

# **Legal Politics of Mining Spatial Planning in Indonesia: *Maqāṣid Syarī'ah* Overview**

**Muhammad Shohibul Itmam**

*Universitas Islam Negeri Sunan Kudus, Indonesia*  
E-mail: shohibulitmam@iainkudus.ac.id

**Sirajul Munir**

*Universitas Islam Negeri Sunan Kudus, Indonesia*  
E-mail: Sirajulmunir@iainkudus.ac.id

**Lukman Santoso**

*Universitas Islam Negeri Kiai Ageng Muhammad Besari Ponorogo, Indonesia*  
E-mail: lukmansantoso4@gmail.com

**Taufikin**

*Universitas Islam Negeri Sunan Kudus, Indonesia*  
E-mail: taufikin.sunankudus@gmail.com

**Abdelmalek Aouich**

*Faculty of Sharia Sidi Mohammed Benabdillah University Morocco*  
E-mail: aouich@usmba.ac.ma  
DOI: 10.18326/ijtihad.v25i1.1-27

This research aimed to show the dynamics of mining spatial planning law in Sumenep Regency, Madura, Indonesia and the relevance to *Maqāṣid Syari'ah* as a pillar of Islamic law. In this context, qualitative analysis was used by collecting data through observation, interviews, and document review. The results showed that phosphate mining regulations in Sumenep Regency reflected sensitive dynamics using political law theory as an analytical tool and a socio-legal method, where economic interests, environmental sustainability, and community aspirations were in conflict. Additionally, legal politics in the formulation of Regional Regulations (Perda) based on *maqāṣid* achieved a balanced utilization of natural resources with respect to the protection of nature and humanity. In Islamic law, this perspective is consistent with the principles of *rahmatan lil-'ālamīn* and *'imārah al-arḍ* since humans are stewards of the earth. This study makes an important academic contribution by integrating the principles of *maqāṣid syari'ah* into the analysis of mining spatial planning law at the local level. The findings of this study indicate that the formulation of regional regulations based on *maqāṣid* not only enables the protection of the environment and community rights but also strengthens the role of Islamic law as an ethical instrument in the equitable and sustainable management of natural resources.

Penelitian ini bertujuan menyoroti dinamika politik hukum tata ruang pertambangan di Kabupaten Sumenep, Madura, Indonesia dan relevansinya dalam *Maqāṣid Syari'ah* sebagai pilar hukum Islam. Penelitian ini menggunakan analisis data kualitatif dengan mengumpulkan data melalui observasi, wawancara dan studi dokumen. Dengan teori politik hukum sebagai alat analisis dan sosio-legal sebagai pendekatan, penelitian ini menunjukkan bahwa regulasi tambang fosfat di Kabupaten Sumenep mencerminkan dinamika politik hukum yang sensitif, di mana kepentingan ekonomi, kelestarian lingkungan hidup (*environmental sustainability*), serta aspirasi masyarakat saling berhadapan. Penelitian ini juga berkesimpulan bahwa politik hukum pembentukan Peraturan Daerah (Perda) yang berbasis *maqāṣid* dapat menghadirkan pemanfaatan sumber daya alam secara berkeselimbangan terhadap perlindungan alam dan manusia. Perspektif ini dalam hukum Islam sejalan dengan prinsip *rahmatan lil-'ālamīn* dan *'imārah al-arḍ* yang menekankan bahwa manusia adalah pemelihara bumi, bukan perusakannya. Penelitian ini memberikan kontribusi akademik penting dalam mengintegrasikan prinsip *maqāṣid syari'ah* ke dalam analisis politik hukum tata ruang pertambangan di tingkat lokal. Temuan penelitian ini menunjukkan bahwa pembentukan Peraturan Daerah yang berbasis *maqāṣid* tidak hanya memungkinkan perlindungan terhadap lingkungan dan hak masyarakat, tetapi juga memperkuat fungsi hukum Islam sebagai instrumen etis dalam tata kelola sumber daya alam yang berkeadilan dan berkelanjutan.

**Keywords:** *legal politics; maqāṣid syari'ah; mining; spatial planning.*

## **Introduction**

Mining sector of various countries is facing welfare and environmental issues (Faisal et al., 2022; Subli et al., 2025; Sudirman et al., 2024). However, this important sector provides economic benefits and promotes development (Sofyan et al., 2017). The industries within

mining sector are trusted by the government to generate state revenue (Kadullah et al., 2019). Land use for mining activities, including excavation, digging, and clearing, can cause soil degradation (Hajad et al., 2025; Rahmatillah & Husen, 2018). This leads to loss of nutrients and minerals from the soil beneficial for plant growth (Christofer et al., 2022). Additionally, mining causes pollution, environmental damage, and land safety issues (Astomo, 2021), which can disrupt ecosystems and potentially lead to disasters (Rusfiana, 2019; Worlanyo & Jiangfeng, 2021).

According to data from the Geological Agency of the Energy and Mineral Resources Department (ESDM) of East Java, Sumenep Regency, Madura Island has phosphate reserves of approximately 827,500 cubic meters. Approximately 18 districts in Sumenep have potential for phosphate mining. These include *Batuputih*, *Ganding*, *Manding*, *Lenteng*, *Guluk-Guluk*, *Gapura*, *Bluto*, and *Arjasa* (Madura Post, 2021). The government intends to revise Regional Regulation No. 12 of 2013 of Sumenep Regency concerning Spatial Planning Master Plan for 2013–2033 to expand designated mining areas. The revision proposes an increase from the currently planned 8 districts, including a concession area of 826 hectares, to a total of 17 to undoubtedly impact spatial planning (Rahman, 2021).

The phosphate mining sector in Sumenep is a major driver of regional economic growth, contributing significantly to local revenue and creating jobs for the community. However, significant challenges must be managed wisely, particularly in terms of spatial planning and mining area management (Abidin, 2023). There is no official data showing the specific contribution of the phosphate mining sector to the PAD of Sumenep (Damayanti, 2025). In this context, efforts to revise phosphate mining regulations reflect complex legal and political dynamics, including a clash of interests between the economy, environmental protection, and local community aspirations. These dynamics are identified in several facts. First, Local Regulation (Perda) No. 12 of 2013 concerning the 2013–2033 Spatial Planning (RTRW) for Sumenep initially designated eight potential phosphate mining sites in several subdistricts. In 2020, the local government revised the RTRW to expand the phosphate mining area of 18 subdistricts. This plan has raised concerns because most of the locations are in karst areas important for ecosystems and groundwater storage (Tamimi, 2020). Second, the plan to expand the phosphate mine has been rejected by various elements of

society and religious leaders.

According to a Mongabay investigation report (2020), the main concerns of the community are the loss of water sources and damage to agricultural land. NU Sumenep issued an official statement rejecting the phosphate mine because the concept is considered contrary to the principle of *Maṣlahah* (Syarif, 2023a). The Sumenep Green Forum, comprising religious leaders and boarding school administrators, reported that phosphate mining activities could damage the environment and threaten access to clean water. In response to these concerns, the Sumenep Regional Parliament, in collaboration with the executive branch, prohibited phosphate mining in the revised Regional Spatial Planning (Abidin, 2023; Puryanto & Siswanto, 2024). Third, despite tighter regulations, illegal phosphate mining continues in several areas, such as Saronggi, Ganding, and Giliraja. This is reinforced by statements from Commission III of the Sumenep Regional People's Representative Council and the East Java Energy and Mineral Resources Agency, where there are no officially licensed mining activities in Sumenep, except for Bluto. This shows challenges in law enforcement and the need for coordination to address illegal activities (Syarif, 2023b).

