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## **Law, Ethics, and Hadith *Ahkam*: An Analysis of Fatwa MUI in the Perspective of Progressive Interpretation**

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**Abstract:** This article discusses the progressive interpretation of the *ahkam* hadith in MUI Fatwa Number 83 of 2023 which relates to the law of support for the Palestinian struggle, with an emphasis on its relation to the boycott of products that support Israel. The main focus of this research is an in-depth and critical exploration of the relevance of certain hadiths in the context of the Palestinian struggle, as well as their application to the boycott policy as a form of solidarity action. This article adopts the perspective of Abdullah Saeed's progressive interpretation of listening to the hadiths that were used as the basis for the MUI fatwa. The method used in this article is a qualitative method with a hadith *ahkam* and an ethical-legal approach. The data collection technique is a literature study in the form of a study of hadith, journal articles, books related to law, ethics, and hadith *ahkam* regarding fatwas. The results of this study provide deep insights into the relevance of *ahkam* traditions in supporting the Palestinian cause in the context of boycotts. Progressive thinking on these traditions is integrated with arguments to strengthen boycotts in response to human rights violations and economic policies that support Israeli occupation. The article also discusses the potential impact of the boycott, both from an economic point of view and as a political instrument that can exert international pressure. Thus, this article not only attempts to detail the progressive interpretation of hadith *ahkam* in MUI Fatwa No. 83 of 2023 but also critically relates it to the boycott strategy, contributing to progressive Islamic literature and Islamic law studies in viewing the Israeli-Palestinian conflict.

**Keywords:** Progressive Interpretation, MUI Fatwa, Israeli-Palestinian conflict, Palestinian independence, *hadith ahkam*, ethico-legal

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**Abstrak:** Artikel ini membahas tentang tafsir progresif terhadap hadis ahkam dalam Fatwa MUI Nomor 83 Tahun 2023 yang berkaitan dengan hukum dukungan terhadap perjuangan Palestina, dengan penekanan pada kaitannya dengan boikot produk-produk yang mendukung Israel. Fokus utama penelitian ini adalah eksplorasi mendalam dan kritis terhadap relevansi hadis-hadis tertentu dalam konteks perjuangan Palestina, serta implikasinya terhadap kebijakan boikot sebagai bentuk aksi solidaritas. Artikel ini mengadopsi perspektif tafsir progresif Abdullah Saeed untuk mengevaluasi hadis-hadis yang dijadikan dasar dalam Fatwa MUI tersebut. Metode yang digunakan dalam artikel ini adalah metode kualitatif dengan pendekatan hadis ahkam dan ethico-legal. Teknik pengumpulan data adalah kajian literatur berupa studi terhadap hadis, artikel jurnal, buku yang terkait dengan hukum, etika dan hadis ahkam tentang fatwa. Hasil penelitian ini memberikan wawasan mendalam tentang relevansi hadis-hadis ahkam terkait dengan dukungan terhadap perjuangan Palestina dalam konteks boikot. Pemikiran progresif terhadap hadis-hadis ini diintegrasikan dengan argumen untuk memperkuat aksi boikot sebagai respons terhadap pelanggaran hak asasi manusia dan kebijakan ekonomi yang mendukung pendudukan Israel. Selain itu, artikel ini juga membahas dampak potensial dari boikot tersebut, baik dari sudut pandang ekonomi maupun sebagai instrumen politik yang dapat memberikan tekanan internasional. Dengan demikian, artikel ini bukan hanya mencoba untuk merinci tafsir progresif terhadap hadis ahkam dalam Fatwa MUI Nomor 83 Tahun 2023, tetapi juga untuk mengaitkannya secara kritis dengan strategi boikot, memberikan kontribusi pada literatur progresif Islam dan kajian hukum Islam dalam memandang konflik Israel-Palestina.

**Kata Kunci:** Tafsir progresif, Fatwa MUI, konflik Israel-Palestina, kemerdekaan Palestina, hadis ahkam, etika-hukum

## Introduction

In 2023, the Indonesian Ulema Council (*Majelis Ulama Indonesia*/MUI), as a religious authority in Indonesia, responded to the Israeli-Palestinian conflict by issuing Fatwa Number 83. This fatwa is not only a legal guideline, but also reflects the moral and spiritual support of Indonesian Muslims for the Palestinian cause.<sup>1</sup> Moreover, the fatwa is based on the

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<sup>1</sup> Abdurrahman Dahlan, et. al., "Al-Buti's Thoughts on Maslāhah and Its Application in the Fatwa of World Fatwa Institutions," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 2 (2023), p. 1148–70. "Fatwa Terbaru MUI Nomor 83 Tahun 2023: Mendukung Agresi Israel Ke Palestina Hukumnya Haram," accessed December 18, 2023,

interpretation of Ibn Majah's ahkam hadith, No. 2340 and 2341, HR. Abu Daud No. 2834, HR. Bukhari No. 7152 & Muslim No. 2577, HR. Al-Bukhari No. 6437, HR. Al-Bukhari No. 2262 and Muslim No. 4677.<sup>2</sup> To explore the relevance of religious understanding in responding to the ongoing conflict between Israel and Palestine. This is because the Israeli-Palestinian conflict has become one of the most important conversations in contemporary geopolitics, creating a deep and complicated global impact.<sup>3</sup> The roots of this conflict involve historical claims, ethnic identity, religion, and geopolitical rivalries in the Middle East region.<sup>4</sup> The continuing land dispute between Israel and Palestine has had serious consequences for regional stability and has attracted the attention of the international community.

However, the complex nature of the Israeli-Palestinian conflict complicates the interpretation of the ahkam hadith in MUI Fatwa No. 83 of 2023. Traditional interpretations are often sources of debate and confusion.<sup>5</sup> Amidst the dynamics of rapid global change, more contextual and responsive interpretations of global issues are becoming increasingly urgent. In this context, progressive interpretations introduced by Islamic scholars such as Abdullah Saeed offer a more open approach to religious understanding, allowing adaptation to contemporary realities.<sup>6</sup> In response to this problem, this scholarly article focuses on the progressive interpretation of the hadith ahkam in the MUI Fatwa, adopting the ethico-legal approach developed by prominent Islamic scholar Abdullah Saeed. This progressive interpretation attempts to provide a more contextual and relevant understanding of the law supporting the Palestinian cause.<sup>7</sup> In addition, this article links progressive

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<https://mui.or.id/baca/berita/fatwa-terbaru-mui-nomor-83-tahun-2023-mendukung-agresi-israel-ke-palestina-hukumnya-haram>.

<sup>2</sup> Majelis Ulama Indonesia, "Fatwa No 83-Hukum Dukungan Terhadap Perjuangan Palestina" (Komisi Fatwa Majelis Ulama Indonesia, 2023).

<sup>3</sup> Dana Gold, "The Politics of Emotion: A Case Study of the Israeli-Palestinian Conflict," *Israel Studies Review* 30, no. 2 (2015), p. 113–29,

<sup>4</sup> Hillel Frisch and Shmuel Sandler, "Religion, State, and The International System in The Israeli–Palestinian Conflict," *International Political Science Review* 25, no. 1 (2004), p. 77–96,

<sup>5</sup> Bernhard Reitsma, "Who Is Our God? The Theological Challenges of the State of Israel for Christian Arabs-Faith and Ethnicity in the Middle East," in *Faith and Ethnicity* (Brill, 2002), p. 180–202,

<sup>6</sup> Hilyati Aulia, "Millennial Jihad :Moral Ethic Behind The Radical Verses In Abdullah Saeed Perspective," *The Proceeding of ICRCs* 1, no. 1 (2022), p. 261–81.

