

ANALYSIS OF THE IMPLEMENTATION OF THE KALEKE VILLAGE HEAD REGULATION NO. 1 OF 2024 FROM THE PERSPECTIVE OF FIQH ECOLOGY

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Abstract

This study aims to analyze the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 concerning the Spring Water Maintenance and Management System and to examine it from the perspective of Fiqh Ecology. The research employed an empirical juridical method using sociological jurisprudence and statute approach. Data were collected through interviews, observations, and documentation and analyzed qualitatively using descriptive analysis. The findings indicate that the Perkades has been implemented through collaboration among the Village Government, the Village-Owned Enterprise (BUMDes), and the Tourism Awareness Group (Pokdarwis) in Spring Water conservation, water-use monitoring, public education, and conservation fee management. The implementation has been supported by community participation and religious values; however, challenges remain, including unauthorized water extraction using water pumps (alkon), domestic activities around the spring area, suboptimal public compliance, and the need for greater transparency in conservation fund management. From the perspective of Fiqh Ecology, the implementation of the Perkades reflects the principles of tauhid, khalifah, amanah and mas'uliyah, justice (al-'adl), and the prohibition of environmental destruction (nahy 'an al-fasād). The conservation fee of IDR 1,000 per gallon serves as a conservation financing mechanism rather than a form of commercialization of water.

Keywords: *Fiqh Ecology; Village Head Regulation (Perkades); Spring Water Management; Water Resource Conservation; Community Participation.*

A. INTRODUCTION

Water is a strategic resource that plays a vital role in sustaining human life, maintaining ecosystem balance, and promoting sustainable development. However, increasing water demand, environmental pollution, resource exploitation, and the impacts of climate change have transformed water resource management from a purely technical issue into one that also encompasses governance, distributive justice, and the sustainability of ecological functions¹. As stipulated in Article 33(3) of the 1945 Constitution of the Republic of Indonesia, the management of water resources must be directed toward the greatest possible prosperity of the people, while simultaneously ensuring a balance between resource utilization and environmental conservation to safeguard sustainability for future generations². Accordingly, water resource management requires an approach that is not only grounded in compliance with positive law but also takes into account ethical considerations and ecological responsibility.

The management of the Bionga Spring Water in Kaleke Village, Sigi Regency, faces the challenge of maintaining a

¹ Rahayu Subekti, Albertus Usada, and Hadhika Afghani Imansyah, "The Urgency of Water Resources Management in Supporting Sustainable Development: Comparisons from Australia and South Africa," *Journal of Law and Sustainable Development* 11, no. 12 (December 8, 2023): e2428, <https://doi.org/10.55908/sdgs.v11i12.2428>.

² Andi Setyo Pambudi and Trikurnianti (Yanti) Kusumanto, "Water Resources Governance in Indonesia Towards Environmental Sustainability Along with Social and Economic Development BT - Environmental Governance in Indonesia" (Cham: Springer International Publishing, 2023), 289–311, https://doi.org/10.1007/978-3-031-15904-6_16.

balance between water resource utilization and environmental conservation. The spring water is used not only by the residents of Kaleke Village but also by communities from outside the village to meet household and commercial needs. This situation prompted the Kaleke Village Government to enact the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 concerning the Spring Water Maintenance and Management System. The Perkades prohibits activities that may pollute the spring area and imposes a conservation fee of IDR 1,000 per gallon on users from outside the village who collect water after obtaining approval from the Village Government. This policy reflects an effort to balance conservation objectives with the financing of water resource management. At the same time, it raises questions regarding the boundary between conservation financing and the commercialization of water as a public resource.

This debate is significant because, under Islamic law, water is regarded as a resource intended for the common good (*maslahah*). On the one hand, the conservation fee may be understood as a mechanism for financing conservation efforts to ensure the sustainability of the spring. On the other hand, the policy may be perceived as a form of commercialization of a resource that fundamentally constitutes a basic human necessity. Therefore, evaluating the spring water management policy requires more than an analysis based solely on positive law; it also necessitates the perspective of Fiqh Ecology, which

emphasizes the balance between public benefit, environmental conservation, and justice in the utilization of natural resources.

From the perspective of Islamic law, this issue can be explained through Fiqh Ecology (*fiqh al-bi'ah*), a paradigm that positions humans as *khalifah fi al-ard* (stewards on earth) with the obligation to preserve the balance of nature as an amanah entrusted by Allah SWT. This paradigm is founded upon the principles of *tauhid*, *khalifah*, *amanah*, justice (*al-'adl*), and the prohibition of environmental destruction (*nahy 'an al-fasād*)³ as the ethical foundation for the utilization of natural resources. These principles are also affirmed in the hadith of the Prophet Muhammad:

ثَلَاثٌ لَا يُمْنَعَنَّ: الْمَاءُ وَالْكَلَاءُ وَالنَّارُ

"Three things must not be withheld from anyone: water, pasture, and fire." (Sunan Ibn Mājah No. 2473)⁴.

لَا يُمْنَعُ فَضْلُ الْمَاءِ لِيُمْنَعَ بِهِ الْكَلَاءُ

"Do not withhold surplus water, thereby preventing the growth of pasture." (Sahih Muslim No. 1566a)⁵.