As a strategic natural resource, phosphate is used for agricultural fertilizers and the chemical industry. In the context of the local economy, the presence of phosphate provides opportunities for increasing local revenue (PAD) and absorbing labor (*Sustainability Versus Profitability*, 2024). According to data from the Geological Agency of the Ministry of Energy and Mineral Resources (2019), well-managed phosphate mines have the potential to contribute to PAD through 1) Mining taxes and fees, 2) Mining business permits (IUP), and 3) Natural resource revenue sharing funds.

The contribution to the local revenue could reach Rp 25–30 billion per year when the phosphate potential of Sumenep is properly managed (Damayanti, 2023). Phosphate mining also has the potential to create jobs ranging from exploration, extraction, transportation, to processing. The presence of medium-scale phosphate mines absorbs 150–300 direct workers and 1,000 indirect jobs, such as logistics services and food supply. However, phosphate mining in karst areas can damage karst areas as natural water reservoirs, habitats for unique biodiversity, and other ecological functions (Aulia et al., 2019).

Different advantages and disadvantages often arise concerning the exploration and exploitation of mineral resources. This is inseparable from the existence of mineral resources, which are found underground. The development process determines the achievement of hopes and aspirations for a just and prosperous state based on the rule of law. A modern state has the primary objective of realizing the welfare of the wider community by emphasizing governance based on the law (Santoso, 2024). In the Islamic concept of welfare, indicators must be consistent with the principles of Muslim community development. The parameters used are the *Maqāṣid Syari'ah* in association with the welfare of society (Cahyani et al., 2023; Syamsuri & Irsyamuiddin, 2019).

From a regulatory perspective, Article 33(3) and (4) of the 1945 Constitution grant the state constitutional authority to manage, regulate, and supervise the governance of natural resources, including mining, for the welfare of the people. Furthermore, Law No. 26 of 2007 on Spatial Planning states that integration must be achieved for the benefits of spatial functions to remain in harmony with the preservation of preventing negative impacts on the environment. Each region has the responsibility of managing the Detailed Spatial Planning (RDTR) with the decentralization of power. Sumenep Regency has several policy foundations related to spatial planning, such as Sumenep Regency Regulation No. 12 of 2013 concerning the Spatial Planning (RTRW) of Sumenep Regency for 2013–2033. This regulation serves as the general framework for spatial planning throughout the regency. Additionally, Sumenep Regency Regulation No. 3 of 2014 on the Detailed Spatial Planning (RDTR) for the Urban Area of Sumenep City between 2014–2034 provides detailed provisions for land use. Sumenep Regency Regulation No. 8 of 2015 on the RDTR for the Urban Areas of Batuan, Rubaru, and Manding for the Years 2015–2035 expands the scope of the RDTR.

Regarding Spatial Planning (RTRW), Sumenep has the Sumenep Regency Regulation No. 8 of 2023, which is a revision of Regulation No. 12 of 2013. This regulation serves as the latest reference for spatial planning in the regency. Currently, the government is drafting the Regent Regulation (Perbup) on the Detailed Spatial Planning (RDTR), as a follow-up to Regulation No. 8 of 2023. The drafted RDTR Perbup provides technical implementation guidelines for the field. The initial focus is on Planning Area 1 (WP 1), which includes the

districts of Kota, Batuan, and Kalianget. The Perbup is targeted for completion by mid-2025 (Madura, 2024).

In mining law policy, local governments have the authority to manage, regulate, and supervise environmental management. Therefore, mining management must consider environmental aspects in sustainable development. From mining law policy perspective, local governments have an important legal role in guiding operations and environmental management (Syarif, 2018). Karst area zoning is the most important stage in the area management. The results of the zoning are used as a reference in determining mining activities (Cahyadi, 2010). The primary function of karst area management is to support sustainable and environmentally conscious development. For example, Sumenep has enacted Local Regulation No. 8 of 2023 on the Regional Spatial Planning (RTRT), which allows for the exploration and exploitation of phosphate mines in compliance with environmental carrying capacity.

Regulations in Sumenep Regency are an example of the dynamics of mining law in Indonesia. Several research have reported that mining is an important sector contributing significantly to the economy. However, current regulations show a number of weaknesses impacting environmental sustainability and community welfare. Different issues arise due to the lack of balance between environmental and mining laws. Environmental laws are not positioned as a command to mitigate the impacts of mining, and the problem is increased by overlapping regulations on reclamation (Rahman et al., 2025).

Nazaruddin and Manfarisyah stated that spatial planning policies had been centralized (Nazaruddin & Manfarisyah, 2018). Meanwhile, M. Zuhri reported that urban spatial planning did not comprehensively consider sustainability aspects (Zuhri, 2012). In some regions, mining activities often conflict with regional spatial plans, leading to land-use changes and environmental impacts (Hidayat, 2021; Soja, 2010). In Luwu Timur District, mining has contributed to significant forest conversion into open land (Hidayat et al., 2015). Similarly, in Bengkulu and Lebak, there is a mismatch between the designated mining areas, environmental characteristics, and regional spatial planning documents (Fitriyani et al., 2024; Mediansyah, 2023). This situation shows that local governments face challenges in balancing economic development with environmental conservation when implementing spatial planning (Jaligot & Chenal, 2019; Luthfiah et al., 2023).

Spatial planning policy in mining sector is subjected to a tug-of-war between investment interests, central and regional authorities, and environmental protection. Policy reform is needed to ensure transparency, community participation, environmental protection, and stronger law enforcement (Hidayat, 2023). Sumenep Regency, as a region with the largest phosphate potential on Madura Island, faces significant challenges in managing the natural resource sustainably. Excessive exploitation of phosphate can have adverse effects on the environment, communities, and long-term well-being. Therefore, an analysis of mining policies in Sumenep must be conducted in accordance with the principles of *Maqāṣid Syari'ah*. These include the protection of life, property, the environment, and future generations. Phosphate mining policies must prioritize a balance between economic, social, and ecological interests to ensure sustainable benefits for society and nature (Haneef, 2002). Phosphate mining policies must be developed by considering the principles of *Maqāṣid Syari'ah* in entirety. In this context, the local government needs to balance economic interests (*Hifẓ al-māl*) with protection of the environment and society (*Hifẓ al-br'ah*) (Rohmah & Ilmiah, 2023; Haq, Sudirman and Amiruddin, 2025). Therefore, policies based on the principles of sustainability and social justice, as well as active community participation in the decision-making process, must reflect fair and sustainable legal policy (*Hifẓ al-naḥs*) (Anam and Askar, 2020).

Research on mining spatial planning policies have been dominated by administrative, technocratic, and economic methods. Legal-formal aspects and investment considerations often become the main focus, while philosophical, ethical, and religious dimensions have not gained significant attention in academic discourse or policy practice. The *Maqāṣid Syari'ah* method offers a holistic and normative epistemic framework to assess the extent a policy is consistent with the objectives of public welfare (*al-maṣlaḥah*), which are intergenerational in nature and oriented toward sustainability.

There is no research concerning the integration of *Maqāṣid Syari'ah* as the primary analytical tool in evaluating political and legal dynamics of spatial planning, particularly in the karst areas of Sumenep. However, these areas are ecologically important as groundwater reservoirs, ecosystem stabilizers, and culturally and spiritually significant territories for local communities. In this context, several important contributions are offered. First, this research

presents an alternative analytical framework for phosphate mining policy grounded in ethical and religious values derived from *Maqāṣid Syari'ah*. Second, *Maqāṣid*-based evaluative indicators are developed to assess mining spatial planning policies more comprehensively and sustainably. Third, the recognition of community voices is promoted, particularly indigenous groups and religious leaders, in decision-making processes dominated by economic and political elites. Fourth, the urgent need for integrating Islamic values into natural resource governance is considered a step toward building mining spatial planning model reflecting social and ecological justice. Therefore, the *Maqāṣid* method can serve as a normative foundation for formulating mining legal policies that uphold environmental sustainability, protect community rights, and ensure intergenerational justice. Based on the background, this research has a distinct and different perspective in examining spatial law politics, specifically on mining issues in Sumenep Regency, using the *Maqāṣid* perspective to determine the dimensions of Islamic law objectives.

