

# Dayak Ngaju Forest Sustainability Sharia Maqashid Analysis

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**Abstract.** The Dayak Ngaju community in protecting the forest uses the term Pukung Pahewan or sacred forest as a symbol of the belief that Pukung Pahewan is an area that is communally owned by the Dayak Ngaju people whose existence is protected and utilized based on applicable customary law rules and has become a tradition passed down from generation to generation. Mythologically it is considered to have come from the ruler of nature, the ruler is said to be a spirit, who has the authority to protect the "Pukung Pahewan", so that they are not damaged or disturbed by humans, and only the forest or the trees are protected, as well as the rivers, the animals and others in the area. So how is the analysis of maqasid sharia in responding to how the Dayak Ngaju people protect the forest with the aim of protecting the forest from overexploitation from both local and (outside) parties,

**Keywords:** Sustainability, Customary Forest, Dayak Ngaju, Maqashid Sharia

## 1 Introduction

Environmental issues are global problems that require the attention of all parties. Therefore, environmental issues and problems cannot be resolved without a strategic approach with a global-holistic vision at the level of policy makers and the availability of local solutions at the level of practical implementation [1]. Thus, moral-ethical action is not only related to the relationship between humans, but also with nature. Therefore, the human right to exploit nature does not mean allowing it to disturb, destroy and even destroy the ecological balance that has been determined by it in such a beautiful and harmonious pattern [2].

In Indonesia, which has a very large forest area, it is necessary to conserve and manage forests for the preservation and balance of natural ecosystems on earth. Various types of forests in Indonesia have many benefits for all of us. Forests are the lungs of the world, so it needs to be protected because otherwise it will have a negative impact on us in the present and in the future. Conservation of natural resources is the management of natural resources to ensure their wise use and continuity of availability while maintaining and increasing the quality of their values and diversity. Forest areas need to be maintained based on physical considerations, climate and water management arrangements as well as the socio-economic needs of the community and the State. The forests that are maintained consist of protection forest, nature reserve forest, tourism forest, conservation forest, limited production forest and production forest. The classification of customary forest into part of state forest has created

problems in it, because it places customary forest in state forest, thus customary law communities often have conflicts between the government and legal entities in defending areas that are considered the customary territories of customary law communities.

Community activities to utilize the forest, especially for people living around the forest, have been going on for a long time so that the forest has its own meaning for people who depend on forest resources. This interpretation of the forest then gave birth to various ways among rural communities in managing forests. In general, the characteristics of forest management in rural communities can be distinguished from the nature of its management which can be grouped into two, namely exploitative forest management and conservative forest management. Conservative forest management includes two categories, namely protection and protection and utilization. Protection of forest management is a protection measure in order to maintain forest sustainability, manifested in the form of "prohibited forest" and some use the term "customary forest". The forest management mechanism that is applied only takes the form of protection activities without any form of direct use. This kind of management is carried out by rural communities on the basis of the importance of protecting the forest which functions as a support for their production activities such as maintaining water sources for irrigation of the rice fields that are managed annually. The forest areas that are the target of this protection are usually natural forest areas around the upstream of rivers and on the slopes of hills / mountains where the surrounding areas are stretches of community rice fields.

The concept of forest in local law contains the philosophy of life that all kinds of living things in the forest, whether in the form of plants, animals, and even supernatural beings each have their own functions and roles, which synergistically maintain order, goodness and balance in nature. Order, goodness and balance of the universe in relation to forest functions, such as not occurring floods, landslides, drought, maintaining soil fertility, and preventing the occurrence of other natural disasters that can disturb the tranquility and peace of life of all community members, such as epidemics of infectious diseases and animal disturbances. wild. The local law of the local customary community places the legal status of forest ownership as the communal property of every customary community. This concept is a universal concept of local law (adat law), where land is the central point of human life and livelihood.

The people of Central Kalimantan in general and the Dayak Ngaju people have a special name for this customary forest, namely the name Pukung Pahewan they have customs in terms of regulating customary land or customary forest areas. Basically, the area of a village is called customary land, in which it is related to activities on customary land, so it can be classified based on private village ownership and family ownership. Customary forest is all jungle forests that do not belong to individuals or families. Customary forests contain various types of wood, fruits, roots and rattan and are inhabited by various types of animals. Examining the background of the problem above, how important it is to protect the environment in Central Kalimantan, namely the spread of customary forests whose existence needs to be preserved, for the preservation of customary forests, of course there must be rules that protect it in maintaining forest ecology, so researchers are interested in examining how the community works. Dayak Ngaju customs in maintaining forest ecology in Central Kalimantan in depth, the reasons for the Dayak Ngaju community in maintaining forest sustainability were then analyzed by Maqashid Syariah. Based on the above background, the formulation of the problem is as follows: First, how is the preservation of the indigenous Dayak Ngaju forest. Second, How is the preservation of the customary forest of the Dayak Ngaju tribe in terms of Maqashid Sharia.

