

Research Article

## Corporate Environmental Crime: An Islamic Criminal Law and Criminological Perspective

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**Abstract:** Particularly in emerging nations, corporate environmental criminality poses a serious threat to environmental justice, sustainable development, and legal responsibility. With a focus on corporate crime theory and green criminology, this study critically analyzes corporate environmental crime using an integrative framework that blends modern criminological viewpoints with Islamic criminal law (fiqh al-jināyah). This study examines how Islamic legal concepts, particularly the doctrine of maqāṣid al-sharī'ah, can enhance current models of corporate criminal responsibility and environmental governance using a normative-analytical and conceptual approach. The results show that structural incentives, lax enforcement, and profit-driven rationalization tactics make traditional regulatory and penal measures ineffective at discouraging corporate environmental malfeasance. Islamic criminal law provides a revolutionary framework that places environmental conservation as both a legal requirement and a moral necessity because of its strong ethical orientation and comprehensive view of justice. With a focus on ecological balance (ḥifẓ al-bi'ah), property (ḥifẓ al-māl), and life preservation (ḥifẓ al-nafs), this study offers a value-based corporate accountability approach that goes beyond deterrence-oriented punishment and prioritizes prevention, restoration, and social responsibility. By broadening the doctrinal scope of Islamic criminal law to acknowledge corporate criminal culpability, this integrative approach makes a theoretical contribution. Practically, it informs regulatory enforcement and environmental policy change. The study presents an interdisciplinary paradigm that unites criminological analysis and religious legal reasoning, providing a strong basis for creating environmental governance systems that are just, moral, and sustainable, especially in developing nations and jurisdictions with a majority of Muslims.

**Keywords:** Corporate Criminal Responsibility; Corporate Environmental Crime; Green Criminology; Islamic Criminal Law; Maqāṣid Al-Sharī'Ah

Received: December 14, 2025

Revised: January 24, 2026

Accepted: February 10, 2026

Available Online: February 13, 2026

Curr. Ver.: February 13, 2026



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### 1. Introduction

In recent decades, fast industrialization, extensive mining, and accelerated urban growth have been the main drivers of environmental degradation, which has become one of the most pressing worldwide issues. Despite fostering economic expansion, these processes have had serious negative ecological effects, such as deforestation, air and water pollution, land degradation, and biodiversity loss. In addition to upsetting ecological equilibrium, such environmental damage endangers social stability, public health, and sustainable development (UNEP, 2023). Systematic environmental exploitation and regulatory neglect result from economic interests frequently taking precedence over environmental protection in many developing nations, including Indonesia.

Legally speaking, environmental crimes are grave infractions of the rules intended to preserve ecosystems and guarantee environmental sustainability. These offenses include industrial pollution, illicit mining, illegal logging, illegal waste dumping, and land burning. Because environmental crimes have cumulative, transboundary, and frequently irreversible effects on both current and future generations, they are especially harmful (White &

Heckenberg, 2014). As a result, environmental crime has grown in importance in criminological research, environmental governance, and legal academia.

Law No. 32 of 2009 on Environmental Protection and Management is the main piece of legislation governing environmental protection in Indonesia. This law creates extensive procedures for corporate liability, criminal penalties, and environmental governance. The enforcement of environmental law is still hard, nonetheless, even with the presence of strong legal tools. Effective legal execution is nevertheless hampered by regulatory gaps, public ignorance, institutional weakness, and corruption in law enforcement (Butt & Lindsey, 2018). Because of this, environmental crimes continue to occur at startling rates, especially in areas with abundant natural resources.

The part that corporations play in environmental deterioration is one of the biggest problems facing environmental law enforcement today. As legal organizations involved in massive industrial and extractive operations, corporations have the potential to seriously harm the environment. Recurrent behaviors linked to corporate environmental crimes include the disposal of industrial waste, extensive deforestation, illegal mining, and disregard for environmental impact assessments (Clinard & Yeager, 2016). Corporate actors, as opposed to individual criminals, function inside intricate organizational systems that obfuscate accountability and make criminal prosecution more difficult.

