



MINING EXTRACTION PRACTICES IN THE NEOLIBERAL ERA: SHARIA ECONOMIC PERSPECTIVE ON NATURAL RESOURCE EXPLOITATION AND DAMAGE TO SOCIAL ORDER

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ABSTRACT

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The expansion of mining activities in Indonesia has intensified under the neoliberal economic paradigm, which emphasizes market liberalization, investment facilitation, and the commodification of natural resources. While this model has contributed to economic growth, it has also generated various ecological and social problems, including environmental degradation, agrarian conflicts, inequality in resource distribution, and the marginalization of local communities. This study aims to analyze mining extraction practices in the neoliberal era from the perspective of Sharia economics and to formulate an alternative model of natural resource governance based on Islamic principles. This research employs a qualitative method with a library research approach. Data were collected from primary sources, including the Qur'an, Hadith, and classical and contemporary Islamic economic literature, as well as secondary sources such as mining regulations, academic journals, books, and reports from relevant institutions. The collected data were analyzed using qualitative content analysis and a descriptive-critical approach.

The findings indicate that neoliberal mining governance in Indonesia is characterized by regulatory liberalization, the increasing involvement of private corporations, and the concentration of economic benefits among state and corporate actors. From the perspective of Sharia economics, such practices contradict the principles of *al-'adl* (justice), *maslahah* (public welfare), *milk al-ummah* (public ownership), and *maqashid al-shariah*. Furthermore, mining extraction has caused ecological damage and social inequality, thereby undermining the objectives of protecting life, wealth, future generations,

and the environment. This study argues that an ideal mining governance model should prioritize public ownership, environmental sustainability, equitable distribution of benefits, and community participation through the principle of *shura*. Therefore, Sharia economics offers an alternative paradigm that positions natural resources as a collective trust (*amanah*) to be managed for social justice, ecological sustainability, and the welfare of present and future generations.

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A. INTRODUCTION

Indonesia is one of the countries with abundant mining natural resources. Starting from coal, nickel, gold, copper, to tin are spread across various regions of the archipelago. The mining sector has long been the backbone of the national economy, contributing to the country's foreign exchange and creating jobs (Aulia, R., & Rahman 2020). However, behind the glittering economic growth figures, the practice of mining extraction leaves a deep irony. Instead of bringing equal welfare, mining activities actually give birth to massive environmental damage, social disintegration, and widening economic inequality.

This phenomenon cannot be separated from the dominance of the neoliberal paradigm in natural resource management. Since the reform era, mining policy in Indonesia has undergone significant liberalization through Law Number 4 of 2009 concerning Mineral and Coal Mining, which was later updated with Law Number 3 of 2020 (Hasanah 2022). This policy opens the faucet wide for foreign and private investment with various incentives and ease of licensing. The neoliberal logic that places the market mechanism as the main regulator, minimizes the role of the state, and prioritizes capital accumulation has transformed mining governance into an arena for economic interests that is far from the values of justice. The impact is evident in various regions (Ghazali, M., & Siddiq 2021). In East Kalimantan, pits from former coal mines pollute groundwater and threaten the safety of residents. On Bangka Island, the once clear sea is now cloudy by tin tailings waste. In Papua, Freeport's mining operations have caused irreparable ecological damage as well as prolonged

social conflicts with indigenous peoples. The social order of the communities around the mines underwent a fundamental shift: communal solidarity was eroded by economic individualism, productive land turned into a dead zone, and dependence on the extractive sector created new vulnerabilities as commodity prices plummeted.

It is in this context that the perspective of sharia economics offers a relevant critical framework. Sharia economics does not solely talk about the prohibition of usury, maisir, and gharar, but has an ethical foundation that regulates human relations with nature, others, and their God. The principles of sharia maqashid that include the protection of religion, soul, intellect, descent, and property including environmental protection (hifdz al-bi'ah) provide a comprehensive standard of evaluation of mining practices (Programme 2021). The concept of milk al-ummah (public ownership) emphasizes that strategic natural resources belong to the collective of the ummah whose management must be directed for the common good. The principle of la dharar wa la dhirar prohibits economic activities that pose a danger to other parties, both socially and ecologically. Meanwhile, the concept of caliph fil ardhi places humans as trustees who are responsible for preserving nature.

