

# Legal Politics on Environmental Health in Indonesia: MUI Fatwa Study No. 47 of 2014 Concerning Waste Management to Prevent Environmental Damage

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Abstract: This study examines environmental health. Environmental health determines human health in it. The main element in environmental health is waste management so that all types of diseases are sourced from the waste can be avoided because a healthy environment also has implications for realizing a healthy society. Realizing that it is important to maintain the environmental health of the MUI as a religious institution has issued a fatwa concerning environmental health regarding waste management to prevent environmental damage. This study uses a qualitative approach by analyzing the contents of the MUI fatwa from the political perspective of Indonesian Islamic law. This research found that the existence of the MUI fatwa as a legal opinion was not binding because it was recommended, and the position of the MUI fatwa as a legal product only became a tool of legitimacy towards the previous government policy on environmental management.

## 1 INTRODUCTION

The whole world is currently discussing the problem of environmental degradation. Deforestation, air pollution, water pollution, and other issues so that the earth cannot withstand it because of the exponential increase in world population that makes it a global challenge that requires global solutions.

Environment and Politics by Timothy Doyle and Doug McEachern explained that environmental damage has become a common problem in the world, and environmental damage that occurs in one country, is closely related to politics and policies in the country.

Maintaining the environment so that it is not dirty is a basic obligation for every human being. In Islam hygiene is also associated with the problem of faith, because cleanliness is considered a part of faith. However, in practice, there are still many of us who find Muslim communities who do not care about protecting their environment. Health is the main driver of all activities because physically healthy all forms of activities and work can be resolved to the maximum in accordance with ability. Conversely, if a person has an illness, then all his activities will be disrupted causing all work to not be carried out properly as expected.

Maintaining a healthy environment is the obligation of every Muslim to create a healthy society because faith is a reflection of the realization of a healthy life. Environmental health awareness based on studies carried out is still low in Muslim-populated countries. Environmental cleanliness in Japan, for example, is a good example of environmental health management, even though in reality the country is not a Muslim country. In safeguarding the environment, the cherry country is a good example of managing waste that is integrated into public awareness. Whereas in a country with a Muslim population in practice waste is scattered, both on land and on the water this results in damage to the environment which has a negative impact on the physical and spiritual community.

Contextually the main causes of careless garbage disposal to be strongly attached to community behavior are the following causes:

a. The system of public trust in the behavior of throwing garbage arbitrarily which is possible in their subconscious spirits is not a wrong thing and is a natural thing to do.

b. Environmental factors such as families, neighbors, schools or other public places that are directly related to the surrounding community,

throwing garbage in a community is a "normal" or legal thing because all the community members do it.

Nature Conservation In Islam, a book by Fachruddin M. Mangunjaya explains that maintaining the environment in Islam is part of the totality of human worship, because, Islam is a religion of love for all nature that encourages its people not to cause damage or accelerate the process of damage done on earth.

Health is a condition for the body, soul or social that is able to realize productive life from the social and economic aspects. According to World Health Organization (WHO), health is a complete state of physical, mental, and social well-being and lack of weakness or disease (a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity). In Indonesian legislation explained as attached to Law No. 23 of 1992 concerning health and Law No. 29 of 2004 concerning medical practice which reads:

1. Health is a state of well-being from the body, soul, and social that allows every person to live productively socially, and economically.
2. Health efforts are every activity to maintain, and improve health carried out by the government, and or the community.
3. A health worker is any person who devotes himself to the health sector and possesses knowledge, and or skills through education in the health sector which requires certain types of authority to carry out health efforts.
4. Health facilities are places that are used to carry out health efforts.
5. Health is something that is very useful.

Garbage is a collective problem of the community that must be found a solution, especially the low awareness of the importance of environmental health.

In normative Islam many doctrines are found about the importance of maintaining health, both physical and environmental. Specifically in Islamic law, it is also regulated about life ethics related to the environment, because in Islam it is believed that the environment is an inseparable part of human life, so preserving the environment to always be well maintained is also related to the importance of the continuation of human life in it. In Islamic law, for example, it is found that the doctrine is not allowed to defecate in any place because everything related to the environment must always be maintained properly. The mission to preserve the environment is also expressly stated specifically related to the mission of

the Caliphate given to humans to always protect nature and the environment.

