ACTUALIZATION OF ALI YAFIE'S
ECOLOGICAL FIQH IN THE DYNAMICS
OF INDONESIAN MUSLIM THOUGHT

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Abstract

Ecological damage is a real threat to human survival. Ecological imbalance is the leading cause of various natural disasters. Human superiority and anthropocentrism views on science, technology, and religious legitimacy are the arguments for exploiting nature. Religious regulations in the form of laws on nature conservation are urgently needed to overcome these problems. One of them is actualizing and contextualizing fiqh on environmental sustainability. Therefore, this research explores Ali Yafie's thoughts on interpreting the science of fiqh in ecological sustainability. The study uses a descriptive analysis method to analyze Yafie's ideas on the dynamics of environmental fiqh actualization in Indonesia. This article elaborates on five primary components of life (al-daruriyyat or al-kulliyat al-khams) that all humankind must adequately maintain. The five components are hifz al-nafs (protection of life), hifz al-`aql (maintaining the mind), hifz al-mal (protection of property), hifz al-nasl (maintaining posterity), and hifz al-din (maintaining religion). Yafie added that one crucial principle in the five components is hifz al-bi`ah (preserving the environment). This results from his ijthad in preserving ecology, namely the balance of the relationship between humans and their surroundings. Yafie concluded that the law of protecting and preserving the environment is mandatory (fard al-kifayah) that will be accounted for in this life and the afterlife.

Keywords: Ecological Fiqh, Preserving the Environment, Ali Yafie, Theology.
Introduction

Ecological issues are a severe problem both on a national and global scale. Most of the damage is caused by the inability of humans to process and care for nature and its contents. The excessive use and waste of emission gases by households, factories, transportation, and others generates CO2. In addition, natural exploitation and illegal logging are causes of environmental damage. The depletion of the ozone layer causes global warming and has an impact on the occurrence of various natural disasters that can occur anywhere.¹

Natural disasters in Indonesia have often occurred. The Indonesian National Disaster Management Agency (BNPB) noted that from January 1 to August 26, 2022, 1,902 natural disasters occurred in Indonesia. The disaster greatly impacted people’s lives; around 2,399,287 people were displaced, 679 were injured, 98 died, and 15 died missing. Based on BNPB records, hydrometeorology is the most frequent disaster: 737 disasters due to floods. The second highest was extreme weather, with 687 incidents, 364 landslides, 11 tidal waves and abrasion, and 12 earthquakes. In addition, BNPB also recorded 90 incidents of forest and land fires and drought throughout 2020.²

This problem is exciting because ecological problems are the primary basis in environmental science which studies the relationship between living things and their environment. Views about the relationship between humans and the environment must be revised. Religion has a very central position in providing enlightenment to its people. Interpretation of the verses of the Qur’an, hadith, ijma’, and qiyas about the environment must always be disseminated to provide understanding for humans. However, only

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¹ A. Sonny Keraf, Etika Lingkungan (Jakarta: Kompas, 2002).
a few religious intellectuals and ulama are concerned about the importance of protecting the environment.

Ali Yafie, one of the few Indonesian Muslim scholars, is one of the few figures concerned with the environment. Through his brilliant thoughts on fiqh, Yafie functions fiqh in the environment very precisely. His studies were published in a book entitled *Merintis Fiqh Lingkungan Hidup* (Pioneering Eco-logical Fiqh). He formulated a fiqh approach through the obligation to preserve the environment. This book is fascinating because it proposes a new view of environmental concern, and this is Ali Yafie's contribution through his precious ideas for ecological theology. This article is a study of character thinking with a literature study approach. This study emphasizes formulating various theories, laws, propositions, principles, and opinions to examine the problems being studied. Thus, this study describes the basic construction of Yafie's thoughts and analyzes critically in formulating these new thoughts.

Ali Yafie and the Dynamics of Fiqh Actualization in Indonesia

Ali Yafie is a very progressive and visionary scholar in fiqh. Yafie is the grandson of Sheikh Abdul Hafidz al-Bugisi, one of the great Malay scholars who became a professor at the al-Haram Mosque in Mecca—but Yafie did not study directly with his grandfather. His grandfather lived contemporaneously with other Indonesian scholars who became professors at the Masjid al-Haram, such as Sheikh Nawawi al-Bantani, and Sheikh Ahmad Khatib al-Minangkabawi. He left a legacy of Arabic and Malay books which Yafie studied with his father.