Corporations are acknowledged as criminally liable in Indonesian law, namely under Law No. 32 of 2009 and the updated Criminal Code (KUHP). These legal tools make it possible to pursue and punish corporations for environmental violations. The identification of guilty actors within corporate hierarchies, the imposition of appropriate sanctions, and evidential challenges are some of the significant challenges that corporate criminal responsibility faces in reality (Suteki & Taufiq, 2020). Deterrence and environmental justice are thus undermined since corporate environmental offenders frequently evade appropriate punishment.

In the context of illicit gold mining (Penambangan Emas Tanpa Izin, or PETI) in Indonesia, especially in Jambi Province, this difficulty is especially apparent. Over the past ten years, PETI operations have greatly increased, leading to massive deforestation, mercury poisoning, river sedimentation, and socioeconomic disputes. According to empirical data, Jambi's PETI-affected area grew from over 42,361 hectares in 2021 to over 52,000 hectares in 2024, with the majority of that land being located in the regencies of Sarolangun, Merangin, Bungo, and Tebo. Significant amounts of illicit gold and mining equipment were seized during Jambi Regional Police law enforcement operations between 2023 and 2025; however, this did not significantly stop PETI's growth, indicating ongoing structural and systemic issues (Warsi, 2024; Polda Jambi, 2025).

PETI's tenacity shows that environmental crime in Indonesia is more than just isolated instances of human wrongdoing; it increasingly represents coordinated, profit-driven, and maybe corporate-sponsored activities. This occurrence emphasizes the necessity of an all-encompassing analytical framework that incorporates ethical, criminological, and legal viewpoints. According to criminology, corporate environmental crimes are impacted by financial incentives, lax regulatory monitoring, minimal prosecution risk, and cooperation between law enforcement and corporate actors (Lynch & Stretesky, 2014). Because of these elements, environmental damage is normalized as a business expense, creating a criminogenic atmosphere.

Furthermore, the systemic aspects of corporate environmental crime are frequently not sufficiently addressed by traditional criminal justice methodologies. Corporate penalties are usually restricted to administrative sanctions or small fines that do not adequately address the extent of environmental harm or discourage similar infractions in the future (Faure & Svatikova, 2012). Because of this, environmental justice is still difficult, especially for marginalized people whose livelihoods directly depend on environmental integrity, such as farmers, fishers, and indigenous populations.

In this regard, Islamic criminal law provides a useful ethical and normative framework for reconsidering corporate criminal liability for environmental damage. Islamic jurisprudence, or *fiqh al-jinayah*, places a strong emphasis on moral, social, and spiritual accountability in addition to legal accountability. Islam's stewardship (*khilafah*) principle, which views people as trustees tasked with upholding ecological balance as a divine obligation (Qur'an, 2:30; 7:56), is the foundation of environmental conservation. According to Islamic teachings, environmental degradation is a serious moral and legal transgression that is forbidden by *ifsād fi al-ard* (corruption on earth) (Qur'an, 30:41).

Islamic legal theory bases environmental governance on ethical and legal precepts such as *maslahah* (public interest), *dharar* (damage), and *hisbah* (public scrutiny). Regardless of whether the offender is an individual or a collective, the idea of *al-dhaman* (liability for injury) further stipulates that any entity producing harm is required to give restitution and face legal accountability (Kamali, 2008). Contemporary academics contend that corporate entities may be analogously included as legal subjects due to their functional equivalency to collective moral actors, despite the fact that classical Islamic jurisprudence largely addressed individual responsibility (Auda, 2008; Nyazee, 2016).

In Indonesia, where Islamic legal principles have a major impact on legal culture and public morals, the incorporation of Islamic criminal law into environmental administration is especially pertinent. Environmental law enforcement may acquire greater normative validity by embracing Islamic ethical concepts, which would promote greater social accountability and compliance. Islamic criminal law places a higher priority on prevention, moral teaching, and the restoration of social and ecological equilibrium than it does on punitive penalties.

However, there are still theoretical and practical obstacles to overcome before Islamic legal theories may be applied to contemporary corporate organizations. Systematic theoretical reconstruction and jurisprudential innovation are necessary for determining corporate intent (*mens rea*), assigning responsibility throughout organizational hierarchies, and developing appropriate punishments that are consistent with Islamic values. To create a cogent framework of corporate environmental responsibility based on modern criminological theory and Islamic legal philosophy, multidisciplinary research is therefore crucial.

