

Tree Planting before Merriage in Village Regulation No. 2 of 2009 in Bone-Bone Village, Enrekang Regency According to Maslahah

Incoming Manuscript: 23-11-2024 Manuscript Edited: 24-11-2024 Accepted Manuscript: 26-12-2024

Nahdiatul Khairiah, Abdul Salam, Jumadil, Ismail Kappaja,*¹ Andi Muh. Taqiyuddin BN²**

¹⁻⁴ Sekolah Tinggi Agama Islam Al-Azhar Gowa, Jl. Tamangapa Raya III No. 16 Makassar 90235, Sulawesi Selatan, Indonesia

⁵Sekolah Tinggi Agama Islam DDI Maros, Jl. Rajawali Baniaga, Taroad, Kec. Turikale, Kabupaten Maros, Sulawesi Selatan, Indonesia

Abstract

This research was conducted to know (1) the implementation of regulation no. 2 of 2009 Article 3 Bone-Bone Village and (2) the perspective of benefits for the implementation of Bone-Bone Village regulations No. 2 of 2009 Article 5. This research is field research using qualitative methods. The approach used in this study is an empirical juridical approach, with data collection techniques through observation, interviews, and document review. primary and secondary primary data obtained by conducting interviews with village government, religious leaders, and communities involved secondary data from documents related to data analysis techniques in this study starting from the data collected and then analyzed, then classifying the data that has been collected then the data is concluded. The results of this study indicate that (1) Implementation of Regulation No. 2 of 2009 Article 5 Bone-Bone Village, there are two, namely the first introduction to Regulation No. 2 of 2009 Article 5 which introduces the regulation using socialization. Then the second is the stage of implementing regulation No.2 of 2009 Article 5, namely registration, then planting trees and reporting; (2) Rules for planting trees No. 2 of 2009 Article 5 This regulation aims for the benefit and welfare of the community. From the perspective of this benefit, it is maslahat mursalah. Maslahat mursalah is something that brings benefits (profits) and keeps harm (damage) away.

Keywords: Tree Planting; Mashlahat Perspective; Regulation

How to Cite: Nahdiatul Khairiah (2024). Tree Planting before Merriage in Village Regulation No. 2 of 2009 in Bone-Bone Village, Enrekang Regency According to Maslahah. *Journal of Family Law and Islamic Court*, 3(2), 110-127.

*Corresponding Author:

nelkhaerah@gmail.com

Introduction

Marriage is a universal natural law (sunnatullah) that applies to all creations, including humans, animals, and plants. It is a divinely chosen method for humans to procreate, multiply, and preserve life, provided that each partner is ready to fulfill their roles in achieving the purpose of marriage.

In addition to complying with Islamic law and positive law, Bone-Bone Village has a unique regulation for prospective couples intending to marry. This regulation differentiates Bone-Bone Village from other villages, particularly in Enrekang Regency. The specific rule mandates that each prospective bride and groom must plant five suren trees before their marriage. This regulation, outlined in Village Regulation No. 2 of 2009 on Forest Preservation in Bone-Bone Village, Baraka Subdistrict, Enrekang Regency, stipulates in Article 5 that all residents intending to marry must plant five suren trees before registering with the village marriage registrar.

The purpose of this regulation is to ensure the sustainability of forest resources and water availability and to provide timber for construction without depleting natural forest reserves. Suren trees, as a forestry species, offer various benefits. They are large trees with straight trunks, reaching heights of 40–60 meters, branch-free heights of 25 meters, and diameters of up to 100 cm. These trees are a high-value forestry commodity, providing economically valuable and high-quality timber.

The implementation of this regulation requires residents to procure and plant the trees independently within the free land areas of Bone-Bone Village. Prior to implementation, the village administration promotes environmental awareness and sustainable practices through organized campaigns and movements.

Traditionally, marriage requirements were based on religious law and documented through marriage registration. However, these requirements have expanded to address environmental and economic concerns, as reflected in the village regulation. Over time, the evolution of societal challenges requires legal solutions that align with the Qur'an and Sunnah. However, not all contemporary issues are directly addressed in these primary sources. Islam provides general principles and fundamental guidelines that enable scholars to develop Islamic laws and address new issues through *ijtihad* (independent reasoning). One of Islam's foundational principles is that the primary objective of Islamic law is to promote *maslahah* (well-being). *Maslahah* is broadly defined as anything considered beneficial by reason, as it brings good and prevents harm for humanity. This aligns with the objectives of Islamic law in establishing rulings for the benefit of both worldly and eternal life.

Article 5 of Village Regulation No. 2 of 2009 presents an interesting intersection between marriage and environmental protection, requiring tree planting as a prerequisite for

marriage. This integration highlights the implementation of environmental conservation as part of marital practices.

From a review of previous academic works, the study of *maslahah* in relation to the tree-planting requirement before marriage is not entirely new. Prior research related to this topic provides a foundation for further exploration and analysis.