<sup>7</sup> Mun'im Sirry, "Fatwas and Their Controversy: The Case of the Council of Indonesian Ulama (MUI)," *Journal of Southeast Asian Studies* 44, no. 1 (2013), p. 100–117.

interpretation with the boycott policy against products that support Israel as a form of solidarity action.<sup>8</sup> Launching from Reuters, brands that support the state of Israel, such as Starbucks and McDonald, are also on the boycott list. As a result, many of these fast food franchise outlets are empty in a number of Middle Eastern countries, such as Egypt, Morocco, Jordan, and Kuwait.<sup>9</sup>

In Indonesia, Kompas.co.id's research was conducted in the e-commerce realm using the crawling method for two periods, namely October 25-November 7, 2023 and November 8-21, 2023. The results of the research noted that as many as 96 multinational FMCG brands were listed on the list of brands boycotted by consumers because they were considered to support Israel. The research team found that the number of transactions in the food and beverage categories decreased by 12% compared to the previous period. The same situation occurred in the health category, which experienced a 15% decrease in the number of transactions. In the context of the boycott of Israeli products, the most affected category was the mother-and-baby category, which recorded a 16% decrease in transactions. Of the 96 brands affected, 60 brands (62 %) experienced a decrease in the number of transactions to reach 240 thousand transactions.<sup>10</sup> This illustrates the significant impact of consumer boycotts against certain brands in the multinational FMCG industry.

Based on the facts from the data above, in answering the complexity of the Israeli-Palestinian conflict, this scientific article takes the direction of focuses on the progressive interpretation of hadith ahkam in MUI Fatwa Number 83 of 2023. This choice was based on the need to dive deeper and provide a more dynamic perspective on the law of support for the Palestinian cause stated in the fatwa. This research is connected to research entitled “Jihad as justification: National survey evidence of belief in violent jihad as a mediating factor for sacred violence among Muslims in Indonesia”,<sup>11</sup> “Aid

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<sup>8</sup> Philip Marfleet, “Palestine: Boycott, Localism, and Global Activism,” in *Boycotts Past and Present: From the American Revolution to the Campaign to Boycott Israel*, ed. David Feldman, Palgrave Critical Studies of Antisemitism and Racism (Cham: Springer International Publishing, 2019), p. 261–86.

<sup>9</sup> Alia Chughtai Nolan Marium Ali, Delaney, “Boycotts and Protests – How Are People Around The World Defying Israel?,” <https://www.aljazeera.com/news/2023/12/15> accessed December 19, 2023.

<sup>10</sup> Yohanes Mega Hendarto, “Perkara Boikot dan Dukungan untuk Palestina,” *kompas.id*, November 6, 2023, <https://www.kompas.id/baca/riset/2023/11/07/perkara-boikot-dan-dukkungan-untuk-palestina>.

<sup>11</sup> Hamdi Muluk, et.al., “Jihad as Justification: National Survey Evidence of Belief in Violent Jihad as a Mediating Factor for Sacred Violence among Muslims in Indonesia,” *Asian Journal of Social Psychology* 16, no. 2 (2013), p. 101–11.

and Radicalization: The Case of Hamas in the West Bank and Gaza“.<sup>12</sup> “Islamic perspectives on international conflict resolution: Theological debates and the Israel-Palestinian peace process“,<sup>13</sup> “Bureaucratizing fatwā in Indonesia: The council of Indonesian ulama and its quasi-legislative power”,<sup>14</sup> “Fatwas and Democracy: Majelis Ulama Indonesia (MUI, Indonesian Ulama Council) and Rising Conservatism in Indonesian Islam”.<sup>15</sup> “Fatwas of the Indonesian council of ulama and its contributions to the development of contemporary Islamic law in Indonesia.”<sup>16</sup> “Tracing Maqasid Al-Shari’ah in the fatwas of Indonesian Council of Ulama (MUI).”<sup>17</sup> and “analysis of the fatwa of the aceh ulama developmental assembly (MPU) concerning the prohibition of PUBG online games.”<sup>18</sup>

Therefore, This article adopts Abdullah Saeed's progressive interpretation perspective to evaluate the traditions that are used as the basis for the MUI Fatwa.<sup>19</sup> The method used in this article is a qualitative method with a *hadith ahkam* and ethico-legal approach.<sup>20</sup> The data collection technique is a literature study in the form of a study of hadith, journal articles, books related to law, ethics and legal hadith regarding MUI fatwas. Abdullah Saeed's progressive interpretation emphasizes the relevance and adaptability

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<sup>12</sup> Amit Loewenthal, et.al., “Aid and Radicalization: The Case of Hamas in the West Bank and Gaza,” *The Journal of Development Studies* 59, no. 8 (2023): 1187–1212,

<sup>13</sup> Shameer Modongal, *Islamic Perspectives on International Conflict Resolution: Theological Debates and the Israel-Palestinian Peace Process* (Taylor & Francis, 2022).

<sup>14</sup> Alfitri Alfitri, “Bureaucratizing Fatwā in Indonesia: The Council of Indonesian Ulama and Its Quasi-Legislative Power,” *Ulumuna* 24, no. 2 (2020), p. 367–97,

<sup>15</sup> Syafiq Hasyim, “Fatwas and Democracy: Majelis Ulama Indonesia (MUI, Indonesian Ulama Council) and Rising Conservatism in Indonesian Islam,” *TRANS: Trans-Regional and -National Studies of Southeast Asia* 8, no. 1 (2020), p. 21–35,

<sup>16</sup> La Jamaa, “Fatwas of the Indonesian Council of Ulama and Its Contributions to the Development of Contemporary Islamic Law in Indonesia,” *Indonesian Journal of Islam and Muslim Societies* 8, no. 1 (2018), p. 29–56,

<sup>17</sup> Zakaria Syafei, “Tracing Maqasid Al-Shari’ah in the Fatwas of Indonesian Council of Ulama (MUI),” *Journal of Indonesian Islam* 11, no. 1 (2017), p. 99–124.

<sup>18</sup> Hudzaifah Achmad, et.al., “Analysis on Fatwa of Majelis Permusyawaratan Ulama Aceh (MPU) on Against Prohibition of PUBG: A Legal View Based on Maslahah and Mafsadah,” *Jurnal Islam Futura* 20, No. 2 (2022).

<sup>19</sup> Abdullah Saeed, *Reading the Qur’an in the Twenty-First Century: A Contextualist Approach* (Routledge, 2013). Abdullah Saeed, “Some Reflections on the Contextualist Approach to Ethico-Legal Texts of the Quran.” *Bulletin of the School of Oriental and African Studies* 71, no. 2 (2008).

<sup>20</sup> Fuad Thohari, *Hadis Ahkam: Kajian Hadis-Hadis Hukum Pidana Islam*, Yogyakarta: Deepublish, 2016. M. Syuhudi Ismail, *Hadis Nabi yang Tekstual dan Kontekstual*, Jakarta: Bulan Bintang, 1994.

of Islamic teachings to changing times. It attempts to extend the interpretation of ahkam hadith beyond traditional boundaries, with the aim of providing a more contextualized understanding of contemporary issues, such as the Israeli-Palestinian conflict.

Through the application of Abdullah Saeed's framework, this article aims to deepen and explore a new understanding of hadith ahkam, explain the concept of international solidarity, and evaluate the impact of boycotting products supporting Israel on the Palestinian cause. The results of this study are expected to provide a more comprehensive view of how progressive interpretation can be an effective tool for understanding and responding to contemporary issues in the realms of Islamic law and morals. In addition, linking it with concrete action policies, such as boycotts, is expected to enrich the discourse on international solidarity efforts in the context of complex global conflict.