Additionally, a viable route to transformational environmental justice is provided by the convergence of national environmental law, criminological study, and Islamic legal concepts. Economic inequality, regulatory capture, and institutional corruption are some of the core causes of corporate environmental crime that may be addressed by such an approach in addition to its symptoms. In this sense, Islamic criminal law reinforces the inherent significance of environmental protection as a legal and spiritual imperative by adding a moral-ethical dimension that is frequently lacking in traditional legal discourse.

Given these factors, the purpose of this work is to critically analyze corporate criminal liability for environmental crimes by combining the viewpoints of Islamic criminal jurisprudence, criminology, and Indonesian environmental law. This study aims to clarify the structural dynamics of corporate environmental crime and offer a normative framework for enhancing ecological justice, accountability, and deterrence by concentrating on the empirical setting of PETI in Jambi Province. The ultimate purpose of this research is to aid in the creation of a comprehensive and morally sound model of environmental law enforcement that balances the objectives of sustainable development and moral responsibility with the effectiveness of the law.

## 2. Literature Review

Shari'ah, or Islamic law, is a complete legal and moral framework that is based on divine revelation, mainly the Qur'an and the Prophet Muhammad's Sunnah. According to its etymology, shari'ah means "the path leading to water" and denotes direction toward social, moral, and spiritual well-being (Kamali, 2008). Islamic law provides a comprehensive normative framework for human life by regulating not just ritual worship (*'ibādāt*), but also social transactions (*mu'āmalāt*), family connections (*munākahaḥāt*), criminal behavior (*jināyah*), political administration (*siyāsah*), and inheritance (*mawārīth*) (Hallaq, 2009).

The Qur'an, Sunnah, scholarly consensus (*ijmā'*), and analogical reasoning (*qiyās*) are the main sources of Islamic law. Islamic law may adjust to shifting social settings while maintaining its core ethical principles thanks to these sources' combination of textual authority and interpretive flexibility (Kamali, 2008; Nyazee, 2016).

According to the theory of *maqāṣid al-shari'ah*, the ultimate goal of Islamic law is the accomplishment of *maṣlaḥah* (public welfare) and the avoidance of *mafsadah* (harm). Five fundamental goals were recognized by classical jurists, most notably al-Shāṭibī (2005): the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). These goals serve as the normative cornerstone of Islamic criminal law, which views punishment as a tool for moral transformation, deterrence, and social protection rather than just retaliation.

Fiqh jināyah, or Islamic criminal law, is a fundamental aspect of Islamic jurisprudence. It divides offenses into three main groups: ta'zīr (discretionary punishments), qiṣāṣ-diyāt (retaliation and reparation), and ḥudūd (set punishments). Ta'zīr gives judges the authority to handle new and complicated types of misconduct, such as contemporary corporate and environmental crimes, while ḥudūd and qiṣāṣ offenses are stipulated by the text (Peters, 2005). Islamic criminal law is normatively flexible and able to adapt to changing societal damages because of this discretionary flexibility. Despite not being mentioned in traditional fiqh literature, environmental degradation, corporate misbehavior, and industrial pollution may be included under ta'zīr because of the widespread harm they do to the public (mafsadah 'āmmah). Accordingly, in accordance with the main goal of social welfare, sanctions may consist of monetary fines, incarceration, license revocation, environmental restoration commitments, and public accountability systems (Kamali, 2008; Nyazee, 2016).

Acts that disturb ecological, social, and moral order are fundamentally prohibited by the Qur'ānic idea of ifṣād fī al-arḍ, or corruption on earth. This idea goes beyond moral failings to include pollution, deforestation, environmental damage, and unsustainable resource use (Izzi Dien, 2000). According to Islamic legal theory, environmental damage is a systemic kind of corruption that jeopardizes intergenerational justice and community life. According to criminal law, widespread environmental damage is considered mafsadah 'āmmah, which calls for ta'zīr, or public punishment. It is possible to classify corporate actors who harm ecosystems on a regular basis as perpetrators of large-scale ifṣād, which would justify strict legal accountability (Kamali, 2010).