Efforts to safeguard a good environment are of course not only related to humanitarian duties, but on the other hand are also directly related to the interests of the continuity of human life, then within the framework referred to in Islamic law, especially in general rules mention everything needed for humanitarian purposes which must be fulfilled (ma la yatimmul obligatory fa huwa obligatory). This general rule of fiqh proposal confirms that something that must be fulfilled if there is nothing directly related to life, then it becomes obligatory to be fulfilled, then in the same context environmental health becomes the main part that must be fulfilled in human life.

Realizing the reality of the importance of waste management to create health in the environment. The MUI as a religious institution issued a fatwa on processing waste to prevent environmental damage, namely:

1. Every Muslim is obliged to maintain the cleanliness of the environment, make use of useful items for the benefit and avoid various diseases and acts of tabdzir and israf.
2. Disposing of litter and/or disposing of items that can still be used for self-interest or for others is unlawful.
3. The Government and Entrepreneurs are obliged to manage waste in order to avoid loss to living things.
4. Recycling waste into goods that are useful for improving the welfare of the legal community is mandatory.

This MUI fatwa can be grouped in four parts. First, as an effort to provide answers to legal issues that arise in the community. Second, the fatwa is conveyed through the process of ijtihad. Third, both individuals, or institutions that provide explanations are those who have capacity in the questions asked. Fourth, the answers given are answers that are not yet known about the answer. In the context, it was stated by the MUI as the institution providing the fatwa to provide answers to the questions of the questioner, namely the community. The results of the fatwa on the environment were issued in 2014 after realizing the importance of an environment to preserve sustainability. the importance of environmental health. The MUI's fatwa on environmental health will be studied with a political approach to Islamic law, especially the existence of the fatwa in the Indonesian context. Fatwa as a legal product has its own position in the thinking of Indonesian Islamic law, especially in the position of the MUI as a religious education

institution which also functions as a tool of government power.

The relevance of reviewing the fatwa of the MUI in relation to environmental health certainly apart from being specifically related to the position of the MUI as a religious institution that has issued many legal products also confirms the efforts to involve this religious organization in an effort to maintain the stability of life in the community. This research will specifically discuss the MUI fatwa on environmental health as a legal product in a legal perspective in Indonesia.

## 2 LITERATURE REVIEW

Some researchers who examined the environment in Indonesia, one of which was Suparto Wijoyo, Wilda Prihatiningtyas with the title Problems in environmental law enforcement in Indonesia were certified for the environment.

## 3 METHOD

### 3.1 Type of Research

This research is an assessment of normative law, which is compared with social reality, especially in looking at the position of the MUI fatwa as a product of Indonesian Islamic law by carrying out philosophical studies.

### 3.2 Data Source

The data source is used consisting of 2 (two), namely the primary legal source relating to research entitled health and environmental fatwa with a focus on MUI fatwa on waste management to prevent environmental damage No. 47 of 2014. Secondary sources consist of government regulations relating to environmental health and other written sources, such as theses, dissertations, journals, and others in offline or online forms.

#### 4 Data Collection Method

Data collection research is carried out with literature study, namely reviewing primary and secondary materials that answer any questions raised in this study.

#### 5 Data analysis

Data analysis was performed using documentary techniques, namely by documenting data sources, both primary and secondary related to data. Furthermore, the author analyzes it with critical

descriptive analytical methods, namely by describing, analyzing and giving interpretations to the data. Then proceed with using the content analysis method, which is to scientifically analyze the core message into a particular idea or idea.

## 4 DISCUSSION

### 4.1 Definition of Environment

Starting from "created man to be a caliph in the face of the earth", then he should give a good example to all other humans, giving good treatment to all living beings and keeping the place of the life of these living beings. It is true that humans have rights to land, water, and air, but humans are obliged to preserve it rather than damage it. However, the reality that occurs in adults in a majority Muslim community is that we often find those who only use nature but forget to preserve it.

God has created the universe including the earth and its contents. Namely long before humans were created [Qur'an 2: 117] on earth, God has created humans in the form of various plants and various types of animals. After the birth of humans, various types of plants and animals are available for their human environment. The environment must be processed and utilized by humans as well as possible so that it is in accordance with the maximum God who created it.

The environment is all that affects humans or animals, while the environment is something that exists around living things that have a reciprocal reputation early in life. Religion with human life, the environment is grouped into two major groups, namely living things and non-living things. Both groups use one other thing for what is known as an ecosystem.