## **Method**

This qualitative research was conducted using a socio-legal method (Creutzfeldt et al., 2020; Saldana, 2011) to examine political dynamics of mining spatial planning in Sumenep Regency. Legal political theory and *Maqāṣid* were used as the theoretical framework and analytical tool, respectively. Primary data sources were collected through interviews, observations, and document research. Interviews were also conducted with several informants, including local government officials, environmental activists, and religious leaders. Observations were carried out by observing planning and legislative processes of spatial planning. Meanwhile, document research were performed by reviewing relevant literature sources. Secondary data described the results of previous research relevant to the current analysis. These data were obtained from document research, where relevant documents were reviewed and analyzed. The documents include legal regulations, research reports, books, news articles, and other published sources.

Legal documents included 1) Sumenep Regency Regulation Number 12 of 2013 concerning the Spatial Planning (RTRW) of Sumenep Regency for 2013–2033. 2) Sumenep Regency Regulation Number 8 of 2023, which was a revision of Regulation Number 12



of 2013, updating the RTRW of Sumenep Regency. This regulation served as the latest reference for spatial planning in the regency. 3) Draft of the Regent Regulation (Perbup) on the RDTR, as well as books, research reports, news articles, and relevant documents. Subsequently, the data were analyzed using different cycles of analysis, namely condensation, display, verification, and conclusion drawing from the data related to phosphate mining (Miles et al., 2013).

### **Legal politics in spatial planning policy**

Political theory places law as a product of political process, reflecting the interests, values, and power within society. Law is shaped and directed by political policies of the state or region to achieve specific goals. The formation of mining and spatial planning laws in a developing country is not subject to a single configuration but rather a variety of configurations. This leads to the development of political configurations, socio-cultural configurations, socio-economic configurations, and globalization configurations (Asyikin, 2020; Mahfud MD, 2012; Mulia et al., 2024).

In a modern legal state, the existence of legal policy 1) is a strategic step in ensuring justice in society, 2) creates peace of mind by realizing and maintaining legal certainty, and 3) addresses real interests in communal life with more concrete strategies (Putuhena, 2012; Santoso, 2023). Legal politics influence the process of law-making, implementation, and enforcement, showing the nature and direction of development (Budiman et al., 2024) social situations, and the state's orientation in formulating policies regarding 'wasiat wājibah' or wājibah will (mandatory will. Political configuration of interactions among politicians during the law-making process can show the character of a law. This connects democratic and authoritarian poles characterized by responsive and conservative laws, respectively (Mahfud MD, 2012).

According to Roscoe Pound, law must be dynamic and adapt to social needs. This shows that the law functions as a method of social control and an instrument for creating social justice. Legal policy must consider the developing social conditions in society (Pound, 1997). The presence of various configurations in political-legal framework for product formation, as theorized by Satjipto Rahardjo, can include the following (Rahardjo,

1991:353) (1) the state's objectives to be achieved through legal system, (2) the actions taken to achieve the objectives, (3) the momentum in the formulation of laws and amendments, and (4) the guidelines used as a reference in the process of selecting objectives.

Michael J. Trebilcock refers to law as an integral part of socio-economic development and must play a role in promoting progress to achieve public welfare. Law must be designed to support development and not merely to enforce social order. This includes spatial planning and mining law policy (Trebilcock, 1993). In the context of spatial planning, legal policy plays a crucial role concerning planning, utilization, and control of regional space. Spatial planning is a technical issue as well as fraught with political, economic, social, and cultural interests. Therefore, the formulation and implementation of spatial planning laws are essentially a manifestation of legal policy applied by the government (Firmanto et al., 2022; Permana, 2023). Spatial planning is a systematic form of regional space to create integration between regions, sectors, and economic, social, and environmental interests. This is emphasized in Law No. 26 of 2007 concerning Spatial Planning, which defines spatial planning as "the form of structure and patterns at the national and regional levels." Good spatial planning law regulates land use as well as recognizes and integrates local values, traditional wisdom, and long-standing management practices passed down through generations in society. From the perspective of Moh. Mahfud MD, legal politics has two main dimensions, namely as political product and a tool for realizing the goals of justice, order, and welfare. This theoretical basis shows that legal politics reflects the will of the state in creating a system capable of regulating the lives of the people fairly.

In the context of phosphate mining spatial planning, legal policy plays a central role in determining the consistency of mining activities in line with regional spatial planning and desired sustainable development visions. Phosphate mining, as a strategic sector, must be placed within legal framework considering profit, ecological impacts, and the welfare of local communities (Adisasmita, 2010). Therefore, there needs to be a shift toward a more participatory legal policy prioritizing vulnerable groups, such as indigenous communities, traditional fishermen, and women in coastal areas, to create a more democratic and equitable spatial planning framework. To address the challenges, the theory proposed by Mahfud MD analyzes the direction of legal policies on phosphate mining spatial planning. This perspective

is important to critique and guide spatial planning policies to prevent the sole prioritization of economic interests and uphold principles of justice, participation, and sustainability.

### **Mining spatial planning law from the perspective of *maqāṣid***

Islamic law has a hierarchical system, and the highest level is the Quran, which is the revelation of Allah. The second source of law is the entire narratives of Prophet Muhammad SAW (sunnah) (Al-Daghistani, 2016). After the death of the Prophet, social changes led to the development of Islamic law. Therefore, *ijma'* (consensus) and *qiyas* (analogical reasoning) became part of the hierarchy when legal issues in Islam could not be resolved at the first and second levels of the hierarchy. The first and second levels of the hierarchy are categorized as sharia, while the third level is categorized as *fiqh* (Ilyas, 2018; Tohari, 2017).

The provisions of Sharia (law) have objectives realized (*Maqāṣid Syari'ah*) in achieving benefits. According to Islamic legal scholars, *Maqāṣid Syari'ah* must be used as a guide by mujtahids in *ijtihad* (Laluddin, 2015). The concept requires the pursuit of public interest and the avoidance of harm. The interpretation of Islamic legal dynamics in the modern era remains grounded in legal sources without being limited by time or space by adhering to the objectives of the law (Alfitri, 2022; Santoso & Aisyah, 2024).

According to research by experts in *usul fiqh*, five basic elements must be preserved and realized to maintain and realize the public interest as the purpose of law. First, the preservation of religion (*ḥifẓ ad-dīn*) maintains religious norms in terms of the relationship with Allah and society. Second, the preservation of life (*ḥifẓ an-nafs*) protects the right of every individual and collective. Third, the preservation of reason (*ḥifẓ al-aql*) prevents defects and protects the results of thinking in the form of creativity. Fourth, the protection of offspring (*ḥifẓ an-nasl*) ensures the continuity of generations and a sustainable perspective by avoiding policies disrupting the continuity of life. Fifth, the protection of property (*ḥifẓ al-Māl*) develops the economic resources of the community as well as private and public rights (Kasdi, 2019; Prihantoro, 2019).