For tackling today's legal issues, the doctrine of maṣlaḥah offers a flexible normative framework. Maṣlaḥah, according to al-Ghazālī and al-Shāṭibī, is the preservation of fundamental human interests that directs legal interpretation in the direction of the general welfare (Al-Shāṭibī, 2005; Opwis, 2010). Maṣlaḥah, which recognizes environmental integrity as a necessary condition for human survival and dignity, requires proactive legal protection against ecological deterioration in environmental governance. As a result, corporate environmental criminality directly violates the public interest, which justifies strict regulation, legal action, and rehabilitative measures (Kamali, 2010).

In Islamic law, the legal maxim lā ḍarar wa lā ḍirār—no damage and no returning injury—functions as a fundamental tenet. It forbids actions that harm the environment, society, economy, or physical well-being (Nyazee, 2016). Deforestation, industrial contamination, and environmental degradation are all obviously considered forms of ḍarar 'ām (public injury). Therefore, Islamic criminal law reinforces corporate accountability for environmental breaches by allowing and requiring governmental engagement to eradicate such harm through punitive and preventive measures.

According to criminology, crime is a social phenomena that is influenced by political, economic, and structural factors. Environmental crime is becoming more widely acknowledged in contemporary criminological literature as a type of "crime of the powerful," committed by businesses and made possible by regulatory shortcomings (White, 2013; Tombs & Whyte, 2015). Environmental crimes frequently result in diffuse, long-term, and transboundary effects that disproportionately affect underprivileged people, according to critical criminology and green criminology. Because of regulatory capture, political lobbying, and economic power, corporate environmental infractions usually go unpunished (Lynch et al., 2013). In order to guarantee deterrence, responsibility, and environmental justice, this paradigm emphasizes the structural injustices ingrained in environmental governance and the need to hold corporations criminally liable. By promoting moral responsibility and the avoidance of societal harm, the criminological focus on systemic causes and regulatory failure enhances Islamic legal concepts.

Corporate criminal culpability acknowledges that businesses are criminal entities with the ability to be held accountable for illegal activity. As corporate crime has become more common, especially in financial, corruption, and environmental crimes, this theory has changed (Gobert & Punch, 2003). Corporate liability is supported by a number of theoretical frameworks, such as identification theory, vicarious liability, and organizational blame. According to the latter, the main sources of liability are careless company cultures, flawed compliance systems, and systemic failures (Wells, 2014).

Corporate accountability is a key deterrent in environmental legislation, allowing for penalties like hefty fines, license suspension, remediation orders, and dissolution. These actions are in line with Islamic legal principles, which place a strong emphasis on prevention

(wiqāyah), restoration (iṣlāḥ), and deterrent (zajr). However, there are obstacles to corporate accountability, such as determining mens rea, complicated evidence, and creating appropriate penalties. By reorienting the focus from individual purpose to social harm, public good, and institutional accountability, Islamic legal reasoning provides conceptual answers.

A strong normative framework for corporate environmental accountability is created by combining criminological study with Islamic legal philosophy. Islamic law adds ethical depth, moral legitimacy, and teleological clarity based on maqāṣid al-sharī'ah, while criminology reveals the structural causes of environmental crime. According to this integrated perspective, protecting the environment is a moral duty derived from humanity's guardianship (khilāfah) of the planet, not just a matter of following the law. Therefore, corporate environmental damage is a spiritual transgression as well as a legal infraction, necessitating extensive accountability procedures.

Innovative sanctioning models that incorporate social compensation, environmental restoration, restorative justice, and deterrent punishment can be developed because to this integration. This promotes sustainability, justice, and intergenerational parity by bringing Islamic legal theory into line with modern restorative and green criminological paradigms. Islamic criminal law offers a strong normative foundation for dealing with corporate environmental crime since it is based on the ideas of maqāṣid al-sharī'ah, maṣlaḥah, ifṣād fī al-arḍ, and ḍarar. It permits a multifaceted approach to corporate accountability that goes beyond formal legalism and promotes genuine ecological justice when combined with criminological ideas. This synthesis provides a convincing theoretical framework for reconsidering corporate criminal responsibility in relation to environmental protection, especially in the framework of global sustainability governance and legal systems with a majority of Muslims.

