

Integrating Islamic Legal Maxims into Environmental Sustainability Governance of the Hajj: A Conceptual Policy Analysis

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DOI: <https://dx.doi.org/10.47772/IJRISS.2025.91100267>

Received: 22 November 2025; Accepted: 30 November 2025; Published: 07 December 2025

ABSTRACT

Background: Environmental sustainability in mass religious gatherings has emerged as a critical global concern due to escalating carbon emissions, waste generation, water stress, and ecosystem degradation. The Hajj pilgrimage represents one of the largest annual faith-based mass gatherings, exerting unprecedented pressure on the fragile sacred ecosystem of Makkah and its surrounding holy sites. **Methods:** This study employs a qualitative document analysis and policy analysis approach using classical Islamic legal texts, sustainability governance literature, and official Green Hajj policy documents issued by the Saudi authorities. **Results:** The findings demonstrate that major Islamic legal maxims, particularly *al-ḍarar yuzāl* (harm must be eliminated), *al-mashaqqah tajlib al-taysīr* (hardship begets facilitation), *taṣarruf al-imām manūt bi al-maṣlaḥah* (public authority is bound by public interest), and *al-‘ādah muḥakkamah* (custom is authoritative), are explicitly embedded within contemporary Hajj sustainability governance mechanisms. **Implications:** The integration of faith-based legal maxims into environmental governance enhances regulatory compliance, ethical internalisation, and long-term ecological resilience in sacred mass gatherings. **Conclusions:** Islamic legal maxims provide a robust normative–operational framework for environmental sustainability governance that is transferable beyond the Hajj context to other large-scale religious and cultural events.

Keywords: environmental sustainability; Green Hajj; Islamic legal maxims; faith-based environmental governance; mass gatherings; Saudi Vision 2030.

INTRODUCTION

Environmental sustainability has become one of the most significant governance challenges in the twenty-first century, particularly in the context of large-scale human mobility and mass gatherings [1]. Mega-events generate substantial ecological footprints through intensive energy consumption, excessive waste generation, pressure on water resources and carbon emissions [2]. The Hajj pilgrimage, mobilising over two million pilgrims into a geographically constrained sacred ecosystem, is one of the largest annually recurring faith-based mass events [3].

The ecological stress associated with the Hajj includes solid-waste accumulation, high water demand, air pollution from intensive transportation, land degradation and energy-intensive infrastructure development [4]. While technological and regulatory interventions have been progressively introduced under Saudi Arabia's Green Hajj initiatives and Vision 2030 sustainability agenda [5], the ethical–normative foundations of environmental governance in Islamic sacred spaces remain insufficiently explored [6].

Previous studies have primarily approached Hajj sustainability from managerial, logistical and technological perspectives, with limited integration of Islamic jurisprudential principles as an environmental governance framework [7]. Although *maqāṣid al-sharī‘ah* (higher objectives of Sharī‘ah) has increasingly been discussed as a foundation for environmental ethics [8], fewer studies have examined the operational role of *qawā‘id fiqhīyyah*

(Islamic legal maxims) as regulatory instruments that directly inform policy design, enforcement mechanisms and behavioural governance [9].

This study seeks to fill this gap by analysing how selected Islamic legal maxims function as an implicit and explicit governance architecture within contemporary Hajj sustainability policies [10]. It argues that Islamic legal maxims provide a dynamic, context-sensitive and operational framework that enhances compliance, legitimises state intervention and sustains ecological protection in sacred environments [11].

The objectives of this study are:

To conceptualise Islamic legal maxims as a normative–operational framework for environmental sustainability governance.

To analyse the incorporation of selected legal maxims into contemporary Green Hajj policies.

To assess the implications of faith-based environmental governance for global sustainability discourse on mass gatherings.

Environmental Sustainability Governance And Faith-Based Environmentalism

Environmental sustainability governance refers to the institutional arrangements, regulatory instruments and normative frameworks that guide human–environment interactions to ensure ecological integrity, social equity and intergenerational justice [1]. In the context of mass gatherings, sustainability governance encompasses waste-management systems, energy-efficiency measures, water-conservation strategies, transportation planning, crowd-control mechanisms and environmental-impact monitoring [12].