Yafie was born in Donggala, Central Sulawesi on 1 September 1926 AD/23 Safar 1345 H. He was born in the month when the Nahdlatul Ulama Conference was held for the first time. Yafie was born into a Muslim family with very qualified Islamic religious knowledge. His father, Sheikh Muhammad al-Yafie, and his mother, Imacayya, one of the kingdom's princesses in Ternate, South Sulawesi. Since he was a child, Yafie has mastered lessons from Islamic boarding schools with his father.

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His father had educated him since childhood to make Yafie a candidate for a religious scholar. Since he was five years old, Yafie has learned *kitab kuning* (Islamic Arabic textbooks), inherited from his grandfather under his father’s guidance directly. He also studied at Volkschool, a public school founded by the Dutch for native children in Parepare. When he was 12, Yafie could read the *kitab kuning* well. To better understand his knowledge, especially in understanding the science of jurisprudence (fiqh), Yafie continued his studies with significant scholars in Sulawesi, such as Sheikh Ali Mathar, Sheikh Mahmud Abdul Jawad, Sheikh Haji Ibrahim, Sheikh As’ad Singkang, Sheikh Ahmad Bone, Sheikh Abdurrahman Firdaus, and Sheikh Muhammad Firdaus. One of the most influential teachers for him is Syekh Muhammad Firdaus, an ulama from Mecca who preached in South Sulawesi. Yafie learned from him for 15 years.8

Yafie is an alumnus of an Islamic boarding school (*pesantren*) who has successfully studied fiqh. Because of this, apart from being very well-known as an expert in fiqh, he was also a judge at the Ujung Pandang Religious Court (1959-1962) and an inspector at the Eastern Indonesia Religious Court (1962-1965). Yafie also leads the Darul Dakwah al-Irsyad Islamic Boarding School, Pare, South Sulawesi. From 1965-1971, Yafie also served as Dean of the Ushuluddin Faculty at IAIN Ujung Pandang; simultaneously, he became the regional administrator for Nahdlatul Ulama (NU). Since then, he has been on the Executive Board of the Nahdlatul Ulama (PBNNU).

At the Nahdlatul Ulama Congress (1971) in Surabaya, he was elected Rais Syuriah PBNNU. He was also re-elected in Semarang (1979) and Situbondo (1984). At the congress in Krapyak, Yogyakarta (1989), he was elected Deputy Rais Aam PBNNU; then, he replaced Achmad Siddiq (who died in 1991) as Rais Aam PBNNU. However, at that time, he had been involved in several conflicts with the Chairman of the PBNNU Tanfidziyah, Abdurrahman Wahid (Gus Dur), which made him resign.9

In addition, since 1985, Yafie has also been active in the Indonesian Ulema Council (MUI). In 1990-1995 he was entrusted with becoming one of the heads of the MUI, then Yafie was appointed general chairman of the MUI, replacing KH Hasan Basri, who previously died, at the MUI plenary meeting (February 11, 1999)—to the MUI national working meeting (2000). Yafie received an award from the Pelita Ilmu Foundation (YPI) for assigning a fatwa on AIDS prevention when he was Chairman of the MUI.

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8 Budi.

Known as a maestro of fiqh, Yafie is also highly qualified in modern interpretations of religious understanding and doctrine. Yafie’s main ideas refer to the science of fiqh, always considering traditions beyond fiqh that are dynamically developing. These thoughts were then published in a book entitled Menggagas Fiqih Sosial: Dari Soal Lingkungan Hidup, Asuransi hingga Ukhuwah (Initiating Social Fiqh: From Environmental Problems, Insurance to Ukhuwah). This book reflects how Yafie’s ideas have succeeded in positioning fiqh as an authoritative reference and an appropriate guide for social development.

The development of thinking about fiqh in Indonesia is very dynamic. It shows that renewal from the perspective of fiqh is inevitable. This condition can be seen from the many efforts of Muslim intellectuals and scholars to actualize and contextualize fiqh studies into various aspects of contemporary life in Indonesia.

