

Fiqh Siyâsah Shar'iyah Analysis of the Boycott of Pro-Israel Products Based on MUI Fatwa No. 83 of 2023 concerning the Law of Support for the Palestinian Cause

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Informasi Artikel	Abstract
E-ISSN : 3026-6874 Vol: 2 No: 4 April 2024 Halaman : 74-81	<i>This research article seeks to review and analyze MUI Fatwa No. 83 of 2023 concerning recommendations for calls and calls for boycotts of pro-Israel products based on the views of fiqh siyasah. The aim is to find out how the fiqh siyasah syar'iyah views the boycott of pro-Israel products as a form of jihad and defense of the Palestinian state after the issuance of the MUI Fatwa ruling. This research uses a type of library research with a descriptive analysis approach. The results of the study found that in the view of fiqh siyasah boycott of pro-Israel affiliated products is mandatory if the boycott is believed to be harmful and difficult to the infidel Zionist Israel, and does not result in mafsadah for Muslims and a larger state than the mafsadah to be minimized. However, if the boycott actually brings violence and adversely affects Muslims, then the law does not become mandatory. Because in the rule that takes precedence is to anticipate the occurrence of mafsadah rather than realizing benefits. This is an effort to weaken the economy so that it can have a significant impact on stopping the military aggression carried out by Israel. That way, it will be very helpful to open a space for conflict peace between the two warring countries. But in various cases, this boycott must also pay attention and consider the negative impacts it causes, so as not to cause violence for Muslims and the country.</i>
Keywords: Fatwa MUI No. 83 (2023) Fiqh Siyasah Syar'iyah Boycott Pro Israel Products	

Abstrak

This research article seeks to review and analyze MUI Fatwa No. 83 of 2023 concerning recommendations for calls and calls for boycotts of pro-Israel products based on the views of fiqh siyasah. The aim is to find out how the fiqh siyasah syar'iyah views the boycott of pro-Israel products as a form of jihad and defense of the Palestinian state after the issuance of the MUI Fatwa ruling. This research uses a type of library research with a descriptive analysis approach. The results of the study found that in the view of fiqh siyasah boycott of pro-Israel affiliated products is mandatory if the boycott is believed to be harmful and difficult to the infidel Zionist Israel, and does not result in mafsadah for Muslims and a larger state than the mafsadah to be minimized. However, if the boycott actually brings violence and adversely affects Muslims, then the law does not become mandatory. Because in the rule that takes precedence is to anticipate the occurrence of mafsadah rather than realizing benefits. This is an effort to weaken the economy so that it can have a significant impact on stopping the military aggression carried out by Israel. That way, it will be very helpful to open a space for conflict peace between the two warring countries. But in various cases, this boycott must also pay attention and consider the negative impacts it causes, so as not to cause violence for Muslims and the country.

Kata Kunci : Fatwa MUI No. 83 (2023), Boikot Produk Pro Israel, Fiqh Siyasah Syar'iyah

INTRODUCTION

Recently, it has been widely discussed and has become one of the issues that are aggressively called for, namely boycott actions against pro-Zionist Israeli products. This is in the aftermath of the military aggression, oppression, murder, and genocide committed by them over the past few decades. This incident drew a strong response and condemnation from Muslims around the world as a form of support and defense for the conflict that occurred, until finally they launched an attack in the form of a boycott of pro-Israel products. Actually, this boycott call is not new, because previously this boycott invitation had also occurred in French products following the making of caricatures of the Prophet

Muhammad SAW which were considered to have insulted and harassed Muslims, to make President Emmanuel Macron apologize to Muslims (Fikri Ramdani dkk., 2022). And lately on social media there have been many boycotts of Israeli products as an effort to contain and fight against the tyranny and barbarity of the Israeli Zionists. Until finally the Indonesian Ulema Council (MUI) issued a fatwa, namely Fatwa DSN MUI No. 83 of 2023 concerning appeals and calls to Muslims, especially in Indonesia, to boycott pro-Israel products. This boycott is carried out in order to weaken the economy and eliminate the source of income from Israel, thus weakening the grip of their attacks on Palestinians (Auda Laili dkk., 2021). In this issue, it is necessary to investigate the MUI's fatwa on the call for a boycott of pro-Israel products to find out the main reasons and factors behind the boycott call. This important topic is the author's objective reason for conducting this study, because of the rampant calls and boycotts of Muslim communities against pro-Israel products as a form of jihad and efforts to defend Palestine against the war conflict that occurs and a form of resistance against Israel and its supporters. This is seen as helping to harm and complicate the economy and funding of the Zionist Israelis.