Indonesia has 17,499 islands from Sabang to Merauke. The total area of Indonesia is 7.81 million km<sup>2</sup> which consist of 2.01 million km<sup>2</sup> of land, 3.25 million km<sup>2</sup> of ocean, and 2.55 million km<sup>2</sup> of Exclusive Economic Zone (EEZ), so that the sea area is 64 , 97% of the total area of Indonesia.

The provision that obtaining a good and healthy environment is the human right of every human being, the state is burdened with the obligation to ensure the availability of a good and healthy environment, while also having the right to prosecute and force everyone not to damage and pollute the environment in order to protect the public interest. This provision also prohibits the existence of sectoral regulations or laws which in practice can damage the

preservation of nature that has been recognized as a public interest.

At present, there are many solutions that have been offered by the government to the community in order to create a healthy environment. The government's effort is to demolish slum housing on the banks of the river which causes garbage to accumulate and so that the flow of the river flows, dredging garbage in the river flow and imposing sanctions on perpetrators of littering, forming environmental communities concerned with the environment and planting trees along the river.

The scope of the environmental review can be narrow, for example, a house with a yard, or width, for example, Irian island. The earth and air layers which are creatures can also be considered as great environments, namely the biosphere. Even our solar system or even the entire universe can be the object of review (Otto Sumarwoto, 2004).

the nature of the environment is determined by various factors including the following: (A) Types and Amounts of Each Type of Environment. this is very influential in environmental sustainability. We can easily see, the environment with 10 people, a dog, three turtles, coconut trees and coral reefs will differ in size from the same size but there is only one human, 10 dogs, covered thick and on average not hilly rocks. In this type of environment including chemicals. (b) Relationship or Interaction between Elements in the Environment. This relationship can be likened to a room with eight chairs, four tables and four pots with elephant ear plants. An eight-seat room was placed along one wall, with a table in front of each chair and a pan on each table. The nature of the room will be different if two chairs with a table are placed in the middle of each wall and a pot in each corner. The same applies to relationships or social interactions in terms of elements consisting of human and plant life forms. (C) Environmental Behavior or Conditions. Behavior and environmental conditions in a city where the population is active and hard work is a different environment from the same city, but the population is relaxed and lazy. Likewise, areas with sloping and fertile soils are different environments from areas with eroded and eroded soils. (d) Non-Material Factors. Included in non-material factors including the occurrence of light and noise temperatures, we can feel easily. The hot, striking and noisy environment is very different from the cool environment, enough light, but not glare and calm.

## 4.2 Law and MUI Fatwa

Article 29 paragraph 1 letter e Shrimp Law 18 of 2008 concerning waste management, regulates the prohibition of disposing of improper waste or the prohibition of careless waste disposal, then in paragraphs 3 and 4 the article gives a mandate to the district/city government to regulate the implementation paragraph 1 letter e, both further regulations concerning this regulation or criminal sanctions for imprisonment or fines for violations of the provisions referred to in paragraph 1 letter e. Therefore the municipal government is given the mandate to implement law No. 18 of 2008 concerning waste management.

The Constitution Article 33 paragraph 3 states that the earth and water and natural resources contained therein are authorized by the state and are used for the prosperity of the people. UU no. 32 of 2014 concerning maritime affairs clarifies as a legal umbrella to regulate the use of Indonesian sea in a comprehensive and integrated manner. Therefore, the role of the government is needed to be able to maintain and maintain and cultivate marine wealth and potential in Indonesia.

The Indonesian Ministry of Health has conducted a research stating that 20% or only about 52 million people from 262 million Indonesian people care about environmental hygiene that has an impact on health.

Riskesdas report data on the impact of diseases arising from polluted environments in the form of respiratory diseases and diarrhea is due to a less clean environment. Furthermore, the risks as data said that 31% of child deaths were caused by diarrhea aged 1 month to 1 year. And ARI disease reaches 25% with the highest number 41.7% from NTT province. This is because of the lack of clean water, littering and lazy to wash hands before eating.

The MUI is a role model for the Indonesian Muslim community to issue its fatwas with regard to the environment, but they are late in granting the fatwa, which causes academics and researchers to wonder about the fatwa issued. Fatwa is a question and answer from a mufti and mustafti that ultimately gives an understanding of mustafti. Fatwa on processing waste to prevent environmental damage is one that has been issued by the MUI, which should be issued by the fatwa for a long time so that the Indonesian people understand the importance of protecting the environment.