1. **Bagus Fajar Adryanto (2022).** *"An Analysis of Maqashid Al-Shari'ah on Magetan Regent Regulation No. 11 of 2020 Regarding the Mandatory Tree Planting Movement as a Marriage Requirement."*

The findings of this study reveal that Magetan Regent Regulation No. 11 of 2020, which mandates tree planting as a prerequisite for marriage, aligns with the teachings of Islam. This alignment is evidenced by numerous verses from the Qur'an and hadiths of the Prophet Muhammad (peace be upon him) that encourage humanity to protect, care for, and preserve the environment. The regulation is deemed appropriate based on the concept of *maqashid al-shari'ah* (objectives of Islamic law). Regarding its level of necessity, this regulation falls under the *tahsiniyyah* (tertiary) category of needs (Adryanto, 2022). The distinction of this study lies in its approach: this research analyzes Magetan Regent Regulation No. 11 of 2020 on the Mandatory Tree Planting Movement using the *maqashid al-shari'ah* framework, whereas my

proposed research will examine the regulation from the perspective of *maslahah* (public benefit).

2. **Indra Kurniawan (2016).** *"Regulation on Tree Planting for Prospective Couples and Mothers Giving Birth According to Regional Regulation No. 1 of 2012 in Kendal Regency."*

The findings of this study indicate that the regional regulation contains several weaknesses. These include a complex bureaucracy for issuing Tree Planting Certificates (STP), inadequate alignment of tree planting locations with the topography of Kendal Regency, the unavailability of funding for STP issuance, and the lack of provisions accommodating non-Muslim prospective couples. The distinction of this study lies in the fact that it does not address the regulation from a *maslahah* (public benefit) perspective, and the implementation of Kendal Regency's regulation has not been effectively carried out (Jidi, 2022).

Research Method

This study is a field research employing qualitative methods. The approach used is an empirical juridical approach. Data collection techniques include observation, interviews, and document review. The data collected are categorized into two types: primary and secondary data. Primary data are obtained through interviews with village officials, religious leaders, and community members involved in the study. Secondary data are gathered from relevant documents. The data analysis process involves collecting

data, analyzing it, classifying the findings, and drawing conclusions.

Results and Discussion

The Concept of *Maslahah*

In terminological terms, the definition of *maslahah* (benefit or public interest) has been articulated by scholars of *usul al-fiqh* (Islamic legal theory), notably Imam Al-Ghazali. He explains that, fundamentally, *maslahah* entails promoting benefit and averting harm to uphold the objectives of *shari'ah* (Islamic law) (Marganing, 2020). As the concept evolves, *maslahah* encompasses goodness and utility that contribute positively to all aspects of human life. The term *al-maslahah* contrasts with *al-mafsadah* or *al-madhara*, which signify harm or detriment. Thus, *maslahah* represents actions or outcomes that foster well-being and preserve human interests in alignment with the principles of Islamic law (Abidin, 2007).

Maslahah that lacks explicit textual evidence from *shari'ah* yet also faces no textual opposition is categorized as *maslahat mursalah* (unrestricted benefit). This occurs when a situation arises with no specific provisions or evident rationale (*'illat*) in *shari'ah* to clarify the ruling, yet a determination can be made in alignment with the principles of Islamic law to prevent harm or to promote benefit. In such cases, the ruling derives its legitimacy from its alignment with the overarching goals of *shari'ah*, namely, the preservation of welfare and the prevention of harm.

Maslahat mursalah represents a general understanding of *maslahah*, which seeks to draw benefits and avert harm. The fundamental

teachings of Islam emphasize the obligation to uphold *maslahah* in governing various issues and decisions within all aspects of life. This principle ensures that actions and rulings align with the ethical and practical objectives of Islamic law, fostering human well-being and societal harmony (Arsy, 2022).

Maslahat mursalah, as one of the methods of *istinbath* (derivation of Islamic legal rulings) employing the *maqasid al-shari'ah* (objectives of Islamic law) approach, should be widely accepted by Muslims as a basis for establishing Islamic rulings. However, a portion of the Muslim community still does not recognize *maslahat mursalah* as valid evidence (*hujjah*) for the formulation of Islamic law.

Scholars who accept *maslahat mursalah* as a source of legal reasoning have outlined several conditions for its application in deriving legal rulings, ensuring its adherence to the principles and objectives of Islamic law (Purwanto, 2015):

Conditions for the Acceptance of *Maslahat Mursalah*

- a. **The *Maslahah* Must Be Genuine and Rationally Justifiable:** The benefit must be authentic and not based on mere assumptions. It should be logically valid and demonstrably aligned with truth. This is because the objective of Islamic law is to bring about benefit (*manfaat*) or eliminate harm (*kemudaratan*).
- b. **Consistency with *Maqasid al-Shari'ah* and Absence of Contradiction with Textual Evidence:** The *maslahah* must

align with the objectives of *shari'ah* and must not contradict explicit texts (*nash*) or established evidences in the Qur'an, Sunnah, or Islamic jurisprudence.

- c. **The *Maslahah* Must Be Universal:** The benefit should apply broadly to the public at large, rather than serving the interests of specific individuals or select groups. This universality reflects the comprehensive and inclusive nature of Islamic law, which is intended to address the needs of all humanity.