After the author did a search, several studies were found that have examined the issue of boycotting Israeli products. First, research by Auda Laili, Muhammad Iqbal Fasa and A. Khumaidi Ja'far (2022) entitled "Analysis of Sharia Economic Law Against Boycotting Israeli Products", the results found that product boycott plans must consider the national economy, because some foreign products also contribute to increasing national economic growth, if there is a boycott it will reduce national economic growth (Auda Laili dkk., 2021). The difference with this study is that the theory and perspective used are different. Second, a study conducted by Ricky Rian Refendy (2022) entitled "Analysis of Islamic Law on Boycotting Foreign Products in Indonesia", the results found that boycotting foreign products is an effort by Muslims in Indonesia fatwakan by the MUI (Indonesian Ulema Council) to fight tyranny by boycotting their products, and in this case boycotts are allowed with government permission. The difference with this study is that the object of study and perspective are different (Ricky Rian, 2022). Third, research by Khotimatul Husna, Anwar Hafidzi, M. Hanafiah (2023) entitled "The Impact of Boycotting Pro Israel Products Fatwa DSN Mui Number 83 of 2023 for Home Stalls in Banjarmasin City", and also research from Chintia Indah Mentari, Fitri Wahyuni, Puttri Rahmadani, and Wahyu A. Rindiani (2023) entitled "The Positive Impact of Boycotting Foreign Products for the Growth of Local Products (Indonesia)", The results of both found that the impact of the boycott of pro-Israel products was a decrease in sales and resulted in some products not selling (Khotimatul Husna dkk., 2023). While the positive impact of boycotting foreign products is to increase sales of local products and at the same time support the struggle for Palestinian independence (Chintia Indah dkk., 2023). The difference with this study is that the purpose of the research is different, because the focus of the research is on the negative and positive impacts of boycotts. In addition, there is a study from Muhammad Habibullah and Roviandri (2023) entitled "Questioning Halal Labels on Pro-Israel Products Based on the Fatwa of the Indonesian Ulema Council Number 38 of 2023", the results of which found that processed products indicated to be affiliated with Israel and widespread in the market entered based on the MUI Fatwa included in the category of marketing boycotts for reasons outside the product (li al-ghair). Because the majority of common goods have been circulated and still get halal guarantees from the halal product assurance organizing body because they have gone through a test mechanism based on halal requirements in Sharia (Muhammad Habibullah dkk., 2023). The difference with this study is that the object of the issue studied is the halal label on products affiliated with Israel. Research on the boycott of Israeli products has actually been carried out by several researchers. From some of the studies above there are similarities in objects, but different in the analysis and perspective used. Therefore, the author is interested in focusing on discussing more deeply the calls and appeals of MUI Fatwa No. 83 of 2023 regarding the boycott of pro-Israel products according to a review of the fiqh siyasah perspective.

Therefore, based on the background description and departing from the explanation above, the author in this research article seeks to review and analyze the MUI DSN Fatwa No. 83 of 2023 concerning calls and calls for boycotts of pro-Israel products based on the views of fiqh siyasah. So this study aims

to determine the views of fiqh siyasah on boycotting pro-Israel products as a form of jihad and defense of the Palestinian state after the issuance of MUI Fatwa No. 83 of 2023. So the formulation of the problem raised in this study is how fiqh siyasah views the boycott of pro-Israel products after the MUI Fatwa decision and the role of the MUI in implementing Fatwa No. 83 of 2023 concerning the call for boycott of pro-Israel products. Because there are so many people out there who are still confused in acting and responding, especially the impact it has on workers in several companies. The results of this research are expected to be useful as a form of practical and theoretical contribution in deepening fiqh siyasah and can be a reference and reference for the community in responding to the phenomenon and problem of boycott actions that are currently rife.

METHOD

Based on the questions above, this study uses a type of library research with a descriptive analysis approach. Some data were taken and collected through literature review in the form of academic literature, journals, articles, mass media news, and several reports related to research topics. The existing data is then analyzed to obtain conclusions. The data sources used in this study are primary data sources and secondary data. The primary data source is the original text of the decision of Fatwa DSN MUI Number 83 of 2023 concerning the law of support for the Palestinian cause. While secondary data in this study was obtained through references to library rooms that discuss the topic of boycotts through books, related journals, and so on related to research. Then the topic of data is analyzed using descriptive analysis, namely analyzing and then describing the main thoughts in narrative form to find answers and solutions to problems in research.