### **MUI Fatwa Number 83 of 2023: Its History and Implications**

The prolonged conflict between Israel and Palestine that has been unfolding in the Gaza Strip and West Bank since October 7, 2023 reflects a significant escalation of violence. Data from the Palestinian Central Bureau of Statistics (PCBS) illustrates the serious humanitarian impact, especially in terms of fatalities, injuries, and missing persons. With a death toll of 13,216 people and more than 32,750 injured, we realize that this conflict is not just a political tension.<sup>21</sup> These numbers represent real human beings, living in daily fear and suffering. The Gaza Strip, as the center of the conflict, faces special challenges. The high population density in the region makes evacuation and medical treatment more complicated, creating a worsening humanitarian situation.<sup>22</sup> On the other hand, while experiencing fewer casualties, the West Bank has had a serious impact on residents' daily lives. It is not only the casualties that have been highlighted but also the number of missing people, which stands at 8,000.<sup>23</sup> This fact creates a high level of destruction and

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<sup>21</sup> Communications ACLED, "Mapping the Conflict in Israel and Gaza: Protests Sweep around the Globe as Israel's War in Gaza Grinds on Reuters," *ACLED* (blog), November 13, 2023, <https://acleddata.com/2023/11/13/>

<sup>22</sup> Rob Grace, "The Design and Planning of Monitoring, Reporting, and Fact-Finding Missions," SSRN Scholarly Paper (Rochester, NY, 9, 2013),

<sup>23</sup> Usaid Siddiqui Pietromarchi Virginia, "More than 8,000 People Missing in the Rubble in Gaza: Hamas," <https://www.aljazeera.com/news/liveblog/2>, Accessed December 19, 2023,

uncertainty. Many of them may be trapped under the rubble, adding urgency to rescue efforts.

In addition, rubble not only provides a hiding place for the missing, but also creates logistical and access challenges for relief and recovery efforts. Continuous attacks may exacerbate humanitarian conditions and aid access difficulties. In this context, in addition to the direct impact on victims, conflict also impacts the health and education sectors. Hospitals and health facilities may be overwhelmed by a surge in the number of patients, while schools and colleges may face serious damage.<sup>24</sup> Overall, this conflict shows that a sustainable political solution and swift and effective international response are urgently needed. This is not only about tackling the immediate consequences of the conflict but also about creating a foundation for long-term peace and justice in the region. Therefore, on November 8, 2023, the Fatwa Commission of the Indonesian Ulema Council (MUI) issued updated fatwa number 83 of 2023 on the Law of Supporting the Palestinian Struggle.<sup>25</sup>

The fatwa explicitly stated that supporting Israeli aggression against Palestine, either directly or indirectly, was haram. This decision was made during a routine session by the MUI Fatwa Commission. MUI Chairman of Fatwa, KH Asrorun Niam Sholeh, at a press conference at the MUI Central Office, Jakarta on November 10, 2023, read out the contents of the fatwa. The fatwa states that supporting the struggle for Palestinian independence against Israeli aggression was obligatory. Support can be in the form of distributing zakat, infaq, and sadaqah to support the struggle of the Palestinian people.<sup>26</sup>

The fatwa has the basis of the Qur'an, Hadith and Ulama Ijtihad including: using the Qur'anic argument in surat al-Baqarah: 1, al-A'raf: 56, al-Nisa: 93, al-Maidah: 32, Al-Hajj: 40, Al-Maidah: 2, Al-Taubah: 47. The hadith: Ibn Majah, no. 2340 and 2341, HR. Abu Daud No. 2834, HR. Bukhari No. 7152 & Muslim No. 2577, HR. Al-Bukhari No. 6437, HR. Al-Bukhari No. 2262 and Muslim No. 4677. In addition, MUI uses arguments from fiqh rules resulting from the thoughts of classical scholars.

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<sup>24</sup> Kathy Jones, "Journalist Casualties in the Israel-Gaza War," *Committee to Protect Journalists* (blog), December 17, 2023, <https://cpj.org/2023/12/journalist-casualties-in-the-israel-gaza-conflict/>.

<sup>25</sup> "Tanggapi Fatwa MUI, Wapres Minta Pihak yang Berwenang Seleksi Produk Terafiliasi Israel - Wakil Presiden Republik Indonesia," <https://www.wapresri.go.id/tanggapi-fatwa-mui-wapres>, November 16, 2023,

<sup>26</sup> S. Dian Andryanto, "Bunyi 4 Fatwa MUI Nomor 83/2023, Termasuk Haram Hukumnya Siapapun Dukung Agresi Israel Terhadap Palestina," <https://nasional.tempo.co/read/1795698>, November 12, 2023.

The fatwa that was born from these arguments was 1. Muslims are encouraged to support the Palestinian cause through humanitarian fundraising movements and struggles, praying for victory, and performing ghaib prayers for Palestinian martyrs. 2. The government is urged to take firm steps to help the Palestinian cause, such as through diplomacy at the UN to stop the war and sanction Israel, sending humanitarian aid, and consolidating OIC countries to pressure Israel to stop its aggression. 3. Muslims are urged to avoid transactions as much as possible and use products affiliated with Israel that support colonization and Zionism.<sup>27</sup>

The Indonesian Ulema Council (MUI) fatwa on the Palestinian cause is reflected in a series of appeals aimed at mobilizing Muslim support. Through the interpretation of Islamic teachings and humanitarian values, fatwa underlines several important aspects. In terms of Muslim solidarity with the Palestinian cause, fatwa advocates support through various means. Muslims are encouraged to raise humanitarian funds, pray for the Palestinian cause to be victorious, and perform ghaib prayers as a form of respect for the Palestinian martyrs.<sup>28</sup> In essence, this fatwa summarizes the teachings of *amar ma'ruf nahi munkar* (advocating goodness and forbidding evil) in the context of a struggle that is considered just.

This represents a response to violations of human rights and international justice in line with Islamic teachings. Finally, the fatwa emphasizes the importance of Muslims avoiding transactions and products affiliated with Israel, or supporting their occupation and Zionism. This prohibition is based on the principles of Islamic law that forbid support for injustice and oppression.<sup>29</sup> This action is interpreted as a form of economic boycott aimed at protesting behavior that is considered to violate human values and justice. Overall, MUI's fatwa reflects an effort to integrate Islamic teachings into social and political dynamics, especially regarding the conflict between Palestine and Israel. In this narrative, religious values, international law, and trade ethics are articulated as guidelines for Muslims responding to the global conflict situation.

### **The Hadith in MUI's Fatwa to Support the Palestinian Cause**

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<sup>27</sup> "Fatwa No 83-Hukum Dukungan Terhadap Perjuangan Palestina."

<sup>28</sup> The Jakarta Post, "MUI Calls for Israeli Goods Boycott, Issues Fatwa in Support of Palestine," <https://www.thejakartapost.com/indonesia>, Accessed December 19, 2023.

