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Kyai NU's Patrons as an Agent of Social Change and Environmental Marine Conservation: a Case Study in Paciran Lamongan

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Abstract

This article aims to examine the patrons of NU's Kyai as an agent of social change, as well as environmental conservation in the coastal communities of Lamongan through a green fatwa on the prohibition of destructive fishing. The research method used in this study is qualitative descriptive research with techniques for collecting in-depth interview data, participant observation, and FGD, as well as documentation. The results of this article research study show that NU's Kyai plays a significant role in carrying out social changes in

the Lamongan coastal community. The role of social change in NU and environmental conservation is expressed through green fatwas on the preservation of marine ecosystems by banning destructive fishing gear. NU's Kyai who are considered authoritative patrons of the Lamongan coastal community base their social construction on priority jurisprudence considerations, namely by prioritizing general and long-term benefits, rather than special benefits and benefits that are short-term. According to the NU's Kyai, preserving marine ecosystems by prohibiting destructive fishing gear is a general and long-term benefit that must be prioritized, rather than the welfare of a handful of fishing vessels with destructive tools.

Keywords: *Agent of Social Change, Destructive Fishing, Marine Ecosystem Preservation, NU's Kyai.*

Abstrak

PATRON KYAI NU SEBAGAI AGEN PERUBAHAN SOSIAL DAN KONSERVASI LINGKUNGAN LAUT: STUDI KASUS DI PACIRAN LAMONGAN. Artikel ini bertujuan untuk menelisik patronisme kyai NU sebagai agen perubahan sosial, sekaligus pelestarian lingkungan pada masyarakat pesisir Lamongan melalui fatwa hijau tentang pelarangan destructive fishing. Metode penelitian yang digunakan dalam studi ini adalah penelitian deskriptif kualitatif dengan tehnik pengumpulan data wawancara mendalam, observasi partisipan, dan FGD, serta dokumentasi. Adapun hasil dari studi penelitian atikel ini menunjukkan bahwa kyai NU berperan cukup signifikan dalam melakukan perubahan sosial masyarakat pesisir Lamongan. Peran perubahan sosial kyai NU dan pelestarian lingkungan diekspresikan melalui fatwa-fatwa hijau tentang pelestarian ekosistem laut dengan cara pelarangan alat tangkap ikan yang destruktif. Para kyai NU yang dianggap sebagai patron otoritatif masyarakat pesisir Lamongan melandaskan konstruksi sosialnya dengan pertimbangan fikih prioritas, yaitu dengan cara memprioritaskan kemaslahatan yang bersifat umum dan jangka panjang, daripada kemaslahatan dan kemafsadatan khusus yang bersifat jangka pendek. Menurut kyai NU, melestarikan ekosistem laut dengan mengharamkan alat tangkap ikan yang destruktif adalah kemaslahatan umum dan jangka panjang yang harus diprioritaskan, daripada kesejahteraan para segelintir juragan kapal ikan dengan alat yang destruktif.

Kata Kunci: *Kyai NU, Agen Perubahan Sosial, Pelestarian Ekosistem Laut, Penangkapan Ikan yang Merusak.*

A. Introduction

Kyai patrons in the construction of Indonesian society are positioned as authoritative agents to carry out transformative social change. Clifford Geertz noted that kyai is a cultural broker who is considered to have a fairly strong influence on grassroots community life.¹ Kyai fatwas are considered more potent than the rules made by the government. The voice of kyai is judged to be a representation of the voice of God. Therefore, Hiroko Horikoshi in his study once said that the social changes of society in the new order era cannot be separated from the role of kyai.²

The coastal community of Lamongan is known as a religious society and upholds kyai patrons. This is evidenced by the large number of pesantren and tombs of saints and clerics. The level of religiosity of the coastal people of Lamongan is characterized by their obedience and *ta'zhim* to the kyai. In addition to being positioned as educators, clerics, and community leaders. Kyai is also considered an influential elder in promoting awareness of social change through the instructive and top-down awareness of santri.³

The issue of preserving marine ecosystems and the welfare of fishermen is one of the copies faced by the Lamongan coastal community who need the role of kyai. One of the environmental damage issues that needs attention from the local community is the issue of destructive fishing through various fishing gear that is not environmentally friendly. The large number of fishermen who use destructive fishing gear such as cantran, payang, tiger trawls, and trawls makes NU kyai present to respond to these ecological problems.

¹Clifford Geertz, *Islam Observed: Religious Development in Morocco and Indonesia*, 15th pr (Chicago: Univ. of Chicago Press, 1999): 19.

²Hiroko Horikoshi, *Kyai Dan Perubahan Sosial* (Jakarta: Penghimpunan Pengembangan Pesantren dan Masyarakat, 1987): 82.

³Clifford Geertz, "The Javanese Kijaji: The Changing Role of a Cultural Broker," *Comparative Studies in Society and History* 2, no. 2 (January 1960): 228-49, <https://doi.org/10.1017/S0010417500000670>.

The damage to marine ecosystem caused by destructive fishing gear is deeply felt by Lamongan coastal fishermen. The number of damaged coral reefs and the extinction of several fish species, have become a reality of existing in the midst of life faced by the Lamongan coastal community. But on the other hand, fishermen's dependence on destructive fishing gear must also be thought of. The welfare of the Lamongan coastal fishing community, so far, has already leaned its economic growth on these destructive tools,⁴ so that the presence of NU kyai is considered important enough to provide theological legitimacy for various government regulations regarding the prohibition of destructive fishing which have been ignored by the local community, without destroying the welfare of the Lamongan coastal community on which the economy is based.