Some previous studies are relevant to this study. First, Yusuf Al-Qaradhawi in *Ri'ayah al-Bi'ah fi al-Syari'ah al-Islamiyyah* (2001) examines the obligation to protect the environment in Islam and denounces the destructive exploitation of natural resources (Mahfudz 2021). Second, Mahfudz (2018) in his study on mining policy in Indonesia from the perspective of sharia maqashid concluded that existing policies are not in line with the goals of sharia, especially in the aspects of environmental protection and the welfare of local communities. Third, Aulia and Rahman (2020) examined the socio-economic impact of nickel mining in Southeast Sulawesi and found that the practice actually exacerbates economic inequality and triggers agrarian conflicts, contrary to the principle of justice in Islamic economics. Fourth, Hasanah (2022) offers the construction of *fiqh al-bi'ah* as a framework for environmental ethics in mine management. Fifth, Ghazali and Siddiq (2021) in the *Islamic Economics and Finance Review* specifically criticize the neoliberal logic in the extraction of natural resources from an Islamic perspective and offer an alternative to governance based on the

principles of tawhid and caliphate. Although these studies have made important contributions, there are still academic gaps that need to be filled (Rahman, A., & Yusuf 2022). Most research is still partial some focus on environmental, policy, or social aspects alone. Not many have comprehensively integrated critical analysis of the neoliberal paradigm as the root of the problem, the socio-ecological impact as a manifestation, and the framework of the Islamic economy as an alternative solution in a whole study unit.

Based on this, the formulation of the problem in this study is: first, how is the practice of mining extraction in the neoliberal era in Indonesia from the critical perspective of sharia economics; second, how the impact of social and ecological damage due to mining practices is reviewed based on Islamic economic principles; and third, how to construct ideal mining governance based on the perspective of sharia economics as an alternative to the neoliberal paradigm (Suryadi, D., & Prasetyo 2022). This research aims to critically analyze the practice of mining extraction in the neoliberal era with a sharia economic perspective and formulate an alternative governance that is just and sustainable. Academically, this research is expected to enrich the treasures of sharia economic studies, especially in the realm of natural resource economics and environmental fiqh. Practically, the results of the research are expected to be input for policy makers in formulating mining regulations that are in line with the values of social justice and environmental sustainability. Socially, this research is expected to be an advocacy material for the community and environmental activists who fight for natural resource governance that is in the interests of the people.

B. THEORITICAL FRAMEWORK

This research uses several interintegrated theoretical frameworks. First, the neoliberalism theory from David Harvey (2005) which explains market liberalization, privatization, and minimization of the role of the state in natural resource management (Hasan 2021). In the context of mining, neoliberalism encourages the widest possible access for corporations with minimal state intervention, leading to overexploitation and neglect of socio-ecological impacts. Naomi Klein (2014) through the concept of disaster capitalism criticizes how the crisis is actually used to accelerate the liberalization of the mining sector.

Second, the theory of sharia maqashid from Al-Syatibi in Al-Muwafaqat which formulates the five purposes of sharia: the protection of religion, soul, intellect, descent, and property. Contemporary developments add environmental protection (hifdz al-bi'ah) (Mahfudz 2021). The sharia maqashid becomes an evaluative framework for assessing mining practices: hifdz al-nafs demands guaranteed community safety; Hifdz al-Mal requires that mining wealth be managed for the public benefit; HEFDZ Al-Bi'ah demands that ecological sustainability be maintained.

Third, the concept of milk al-ummah (public ownership) which emphasizes that strategic natural resources such as mines belong to the collective of the ummah. Wahbah al-Zuhaili explained that the state should not hand over the management of public resources to the private sector without strict supervision that guarantees the common good (Rahman, A., & Yusuf 2022). Fourth, the principle of la dharar wa la dhirar which prohibits economic activities that cause danger to other parties, so that mining companies are obliged to eliminate the damage caused, including land reclamation.

Fifth, the theory of distributive justice in sharia economics, emphasized by Umer Chapra (2001), demands that mining wealth be distributed evenly through profit-sharing mechanisms, zakat, and fiscal policies that favor the community. All of these frameworks are interintegrated: neoliberalism as a critical analysis of the root of the problem, maqashid sharia and milk al-ummah as evaluative-normative frameworks, and distributive justice as an alternative solution framework for equitable and sustainable mining governance.

C. METHOD

This study employs a qualitative research design with a library research approach. This approach was selected because the research object is conceptual and normative in nature, requiring an in-depth examination of scholarly literature, policy documents, and previous research findings to analyze mining practices in the neoliberal era from the perspective of Sharia economics. Qualitative research is particularly suitable for exploring complex social phenomena, values, and normative frameworks through the interpretation of textual and documentary sources (Hennink et al., 2020). Furthermore, library research enables researchers to systematically investigate theories, concepts,

and empirical findings contained in various written sources relevant to the research problem.