<sup>29</sup> Fariz Alnizar and Achmad Munjid, "The Voice of the Ulema and Dilemma of the Indonesian Ulema Council's Fatwa among Low Literate Society," *Teosofi: Jurnal Tasawuf Dan Pemikiran Islam* 10, no. 1 (2020), p. 74–96,



MUI Fatwa No. 83 of 2023 not only relies on the Quran and ijihad (reasoning) of scholars, but also enriches the basis of its argument by using hadith as a source of legitimacy. The hadiths referenced in this fatwa provide a moral and ethical foundation to support the Palestinian people's struggles. The selection of hadith as an additional argument emphasizes MUI's holistic and comprehensive approach in formulating Islamic legal views on the conflict.<sup>30</sup> The hadiths used in this fatwa reflect Islamic teachings that emphasize humanitarian principles and war ethics. One important aspect is the prohibition of damage, even in the context of war. This message is in line with Islamic teachings that place moral and ethical values as the main foundation in every action, including situations of armed conflict.<sup>31</sup>

The alignment of the fatwa with the hadiths creates a balanced basis for Islamic law, integrating the views of the Quran, the ijihad of scholars, and the teachings of the hadiths as one unit. This fatwa is not only normative in nature but also demonstrates the MUI's attempt to formulate a comprehensive and contextualized view of Islam towards certain conflicts.<sup>32</sup> By emphasizing the ethical and moral values contained in these traditions, the MUI fatwa shows that support for the Palestinian cause is not only articulated as a form of political solidarity but also as an implementation of religious values that teach justice, peace, and humanity.<sup>33</sup> As a holistic view of Islamic law, this fatwa provides a strong moral foundation for Muslims to address conflicts that require a deep understanding of their religious values and humanitarian ethics. The hadiths include:

Abu Sa'id, Sa'd bin Sinan al-Khudri (may Allah be pleased with him) reported that the Prophet صلى الله عليه وسلم said: "It is not permissible to do anything that harms oneself and others." (Ibn Majah no. 2340 and 2341). The hadith is narrated in various channels, one of which is the narration of al-Hakim in al-Mustadrak 'ala al-Sahihain li al-Hakim, in which al-Hakim confirms that the narrators meet the criteria of sahih hadith as required by Imam Muslim, except that al-Bukhariy and Muslim do not mention this hadith in their Sahih books.<sup>34</sup>

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<sup>30</sup> "Fatwa Terbaru MUI Nomor 83 Tahun 2023."

<sup>31</sup> "Fatwa No 83-Hukum Dukungan Terhadap Perjuangan Palestina."

<sup>32</sup> Ahmad Mukhlisin, Aan Suhendri, and Muhammad Dimiyati, "Metode Penetapan Hukum Dalam Berfatwa," *Al-Istinbath: Jurnal Hukum Islam* 3, no. 2 (2018), p. 167–84,

<sup>33</sup> Zainul Mun'im, "The Epistemology of MUI's Fatwas on Covid-19: Bayani and Burhani Eclecticism," *Al-Istinbath: Jurnal Hukum Islam* 7, no. 1 (2022), p. 1–20,

<sup>34</sup> Al-Hakim al-Naisaburiy, *al-Mustadarak 'ala al-Sahihaini*, Vol. 2 (Beirut : Dar al-Kutub al-'Ilmiyyah, 1990), p. 66.

Then the hadith of Khalid ibn Al Fizr, narrated to me Anas ibn Malik, that the Messenger of Allah (blessings and peace of Allah be upon him) said: "Go in the name of Allah, on the religion of the Messenger of Allah, and do not kill the elderly, children, and women. And do not betray (in the distribution of ghanimah), and collect your spoils of war. Make peace and do good, surely Allah loves those who do good." (Abu Daud No. 2834). This hadith was narrated by Imam Abi Dawud, Imam al-Bayhaqi and Ibn Abi Shayibah. In the narration path of Abu Daud and Ibn Abi Shayibah, there is one narrator who only narrated this hadith, namely Khalid b. al-Fizr. Khalid b. al-Fizr got this hadith from Anas b. Malik and from Khalid b. al-Fizr this hadith was distributed by Hasan b. Salih. Although Anas b. Malik and Hasan b. Salih are reliable narrators, but Khalid b. al-Fizr only single-handedly narrated this hadith and there is no supporting data stating that Khalid b. al-Fizr is a reliable narrator, so from this route of Abi Dawud and Imam al-Bayhaqi, the sanad of the hadith is weak. Actually, in al-Bayhaqi's Sunan al-Kubra,<sup>35</sup> ada satu jalur periwayatan dengan matan yang semakna dengan hadits diatas, namun al-Bayhaqi He himself stated that the sanad of this hadeeth is weak and there is "irsal", so the data from the sanad on this route cannot be used as a corroboration of the hadeeth in the sanad line narrated by Abu Dawud and Ibn Abi Shaibah,<sup>36</sup> In conclusion, this hadeeth is a *dha'if* hadith.

Ibn Abbas reported that he said: "The Messenger of Allah used to say when he sent out his troops: 'Go out in the name of Allah, you are fighting in the cause of Allah against those who disbelieve in Allah, (so) do not commit treason, do not steal booty, do not commit mutilation, do not kill children and do not kill those who are in churches or places of worship.'" This hadith has been narrated from various channels in various books of hadith, but the channels of the narration of the hadith center on the narrator named Ibrahim b. Ismail, according to Ahmad b. Abi Bakr b. Isma'il al-Bushiriy, it was this narrator named Ibrahim who caused this hadith to be weak. Ismail, according to Ahmad b. Abi Bakr b. Isma'il al-Bushiriy, it is this narrator named Ibrahim who makes this hadith weak.<sup>37</sup> However, there is another opinion, namely in the book al-Mausu'ah al-'Arabiyyah al-'Alamiyyah, stating that the sanad in

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<sup>35</sup> Bayhaqiy al-Bayhaqiy, *Sunan Al-Bayhaqiy al-Kubra*, vol. 9 (Makkah: Maktabah Dar al-Baz, 1994).

<sup>36</sup> Ibn Abi Syaibah, *Mushannaf Ibn Abi Syaibah*, vol. 12, n.d.

<sup>37</sup> Ahmad Bin Abi Bakr Bin Ismail al-Bushiry, *Ittihaf Al-Khiyarah al-Mahrah*, vol. 5, n.d.

the hadeeth is hasan, although the book does not explain the reason for giving the value of hasan to the sanad of the hadeeth above.<sup>38</sup>

In addition, MUI in Fatwa No. 83 of 2023, uses traditions that contain the prohibition of doing wrong to others, including: "Whoever takes an inch of the earth that is not his right, he will be drowned on the Day of Resurrection into the seven layers of the earth." (HR. Bukhari No. 7152 & Muslim No. 2577). The Hadith narrated by Imam Bukhari and Imam Muslims expresses a strong prohibition against taking land that is not rightfully theirs. In this Hadith, Prophet Muhammad states that a person guilty of such an act will face severe punishment on the Day of Judgment. This Hadith is related to Surah al-A'raf: 56, which reflects Islam's policy towards property rights and acts that violate them. By threatening the perpetrator that he will be drowned on the Day of Resurrection in the seven layers of Earth, the Hadith highlights the seriousness of the offense in the eyes of God.

Apart from being a concrete prohibition against taking land without rights, this hadith provides a broader message about ethics and justice. Islam teaches its followers to safeguard the rights of others and to treat others fairly in all aspects of life, including matters of land ownership.<sup>39</sup> It is important to interpret this Hadīth not only as a matter of individual concern, but also as a call to protect natural resources and the environment. The prohibition of taking land without rights can be considered a form of nature conservation and sustainability, reflecting Islam's overarching policy towards the relationship between man and nature.<sup>40</sup> Overall, this hadith conveys a moral and ethical message in man's relationship with land and natural resources, while emphasizing the serious consequences for those who violate these rules before God on the Day of Judgment.

In addition, there is a tradition of 'Ali b. Abi Talib r.a. in which he said: "I will be the first to prostrate before the Gracious One to argue on the Day of Resurrection." Qays bin 'Ubad said: The verse "These are the two groups (believers and disbelievers) who quarrel, they quarrel about their Lord" (QS. Al Hajj: 39 - 40) was revealed for them. He said: The believers who directly confronted the enemy in the battle of Badr were: Hamzah, 'Ali, 'Ubaidah or

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<sup>38</sup> *Al-Mausu'ah al-'Arabiyyah al-'Alamiyyah*, 16. (al-Maktabah al-Syamilah, n.d.)