However, a small percentage of NU kyai actually take the opposite attitude from the social change offered by the majority of NU kyai. If the social change of the NU kyai is expressed by formulating an illegitimate fatwa on destructive fishing gear, then the NU kyai is partly suing the fatwa, because it is considered unresponsive to the needs and sustainability of the economic welfare of the fishermen.

At this momentum, the study in this article seeks to examine the social construction of NU kyai on fatwas banning destructive fishing gear, and the future welfare of the Lamongan coastal community. This research is important considering that NU's kyai figure is very influential for social change, especially in East Java. So far, the public knows that NU kyai puts forward *bahts al-masail* as a forum for consensus to solve problems that ultimately boil down to the form of fatwas. But the presence of a minority opposed to the destructive fishing gear is a significant event to study. Herein lies the urgency of this study being conducted.

⁴Abid Muhtarom, "Analisis Kontribusi Hasil Perikanan Laut terhadap Kesejahteraan Para Nelayan dan Masyarakat di Kabupaten Lamongan," *JURNAL AKUNTANSI* 2, no. 1 (February 1, 2017): 15, <https://doi.org/10.30736/jpensi.v2i1.91>.

In addition to having urgency, this study has significance or novelty. It can be seen from the absence of previous studies that examine the opposition of fatwas about the prohibition of destructive fishing and its relationship with the future of the social economy. Several previous research studies have uncovered the phenomenon. In addition to having urgency, this study has significance or novelty. It can be seen from the absence of previous studies that examine the opposition of fatwas about the prohibition of destructive fishing and its relationship with the future of the social economy. Several previous research studies have uncovered the phenomenon. First, the enforcement of destructive fishing has not been clearly regulated in the legal system in Indonesia, the fatwa of kiai ormas is only preventive, resulting in controversy and the community considers that it is not fully illegal to enter the territory.⁵ Second, social actions that are still desctuctive fishing are caused by conditions where the economy is difficult to meet, while on the other hand these actions do not harm.⁶ Third, the figure of kiai has a strong influence on social change, but in the economic aspect of society, the figure of kiai often encounters aral. So it is not uncommon, in the socio-economic aspect there is controversy.⁷ Fourth, also conveyed by Wiwik Setiyani, the role of kyai encounters weaknesses in changing economic traditions and habits. Because the village kyai is considered waritsat al-ambiya' to always be relevant to the needs of the community.⁸ From previous research studies, it

⁵Ayu Izza Elvany, "Kebijakan Formulatif Penanggulangan Tindak Pidana Destructive Fishing di Indonesia," *Justita Jurnal Hukum* 3, no. 1 (2019): 212–32, <http://dx.doi.org/10.30651/justitia.v3i2.3417>.

⁶Moh Saleh, Syamsul Haling, and Moh Yusuf Hasmin, "Application of Sanctions for the Crime of Destructive Fishing in Tomini Bay Sea Waters, Parigi Moutong Regency," *International Journal of Health* 4, no. 3 (2022): 2019, <https://doi.org/10.56338/ijhess.v4i3.2637>.

⁷Deni Permana et al., "Kiai's Leadership In Empowerment Of People (Case Study At Al-Hidayah Islamic Boarding School Cikalong Tasikmalaya)," *IJGIE (International Journal of Graduate of Islamic Education)* 3, no. 2 (July 31, 2022): 274–93, <https://doi.org/10.37567/ijgie.v3i2.1298>.

⁸Wiwik Setiyani, "The Exerted Authority of Kiai Kampung in the Social Construction of Local Islam," *JOURNAL OF INDONESIAN ISLAM* 14, no. 1 (June 1, 2020): 51, <https://doi.org/10.15642/JIIS.2020.14.1.51-76>.

is clear that there has been no research that discusses destructive fishing and its relation to socioeconomic progressiveness.

This research was carried out in the coastal areas of Lamongan Regency, precisely in the territory close to the main source area of fishermen's activities in their activities, and carried out transactions in the coastal area. The focal point of this study is the role of social change in NU kyai in Lamongan in efforts to conserve marine ecosystems in coastal areas. Especially on the meaning of religiosity in defending marine life. This research not only captures the environment of social change, but community leaders and religious elites are also used as sources of informants in research, because of their knowledge and understanding, and their role in constructing change.⁹

The type of research used in this study is qualitative with inductive reflection in interpreting the stages and encouragement of changes in NU kyai to community efforts in caring for the Lamongan marine ecosystem.¹⁰ The stages in this study include in-depth interviews with research subjects to find specific data, analyze field data to draw conclusions in general, and find the depth of value behind the data or reflection of social phenomena obtained. Not only that, the analysis is carried out, because researchers are believed to have a significant role in interpreting the field data that has been obtained, without denying the process, and the development of data in the field.

⁹Miles Mattheo and Michel Huberman, *Qualitative Data Analysis: A Methods Sourcebook* (London: SAGE, 2020): 17.

¹⁰John W. Creswell, *Research Design Pendekatan Kualitatif, Kuantitatif, Dan Mixed* (Yogyakarta: Pustaka Pelajar, 2016): 44.