Concerning the application of law, the five basic elements are divided into three levels (Haq, 2007; Opwis, 2010), namely a) *Dlaruriyah* (primary), which is a form of benefit urgent

to be fulfilled; b) *Hajjiyah* (secondary), representing a benefit needed by the people to improve the stability of the social order or create better conditions, c) *Tabsiniyah* (complementary) serves to complement and create conditions for a society close to perfection (Al-Shatibi, 2012). The priority scales must be grouped in establishing the law when the five basic elements are connected to the three priority scales (Black et al., 2014; Huda, 2006).

The five basic principles of *Maqāṣid Syarī'ah* can be used as an evaluative framework for mining spatial policies, particularly in assessing the extent to which the activities support or undermine the basic values of life protected by Sharia law. First, in the context of *Hifẓ al-Nafs* (Protecting Life), mining often takes place in disaster-prone areas or close to community settlements (Hidayat, 2021). Second, concerning *hifẓ al-Nasl* (preserving future generations), mining has the potential to cause long-term environmental damage (Monjezi et al., 2009). *Third*, in terms of *hifẓ al-Mal* (preserving wealth), the activities cause land conflicts and economic losses for local communities, specifically farmers, fishermen, and indigenous peoples (Worlanyo & Jiangfeng, 2021). *Fourth*, regarding *hifẓ al-'Aql* (preserving reason), the long-term impact of uncontrolled mining activities can affect the mental health and education of the community (Rahman et al., 2025). *Fifth*, in the context of *hifẓ al-Din* (preserving religion), the activities have an impact on the spiritual life of the community (El-Anwar et al., 2025).

Based on the description above, mining spatial planning law should not be interpreted as a technical regulation of the locations, but must include ethical, social, and ecological responsibilities. Spatial planning must be an instrument for creating *maslahah* (benefit) and preventing *mafsadah* (harm). Therefore, the policies must be designed using a participatory method based on ecological justice and the values of *Maqāṣid*. This allows mining development to generate economic benefits and ensure the sustainability of life, social justice, and environmental integrity as required by Islamic law.

### **The dynamics of mining spatial planning law in Sumenep Regency: *maqāṣid syarī'ah* overview**

Sumenep Regency in East Java Province has unique characteristics due to the composition of the mainland and islands. Spatial planning faces complex challenges and problems with

more than a hundred islands despite the great potential (Abidin, 2023). An example is the formulation and implementation of the Regional Spatial Planning (RTRW), which tends to follow a top-down and technocratic method. Public participation in planning process remains limited, particularly among residents of small islands.

According to data from the Geological Agency of the East Java Ministry of Energy and Mineral Resources, Sumenep Regency, located on Madura Island, has phosphate reserves of approximately 827,500 m<sup>3</sup>. Given the significant potential for phosphate mining, the government plans to revise Regional Regulation No. 12 of 2013 on the Spatial Planning of Sumenep Regency for 2013-2033 to include additional mining areas. The current plan covers 8 districts with a concession area of 826 hectares, and the proposed revision aims to add an extra 9. This will undoubtedly impact spatial planning in Sumenep Regency (Abdullah, 2023; Rahman, 2021).

Spatial planning is a tool used to regulate effective land use, promote economic growth, and facilitate infrastructure provision. However, certain community groups may feel threatened by the policies through relocation, restrictions on access to natural resources, or environmental changes affecting livelihoods (Luthfiah et al., 2023; Wiratama et al., 2023). Spatial planning often becomes an arena for political struggle through the inclusion of different interests. Local political dynamics are shaped by debates concerning the use of space. This process can include political lobbying, public protests, and negotiations between various influential groups. This shows that spatial planning is a technical or administrative issue, as well as an arena where political forces play a significant role in determining the direction of a region's development.

The wave of opposition to the plan of expanding phosphate mining in Sumenep Regency has grown stronger after a statement from the Sumenep Green Forum (FSH) on Wednesday, March 31, 2021, at the As-Sadad Islamic boarding school in Ambunten. This statement represents a firm stance from religious leaders, clerics, and boarding school administrators who are part of the forum. The opposition is reiterated to the phosphate mine, citing environmental damage as well as broader social and ecological impacts.

Opposition is growing among religious leaders, environmental activists, and local communities. This shows the adverse environmental impacts, such as damage to

groundwater sources, shrinking agricultural land, as well as destruction of flora and fauna habitats. KH Moh. Naqib Hasan and Kyai Dardiri Zubairi emphasized that phosphate mining in karst areas had the potential to damage sacred sites and water resources. This mining is not worth the economic benefits since the karst rock structure serves as a crucial rainwater reservoir to prevent droughts and floods (Hasan, 2023; Zubairi, 2024).

From a cultural perspective, the ancestral land known as “*tana sangkolan*” holds spiritual and historical significance for the Maduranese community. However, this sacred value is eroding due to the influx of investments and mining activities. Leaders such as Kyai Mawardi and Nurussyamsi argued that the sale of sacred land for investor interests disrupted social order and created agrarian issues. Rejection continues from the community and religious institutions such as Lakpesdam NU, where phosphate exploitation triggers widespread ecological and social damage (Syamsi, 2023; Mawardi, 2024; Rahman et al., 2025).

Local political dynamics played an important role in the discussion of the revision of the 2023–2043 Sumenep Spatial Planning (RTRW) Regulation. The majority of DPRD factions rejected the expansion of mining, but economic pressures, promises of increased local revenue, and the results of technocratic research such as the Environmental Impact Assessment (AMDAL) and Strategic Environmental Assessment (KLHS) prompted a change in political stance. Despite formal participatory processes such as public forums, some activists argued that participation was procedural, failing to substantively accommodate community aspirations. The newly approved RTRW regulation led to phosphate exploitation to increase agrarian conflicts and environmental degradation (Yayak, 2023; Tamimi, 2020).

The existence of old exploration permits and the absence of explicit regulations protecting karst areas showed legal loopholes exploited by investors, even though Regional Regulation No. 8 of 2023 normatively prohibited phosphate mining. Activists from FNKSDA, GMNI, WALHI, and the Sumenep Karst Forum stated that most of mining areas were located in disaster-prone zones. Given the current field conditions, experiencing water crises in dozens of villages, phosphate mining would only increase the ecological situation. Therefore, spatial planning policies must be based on environmental carrying capacity, not merely short-term economic considerations (observation, February 2025; Umam, 2022). Spatial policies reflect the dominance of *hifẓ al-mal* (economic interest)

over other *Maqāṣid* such as *hiḥẓ al-nasl* (protection of future generations). This shows a conflict of interests between local governments, investors, and civil society, where short-term development often sacrifices ecological sustainability and social justice (Healey, 2020; Ramziati & Sastro, 2023).

According to Kyai Dardiri Zubairi and Kyai Mawardi, land and the environment have a spiritual dimension in serving God, and are not viewed as economic assets. This dimension must be regarded as a symbolic entity, representing the historical relationship between humans, ancestors, and nature. The causal relationship between humans and nature signifies the existence of *ukhuwah kauniyah* (cosmic brotherhood), a dependency between humans and non-human beings (Zubairi, 2023; Mawardi).

The Qur'an explains that nature and all creatures glorify Allah, as reported in Surah an-Nur (24:41). Furthermore, nature is regarded as *tajalli*, or a manifestation of Allah's presence, as stated in Surah al-A'raf (7:143). This verse shows that nature (non-human) is not merely an object of exploitation, but has a spiritual dimension. The epistemology of modern science in understanding the environmental crisis caused by the capitalist frontier penetrates villages in the pursuit of exploiting natural resources (Luthfi et al., 2023). The various damages caused by the advancement of science, technology, and capitalist economics are essentially rooted in the spiritual crisis of modern humans. In reality, science, technology, and economics should not be separated from spirituality, which functions as a check and balance (Inamullah & Lestari, 2023).