### 3. Method

The main analytical framework used in this study to investigate corporate criminal liability for environmental crimes is normative legal research, also known as doctrinal legal research. The legal norms, doctrines, and conceptual frameworks that control corporate liability in the criminal and environmental law systems are the main focus of normative legal study (Hutchinson & Duncan, 2012; McConville & Chui, 2017). Because law is viewed as a cohesive system of norms with internal logic and interpretative rationality, it is necessary to conduct systematic statutory interpretation, doctrinal analysis, and judicial consistency examination.

Critical criminological analysis complements this normative approach to increase analytical depth by allowing the investigation of the structural, political, and economic elements that underlie corporate environmental crime. Through this integration, the study is able to look at law in action rather than only in books, emphasizing the relationship between corporate power relations, enforcement agencies, and regulatory frameworks (White, 2013; Tombs & Whyte, 2015).

Additionally, the study integrates viewpoints from Islamic criminal law, including the ban of ifṣād fī al-arḍ, maqāṣid al-sharī'ah, maṣlaḥah, and hisbah. This approach, which emphasizes ecological justice, public benefit, and ethical governance, offers a philosophical and moral basis for evaluating corporate responsibility beyond formal legal compliance (Kamali, 2008; Izzi Dien, 2000). As a result, this research uses an interdisciplinary-normative technique that combines Islamic legal theory, criminological investigation, and doctrinal legal analysis.

Both primary and secondary legal materials are used in this study. Statutory documents, judicial rulings, and reputable Islamic legal literature are examples of primary data. The Indonesian Criminal Code (KUHP), the Environmental Protection and Management Act (Law No. 32 of 2009), implementing regulations, and court rulings pertaining to corporate environmental crimes are important sources. Academic publications, peer-reviewed journal papers, policy reports, and both traditional and modern Islamic jurisprudential literature are examples of secondary data. These resources offer theoretical underpinnings and comparative viewpoints on environmental governance, corporate criminal culpability, and Islamic law ethics (Hallaq, 2009; Peters, 2005; Wells, 2014). Furthermore, in-depth interviews with legal scholars, judges, prosecutors, environmental investigators, and specialists in Islamic law provide factual insights. These interviews provide a grounded understanding of enforcement issues and institutional procedures by acting as contextual additions to normative analysis.

There are three main methods used. First, statute law, jurisprudence, doctrinal texts, and Islamic legal sources are all methodically examined in library research. Second, in-depth interviews are done to record institutional viewpoints and professional experiences with corporate environmental crime prosecution. Third, legal rationale, corporate liability attribution, and punishment patterns are evaluated through judicial decision analysis. According to McConville and Chui (2017), this triangulated strategy improves contextual correctness and analytical rigor.

A qualitative-descriptive methodology that integrates normative, criminological, and Islamic legal perspectives is used for data analysis. Legal interpretation techniques, such as systematic, teleological, and comparative interpretation, are used to examine statutory provisions and court decisions. Economic incentives, regulatory shortcomings, and governance deficiencies are some of the structural drivers of corporate environmental crime that are identified by criminological study (White, 2013). Islamic legal analysis, especially *ifsād fī al-arḍ* and *maṣlaḥah*, looks at Qur'ānic principles, prophetic traditions, and juristic doctrines pertaining to environmental protection and collective responsibility (Kamali, 2010).

The study uses strict source selection, cross-referencing, and triangulation procedures to guarantee data validity and dependability. Priority is given to scholarly databases, official legal repositories, and reputable Islamic jurisprudential writings. Analytical credibility is further increased through peer consultation with legal and Islamic law specialists. Findings are guaranteed to be methodologically sound, morally sound, and academically solid thanks to this methodical methodology (Hutchinson & Duncan, 2012).