B. Discussion

1. Testing Kyai's Role as a Cultural Broker and Social Change Agent in Lamongan Coastal Communities

Kyai as a cultural broker and social change agent in Geertz's view,¹¹ as written in his book *The Javanese Kijai: the Changing Role of a Cultural Broker*, revealed that kyai acts as a link between pesantren and structural power in Java. Still, according to Geertz, kyai is also considered a moderation variable between the student world, and society with an external culture, as well as a link between traditionalism and modernism. Many academics believe that the theory and definition of kyai through Geertz's research was indeed considered relevant in the 1950s. However, from another perspective, the existence of the transformation of the meaning of kyai as a cultural broker has now begun to shift, because it is considered that kyai has now transformed into a political broker which is not only cultural.

In the socio-anthropological context of the Lamongan coastal community, the position of kyai is not only acting as a cultural realtor as Geertz describes, but its existence has begun to shift, and acts as an agent of social change using political, religious, economic and environmental tools. Kyai has always been stigmatized as an obstacle to social change as Karl Marx feared would experience structural desacrality, if his advice or green fatwa clashed with fishermen's welfare issues. The problem is due to the currents of modernism and the needs, as well as the dependence of society on the economic axis.

According to Marx, religious people in Europe who have a position on an equal footing with the kyai in Java are often used as legitimizing tools by the oligarchs of capitalism. Religious people are only used as mouthpieces of power to secure their

¹¹ Geertz, "The Javanese Kijaji."

various desires and libidos of power. The reason is that the way religion works is considered to have the potential to perpetuate cheesemudan, and is categorized with classical problems that have no critical value to change.¹²

In fact, at the same time,¹³ provides the opposite perspective. According to him, it is precisely through religion that social change can be realized properly. The same thing was also expressed by Gustavo,¹⁴ that the religious and the kyai should be able to be agents of the liberation of proletarian society from the oppression of political oligarchs, and capitalism from the potential oppression of the bourgeoisie.

Farid Esack,¹⁵ also provides theoretical justification, that religious people like kyai have the potential for a dual role. On the one hand, its existence can be an obstacle to social change by various oppressions in the name of prostituted religious texts. But on the other hand, its existence, can actually be a generator of social change with various liberation theologies through its liberative interpretations.

In the context of the Lamongan coastal community, kyai patronism is still needed as an agent of social change. For example, within a certain time, some coastal communities in Lamongan, still rely entirely on the advice and solutions of kyai, when facing its main problems in religious matters.

At this point, further confirming kyai's position as a cultural reator still plays a significant role in the construction of the Lamongan coastal community. The kyai figure in the reality of the Lamongan coastal community is not only seen as a leader in religious

¹²Karl Marx and Friedrich Engels, *On Religion*, Dover ed, Dover Books on History, Political and Social Science (Mineola, N.Y: Dover Publications, 2008): 144.

¹³Max Weber, *The Sociology of Religion* (Boston: Beacon Press, 1993).

¹⁴Gustavo Gutiérrez, *A Theology of Liberation: History, Politics, and Salvation* (Maryknoll, N.Y: Orbis Books, 1988).

¹⁵Essack Farid, *Tafsir Pembebasan* (Yogyakarta: LKis, 2009): 72.

rituals, but also as an agent of social and ecological change.¹⁶ In the coastal communities of Lamongan, kyai is still very thick about the role of kyai as a provider of solutions to various problems, so it is not surprising that kyai is seen as a teacher figure, because of its high religious capacity.¹⁷ Kyai as a patron of social change on the Lamongan coast not only plays a role in the cultural order, but also plays a role in the area of ecological issues. Therefore, Horikoshi defines that kyai is a social parameter, so that if there is a social, cultural, or ecological problem, it is the kyai who advances first to offer solutions.¹⁸

According to studies conducted by Mufid, the prevention of damage to marine ecosystems is quite effective when mobilized by kyai as a bridge, and an agent of social change through the formulations of green fatwas. Furthermore, Mufid said that social change by kyai patrons is a very intense form of offer of change, because the position of kyai in the structure of religious society occupies a strategic position to exert influence.¹⁹ If it is reduced based on the explanation above, of course there is no change with the context of the Lamongan coastal community which both come from religious communities.²⁰

The dominance of the role of kyai in the coastal communities of Lamongan, especially in religious processes and social changes in an effort to maintain marine ecosystems, is an inseparable element.

¹⁶Robby Darwis Nasution, "Kyai Sebagai Agen Perubahan Sosial Dan Perdamaian Dalam Masyarakat Tradisional," *Sosiohumaniora* 19, no. 2 (July 6, 2017), <https://doi.org/10.24198/sosiohumaniora.v19i2.10346>.

¹⁷Rihlah Nur; Mardhiah Aulia Izzatul; Narulita, Sari, "Konsep Gerakan Ekoteologi Islam Studi Atas Ormas NU Dan Muhammadiyah," *Jurnal Studi Al-Qur'an*, no. Vol 10 No 1 (2014): *Jurnal Studi Al-Qur'an* (2014): 83–99.

¹⁸Hiroko Horikhosi, *Kyai Dan Perubahan Sosial* (Jakarta: Perhimpunan Pengembangan Pesantren dan Masyarakat, 1987): 137.

¹⁹Moh. Mufid, "Fiqh Konservasi Laut: Relevansi Fiqh al-Bi'ah Di Wilayah Pesisir Lamongan," *Al-Manahij: Jurnal Kajian Hukum Islam* 12, no. 1 (2018), <https://doi.org/10.24090/mnh.v12i1.1356>.