MUI's consideration in issuing Fatwa is:

1. that man was created by Allah SWT as caliph on earth (khalifah fi al-ardl) to carry

- out the mandate and responsibility of prospering the earth;
2. that the problem of waste has become a national problem that has a negative impact on social, economic, health and environmental life;
  3. that there has been an increase in environmental pollution which is cause for concern, due to the low awareness of the community and industry in waste management;
  4. that there is a fatwa request from the Ministry of Environment to the MUI concerning Waste Management to prevent environmental damage;
  5. that based on the considerations in letters a, b, c, and d of the Fatwa Commission, the MUI deems it necessary to establish a fatwa concerning waste management to prevent environmental damage.

Globally, we do not find verses of the Koran and Hadith that clearly explain waste management, but the management of waste is implied in the verse and history. As Jabir bin Abdillah has narrated, the Messenger of Allah said, "If the food of one of you falls, take it and remove the dirt that is attached to it, then the food should be eaten and not left to the devil". Another verse asserts from the verse above that reads "the devil is with you in all circumstances, to the point that Satan is with you at mealtime. Therefore if your food falls to the floor then the dirt should be cleaned and then eaten and not left to the devil. If you have finished eating, the fingers should be licked because it is not known where the food is blessed."

Environmental fiqh states that throwing garbage arbitrarily is something that is prohibited even haram. Careless disposal of the garbage can be *lizatih* and *lighairihi* nuances. Dispose of trash by causing harm it will cause waste. The forbidden label for waste disposal that violates these rules is the right thing to consider the impact. Therefore waste must be managed to be safe for the surrounding environment and free of pollution.

Philosophical values that can be seen from littering as summarized by Yusuf al-Qaradawi that the availability of a good environment will manifest the middle values. In this connection Yusuf al-Qardhawi formulated terms namely: *hifz al-bi'ah min al muhafazhah 'ala ad din* (nurturing is part of maintaining religion), *hizd al-bi'ah min muhafazhah ala an-nafs* (nurturing the environment is part of nurturing oneself), *hifz al-bi'ah min muhafazhah 'ala an-nasl* (nurturing the environment part of raising offspring), *hifz al bi'ah min muhafazhah' ala al-aqla*

(maintaining the environment part of nurturing reason) *hifz al-bi'ah min muhafazhah 'ala al-mal* (maintaining the environment part of maintaining property). Then it is clear what has been mentioned by al-qardhawi refers to *maqashid al-sharia*.

The community in an environment is likened to a passenger on a ship where if someone punches a ship, everyone in the ship will sink, the same thing happens with the environment. This was confirmed by Yusuf al-Qaradawi contained in the hadith of the Prophet "the parable of those who uphold the law of God and those who commit violations, is like a people who are riding on a ship. Some of them are at the top and some are at the bottom, if they want to take the water they have to pass the person above them, then take the initiative to make a hole in their section so as not to disturb the person above. If their actions are left unchecked, they will surely perish all passengers of the ship, if they are prevented they will be saved and the people on board the ship."

Ibn Ashur interpreted QS. Ar-Rum verse 41 from a narrow meaning to a broad one. The last meaning that he put forward is that the universe has been created by God in a system that is very harmonious and in accordance with human life. However, humans damage the harmony both on land and at sea, so that imbalances arise in this world. With the explanation of Ibn Ashur reminds us of QS. At-Tin, which man was created as well as possible both outside and in his body, as well as the earth. So with more damage to the body / or damage to the world both on land and in water, the balance will decrease. And the more sins committed, the more damage will occur. Because God has created all beings and their creations are interrelated. then if one of them is lost or damaged then it has been explained in the Koran to rest and return to Allah. "If one part does not function properly and deviates from the path that must be taken, then a negative impact will appear in another part, and this in turn affects all parts. This applies to the universe and is a natural law set by God, which does not change, including humans and humans cannot avoid it. The human society which deviates from the straight path determined by God for its happiness, deviations within certain limits, makes the environment, including the law of cause and effect related to the universe and which affects humans, is disturbed and this in turn has a negative impact. When that happens, there will be a crisis in community life and a disruption in their social interactions. For example, moral crises, lack of love, cruelty, even more than that will accumulate disasters and natural disasters such as "The reluctance of heaven to rain or earth to grow plants, floods, earthquakes and other

natural disasters. All are signs given by God Almighty to warn people to return to the right path.

Faith is a belief that comes from the word *Amana* which means to believe, which by faith everything that is believed to be true will still be fought until the end of life. Even though the weight will be carried out but with the light of the faith that has been attached to the heart, then nothing is impossible if God has answered: "so then be". If it has not been given, the faithful man will say "God's plan is more beautiful than his servant" and he believes that no matter how small the deed has been done and what he will do he will have a reward in the end, if not in the world barzah.