Environmental issues and sustainable mining management require technical, economic, political, legal, socio-cultural, and scientific solutions within a theological framework or spiritual reinforcement. This is based on the objectives of Sharia (*Maqāṣid Syari'ah*) and the principle of *rahmatan lil-'ālamīn*, while restoring the spirit of Islam focused on religious rituals and non-ritual aspects such as preserving the environment (*hiḥdẓ al-bi'ah*) and caring for the earth (*'imārah al-ard*) (Rohmah & Ilmiah, 2023).

The local government can take several strategic steps to ensure mining spatial planning policies are consistent with the spirit of *Maqāṣid*. First, phosphate mining policies that prioritize economic growth without considering the potential for ecological damage are not in line with the principle of *hiḥẓ al-nafs* (protection of life). In the process of licensing and

implementing phosphate mining, there are guarantees for the protection of public health and safety. Therefore, this policy must be accompanied by effective mitigation measures to minimize negative impacts on public health, such as strict monitoring of Environmental Impact Assessments (EIA) and the implementation of high safety standards. Second, protection of the environment and natural resources is key to ensuring the survival and welfare of future generations (*hiḥẓ al-nasl*).

Phosphate mining that damages the karst ecosystem can cause long-term damage to the quality of life of the community, including impacts on clean water availability, agriculture, and biodiversity. Third, phosphate contributes significantly to the local revenue (PAD) of Sumenep Regency, creates jobs, and boosts the economy (*hiḥẓ al-māl*). The revenue generated must be used effectively and fairly for the welfare of the community. The protection of natural resources is a priority to prevent long-term harmful exploitation. Phosphate mining must be managed sustainably to use existing natural resources for future generations.

Policies considering the fair distribution of mining proceeds and the management of funds for community development and nature conservation programs are in line with the principle of *hiḥẓ al-māl*. Therefore, the profits obtained must be distributed for the benefit of all levels of society. Fourth, policies should also be based on valid data and rational analysis (*hiḥẓ al-'aql*) since experts in mining and environment are included in the formulation of spatial planning. Additionally, the community must be allowed to actively participate and receive sufficient information about the impacts of phosphate mining from an economic, environmental, and social perspective. Decision-making without adequate knowledge can lead to significant losses for the state, society, and environment. Capacity building and training for the community on the importance of good and science-based natural resource management are crucial for maintaining environmental sustainability and ensuring economic benefits. Fifth, an important principle of *Maqāṣid Syari'ah* is to protect religion as an effort to maintain a harmonious life under religious values (*hiḥẓ al-din*). In Islam, nature and natural resources must be managed wisely. The lives of the community are threatened when the policy does not pay proper attention to environmental aspects, impacting the moral and spiritual well-being. Damage to nature and natural resources also reduces the quality of life and causes disturbances in the proper practice of religion.



Policies prioritizing economic gains without considering sustainability principles contradict *Maqāṣid*, which emphasizes the importance of maintaining ecological balance as part of the trust entrusted by God to humanity. Therefore, phosphate mining policies in Sumenep must prioritize responsible management based on sustainability principles, where nature and society thrive without compromising religious values. Sixth, in the context of phosphate mining, environmental protection (*ḥifẓ al-bi'ah*) is highly relevant, specifically in relation to the widespread damage to karst ecosystems. Karst has very important ecological functions, such as groundwater storage, habitat for biodiversity, and local climate regulation (Natsir et al., 2024). Policies prioritizing environmental preservation support the principles of *Maqāṣid Syar'i'ah* by maintaining ecological sustainability for the benefit of humanity. Environmental protection (*ḥifẓ al-bi'ah*) is increasingly recognized as an important part of contemporary *Maqāṣid Syar'i'ah*, even though the principle is excluded from classical *Maqāṣid Syar'i'ah* (Iskandar & Aqbar, 2019). Seventh, uncontrolled exploitation can lead to social inequality, where most of the benefits of mining are enjoyed by a handful of people, while local communities directly affected by environmental damage do not receive commensurate benefits. This reduces the quality of life of communities and damages social relations.

Based on the description, inclusive and socially just policy planning preserves the dignity of the community (*ḥifẓ al-'ird*) by ensuring rights are received in terms of employment, health, and a clean environment. Therefore, phosphate mining spatial planning policies need to prioritize the empowerment of local communities and ensure the inclusion of decision-making related to the use of space and management of natural resources (Healey, 2020; Yusdiansyah, 2023).

According to Bernard L. Tanya, political dimension of law must include 1) the ideal goal to be achieved through the law, 2) the appropriate method to achieve the goal, and 3) effective legal configuration to realize the goal (Tanya, 2011). The deliberation process for revising the RTRW criticized public participation procedures considered to be formalities. The process did not fully reflect the substance of the community's aspirations, even though planning and decision-making stages included various stakeholders through public forums and consultations. This showed a gap between the principle of deliberative participation and legislative practices, which tended to be transactional and elitist. Furthermore, this

research was reinforced by Political dynamics within the DPRD. There was a significant shift in attitude from several factions, rejecting the expansion of phosphate mining areas in 2021, but approving the revision of the RTRW in 2023. This change in attitude reported the strong influence of political and economic factors in the local policy-making process, as well as the function of local legislation as an instrument of compromise between structural forces and grassroots pressure.

In legal-political framework, the legislative process functions as a response to development needs and an instrument reflecting power relations among local actors. Local legal politics must bridge economic interests and environmental protection fairly, ensuring that the substance of policies does not disregard the ecological rights of communities and the cultural values within society.

**Table 1**  
**The proposal for the reformulation of spatial planning legal politics based on**  
*Maqāṣid*

Components	Details
Zoning Based on Environmental Assessment	Identification of phosphate karst areas mined on a limited basis vs. areas protected based on an environmental impact assessment (AMDAL).
Temporary Moratorium	Implemented until ecological and social research are completed.
Equitable Royalty Scheme	Mining royalties are distributed proportionally, where 30% and 40% are allocated to the regional budget and local community development. Meanwhile, the remaining 30% is allocated to environmental restoration.
Meaningful inclusion of indigenous/local communities	Mining companies are required to establish partnerships with local cooperatives and give priority to residents for employment.
Permanent Environmental and Social Fund	A special fund from mining proceeds for education, health, and conservation in the surrounding area.
Regular Environmental Audit	Mandatory annual independent audit. The permit may be revoked when environmental damage is proven.

*Source: Researcher (2025)*

The formulation and implementation of spatial policies in the regions should be carried out within the framework of good environmental governance, which emphasizes authentic public participation, transparency in the legislative process, and adherence to the principles of sustainable development. Efforts to make mining the engine of economic growth cannot be separated from legal and moral responsibility of maintaining ecological sustainability and the cultural heritage of local communities.

## Conclusion

In conclusion, political dynamics in the management of phosphate mining spatial planning in Sumenep Regency, Madura, show tensions between economic interests, environmental conservation, and community aspirations. The efforts of the local government to revise the 2013-2033 Spatial Planning (RTRW) in expanding mining area have faced opposition from civil society, particularly Islamic boarding schools and environmental activists concerned about damage to karst areas and water sources. Political-legal policies of the Sumenep Regency Government in regulating the phosphate mining area remain ambiguous and biased. Considerations of exploitation persist as investment and regional revenue generation while neglecting other fundamental *Maqāṣid* principles. These include the protection of life and future generations to ensure environmental sustainability of well-being.