²⁰Zainal Fadri, "Perubahan Sosial Masyarakat Muslim Pedesaan Pasca Kedatangan Kyai," *KOMUNITAS* 11, no. 2 (December 7, 2020): 133–42, <https://doi.org/10.20414/komunitas.v11i2.2688>.

Contextually in the Lamongan community, NU kyai has a function to save, and maintain social systems, as well as marine ecosystems. In addition, kyai in the view of the coastal community of Lamongan is also strongly believed to be able to maintain sustainability, and balance of marine ecosystems and community welfare. Therefore, in Weber's analysis,²¹ the leadership of religious figures such as Kyai is considered an important, and charismatic figure. According to him, kyai charisma as an example for traditional societies in paternalistic relations, has the potential in social change.

Meanwhile, according to Durkheim, the solidarity and awareness that is built in traditional communities such as in the coastal communities of Lamongan is mechanical solidarity. In traditional societies the role of religious people such as kyai has a sacred domain as a representation of God on earth. Thus, religious people like kyai have divine patronism that is condemned by society. Fatwas and their admonitions are represented as norms that must be used as a tool of social control, as well as social engineering. The solidarity of traditional mechanical societies places the position of fatwa kyai top-down which must be followed, and adhered to, including fatwas of social change, and environmental preservation that are expected to encourage the birth of sustainable social welfare.²²

2. NU's Green Fatwa Imperative on Banning Destructive Fishing in Lamongan Coastal Communities

Although Indonesia has been named the largest maritime country, it is also rich in marine resources and potential.²³ However,

²¹Weber, *The Sociology of Religion*.

²²Emile Durkheim and Karen E. Fields, *The Elementary Forms of Religious Life* (New York: Free Press, 1995): 9.

²³Rohman Saleh Arto, Lukman Yudho Prakoso, and Dohar Sianturi, "Strategi Pertahanan Laut Indonesia Dalam Perspektif Maritim Menghadapi Globalisasi," *Jurnal Strategi Pertahanan Laut* 6, no. 3 (n.d.): 15, <https://doi.org/10.33172/spl.v6i3.638>.

this ecosystem of marine wealth is still largely under threat. One of the marine environments in a state of danger is the marine ecosystem on the coast of Lamongan. One of the destructive dangers of the Lamongan coastal marine ecosystem is also caused by destructive fishing activities carried out by fishermen using fishing equipment such as tiger trawls, *payang*, trawls, *cantrang*, dynamite, and other dangerous chemical materials.²⁴ This behavior of destructive fishing is certainly unjustified because it can damage marine biodiversity.²⁵ However, on the other hand, the pattern of fish farming in a destructive way has a vital elan as a backing for the economic growth of the Lamongan coastal community, because so far the fish catches circulating at the Fish Auction Place (TPI) depend on the results of fishermen who use these tools.²⁶ In this context, the fatwa ulama which is one of the sources of national law is expected to be able to become a tool of social construction in the preservation of marine ecology.

The dilemma of the use of destructive fishing gear cannot be separated from political-economic interests. In the days of Minister of Maritime Affairs and Fisheries Susi Pudjiastuti, destructive methods of fish harvesting were prohibited through Regulation of the Minister of Maritime Affairs and Fisheries Number 2 of 2015. Unfortunately, in the era of Minister Edhy Prabowo, the regulation was revoked because it was felt that the economic growth of coastal communities could stop, if trawls, tiger trawls, and *cantrang* were banned. Minister Edhy's regulation above was then reannulled by the new Minister of MPA, namely Sakti Wahyu Trenggono,

²⁴Ahmad Royani Royani, "Sanksi Hukum Pidana Terhadap Penggunaan Bahan Peledak Dalam Penangkapan Ikan," *Jurnal Independent* 6, no. 1 (March 1, 2018): 100, <https://doi.org/10.30736/ji.v6i1.79>.

²⁵Muhammad Khusna Bayu Hardianto, "Evolusi Doktrin Pertahanan Indonesia sebagai Negara Maritim," *Jurnal Noken: Ilmu-Ilmu Sosial* 7, no. 1 (December 25, 2021): 1, <https://doi.org/10.33506/jn.v7i1.1291>.

²⁶Mohammad Yaskun and Edie Sugiarto, "Analisis Potensi Hasil Perikanan Laut Terhadap Kesejahteraan Para Nelayan Dan Masyarakat Di Kabupaten Lamongan," *JURNAL EKBS* 17, no. 1 (March 1, 2017): 9, <https://doi.org/10.30736/ekbis.v17i1.70>.

who restored Susi Pudjiastuti's policy to prohibit fishing using destructive fishing gear through Regulation of the Minister of Maritime Affairs and Fisheries Number 18 of 2021 on the Placement of Fishing Equipment and Fishing Aids in WPP-NRI and the High Seas and the Arrangement of Fishing Andon.

Therefore, the Bahtsul Masai'l MWC NU Paciran Institute formulated a fatwa on banning the destruction of marine ecosystems in the coastal area of Lamongan. The formulation consists of two main parts. First, it is not allowed to use fishing tools (APIs) that interfere with and damage the sustainability of fish resources. Except, in accordance with the provisions set by the government. Secondly, the status of caught fish that damage the environment is not justified and is considered non-halal, due to the presence of destructive fishing elements.