The Legal Basis of Marriage

Marriage should be conducted between a man and a woman with the purpose of establishing a household characterized by tranquility, harmony, peace, and happiness within the framework of *mawaddah wa rahmah* (affection and mercy). This principle is clearly articulated in the words of Allah in *Surah Ar-Rum (30:21)*:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا
وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ
يَتَفَكَّرُونَ ٢١

Translation:

"And among His signs is that He created for you spouses from among yourselves so that you may find tranquility in them, and He placed between you affection and mercy. Indeed, in that are signs for a people who reflect (Kementerian Agama RI, 2023)."

According to Wahbah al-Zuhaili, the verse above refers to the creation of women for men from their own kind. Women were created from the body of men to emphasize tranquility

within human relationships. This tranquility is achieved through the creation of *mawaddah*, which means love, and *rahmah*, which signifies compassion and care. These elements foster mutual support and cooperation between spouses in all aspects of their lives (al-Zuhaili, n.d., p. 21).

The foundation for the legislation of marriage in Islam is derived from the Qur'an, the Sunnah, and *Ijma* (scholarly consensus). However, some scholars hold the opinion that the original ruling on marriage is *mubah* (permissible) (Mardani, 2011, p. 4). The legal basis for marriage is specifically outlined in *Surah An-Nur (24:32)*:

وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ
إِنْ يَكُونُوا فُقَرَاءَ يُعْزِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ
٣٢

Translation:

"And marry those among you who are single and the righteous among your male and female slaves. If they are poor, Allah will enrich them from His bounty, and Allah is all-Encompassing and all-Knowing (Kementerian Agama RI, 2023)."

This verse underscores the encouragement for marriage as a means of fostering social stability and mutual support, with an assurance of Allah's provision for those in need.

The verse above serves as a command for Muslims to facilitate marriage for those eligible. Financial insufficiency should not be a barrier to marriage, as long as individuals are deemed suitable and capable of fulfilling marital responsibilities. Sustenance

comes from Allah, who has assured provision and prosperity for those who remain steadfast on a path of purity and honor (Qutb, 2000, p. 238).

In marriage, the five categories of *hukm taklifi* (legal rulings) apply as follows:

- 1) **Obligatory (Wajib):** Marriage is obligatory for an individual who has the means to marry and whose sexual desires are strong, making them likely to fall into sinful practices such as fornication if they remain unmarried.
- 2) **Prohibited (Haram):** Marriage is prohibited for an individual who is unable to fulfill the material and emotional needs of a spouse and whose sexual desires are not compelling.
- 3) **Recommended (Sunnah):** Marriage is recommended for an individual who has strong sexual desires and the means to marry but can still exercise self-restraint and avoid engaging in forbidden acts.
- 4) **Disliked (Makruh):** Marriage is disliked for an individual with weak sexual desires and who cannot financially support a prospective spouse.
- 5) **Permissible (Mubah):** Marriage is permissible for an individual not compelled by any urgent reasons requiring immediate marriage or by any prohibitive reasons barring marriage.

These categories provide a flexible framework for determining the appropriateness of marriage based on an individual's circumstances, ensuring alignment with Islamic principles and practical considerations (Wibisana, 2016).

Conditions and Pillars of Marriage

According to Islamic law, every legal act must fulfill two elements: *rukun* (pillars) and *syarat* (conditions). *Rukun* is the fundamental element (core) in every legal act, while *syarat* is the complementary element in every legal act. If these two elements are not fulfilled, the act is considered invalid according to the law. Likewise, for a marriage to be valid, its *rukun* and *syarat* must be fulfilled (Achmad Asfi Burhanudin, 2017).

The conditions of marriage form the basis for its validity. If these conditions are fulfilled, the marriage is considered valid, thereby establishing the rights and obligations of both husband and wife. Broadly, the essential conditions for a valid marriage include the presence of the bride and groom, a guardian (*wali*), and witnesses.

The pillars of marriage are as follows:

1. The prospective bride and groom.
2. The guardian (*wali*) of the prospective bride.
3. Two male witnesses.
4. The proposal (*ijab*) by the guardian of the prospective bride or his representative.

5. The acceptance (*kabul*) by the prospective groom or his representative (Nurdin, 2021).

Village Regulation and Tree Planting

According to Law No. 6 of 2014 concerning Villages, in Chapter 1, Article 1, Section (2), village governance is defined as the administration of governmental and public affairs by local communities within the governance framework of the Unitary State of the Republic of Indonesia. The law stipulates that villages possess inherent rights and traditional authority to manage and regulate their own community affairs. To fulfill these responsibilities, villages are empowered to enact village regulations (*perdes*).

Village regulations are legal instruments issued by the village government and enacted by the village head after being discussed and agreed upon with the Village Consultative Body (*Badan Permusyawaratan Desa*). These regulations are designed to facilitate the administration of village governance. Villages have the right to manage their own affairs within the framework of national unity, decentralization, and autonomy. The creation of village regulations aims to enhance the capacity for effective village governance and ensure the welfare of local communities (Saiful, 2014).

The Bone-Bone Village government enforces regulations that have been collectively agreed upon. These include Bone-Bone Village Regulation No. 1 of 2009 on a smoke-free area, Bone-Bone Village

Regulation No. 2 of 2009 on forest preservation, and Bone-Bone Village Regulation No. 3 of 2009 on the prohibition of introducing or consuming food or ingredients containing synthetic coloring agents and other hazardous chemicals within the village's jurisdiction. Regulation No. 2 of 2009, particularly Article 5, stipulates that every resident of Bone-Bone Village intending to marry must plant five (5) Suren trees before registering with the village marriage registrar (Pemerintah Desa Bone-Bone, 2009).