³ Arzam Arzam and Kusnadi Kusnadi, "Maqasid Al-Shari'ah and Ecotheology: A Philosophical Analysis of the Normative Foundations of Islamic Law in Ecological Issues," *Jurnal Mediasas: Media Ilmu Syari'ah Dan Ahwal Al-Syakhsiyyah* 8, no. 4 (December 12, 2025): 902–16, <https://doi.org/10.58824/mediasas.v8i4.473>.

⁴ Ibn Mājah and Abū 'Abdillāh Muḥammad ibn Yazīd, "Bāb Al-Muslimūn Syurakā' Fī Thalāth," in *Sunan Ibn Majah 2473. Kitāb Al-Ruhūn* (Darussalam, n.d.), <https://beta.sunnah.com/ibnmajah:2473>.

⁵ Muslim ibn Al-Ḥajjāj, "Bāb Taḥrīm Bay' Faḍl Al-Mā'," in *Sahih Muslim 1566a. Kitāb Al-Musāqāh*, n.d., <https://sunnah.com/muslim:1566a>.

These two hadiths demonstrate that water is fundamentally a resource intended for the common good; therefore, its control should neither create a monopoly nor restrict public access to the fulfillment of basic needs. Accordingly, Fiqh Ecology serves not only as a normative framework for regulating the relationship between humans and the environment but also as an evaluative framework for assessing policies concerning the management of natural resources.

A number of previous studies have examined water resource management from the perspectives of both Islamic law and positive law. Nurma Khusna Khanifa and Sawaun (2021) examined the commodification of water through the *maqāṣid al-Shāṭibī* hermeneutical approach⁶. Mumun Munawaroh and Abdillah Syaikhon (2024) explained that *fiqh al-bi'ah* (environmental fiqh) constitutes an Islamic ethical framework founded upon the principles of *khalifah*, *maqāṣid al-sharī'ah*, and human responsibility for environmental preservation⁷. Furthermore, M. Dzikrullah Faza (2024) conceptualized Fiqh Ecology as an Islamic legal approach to environmental

⁶ Nurma Khusna Khanifa, “Kajian Hadis-Hadis Tentang Komodifikasi Air Perspektif Hermeneutika Maqāṣidī Al-Syāṭibī,” *Jurnal Al-Fath* 15, no. 2 (2021): 139–58.

⁷ Mumun Munawaroh and Abdillah Syaikhon, “Bridging Ethics and Ecology: Fiqh as a Framework for Sustainable Environmental Management,” *Al-Afkar, Journal For Islamic Studies* 7, no. 4 (2024): 603–611, <https://doi.org/https://doi.org/10.31943/afkarjournal.v7i4.1671>.

conservation through the perspective of *maqāṣid al-sharī'ah*⁸. Although these studies have made significant contributions to the development of Fiqh Ecology, they primarily focus on normative and conceptual dimensions. Few studies have examined the implementation of Spring Water management regulations at the village level by integrating legal norms, implementation practices, and the principles of Fiqh Ecology.

Against this backdrop, this study aims to analyze the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 concerning the Spring Water Maintenance and Management System and to examine its implementation from the perspective of Fiqh Ecology. This study is expected to contribute to the advancement of Fiqh Ecology, particularly in analyzing the implementation of environmental policies at the village government level. The research employed an empirical juridical method using sociological jurisprudence and statute approach. Data were collected through interviews, observations, and documentation and were subsequently analyzed qualitatively using a descriptive-analytical technique.

B. RESULTS AND DISCUSSION

1. Implementation of the Kaleke Village Head Regulation No. 1 of 2024

⁸ M Dzikrullah Faza, "Fikih Ekologi: Formulasi Fikih Untuk Pelestarian Lingkungan Melalui Pendekatan Maqasid Syariah," *Al-Ulum Jurnal Pemikiran Dan Penelitian Ke Islaman* 11, no. 4 (2024): 397–408, <https://journal.uim.ac.id/index.php/alulum/article/view/2930>.

The management of the Bionga Spring Water in Kaleke Village is implemented in accordance with the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 concerning the Spring Water Maintenance and Management System. The Perkades consists of six chapters governing general provisions, Spring Water conservation and management, rights and obligations, levies and revenue-sharing arrangements for the Tourism Awareness Group (Pokdarwis), prohibited activities, and sanctions for violations. The management of the Spring Water is carried out by the Village Government through the Village-Owned Enterprise (BUMDes), which subsequently delegates operational management responsibilities to the Tourism Awareness Group (Pokdarwis). The Perkades also guarantees the right of the residents of Kaleke Village to access clean water, regulates the procedures for water utilization by communities outside the village with the approval of the Village Government, establishes the responsibilities of the Tourism Awareness Group (Pokdarwis) in maintaining and monitoring the spring area, prohibits activities that may damage or pollute the Spring Water, and stipulates sanctions for any violations. From the perspective of sociological jurisprudence, the implementation of the Perkades is evaluated not only in terms of its consistency with the applicable legal framework but also in terms of how its provisions are implemented, accepted, and influences community behavior⁹.