The primary data sources of this study consist of Qur'anic verses related to the prohibition of environmental destruction (QS. Al-A'raf: 56–58), the principle of justice (QS. Al-Maidah: 8), and the concept of public ownership in Islam. In addition, the study utilizes Prophetic traditions concerning the principle of *la dharar wa la dhirar* (no harm and no reciprocating harm) and the collective ownership of natural resources, as well as classical and contemporary Islamic scholarly works, including *Al-Muwafaqat* by Al-Shatibi, *Al-Fiqh al-Islami wa Adillatuhu* by Wahbah al-Zuhaili, and *Ri'ayah al-Bi'ah fi al-Syari'ah al-Islamiyyah* by Yusuf al-Qaradawi. Secondary data sources include mining regulations, particularly Law No. 4 of 2009 and Law No. 3 of 2020, reports published by environmental research institutions and non-governmental organizations (NGOs), national and international scientific journals, and academic books discussing neoliberalism, mining governance, and Sharia economics.

Data were collected through documentation techniques by identifying, classifying, and selecting documents relevant to the research topic. The collected data were subsequently analyzed using qualitative content analysis. Content analysis is an appropriate method for systematically interpreting textual materials and identifying patterns, themes, and meanings embedded within documents (Mozersky et al., 2022; Hsieh & Shannon, 2022). The analysis process involved data reduction, data display, and conclusion drawing, followed by the identification of key themes, categorization of findings according to the theoretical framework, and critical interpretation to address the research questions. Qualitative content analysis also facilitates the integration of theoretical and empirical insights in examining complex institutional and socio-economic phenomena.

The analytical framework adopted in this study is descriptive-critical analysis. This approach not only describes the phenomenon under investigation but also critically examines the structures of power, interests, and ideological influences underlying neoliberal mining practices. To ensure the trustworthiness and validity of the findings, source triangulation was employed

by comparing information obtained from multiple literature sources. Triangulation is widely recognized as an effective strategy for enhancing the credibility, consistency, and validity of qualitative research findings through the convergence of evidence from different sources and perspective.

D. FINDINGS AND DISCUSSION

Mining Extraction Practices in the Neoliberal Era: Manifestations of Natural Resources Liberalization

The findings indicate that mining practices in Indonesia during the neoliberal era have been characterized by the dominance of capital accumulation logic through regulatory liberalization, the increasing privatization of natural resource governance, and the provision of extensive incentives for large-scale investments. Regulatory reforms embodied in Law No. 4 of 2009 on Mineral and Coal Mining and its amendment through Law No. 3 of 2020 demonstrate the state's strong commitment to positioning the mining sector as a strategic driver of economic growth and export-oriented development (Arifin et al., 2023). These policy changes have facilitated greater investment certainty and expanded opportunities for corporate actors in the extractive industry. From the perspective of Harvey's theory of neoliberalism, such developments can be understood as a form of accumulation by dispossession, namely the process through which capital accumulation is achieved through the transfer of public resources and communal assets into private control (Harvey, 2005).

This tendency is reflected in the allocation of large-scale mining concessions that frequently overlap with indigenous territories, agricultural lands, and ecologically sensitive areas. Studies have shown that mining expansion in regions such as Kalimantan, Sulawesi, and Papua has generated various socio-environmental consequences, including agrarian conflicts, displacement of local communities, environmental degradation, and unequal distribution of economic benefits (Suharko et al., 2022; Yulian et al., 2023). In this context, the state increasingly functions as a facilitator of market expansion rather than as a regulator safeguarding public welfare and environmental sustainability. Consequently, the governance of natural resources has shifted from a collective welfare-oriented paradigm toward a profit-driven model

centered on economic efficiency and investment growth.

From the perspective of Sharia economics, these conditions are inconsistent with the concept of *milk al-ummah* (public ownership), which holds that strategic natural resources constitute collective assets whose management should be directed toward public welfare and social justice. The extensive transfer of control over natural resources to private corporations reflects a deviation from the principles of distributive justice (*al-'adl*) and public benefit (*maslahah 'ammah*), which are fundamental pillars of Islamic economic thought (Dusuki & Abozaid, 2020; Haneef & Mahmud, 2021). Therefore, the neoliberal orientation of mining governance raises important concerns regarding the equitable distribution of resource wealth and the realization of social welfare as envisioned within the framework of Sharia economics.