The Suren tree (*Toona sureni*), commonly known as Limpaga, is a fragrant timber resistant to termite and wood borer attacks, characterized by its reddish color. This tree thrives in hilly regions at altitudes of 600–2,700 meters above sea level, with an average temperature of 22°C. In addition to its timber being used for construction, furniture, veneer, and wood paneling, its bark and roots serve as raw materials for diarrhea medication, and its leaf extracts are utilized as antibiotics and bio-insecticides.

The implementation of the tree-planting regulation involves the following:

- a. **Introduction of the Regulation:** Introducing the regulation to the community is crucial. One way to achieve this is through the socialization of the implementation of Regulation No. 2 of 2009, Article 5.
- b. **Stages of Implementing Regulation No. 2 of 2009, Article 5:** The regulation's implementation includes three

stages: registration, tree planting, and reporting.

Humans and nature share a profound relationship, as nature is created for human welfare, while humans are tasked with preserving nature's sustainability. Reflecting this relationship, the Head of Bone-Bone Village has contributed by establishing Village Regulation (PERDES) No. 2 of 2009, Article 5, inviting all community members to collaborate on village policy-making and planning for future generations. This regulation aims to foster environmental and social awareness, aligning with Allah's command to protect the earth and refrain from causing damage, as stated in *Surah Al-Qasas* (28:77):

وَابْتَغِ فِيمَا آتَاكَ اللَّهُ الدَّارَ الْآخِرَةَ وَلَا تَنْسَ
نَصِيبَكَ مِنَ الدُّنْيَا وَأَحْسِنْ كَمَا أَحْسَنَ اللَّهُ إِلَيْكَ
وَلَا تَبْغِ الْفُسَادَ فِي الْأَرْضِ إِنَّ اللَّهَ لَا يُحِبُّ
الْمُفْسِدِينَ ۗۗۗ

Translation:

"And seek, through that which Allah has given you, the Hereafter; and do not forget your share of the world. And do good as Allah has done good to you. And desire not corruption in the land. Indeed, Allah does not like corrupters (Kementerian Agama RI, 2023)."

The prohibition against corruption, following the command to do good, serves as a reminder to avoid blending good with evil. Corruption opposes goodness and manifests in various forms, such as failing to uphold *tauhid* (monotheism), rejecting truth, compromising religious values, and disrupting environmental sustainability (Shihab, 2012, p. 410).

Tree Planting from an Ecological Perspective

In the Indonesian language, ecology is defined as a branch of biology that studies reciprocal relationships within an environment (Universitas Medan Area, 2022). In simpler terms, ecology examines environmental ecosystems and the interrelationships among the life forms within them. According to Ernst Haeckel, ecology is a comprehensive science about the relationships of living beings with their environments. Ecology provides numerous benefits for both humans and the natural environment, including:

- a. Understanding biodiversity.
- b. Recognizing the behavior of living organisms.
- c. Identifying the role of humans in their environment.
- d. Offering solutions to agricultural problems.
- e. Providing solutions to energy challenges.

In essence, ecological science helps humans understand the behavior of living beings and their connection to the environment, recognize their role in maintaining the environment, and take actions to preserve and protect it.

Environmental ethics refer to human concern for the environment that extends beyond self-centered interests and considers the moral status of the environment. Humans must refrain from damaging the environment, guided by their moral obligations. Otto Sumarwoto emphasizes that environmentally conscious behavior involves actions aimed at preserving the environment's sustainability.

Participation in such efforts can take the form of deliberate actions to maintain or improve environmental quality, ensuring the continuity of life.

Changes in participation towards the environment require utilizing natural resources responsibly to meet human needs without causing harm to the environment (Sukotjo & Suhardi, 2018).

Data The data presented in this study includes information on the village head's policies in fostering a green and healthy environment in Bone-Bone Village, Baraka Subdistrict, Enrekang Regency, collected through field documentation and direct interviews. This discussion presents the results of interviews conducted with several informants regarding the policies and sanctions imposed on prospective couples intending to marry in Bone-Bone Village, Baraka Subdistrict, Enrekang Regency.

Implementation of Regulation No. 2 of 2009, Article 5 in Bone-Bone Village

Socialization

Regarding the stages of policy implementation, the enactment of Village Regulation No. 2 of 2009, Article 5, which mandates tree planting for prospective couples, was established in Bone-Bone Village in September 2009. It was not until 2010 that the community began to gradually appreciate the importance of complying with the regulation following a series of socialization efforts.

Socialization serves as a vital communication process for policy

implementation. The primary goal of providing information is to ensure that the community understands the policy being implemented. The socialization of this policy was carried out to familiarize the entire Bone-Bone Village community with the goals and requirements of the regulation, enabling them to accept, support, and contribute to the implementation of Village Regulation No. 2 of 2009, Article 5. The Bone-Bone government adopted direct socialization techniques as an awareness-building initiative for the community.