⁹ Satjipto Rahardjo, *Sosiologi Hukum: Perkembangan, Metode, Dan*

a. Spring Water Maintenance and Management System

The implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 concerning the Spring Water Maintenance and Management System is centered on the duties of the Tourism Awareness Group (Pokdarwis) as the technical implementing body mandated by the Village Government of Kaleke. Based on an interview with the Chairperson of Pokdarwis, Muhammad Syahid, the organization was initially established by the Village Government to support Kaleke Village's participation in the *Anugerah Desa Wisata Indonesia* (ADWI) program. Over time, however, Pokdarwis has expanded its role beyond tourism management to encompass broader responsibilities, including managing the Spring Water area, maintaining supporting facilities, monitoring water utilization, and implementing the provisions of the Perkades. This arrangement is consistent with Article 2(1) of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024, which stipulates that the conservation, management, and provision of Spring Water shall be carried out by the Village Government through the Village-Owned Enterprise (BUMDes), with operational management responsibilities delegated to the Tourism Awareness Group (Pokdarwis). It is further supported by Article 3(1), which requires Pokdarwis to clean and maintain the spring water sources.

The role of Pokdarwis demonstrates that the management of the Bionga Spring Water no longer relies solely on the Village Government as the regulatory authority. The participation of this local institution strengthens the operational implementation of the policy while serving as a bridge between the Village Government and the local community. This arrangement reflects the application of collaborative governance, characterized by the sharing of responsibilities between the government and the community in managing public resources¹⁰.

The operational functions of Pokdarwis are carried out through routine maintenance of the Bionga Spring Water area, monitoring water utilization activities, collecting user fees from communities outside the village, and disseminating the provisions of the Perkades to the public. These activities constitute the implementation of Article 3(2), which requires Pokdarwis to provide warnings or written notices within the spring area; Article 3(3), which obliges Pokdarwis to prohibit and take action against any activities that may pollute or damage the spring water sources; Article 3(4), which imposes a fee of IDR 1,000 per gallon on users from outside the village who have obtained approval from the Village Government; and Article 3(5), which requires Pokdarwis to supervise and limit water

¹⁰ Denok Kurniasih, Muhamad Yusuf, and Anggara Setya Saputra, "The Era of Collaborative Management: Navigating the Challenges Faced by Indonesian Local Governments," *Jurnal Studi Pemerintahan*, December 1, 2023, 283–304, <https://doi.org/10.18196/jsp.v14i3.332>.

extraction by water vendors. Accordingly, the implementation of the policy extends beyond the enactment of regulations and is realized through the operational mechanisms prescribed in the *Perkades*.

The fees collected from users outside the village are allocated to support the maintenance of the spring area through the construction of drainage facilities, installation of street lighting, provision of cleaning equipment, procurement of construction materials, and installation of loudspeaker systems for public education. All expenditures and revenues are recorded and reported to the Village Government as part of the accountability mechanism of the management body. This practice is consistent with Article 3(6), which requires *Pokdarwis* to record all income and expenditures in the general cash ledger and report them to the Village Government through the Village-Owned Enterprise (*BUMDes*), while Article 3(7) assigns *BUMDes* responsibility for evaluating the management activities. This practice indicates that the user fee functions as a financing instrument for conservation rather than as a mechanism for the commercialization of water. The sustainability of the management of the Bonga Spring Water depends not only on the existence of regulations but also on institutional support, coordination among implementing actors, and a continuously functioning monitoring mechanism¹¹.

¹¹ Silviani Junita and Imam Buchori, “Efektivitas Kelembagaan Pemerintah Dalam Integrasi Pola Pengelolaan Sumber Daya Air Dalam

In addition to performing its technical responsibilities, Pokdarwis also plays an educational role within the community. The management actively explains the procedures for water collection, directs users from outside the village to obtain official permission from the village office, and warns visitors who engage in activities that may pollute the spring area. The installation of informational banners and the use of loudspeaker systems demonstrate that policy implementation emphasizes a persuasive approach rather than relying primarily on punitive sanctions. These practices represent the implementation of Article 3(2), concerning the provision of public advisories, and Article 3(3), concerning the obligation of Pokdarwis to prevent activities that may pollute or damage the Spring Water sources.

This approach indicates that the Village Government of Kaleke prioritizes the development of ecological awareness over the enforcement of sanctions as the primary means of ensuring public compliance. The persuasive strategy is intended to foster voluntary compliance based on an understanding of the importance of preserving the Bionga Spring Water, rather than compliance driven solely by the threat of administrative penalties. Nevertheless, the Perkades also provides a legal enforcement mechanism through administrative sanctions stipulated in Article 5, including verbal warnings, written warnings, summons to the village office, and referral to the competent authorities depending on the severity of the violation.

b. Supporting and Hindering Factors

The primary supporting factor is reflected in the formulation of the Perkades, which was carried out through a village consultative meeting involving the Village Consultative Body (BPD), religious leaders, community leaders, youth leaders, and community representatives. The participation of these stakeholders strengthened the legitimacy of the policy, as members of the community were provided with an opportunity to express their aspirations before the regulation was enacted. This demonstrates that public acceptance of the policy is derived not solely from the authority of the Village Government but also from the participatory nature of the policymaking process. This finding is consistent with the principle of participatory governance, which recognizes community participation as a key element in enhancing the legitimacy and effectiveness of policy implementation¹².