The comprehensive solutions for the future include enhancing institutional capacity, enforcing strict laws, and providing sustainable economic alternatives. Islamic development must maintain harmony between economic, social, and ecological interests as a concrete manifestation of the institutionalization of *Maqāṣid* principles. Therefore, the formulation of local regulations based on Islamic values, such as the principles of *ḥifẓ al-bi'ah* and *'imārah al-arḍ*, needs to be prioritized. Recommendations for further research are also important for developing a normative framework in environmental and mining policy. In addition, the best practices should also be explored in sustainable local economic policy in mining sector.

## Bibliography

- Abdullah, H. (2023), personal interview in Sumenep District, 7 June.
- Abidin, I. (2023). *Politik Sumber Daya Alam: Dampak Pertambangan Fosfat Terhadap Krisis Sosio-*

*Ekologis di Sumenep* [S1, Universitas Muhammadiyah Yogyakarta]. <https://doi.org/10/Naskah%20Publikasi.pdf>

- Abou El-Anwar, E. A., Rashwan, M. A., Abd El Samee, M. A., Belal, Z. L., Salman, S. A., Seleem, E. M., Abdelwahab, W., Abd El-Shakour, Z., Kamal, M., & Ahmed, A. S. (2025). Mining and industrial processing wastes of phosphate rocks in Egypt: Potentiality of rare earth elements. *International Journal of Environmental Science and Technology*. <https://doi.org/10.1007/s13762-024-06325-w>
- Adisasmita, R. (2010). *Pembangunan Kawasan dan Tata Ruang*. Graha Ilmu.
- Al-Daghistani, S. (2016). Semiotics of Islamic Law, Maṣlaḥa, and Islamic Economic Thought. *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique*, 29(2), 389–404. <https://doi.org/10.1007/s11196-016-9457-x>
- Alfitri. (2022). *Islamic Law and Society in Indonesia: Corporate Zakat Norms and Practices in Islamic Banks*. Routledge. <https://doi.org/10.4324/9781003183112>
- Al-Shatibi, I. I. (2012). *The Reconciliation of the Fundamentals of Islamic Law: Al-Muwafaqat fi Usul al-Shari'a* (I. A. K. Nyazee, Trans.). Garnet Publishing.
- Anam, S. and Askar, M.A. (2020) ‘Tanggungjawab Negara Terhadap Kebakaran Hutan dan Lahan dalam Perspektif Hukum Nasional dan Islam’, *JURIS (Jurnal Ilmiah Syariah)*, 19(1), pp. 113–122. Available at: <https://doi.org/10.31958/JURIS.V19I1.2100>.
- Astomo, P. (2021). The Problems in Mineral and Coal Mining Regulations: Perspectives, Political Law and Responsive Law. *Kanun Jurnal Ilmu Hukum*, 23(1), 133–156. <https://doi.org/10.24815/kanun.v23i1.19949>
- Asyikin, N. (2020). Legal politics of bureaucratic reform in really good governance according to prophetic law. *Legality: Jurnal Ilmiah Hukum*, 28(1), 81–95.
- Aulia, H., Apriyanto, B., Astutik, S., Kurnianto, F. A., & Ikhsan, F. A. (2019). Pengaruh Lahan Karst di Gunung Sadeng Kecamatan Puger Kabupaten Jember Terhadap Kehidupan Sosial dan Ekonomi Masyarakat Sekitar. *Majalah Pembelajaran Geografi*, 2(2), Article 2. <https://jseahr.jurnal.unej.ac.id/index.php/PGEO/article/view/13534>
- Black, A., Esmacili, H., & Hosen, N. (2014). *Modern perspectives on Islamic law*. Edward Elgar.
- Budiman, A., Saifullah, M., & Ulum, B. (2024). Wāḥibah will for non-Muslim heirs in Indonesia: A legal political perspective based on justice and welfare. *Ijtihad: Jurnal*

- Wacana Hukum Islam Dan Kemanusiaan*, 24(2), Article 2. <https://doi.org/10.18326/ijtihad.v24i2.223-250>
- Cahyadi, A. (2010). Pengelolaan Kawasan Karst dan Peranannya Dalam Siklus Karbon Di Indonesia. *Seminar Nasional Perubahan Iklim Di Indonesia 13 Oktober 2010*, 1–14.
- Cahyani, Y. T., Santoso, L., & Ma'mun, S. (2023). Budgeting From an Islamic Green Economy Perspective in Local Development. *Invest Journal of Sharia & Economic Law*, 3(2), Article 2. <https://doi.org/10.21154/invest.v3i2.7542>
- Christofer, F., Sari, S. P., Sapulette, K., Anggayni, M., Hutagalung, E., & Irawati, W. (2022). Mycorizoremediation: Association of Arbuscular Mycorrhizal Fungi to Increase Metal Absorption Ability in Hyperaccumulator Plants at Mining Land. *Jurnal Teknologi Lingkungan*, 23(1), 118–125.
- Creutzfeldt, N., Mason, M., & McConnachie, K. (Eds.). (2020). *Routledge handbook of socio-legal theory and methods*. Routledge, Taylor & Francis Group.
- Damayanti, H. M. (2023). *Negosiasi Ulang Tambang Fosfat di Sumenep (1); Idealnya Harus Kreatif dan Produktif*. *Negosiasi Ulang Tambang Fosfat di Sumenep (1); Idealnya Harus Kreatif dan Produktif - Radar Madura*. <https://radarmadura.jawapos.com/sastra-budaya/743324705/negosiasi-ulang-tambang-fosfat-di-sumenep-1-idealnya-harus-kreatif-dan-produktif>
- Damayanti, H. M. (2025). *Komisi III DPRD Sumenep Sebut Semua Aktivitas Pertambangan Ilegal*. *Komisi III DPRD Sumenep Sebut Semua Aktivitas Pertambangan Ilegal - Radar Madura*. <https://radarmadura.jawapos.com/sumenep/745642754/komisi-iii-dprd-sumenep-sebut-semua-aktivitas-pertambangan-ilegal>
- F. Putuhena, M. I. (2012). Politik Hukum Perundang-Undangan Dalam Upaya Meningkatkan Kualitas Produk Legislasi. *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 1(3), 343. <https://doi.org/10.33331/rechtsvinding.v1i3.89>
- Faisal, F., Rahayu, D. P., & Yokotani, Y. (2022). Criminal Sanctions' Reformulation in the Reclamation of the Mining Community. *Fiat Justisia: Jurnal Ilmu Hukum*, 16(1), 11–30. <https://doi.org/10.25041/fiatjustisia.v16no1.2222>
- Firmanto, T., Ridwan, R., Gufran, G., Irawansah, D., & Mardiansjah, A. (2022). Policy On Spatial Planning And Regional Development Based On Sustainable Development In