In addition, the Bahtsul Masai'l MWC NU Paciran Lamongan Institution also appealed to the government structure to socialize massively about the regulation of the Minister of Maritime Affairs and Fisheries Number 18 of 2021, concerning the Placement of Fishing Equipment and Fishing Aids in WPP-NRI and the High Seas as well as the Arrangement of Andon Fishing in fishermen by cooperating with elements of religious figures and leaders. Other recommendations were also made so that the government would educate the public on the importance of maintaining marine ecosystems for the sustainability of fish resources. Finally, the government is recommended to provide and provide assistance to fishermen in the form of Fishing Equipment (API) devices that comply with the standards set forth in the Minister of Environment and Forestry Regulation Number 18 of 2021.

The verdict of the green fatwa of *Bahtsul Masa'il* Paciran was passed on August 8, 2021, with a trial presided over by Diya'uddin Muhammad I.M and Taufiq Hidayat. The fatwa was also legitimized by some *Mushahih* (ratifiers), such as KH. Abdul Majid Yasin, KH. Abdul Ghoni Mannan, and KH. A. Masruri Nur Salim. In addition,

the one who acts as the drafter is KH. Misbahus Shudur, and KH. Moh. Bahrudin, as well as supported by several members, such as Miftahul Huda, Khoirul Huda, Mukhlisin, Muh. Syifa'un Nuha, and Haris Aghil Lil Anwar.

From there, the role of NU's kyai has so far shifted to the Lamongan coastal community. Since the issuance of the green fatwa, researchers have found that NU's kyai work in social change is not only viewed by the community from its perspective in transforming religious esoteric understanding in the coastal communities of Lamongan.²⁷ However, his role as a patron to save marine ecosystems, is also now starting to be taken into account, despite opposition. This can be seen from his courage in issuing fatwas about the expectation of the use of destructive fishing gear. Although some scholars, community leaders, and even fishermen do not agree with the green fatwa as formulated by *Bahtsul Masa'il* MWC NU Paciran Lamongan, the courage to issue a fatwa does not change the establishment of NU kyai to be pro-marine ecosystem sustainability, as a top priority.

3. Kyai NU's Patronism and Its Social Construction of the Green Fatwa of the Lamongan Coastal Community

Based on the investigations conducted by researchers, it shows that the use of destructive fishing gear is one of the causes of damage to marine ecosystems which has an impact on declining fish populations. The use of destructive fishing gear is quite widespread by fishermen on the Lamongan coast. For example, according to data reported by the Lamongan Regency Government in Kranji Village, there are boats with fishing gear that are carried out such as trawls

²⁷Ade Millatus Sa'adiyyah and Ibnu Wijaya Kusuma, "Peran Kyai Sebagai Pemimpin Informal Dalam Perubahan Sosial Masyarakat Desa Pematang Kecamatan Kragilan Kabupaten Serang," *Pro Patria: Jurnal Pendidikan, Kewarganegaraan, Hukum, Sosial, Dan Politik* 3, no. 2 (August 31, 2020): 163–69, <https://doi.org/10.47080/propatria.v3i2.988>.

with 21 units, cantrang 30 units, and kursein as many as 72 units. In Weru village alone, there are 441 units. Meanwhile, in Blimbing Village, the number of payang dominates more, namely 455 units. Of all the villages mentioned, only Kranji has a trawl fishing tool, but from the cantrang fishing tool, Loghung Village dominates the number of 155 units.²⁸

Based on studies conducted by IPB and UNDIP, as quoted by the Ministry of Environment and Forestry, that fishing gear such as trawls, payang are very threatening to the preservation of marine ecosystems, from 100 percent of the catch, there are 51% of fish catches that are on target. Meanwhile, 49% of the fish catch is non-targeted. Thus, it is at this point that the state prohibits fishing gear such as trawls, payang, and cantran to be operated by fishermen.²⁹ At this momentum, the role of NU kyai as a cultural realtor and social change agent is expected to be able to respond to various problems of marine ecological damage that continue to escalate from day to day.

Based on an interview the author conducted with KH Abdul Ghoni, one of NU's *Ro'is Suryah* in Paciran, said that the preservation of marine ecosystems is an urgent need amid various marine ecological damages that continue to increase. The large number of coral reefs damaged as a result of the use of destructive fishing gear such as tiger trawls, trawls, cantrang, and payang requires kyai to respond through the formulation of green fatwas. NU kyai on the coast of Paciran Lamongan see that the destruction of marine ecosystems occurs due to the point of view of fishermen in Lamongan who see the relationship between humans and nature as a relation of subject and object. Since nature is considered an object, humans often overexploit it. In fact, it is not uncommon for man's existence

²⁸KKP, *Profil Perikanan*. Dinas Perikanan Kabupaten Lamongan, 2020: 12.