Policy implementation is further supported by the religious values embedded within the social life of the Kaleke Village community. Most community members perceive the preservation of the Spring Water as part of their amanah to preserve Allah SWT's creation. This understanding encourages the community to comply with the provisions of the Perkades, including the prohibition against washing clothes in the vicinity

¹² Pradeka Reza Dipa, Saipul, and Indarto Kus, "Strategic Governance Through Communities and Sustainable Community Empowerment in Prapatan Subdistrict, Balikpapan City," *Journal of Governance and Local Politics (JGLP)* 7, no. 2 (2025): 396–413.

of the spring, as stipulated in Article 4(2), and the restrictions on water utilization by communities outside the village, as provided in Article 2(3). Compliance with the policy is therefore driven not only by legal obligations but also by the moral and religious values embraced by the community.

On the other hand, this study identified several factors that continue to hinder the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024. First, the Perkades does not provide detailed provisions regarding the permissible limits for large-scale water collection for personal use. This regulatory gap creates room for differing interpretations between community members and the management authority concerning the category of water use that remains acceptable. This finding indicates that the clarity of regulatory provisions is an essential factor in ensuring the consistent implementation of the Perkades.

Second, public compliance with the provisions of the Perkades has not yet reached an optimal level. Field observations revealed that some individuals continue to wash clothes near the spring area and use water pumps (*alkon*) without authorization. These practices are inconsistent with Article 4(1), which prohibits the use of *alkon* or similar pumping equipment, and Article 4(2), which prohibits washing activities in the vicinity of the Spring Water sources. These findings indicate that changes in community behavior have not yet fully aligned with the conservation objectives established by the Perkades. Therefore, regulatory measures should be

complemented by continuous public education and the provision of adequate supporting facilities.

Third, the transparency of user fee management remains a concern among some members of the communities outside the village. Although the user fee is generally understood as a contribution to support the conservation of the Bionga Spring Water, the community expects greater transparency regarding the allocation and utilization of these funds. Moreover, Article 3(6) requires the Tourism Awareness Group (Pokdarwis) to record all revenues and expenditures and report them to the Village Government through the Village-Owned Enterprise (BUMDes), while Article 3(7) authorizes BUMDes to evaluate those financial reports. This demonstrates that financial accountability plays a crucial role in fostering public trust while simultaneously strengthening the legitimacy of the policy¹³.

c. Community Participation

Community involvement is reflected in active participation in mutual cooperation (*gotong royong*) to clean the spring area, assist in maintaining supporting facilities, and monitor water extraction activities alongside the Tourism Awareness Group (Pokdarwis). These forms of participation support the implementation of Article 3(1), which requires Pokdarwis to maintain the Spring Water sources, and Article

¹³ Fadila Ferinluary et al., "Building Public Trust Through Good Governance: A Literature Review in Improving Transparency and Accountability of The Indonesian Government," *ILTIZAM Journal of Shariah Economics Research* 10, no. 1 (June 14, 2026): 279–96, <https://doi.org/10.30631/8weftj74>.

3(3), which mandates the prevention of activities that may pollute or damage the spring area. Community participation in these activities strengthens the sense of ownership of the Bionga Spring Water while reducing the management's dependence on the Village Government. The success of conservation efforts therefore depends not only on institutional capacity but also on the active involvement of the community as the collective steward of shared resources. This finding is consistent with previous studies indicating that community participation is a critical factor in enhancing the effectiveness of community-based water resource management¹⁴.

Most residents accept the prohibition against washing clothes in the vicinity of the Spring Water, as stipulated in Article 4(2), because they recognize that the use of soap and detergents may degrade water quality. Community members also accept the user fee of IDR 1,000 per gallon imposed on users from outside the village, as provided in Article 3(4), provided that the collected funds are used for maintaining the spring area, improving facilities, and supporting conservation activities. This acceptance indicates that the user fee is perceived as a contribution to environmental conservation rather than merely as a source of village revenue.

¹⁴ Rheno Ruswandari, Mochamad Arief Budiharjo, and Yanuar Luqman, "Community Participation and Water Quality in Supporting Sustainable Water-Based Tourism Management: A Case Study of Umbul Brintik, Indonesia," *Journal of Bioresources and Environmental Sciences*, December 24, 2025, <https://doi.org/10.61435/jbes.2025.19986>.

Community involvement from the policy formulation stage through its implementation reflects a bottom-up approach that emphasizes the active participation of the community throughout the policy implementation process. Such an approach enables the policy to better address local needs while simultaneously strengthening its legitimacy and increasing public support for its implementation¹⁵.

Nevertheless, the level of community participation has not yet been uniform across the community. The findings of this study revealed that some individuals continue to wash clothes near the spring area despite the prohibition established in the Perkades. This condition indicates that the success of policy implementation depends not only on the extent of public participation but also on the consistency of community behavior in applying conservation values in everyday life. Therefore, continuous public outreach and education remain essential for strengthening the community's ecological awareness.