<sup>39</sup> Nashuddin Nashuddin, "The Management of Muslim Spiritual Tourism In Lombok, Indonesia: Opportunities and Challenges," *Journal of Indonesian Islam* 10, no. 2 (2016), p. 213–36,

<sup>40</sup> Asmawati Muhamad, et.al., "Quranic Messages on Environmental Sustainability: An Expository Study of Its Relevance," *Al-Bayan: Journal of Qur'an and Hadith Studies* 17, no. 1 (2019), p. 38–59,

Abu 'Ubaidah ibn al-Harith, Shibah ibn Rabi'ah, 'Utbah ibn Rabi'ah, and al-Walid ibn 'Utbah (HR. Al-Bukhari No. 6437). This hadith creates a picture of the courage and loyalty of the companions of the Prophet, especially Ali bin Abi Talib. The attitude of determination to be the first to prostrate before Allah shows strong faith and belief in Islamic teachings. In the context of this hadith, Qays bin 'Ubad provides an explanation related to the Quranic verse that states, "These are the two groups (the believers and the disbelievers) who quarrel, they quarrel about their Lord" (QS. Al Hajj: 39 - 40). This verse has been interpreted as referring to believers who directly confronted the enemy in the battle of Badr. Some of the names mentioned, such as Hamzah, 'Ali, 'Ubaidah or Abu 'Ubaidah b. al-Harith, Shibah b. Rabi'ah, 'Utbah b. Rabi'ah and al-Walid b. 'Utbah, were the companions involved in the battle. Taken together, this hadith provides insight into the zeal and courage of the companions of the Prophet in the defense of Islam. 'Ali b. Abi Talib unequivocally declares his determination to prostrate before God on the Day of Resurrection, creating an image that motivates and inspires Muslims to defend religious values with great determination and loyalty.<sup>41</sup>

As the MUI fatwa no 83 of 2023 encourages Indonesian Muslims to help each other in supporting the struggle of the Palestinian people against Israeli military aggression by relying on hadith arguments about the command to help each other and solidarity between humans, among others: Abdullah bin Umar r.a. said: The Prophet said: A Muslim is a brother to his fellow Muslim, he will not mistreat him and he will not allow others to mistreat him. Whoever conveys the desire of his brother, and Allah conveys his desire. Whoever eases the hardship of a Muslim, Allah will ease his hardship on the Day of Judgment, and whoever covers the 'awrah of a Muslim, Allah will cover it on the Day of Judgment. (Al-Bukhari No. 2262 and Muslim No. 4677).<sup>42</sup>

The hadith narrated by Abdullah bin Umar r.a. illustrates the Prophet's command of mutual help and solidarity among people in the context of the Muslim community. This creates a profound understanding of the moral principles and social ethics that Muslims should adopt. It asserts that every Muslim is considered a brother of his fellow Muslims. This concept

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<sup>41</sup> Hasnan Bachtiar, et.al., "Rethinking the Contemporary Discourse of Jihād," *Teosofi: Jurnal Tasawuf Dan Pemikiran Islam* 9, no. 2 (2019), p. 306–25,

<sup>42</sup> "Fatwa Terbaru MUI Nomor 83 Tahun 2023."

emphasizes unity and solidarity within the Islamic community.<sup>43</sup> Helping each other and not mistreating fellow Muslims forms the basis for a supportive and compassionate relationship among Muslims.

Furthermore, this hadith includes the principle that a Muslim should not allow his/her brother to be mistreated by others. This indicates the importance of being responsive to injustice and the need for interventions to protect the rights and dignity of fellow Muslims. This injunction creates a moral foundation for opposing injustice and upholding righteousness. It creates a moral incentive for Muslims to do good and help others, as such actions not only bring benefits in this world but also rewards in the Hereafter. In the context of easing the hardship of a Muslim, this hadith creates a deep understanding of the blessings and meaningfulness of easing the burden on a Muslim brother. The Prophet states that Allah will ease the hardship of anyone who eases the hardship of Muslims. This creates a moral impetus for sharing the burden and providing support in difficult situations. Taken together, these traditions not only provide ethical and moral guidance in social relations, but also offer a foundation for the establishment of a supportive, just, and compassionate Muslim society.<sup>44</sup> This hadith reflects the human values and ethics of Islam, which create a solid foundation for the establishment of a united and just community.

### **Progressive Interpretation of MUI Fatwa on the Boycott of Products Supporting Israel**

Abdullah Saeed's principle of interpretation is generally used to interpret the ahkam verses in the Qur'an. However, in essence, ahkam verses can only live, accompanied by the interpretation of ahkam traditions. In fact, what "lives" in the Muslim community in general comes from the ahkam traditions, because it is generally a direct practice of the Prophet Muhammad, no longer just a text. Abdullah Saeed provides an alternative in interpreting the text of the Qur'an/ Hadith by considering the context and taking into account the value of mutability and immutability.<sup>45</sup> Saeed highlights that these efforts are not new but have been known since the early generations of Muslims. He

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<sup>43</sup> Mutaz al-Khatib, "Ḥadīth-Based Ethics: Ḥadīth as a Scholarly Sub-Discipline of Islamic Ethics," in *Ḥadīth and Ethics through the Lens of Interdisciplinarity* (Brill, 2022), 8–29,

<sup>44</sup> Aksin Wijaya, et.al., "Observing Islam With Ethics: From Hatred Theology to Religious Ethics," *QIJIS (Qudus International Journal of Islamic Studies)* 9, no. 1 (2021), p. 175–208,

<sup>45</sup> Siddiq, "How to Deal with the Verses of War."

explains that these facts can be found in the 'proto-contextualist' tradition of interpretation and in some aspects of the maqashid tradition.

This approach was further developed by Rahman through a value-based approach.<sup>46</sup> However, Saeed states that there are shortcomings in Rahman's approach, especially in the maqashid tradition, which he considers weak in terms of legal literalism and tafsir; therefore, it is not sufficient to serve as an alternative methodological basis. Although Rahman formulated general principles, Saeed still sees a shortcoming: the lack of a detailed framework for constructing a hierarchy of moral values. Nonetheless, Saeed managed to combine inspiration from 'proto-contextualist' interpretation, some aspects of the maqashid tradition, and Rahman's values-based approach. The result is the formulation of a hierarchy of values used as a guide for the contextual interpretation of ethico-legal texts.<sup>47</sup>

Saeed acknowledges that ethico-legal texts have diverse and polarized values at several levels. This is closely related to the universality and particularity of the meaning of Qur'ānic and Hadith texts that apply in a broad context. This hierarchy of values is built on the ethical and moral principles of the Qur'an or Hadith that are often mentioned repeatedly. The existence of this hierarchy of values is crucial, according to Saeed, because failure to recognize this can result in interpretations that contradict the essential universal values of the Qur'ān and Hadith. As a solution, Saeed classifies ethico-legal texts into five tentative levels of value, ranked in order of importance.<sup>48</sup> Thus, this approach is expected to provide a more detailed framework and minimize the shortcomings of previous approaches. In the context of this article, it dissects the ethico-legal texts of ahkam hadiths used by MUI in its fatwa No. 83 of 2023 in an effort to support the Palestinian cause and put pressure on Israeli military aggression.

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<sup>46</sup> Ahmad Hasan Ridwan, et. al., "Implementing and Interpreting Fazlur Rahman's Islamic Moderation Concept in the Indonesian Context," *Journal of Islamic Thought and Civilization* 12, no. 2 (2022), p. 58–73,

<sup>47</sup> Abdullah Saeed and Ali Akbar, "Contextualist Approaches and the Interpretation of the Qur'ān," *Religions* 12, no. 7 (2021), p. 527,

<sup>48</sup> Barsihannor, et. al., "Abdullah Saeed's Construction of the Hierarchy of Values in the Qur'ān: A Philosophical Hermeneutic Perspective," *Journal of Islamic Thought and Civilization* 13, no. 1 (2023). Akhmad Siddiq, "How to Deal with the Verses of War: Abdullah Saeed's Instructional Values on Reading the Qur'an," *Ulumuna* 25, no. 1 (2021), p. 84–107.