Conventional sustainability governance is predominantly rooted in secular regulatory traditions and technocratic models [13]. However, recent scholarship increasingly recognises the role of faith-based environmentalism as a complementary governance mechanism that enhances moral accountability, behavioural compliance and communal responsibility [14]. Religious worldviews shape environmental attitudes, ethical commitments and collective action in ways that formal regulation alone cannot always achieve [13].

In Islamic epistemology, environmental stewardship is grounded in the concepts of *khilāfah* (vicegerency) and *amānah* (trust), alongside the prohibition of *fasād* (ecological corruption) [15]. These principles establish a moral ecology that situates environmental protection not merely as a regulatory obligation but as a spiritual and ethical responsibility.

Translating these high ethical ideals into operational governance requires an intermediate jurisprudential mechanism. Islamic legal maxims serve as this bridge, providing flexible legal principles that govern complex socio-environmental realities [16]. For example, the ethical trust of *amānah* to protect God's creation is operationally enforced through the legal obligation to eliminate harm captured in the maxim *al-ḍarar yuzal* [17].

METHODOLOGY

This study adopts a qualitative research design based on document analysis and normative policy analysis [18].

Data Sources

The primary data sources include:

Classical and contemporary works on Islamic legal maxims (*qawā'id fiqhīyyah*) [19].

Official Saudi policy documents on Hajj management, environmental sustainability and Vision 2030 [10].

Peer-reviewed academic literature on environmental sustainability, faith-based governance and mass-gathering management [20].

Analytical Framework

Two analytical layers are applied:

Normative legal analysis: Identification of core legal maxims with direct relevance to environmental governance [21]. The four selected maxims—al-ḍarar yuzāl, al-mashaqqah tajlib al-taysīr, taṣarruf al-imām manūṭ bi al-maṣlaḥah, and al-‘ādah muḥakkamah—represent the four essential categories of governance action required for sustainability: mitigation, adaptation/flexibility, authoritative enforcement and cultural/behavioural change.

Policy mapping: Examination of Green Hajj sustainability measures against the normative functions of these legal maxims [22].

Data Analysis

Documents are analysed thematically using a deductive-inductive coding strategy [23]. Legal maxims function as theoretical codes, while sustainability policies constitute empirical governance units; cross-mapping is used to identify normative-policy convergence [24].

Islamic Legal Maxims As Instruments Of Environmental Sustainability Governance

Islamic legal maxims (qawā‘id fiqhiyyah) function as overarching jurisprudential principles that regulate complex socio-environmental realities [25]. In the governance of environmentally sensitive mass gatherings such as the Hajj, these maxims serve as normative instruments that legitimise regulatory intervention, guide policy formulation and shape public behaviour [16].

Al-Ḍarar Yuzāl (Harm Must Be Eliminated)

The maxim al-ḍarar yuzāl constitutes a foundational principle for mitigating environmental harm [26]. Within the Hajj ecosystem, environmental harm manifests through excessive waste generation, air pollution, water contamination and heat stress [27]. Contemporary Green Hajj initiatives operationalise this maxim through large-scale waste-management infrastructure, recycling programmes and strict environmental sanitation enforcement [5]. The prohibition of environmentally destructive activities within the Haramain further reflects the juridical extension of this maxim into ecological protection [15]. From a sustainability-governance perspective, this principle aligns with the precautionary principle in contemporary environmental law [23].

Al-Mashaqqah Tajlib al-Taysīr (Hardship Begets Facilitation)

Extreme climatic and spatial conditions generate significant hardship during the Hajj [28]. The maxim al-mashaqqah tajlib al-taysīr underpins regulatory facilitation through the deployment of climate-controlled transport systems, such as the electric Masha’er Railway, shaded pedestrian networks and automated crowd-management mechanisms [5]. These interventions enhance human safety while optimising resource efficiency. This maxim resonates with adaptive-governance theory, which emphasises institutional flexibility and technological innovation in response to environmental uncertainty [29].