2. Community Perceptions of the Implementation of the Kaleke Village Head Regulation

Community perception is one of the key indicators for assessing the effectiveness of the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 concerning the Spring Water Maintenance and Management System. The

¹⁵ Sulton Muminah and Tjahjo Suprajogo, "Implementasi Kebijakan Pembangunan Daerah Melalui Pendekatan Bottom-Up," *Scientific Journal of Reflection : Economic, Accounting, Management and Business* 8, no. 4 (2025): 1485–95, <https://doi.org/10.37481/sjr.v8i4.1253>.

success of a regulation is determined not only by the quality of its legal provisions but also by the level of public acceptance among those who utilize the resource. The concept of social acceptance likewise recognizes public acceptance as a fundamental prerequisite for the sustainability of environmental policies¹⁶.

Most community members, particularly users from outside Kaleke Village, expressed positive perceptions of the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024. Based on interviews with Mr. Bakri and Mr. Supriadin, the Perkades is not perceived as restricting access to water but rather as a mechanism for regulating the utilization of water resources in a more orderly and sustainable manner. Both informants stated that communities from outside the village are still permitted to utilize the Bionga Spring Water, provided that they comply with the applicable provisions and contribute to preserving the spring area. These perceptions are also influenced by their long-standing experience of using the Bionga Spring Water prior to the enactment of the Perkades, leading them to recognize that the increasing intensity of water utilization necessitates regulatory measures to prevent excessive exploitation.

¹⁶ Arsyad Aldyan et al., "Local Wisdom-Based Environmental Management Policy in Indonesia: Challenges and Implementation," *Journal of Law, Environmental and Justice* 2, no. 3 (December 30, 2024), <https://doi.org/10.62264/jlej.v2i3.100>.

Public acceptance is also reflected in the implementation of the user fee of IDR 1,000 per gallon imposed on users from outside the village. According to Mr. Bakri, the fee is not considered burdensome as long as it is used to maintain the cleanliness, security, and upkeep of the Bionga Spring Water area. Rather than being viewed as an economic burden, the user fee is perceived as a contribution to the sustainable management of the Spring Water. Accordingly, the willingness of community members to contribute is influenced more by the perceived benefits of the policy than by the amount of the fee itself. In the context of natural resource management, a cost-sharing mechanism can enhance the sustainability of conservation programs when it is implemented in a fair and accountable manner.

Nevertheless, the interview findings indicate that community members remain concerned about the transparency of user fee management. Mr. Supriadin noted that although the Bionga Spring Water area has become cleaner and better organized, the utilization of the collected fees has not yet been reflected in significant improvements to public facilities. This finding suggests that the legitimacy of the policy is shaped not only by the benefits perceived by the community but also by the accountability of the management authority in administering public resources. Transparency is one of the fundamental

principles of good governance, playing a crucial role in building public trust and strengthening the legitimacy of public policy¹⁷.

3. Analysis of the Principles of Fiqh Ecology in the Implementation of the Kaleke Village Head Regulation

Fiqh Ecology represents a development within Islamic jurisprudence that conceptualizes the relationship between humans and the environment as an integral part of the responsibilities prescribed by Islamic law. From this perspective, the environment is regarded not merely as an object of utilization but as an amanah entrusted by Allah SWT that must be preserved in accordance with the principles of public benefit (*maslahah*), ecological balance, and sustainability. Accordingly, every form of natural resource utilization should be evaluated not only in terms of its legal validity but also in light of the moral and spiritual responsibilities of human beings as *khalifah* on earth¹⁸.

Fiqh Ecology further maintains that the objectives of Islamic law extend beyond regulating the relationship between humans and Allah and among human beings themselves; they also encompass the relationship between humans and all of

¹⁷ Umi Umairah Suhardi, Ulung Pribadi, and Zainuddin Losi, "The Effects of Good Governance Principles: Accountability, Transparency, and Participation on Public Trust in Village Funds Management," *International Journal of Social Science and Business* 7, no. 4 (2023): 1050–60, <https://doi.org/10.23887/ijssb.v7i4.57648>.

¹⁸ Ali Yafie, *Merintis Fiqh Lingkungan Hidup* (Jakarta: Yayasan Amanah, Ufuk Press, 2006); Ahmad Sarwat, *Maqashid Syariah Dan Fikih Lingkungan* (Jakarta: Rumah Fikih Publishing, 2019).

creation. Within this framework, environmental protection constitutes an essential component of *maqāṣid al-sharī'ah*, as preserving the natural environment is indispensable for safeguarding the continuity of life for both humanity and other living beings. This perspective regards the management of natural resources as both an act of worship and a social responsibility that must be carried out in a just, proportional, and sustainable manner¹⁹.

Consistent with the development of contemporary Islamic environmental scholarship, ecological ethics are founded upon the principles of *tauhid*, *khalifah*, *amanah*, justice (*al-'adl*), and the prohibition of environmental destruction (*nahy 'an al-fasād*) as the moral foundation for all activities involving the utilization of the environment²⁰. These principles provide the analytical framework for evaluating the extent to which the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 reflects water resource management that is consistent with the principles of Fiqh Ecology. Based on this framework, the implementation of the Perkades is analyzed through five fundamental principles: *tauhid*, *khalifah*, *amanah* and *mas'uliyah*, justice (*al-'adl*), and the prohibition of environmental destruction (*nahy 'an al-fasād*).

¹⁹ Sarwat, *Maqashid Syariah Dan Fikih Lingkungan*; Yafie, *Merintis Fiqh Lingkungan Hidup*.