²⁹Menlhk, "Kenali Cantrang, Alat Tangkap Ikan Yang Dilarang," Berita Pemerintah, Kementerian Lingkungan Hidup Dan Kehutanan (blog), Mei 2017, <http://ppid.menlhk.go.id/berita/berita-pemerintah/2657/kenali-cantrang-alat-tangkap-ikan-yang-dilarang>.

as a caliph on earth to be regarded as a theological justification, that exploiting nature is God's command.³⁰

It is at this point, Seyyed Hossein Nasr in his work tries to challenge the supremacist narrative of interpretation of the anthropocentric caliph on earth. Still according to Nasr, modern humans have a strong tendency to make nature with its various resources as prostitution.³¹ Meanwhile, according to Bagir Sadr, limited natural resources must be able to be managed and utilized properly for the common welfare, not even exploited by the oligarchs of capitalism whose passion is endless.³²

At the same time, Fritjof Capra also affirmed various ecological damages. According to him, "ecology and spirituality are fundamentally connected because deep ecological awareness, ultimately, is spiritual awareness." This statement indirectly concludes that deep ecological awareness initiated by kyai towards the preservation of marine ecosystems in Lamongan, can build connectivity between ecology and spirituality in the coastal communities of Lamongan. This connectivity between the two is what is called spiritual awareness.³³ In other words, the deeper the role of kyai to provide awareness of the existence of nature essentially to the coastal community of Lamongan, the closer the coastal community of Lamongan is to spiritual values. Therefore, patron kyai as the initiator of social change as well as a religious inspiration is crucial to take preventive actions against the destruction of the Lamongan marine ecosystem.

³⁰Fadhilah Othman et al., "Penakrifan Semula Falsafah Sumber Asli untuk Pembinaan Peradaban Islam: Satu Sorotan Awal," *International Journal of Interdisciplinary and Strategic Studies* 2, no. 2 (October 26, 2021): 157-67, <https://doi.org/10.47548/ijistra.2021.36>.

³¹Sahal Mahfudh, *Nuansa Fiqih Sosial* (Yogyakarta: LKIS, 2004); Siti Rohmah, Erna Herawati, and Moh Anas Kholish, *Hukum Islam Dan Etika Pelestarian Ekologi: Upaya Mengurai Persoalan Lingkungan Di Indonesia* (Malang: UB Press, 2022): 91.

³²Moh Anas Kholish, Gugus Irianto, and Andi Muhammad Galib, *Fikih Ekonomi Kontemporer: Konfigurasi Pemikiran Ekonomi Islam Di Era Global* (Malang: Empat Dua Media Intrans Publishing, 2021).

³³Fritjof Capra, "Deep Ecology: Educational Possibilities for the Twenty-First Century," *The NAMTA Journal* 38, no. 1 (2013): 16.

In the Indonesian context, the same anxiety has also been expressed by KH Sahal Mahfudh. According to Sahal Mahfudh, humans often think of nature only as a valueless object. He therefore considers that the position of nature and man, should be placed in the same position, namely as collaborative subjects in an ecosystem order that is symbiotic mutualism.³⁴

Muhammad Mufid in his study stated that influential figures such as kyai are able to become agents of change in saving damage to marine ecosystems on the Lamongan coast. Thus, the role of kyai is not only seen as a salaried teacher with halal fatwas and haram an sich, but there is a more strategic role, namely in formulating ecological fatwas. Still according to Mufid, the figure of kyai as a “green agent” also plays a role in creating integrity, stability and beauty in the biotic community in the coastal community of Lamongan.³⁵

In the observations of researchers, kyai as a figure who occupies the highest peak structurally and culturally in the coastal community of Lamongan, must be recognized as having an important role in the field of ecological conservation. In this case, the NU kyai in Lamongan emphasizes more on ethics in caring for the environment, although it does not deny some other aspects. Furthermore, the ideas and movements of the NU kyai in Lamongan were influenced by its expertise in promoting, advocating, and mobilizing the masses through its theological teachings to preserve the environment. Although kyai is often only identified by most societies as a catalyst agent for individual piety. However, on the other hand, in reality, kyai outside of its pejorative stigma, it turns out that kyai is also able to carry out social change by giving birth to transformative green fatwas.

³⁴Mahfudh, *Nuansa Fiqih Sosial*; Rohmah, Herawati, and Kholish, *Hukum Islam Dan Etika Pelestarian Ekologi: Upaya Mengurai Persoalan Lingkungan Di Indonesia*: 18.

³⁵Mufid, “Fiqh Konservasi Laut: Relevansi Fiqh al-Bi’ah Di Wilayah Pesisir Lamongan.” 55

Nu's kyai construction of a green fatwa in the form of a destructive ban on fishing gear, cannot be separated from considerations of priority jurisprudence. According to Gus Udin, one of the caregivers of the Maslakul Huda Islamic Boarding School, said that if there are two benefits that clash at one point, then what needs to be done is to measure which *maslahat* should be prioritized, and which *maslahat* should be ruled out. The perspective put forward by Gus Udin also received a theoretical justification from Yusuf Al-Qaradhawi. According to him, *Fiqh al-Awlawwiyat* comes as a criticism of the tendency of Muslims to ignore primary issues, and prioritize secondary and even tertiary issues.³⁶ Thus, the objectives of Islamic law contained in the *maqashid* of Shari'ah, are not perfectly achieved.

According to al-Qaradhawi, as quoted by Kholish as saying that the benefit measuring instrument that must be prioritized, of course, must consider scientific procedures, one of which is that long-term benefits should be prioritized, rather than short-term ones. Likewise, general benefits must also be prioritized, rather than special and particular *maslahat*. Similar constructions also apply to measure the omnipresence that is the priority scale.³⁷ General- and long-term experiences should take precedence over special and short-term experiences.³⁸ It is this priority *fiqh* construction that underlies the NU kyai to carry out ecological *ijtihad*, and social change in the coastal communities of Lamongan.

In the construction of NU kyai, the destructive fishing gear does have a benefit side as a support for Lamongan commodities, as well as the largest fish producer in East Java. However, its existence

³⁶Yusuf Al-Qaradhawi, *Fi Fiqh Al-Awlawwiyat – Dirasat Jadidah Fi Dhau' Al-Qur'an Wa al-Sunnah* (Cairo: Maktabah Wahbah, 1995): 1101.