## 4. Results and Discussion

### Corporate Environmental Crime as a Systemic and Structural Phenomenon

The study's findings show that corporate environmental criminality is not a collection of discrete infractions but rather a systemic and structural problem. Economic reasoning, regulatory gaps, and lax institutional enforcement are the main drivers of corporate engagement in environmental degradation, including illicit deforestation, hazardous waste dumping, river pollution, and unauthorized mining. These results align with the literature on green criminology, which views environmental crime as an expression of power imbalances and corporate-favoring political-economic systems (White, 2013; Lynch, Stretesky, & Long, 2013).

According to criminology, corporate environmental crime is a reflection of the cost-benefit analysis, which holds that environmental compliance is expensive while infractions result in significant financial gains (Tombs & Whyte, 2015). Businesses frequently take advantage of enforcement flaws and regulatory gaps to externalize ecological harm to communities that are already at risk. This occurrence is consistent with the state-corporate crime hypothesis, which describes how corporate actors and regulatory bodies may collude to cause environmental harm (Kramer, Michalowski, & Kauzlarich, 2002).

According to Islamic legal philosophy, this kind of systemic devastation is *ifsād fī al-arḍ* (corruption on earth), a term that refers to widespread harm that upsets social order and ecological equilibrium. The Qur'ān emphasizes humanity's duty as stewards (*khulafā'*) of the world by categorically denouncing actions that cause injustice and environmental destruction (Izzi Dien, 2000; Kamali, 2010). Therefore, corporate environmental crime is a moral and theological transgression that jeopardizes intergenerational fairness and the well-being of society as a whole, in addition to being a regulatory infringement.

This study shows that although corporate criminal culpability is formally recognized in contemporary legal systems, its actual enforcement is still inadequate and uneven. Environmental laws in many countries, including Indonesia, offer ways to hold businesses criminally responsible. However, determining responsible decision-makers within intricate organizational systems and assigning *mens rea* (criminal intent) to corporate entities provide substantial obstacles for judicial practice (Wells, 2014). Courts frequently depend on theories that assign corporate intent to senior executives, such as identification theory and vicarious liability. However, in reality, these concepts encounter evidentiary obstacles, leading to the selective prosecution of lower-level staff members instead than company executives. This trend weakens deterrence and supports corporate impunity (Gobert & Punch, 2003; Tombs & Whyte, 2015). Criminological analysis ascribes these enforcement failures to corporate actors' political influence, bureaucratic fragmentation, and organizational diffusion of responsibility (Clinard & Yeager, 1980). Because of these systemic characteristics,

corporations are able to avoid accountability and turn environmental crime into a common economic tactic.

Islamic criminal law provides a unique conceptual framework based on public interest (*maṣlaḥah ʿammah*) and collective accountability (*al-masʿūliyyah al-jamāʿiyyah*). Classical Islamic jurisprudence acknowledges that institutional actors and beneficiaries must be held liable in addition to individual offenders when harm is caused by collective activity (Kamali, 2008; Peters, 2005). Instead of only punishing operational agents, this approach offers compelling normative support for enforcing corporate-level sanctions, such as restitution, environmental restoration, and structural transformation.

### **Environmental Harm, Maqāṣid al-Sharīʿah, and Ecological Justice**

The results also show that the goals of *maqāṣid al-sharīʿah* are fundamentally violated by corporate environmental criminality, specifically the protection of life (*ḥifẓ al-nafs*), property (*ḥifẓ al-māl*), intellect (*ḥifẓ al-ʿaql*), and lineage (*ḥifẓ al-nasl*). The fundamental pillars of human dignity and survival are eroded by environmental degradation, which also threatens public health, food security, economic stability, and social cohesion (Kamali, 2010; Izzi Dien, 2000). According to green criminology, environmental crime is a type of ecological injustice in which companies profit while underprivileged groups disproportionately face environmental dangers (White, 2013; Lynch et al., 2013). The Islamic legal emphasis on social justice (*ʿadl*) and damage prevention (*dafʿ al-ḍarar*), which require judicial intervention to safeguard vulnerable groups, is reflected in this distributive imbalance.