²⁰ Hepni and Fauzan, *Ekoteologi Islam: Restorasi Etika Lingkungan Menuju Peradaban Hijau* (Malang: PT Afanin Media Utama, 2025); Yafie, *Merintis Fiqh Lingkungan Hidup*; Sarwat, *Maqashid Syariah Dan Fikih Lingkungan*.

a. *Tauhid*

The implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 demonstrates that the management of the Bionga Spring Water is intended not only to regulate the utilization of water resources but also to promote conservation as a manifestation of humanity's responsibility toward Allah SWT's creation. This orientation is consistent with the principle of *tauhid* in Fiqh Ecology, which regards nature as the creation of Allah possessing intrinsic value and, therefore, not merely as an object of utilization. Awareness of the Oneness of Allah gives rise to a moral responsibility to preserve ecological balance as an expression of worship and devotion to Him. From this perspective, the conservation of natural resources, including Spring Water, is not only an ecological obligation but also a manifestation of obedience to Allah's command to protect the earth from destruction.

The conservation orientation embodied in the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 is reflected in the provisions governing the conservation and management of the Bionga Spring Water by the Village Government in collaboration with the Tourism Awareness Group (Pokdarwis), as stipulated in Article 2(1); the obligation to maintain the Spring Water sources under Article 3(1); and the prevention of activities that may pollute or damage the spring water sources, as provided in Article 3(3). These provisions demonstrate that water resources are regarded as an *amanah* that must be

preserved to ensure their sustainability and continued benefit for the community. Accordingly, the Perkades not only regulates the utilization of water but also directs the community toward conservation as an expression of responsibility for safeguarding Allah SWT's creation.

In practice, however, this conservation-oriented approach has not yet been fully accompanied by corresponding changes in community behavior. Field observations revealed that some individuals continue to wash clothes in the waterways surrounding the spring area, despite the prohibition established in the Perkades. This situation does not necessarily reflect public resistance to the policy but is instead largely attributable to long-standing community practices that predated the enactment of the Perkades. These findings indicate that the existence of regulations alone does not automatically foster ecological awareness unless accompanied by meaningful behavioral change within the community.

Accordingly, the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 reflects the principle of *tauhid* at the normative level through its emphasis on water resource conservation. Nevertheless, the internalization of the values of *tauhid* at the societal level still requires strengthening through continuous education, public outreach, and religious guidance so that compliance with the Perkades is motivated not only by legal obligations but also by a spiritual awareness of the responsibility to preserve Allah SWT's creation.

b. *Khalifah*

The principle of *khalifah* is one of the central concepts of Fiqh Ecology, which positions human beings as *khalīfah fī al-ard* (stewards on earth) entrusted by Allah to prosper, manage, and preserve the balance of the natural environment. This status does not grant humans unrestricted authority to exploit the environment; rather, it entails a moral responsibility to ensure that all forms of natural resource utilization are carried out wisely, equitably, and with due regard for sustainability²¹. The role of human beings as *khalifah* should therefore not be understood as that of absolute rulers over nature but as stewards bound by moral and spiritual obligations to maintain ecological balance²². Accordingly, the effectiveness of an environmental policy can be assessed by the extent to which it realizes the human role as a responsible steward of Allah's creation²³.

The distribution of responsibilities among the Village Government, the Village-Owned Enterprise (BUMDes), and the Tourism Awareness Group (Pokdarwis) demonstrates the application of the principle of *khalifah* in the management of the Bionga Spring Water. This institutional arrangement is

²¹ Yafie, *Merintis Fiqh Lingkungan Hidup*.

²² Hepni and Fauzan, *Ekoteologi Islam: Restorasi Etika Lingkungan Menuju Peradaban Hijau*.

²³ Moh. Kholil, "Khalifah Dalam Melestarikan Lingkungan Hidup (Kajian Ayat Ekologis Perspektif Mufasir Indonesia)," *Graduasi: Jurnal Kajian Islam Interdisipliner* 1, no. 1 (2026): 25–37, <https://doi.org/https://doi.org/10.33650/graduasi.v1i1.8238>; Bina Prima Panggayuh et al., "Khilafah Dan Amanah Sebagai Dasar Etika Ekologis Dalam Islam: Analisis Konseptual Terhadap Tanggung Jawab Manusia Terhadap Lingkungan," *Muqaddimah* 16, no. 2 (2025): 56–67, <https://doi.org/https://doi.org/10.71247/b6f5kq06>.

consistent with the Kaleke Village Head Regulation (Perkades) No. 1 of 2024, which stipulates that the conservation and management of the Spring Water shall be carried out by the Village Government through the Village-Owned Enterprise (BUMDes), with operational management responsibilities delegated to the Tourism Awareness Group (Pokdarwis) (Article 2(1)). Furthermore, Pokdarwis is entrusted with maintaining the Spring Water sources, providing public advisories, preventing pollution, supervising water utilization, and reporting management outcomes to the Village Government through BUMDes (Articles 3(1), 3(2), 3(3), 3(5), and 3(6)). This division of responsibilities reflects a collective approach to water resource management, whereby responsibility is shared among multiple institutions rather than concentrated in a single authority. Such an institutional model demonstrates that the principle of *khalifah* is realized through the collaborative distribution of roles among stakeholders in safeguarding the sustainability of the Bionga Spring Water.