Taṣarruf al-Imām Manūṭ bi al-Maṣlaḥah (Public Authority Is Bound by Public Interest)

This maxim establishes the legitimacy of authoritative state intervention in environmental matters [30]. Saudi Arabia’s governance of the Hajj under Vision 2030—including pilgrim quotas to manage density, movement regulation, strict waste control and environmental surveillance—reflects this principle in practice [10]. This authoritative regulation is justified by the overarching requirement to protect the collective well-being (al-maṣlaḥah al-‘āmmah), aligning with the notion of environmental public goods that require collective protection [18].

Al-‘Ādah Muḥakkamah (Custom as a Regulatory Norm)

Sustainability governance requires behavioural internalisation [13]. The institutionalisation of reusable containers, biodegradable packaging and the encouragement of low-carbon transportation (e.g., walking or electric buses) reflect the recognition of environmentally responsible custom as a normative source of regulation [4]. Awareness programmes such as “Innahā Ṭāhirah” (“It is Pure”) institutionalise pro-environmental behaviour through education and digital engagement [31]. This behavioural transformation is crucial for long-term ecological resilience [32].

Contemporary Green Hajj Policies As Normative–Operational Governance

Green Hajj initiatives operate within Saudi Arabia’s Vision 2030 sustainability framework, integrating waste management, water conservation, energy efficiency and low-emission transportation systems [33]. This policy framework demonstrates clear and operational alignment with Islamic legal maxims:

al-ḍarar yuzāl → pollution control and waste reduction, seen for example in the development of large waste-transfer and recycling facilities in the Holy Sites [34];

al-mashaqqah tajlib al-taysīr → technological facilitation through the expansion of the Masha’er Railway and the installation of cooling misting systems to mitigate heat stress [35];

taṣarruf al-imām manūt bi al-maṣlaḥah → authoritative regulation, evidenced by strictly enforced pilgrim-quota systems, Hajj permits and scheduled movement to prevent environmental and human congestion [10];

al-‘ādah muḥakkamah → behavioural normalisation promoted by initiatives such as the transition to electric buses and the institutionalisation of environmental ethics through the “Innahā Ṭāhirah” campaign [36].

DISCUSSION

This study advances the concept of faith-based environmental governance as an operational paradigm within sustainability science [37]. Islamic legal maxims are shown to parallel precautionary governance, adaptive management, authoritative regulation and behavioural-governance models discussed in contemporary sustainability literature [38].

The Hajj represents a unique laboratory for sustainability governance, offering valuable insights for managing ecological risk under extreme crowd density and spatial constraints [39]. Integrating these legal–ethical frameworks into sustainability governance enhances legitimacy, compliance and long-term effectiveness [40].

It is argued that the maxims provide the conceptual architecture for key regulatory actions in mass-gathering sustainability: mitigation (al-ḍarar yuzāl), adaptation (al-mashaqqah tajlib al-taysīr), enforcement (taṣarruf al-imām manūt bi al-maṣlaḥah), and cultural change (al-‘ādah muḥakkamah).

Nevertheless, this study remains conceptual and policy-analytical. Future empirical research is required to assess:

behavioural compliance—whether pilgrims exposed to normative, faith-based messages show higher compliance with environmental policies than those receiving purely secular regulatory messages; and enforcement effectiveness—the measurable environmental outcomes, such as reductions in per-capita waste generation, attributable to the faith-based governance model.

CONCLUSIONS

Islamic legal maxims constitute a coherent normative–operational framework for environmental sustainability governance in the Hajj. Through principles of harm elimination, hardship facilitation, public-interest regulation and custom-based behavioural governance, these maxims complement scientific and administrative sustainability mechanisms [9].

The study contributes theoretically to Islamic environmental jurisprudence and to sustainability-governance literature by demonstrating the operational relevance of faith-based legal norms [8]. Policymakers are strongly encouraged to integrate religious normative frameworks into sustainability strategies for sacred environments and mass gatherings globally [41].

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