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Assessing the Consideration of *Maslahah* and *Mafsadah* in the Boycott of Franchise-Based Products and Services Linked to Israel in Malaysia

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Abstract: This article examines the implications of boycotting franchise operations in Malaysia, identified as supporters of Israeli violence, through the lens of Islamic law, particularly focusing on the concepts of *maslahah* (benefit) and *mafsadah* (harm). The objective is to develop a nuanced understanding of the decision-making process regarding such boycotts, acknowledging their extensive economic consequences on various stakeholders, including suppliers, distributors, logistics facilitators, local employees, and business owners. Utilizing a qualitative methodology, this study employs a documentation technique and content analysis to assess the balance between *maslahah* and *mafsadah*. Findings suggest that while boycotts can apply financial pressure on Israel, they inadvertently cause significant economic distress to local Malaysian businesses and result in job losses among the local workforces. Notably, the research highlights the distinct positions of Malaysian franchises, which, unlike their Israeli counterparts, generally oppose violence and contribute to Palestinian aid efforts. Consequently, based on the evaluation of *maslahah* and *mafsadah*, the article argues that boycotting such entities in Malaysia could be counterproductive, yielding more harm than benefit.

Keywords: Boycott, conflict, genocide, goods, Islamic Law, Palestine

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Abstrak: Artikel ini mengkaji implikasi dari pemboikotan operasi waralaba di Malaysia, yang diidentifikasi sebagai pendukung kekerasan Israel, melalui sudut pandang hukum Islam, khususnya dengan fokus pada konsep masalahah (manfaat) dan mafsadah (kerugian). Tujuannya adalah untuk mengembangkan pemahaman yang bernuansa tentang proses pengambilan keputusan terkait pemboikotan tersebut, dengan mengakui konsekuensi ekonomi yang luas pada berbagai pemangku kepentingan, termasuk pemasok, distributor, fasilitator logistik, karyawan lokal, dan pemilik bisnis. Dengan menggunakan metodologi kualitatif, penelitian ini menggunakan teknik dokumentasi dan analisis konten untuk menilai keseimbangan antara masalahah dan mafsadah. Temuan menunjukkan bahwa meskipun pemboikotan dapat memberikan tekanan finansial pada Israel, secara tidak sengaja hal itu menyebabkan tekanan ekonomi yang signifikan pada bisnis lokal Malaysia dan mengakibatkan hilangnya pekerjaan di antara tenaga-tenaga kerja lokal. Khususnya, penelitian ini menyoroti posisi berbeda dari waralaba Malaysia, yang, tidak seperti rekan-rekan mereka di Israel, umumnya menentang kekerasan dan berkontribusi pada upaya bantuan Palestina. Oleh karena itu, berdasarkan evaluasi masalahah dan mafsadah, artikel ini berpendapat bahwa memboikot entitas semacam itu di Malaysia dapat menjadi kontraproduktif, yang menghasilkan lebih banyak kerugian daripada manfaat.

Kata Kunci: Boikot, konflik, genosida, barang, hukum Islam, Palestina

Introduction

Palestine-Israel conflict remains an enduring tragedy that persists unresolved after more, than half a century.¹ In the recent situation, the Israeli regime has escalated its violent actions in Palestine, initiating a series of assaults leading to the tragic loss of innocent lives, inflicting injuries on many, and causing significant destruction and losses to the Palestinian population.² Israeli authorities have discontinued essential services, including water and electricity, to the residents of Gaza, concurrently imposing restrictions on the importation of critical supplies like fuel and humanitarian aid, amounting to collective punishment that could be considered war crimes.³ As of the end of January 2024, the Health Ministry in the Gaza Strip reports indicate an escalating death toll, with over

¹Meyland SF. Wambrauw, et.al., "In-Depth Analysis of The Dynamics Post-Israel-Palestine Conflict 2023: Political, Economic, And Social Implications for The Future of Israel," *International Journal of Society Reviews* 2, no. 1 (2024), p. 223-236. Robert Home and Muhammad Siddiq Armia, "Decolonising Israel/Palestine: An Approach To The Legal History of The Middle East," *Petita* 10, No. 1 (2025).

²FAO, *GIEWS Update – Palestine, 29 January 2024* (Rome: FAO, 2024), p. 1-5.