## 1. Obligatory Values

In Saeed's Obligatory Values theory, these values are used to find values from the Qur'anic verses that contain obligations and are universal, such as the pillars of faith and Islam. However, to read the hadith ahkam used by MUI in fatwa no. 83 of 2023, it can be used to find normative theological obligation values in supporting the Palestinian struggle against Israeli aggression.<sup>49</sup> The first thing is to understand the context in which the Hadith was born and how to develop its meaning as a theological ahkam Hadith. The first and second hadiths read "Do no harm to yourself or others" and "Go in the name of Allah, on the religion of the Messenger of Allah, and do not kill the elderly, children, and women. And do not betray (in the distribution of ghanimah) and collect your spoils of war. Make peace and do good, surely Allah loves those who do good." It serves as a theological foundation for supporting the Palestinian struggle against Israeli military aggression.<sup>50</sup>

In terms of hadith scholarship, the second hadith was narrated by Imam Abi Dawud, Imam al-Bayhaqi and Ibn Abi Shayibah. In the narration path of Abu Dawud and Ibn Abi Shayibah, there is one narrator who narrated only this hadith, namely Khalid b. al-Fizr. Khalid b. al-Fizr got this hadith from Anas b. Malik and from Khalid b. al-Fizr this hadith was distributed by Hasan b. Salih. Although Anas b. Malik and Hasan b. Salih are reliable narrators, Khalid b. al-Fizr only narrated this hadith by himself and there is no supporting data stating that Khalid b. al-Fizr is a reliable narrator, so from this route of Abi Dawud and Imam al-Bayhaqi, the sanad of the hadith is weak. Although the sanad is weak, the content/memory contained in the hadith has support in the ahkam verses related to jihad in Surah al-Baqarah: 1, al-A'raf: 56, al-Nisa: 93.<sup>51</sup>

The two traditions mentioned previously provide a theological normative foundation related to jihad in Palestine by providing ethical

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<sup>49</sup> Saeed, *Interpreting the Qur'an*.

<sup>50</sup> Muhammad Yaseen Gada, "Beyond Violence: Deconstructing the Contemporary Western Discourse of Jihād," *Journal of Islamic Thought and Civilization* 6, no. 2 (2016), p. 35–51.

<sup>51</sup> Siddiq Ali Chishti, "Re-Thinking Jihād: A Semantic Analysis of the Qur'anic Vocabulary," *Al-Bayan: Journal of Qur'an and Hadith Studies* 13, no. 1 (2015), p. 1–24,

guidelines and limitations in its implementation. The first hadith reads, "It is not permissible to do actions (mudharat) that harm yourself and others." This hadith can be interpreted as emphasizing the principle of safety and avoiding actions that can harm themselves or others. In the context of jihad in Palestine, this hadith emphasizes that jihad should not involve actions that unreasonably endanger human lives and safety. It asserts that jihad warfare should be conducted with full ethical and moral considerations, avoiding actions that are disproportionate or may cause great harm to society.<sup>52</sup>

The second Hadith reads: "Go in the name of Allah, on the religion of the Messenger of Allah, and does not kill the elderly, children, and women. And do not commit treason and collect your spoils of war. Make peace and do good; indeed, Allah loves those who do good." This hadith can be interpreted as providing clear ethical guidelines for the implementation of jihad. Jihadists are asked to depart in the name of Allah and uphold the religious values of the prophet. The prohibition on killing the elderly, children, and women emphasizes the need to protect the lives of civilians who are not involved in the conflict.<sup>53</sup> The prohibition of treachery in the distribution of ghanimah (a spoil of war) emphasizes the need for justice and honesty in the implementation of jihad.

This hadith emphasizes the importance of creating peace and doing good. This illustrates that the goal of jihad is not only limited to conflict but also includes efforts to establish sustainable peace and contribute to the common good. Allah loves those who do good, and this is the moral foundation jihadists should uphold. By emphasizing ethics, justice, and peacemaking, these two traditions provide a normative foundation for the conduct of jihad in Palestine that is in accordance with the peaceful and human rights-respecting principles of Islam. The two traditions above, which are used as arguments in MUI fatwa no. 83, can be used as a normative theological basis for the obligation to carry out jihad for Palestinians on the battlefield and

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<sup>52</sup> Faisal bin Ahmad Shah, "The Misinterpretation of Hadith Texts by Extremist Groups to Justify Their Terrorist Acts: An Analysis," *Al-Bayan: Journal of Qur'an and Hadith Studies* 16, no. 2 (2018), p. 163–86,

<sup>53</sup> Wasid Wasid, "Teologi Perdamaian Dalam Tafsir Jihad," *Teosofi: Jurnal Tasawuf Dan Pemikiran Islam* 1, no. 2 (2011), p. 270–89,



jihad for all Muslims outside Palestine by supporting their struggle by making various efforts to weaken Israel's aggressive efforts, one of which is to weaken the economic strength of the supporters of military aggression carried out by Israel. The theological principle affecting the economy of producers who support Israeli military aggression has proven its impact.

## **2. Fundamental Values**

After finding the theological basis of the two hadiths that are used as the argument of MUI fatwa no. 83 of 2023, the next values, namely the ahkam hadiths used by MUI in building its fatwa argument, are sought for values that contain human values, such as justice and the fulfillment of human rights. The hadiths that are used as arguments are, "It is not permissible to do actions (mudharat) that harm yourself and others"; "Go in the name of Allah, on the religion of the Messenger of Allah, and do not kill parents, children, and women. And do not betray (in the distribution of ghanimah), and collect your spoils of war. Make peace and do good, surely Allah loves those who do good." and "Ibn Abbas reported that he said: When the Messenger of Allah sent out his troops he said: 'Go out in the name of Allah, you are fighting in the cause of Allah against those who disbelieve in Allah, (so) do not betray, do not steal booty, do not mutilate, do not kill children and do not kill those who are in churches or places of worship."

The first two Hadiths mentioned previously, in addition to containing the values of theological obligation in carrying out jihad in the Palestinian struggle, these Hadiths have basic values in supporting the struggle of the Palestinian people against Israeli military aggression. In the context of interpreting these traditions to support the struggle of the Palestinian people based on the basic values of Abdullah Saeed's theory, there is an effort to find the values of humanity, justice, and the fulfillment of human rights in the ahkam traditions used by MUI in building its fatwa, especially MUI Fatwa No. 83 of 2023. This fatwa is a guide for Muslims in responding to the struggle of the Palestinian people.<sup>54</sup>

These Hadiths emphasize that in the struggle to support the Palestinian people, actions that harm oneself or others should be avoided. In the context

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<sup>54</sup> "Tanggapi Fatwa MUI, Wapres Minta Pihak yang Berwenang Seleksi Produk Terafiliasi Israel - Wakil Presiden Republik Indonesia."

of the Palestinian struggle, this can be interpreted as prohibiting the use of tactics or strategies that could endanger the lives of civilians including the elderly, children, and women. This implies that the struggle must prioritize the protection of humanity. Therefore, the struggle carried out by the people of Indonesia and several other Islamic countries, when boycotting has been right, for the fulfillment of the basic rights of the Palestinian people who are facing Israeli military aggression that has lost 13,216 Palestinian lives and injured more than 32, 750 people, we realize that this conflict is not just a political tension.<sup>55</sup>

In linking these traditions with boycotts to suppress Israeli military aggression and fulfill human rights, it is important to note that both of these actions—both war and economic boycotts—must always be done with holy intentions and prioritize human values. The following is a link between these traditions, boycotts, and the fulfillment of human rights in the context of the Palestinian struggle.<sup>56</sup> The Hadiths taught that war (including economic boycotts) should be conducted with holy intentions. Therefore, boycotts of products or brands associated with Israeli military aggression should be conducted with a moral and ethical awareness. Such boycotts should not involve actions that are cruel, discriminatory, or detrimental in the extreme in accordance with Islamic principles that respect human rights.