Direct socialization conducted by the Bone-Bone Village government to introduce the regulation, particularly Village Regulation No. 2 of 2009, Article 5 on tree planting before marriage, involved dialogues and informal discussions with various community stakeholders. These discussions emphasized the importance of environmental conservation for aspects such as health, economy, and education. Direct face-to-face socialization efforts included meetings between the village government and community leaders. These discussions were conducted at every available opportunity.

As explained by Mr. Idris, the village head, during an interview: "During the socialization process, our aim is to raise community awareness about the importance of maintaining a green environment, which positively impacts various aspects of life. Therefore, planting Suren trees is mandated for couples intending to marry. We strive to

educate the community about the dangers of environmental damage, whenever and wherever possible (Idris, 2022).”

Based on the interview findings, it was revealed that awareness-building efforts to socialize Bone-Bone Village Regulation are not always conducted in formal forums but can also occur during community activities or informal gatherings. These include activities such as community service (*gotong royong*), religious studies, and other community events.

One of the awareness strategies employed by the village government is utilizing the opportunity when prospective couples visit the village office to request a referral letter for submission to the Office of Religious Affairs (*KUA*). Such occasions are considered highly effective for providing explanations and raising awareness among Bone-Bone Village residents about Regulation No. 2 of 2009, Article 5.

This approach was supported by the statement of the village head, Mr. Idris, during an interview:

“The most suitable opportunity to specifically socialize Regulation No. 2 of 2009, Article 5, which mandates planting five Suren trees for prospective couples before marriage, is when residents come to the Village Office to request a referral letter for submission to the *KUA* (Idris, 2022)”

Based on the interviews, it can be explained that providing targeted socialization to prospective couples helps inform and educate them, particularly those who are not native to Bone-Bone Village, about the policy

outlined in Regulation No. 2 of 2009, Article 5.

The sanction imposed on prospective couples who fail to comply with Regulation No. 2 of 2009, Article 5, is the withholding of the referral letter required for submission to the Office of Religious Affairs (*KUA*). As explained by Mr. Idris, the Village Head of Bone-Bone:

“However, it is very rare for residents to violate the regulation because anyone who does not plant trees will be sanctioned by not being issued a referral letter to the *KUA*. This sanction has been in place since the regulation was enacted. Occasionally, for non-residents intending to marry in Bone-Bone Village, they must also plant Suren trees. If they are late in registering, leniency is sometimes granted, and they are issued the referral letter with the condition that they plant the trees after marriage and provide proof to the village head or secretary.”

From the interviews, it is evident that the sanctions for failing to plant Suren trees have been implemented for a long time and remain effective to this day. These sanctions have resulted in very few violations of the regulation, though exceptions are made for newcomers unable to plant trees before marriage. In such cases, leniency is granted.

In conclusion, awareness-building efforts, such as direct socialization of village regulations by the Bone-Bone Village government, are effectively conducted through face-to-face interactions, including discussions, counseling, meetings, and religious gatherings. These efforts aim to build understanding within the community

in a relaxed and non-rigid manner, positively influencing their level of awareness. The most effective approach is when prospective couples visit the village office to request a referral letter for submission to the KUA. This is especially crucial for prospective couples unfamiliar with the regulation, such as non-residents. The sanction for non-compliance—denial of the referral letter to the KUA—has been consistently implemented and remains in force to date.

Stages of Implementing Regulation No. 2 of 2009, Article 5

Before planting trees, the implementation process involves several stages, as follows:

a) Registration

The first stage in implementing the tree-planting policy for prospective couples is registration. Registration is the initial step that must be completed by couples intending to marry. Before obtaining a referral letter from the Office of Religious Affairs (*KUA*), the prospective couple must first register for the tree-planting process.

As explained by Mr. Naslan, the Secretary of Bone-Bone Village:

“Individuals who wish to marry must register with the village secretary or head, bringing five Suren tree seedlings and providing their personal information as prospective couples (Naslan, 2022).”

This indicates that individuals intending to marry must register with the village head or secretary to proceed with the tree-planting process. During the registration stage, prospective couples are

required to bring five Suren tree seedlings and complete their personal information as part of the registration process.

b) Tree Planting

Tree planting is the stage that follows registration. In this stage, prospective couples are required to plant five (5) Suren tree seedlings. During an interview, Mr. Naslan, the village secretary, explained:

“The Suren trees are planted on individual plots or family-owned farms, as the majority of the community here consists of farmers. Since everyone has access to farmland, planting the trees on their own land allows the prospective couples to benefit from them in the future (Naslan, 2022).”

This indicates that tree planting is carried out by prospective couples, who are required to plant five (5) Suren trees on their own farmland or their parents' farmland, as no land is provided by the government. Planting trees on personal or family land ensures ownership, whereas planting on government-provided land does not necessarily guarantee individual ownership.

b) Reporting

The final stage of the tree-planting process is reporting. Reporting is conducted after the prospective couple has completed planting the trees. As explained by Mr. Naslan, the village secretary:

“After completing the tree planting, prospective couples can report

directly to the secretary with photographic documentation as proof of having planted the trees."

This indicates that tree planting is carried out by prospective couples, who plant five (5) Suren trees on their own farmland or their parents' farmland, as no land is provided by the government. Planting trees on personal or family-owned land ensures individual ownership, whereas planting on government-provided land does not necessarily guarantee personal ownership.

c) Reporting

The final stage of the tree planting process is reporting. Reporting is conducted after the prospective bride and groom have completed the tree planting activity, as explained by Mr. Naslan, the secretary, as follows:

"Once the prospective bride and groom finish planting the tree, they can directly report to the secretary by providing documentation as evidence of having planted the tree (Naslan, 2022)."