RESULTS AND DISCUSSION

1.) Basic Concepts and Scope of Fiqh Siyasah

As it is well known that fiqh as a science that explains the laws of sharia 'amaliah also has several branches of knowledge. One of its branches is fiqh siyasah. The word siyasah itself comes from "sasa" which means to organize, rule and manage. The term fiqh siyasah or *siyasah syar'iyah* is a branch of science that studies and discusses the regulation of the ummah and state, regulations and policies made by the government in line with the teachings and sharia in order to realize mutual benefit (Syaiful Amri, 2023). Meanwhile, according to Abdul Wahab Khallaf's definition of fiqh siyasah is, "*fiqh siyasah is a decision and policy step taken by leaders in matters that are not specifically regulated in the Shari'a*". Ibn Qayyim Jauziyyah defines that, "*Any langlah or policy that actually brings people close to good and away from evil is part of a just siyasah even though it is not governed by revelation and is not ruled directly by the Prophet (peace be upon him)*" (al-Damiji, 1987). Simply put, fiqh siyasah is the science of statecraft in Islamic religious science that targets Islamic social institutions (Suyuti Pulungan, 1997). So that from some of these definitions, it can be concluded that the discussion of fiqh siyasah is related to the regulation and management of human life in the state and government laws, the concept of running a government that breathes the path of Islamic sharia for the benefit of the people and the state. The aim is to improve and regulate the problems of the people by ordering them to obey the government (Ministry of Al-Auqaf al-Kuwaitia, t.t.). From here, various types of siyasah terms were born such as *siyasah dusturiyah* (legislation), *siyasah maliyah* (finance and economics), *siyasah dauliyah* (statehood / international relations) and so on (Ija Suntana, 2010).

In the Islamic perspective, there are three categories of applicable laws; 1.) Sharia law, 2.) Fiqh, 3.) *Siyasah Shar'iyah*. While Islamic law must be related and related to three things, namely man's relationship with his god, man's relationship with himself, and finally man's relationship with social society. This makes its position special compared to others (Wahbah Zuhaili, 2004). So that Islamic law includes two main aspects, namely the fiqh of worship and the fiqh of muamalah. In this

case, fiqh siyasah falls into the category of muamalah fiqh if interpreted broadly. Unlike if interpreted narrowly, fiqh siyasah is not included in the fiqh muamalah because muamalah relates to human relations with objects that are privacy even though it is likely that there can still be intervention from the government (Rachmat Syafe'i, 2004). According to Abdurrahman Taj, he saw that when viewed from the source, siyasah was classified into two, namely *siyasah syar'iyah* and *siyasah wad'iyah* (Abd al-Rahman, t.t.). The definition of *siyasah wad'iyah* itself is a law made by the government sourced from humans themselves based on surrounding considerations such as the opinions of experts, customary considerations, and some rules that have been preserved for generations (Siti Mahmadatun, 2016).

While in fiqh siyasah itself there are several objects of discussion studied. Some of the scholars and academic experts there are those who classify in detail and concisely. One of the scholars is Imam al-Mawardi in his work *al-ahkam al-sulthaniyyah*, he said that the object of study of fiqh siyasah includes: *siyasah dusturiyyah* (laws and regulations), *siyasah maliyyah* (monetary and economic), *siyasah qadhaiyyah* (judiciary), *siyasah harbiyyah* (law of war), *siyasah idariyyah* (state administration) (al-Mawardi, 2006). While Ibn Taymiyyah added with *siyasah dauliyyah* (statehood / international relations). Meanwhile, according to contemporary academics and scholars such as Hasbi As-Shiddieqy, Abdurrahman Taj and Abdul Wahab Khallaf classify them into several scopes and complement each other as follows: *siyasah dusturiyyah syar'iyah* (politics of legislation/constitution), *siyasah tasyri'iyah syar'iyah* (politics, law/legislative politics), *siyasah qadhaiyyah syar'iyah* (politics of justice), *Siyasah Malikyyah Shar'iyah* (Monetary/Economic Politics), *Siyasah Idariyyah Shar'iyah* (Administrative Politics), *Siyasah Dauliyyah/Kharijiyyah Shar'iyah* (Politics of International/Foreign Relations), *Siyasah Tanfidziyyah Syar'iyah* (Politics of Legislation/Executive Implementation), *Siyasah Harbiyyah Shar'iyah* (Politics of War) (Fatmawati, 2015 & Djazuli, 2007).