Social and Ecological Impacts: Damage to the Order of Life in the Perspective of Sharia Maqashid

The findings reveal that mining extraction practices generate not only ecological degradation but also profound disruptions to the social structure of communities surrounding mining areas. From an ecological perspective, mining activities contribute to deforestation, water contamination, river sedimentation, biodiversity loss, and the proliferation of abandoned mine pits that pose significant risks to public safety. Previous studies have demonstrated that large-scale extractive industries in Indonesia have intensified environmental degradation and reduced ecosystem resilience, particularly in regions rich in mineral resources (Murshed et al., 2023; Juliana et al., 2022). Within the framework of Islamic economics, such conditions constitute a violation of the principle of *hifdz al-bi'ah* (environmental protection), which emphasizes the preservation of ecological balance as an integral component of human stewardship (*khalifah*) over natural resources (Auda, 2021).

In the social sphere, communities living around mining sites experience substantial changes in their socioeconomic structures. Agricultural lands, fisheries, and other traditional livelihood sources that previously sustained local economies are frequently converted into extractive industrial zones. As a consequence, local populations lose economic autonomy and become increasingly dependent on the mining sector, which is highly vulnerable to

fluctuations in global commodity markets. Furthermore, the expansion of mining investment often generates horizontal conflicts among community groups, intensifies competition over land ownership, and contributes to the marginalization of indigenous peoples and customary communities (Haslam et al., 2022; Syahza et al., 2023). These developments illustrate how extractive-based development can weaken social cohesion and exacerbate existing inequalities within affected communities.

From the perspective of *maqashid al-shariah*, these conditions undermine several fundamental objectives of Islamic law. First, the principle of *hifdz al-nafs* (protection of life) is threatened because environmental pollution and abandoned mining pits endanger human health and safety. Second, *hifdz al-mal* (protection of wealth) is compromised as communities lose access to productive assets and sustainable sources of livelihood. Third, *hifdz al-nasl* (protection of future generations) is jeopardized because environmental degradation diminishes the quality of life and resource availability for future generations. Contemporary scholars argue that environmental sustainability should be regarded as an essential dimension of *maqashid al-shariah* because ecological preservation is closely linked to the protection of life, wealth, and human welfare (Auda, 2021; Kamali, 2022).

Moreover, these mining practices contradict the legal maxim *la dharar wa la dhirar* (“there should be neither harm nor reciprocating harm”), which prohibits any activity that inflicts harm upon others. The ecological destruction and social dislocation resulting from mining operations indicate that the pursuit of profit has frequently overridden the ethical principles of responsibility, justice, and public welfare that constitute the foundation of Islamic economic thought. Consequently, from a Sharia economic perspective, mining governance should not merely pursue economic growth but must also ensure environmental sustainability, social justice, and the protection of collective welfare (*maslahah 'ammah*) (Dusuki & Abozaid, 2020).

Sharia Economic Criticism of Neoliberal Logic in Mine Management

Islamic economics argues that neoliberal approaches to mining governance generate structural inequalities by prioritizing market efficiency, capital accumulation, and profit maximization over social justice and collective

welfare. Such an orientation is fundamentally inconsistent with the principles of al-'adl (justice) and al-maslahah (public benefit), which constitute the normative foundations of the Islamic economic system. In Islamic economic thought, economic policies should not be evaluated solely on the basis of growth and efficiency, but also on their ability to promote social equity, protect vulnerable groups, and ensure the fair distribution of resources and opportunities (Chapra, 2022; Haneef & Mahmud, 2021).

Furthermore, neoliberalism tends to treat natural resources primarily as economic commodities that can be exploited for market purposes. In contrast, Islamic economics views natural resources as a trust (amanah) from God that must be managed responsibly for the benefit of present and future generations. This perspective is rooted in the concept of khalifah fi al-ardh (vicegerency on earth), which assigns humans the ethical responsibility to preserve ecological balance and prevent environmental degradation. Consequently, economic activities that result in ecological destruction violate the Islamic principles of stewardship, accountability, and sustainability (Kamali, 2022; Auda, 2021).

Another major concern relates to the distribution of benefits derived from the mining sector. Under neoliberal governance arrangements, the economic gains generated from natural resource extraction are often concentrated among the state, political elites, and large corporations, while local communities bear a disproportionate share of the environmental and social costs. Such a pattern reflects a form of distributive inequality that contradicts the Islamic conception of economic justice. Islamic economics emphasizes that wealth should circulate broadly within society and should not be concentrated among a limited group of actors. Equitable distribution is therefore regarded as a prerequisite for achieving social welfare and economic stability (Dusuki & Abozaid, 2020; Ahmed, 2021).