This indicates that after planting five Suren tree saplings, the prospective bride and groom must report to the Secretary by presenting photographic documentation of the tree-planting activity. Upon providing proof of tree planting, the couple can obtain a referral letter for submission to the Office of Religious Affairs (KUA).

In summary, the implementation of Regulation No. 2 of 2009, Article 5, comprises three stages:

1. Registration

This initial stage involves the prospective bride and groom

registering with the village government to obtain a referral letter for submission to the KUA. However, this process requires fulfilling the prerequisite of planting Suren trees.

2. Tree Planting

At this stage, the community members are required to plant Suren trees either on their own land or on their parents' land, provided the location is within the Bone-Bone Village boundaries.

3. Reporting

After planting five Suren trees, individuals are required to report their activity to the Secretary by providing documentation as proof of the planting. Once verified, they are eligible to receive a referral letter to be submitted to the KUA, which is a prerequisite for proceeding with their marriage ceremony.

Challenges in compliance with Village Regulation No. 2 of 2009

The challenge in complying with this regulation is almost non-existent because this rule is made and socialized to the community before it is implemented and this is a requirement for the prospective bride and groom before getting married at KUA because they will not be given a letter of introduction to KUA if they do not plant a tree first with evidence of documenting the results of this tree planting.

As in an interview with Mr. Naslam as the secretary of bone-bone village.

"The bride-to-be when she finishes planting the tree can immediately report to the secretary by bringing documentation of proof that she has planted the tree (Naslan, 2022)."

The real challenge is the challenge of climate change and environmental

impacts, where climate change causes extreme weather and natural disasters that can affect the success of tree planting, in some cases the trees planted do not grow well due to unfavorable environmental conditions, and this is a challenge for the people of bone-bone village in applying village regulation number 2 of 2009.

Some of the community's perspectives are also negative who consider this rule as an additional burden because the community does not understand the long-term benefits for the environment from the making of this rule, so this program will not be implemented comprehensively.

Comparative analysis with other regions

Tree planting is also carried out in several regional areas, for example in Bali, tree planting is carried out in marriage customs which are often in the form of protective trees or sacred trees planted by the bride and groom, where tree planting is part of a traditional ceremony related to the value of balance and natural beauty, while this custom is accepted in Balinese society because of the strong attachment between cultural values and Hinduism, traditions that have existed for generations make it easier for tree planting to be part of a series of marriages in Bali. Meanwhile, in bone-bone village, tree planting is meaningful as a new life that continues to be sustainable and improves the environment in the future and is also part of the tradition of the local community.

Tree planting also occurs in several areas in South Sulawesi, where tree planting policies are based on

community participation in natural resource management, community empowerment in tree planting as part of the greening and environmental conservation program. As for the comparison with bone-bone village, Bone-Bone village can adopt a similar approach by utilizing cooperation with environmental institutions to provide education about the role of trees in maintaining the balance of the local ecosystem. Additionally, it is important to provide incentives or rewards to couples who successfully plant and care for trees as part of their efforts to preserve the environment.

The Perspective of *Maslahah* on the Implementation of Bone-Bone Village Regulation No. 2 of 2009, Article 5

Environmental issues are contemporary challenges, consistently relevant for discussion in scientific forums, seminars, and other scholarly gatherings. Bone-Bone Village Regulation No. 2 of 2009, Article 5, which mandates tree planting, aims to ensure environmental sustainability and connects this responsibility to the community, particularly prospective couples.

In Islam, it is emphasized that humans are entrusted to protect and preserve nature, avoiding actions that cause harm. This principle is articulated in Allah's command in *Surah Al-Qasas (28:77)*.

وَابْتَغِ فِيمَا آتَاكَ اللَّهُ الدَّارَ الْآخِرَةَ وَلَا تَنْسَ نَصِيبَكَ مِنَ الدُّنْيَا وَأَحْسِنْ كَمَا أَحْسَنَ اللَّهُ إِلَيْكَ وَلَا تَبْغِ الْفُسَادَ فِي الْأَرْضِ إِنَّ اللَّهَ لَا يُحِبُّ الْمُسْرِئِينَ ۗ ۷۷

Translation:

"And seek, through that which Allah has granted you, the Hereafter; but do not forget your share of the world. And do good as Allah has done good to you. And do not desire corruption in the land. Indeed, Allah does not like corrupters (Kementeriaan Agama RI, 2023)."

This verse emphasizes the prohibition of causing harm and the obligation to consistently safeguard, protect, and preserve the environment to the best of human ability. The concept of "corruption" here encompasses various forms, such as failing to uphold the monotheistic faith (*tauhid*) bestowed upon every individual, rejecting truth, compromising religious values, disrupting environmental sustainability, and other detrimental actions (Shihab, 2012, p. 410).