³⁷Moh Anas Kholish and Nor Salam, *Epistemologi Hukum Islam Transformatif; Sebuah Tawaran Metodologis Dalam Pembacaan Kontemporer* (Malang: UIN Maliki Press, 2015): 49.

³⁸Yusuf al-Qardhawi, *Ri'ayat al-Bi'ah Fi Syari'ah al-Islamiyyah* (Kairo: Dar al-Syuruq, 2006): 1019.

is specific to the interests of ship oligarchs, and of course it is short-term, because it is only to meet the needs of momentary economic welfare, not for long-term ecological benefit.³⁹

At this point, the NU kyai in Paciran Lamongan, through its fatwa in 2020, really took a stand to strengthen the rules made by the government in the latest Minister of Fisheries and Marine Affairs Regulation (Permen KP) Number 18 of 2021, concerning the Placement of Fishing Equipment and Fishing Aids in the Fisheries Management Area of the Republic of Indonesia and the High Seas and the Arrangement of Fishing Andon. Kyai NU considers that the prohibition of destructive fishing gear must also heed the zoning rules, as stipulated in Permen KP No. 18 of 2021 Article 3 Paragraph 1 which states that “The IA Fishing Line covers waters up to 2 (two) nautical miles measured from the coastline outwards to the High Seas and/or the direction of archipelagic waters and, The IB Fishing Line covers waters outside the IA Fishing Line up to 4 (four) nautical miles.

The real manifestation of kyai as a catalyst for social change is the formulation of progressive green fatwas about the future of marine ecosystem conservation that are often overlooked. Kyai NU sees that the banning of destructive tools is a part of the general benefit, as well as the long term that must be prioritized. However, the construction of the NU kyai on the catch of destructive fishing gear was not immediately punished as illegitimate, until the Indonesian government was able to provide an alternative solution, to the Lamongan coastal fishermen. If the government has determined that fishing gear is allowed with various modifications, then the government will not only prohibit it. However, the government must be able to provide solutions in the form of procurement of fishing gear that is in accordance with government standards, without reducing the welfare value of the Lamongan coastal community.

³⁹Abdul Ghoni, *Interview* (Lamongan, 2020).

It is in this context that NU kyai wants to make Paciran Village a “pilot village”, where in paciran sea waters none of the people use destructive fishing gear. Thus, the sustainability of the marine ecosystem is better maintained than the villages next to it, such as Blimbing, Kranji, Mantren, and Waru which mostly use destructive fishing gear, such as tiger trawls, trawls, payang, cantran, and hela trawls. In Dayat Maulidan, one of the fishermen in Waru Lor said that the marine ecosystem in Paciran Village is indeed cleaner and bluer with various marine wealth still stored, than in the villages next to it.⁴⁰ According to Kyai Ghoni, the welfare of Paciran fishermen with various traditional boats, and with simple fishing gear, it must be admitted that the welfare of Paciran fishermen is not much, compared to fishermen who use destructive fishing gear. However, the welfare of paciran coastal communities is much more sustainable, because the marine ecosystem is still well maintained.⁴¹ Paciran coastal fishing communities, according to kyai Bahrudin, do not need to fish outside the Paciran zone, because their marine resources are still abundant. This is different from fishermen in Blimbing, Keranji, Mantren, and Waru Lor villages who have to fish outside the Lamongan zoning, which sometimes the practice often provokes conflicts between fishermen.⁴²

In 2002, Paciran Village was named a marine ecosystem conservation area, which is still well maintained. Through its marine ecosystem that is still maintained, crabs become the main community for Paciran coastal fishermen. In 2002, the Paciran Village government organized a “Thousand Crab Party” event, to be enjoyed for free by residents who attended the event. The Paciran Village Government wants to show that by prioritizing the preservation of marine ecosystems, it will have an impact on

⁴⁰ Henry Arianto, “Urgensi Perlindungan Ekosistem Laut Terhadap Bahaya Ilegal Fishing,” *Lex Jurnalica* 14, no. 3 (2017): 184–87, https://digilib.esaunggul.ac.id/public/UEU-Journal-10166-11_0022.pdf.

⁴¹Ghoni, *Interview*.

⁴²Bahrudin, *Interview* (Lamongan; 12 Januai 2022)

the welfare of paciran coastal communities. Nature should not be prostituted to satisfy the libido desires of oligarchs and fleeting trawls, however, the long-term preservation of its seas is threatened.

According to the Arianto Study, the ownership of destructive fishing gear, such as tiger trawls, hela trawls, trawls, payang and cantrang is a fishing gear that is widely owned by the Lamongan coastal community. Although their catches are abundant, and are considered to be able to improve the economy of the Lamongan people. However, its destructive power according to Arianto can threaten the ecological damage of the sea. Still according to Arianto, destructive fishing gear is a net of very large size and a small or tight hole. The net of this model will catch different types of fish of all sizes. Fish that are small, which have not yet spawned and breed will also be caught. As a result in a certain stage there will be a decrease in the number of fish. In addition, the use of hela trawl nets and Tarik trawls will have an impact on the destruction of coral reefs, because they are stuck or carried away by nets.⁴³ If this continues, the coral ecosystem will suffer massive damage, resulting in the extinction of fish that live in the coral area.⁴⁴