It is only natural that a regulation has been issued to be socialized so that it can be implemented in daily life in the community, but in terms of waste management from the internal MUI itself, the lack of socialization is due to lack of funds in socialization counseling. The verses of the Koran, hadith, and the rules of fiqh proposal used by the MUI in formulating a fatwa are proof that Islamic teachings not only cover human relations to the creator alone, more than that the teachings of Islam also include the relationship to fellow human beings as well the environment is reflected in: Surah al-Baqarah verse 222 which reads "truly Allah likes those who repent and like those who purify themselves", then in Surah al-Baqarah verse 195 "and do not throw yourself in destruction" then in QS al-Qashas 77 "and do good as Allah has done good to you, and do not do damage on earth. Verily Allah does not like those who do damage" and furthermore in QS al-Rum "it appears that damage on land and in the sea is caused by the actions of human hands then Allah gives them a reward for what they have done so they return to the right path" The verse above does not explain how to manage waste but explains to always do good to others and the whole world because in all actions they have their own rewards.

The MUI also refers to the hadith narrated by Tirmizi in giving fatwas which means "actually Allah Ta'ala is good to like good, clean likes cleanliness, noble likes glory, good likes virtue, so clean your environment". Then the hadith narrated by Abu Daud which means "From Anas bin Malik ra that the Messenger of Allaah 'alaihi wasallam if eating food, he licked his fingers three times, he said: "If the bribe of one of you falls, then he should clean it from dirt and eat it, and let it not let it be for Satan! "And he ordered us to rub the plate. He said: "Surely none of you know where he was given blessings. Meanwhile, the rules of fiqh used are" the virtues of the priest (government) against his people based on benefit", "

negative impacts must be eliminated ", "avoid damage in first of all to bring the interpretation". Seeing from some of the hadiths and rules of the proposal that made the MUI as a legal basis in setting a fatwa it is clear that there is no evidence that clearly explains the waste management, but the waste management is implied in the hadith narrated by Abu Daud above, that the prohibition of throwing away food that can still be eaten again, this is also true of the goods if they can still be reused as art material or other things that are made as mandatory for the MUI.

The fatwas of the MUI in Indonesia are indeed very much needed, moreover the fatwa will label halal on a product, be it food, cosmetics, or even medicine. Those with halal labeling Indonesian Muslim communities dare to consume or use the product. As for an act such as the prohibition of littering contained in the MUI Fatwa No. 47 of 2014 is a fatwa that is no less important. Because with the fatwa the Indonesian Islamic community can know the importance of protecting the environment. Not only by banning littering, the MUI also recommends managing the waste, but the fatwa like this is not in demand by the Indonesian Muslim community, although from their daily lives they will not waste it because the MUI is only an institution that gives a good action halal, haram, Sunnah and makruh without being compensated by sanctions and lack of socialization of waste management.

Long before the MUI said it was about waste management the Ministry of Environment had first legitimized waste management[5]. And such matters have been regulated in the 1945 Constitution article 28 H paragraph 1, "human rights are fundamental rights possessed by humans since he was born. Every human has the right to live physically and mentally, live and get a good and healthy place to live. entitled to health services ". The legitimacy of the waste management law is an effort to change the end of pipeline paradigm to reduce at sources and recycle resources, that is, from simply throwing garbage into reducing waste by recycling. There is already a final waste disposal site, but if the regulation of waste processing (reduce, reuse, and recycle) has not been applied, then it will be useless, due to increasing population growth and automatically increasing waste will be increased. accommodate all the garbage.

Perda No. 3 of 2013, as an idea and legal product to maintain cleanliness, is very promising to be adopted as a law, this law can force the legislation below which regulates all sectors of life for pro-environment. However, in practice, it is still proven to be less effective, this is evidenced by the irrefutable

fact that there are still many destructive activities carried out by citizens who apply the green constitution principle. This happens because, in its implementation, this local regulation lacks or does not even include the values of natural sacredness such as the sanctity of trees, land, rivers, forests, and water. It does not offend the similarity of rights and degrees between humans and nature, in the sense that they are creatures and signs of the glory of Allah SWT when they do not glorify beings, they are also considered not to glorify Khaliq. What is missing from the attention of the local regulations is also the metaphysical aspect (reward and sin), because the rule of law cannot be confined to the positive aspects of religion, culture and wisdom, because humans instinctively are more easily touched by values that are familiar the nature of his soul.