2.) MUI Fatwa Recommendation Number 83 of 2023 concerning Boycott of Pro-Israel Products

Recently the Indonesian Ulema Council issued a fatwa on support for Palestine. This is the impact of the phenomenon of rampant boycotts carried out against products indicated to be affiliated with Israel. Until finally, MUI issued its fatwa to respond and respond to events that were happening. This fatwa arose because of several considerations such as those attached to the text of the fatwa that: *First*, because Israel's aggression and annexation of Pelastina has resulted in many casualties, countless injuries, thousands of residents displaced and many destruction of public facilities, houses and buildings. *Second*, there has been a lot of support from various parties for Palestine, in the form of sending energy, weapons, financial raising, moral support with prayers as a form of humanitarian solidarity and the realization of ukhuwah Islamiyyah and ukhuwah insaniyyah. *Third*, there are those who support Israel's acts of aggression against Palestine with the help of weapons and personnel, financial assistance from companies affiliated with Israel and Zionism, the building of public opinion in favor of Zionism, and the purchase of products that actually support Israeli aggression and Zionism.

In addition, the MUI (Indonesian Ulama Council) also pays attention to the opinions of scholars who discuss the haram of dealing with those who fight Muslims, these opinions include the following:

- a. The opinion of Shaykh Said Ramadan al-Buthi in his fatwas: "*It is obligatory to boycott American and Israeli food and trade products, because this includes easy jihad for every Muslim to face aggression from Israel*". *Ma'a al-Nas Masyurat wa Fataawa li al-Shaykh al-Shahid Said Ramadan al-Buthi*, p. 52.
- b. Ibn al-Hajj al-Fasy al-Maliki argues in al-Madkhal (II/78): "*It is not a problem for Jews and Christians to establish (economics) for their own circles and their co-religionists as a separate*

form of murder. And it is not a problem forbidding them to sell to Muslims and forbidding Muslims to buy their products."

- c. The opinion of Sayyid 'Abdur Rahman bin Muhammad bin Husayn bin 'Umar Ba'alawi al-Hadhrami in the book *Bughyatul Mustarsyidin* p. 260: *"If he thinks that he uses it for impurity, such as silk for adults, wine for drunkenness, slaves for immorality, weapons for robbery and tyranny, opium, marijuana and nutmeg for narcotics, then all these are forbidden."*
- d. The opinion of Imam Nawawi in *Syarah Shahih Muslim* 11/40: *"It is the ijma' or consensus of all Muslims on the ability of muamalah with the members of the dzimmah and others as long as the matter does not lead to or fall on haram matters. But Muslims cannot (haram) sell weapons to enemies of Islam who are fighting Islam, nor can they assist them in upholding their religion."*

From some of the considerations and provisions that have been displayed, MUI issues a fatwa by deciding as follows:

First: Legal Provisions

1. Supporting the Palestinian struggle for independence over Israeli aggression is mandatory
2. Including support in any case both in the form of distribution of zakat, infaq and alms for the benefit of the Palestinian cause
3. In case of emergency, zakat funds may be distributed to mustahik who are in distant places such as for the Palestinian cause
4. Supporting Israeli aggression against Palestine or those who support Israel either directly or indirectly is haram.

Second: Recommendations

1. All Muslims are urged to support the Palestinian cause with humanitarian and struggle fundraising movements, praying for victory, and performing supernatural prayers for Palestinian martyrs
2. The government is strongly urged to take decisive steps to help the Palestinian cause, such as through diplomacy at the United Nations to stop the war and sanctions on Israel, the delivery of humanitarian aid, and the consolidation of OIC countries to pressure Israel to stop the war
3. Muslims are urged to avoid the transaction and use of products affiliated with Israel as much as possible and that support occupation and Zionism.

From the explanation of the fatwa above, there is a point where the MUI recommends and appeals to Muslims to avoid every transaction and use of some products that are indicated to be affiliated with Israel. This is what is used as a tendency for the community to launch boycott actions in various sectors and economic lines, so that these appeals and calls also cause several positive and positive impacts from various circles of society. So that this fatwa needs to be analyzed more deeply so that its implementation and actualization are correctly targeted in accordance with the purpose of issuing the fatwa.

3.) Analysis of Pro-Israel Product Boycott Action After MUI Fatwa No. 83 of 2023 Fiqh Siyasah Perspective

The phenomenon of mass boycotts (cancel culture) has recently re-emerged on social media due to the conflict of tension that occurs between Israel and Palestine. Boycott itself is the act of not using, buying, or dealing with a person or an organization as a form of protest or as a form of coercion. The cause of the emergence of *cancel culture* is the lack of valid information, as well as the existence of *mob mentality* or the mentality of joining other social media users. In addition, there is no truly valid information regarding products affiliated with Israel. This actually becomes a wild weapon for business people to bring down their business enemies. So that it has a bad impact on unaffiliated business people and has an impact on job losses for the community due to the bankruptcy of the company where they work. This phenomenon is very unfavorable, so it is necessary to have a law that regulates the limits of social media use to avoid the nature of *mob mentality* that only follows certain groups (Epsilody Mardeson dkk., 2022). Boycott behavior itself in an Islamic perspective is an attitude of rejection of actions that are not in accordance with Islamic principles and law. While the implementation of boycott behavior is in the aspects of muamalah, economic and social. In addition, the form of boycott is classified into two, namely in the form of denunciation and expulsion of something that is not in accordance with the principles and rules and conditions that apply in Islam. Second, do not do and practice actions that are not allowed in religion and state to the detriment of the benefit of Muslims (Muhammad Alfa dkk., 2023). In this case, the boycott that occurred was in various sectors, not only in the economy.