Based on these considerations, the critique of Islamic economics toward neoliberal mining governance can be categorized into three major dimensions. First, neoliberalism reduces economic activity to market calculations while marginalizing ethical and moral values. Second, it neglects ecological responsibility by facilitating intensive resource extraction without adequate consideration of environmental sustainability. Third, it perpetuates distributive

inequalities by concentrating the benefits of natural resource exploitation in the hands of a few actors while externalizing its social and environmental costs to local communities. Therefore, from the perspective of Islamic economics, a just system of natural resource governance must integrate economic efficiency with moral responsibility, environmental stewardship, and equitable distribution in order to achieve comprehensive social welfare (*maslahah 'ammah*).

Construction of Sharia Economy-Based Mining Governance

Based on the findings and analysis, an ideal model of mining governance from the perspective of Sharia economics should be founded upon the principles of justice (*al-'adl*), sustainability (*istidamah*), and collective welfare (*maslahah 'ammah*). These principles provide a normative framework for ensuring that natural resource management contributes not only to economic development but also to social equity and environmental preservation.

First, the state should restore its strategic role as the primary trustee and manager of natural resources in accordance with the principle of *milk al-ummah* (public ownership). Within Islamic economic thought, strategic natural resources are regarded as collective assets whose benefits must be directed toward the welfare of society as a whole rather than concentrated among particular economic actors. While private sector participation may be permitted, it should remain limited and subject to strict regulatory oversight to ensure that public interests take precedence over profit-oriented objectives (Dusuki & Abozaid, 2020; Chapra, 2022).

Second, all mining activities should be governed by the objectives of *maqashid al-shariah*, particularly the protection of the environment and public welfare. Environmental sustainability should be incorporated into every stage of mining operations through mandatory reclamation programs, Sharia-based environmental audits, comprehensive ecological impact assessments, and the enforcement of strict sanctions against environmental violations. Such measures are consistent with the Islamic principles of stewardship (*khalifah fi al-ardh*) and the preservation of ecological balance (*hifdz al-bi'ah*) (Auda, 2021; Kamali, 2022).

Third, the economic benefits derived from mining activities should be distributed equitably through welfare-oriented development mechanisms that directly improve the living conditions of local communities. Revenue-sharing schemes should prioritize community empowerment, educational development,

healthcare services, and public infrastructure in mining-affected regions. This approach reflects the Islamic commitment to distributive justice and the equitable circulation of wealth within society, thereby reducing socioeconomic disparities and promoting inclusive development (Ahmed, 2021; Haneef & Mahmud, 2021).

Fourth, the participation of local communities in decision-making processes should be strengthened through the principle of shura (consultation). Community involvement is essential to ensuring that mining policies are not implemented through top-down approaches that marginalize local voices. Participatory governance mechanisms can enhance transparency, accountability, and social legitimacy while ensuring that the interests and concerns of affected communities are adequately represented in policy formulation and implementation.

In conclusion, Sharia economics offers an alternative paradigm of mining governance that differs fundamentally from the neoliberal model. Rather than viewing natural resources merely as commodities for capital accumulation, Sharia economics conceptualizes them as a collective trust (amanah) that must be managed responsibly for the realization of social justice, environmental sustainability, and intergenerational welfare. Consequently, the governance of natural resources should integrate economic efficiency with ethical responsibility in order to achieve comprehensive and sustainable development.

E. CONCLUSION

Based on the results of the research, it can be concluded that the practice of mining extraction in Indonesia in the neoliberal era shows the dominance of the liberalization paradigm that places natural resources as economic commodities for capital accumulation. Mining policies that open up wide spaces for private investment have given birth to various structural problems, ranging from ecological damage, social conflicts, marginalization of local communities, to inequality in the distribution of economic benefits. This condition shows that current mining governance is still oriented towards short-term economic growth and has not fully been in favor of the public benefit.

From the perspective of sharia economics, the practice is contrary to basic principles such as milk al-ummah, maqashid sharia, la dharar wa la dharar, and the concept of caliph fil ardhi. Environmental damage due to mining activities is a violation of the principle of environmental protection (hifdz al-

bi'ah), while the socio-economic inequality caused by it hurts the value of distributive justice in Islam. Thus, neoliberalism in the mining sector is not only economically and socially problematic, but also not in line with the normative values of sharia.

Alternatively, sharia economics offers a construction of mining governance that is oriented towards justice, sustainability, and collective benefit. The governance places the state as the main manager of natural resources, strengthens supervision of exploitation activities, ensures fair distribution of yields, involves communities in the decision-making process, and ensures environmental protection as an integral part of mining policy. Thus, the application of sharia economic principles can be a normative and practical solution in realizing a more equitable, sustainable management of natural resources, and in favor of the welfare of the people.

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