The regulatory framework governing the authorization process and restrictions on water extraction further demonstrates that the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 is not intended to restrict public access to water but rather to regulate its utilization in a manner consistent with conservation objectives. From the perspective of the principle of *khalifah*, the provisions set forth in Articles 2(3), 3(4), and 3(5) reflect humanity's responsibility as the steward of

natural resources to maintain a balance between resource utilization and environmental conservation. The acceptance of these regulatory mechanisms by communities outside the village further reinforces the understanding that the policy is intended as a conservation measure rather than as a restriction on the right to access water.

Nevertheless, the implementation of the principle of *khalifah* has not yet been fully reflected in the behavior of all users of the Spring Water. Field observations revealed instances of unauthorized use of water pumps (*alkon*), indicating that some community members have not yet regarded the utilization of water resources as an ecological responsibility that must be exercised in accordance with the provisions of the Perkades. This finding suggests that, although institutional responsibilities have been effectively distributed among the relevant stakeholders, the internalization of ecological responsibility at the community level remains incomplete. In other words, institutional strengthening has progressed more rapidly than the behavioral transformation of the community as the principal actor in conservation efforts.

Accordingly, the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 reflects the principle of *khalifah* through the distribution of responsibilities among the Village Government, the Village-Owned Enterprise (BUMDes), and the Tourism Awareness Group (Pokdarwis). However, its effectiveness depends not only on the institutional framework

that has been established but also on the successful cultivation of ecological responsibility within the community through continuous education, supervision, and capacity-building initiatives.

c. *Amanah and Mas'uliyah*

The principles of *amanah* and *mas'uliyah* affirm that the earth is a trust bestowed by Allah SWT upon humanity, to be protected, preserved, and utilized responsibly. From the perspective of Fiqh Ecology, *amanah* is understood not merely as a moral obligation but also as an act of devotion to Allah, manifested through efforts to preserve the environment and ensure its sustainability for future generations²⁴. Accordingly, the management of natural resources should be evaluated not only by its effectiveness in maintaining ecological functions but also by the extent to which those responsible are able to account for their policies in a transparent, equitable, and accountable manner²⁵.

The existence of mechanisms for recording, reporting, and evaluating the management of user fee revenues demonstrates that the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 is directed not only toward the conservation of the Bionga Spring Water but also

²⁴ Hepni and Fauzan, *Ekoteologi Islam: Restorasi Etika Lingkungan Menuju Peradaban Hijau*.

²⁵ Syahrul Basri et al., "Islamic Environmental Ethics: A Cultural Framework for Sustainable Resource Management and Global Ecological Stewardship," *Diversity: Disease Preventive of Research Integrity*, December 16, 2024, 86–93, <https://doi.org/10.24252/diversity.v5i2.52342>.

toward ensuring the accountability of its management. From the perspective of *amanah* and *mas'uliyah*, this governance framework reflects both a moral and an administrative obligation to safeguard public resources. The Perkades stipulates that the Tourism Awareness Group (Pokdarwis) is responsible for maintaining the Spring Water sources, recording all revenues and expenditures related to the user fees, and reporting them to the Village Government through the Village-Owned Enterprise (BUMDes), while BUMDes is entrusted with evaluating those reports (Articles 3(1), 3(6), and 3(7)).

The allocation of user fee revenues to conservation activities further demonstrates that the fee collection mechanism is intended not as a source of profit but as an instrument for maintaining the Bionga Spring Water. Most community members from outside the village accept this mechanism because it is perceived as a contribution to the sustainability of the Bionga Spring Water. Nevertheless, several informants expressed the expectation that greater transparency should be provided regarding the utilization of the collected fees. This finding indicates that accountability constitutes a crucial element in strengthening public trust in the management of public resources. Therefore, the implementation of these principles still requires greater emphasis on transparency to ensure that the management of user fee revenues is not only administratively accountable but also enjoys legitimacy in the eyes of the community. From the perspective of Fiqh Ecology, transparency

in the management of public resources is an inseparable component of fulfilling the responsibilities of *amanah*²⁶.

d. Justice (*al-'adl*)

The principle of justice (*al-'adl*) in Fiqh Ecology affirms that the utilization of natural resources must be carried out proportionately by taking into account the rights, responsibilities, and well-being of all living beings. From this perspective, justice extends beyond regulating relationships among human beings; it also requires the responsible treatment of the environment as part of Allah's creation. Accordingly, the management of natural resources must ensure that they provide benefits to society without compromising environmental sustainability or the rights of future generations²⁷.

Through its provisions governing access rights and the user fee mechanism, the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 reflects the principle of justice (*al-'adl*). The Perkades guarantees the right of the residents of Kaleke Village to access clean water, while communities from outside the village are permitted to utilize the Bionga Spring Water after obtaining approval from the Village Government and contributing a user fee of IDR 1,000 per

²⁶ Muhammad Arsyad and Noor Hasanah, "Nilai Ekologis Islam: Konsep Khalifah Dan Amanah," *Al-Mustafid: Jurnal of Quran and Hadith Studies* 4, no. 1 (2025): 33–48, <https://ejournal.iain-manado.ac.id/index.php/mustafid>.