## **2 Method**

The research methods in this study are as follows: The type of research in this research is normative research, which examines library materials related to the customary law of the Dayak Ngaju Pukung Pahewan in maintaining the sustainability of the Maqashid Syariah analysis forest. The nature of the research in this study is descriptive. Descriptive research is describing and studying things related to forest sustainability. The type of research used is the normative research type, namely money research that is focused on studying the Dayak Ngaju customs in maintaining the sustainability of the Maqashid Syariah analysis forest. The research approach used is a normative research type, such as a conceptual approach and a historical approach. Conceptual Approach, which deals with concepts related to Ngaju Dayak customs in maintaining forest sustainability. in maintaining the sustainability of the forests of the Dayak Ngaju community, analysis of Maqashid Sharia. The historical approach, namely with regard to the customary law of the Dayak Ngaju in forest conservation.

## **3 Results and Discussion**

### **3.1 Forest Conservation**

Conservation in a broad sense is one of the important applications of ecology [3]. According to Djaenudin, D. 1994, forest areas need to be maintained based on physical considerations, climate and water management arrangements as well as the socio-economic needs of the community and the state. The forests that are maintained consist of protection forest, nature reserve forest, tourism forest, conservation forest, limited production forest and production forest. The following is an understanding of the various types of forest, including [4]:

- a) Protected forest is a forest that needs to be fostered and maintained as a forest with permanent vegetation cover for hydroorological purposes, namely regulating water management, preventing floods and erosion, maintaining soil preservation and fertility both in the relevant forest area and in the affected area around it;
- b) Nature reserve forest is a forest that needs to be maintained and fostered for the diversity of plant and animal species, ecosystem types, natural symptoms and uniqueness for the benefit of germplasm and knowledge, tourism and the environment;
- c) Tourism forest is forest that is maintained with the intention of developing education, recreation and sports;
- d) Conservation forest is forest that is maintained for the existence of various types of germplasm and a place to live and live certain animals;
- e) Limited production forest is a forest area to produce forest wood which can only be exploited in a limited manner by means of selective cutting as well;
- f) Production forest is a forest area designated as a need for expansion, regional development, for example agricultural transmigration and plantations, industry and settlements and others. For the aforementioned forests, activities that cause the disruption of the function of the forest shall not be carried out [5].

Some of the water that falls on the canopy will flow through the branches to the main stem and then flow down through the main stem to the ground. In the forest above the ground there are litter, namely, rotting leaves, branches and wood. These litter can absorb water and can

make the soil loose and make it easy for water to soak into the soil. Because the absorption of water by litter and water seeps into the soil the surface water flow becomes small, thus layer erosion and furrow erosion are small. If the forest is not maintained or preserved, the forest protection function of the soil will be lost so that erosion and even landslides will occur, as is the case today when the rainy season comes. The erosion will be greater with the intensity of rain and the steeper and longer the slope. As a result of erosion, soil fertility will be reduced because the top layer has been eroded and carried away by water, which will reduce crop production and farmers' income [6].

The source of the problem of environmental damage occurs as a result of exceeding the carrying capacity of the environment, namely excessive population pressure on land. Environmental damage is only a result or symptom, therefore overcoming environmental damage itself is only a systematic countermeasures, namely the prevention must be carried out more fundamentally which means tackling the causes of environmental damage. Because of that, the cause of environmental degradation in the form of population pressure on excess natural resources must be addressed. Efforts, methods and methods of forest conservation can be carried out by preventing shifting cultivation that does not use forest preservation principles, being alert and careful to fire and reforestation of deforested land and selective cutting and replanting [7].

Forest is a collection of plants, especially trees or other woody plants, which occupy a fairly large area. The advantage that is more important for forests than other natural resources is that they are renewable natural resources. Forest resources will never run out and dry up, they will always exist as long as they are properly cared for and maintained. Management of modern forestry resources based on renewable characteristics and multipurpose potential for the welfare of the people throughout the ages. Forests have many benefits for all of us [8]. Forests are the lungs of the world, so we need to protect them because otherwise they will only have a negative impact on us in the present and in the future.

