of act not only violates the provisions of the law but also contradicts Islamic values that require humans to maintain the balance of nature and prevent damage (*Fasad*). Law enforcement against this kind of business actor should be carried out gradually, starting with education and coaching efforts first. Only then can sanctions be applied as a form of moral and legal reprimand to restore a good environmental balance. In this case, legal education carried out by the Jember Regency Environment Agency is a tangible manifestation of the application of the principles of Fiqh al-Bi'ah. Where efforts to preserve nature (*hifz al-bi'ah*) are placed as part of *maqasid al-shari'ah*, this educational approach demonstrates that legal awareness cannot grow through sanctions alone. Rather, it requires moral coaching that frames environmental protection cannot grow only through the threat of sanctions, but through moral coaching that protecting the environment is a form of devotion and trust given by Allah Subhanahu Wa Ta'ala to humans.⁴⁰ This approach is very relevant for illegal shrimp pond business actors who operate without environmental permits and dump waste into the surrounding waters. Because these violations not only have ecological impacts, but also reflect a low understanding and responsibility for nature conservation. Through legal education based on Islamic values and the principles of *fiqh al-bi'ah*, the coaching carried out by the Jember Regency Environment Agency can foster awareness that compliance with environmental permits is not just a legal obligation, but a form of effort to uphold the balance (*mizan*) created by Allah.⁴¹ Thus, the legal awareness education efforts carried out by the Jember Regency Environment Agency serve not only as a medium for regulatory socialization but also as a means of forming a legal culture based on ethics and shared responsibility in protecting the earth as a common place to live.

4. Conclusions

Two key conclusions can be drawn from this research. First, the legal awareness education implemented by the Jember Regency Environmental Agency has been proven vital in increasing the compliance of fisheries business actors with environmental permit obligations. This effort not only enhances their legal understanding and conduct but also builds a continuous culture of lawfulness among fishery entrepreneurs. Second, according to the concept of *fiqh al-bi'ah*, education acts as a preventive and persuasive measure before the enforcement of sanctions (*ta'zir*). Such an approach is considered effective in nurturing environmental consciousness since protecting nature is regarded as a form of worship and a

³⁹ Andi Abu Dzar Nuzul and Hamzah Hamzah, "THE ENVIRONMENTAL LAW ENFORCEMENT: IN THE FRAMEWORK OF POSITIVE LAW AND ISLAMIC LAW," *Al-Bayyinah* 4, no. 2 (September 1, 2020): 179-195, <https://doi.org/10.35673/AL-BAYYINAH.V4I2.906>.

⁴⁰ Diah Ayu Setianingrum, Setiyo, and Agus Dwiyanto, "Environmental Education through Islamic Lens: Values and Practices," *E3S Web of Conferences* 482 (January 29, 2024): 04014, <https://doi.org/10.1051/E3SCONF/202448204014>.

⁴¹ Hamzah et al., "Sustainable Development of Mangrove Ecosystem Policy in South Sulawesi from the Perspectives of Siyāsah and Fiqh Al-Bi'ah," *JURIS (Jurnal Ilmiah Syariah)* 22, no. 2 (December 28, 2023): 367-80, <https://doi.org/10.31958/JURIS.V22I2.10559>.

manifestation of human responsibility as *khalifah fil ardh*. Based on these results, it is recommended that the Jember Regency Environmental Agency strengthen its legal education programs by enhancing the quality of its human resources and providing sufficient financial support. Strengthening these aspects will allow environmental education to reach a broader range of areas across Jember Regency, ensuring more equal and sustainable awareness among fishery business actors about the importance of ecological permit compliance.

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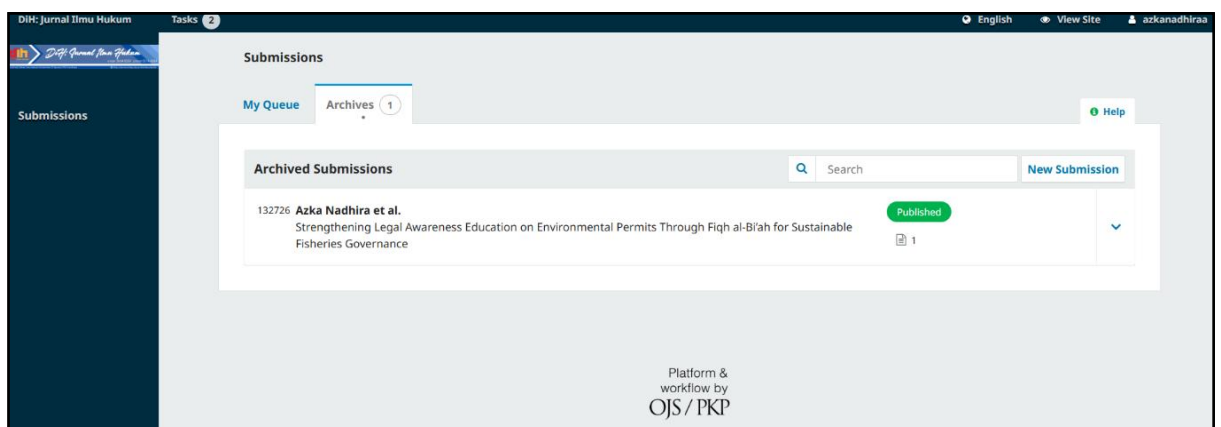
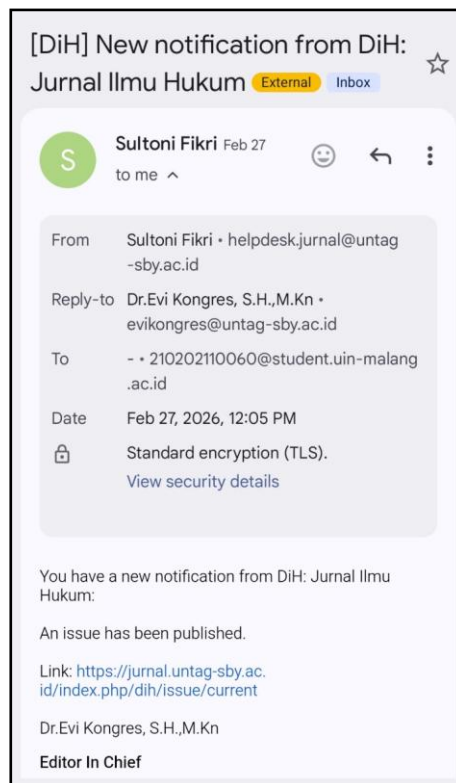
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Attachment 1



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Tasks 2

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