In addition to the ecological impact of the use of hela trawls and Tarik trawls which also have serious socioeconomic impacts. The use of this tool with its various types also threatens the existence of traditional fishermen. This is triggered by the use of tug trawls and hela trawls that fishermen do with large boats. The rampant use of this tool is considered to cause fish famine. One of the traditional fishing groups that reject the use of Tarik trawls and hela trawls is the North Sumatra Fishermen's Alliance (ANSU). In the KKP press release, it was stated that the traditional fishing group took action to support the Regulation of the Minister of Maritime Affairs and

⁴³Henry Arianto, "Urgensi Perlindungan Ekosistem Laut Terhadap Bahaya Ilegal Fishing," *Lex Jurnalica* 14, no. 3 (2017), <https://ejournal.esaunggul.ac.id/index.php/Lex/article/view/2075>.

⁴⁴Mufid, "Fiqh Konservasi Laut: Relevansi Fiqh al-Bi'ah Di Wilayah Pesisir Lamongan." 1021

Fisheries No. 2 of 2015 at that time, concerning the Prohibition of the Use of Hela Trawls and Seine Nets, and Candy No. 71 of 2016 concerning Fishing Routes and Placement of Fishing Equipment in Fisheries Management Areas of the Republic of Indonesia.⁴⁵

In this context, the role of kyai occupies a significant role as an exemplary model for the Lamongan coastal community. Nu's green fatwa on banning destructive fishing gear is indeed considered by some to be a futile fatwa. However, kyai as a cultural realtor, must make social changes in the form of educating coastal community awareness about the importance of preserving marine ecosystems.⁴⁶ Therefore, patron kyai has strong significance in trying to formulate the power of jurisprudence normatively and socially.⁴⁷ This formulation is then, seeded through efforts to partially improve the relationship between humans and ecology. This effort will be marked by the cultivation of ethical values in the ecological *ijtihad* of NU scholars in environmental conservation, by considering the universal principles of the Qur'an and Hadith as the main handle of environmental conservation. The cultivation of these values is believed to be able to add to the values of natural subjectivity as a provider of life for humans, especially in the community around nature.⁴⁸

At this point, nu's kyai role in Lamongan is expected to be able to become the basis for a social shift from the anthropocentric paradigm, towards the theo-antro-ecocentric paradigm, which

⁴⁵KKP. (2018, Februari). *Dukung Permen Kp 2/2015, Nelayan Tradisional Gelar Aksi Tolak Alat Tangkap Merusak*, [Press Release]. Kkp.Go.Id. <https://kkp.go.id/artikel/2881-dukung-permen-kp-2-2015-nelayan-tradisional-gelar-aksi-tolak-alat-tangkap-merusak>

⁴⁶Meirina Fajarwati, "Green Constitution Sebagai Upaya Untuk Memperkuat Norma Lingkungan Hidup," *Jurnal RechtsVinding Online. Media Pembinaan Hukum Nasional* 1, no. 1 (January 27, 2016).

⁴⁷Nilan Loliyana, "Kyai dalam Perubahan Sosial di Pare Tahun 1970-1990," *SEJARAH DAN BUDAYA* 16, no. 1 (2022): 15.

⁴⁸Muhammad Afwan Romdloni and Muhammad Sukron Djazilan, "Kiai dan Lingkungan Hidup; Revitalisasi Krisis Ekologis Berbasis Nilai Keagamaan di Indonesia," *Journal of Islamic Civilization* 1, no. 2 (October 28, 2019): 119–29, <https://doi.org/10.33086/jic.v1i2.1322>.

tries to balance the mua'amalah between God, man, and nature. Kyai, through his patronism, is expected to be able to provide information and education to the Lamongan people about how to respect marine ecology without overexploiting it. At the same time, several postulates in the Qur'an and Hadith emphasize the importance of theological foundations in carrying out ecological conservation as a form of manifestation of the mandate as a caliph on earth.⁴⁹ Thus, the role of NU's kyai in Lamongan will later become the main mouthpiece in offering theo-antro-ecocentric as a concept of Islamic ecological orientation in marine conservation, based on Islamic principles and values.

C. Conclusion

From the various discussions above, conclusions can be drawn, firstly the patronism of NU kyai by the Lamongan coastal community is considered authoritative to strengthen the rules made by the government in the form of destructive fishing gear bans. The awareness of the mechanical Paciran community is considered to be one of the factors that NU's green fatwas about banning destructive fishing is considered a sacred norm, so that its green fatwa formulations can be used as a basis for community behavior. Second, the NU's social construction of the urgency of banning destructive fishing gear is based on considerations of priority jurisprudence.

According to the NU kyai, the ban on destructive fishing gear in Paciran is a public benefit, as well as a long-term priority that should be prioritized over silence the practice of destructive fishing with fishing gear, such as tiger trawls, hela, trawl, payang, and cantran. Third, the recommendation of this study is that green fatwas on the prohibition of destructive fishing gear are expected

⁴⁹Andi Eka Putra, "Alam Dan Lingkungan Dalam Perspektif Tasawuf Dan Al-Qur'an," *Jurnal Al-Dzikra* 8 (2014): 12-18.

to become jurisprudence, as well as a rule model to be applied in the environment of coastal communities that are still plural using harmful fishing gear. It is at this point that the study in this article recommends to the minister of MPA to cooperate with the kyai in making various rules and regulations on the preservation of marine ecosystems.

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