Several Muslim scholars expressed their thoughts on the actualization of fiqh in Indonesia. Hasbi as-Shiddiqiy, for example, initiated efforts to relate fiqh to the social character of Indonesian society. Then Hazairin proposed the Indonesian school of thought based on adjusting Islamic law to customary law. Meanwhile, Syadzali seeks to actualize Islamic teachings, which emphasize the formulation of Islamic education following the social reality of society. Apart from that, Mas’udi also initiated the religion of justice. It shows that thoughts about Islamic law in Indonesia are continually transformed and adapted to contemporary social developments. Yusuf al-Qaradawi also has the same characteristics in conceptualizing ecological fiqh. He, like Yafie, uses the concept of preserving the environment, which is the same as maintaining religion and the soul, which is an obligation for every Muslim. However, two pioneers also attempt to actualize and contextualize social fiqh: Sahal Mahfudz and Ali Yafie. Both are concerned with transforming Islamic values into the dimensions of social life. Furthermore, Yafie discusses specifically ecology related to the relationship between humans and their environment.

The ideas of these scholars and intellectuals provide a new understanding of the scientific repertoire, especially fiqh. These Muslim intellectuals formulated...
late the position of fiqh in responding to changes in people's living conditions. Their ideas can be an alternative to the dilemma between the dynamics of social life and Islamic law.

Preserving the Environment is a Religious Order

As guidelines for life and the primary source of Islamic law, the Qur'an and Hadith texts mention nature and living in synergy with its environment. In this case, Yafie views that environmental issues in fiqh are included in the scope of *jinayat* (Islamic penal law), which, if violated, will be subject to sanctions. For example, when someone damages the environment, they will be punished so that it can have a deterrent effect so that environmental damage can be prevented.

Yafie revealed that Muslims must consider two basic teachings as poles in one's life. The first is *Rabb al-'alamin* (Lord of all the universe). It means that Allah is not only the God of humans or a group of people but also the God of all creatures. So, for the Creator, all organisms in the universe are covered by God. Then the second is *rahmatan lil'alamin* (compassion for the universe). It means that humans are assigned to behave compassionately to all creatures. So, humans must spread kindness to fellow humans and all creatures in the universe.

Referring to the Qur'an (surah al-A'raf [7]: 56), Yafie explains that the balance of the universe has been created by God (*ba’da ishlaahiha*). Therefore, since the beginning of Islam, humans have been prohibited from destroying this order, the relationship between humans and nature. People who claim to be Muslim and genuinely believe in the Qur'an and hadith, for Yafie, should synergize with nature and not destroy it. He also emphasized historically that since the time of the Prophet Muhammad, no practice of worship damaged the environment and doctrines in Islam that led to the destruction of the earth. For example, in implementing the fifth pillar of Islam, the pilgrimage (hajj), when in ihram, Muslims are strictly forbidden to uproot plants and kill animals—meanwhile, the West only discussed environmental issues at the end of the 20th century before which they exploited the earth.

Furthermore, Yafie categorizes the verses of the Qur'an, which discuss water, land, and the prohibition of destroying ecology. From there, Yafie formulated environmental fiqh, which emphasized that protecting the environment is something a Muslim must do because caring

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14 Hafil.
for the environment is a religious commandment revealed by Allah through the Qur’an and the teachings conveyed by His Messenger.

Ecological Fiqh: Analysis of Ali Yafie’s Thoughts on the Environment

In this context, ecological fiqh regulates the interaction between human beings and between living things and their surroundings. In this interaction, all humans have the responsibility and obligation to maintain harmony and balance between humans and each other and with their environment.\(^15\) It is also intended to solve these interaction problems regardless of differences in religion, race, language, skin, ethnicity, culture, and country.

There are several fundamental reasons for understanding and deepening ecological fiqh.\(^16\) First, there are many misunderstandings by the majority of Muslims in interpreting religion. This lack of understanding of the Shari’a makes them forget that Islam is a religion that originated from Allah and that Allah is the Lord of the universe (Rabb al-’alamin), not only the God of humans but also all that is in this universe.

Second, the study of fiqh is understood as a discipline that only discusses worship, such as prayer, fasting, zakat, pilgrimage, trade, marriage, and others. It makes Muslims only think of individualistic worship for their interests.