- a) Benefits / Economic Functions: Forest products can be sold directly or processed into various goods of high value; Creating jobs for legal forest loggers; Contribute to foreign exchange from the sale of forest products abroad.
- b) Climatological Benefits / Functions: Forests can regulate the climate; Forests serve as the world's lungs that produce oxygen for life.
- c) Benefits / Functions of Hydraulics: Can hold rainwater inside soil; Prevent intrusion of salty sea water; Become a regulator of groundwater management.
- d) Ecological Benefits / Functions - Prevent erosion and flooding: Maintain and maintain soil fertility; as an area to conserve biodiversity.

### **3.2 Maqasid Sharia**

In Language (Lughowy) The terms maqasid al-syari'ah and maqasid al-syar'iyyah are the same terms [9]. This concept requires a description of the two main words which form the basis for the concept of maqasid sharia, namely the words maqasid and sharia. The words of maqasid from the point of view of language are plural to the words of maqsad, namely masdar mimiy which is taken from a verb that carries the meaning of grip, punca, target, straightness, justice and simplicity [10]. In other words, this term refers to an objective purpose which brings meaning based on actual facts or facts [11]. Sharia comes from the word syara'a which means a source of water that never breaks and continues that never breaks and continues to flow, starts a job and also explains [12]. Explains and shows the way. In terms of terms, he

summarizes the entirety of what Allah SWT has revealed to mankind through His Messenger the prophet Muhammad SAW [13].

Maqashid is a plural form of Maqshad, Qashd, Maqshid or Qushud which is a word form of Qashada Yaqshudu with various meanings, such as going to a direction, goal, middle, just and not transgressing, a straight path, midway between exaggeration and lack [14]. As for Syari'ah, literally means the way to the source of the water. The road to this water source can also be associated with the path to the main source of life [15]. Al-Yubi also defines the maqasid of sharia as meanings and wisdoms and for example the shari'a 'maintains it in the same pentasyriatan is there in general or specifically to realize the benefit of mankind [16]. Al-Raisuni defines the maqasid of sharia as a declaration that is put down by the sharia to realize the benefit of mankind [17]. In essence this definition refers to al-Fasi's takrif, but he eliminates the last phrase which shows a specific objective. Dr. Wahbah al-Zuhaili defines maqasid al-sharia as meanings and objectives that are emphasized in all laws or most of them or are the matlamat of sharia and secrets laid down by shari 'in every law [18]. Sheikh Ibn 'Asyur (1393 H) [19] defines maqasid' ammah as definitions and wisdom that are emphasized in all or most of Islamic legislation.

He called and explained this maqasid 'ammah as maintaining regulations, attracting goodness, rejecting evil, generalizing all human beings, dignifying sharia, strengthening people and so on. He defined maqasid khassah as the methods used by shari 'to realize useful human objectives or to maintain their public interest in their personal affairs. This includes every wisdom that is preserved in legal terms related to human behavior, for example, the purpose of the agreement in the al-rahn contract, establishing a household and kinship system in the marriage contract and rejecting the harm that continues in divorcing divorce [20]. The definition above can be analogized that what is meant by Maqashid al-Shari'ah is the goal of all the provisions of Allah that are revealed to mankind. The term Maqashid al-Shari'ah was popularized by Abu Ishak Al-Syatibi as stated in his Muwaffaqat jus II as in his expression: "In fact, the Shari'a was revealed to realize Allah's intention in realizing kemashlahatan diniyah and secularity together" [21].

Meanwhile, in terms of terminology, the meaning of Maqashid al-Syari'ah develops from the simplest meaning to holistic eating. Among classical scholars before al-Syatibi, there has not been found a concrete and comprehensive definition of Maqashid al-Syari'ah, their definition tends to follow the meaning of language by mentioning the equivalent meanings. Al-Bannani interpreted it with legal wisdom, al-Asnawi interpreted it with legal objectives, al-Samarqandi equated it with meaning with legal meanings, while al-Ghozali, al-Amidi and al-Hajib defined it by gaining benefits and rejecting mafsadat. These Devinisi variations indicate the close relationship of Maqashid al-Syari'ah with wisdom, illat, purpose or intention, and benefit [22], Maqashid al-syari'ah is al-ma'anni allati syari'at laha al-ahkam (content of values that are the purpose of legal syari'atan). Meanwhile, according to Imam al-syatibi, Maqashid al-syari'ah are the objectives of the law by Allah SWT. Which emphasizes the benefit of mankind in this world and happiness in the hereafter. Every law disclosure by Allah contains Maqashid (goals), namely the benefit of mankind [23].