It is evident that Islam commands actions that prioritize environmental sustainability. In line with this, the Bone-Bone Village government established Regulation No. 2 of 2009, Article 5, which mandates that every resident intending to marry must plant five (5) Suren trees before registering with the village marriage registrar. Although this regulation adds a requirement that might delay the marriage process, the benefits it brings significantly outweigh the inconvenience.

In an interview, Mr. Sukiman, a religious leader, stated:

"With regard to tree planting, Islam does not explicitly mandate planting trees before marriage. However, Allah

commands us to always do good, as mentioned in the Prophet's hadith, which states: 'Indeed, Allah has made doing good obligatory upon everything.' One way of doing good towards nature is by planting trees to preserve the environment. This regulation is made mandatory for those who wish to marry because it offers many benefits, especially after they are married."

This demonstrates the initiative of the Bone-Bone Village government in issuing a regulation aimed at ensuring human sustainability and environmental preservation, which will bring numerous positive impacts to the Bone-Bone community.

Although prospective couples and others subject to this regulation may not immediately enjoy the benefits of the trees they plant due to the time required for the trees to grow, the long-term advantages are significant. The benefits of tree planting include:

1) Health Sector

The tree-planting regulation offers considerable benefits for the community, particularly in the health sector. As stated by Mrs. Rahmatia, a nurse at the Bone-Bone Village Health Post (PUSTU):

"The regulation has provided benefits, even though they may not be immediately apparent. This effort will be valuable for future generations, ensuring they grow up in an environment with clean air and free from disease (Rahmatia, 2022)."

Tree planting contributes to increasing the tree population, which produces oxygen and absorbs carbon dioxide, thereby reducing the risk of diseases caused by air pollution, particularly respiratory illnesses. Health is one of the blessings bestowed by Allah SWT and is closely linked to the environment, air pollution, and illegal deforestation.

Planting trees is an effort to preserve health. Muhammad Abdul Wahhab stated that those who wish to prosper the earth must utilize their physical, spiritual, and intellectual capacities with discipline and balance. One way to maintain a healthy mind is by protecting and preserving the environment, as a lush and clean environment helps sustain both the soul and intellect.

2) Economic Benefits

One of the advantages of Regulation No. 2 of 2009, Article 5, is that planting trees not only improves physical and mental health but also enhances economic opportunities. As explained by Mr. Muin, a resident of Bone-Bone Village:

“The benefits of planting Suren trees may not be immediately apparent, but in the future, they are extremely valuable. The timber is highly useful and can be sold for around five million rupiahs or more per tree. It can also be used as construction material for building houses and can benefit future generations, allowing them to grow in an environment with clean air (Akmal Idris, 2022).”

Tree planting increases the population of trees, producing oxygen and absorbing carbon dioxide. This process helps reduce the risk of health issues caused by air pollution, particularly respiratory diseases. Health is one of the blessings bestowed by Allah SWT and is intricately linked to the environment, air pollution, and deforestation.

Planting trees serves as an effort to maintain health. Muhammad Abdul Wahhab stated that to prosper the earth, one must utilize physical, spiritual, and intellectual capacities with discipline and balance. One way to promote mental well-being is to protect and preserve the environment, as a lush and clean environment nurtures both the soul and the intellect.

3) Economic Benefits

One of the benefits of Regulation No. 2 of 2009, Article 5, is that planting trees not only fosters physical and mental health but also enhances economic opportunities. As explained by Mr. Muin, a resident of Bone-Bone Village:

“The benefits of planting Suren trees may not be immediate, but in the future, they are incredibly valuable. The timber is highly useful and can be sold for around five million rupiahs or more per tree. It can also be used as construction material for building houses. These benefits will extend to our children and grandchildren, allowing them to grow up in an environment with clean air (Muin, 2022).”

The planting of Suren trees has high economic value, even though the benefits may not be immediately felt. It is hoped that tree planting will increase community income through the sale of its timber, thereby contributing to increased earnings. The benefits of planting Suren trees include their use as construction materials, such as for building houses. As stated by Mr. Akmal Idris, the leader of the Roudatu Thalibin Islamic Boarding School in Bone-Bone Village:

“The benefits of planting Suren trees cannot be felt immediately, but one benefit already experienced by the community is using the wood as construction material for building houses. For example, the house currently occupied by the teachers at the boarding school is built with wood donated by Bone-Bone villagers who had planted the trees before marriage and have since migrated outside Sulawesi (Akmal Idris, 2022).”

This shows that one of the benefits of planting trees is their use as materials for building houses, a benefit already experienced by the Bone-Bone community.

It is evident that Regulation No. 2 of 2009, Article 5, brings benefits (*maslahah*) to the community. *Maslahah*, in its development, means goodness and utility that contain positive values for all aspects of human life. This regulation specifically targets prospective couples and aims to achieve general welfare.

Maslahah mursalah refers to benefits that have no explicit textual basis but also face no opposition. If an incident occurs where there are no specific provisions or clear reasoning (*'illat*) in *shari'ah* law but a solution aligned with *shari'ah* principles is found—either to avoid harm or to provide benefit—it is called *maslahah mursalah*.

From the explanation above, it can be concluded that Regulation No. 2 of 2009, Article 5, falls under *maslahah mursalah*, which is part of Islamic law. This regulation provides great benefits to the community and avoids harm. *Maslahah mursalah* applies to issues not directly addressed in the Qur'an or Sunnah and not derived through *ijma'* (consensus) or *qiyas* (analogical reasoning). The regulation meets community needs even though its explicit legal basis is not textually found in the Qur'an, as shown by the interviews presented above. It clearly provides greater benefit than harm.