²⁷ Hasnia, Abdul Rahman Sakka, and Aisyah Kara, "Eco-Theology Dalam Perspektif Hadis: Relevansinya Terhadap Etika Dan Hukum Lingkungan," *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 3, no. 6 (2025): 10243–52, <https://doi.org/https://doi.org/10.61104/alz.v3i6.2746>.

gallon. This arrangement demonstrates the application of the principle of proportionality, as the obligation to contribute is imposed on those who derive greater economic benefits from the utilization of water resources, while the rights of the local community to fulfill their basic water needs remain protected.

The distribution of user fee revenues further demonstrates that the economic benefits derived from the utilization of the Bionga Spring Water are not concentrated in a single entity but are allocated to support the management and sustainability of the spring area. The Perkades provides that 40% of the revenue shall be allocated to the management authority, 15% to the Tourism Awareness Group (Pokdarwis) operational fund, and 45% to the village through the Village-Owned Enterprise (BUMDes). This allocation scheme reflects the principle of justice (*al-'adl*) by distributing the rights, responsibilities, and benefits arising from water resource management in a proportional manner, thereby supporting equitable and sustainable management²⁸.

Nevertheless, the implementation of the principle of justice (*al-'adl*) has not yet been fully realized in terms of governance. Some members of the communities outside the village continue to expect greater transparency regarding the utilization of the user fee revenues they have contributed. This

²⁸ Sri Ratna Wulan, "Konsep Keseimbangan (Mīzān) Dalam Islam Sebagai Dasar Pembangunan Berkelanjutan," *Jurnal Penelitian Ilmu-Ilmu Sosial* 2, no. January (2025): 526–32, <https://doi.org/https://doi.org/10.5281/zenodo.15398043>.

finding indicates that justice in water resource management is determined not only by the proportional distribution of rights and responsibilities but also by the transparency of information, which is essential for fostering trust among all stakeholders.

e. The Prohibition of Environmental Destruction (*Nahy 'an al-Fasād*)

The principle of the prohibition of environmental destruction (*nahy 'an al-fasād*) affirms that any action resulting in environmental degradation is contrary to the values of Islamic law. From the perspective of Fiqh Ecology, the excessive exploitation of natural resources, environmental pollution, and any form of resource utilization that undermines the common good (*maslahah*) constitute forms of *fasād* that must be prevented. Accordingly, environmental protection is realized not only through the prohibition of environmentally harmful activities but also through preventive measures aimed at preserving natural resources as an *amanah* entrusted by Allah SWT²⁹.

A preventive approach constitutes the primary orientation of the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 in safeguarding the sustainability of the Bionga Spring Water. This orientation is consistent with the principle of the prohibition of environmental destruction (*nahy 'an al-fasād*), which emphasizes preventing environmental degradation before it occurs. The Perkades

²⁹ Sarwat, *Maqashid Syariah Dan Fikih Lingkungan*.

prohibits the use of water pumps (*alkon*) without authorization, washing activities in the vicinity of the spring area, and the installation of water distribution facilities without the approval of the Village Government, as stipulated in Articles 4(1), 4(2), and 4(3). Furthermore, the mechanisms of public guidance, community outreach, and the issuance of warnings prior to the imposition of sanctions demonstrate that the Village Government prioritizes a preventive rather than a punitive approach to preserving the sustainability of the Bionga Spring Water.

In practice, however, the prohibitions established by the Perkades have not yet been fully observed by the community. Field observations continue to reveal washing activities in the waterways surrounding the spring area and the unauthorized use of water pumps (*alkon*), indicating that the effectiveness of the conservation policy has not yet been fully supported by public compliance. This condition demonstrates that the success of preventive measures depends not only on the existence of regulatory provisions but also on community practices and the availability of adequate supporting facilities to meet domestic water needs.

The analysis of the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 indicates that the prevention of environmental degradation has become a fundamental principle in the management of the Bionga Spring Water. Nevertheless, its effectiveness still requires stronger

support through the provision of adequate infrastructure, increased public compliance, and continuous education and community outreach to ensure that the objectives of water resource conservation can be fully achieved.

C. CONCLUSION

The implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 has been carried out through the collaborative involvement of the Village Government, the Village-Owned Enterprise (BUMDes), the Tourism Awareness Group (Pokdarwis), and community participation in supporting the conservation of the Bionga Spring Water. The findings indicate that the Perkades has functioned as an instrument for water resource management at the village level. Nevertheless, its effectiveness continues to be influenced by the level of public compliance, the clarity of its regulatory provisions, and the transparency of user fee management. From the perspective of Fiqh Ecology, the implementation of the Kaleke Village Head Regulation (Perkades) No. 1 of 2024 reflects the principles of *tauhid*, *khalifah*, *amanah* and *mas'uliyah*, justice (*al-'adl*), and the prohibition of environmental destruction (*nahy 'an al-fasād*). The user fee of IDR 1,000 per gallon imposed on users from outside the village serves as a financing mechanism for conservation rather than as a form of water commercialization. Nevertheless, the effective implementation of the principles of Fiqh Ecology still requires strengthened monitoring, greater

transparency in governance, enhanced ecological awareness, and broader community participation to ensure the sustainable realization of water resource conservation objectives.

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