³Human Right Watch, *World Report 2024* (New York: Human Right Watch, 2024), p. 324-335.

25,000 Palestinians having lost their lives in the conflict between Israel and Hamas.⁴

In reaction to this recent conflict, many governments and non-governmental organizations involved at the international level are providing essential assistance in the form of food, medical aid, and financial support. Simultaneously, at the local level, particularly in Malaysia, there has been a resurgence in the momentum of consumer boycott campaigns, continuing a trend set by certain organizations that have consistently participated in boycotting Israel since 2019.⁵ Historically, the practice of boycotting Jewish businesses in Palestine dates back to 1922.⁶ As for the Malaysians, the first call for a boycott was launched around 1967 and it continues to escalate due to the recent development of the conflict.⁷

This practice is defined as a refusal to purchase goods or services as an expression of protest or indignation towards a particular entity or situation. A boycott represents a form of consumer resistance or isolation of specific products or services, often motivated by various factors such as environmental, political, ethical, and social concerns.⁸ The practice of boycott can be categorized into three aspects: firstly, a societal boycott initiated by groups of people, organizations, or citizens of a country without involving authorities; secondly, a boycott launched by the authorities of a place, such as the government of a country or a coalition of governments, or resolutions that prevent transactions with the boycotted party; and thirdly, a boycott by international bodies acted upon by a coalition of countries worldwide.⁹

⁴ N. Jobain, and S. Magdy, "Palestinian death toll in Gaza surpasses 25,000 while Israel announces the death of another hostage," *AP News*, January 22, 2024, <https://apnews.com/article/israel-hamas-war-news-01-21-2024>.

⁵ Philip Marfleet, "Palestine: Boycott, localism, and global activism," In *Boycotts Past and Present: From the American Revolution to the Campaign to Boycott Israel*, ed. Feldman, D. (London: Palgrave Macmillan, 2019), p. 261-286.

⁶ Aurélie Bröckerhoff and Mufid Qassoum, "Consumer boycott amid conflict: The situated agency of political consumers in the occupied Palestinian territory," *Journal of Consumer Culture* 21, no. 4 (2021), p. 892-912.

⁷ Oshman, N.N.A, "Boikot produk jenama Israel berhasil," *Sinar Harian*, November 25, 2023, <https://www.sinarharian.com.my/article/636399/berita/nasional/boikot-produk-jenama-israel-berhasil>.

⁸ Hallward, M.C, "Boycott, Divestment, and Sanctions (BDS) and the Israeli-Palestinian Conflict," In *Routledge Companion to the Israeli-Palestinian Conflict*, ed, Siniver, A. (London: Routledge, 2022), p. 495-509.

⁹ Anas Mohd Yunus, et.al., "The Concept of Boycott: A General Introduction," *International Journal of Academic Research in Business and Social Sciences* 10, no. 9 (2020), p. 962-971.

In Malaysia, calls for boycotts often emerge in response to sensitive issues, and the impact of religiosity positively influences such boycotts.¹⁰ Ishak, Suraiya, Kartini and Nidzam observe that boycotts in Malaysia have targeted several international fast-food chains, primarily American-based companies such as McDonald's, KFC, Burger King, and Starbucks, due to their perceived connections to conflicts affecting Muslims in Palestine. Furthermore, more than 2,000 Muslim-owned restaurants have stopped offering Coca-Cola, participating in a wider boycott of American products believed to support the Israeli government.¹¹

Thus, the recent conflict between Palestine and Israel has triggered a societal boycott with participants believing it is a religious obligation to engage in this boycott leading to the creation of extensive lists of targeted products and services.¹² However, these boycott efforts tend to be executed in a generalized manner without an in-depth examination or consideration of the benefits (*maslahah*) and detrimental effects (*mafsadah*) for the various stakeholders involved in the related product and service supply chains. This approach can potentially lead to injustices against innocent parties and threaten their sources of income.¹³ Hence, this research aims to explore the dynamics of boycotting products and services that support or related to the Israeli regime by analyzing the balance between the benefits (*maslahah*) and detrimental effects (*mafsadah*).