According to Islamic jurisprudence, protecting the environment is both morally and legally required. In addition to harsh penalties, the ban on *ifsād fī al-arḍ* calls for restorative justice measures like community compensation and environmental restoration (Kamali, 2008). This strategy is consistent with modern environmental justice theories that support transformative and restorative legal solutions (Braithwaite, 2002). The study pinpoints a number of important criminogenic factors that contribute to corporate environmental criminality. The most important aspect turns out to be economic motivation, especially in sectors with high compliance costs and intense competition. Businesses usually put short-term profit maximization ahead of long-term environmental sustainability, particularly when regulatory penalties are ineffective or administered inconsistently (Tombs & Whyte, 2015).

Environmental infractions are made worse by institutional flaws such as regulatory capture, fragmented regulatory frameworks, and poor enforcement capacity (Kramer et al., 2002). Environmental governance is frequently compromised by political patronage and corruption, which enables corporate players to bargain for regulatory leniency or completely evade penalties. A normative alternative that emphasizes moral discipline, ethical scrutiny, and openness is offered by Islamic governance concepts, especially *hisbah* (public accountability and market monitoring) (Kamali, 2008). In the past, the *hisbah* institution served to guard against public injury and market exploitation, providing important lessons for contemporary environmental management. By incorporating these ideas into modern governance frameworks, institutional legitimacy and environmental compliance may be improved.

### **Reconstructing Corporate Criminal Liability through Islamic Legal Principles**

This study's proposal to reinterpret corporate criminal responsibility using Islamic legal ideas is one of its main contributions. Although individual liability is the main focus of classical Islamic criminal law, it also includes conceptual tools for dealing with institutional wrongdoing through the doctrines of harm prevention (*dafʿ al-ḍarar*), public interest (*maṣlaḥah*), and collective liability (*al-dhamān al-jamāʿī*) (Kamali, 2010; Peters, 2005). According to this theory, businesses are morally and legally responsible entities whose decisions have an impact on society as a whole. As a result, sanctions must go beyond monetary fines and instead focus on restorative and transformative measures, such as required environmental repair, community restitution funds, corporate governance reform, public transparency requirements, and, in the worst situations, corporation dissolution.

These actions are in line with modern regulatory approaches that prioritize restorative justice and compliance-based enforcement (Braithwaite, 2002; Wells, 2014). Environmental criminal law can advance substantive ecological justice and go beyond procedural formality by incorporating Islamic ethical precepts into corporate liability systems.

A thorough framework for environmental criminal justice is provided by the intersection of critical criminology and Islamic criminal law. While Islamic law adds moral legitimacy, ethical orientation, and rehabilitative goals, criminology offers analytical skills to examine the

structural determinants of corporate crime. With corporate responsibility acting as a catalyst for institutional change and ecological sustainability, this combination promotes a move away from punitive minimalism and toward transformative environmental justice.

A paradigm like this is in line with international sustainability frameworks, especially the Sustainable Development Goals (SDGs), which include Goal 16 (strong institutions) and Goal 13 (climate action). Integrating Islamic law principles into environmental governance in countries with a majority of Muslims may improve moral responsibility, public trust, and regulatory compliance—all of which would benefit environmental protection systems (Kamali, 2010; Izzu Dien, 2000).

The study's conclusions support the idea that corporate environmental crime is a systematic and structural type of criminality that has its roots in institutional collusion, regulatory laxity, and economic rationale. Political-economic factors that permit corporate environmental damage are exposed by criminological study, and Islamic criminal law offers a potent normative framework that prioritizes social justice, moral responsibility, and ecological stewardship. By combining these viewpoints, a multifaceted model of corporate criminal responsibility is produced that can promote sustainable development, environmental justice, and the efficacy of regulations. This synthesis strengthens environmental governance in modern legal systems by providing both theoretical originality and practical relevance.

## 5. Comparison

By methodically combining modern criminological theories—in particular, corporate crime theory and green criminology—with Islamic Criminal Law (*fiqh al-jināyah*) to analyze corporate environmental crime, this study provides a substantial theoretical and methodological innovation. This research presents a normative-ethical reconstruction based on *maqāṣid al-sharī'ah*, whereas previous scholarship primarily frames corporate environmental crime within secular legal or regulatory paradigms (Clinard & Yeager, 1980; White, 2013). It emphasizes the protection of life (*ḥifẓ al-nafs*), property (*ḥifẓ al-māl*), and the environment (*ḥifẓ al-bi'ah*) as fundamental legal goals (Al-Qaradawi, 2010; Kamali, 2008).