The fatwa does not automatically respond to everyone and implement it into daily life because only those who have known the fatwa have been issued and are blindly religious, he will carry out the fatwa specifically on the fatwa on processing garbage. However, even if someone knows that the fatwa has come out and happens to be a person who is indifferent to the environment, he will not carry out what has been mandated in the fatwa, because there is no sanction that will be accepted if it violates the fatwa.

Table 1: Differences Between The MUI Law and Fatwa

Environmental Health	Sanctions	Explanation
Law	✓	Legalized regulation Allows for implementation because of strict sanctions
MUI fatwa	-	the regulations that were passed were most likely not implemented because there were no strict sanctions, especially the regulation was only an appeal to be implemented

The MUI fatwa is usually published concerning the response of the institution to certain situations faced by Muslims because the MUI fatwa was issued based on legal needs in the community. The purpose of the MUI fatwa is an attempt to protect the interests of Muslims to avoid everything that results in conflict with Islamic teachings. In the history of the development of MUI fatwas the social and political situation became the main factor of a fatwa product issued because the fatwa as a legal view was issued taking into account the problem aspects and

interpretations of every problem faced by Indonesian Muslims.

In relation to the MUI's fatwa on environmental health, it appears to be incompatible with the reality faced by Indonesian Muslim societies, because religious views or government policies actually long before the MUI fatwa has been issued, there are many provisions regarding the importance of maintaining environmental health, so that the fatwa on environmental health is not well targeted even though its position only as a reinforcement of government policy. For that reason, ideally, as a religious fatwa is produced relating to the urgent needs in the community, but in the context of environmental health, in addition to the actual teachings of Islam, in general, require the importance of maintaining the health of the environment.

The MUI's fatwa on environmental health, especially waste management as stated in the fatwa on the role of the government to maintain environmental health is a far-reaching policy. There were previously fatwa products on environmental health emerging. In the case of the fatwa, the MUI actually did not reach the objective of the fatwa itself to provide solutions needed by the community, because the function of the fatwa here is only a strengthening of existing policies. In the context of Indonesian Islamic law politics, the fatwa does not have a constructive function to safeguard the problems of Muslims, other than merely strengthening government policies on environmental health. The MUI's fatwa on environmental health also saw power relations between religious organizations and the government that positioned the MUI as a tool of legitimacy of power.

Faith, common sense/self-awareness, and the rules of either law or Islamic law that have these overall sanctions are needed to create a healthy environment. Especially with the presence of penalties or sanctions, because indirectly with the existence of sanctions, common sense will arise (self-awareness) to maintain a healthy environment. Or it could be that with sanctions, people will look for loopholes in how to dispose of trash carelessly. Therefore in need of a spiritual shower to bring to Faith. With faith bringing a healthy environment because it is clearly stated in the Koran "do not damage what is on the face of the earth".



Figure 1: Achieve A Healthy Environment

The picture above explains that the position of faith, consciousness and regulation in relation to waste can minimize and even eliminate littering behavior and create a healthy and decent environment to live in. With faith a person will take care of himself and the environment, with the awareness of the public will know the good of a clean environment and with the rule of action against anyone who has broken a rule.

## 5 CONCLUSION

Maintaining the environment so that it is always clean is a joint obligation that must be carried out because environmental hygiene is closely related to social life and in the social life, we are prohibited from taking and disturbing the rights of others. other people". The verses, hadiths and rules of the Islamic Law contained in the MUI fatwa are the basis of MUI's reference in issuing the MUI fatwa in response to the importance of health and waste management. But in reality the actual existence of fatwa does not bind every Muslim in Indonesia because it is only a legal opinion. Because the fatwa is not made a necessity for Muslims to live it. Meanwhile the MUI fatwa as a legal product of Muslims in Indonesia is only used as a reinforcement of previous government legal policies.

The existence of the MUI fatwa as a legal product has a difference with the regulation products that the government has been promoting in relation to efforts to maintain environmental stability and environmental health. This difference lies in the position of MUI's legal products that are non-binding for the entire Indonesian Muslim community, because the MUI fatwa position is only a form of encouragement, while the legal production issued by the government is also followed by various sanctions to every society who ignores the regulation. Government regulations are stronger than the MUI

fatwa, and on the other hand the existence of the MUI fatwa is only a strengthening of legal products issued by the government relating to efforts to maintain environmental health.

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