- Bima City. *The Indonesian Journal of Legal Thought (IJLETH)*, 2(1), Article 1. <https://doi.org/10.23917/ijleth.v2i1.18893>
- Fitriyani, S. N., Wardah, L. R., Rayhan, A., & Nurikah, N. (2024). Analysis Of The Application Of Spatial Planning Principles In The Regional Spatial Planning (RTRW) Of Lebak District Towards Mining Activities In The Gunung Liman Area. *Publication of the International Journal and Academic Research*, 1(1), Article 1. <https://doi.org/10.63222/pijar.v1i1.2>
- Hajad, V., Handayani, S. W., Ikhsan, I., Setiawan, D., Fadhly, Z., & Herizal, H. (2025). Land Politics and Food Security: A New Perspective on Land Degradation in Indonesia. *Jurnal Ilmiah Peuradeun*, 13(2), Article 2. <https://doi.org/10.26811/peuradeun.v13i2.1304>
- Haneef, S. S. S. (2002). Principles of Environmental Law in Islam. *Arab Law Quarterly*, 17(3), 241–254.
- Hasan, M.N. (2023), personal interview in Sumenep District, 14 November
- Haq, H. (2007). *Al-Syatibi: Aspek Teologis Konsep Masalah dalam Kitab al-Muwafaqat*. Erlangga.
- Haq, I., Sudirman, L. and Amiruddin, M.M. (2025) ‘Eco-Theological Insights on The Sasi Tradition: Analyzing Environmental Ethics and Sanctions Through Fiqh al-Bi’ah and Islamic Criminal Law’, *Al-Istinbath: Jurnal Hukum Islam*, 10(1), pp. 58–80. Available at: <https://doi.org/10.29240/JHI.V10I1.9412>.
- Healey, P. (2020). *Collaborative Planning: Shaping Places in Fragmented Societies*. Bloomsbury Publishing.
- Hidayat, C. (2023), personal interview in Sumenep District, 9 June.
- Hidayat, S. (2021). Environmental Impacts of Open Pit Mining Blasting: Particular Discussions on Some Specific Issues. *Journal of Mining and Environmental Technology*, 1(1), 1–11. <https://doi.org/10.31764/jmet.v1i1.4326>
- Hidayat, W., Rustiadi, E., & Kartodihardjo, H. (2015). The Impact of Mining Activity on Land Use Change and Suitability of Space Utilization: The Case of East Luwu Regency, South Sulawesi Province. *Journal of Regional and City Planning*, 26(2), Article 2. <https://doi.org/10.5614/jpwk.2015.26.2.5>
- Huda, M. (2006). *Filsafat Hukum Islam*. STAINPo Press.
- Ilyas, H. (2018). *Fikih Akbar: Prinsip-Prinsip Teologis Islam Rahmatan Lil ‘Alamin*. Pustaka

Alvabet.

- Inamullah, M., & Lestari, N. M. (2023). Maqashid Syariah Terhadap Keberlanjutan Kehidupan. *Jurnal Ilmiah Ekonomi Islam*, 9(2), Article 2. <https://doi.org/10.29040/jiei.v9i2.8437>
- Iskandar, A., & Aqbar, K. (2019). Green Economy Indonesia Dalam Perspektif Maqashid Syari'ah. *Al-Mashrafiyah: Jurnal Ekonomi, Keuangan, dan Perbankan Syariah*, 3(2), Article 2. <https://doi.org/10.24252/al-mashrafiyah.v3i2.9576>
- Jaligot, R., & Chenal, J. (2019). Integration of Ecosystem Services in Regional Spatial Plans in Western Switzerland. *Sustainability*, 11(2), Article 2. <https://doi.org/10.3390/su11020313>
- K Rahman. (2021). PPP Tolak Tambang Fosfat di Sumenep. Kanal Berita. <https://kanalberita.co/2021/02/16/ppp-tolak-tambang-fosfat-di-sumenep/>
- Kadullah, I., Puluholawa, M. R. U., & Mandjo, J. T. (2019). Enforcement Of Laws Against Mining Resulting In Environmental Pollution Due To Mercury Liquids. *Estudiante Law Journal*, 1(3), 875–890.
- Kasdi, A. (2019). Actualizations of Maqashid al-Shariah in Modern Life: Maqashid al-Shariah Theory as a Method of the Development of Islamic Laws and Shariah Economics. *Justicia Islamica*, 16(2), Article 2. <https://doi.org/10.21154/justicia.v16i2.1666>
- Laluddin, H. (2015). Maslahah's Role as an Instrument for Revival of Ijtihad. *International Journal of Islamic Thought*, 8, 27–34.
- Luthfi, A. N., Batubara, B., & Zubairi, A. D. (2023). Ukhuwwah Kauniyyah dan Sosioalam: Menuju Pluralitas Epistemologi di Era Capitalocene. In *Fiqh Peradaban dan Isu-isu Global*. Alinea Media Dipantara. <https://www.academia.edu/102618132/>
- Luthfiah, F., Guswandi, G., & Anggrahita, H. (2023). The Role of City Spatial Planning (RTRW) on Regional Development in Depok City (West Java Province). *Indonesian Journal of Geography*, 55(2), Article 2. <https://doi.org/10.22146/ijg.65987>
- Madura, P. (2024, October 29). Kebut Penyusunan Perbup RD'TR, Pemkab Sumenep Target Selesai Pertengahan Tahun 2025. *Pena Madura*. <https://penamadura.com/kebut-penyusunan-perbup-rdtr-pemkab-sumenep-target-selesai-pertengahan-tahun-2025/>
- Madura Post. (2021, March 5). 18 Titik Tambang Fosfat di Sumenep, Mahasiswa Luruk Gedung



*Parlemen*. <https://madurapost.net/18-titik-tambang-fosfat-di-sumenep-mahasiswa-luruk-gedung-parlemen/>

Mawardi, M. (2024), personal interview in Sumenep District, 22 January.

Mediansyah, M. (2023). Policy Implementation Of Regional Spatial Planning (RTRW) In Central Bengkulu Regency: Case Study on the Regional Regulation of Central Bengkulu Regency Number 15 of 2012 concerning Spatial Planning for the Region of Central Bengkulu Regency for 2012-2032. *International Journal of Policy and Public Administration*, 4(2), Article 2. <https://doi.org/10.33369/ispaj.v4i2.28631>

Miles, M. B., Huberman, A. M., & Saldana, J. (2013). *Qualitative Data Analysis: A Methods Sourcebook*. SAGE Publications.

Moh. Mahfud MD. (2012). *Politik Hukum di Indonesia* (5th ed.). PT. RadjaGrafindo Persada.

Monjezi, M., Shahriar, K., Dehghani, H., & Samimi Namin, F. (2009). Environmental impact assessment of open pit mining in Iran. *Environmental Geology*, 58(1), 205–216. <https://doi.org/10.1007/s00254-008-1509-4>

Mulia, M., Zulfatmi, Z., Khalil, Z. F., Kurniawan, C. S., & Rizki, D. (2024). Conflict And Consensus in Fiqh Siyasah: The Practice of Islamic Law Across Various Cultures. *Jurnal Ilmiah Peuradeun*, 12(3), Article 3. <https://doi.org/10.26811/peuradeun.v12i3.1363>

Natsir, M., Fuadi, Darmawan, Ulya, Z., & Sahara, S. (2024). The Relevance of Islamic Principles in Environmental Management In Aceh. *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah*, 9(1), 31–43. <https://doi.org/10.22373/petita.v9i1.209>

Naqib, M. (2024), personal interview in Sumenep District, 22 January.

Nazaruddin, T., & Manfarisyah. (2018). Rekonstruksi Politik Hukum Tata Ruang Kota Berkelanjutan Berbasis Kearifan Lokal. *Prosiding Seminar Nasional Politeknik Negeri Lhokseumawe*, 2(1), 30–35.

Opwis, F. (2010). *Maslahah and the Purpose of the Law: Islamic Discourse on Legal Change from the 4th/ 10th to 8th/ 14th Century*. Brill.