By integrating corporate responsibility into a moral-legal framework, the study presents a value-based accountability paradigm that goes beyond traditional deterrence-oriented penalty models. By advocating for an eco-centric and justice-driven approach, this framework opposes the prevalent anthropocentric orientation of corporate criminal liability, thereby broadening the conceptual scope of Islamic criminal law and enhancing international discussions on environmental governance. An interdisciplinary analytical paradigm that is rarely examined in the mainstream literature on environmental law is created by fusing empirical criminological findings with doctrinal Islamic legal reasoning.

By supporting the doctrinal acceptance of corporate criminal responsibility (*al-mas'ūliyyah al-jinā'iyyah li al-shakhṣ al-i'tibārī*), this paper theoretically advances Islamic criminal jurisprudence beyond traditional individual-centered liability. By adding transcendental ethical principles, it further improves green criminology by providing a moral counterbalance to the instrumental rationality that frequently governs business activity (White, 2013). Furthermore, by presenting environmental harm as both a moral transgression and a legal infraction, this integration enriches analytical depth and deepens critical criminological arguments.

Practically speaking, the results provide guidance for regulatory enforcement and policy reform, especially in jurisdictions with a majority of Muslims. They do this by putting forth an ethical-legal framework that reinforces environmental compliance by moral internalization as opposed to coercion alone. This approach can be used by policymakers to create corporate compliance initiatives, value-based environmental governance systems, and judicial reasoning that reflects holistic accountability. In the end, this strategy strengthens environmental justice, encourages sustainable business practices, and increases public confidence in legal systems.

## 6. Conclusion

The results show that traditional regulatory and punitive measures alone are insufficient to alleviate corporate environmental impact. Instead, a more thorough and morally sound foundation for corporate criminal responsibility is provided by a holistic accountability model based on *maqāṣid al-sharī'ah*. Islamic criminal law offers a normative basis that enhances and supplements contemporary legal and criminological analyses by placing a strong emphasis on

the preservation of life, property, and ecological equilibrium. The study also shows that organizational, structural, and economic factors that put profit maximization ahead of environmental sustainability are closely linked to corporate environmental criminality. A more sophisticated understanding of business motives, risk rationalization, and regulatory non-compliance is made possible by fusing criminological ideas with Islamic ethical concepts. This multidisciplinary approach enhances policy-oriented solutions for prevention, deterrence, and restorative justice in addition to broadening the theoretical parameters of corporate criminal culpability. In the end, this study advances a paradigm shift in law that views environmental preservation as both a moral and legal requirement. The study develops a sustainable and justice-oriented model of corporate accountability by fusing empirical criminological reasoning with normative Islamic jurisprudence. This model is highly relevant for modern environmental governance, especially in emerging economies and jurisdictions with a majority of Muslims.

**Author Contributions:** Conceptualization: Wiji Nur Eko Wahyu and Abdul Halim; Methodology: Wiji Nur Eko Wahyu and Risnita; Validation: Wiji Nur Eko Wahyu and Abdul Halim; Formal analysis: Wiji Nur Eko Wahyu and Risnita; Investigation: Wiji Nur Eko Wahyu and Abdul Halim; Resources: Wiji Nur Eko Wahyu and Abdul Halim; Data curation: Wiji Nur Eko Wahyu and Abdul Halim; Writing—original draft preparation: Wiji Nur Eko Wahyu; Writing—review and editing: Wiji Nur Eko Wahyu; Visualization: Wiji Nur Eko Wahyu and Risnita; Supervision: Abdul Halim.

**Funding:** This research received no external funding.

**Data Availability Statement:** Complete data from this research was found in the Postgraduate Program of UIN Sulthan Thaha Saifuddin, Jambi.

**Acknowledgments:** We would like to thank the Postgraduate Program, UIN Sulthan Thaha Saifuddin for providing both material and non-material facilities for supporting this research.

**Conflicts of Interest:** The authors declare no conflict of interest.

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