### **3.3 Preservation of Ngaju Dayak Tribe Customary Forests**

For the Dayak Ngaju people who live in the vicinity of the forest, the existence of forests, water, rivers with all the potential natural resources contained in them is very important for the survival of the community. The forest has a function as: a source of food, drink, medicine, fulfillment of life necessities, protection and comfort, a place for self-actualization, a place

for rituals and institutions of belief, as well as a place to develop social solidarity among community members [24]. Himba / Eka Malan Manan Satar (Forest) The forest here is an area where they use it for various activities including hunting, collecting forest products (some rattan and sap), medicinal plants using several types of wood for home use. According to Sidik R. Usop (2010), this area can also be referred to as a community use area or work area which is more than 5 km from the left and right of residential areas. Pahewan is a forest area that is communally owned by the Dayak community whose existence is protected and utilized based on the rules of customary law in force in the village. The term pahewan, tajahan or himba sacred forest is usually influenced by several things, namely [25]:

- a) Dreams experienced by many people, which are warning / notification and experienced by many people.
- b) Strange events experienced by people in the area.

Other forest areas can also become kerat himba if that is a sign of the area as mentioned above. In the future, it is likely that the sacred forest could expand if these signs are present. Along with the development of the community, most of whom have embraced Islam and Christianity, this place is no longer used as a place for rituals as was done in the past when people still predominantly embraced the Hindu Keharingan belief (the ancestral religion of the Dayak people), even so this place is still sacred by society because it is considered a haunted place [26]. According to the kaharingan religious leader Lewis KDR (2018), the term Pukung Pahewan has a similar meaning to protected forest in the present context. Not all forest plots are cleared, but we cultivate the land and the land must have a part left in the form of Pukung pahewan that cannot be disturbed. Lewis KDR emphasized that Pukung is an environment and Pahewan is a function. The unitary system where "they" live (all real and unreal existing creatures) is called Pukung, while whatever lives in Pukung is called pahewan [27]. When the Dayak Ngaju people open new land for agriculture, they first carry out an event process known as the term "Menyanggar" according to Parada L. KDR (2018), which comes from the word "sanggar" or "Sangga" (Sangiang Language), which means buffer our area / area from evil / bad influences or actions, whether committed by humans or evil spirits (supernatural) on our lives. Overall, the activity of "breaking" means creating boundaries or boundaries for the environment used by humans with nature that is still sustainable. Meanwhile, living things and the unseen are moved to another place so as not to disturb each other [28].

#### **4 Conclusion**

The conclusion from this article does not discuss the belief of a person or group of other people. Let it be a personal matter, because it speaks of a matter of belief. But what is seen from this research is how Islam, in this case the Sharia maqasid, sees the nature / forest conservation carried out by the Dayak Ngaju community because forest destruction certainly has an impact on the sustainability of life, not only the Dayak Ngaju community but also all living things. The Dayak Ngaju community in protecting the forest uses the term Pukung Pahewan or sacred forest as a symbol of the belief that Pukung Pahewan is an area that is communally owned by the Dayak Ngaju people whose existence is protected and utilized based on the applicable customary law rules and has become a tradition passed down from generation to generation. Mythologically it is considered to have come from the ruler of nature, the ruler is said to be a spirit, who has the authority to protect the "Pukung Pahewan", so that they are not damaged or disturbed by humans, and only the forest or the trees are protected, as well as the rivers, the animals. animals and even all the nufftah plasma

that is in the area. The experience of the Dayak Ngaju people adapting to their environment to form local wisdom in the form of Pukung Pahewan (sacred forest / forbidden forest), so that in the analysis of the sharia maqasid about the preservation of the customary forests of the Dayak Ngaju tribe, we can draw how the Dayak Ngaju people protect the forest with the aim of protecting the forest from excessive exploitation both from local parties (the Dayak Ngaju community) and outside (people outside the Dayak Ngaju), so that if we draw a red thread or a conclusion there is no difference with Islam in preserving the forest because there are many verses of the Qur'an and the Prophet's hadith that discuss on protecting and prohibiting excessive forest exploitation.

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