In the view of Islamic economic law that the product boycott plan must consider the national economy, because some foreign products also contribute to increasing national economic growth, if there is a boycott it will reduce national economic growth (Auda Laili dkk., 2021). This view must also be observed in fatwa decisions taken, as it is concerned with the state and citizens. In addition, the purpose of the call for a boycott of foreign products is an effort by Muslims in Indonesia fatwakan by the MUI (Indonesian Ulema Council) to fight tyranny by boycotting its products, and in this case boycotts are allowed with government permission (Ricky Rian, 2022). While the issue of halal labels on pro-Israel products is that processed products that are indicated to be affiliated with Israel and spread widely in the market are included in the MUI Fatwa fall into the category of marketing boycotts for reasons outside the product (*li al-ghair*). Because the majority of common goods have been circulated and still get halal guarantees from the halal product assurance organizing body because they have gone through a test mechanism based on halal requirements in Sharia (Muhammad Habibullah, 2023). So MUI should also emphasize regarding halal products affiliated with Israel that the haram is not because the product is halal but other factors behind it. In addition, the MUI Fatwa should also consider the impacts that occurred after the issuance of the fatwa. Because it does not rule out the possibility of positive and negative impacts. The positive and negative impact of boycotting pro-Israel products is a decrease in sales and resulting in some products not selling well (Khotimatul Husna dkk., 2023). While the positive impact of boycotting foreign products is to increase sales of local products and at the same time support the struggle for Palestinian independence (Chintia Indah dkk., 2023).

So in the view of the fiqh *siyasah syar'iyah* related to the boycott of pro-Israel products after the MUI Fatwa, this must also look at and pay attention to several other aspects of *siyasah*, both in terms of foreign policy, finance and the country's economy and the negative impact caused to the Muslim community by this mass boycott. Because this is not a trivial problem that is solved without paying attention to some of the factors it causes. By law originally, an economic boycott is

legally permissible, but it can be mandatory, sunnah, or haram, depending on the considerations resulting from the boycott in terms of its benefit and efficacy that affects Muslims.

We as Muslims in these conditions are obliged to boycott non-Muslim products (Israel) in the context of jihad to help, defend Muslims, the Prophet and the Islamic religion. The obligation if the boycott is believed to be detrimental and idlor (difficult) to the infidel Zionists of Israel, and does not result in mafsadah for Muslims and a state larger than the mafsadah that wants to be eradicated or that wants to be minimized. If the boycott brings benefits and does not bring bad effects to Muslims, then the boycott law is mandatory. However, if boycotts actually bring violence and adversely affect Muslims, then the law is not mandatory. Because in the rule that takes precedence is to anticipate the occurrence of mafsadah rather than realizing benefits.

The conclusion of the matter (boycott) is that the termination of trade relations or economic boycott (embargo) is a means by which they retaliate and reject their treatment of the Prophet of Allah, to resist and retaliate against those whose behavior has exceeded the limits of fairness and as an attempt to force and pressure the state to impose punishment on people who have offended Islam and it is obligatory for all Muslims to participate in the boycott So the boycott has a huge impact on them, not on other Muslims.

CONCLUSION

Based on the above explanation, it can be concluded that in fiqh *siyasah* and its division that mass boycott actions and calls for pro-Israel affiliated products are mandatory if the boycott is believed to be detrimental and make idlor (difficult) to the infidel Zionists of Israel, and does not cause mafsadah (damage or loss to Muslims) that is greater than the mafsadah who wants to Minimised. However, if the boycott actually brings violence and adversely affects Muslims, then the law does not become mandatory. Because in the rule that takes precedence is to anticipate the occurrence of mafsadah rather than realizing benefits. This is an effort to weaken the economy so that it can have a significant impact on stopping the military aggression carried out by Israel. That way, it will be very helpful to open a space for conflict peace between the two warring countries. But in various cases, this boycott must also pay attention and consider the negative impacts it causes. So that it does not cause chaos for Muslims in a wider scope.

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