This research employs a qualitative methodology, leveraging a comprehensive library-based strategy for the collection of data. Documentation techniques were utilized to compile a broad spectrum of materials, including academic journals, critical reports, and media outlets. Subsequent to the aggregation of data, an inductive content analysis was applied,¹⁴ concentrating on the boycotting phenomena related to the Palestine-Israel conflict within the Malaysian context. The analysis, influenced by the approaches of Lindgre, Berit

¹⁰Zalinawati Abdullah, et.al., "The Effects of Religiosity and Attitude on Consumer Boycotts," *International Journal of Academic Research in Business and Social Sciences* 11, no. 18 (2021), p. 133-150.

¹¹ Suraiya Ishak, et.al.m "Influencing consumer boycott: between sympathy and pragmatic," *Journal of Islamic Marketing* 9, no. 1 (2018), p.19-35.

¹² Asrol, A.A., "Boikot produk mula beri kesan kepada Israel – Walid," *Utusan Malaysia*, November 4, 2023. <https://www.utusan.com.my/berita/2023/11/boikot-produk-mula-beri-kesan-kepada-israel-walid/>; Zakaria, M.F., "Boikot produk Israel usaha kecil yang berterusan," *MyMetro*, October 27, 2023, <https://www.hmetro.com.my/addin/2023/10/1024026/boikot-produk-israel-usaha-kecil-yang-berterusan>.

¹³ Harris, K.M.A., "Boikot tanpa ilmu, dedah risiko zalimi syarikat, rakyat tempatan" *Berita Harian*, November 16, 2023. <https://www.bharian.com.my/kolumnis/2023/11/1177519/boikot-tanpa-ilmu-dedah-risiko-zalimi-syarikat-rakyat-tempatan>.

¹⁴ Nancy L. Kondracki, et.al., "Content analysis: Review of methods and their applications in nutrition education," *Journal of nutrition education and behavior* 34, no. 4 (2002), p. 224-230.

and Ulla¹⁵ specifically examined the discourse surrounding boycott practices through the lens of Islamic jurisprudence. This involved a thorough examination and interpretation of the dynamics involved in boycotting products and services affiliated with the Israeli regime, with a focus on evaluating the interplay between *maslahah* (benefit) and *mafsadah* (harm). These concerns require employing an *ijtihad* method that relies on evaluating the *maslahah* (benefit) and *mafsadah* (harm).¹⁶ The purpose of this is to guarantee that the evaluation completed is in accordance with the objectives established by Shariah. Results were subsequently derived inductively, with an emphasis on fair considerations that account for the potential repercussions of boycott actions on various innocents involved.

The Role of Religion and Culture in Shaping Boycott Behavior in Malaysia

A range of determinants influence the decision-making process for boycotting products, companies, or organizations.¹⁷ A primary determinant is the moral or ethical compass of consumers. Individuals are inclined to boycott products or services that clash with their personal values or ethics.¹⁸ In Malaysia, for instance, boycott has been conducted by the community against products or services perceived to support LGBT initiatives, including companies like Facebook and Shell.¹⁹ On other hand, the boycotting of products also related to halal product or service but are tainted with issues deemed unethical.²⁰ Consumers also are willing to boycott when it concerns with the misbehavior of offering the unsafe or unhealthy product.²¹

Social and political dynamics constitute the second determinant, with consumers often initiating boycotts in reaction to contemporary social or political challenges including boycotting companies that provide financial support to entities engaged in acts of violence.²² This behavior also encompasses boycotting products and services from nations demonstrating aggressive international

¹⁵ Britt-Marie Lindgren, et.al., "Abstraction and interpretation during the qualitative content analysis process," *International journal of nursing studies* 108 (2020), p. 103632.

¹⁶Ridzwan Ahmad, "Metode pentarjihan masalah dan mafsadah dalam hukum Islam semasa," *Jurnal Syariah* 16, no. 1 (2008), p. 107-143. 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," *Islam Futura* 20, No. 2 (2020).

¹⁷Anas Mohd Yunus, et.al., "The Concept of Boycott," p. 962-971.

¹⁸Bayad Jamal Ali, "Impact of consumer animosity, boycott participation, boycott motivation, and product judgment on purchase readiness or aversion of Kurdish consumers in Iraq," *Journal of Consumer Affairs* 55, no. 2 (2021), p. 504-523.