Permana, D. (2023). Spatial Planning Policy in the Control Aspect of Urban Area Development. *International Journal of Science and Society (IJSOC)*, 5(2), Article 2. <https://doi.org/10.54783/ijsoc.v5i2.1089>



- Pound, R. (1997). *Social control through law*. Transaction Publishers.
- Prihantoro, H. A. (2019). *Filsafat Hukum Islam Indonesia: Sakralitas dan Pluralitas*. LKiS.
- Puryanto, S., & Siswanto, R. (2024). Ideological Conflict in Rembang (Case Study: Cement Mining Conflict in Rembang). *Jurnal Ilmiah Peuradeun*, 12(1), Article 1. <https://doi.org/10.26811/peuradeun.v12i1.1043>
- Rahardjo, S. (1991). *Ilmu Hukum*. Citra Aditya Bakti.
- Rahman, I., Basrawi, Widyawati, A., Suryani, L. S., & Haris, I. N. (2025). Mineral and Coal Mining Regulatory Reform in Indonesia. *Journal of Law and Legal Reform*, 6(2), Article 2. <https://doi.org/10.15294/jllr.v6i2.19040>
- Rahmatillah, S., & Husen, T. (2018). Penyalahgunaan Pengelolaan Pertambangan Terhadap Kerusakan Lingkungan Hidup Di Kecamatan Kluet Tengah. *Legitimasi: Jurnal Hukum Pidana Dan Politik Hukum*, 7(1), 149. <https://doi.org/10.22373/legitimasi.v7i1.3969>
- Ramziati, R., & Sastro, M. (2023). Natural Resource Management and Sustainable Development In an Islamic Perspective. *Proceedings of Malikussaleh International Conference on Law, Legal Studies and Social Science (MICoLLS)*, 3, 0007–0007. <https://doi.org/10.29103/micolls.v3i-.322>
- Rohmah, E. I., & Ilmiah, Z. (2023). Reinterpretation of Maqashid Al-Sharia In Indonesian Legal Products. *ALFIQH Islamic Law Review Journal*, 2(3), Article 3.
- Rusfiana, Y. (2019). Potensi Bencana Alam Pasca Penambangan Timah Inkonvensional Di Kabupaten Bangka Tengah Provinsi Kepulauan Bangka Belitung. *Jurnal Konstituen*, 1(1), 59–76.
- Saldana, J. (2011). *Fundamentals of Qualitative Research*. Oxford University Press.
- Santoso, L. (2023). Eksistensi Taqin dalam Negara Hukum Modern dan Relevansinya dalam Dinamika Legislasi di Indonesia. *El-Dusturie*, 2(1), Article 1. <https://doi.org/10.21154/el-dusturie.v2i1.6746>
- Santoso, L. (2024). *Negara Hukum dan Demokrasi di Indonesia*. Arti Bumi Intaran.
- Santoso, L., & Aisyah, A. (2024). Vote-Buying and Muslim Family Resilience in the Election Year: A Maqashid Review. *Kartika: Jurnal Studi Keislaman*, 4(2), Article 2. <https://doi.org/10.59240/kjsk.v4i2.68>
- Sofyan, R. H., Wahjunie, Enni Dwi, D., & Hidayat, Y. (2017). Karakteristik disik dan

kelembaban tanah pada berbagai umur reklamasi lahan bekas tambang. *Buletin Tanah Dan Laban*, 1(1), 72–78.

Soja, E. W. (2010). *Seeking spatial justice*. University of Minnesota Press.

Subli, M. et al. (2025) ‘Green Investment in Contemporary Islamic Perspective: A Maqasid al-Syari‘ah Analysis of the Mining Industry in Morowali’, *MILRev: Metro Islamic Law Review*, 4(1), pp. 156–183. Available at: <https://doi.org/10.32332/milrev.v4i1.10269>.

Sudirman, L. et al. (2024) ‘International Laws and The Reality: The Complexity of Corporate Law in Empowering Human Rights’, *Jambura Law Review*, 6(1), pp. 1–32. Available at: <https://doi.org/10.33756/jlr.v6i1.22514>.

*Sustainability Versus Profitability: Lithium Iron Phosphate (LFP) Batteries in Indonesia’s Transition to Green Energy Amidst Nickel-based Trends – Megashift Fisipol UGM*. (2024, April 1). <https://megashift.fisipol.ugm.ac.id/2024/04/01/sustainability-versus-profitability-lithium-iron-phosphate-lfp-batteries-in-indonesias-transition-to-green-energy-amidst-nickel-based-trends/>

Syamsi, N. (2023), personal interview in Sumenep District, 7 June.

Syamsuri, S., & Irsyamuddin, D. (2019). Negara Kesejahteraan dan Maqasid Syariah: Analisis Pemikiran Jamaluddin Athiyyah. *Falah: Jurnal Ekonomi Syariah*, 4(1), 83. <https://doi.org/10.22219/jes.v4i1.8741>

Syarif, A. (2018). The Politics of Mining Law in Environmental Law Enforcement System in the Regional Autonomy Era. *Jurnal Dinamika Hukum*, 18(3), 342–346. <https://doi.org/10.1051/e3sconf/20184706002.4>

Syarif, S. (2023a, Desember). *Negosiasi Ulang Tambang Fosfat di Sumenep (2–Habis); Industri Hijau, Hilirisasi, dan Kolaborasi Investasi—Radar Madura*. <https://radarmadura.jawapos.com/sastra-budaya/743353719/negosiasi-ulang-tambang-fosfat-di-sumenep-2habisindustri-hijau-hilirisasi-dan-kolaborasi-investasi>

Syarif, S. (2023b, November 27). *Negosiasi Ulang Tambang Fosfat di Sumenep (1); Idealnya Harus Kreatif dan Produktif—Radar Madura*. <https://radarmadura.jawapos.com/sastra-budaya/743324705/negosiasi-ulang-tambang-fosfat-di-sumenep-1-idealnya-harus-kreatif-dan-produktif>

Tamimi, M. (2020, December 29). *Sumenep Bakal Ubah RTRW Demi Tambang Fosfat?*

- Mongabay.Co.Id. <https://www.mongabay.co.id/2020/12/29/sumenep-bakal-ubah-rtrw-demi-tambang-fosfat/>
- Tanya, B. L. (2011). *Politik Hukum: Agenda Kepentingan Bersama*. Genta Publishing.
- Tohari, C. (2017). Pembaharuan Konsep Maqāsid Al-Sharī'ah Dalam Pemikiran Muhamamad Tahir Ibn 'Ashur. *Al-Maslahah : Jurnal Ilmu Syariah*, 13(1), Article 1. <https://doi.org/10.24260/almaslahah.v13i1.915>
- Trebilcock, M. J. (1993). *The Limits of Freedom of Contract*. Harvard University Press.
- Umam, S. (2022). Politik Ekologi: Respon Kiai dan Pesantren terhadap Degradasi Lingkungan di Madura. *Jurnal Sustainable*, 5(2), Article 2. <https://doi.org/10.32923/kjmp.v5i2.2773>
- Wiratama, Y. H., Sobari, W., & Mashuri, A. (2023). Penerapan Tata Kelola Lingkungan dalam Pengelolaan Ruang Terbuka Hijau (RTH) di Kabupaten Ponorogo. *Branijaya Journal of Social Science*, 2(02). <https://doi.org/10.21776/ub.bjss.2023.002.02.3>
- Worlanyo, A. S., & Jiangfeng, L. (2021). Evaluating the environmental and economic impact of mining for post-mining land restoration and land-use: A review. *Journal of Environmental Management*, 279, 111623. <https://doi.org/10.1016/j.jenvman.2020.111623>
- Yayak, Y. (2023), personal interview in Sumenep District, 26 June.
- Yusdiansyah, E. (2023). The State Administrative Decision-Making in the Adoption of Masalah Mursallah Principle in Indonesia. *Srinwijaya Law Review*, 7(2), 287. <https://doi.org/10.28946/slrev.vol7.iss2.2557.pp287-299>
- Zubairi, D. (2023), personal interview in Sumenep District, 28 October.
- Zuhri, M. (2012). Aspek Hukum Perencanaan Tata Ruang Kawasan Perkotaan di Indonesia. *Kanun Jurnal Ilmu Hukum*, XIV(58), 485–494.