CONCLUSION

The implementation of Regulation No. 2 of 2009, Article 5 in Bone-Bone Village involves two main aspects. The first is the introduction of Regulation No. 2 of 2009, Article 5, which is carried out through socialization efforts. The second involves the stages of implementing the regulation, including registration, tree planting, and reporting. The tree-planting regulation under Regulation No. 2 of 2009, Article 5, is categorized as *maslahah mursalah*, a principle of Islamic law aimed at ensuring public welfare and prosperity. From the perspective of *maslahah*, this regulation aligns with *maslahah mursalah*, which refers to actions that

bring benefits and prevent harm or damage

BIBLIOGRAPHY

- Abidin, M. Z. (2007). Konsep al Maslahat at Thufi dan Signifikansinya bagi Dinamisasi Hukum Islam. *Syariah: Jurnal Ilmu Hukum*, 7(1), Article 1.
- Achmad Asfi Burhanudin. (2017). Perkawinan dan Keharusan Pencatatanya. *El-Faqih : Jurnal Pemikiran Dan Hukum Islam*, 3(2), 1–14. <https://doi.org/10.29062/faqi.h.v4i1.6>
- Adryanto, B. (2022). *Analisis Maqashid Al-Shariah terhadap Peraturan Bupati Magetan Nomor 11 Tahun 2020 tentang Gerakan Wajib Menanam Pohon Sebagai Syarat Pernikahan*. Pascasarjana Institut Agama Islam Negeri Ponorogo.
- Akmal Idris. (2022, February 14). *Wawancara* [Audio recording].
- al-Zuhaili, W. (n.d.). *Al-Tafsir al-Munir fi al-Aqidat wa al-Syari'at wa al-Manhaj* (Vols. 21 & 2). Dar al-Fikr.
- Arsy, M. N. (2022). *Argumen Masyarakat Terhadap Pernikahan Anak Di Bawah Umur Ditinjau Dari Segi Maslahah (Studi Kasus Di Desa Air Paoh Kecamatan Baturaja Timur Kabupaten Ogan Komering Ulu)*.
- Idris. (2022, February 14). *Wawancara* [Audio recording].
- Jidi, L. (2022). Konsep Maslahat Terhadap Penetapan Hukum Islam. *Syattar*, 2(02), 89–97.
- Kementerian Agama RI, K. A. (2023). *Al-Qur'an dan Terjemahnya*. *Kemenag RI*. <https://quran.kemenag.go.id/quran>
- Mardani. (2011). *Hukum perkawinan Islam di dunia Islam modern*. Graha Ilmu. <https://scholar.google.com/scholar?cluster=11721430949753341549&hl=en&oi=scholar>
- Marganing, S. A. (2020). *Pemberian Dispensasi Kawin Ditinjau dari Maslahah Mursalah*. Institut Agama Islam Negeri (IAIN) Surakarta.
- Muin. (2022, February 14). *Wawancara* [Audio recording].
- Naslan. (2022, February 14). *Wawancara* [Audio recording].
- Nurdin, M. (2021). *Nikah Massal dalam Perspektif Hukum Islam (Studi di Desa Serdang Kabupaten Bangka Selatan Provinsi Kepulauan Bangka Belitung)*. 2(02), 6.
- Pemerintah Desa Bone-Bone. (2009). *Peraturan Pemerintah Desa Bone-Bone*.
- Purwanto, Y. (2015). *Kawin Beda Agama dan Perlindungan Ham: Studi Kritis atas Undang-Undang Pernikahan Nomor 1 Tahun 1974 dan Undang-Undang Dasar 1945*. *Asy-Syari'ah*. <http://journal.uinsgd.ac.id/index.php/asy-syariah/article/view/641>
- Qutb, S. (2000). *Tafsir fi zhalalil Qur'an: Dibawah naungan Al-Quran* (6th ed.). Gema Insani Press.
- Rahmatia. (2022, February 14). *Wawancara* [Audio recording].
- Saiful. (2014). *Eksistensi Peraturan Desa Pasca Berlakunya Undang-undang Nomor 12*

- Tahun 2011. *Legal Opinion*, 2(6).
- Shihab, M. Q. (2012). *Tafsir al-Mishbāh: Pesan, kesan, dan keserasian al-Qur'an*. Lentera Hati.
- Sukotjo, S., & Suhardi, E. (2018). Hubungan Antara Pemahaman Konsep Ekologi dan Etika Lingkungan dengan Partisipasi Siswa dalam Melestarikan Lingkungan. *Jurnal Pendidikan Lingkungan Hidup*, 6(1), 12–15.
- Universitas Medan Area. (2022). Pengertian, Definisi dan Ruang Lingkup Ekologi. In *Situs Resmi Universitas Medan Area*. <https://bakai.uma.ac.id/2022/03/11/pengertian-definisi-dan-ruang-lingkup-ekologi/>
- Wibisana, W. (2016). Pernikahan dalam Islam. *Pendidikan Agama Islam-Ta'lim*, 14(2), 86–114.