¹⁹Sharul Fitry Abdul Majid, et.al., "Fiqh Boycott on Lgbt Community: A Review," *Perdana: International Journal of Academic Research* 6, no. 2 (2019), p. 35-49

²⁰Nor Asiah Omar, et.al., "Perceived severity of halal violation: CSR and consumer boycott," *The South East Asian Journal of Management* 13, no. 2 (2019), p. 182-200.

²¹Zalinawati Abdullah, et.al., "The Effects of Religiosity," p. 133-150.

²² Aurélie Bröckerhoff and Mufid Qassoum, "Consumer boycott," p. 892-912.

conduct.²³ In the context of the Palestine-Israel conflict, Muslims globally are anticipated to partake in boycotts against specific international brands perceived as antagonistic towards Muslim societies, aligning with religious obligations.²⁴ Some scholars indicate that religiosity profoundly influences the decision to engage in a boycott. Nonetheless, the boycott of American-Israel linked products or services is predominantly a reaction to violence perpetrated by Israel against Palestinians, representing a significant yet temporally confined factor.²⁵

The third determinant is characterized by economic factors. Consumers engage in boycotts of products or companies with the intention of instigating change, holding the belief that economic pressure and resultant financial challenges will compel companies to implement more positive practices.²⁶ Indeed, the likelihood of a consumer participating in a boycott increases if they are convinced that their actions can alter the company's behavior, extending beyond the immediate impact of perceived egregious actions.²⁷

The fourth determinant encompasses awareness and the dissemination of information. Consumers' decisions to boycott products or services are often influenced by their awareness of a company's controversial practices, harmful ingredients, or unethical behaviors, which is frequently facilitated through social media or word-of-mouth communication.²⁸ This inclination towards boycotting is attributed to the consumer tendency to seek out word-of-mouth recommendations prior to making a purchase decision. Positive word-of-mouth can enhance a brand's equity, whereas accumulated negative word-of-mouth in online forums can gradually lead to boycotts and generate consumer animosity towards the company or brand.²⁹

The fifth determinant is rooted in personal experiences. Negative interactions with a company, encompassing areas such as unsatisfactory customer service, subpar product quality, or negative experiences related to the company's practices, significantly influence consumer behavior towards boycotting its

²³ Hayiel Hino, "More than just empathy: The influence of moral emotions on boycott participation regarding products sourced from politically contentious regions," *International Business Review* 32, no. 1 (2023), p. 102034.

²⁴ Suraiya Ishak, "Influencing consumer boycott," p. 19-35.

²⁵ Fawzi Dekhil, et.al., "Effect of religiosity on the decision to participate in a boycott: The moderating effect of brand loyalty—the case of Coca-Cola." *Journal of Islamic Marketing* 8, no. 2 (2017), p. 309-328.

²⁶ Asmat-Nizam Abdul-Talib, et.al., "A study on the boycott motivations of Malaysian non-Muslims," *Journal of Islamic Marketing* 7, no. 3 (2016), p. 264-287.

²⁷ Jill Gabrielle Klein, et.al., "Why we boycott: Consumer motivations for boycott participation," *Journal of Marketing* 68, no. 3 (2004), p. 92-109.

²⁸ Seongyeon Shin and Sung-Wook Yoon, "Consumer motivation for the decision to boycott: The social dilemma," *International Journal of Consumer Studies* 42, no. 4 (2018), 439-447.

²⁹ Chih-Chien Wang, et.al., "The brand sustainability obstacle: Viewpoint incompatibility and consumer boycott," *Sustainability* 13, no. 9 (2021), p. 5174.

products or services.³⁰ These personal encounters serve as direct catalysts for boycott actions, as they not only diminish the individual's trust and satisfaction but also incite a desire to prevent further personal disappointment and express discontent with the company.³¹

Finally, the influence of peer groups or social networks is the sixth determinant. Consumers often participate in boycotts influenced by their peers or through social media networks' persuasive powers.³² This encompasses the propagation of calls to boycott Israeli products on social media, which has catalyzed a polarization of opinions, galvanizing support for the boycott movement as an expression of humanitarian solidarity with Palestine.³³

Generally, the Muslim community in Malaysia exhibits a varied response to boycotting products that support Israeli aggression in Palestine, categorized into distinct groups:

1. Rejectionists, who completely decline to participate in boycott activities due to a lack of personal relevance or perceived benefits.³⁴
2. Neutralists, who maintain a neutral stance, neither opposing nor supporting the boycott, and consider such actions ineffective in impacting Israel's economic stability.³⁵
3. Sympathizers, who actively support the boycott as a strategic means to pressure Israel, despite potential minimal impacts.³⁶ This group includes those who boycott all products linked to Israel without considering the broader economic implications and a more discerning subset that selectively targets products directly supporting Israel's actions against Palestinians.³⁷

³⁰ Suzanne C. Makarem and Haeran Jae, "Consumer boycott behavior: An exploratory analysis of twitter feeds," *Journal of consumer affairs* 50, no. 1 (2016), p. 193-223.

³¹ Jill Gabrielle Klein, et.al., "Why we boycott," p. 92-109.

³² Hongwei He, et.al., "What can we learn from # StopHateForProfit boycott regarding corporate social irresponsibility and corporate social responsibility?," *Journal of Business Research* 131 (2021), p. 217-226.

³³ Muhammad Risqi Fauzan Septiazi and Nina Yuliana, "Analisis Pengaruh Media Sosial Terhadap Gerakan Boikot Produk Israel di Indonesia," *Triwikrama: Jurnal Ilmu Sosial* 2, no. 4 (2023), p. 134-144.

³⁴ Ali, B, "KOLUM | Apa masalahnya boikot kita?" *Malaysia Kini*, November 10, 2023, <https://m.malaysiakini.com/columns/686096>.

³⁵ Kah, S.B, "LETTER | Is boycotting Israeli products effective?" *Malaysia Kini*, November 9, 2023, <https://www.malaysiakini.com/letters/686004>; Yesuiah, S, "Boycotts will only bring unintended consequences," *The Sun*, December 21, 2023 https://thesun.my/opinion_news/boycotts-will-only-bring-unintended-consequences-CB11892437.

³⁶ Oshman, N.N.A, "Boikot produk jenama Israel."

³⁷ Abd. Mutalib, Z, "Gerakan boikot produk Israel secara bersasar wajar diteruskan - Nurul Izzah," *Berita Harian*, November 13, 2023, <https://www.bharian.com.my/berita/nasional/2023/11/1176447/gerakan-boikot-produk-israel->

This wide range of reactions to boycotting Israeli-related products ultimately leads to confusion within the community. Consequently, the community is torn between outright rejection, active support, or adopting neutrality as a resolution to the dilemma. In the broader context of calls for boycotts against products and services associated with Israel, many parties engage in aggressive campaigning without considering the impact of benefits (*maslahah*) and harm (*mafsadah*) on other parties. This approach often overlooks the background and origins of the involved companies, potentially leading to injustices and losses for innocent parties.³⁸ Concerns have arisen among innocent parties who fear for their livelihoods due to their association with companies targeted by boycotts. This apprehension stems from the potential job loss they face if the boycotts persist, highlighting the broader socioeconomic impacts of such movements on individuals working within the implicated firms.³⁹

In situations characterized by a lack of thorough and comprehensive research, advocates of boycotts often express their views with conviction. Yet, the products and services offered by these companies can be categorized into several segments. According to Ramli, firstly, there are companies owned by Jewish or Israeli individuals; some directly support funding for the conflict against Palestine, while others do not contribute to the conflict. Secondly, there are franchise-based companies linked to American-Israeli interests that support Zionist actions. Thirdly, certain franchising entities, despite being associated with American-Israeli origins, take a stance opposite to their holding companies.⁴⁰ These companies are holders of Malaysian halal certificates, their products are favored by Malaysians, they employ a significant number of Muslim staff, and they actively contribute to Palestinian funds.

In the context of Malaysia and Indonesia, well-known companies such as McDonald's, KFC, Starbucks, Pizza Hut, and Burger King have become the main targets of boycotts.⁴¹ However, in the recent phenomenon of boycotts, Malaysians

secara-bersasar-wajar-diteruskan-nurul; Ibrahim, M.I, "Dr M gesa negara pengeluar minyak henti jual kepada penyokong Israel," *Berita Harian*, November 14, 2023, <https://www.bharian.com.my/berita/nasional/2023/11/1176821/dr-m-gesa-negara-pengeluar-minyak-henti-jual-kepada-penyokong-israel>;

³⁸ Harris, K.M.A., "Boikot tanpa ilmu."