The prohibition of killing children, engaging in mutilation, and killing people in places of worship emphasizes the importance of maintaining humanitarian norms. In the context of boycotts, this implies the need to protect the human rights of children and non-Muslims and respect freedom of worship for all. Boycotts should not harm vulnerable groups or places of worship. These hadiths create a balance between struggle and human values. Boycotts should not only be a tool of economic pressure, but should also reflect ethical

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<sup>55</sup> “44 Hari Perang, Korban Jiwa Palestina Tembus 13.000 Orang | Databoks,” accessed December 19, 2023, <https://databoks.katadata.co.id/datapublish/2023/11/20/44-hari-perang-korban-jiwa-palestina-tembus-13000-orang>.

<sup>56</sup> Hans-Gerd Kausch, “Boycotts for Non-Economic Reasons in International Trade: International and German Law Aspects,” *Nordic Journal of International Law* 46, no. 1–2 (1977), p. 26–36

policies that support human rights.<sup>57</sup> In other words, boycotts must be fair, proportionate and not harm civilians who are not involved in the conflict.

It is important to understand how traditions that emphasize the creation of peace and the practice of good can be interpreted and implemented in the context of boycotts against Israeli military aggression against Palestine. They indicated that peace should be the ultimate goal of any action, including boycotts. The creation of peace in the context of the boycott can be interpreted as an attempt to end the cycle of violence and injustice and create an environment in which the rights of the Palestinian people can be recognized and respected.<sup>58</sup> Boycotts are a step towards peace by applying economic pressure that encourages negotiations and dialog. The Hadiths in MUI fatwa no. 83 of 2023 also emphasize the importance of doing good. In the context of a boycott, this can be interpreted as carrying out the boycott in a fair, wise, and ethical manner. The selection of boycott targets, communication strategies, and impacts must produce positive changes and bring goodness to Palestinian people. Boycotts are not only counterproductive or detrimental but also provide positive benefits. The boycott called for by the MUI through its fatwa can be seen as a ransom tool aimed at obtaining justice. Boycotts can focus on companies or products involved in human rights violations or support military aggression. Through economic pressure, the international community can force changes in behavior and policies that are more just and respectful of the rights of the Palestinian people.<sup>59</sup>

The boycott can be directed at restoring the rights of the Palestinian people who have been marginalized by prolonged conflict. This includes land rights, freedom of movement, and other human rights that may have been neglected or violated because of military aggression. Boycotts can empower the international community to support the restoration of these rights. The boycott action called for by MUI by placing hadiths as the basis can create a

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<sup>57</sup> Jana Jevtić, “Palestinian Resistance and the Muslim Boycott,” in *Lives in Solidarity* (Brill, 2023), p. 22–42,

<sup>58</sup> Fons Coomans et al., “Boycott and Human Rights [1977],” in *Human Rights from Exclusion to Inclusion: Principles and Practice* (Brill Nijhoff, 2000), 421–25,

<sup>59</sup> Yehuda Z. Blum, “10 Economic Boycotts in International Law,” in *Will “Justice” Bring Peace?* (Brill Nijhoff, 2016), 178–89,

wise and strategic boycott action to encourage fair peace negotiations.<sup>60</sup> By exerting economic pressure, boycotts can create incentives for parties involved in the conflict to sit down, negotiate, and reach a solution that respects the rights of all parties concerned, including the Palestinian people.

By understanding these hadiths, boycotts are practiced as a non-violent strategy in line with Islamic values and human rights. Islam promotes peace, justice, and humanity, and boycotts can be a means of engaging the international community in the struggle without involving acts of violence. A wise and ethical boycott can be an effective instrument for condemning and suppressing Israeli military aggression.<sup>61</sup> By imposing economic sanctions, the international community can put strong pressure on Israel to respect the rights of Palestinian people and end its aggressive actions. Overall, it can be concluded that a deep understanding of Islamic values and human rights contained in these traditions provides a moral basis for implementing boycotts as a non-violent strategy that respects the principles of humanity and justice. A wise and ethical boycott is not only a tool of economic pressure, but also a step towards positive change, peace, and restoration of the rights of the Palestinian people.

### **3. Protectional Values**

After establishing the hadiths in the MUI fatwa to find their obligatory and basic values, ahkam hadiths that contain legal provisions are required to maintain these fundamental values. In the context of MUI fatwa number 83 of 2023, it uses the hadith that reads: "A Muslim is a brother to his fellow Muslims, not persecuting him and not allowing him to be persecuted. Whoever relieves his brother's need, and Allah relieves his need. And whoever eases the hardship of a Muslim, Allah will ease his hardship on the Day of Judgment, and whoever covers the 'awrah of a Muslim, Allah will cover it on the Day of Judgment."

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<sup>60</sup> Omar Barghouti, "BDS: Upholding International Law, Asserting Palestinian Rights," *The Palestine Yearbook of International Law Online* 17, no. 1 (2014), p. 115–40.

<sup>61</sup> Kausch, "Boycotts for Non-Economic Reasons in International Trade."

Connecting the hadith with the context of MUI fatwa number 83 of 2023 and the boycott of products supporting Israeli aggression, Muslims are trying to maintain the fundamental values of Islam while providing real support for the Palestinian people's struggle. Hadith emphasizes the values of solidarity, justice, and protection of fellow Muslims. This reflects the teachings of Islam, which emphasize the importance of respecting the rights and lives of fellow Muslims and safeguarding their welfare.<sup>62</sup> In addition, the above hadith describes the obligation of a Muslim to look after his brother, not mistreat him, and not allow him to be mistreated by others. This creates social responsibility among Muslims to help and protect each other.

MUI Fatwa number 83 of 2023 led to a boycott of products supporting Israeli aggression. The boycott can be seen as a concrete action to protect the fundamental values described in the hadith. By not supporting products that are involved in aggression against Palestine, Muslims try to protect the rights of fellow Muslims and express solidarity.<sup>63</sup> The Hadith relied upon by MUI also states that whoever addresses the needs of his brother, Allah will fulfill his needs. This can be connected to the boycott, where Muslims who unite in an effort to protect the fundamental values of Palestine can expect positive consequences from Allah, both in this life and the hereafter.

In the context of preserving fundamental values and protecting the human rights of the oppressed Palestinian people, boycotting products that support Israeli military aggression can be viewed as a concrete action that reflects the values of protecting fellow Muslims and the principles of Islamic justice. The Hadith, on which MUI's Fatwa 83 is based, states that a Muslim is a brother to his fellow Muslims.<sup>64</sup> A boycott of products that support Israeli military aggression can be considered an effort to protect the rights of fellow Muslims in Palestine, who are victims of the conflict. By not supporting economies that engage in human rights violations, Muslims outside Palestine can play a role in protecting the rights of their fellow persecuted Muslims.

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<sup>62</sup> Marfleet, "Palestine."

<sup>63</sup> Barghouti, "BDS."

<sup>64</sup> Bachtiar, et.al., "Rethinking the Contemporary Discourse of Jihād."

In addition, hadith emphasizes the prohibition of persecuting fellow Muslims. By boycotting products that support Israel's military aggression, Muslims demonstrate that they do not support acts of violence or oppression against their fellow believers. Boycotts are a form of peaceful moral resistance to actions that can be considered a threat to the human rights of fellow Muslims. On the other hand, the hadith that was used as MUI fatwa number 83 states that whoever conveys the wishes of his brother, Allah will convey his wishes. Boycott can be interpreted as a form of conveying the needs of Muslim brothers in difficult conditions in Palestine. By showing solidarity through economic action, Muslims outside Palestine participate in efforts to fulfill the needs of their oppressed fellow Muslims.