Third, Islamic scientific products, which tend to be old-fashioned, only discuss halal, haram, sunnah, mubah, and makruh, even though the Qur’an and hadith do not only discuss. Very few works by Muslim scholars (ulama) focus on environmental issues; most classical books contain interpretations of the Qur’an, hadith, sharia, tasawwuf, and philosophy.

Fourth, the doctrine of banalization of religious teachings and foolishness in the name of God. For example, many Muslims, especially in Indonesia, think natural disasters such as floods, landslides, and forest fires can be solved simply by praying. They forget the causality of the incident and sunnatullah of the Supreme Master of cause and effect (musabbin al-asbab).

Some of these reasons become contemplations (muhasabah) by humans that Islam was brought by the Prophet Muhammad not only to worship God formally, but more than that, religion also taught humans about divine values, humanity, and caring for their environment.

Since its Inception, Islam has Addressed Ecological Fiqh

Fiqh is an Islamic discipline (al-ulum ash-shari’ah) that has a dominant


\(^{16}\) Thalhah and Mufid.
position in the life of Muslims. Fiqh is a detailed interpretation of the rules contained in the Qur'an and hadith. Scholars, including Yafie, an expert on understanding fiqh in social life experiencing dynamic changes, constantly explored this rule. Yafie is concerned with social fiqh, which actualizes it to solve environmental problems.

Refers to the kitab kuning written by old Muslim scholars (salaf), Yafie elaborates on the primary sources of Islamic law (Quran and hadith) in actualizing environmental fiqh. The purpose of Islamic law (maqasid al-shariah) delivered by the Prophet Muhammad is to regulate human life in this world and the hereafter. The following four basic principles guide human life.17

1. **Rub al-ibadah** is fundamental to addressing the relationship between humans as created beings and their Creator (God) as a transcendence relationship.

2. **Rub al-mu'amalah** is integral to managing relationships between humans and other human beings in establishing activities and interactions to fulfill everyday life's goals.

3. **Rub al-munakahah** is essential to guiding the relationship between humans and their family environment.

4. **Rub al-jinayah** is crucial to maintaining human relationships, ensuring safeness and life harmony with law enforcement.

Yafie stated that environmental issues are included in law enforcement (jinayat). Thus, if a person (a group of people) damages the environment, such as deforestation, illegal logging, and mining, they must be severely punished, and it is obligatory to prevent this (fard).

Yafie explained that even though the Qur'an and Hadith, with their derivatives such as fiqh, have mentioned environmental matters, they have not fully comprehended this. Moreover, environmental issues are categorized under the jinayat chapter. Most understand jinayat only about cruel Islamic laws, such as the law of stoning, cutting off hands, and the like. Only a few people understand that destroying the environment, burning forests, and illegal mining are included in jinayat, which must be punished.

Yafie revealed that there are five primary necessities (al-daruriyyat/al-kulliyat al-khams) in life that all humankind must be maintained: hifz al-nafs (protection of life), hifz al-'aql (maintaining the mind), hifz al-mal (protection of property), hifz al-nasl (maintaining posterity), and hifz al-din (maintaining religion). He observes that environmental issues also need to be given attention so that they are formulated in law in fiqh as guidelines for human life. As is known, the envi-

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17 Yafie, *Merintis Fiqh Lingkungan Hidup*.
environment is vital in the continuity of human life. If humans cannot maintain a relationship with nature and the surrounding environment (hablum min al-bi'ah), it will cause severe problems in the sustainability of human life.18

Yafie then explained that with qiyas in the rules of fiqh, if it is said that it is obligatory (wajib) to protect life (hifz al-nafs) and to maintain religion (hifz ad-din) following the changing conditions of the times or environmental sustainability that threaten humanity, then the principle of preserving the environment (hifz al-bi'ah) must also be included in these components. Thus, from five components (al-daruriyyat/al-kulliyat al-khams) to six (al-daruriyyat/al-kulliyat al-sitti), including hifz al-bi'ah.

Some experts in usul fiqh have different opinions regarding adding this component. For example, some Muslim scholars add the hifz al-'ird (maintaining human dignity). However, scholars categorize maintaining human dignity into the principle of protection of life (hifz al-nafs). It means that protecting human life also means maintaining its dignity. Here, Yafie proposes elaborating on preserving the environment (hifz al-bi'ah) into the six primary components of life.19

It is because preserving the environment matters for everyone with the same obligations and responsibilities. If humans do not maintain the environment, it will also threaten the sustainability of human life.