The hadith even states that whoever eases the hardship of a Muslim, Allah will ease his hardship on the Day of Judgment. Boycotting products that support Israeli military aggression can be interpreted as an attempt to ease the hardships of the Palestinian people by reducing financial support for those involved in oppression. By incorporating these fundamental values, boycotting products that support Israeli military aggression become a strategy in line with Islamic teachings on safeguarding human rights, justice, and solidarity among fellow Muslims. Boycotts are an effective way to voice objections to human rights violations taking place in Palestine while upholding the moral and ethical values accepted in Islamic teachings.

#### **4. Implementational Values**

After establishing the theological basis, fundamental law, and protection for the boycott of products supporting Israeli military aggression through the hadith ahkam in MUI fatwa number 83 of 2023, the next step is to build the process of implementing the boycott law as a jihad step to support the struggle of the Palestinian people. In this context, the text of the ahkam hadith contains the application of punishment for people who violate these fundamental and protective values, namely by continuously boycotting products that support Israeli military aggression until Israel stops its acts of aggression. This is based on the ahkam hadith used by MUI in fatwa no 83 of 2023 which reads: "Whoever takes an inch of land that is not his right, he will be drowned on the Day of Resurrection in seven layers of earth." (HR.

Bukhari-Muslim); 'Ali ibn Abi Talib r.a. reportedly said: "I will be the first to prostrate before the Gracious One to argue on the Day of Resurrection"; And the hadith that states, "A Muslim is a brother to a fellow Muslim, does not mistreat him and will not allow him to be mistreated. And whoever relieves his brother's need, Allah will relieve his need. And whoever relieves the distress of a Muslim, Allah will relieve his distress on the Day of Resurrection, and whoever covers the 'awrah of a Muslim, Allah will cover it on the Day of Resurrection."

Theoretically, the implementation of boycotts of products affiliated with Israel has put companies involved in the conflict or linked to Israel in a difficult situation. Customers' decisions to switch to other brands as a form of protest against Israel's actions have had a direct impact on the company's revenue. This decision reflects the power of consumers in using their purchasing decisions as a tool to voice political and moral views. While there has been no official report on the latest losses suffered by Israel, an Al Jazeera report in 2018 showed that the boycott movement has the potential to cause significant losses. The figure mentioned, reaching US\$ 11.5 billion or around Rp 180.48 trillion (using an assumed exchange rate of Rp 15,694/US\$) per year, illustrates that the economic impact of the boycott movement could be one of the significant aspects of this conflict.<sup>65</sup>

Concerned about these potential losses, Israel has responded with a series of diplomatic efforts and internal measures. Israel's diplomatic priorities in recent times have focused on countering the Boycott, Divestment and Sanctions (BDS) movement. Israel's Prime Minister, Benjamin Netanyahu, has himself taken steps to ban groups that support the boycott movement. This action was taken with the consideration that thousands of people in Israel risk losing their jobs if their country experiences a full boycott from the international community.<sup>66</sup> This situation creates a complex dilemma, where economic, political and social issues are intertwined. While the boycott movement is a strong expression of disapproval of Israel's actions, its impact

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<sup>65</sup> Nolan, "Boycotts and Protests – How Are People Around The World Defying Israel?"

<sup>66</sup> Ian Black, "Israel Boycott Movement Is Antisemitic, Says Binyamin Netanyahu," *The Guardian*, February 18, 2014, sec. World news, <https://www.theguardian.com/world/>

is felt by companies that may not be directly involved in the conflict. As the conflict continues, it will be interesting to see how the dynamics of the boycott movement will evolve and whether it will drive behavioral and policy changes from the parties involved.

This was evident after Israel's military aggression on October 7, 2023, The implementation of the boycott, impacted brands that were perceived to support Israel, such as Starbucks, McDonald's, and KFC, which created significant changes in a number of Middle Eastern countries such as Egypt, Morocco, Jordan, and Kuwait. The impact can be seen in the empty fast food franchise outlets and declining sales. In Indonesia, Kompas.co.id research through the crawling method in the e-commerce realm in the period October 25-November 7, 2023 and November 8-21, 2023 revealed that 96 multinational Fast-Moving Consumer Goods (FMCG) brands were listed on the boycott list by consumers because they were considered to support Israel. The results showed that the boycott had a real impact on e-commerce transactions.<sup>67</sup>

There was a 12% decrease in the number of transactions in the food and beverage category compared to the previous period. This reflects the response of consumers who actively choose not to support certain products. Secondly, the health category also saw a 15% decrease in the number of transactions, indicating that consumers are taking into account the brands involved in the boycott, including in the purchase of health products. Third, the most affected category was mom and baby, with a 16% decrease in the number of transactions. This shows consumer awareness of brands in this category that are associated with support for Israel. Of the 96 brands affected, 60 brands or equivalent to 62% experienced a significant decrease in the number of transactions, reaching 240 thousand transactions.<sup>68</sup>

It reflects that consumer boycotts have a major impact on the sales of certain brands in the multinational FMCG industry. It is important to note that the boycott reflects the attitude of Indonesian Muslim-majority consumers

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<sup>67</sup> Hendarto, "Perkara Boikot dan Dukungan untuk Palestina."

<sup>68</sup> The Jakarta Post, "Coca-Cola Indonesia Addresses MUI Fatwa on Boycotts," The Jakarta Post, accessed December 19, 2023, <https://www.thejakartapost.com/business/2023/11/15>.



who are concerned about global political and social issues, especially the Palestinian struggle against Israeli aggression. By using their purchasing power, Indonesian Muslims can put pressure on brands to pay attention and adjust their behavior in accordance with the values upheld by society, and the ahkam hadiths used by MUI in fatwa no 83 of 2023 can be used as a normative-theological foundation. As well as the law, which is found using the two hadiths above, this boycott action is indeed correct to create peace and fulfillment of human rights over the conflict between Israel and Palestine.

### **Conclusion**

Based on the analysis above, this study found that Abdullah Saeed's progressive interpretation principle provides an alternative for interpreting Hadith texts used by MUI fatwa No. 83 of 2023 related to the Palestinian-Israeli conflict. Saeed integrates inspiration from 'proto-contextualist' interpretation, maqashid tradition, and Fazlur Rahman's values-based approach. The result is the formulation of a hierarchy of values that guides the contextual interpretation of ethico-legal verses. Saeed's approach includes five levels of values in the context of the ethico-legal texts of ahkam traditions. At the obligatory value level, it emphasizes the need to understand the context of the ahkam hadith and the theological values that support the Palestinian cause. At the fundamental value level, humanitarian and justice values are found in traditions that guide the boycott. At the Protectional Values level, the values of solidarity, justice, and protection of fellow Muslims are emphasized as the basis for the boycott. At the level of Implementational Values, the boycott law is implemented as a jihad step to support the Palestinian cause. By detailing the traditions that form the basis of MUI's fatwa 83 of 2023, using Saeed's progressive interpretation, this article provides a moral and ethical basis for Muslims who engage in boycotts. Boycott is not only a tool of economic pressure but also a non-violent measure that reflects Islamic values such as peace, justice, and the protection of human rights. This article not only discusses ethico-legal texts, but also details the implementation of boycotts as a strategy in line with Islamic teachings. By combining fundamental values and protections, the boycott is implemented as a concrete response to Israeli military aggression, creating hope for peace and restoring the rights of the Palestinian people. Thus, the overall discussion illustrates a contextual and value-based approach that attempts to provide an ethical and moral solution to

support the Palestinian cause through boycotts that adhere to Islamic values and human rights.

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