Yafie's thoughts on the obligation to preserve the environment significantly contribute to human life. Yafie rigidly conceptualizes the basic principles of fiqh as follows:

1. Humans' primary obligation (wajib) is to protect their lives (hifz al-nafs), including their safeness, comfort, peace, and dignity. Fiqh considers that life is very essential and valuable. For this reason, Islam has always guided humans to regulate nature and everything in it.

2. The afterlife is the primary goal of human life in this world. This life is an intermediary in leading to eternal life in the hereafter.

3. The fard al-kifayah (standards of basic human needs). That is, if the calculation is under production and consumption so that it is within the standard for human needs, it must (fard) be prevented and prohibited. It will be hazardous and life-threatening if the exploitation of nature is carried out with human desire. The utilization of nature and the environment must follow human needs.

18 Yafie.

4. The balance and stability of the ecosystem must be maintained (*fard*). Anyone who disturbs and undermines the ecosystem order means destroying life entirely.

5. The *muhtaram* means all beings are noble. Exploitation, persecution, or killing all kinds of creatures for any reason that can harm life is unlawful. It includes killing beasts. Wild animals that do not threaten human life are prohibited from being killed because animals created by Allah have the same function and task in maintaining balance and survival.

6. Humans are the leading actors in controlling the universe. It means humans take advantage of nature and also maintain the preservation of life. However, humans will also be held responsible for what has been done to the use of nature and its contents, both in this world and in the hereafter.²⁰

Three levels must be passed to understand Islamic teachings completely.

1. *Ta’abbud* means that humans must carry out God's commands through worship, such as performing prayers, fasting, zakah, and pilgrimage. It is a form of obedience of a servant to God's instructions to everyone.

2. *Ta’aqqul* means that humans can use their minds to understand instructions for worship. For example, the command to pray (*salat*) must be preceded by taking ablution (*wudhu*) or covering the genitals (*aurat*). It is necessary to understand this correctly. According to Yafie, if this is done, he has already reflected on his religion.

³. *Tahalluq* means that the worship orders imposed on humans must be studied so that they can be manifested into action. Worship must be internalized as a moral. Yafie gave an example of *taharah* (taking purification) not only used for prayer but *taharah* must become a habit that is applied in daily life.²¹

Furthermore, for Yafie, *taharah* is also understood as environmental cleanliness. In the procedure (*adab*) of urinating or defecating, it is not permissible to urinate and defecate where the water does not flow or under a shady tree. Yafie stated that this is one example of the many commands to protect the environment. Shady trees are usually the shelter for people. If this is done, no one will take refuge under the tree, and people will avoid it so that the tree is not cared for and can eventually die. Understanding the meanings of worship must be studied intensively.

Yafie’s thoughts are relevant to the contemporary significance that humans are more anthropocentric and are cap-

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²⁰ Yafie, *Merintis Fiqh Lingkungan Hidup*.

²¹ Hafil, “Saat KH Ali Yafie Bicara.”
tivated by reason and its technological products that threaten human life. It is also a reflection of a reminder for Muslims to care about nature and life from a theological perspective. In the end, Yafie emphasized that ecological fiqh revives the consciousness that humans are obliged to preserve the environment and that this human responsibility will be accounted for in this world and the hereafter.

Conclusion

Ecological issues have been a concern in Islam since the beginning. Yafie emphasized that protecting and preserving the environment according to Islamic law is *fard al-kifayah*. Yafie formulates a comprehension of preserving the environment for human survival from an Islamic perspective. According to him, the five essential components (*al-daruriyyat/al-kulliyat al-khams*)—such as *hifz al-nafs* (protection of life), *hifz al-‘aql* (maintaining the mind), *hifz al-mal* (protection of property), *hifz al-nasl* (maintaining posterity), and *hifz al-din* (maintaining religion)—in human life needs to be complemented by including *hifz al-bi’ah* (preserving the environment). Thus, it becomes six primary components (*al-daruriyyat/al-kulliyat al-sitti*) that humans must carry out, especially in perceiving nature. The actualization of Yafie’s ecological fiqh regarding awareness of preserving the environment can encourage achieving a balance between humans and nature. That way, it will also foster harmony in human relationships with each other and the relationship between humans and God.

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