³⁹ Mohd Hilmi Ramli, "Boikot berteras ilmu elak cetus mudarat kepada rakyat, negara," *Berita Harian*, December 2, 2023, <https://www.bharian.com.my/rencana/lain-lain/2023/12/1184232/boikot-berteras-ilmu-elak-cetus-mudarat-kepada-rakyat-negara>.

⁴⁰ Mohd Hilmi Ramli, "Boikot berteras ilmu elak cetus mudarat kepada rakyat, negara," *Berita Harian*, December 2, 2023.

⁴¹ Muhammad Risqi Fauzan Septiazi and Nina Yuliana, "Analisis Pengaruh," p. 134-144.

targeted McDonald's and KFC due to the prevalent stigma that both companies are franchises linked to American-Israeli interests.⁴²

Furthermore, the Malaysian stance on boycotting all products and services linked to Israel-American companies presents a complex and nuanced challenge. This current consumer behavior necessitates a thorough assessment, grounded in the essential nature of the products and the availability of alternatives, as detailed below:

1. Essential Products Without Alternatives: For essential goods such as electronic components, software, and medical products that lack suitable alternatives, Malaysian consumers might face dilemmas. Given the globalized nature of supply chains, it becomes challenging to boycott these products without significant disruption to daily life or professional obligations. In such cases, the ethical stance against supporting certain companies may be reluctantly set aside due to the lack of viable substitutes.⁴³
2. Basic Necessity Products with Alternatives: Categories like food, beverages, and clothing, where alternatives are readily available, present an easier choice for Malaysian consumers aiming to align their purchasing decisions with their political and ethical beliefs. Here, the market's diversity allows consumers to switch brands or products without compromising on their needs, thereby making boycotts in this segment more feasible and effective.⁴⁴
3. Non-Essential Products and Services: For non-essential items, whether or not they have alternatives, such as filmmaking, processed food, cosmetics, fruits, and vegetables, Malaysian consumers might exhibit more flexibility in their boycott actions. The decision to avoid certain brands can be more comfortably made as these products do not impact the consumer's daily necessities, allowing for a stronger adherence to ethical consumerism without significant sacrifice.⁴⁵
4. Non-Essential Products with Alternatives: In the case of non-essential products and services that have comparable alternatives, such as coffee, carbonated beverage drink⁴⁶ new social media platforms, and social apps Malaysian consumers are likely to find boycotting a straightforward

⁴² Reuters, "McDonald's Malaysia sues Israel boycott movement for \$1 million in damages," *Reuters*, January 2, 2024, <https://www.reuters.com/world/mcdonalds-malaysia-sues-israel-boycott-movement-1-mln-damages-2023-12-30/>.

⁴³ Prachi Sharma, "Impact of Covid-19 on purchasing patterns and consumer behavior," *International Journal of Innovative Science and Research Technology* 5, no. 10 (2020), p.890-893.

⁴⁴ Anas Mohd Yunus, et.al., "The Concept of Boycott," p. 962-971.

⁴⁵ Anas Mohd Yunus, et.al., "The Concept of Boycott," p. 962-971.

⁴⁶ Dekhil, Fawzi, Hajer Jridi, and Hana Farhat, "Effect of religiosity," p. 309-328.

decision.⁴⁷ The availability of alternatives that provide similar satisfaction enables consumers to make ethical choices without losing the product's utility or enjoyment, thereby reinforcing the boycott's impact.

Thus, the Malaysian approach to boycotting products linked to Israel-American companies must involve a careful consideration of the essentiality of products and the availability of alternatives, balancing ethical convictions with practical necessities.

Maslahah and Mafsadah: Islamic Jurisprudence Considerations in Boycott Practices

The act of boycotting, especially in the defense of Palestinian territories and *Baitul Muqaddis*, is fundamentally regarded as an individual obligation (*fardhu ain*).⁴⁸ This stance is supported by numerous Islamic scholars who have identified boycotting products and services that facilitate Israeli aggression as a form of jihad (striving in the path of Allah).⁴⁹ Nevertheless, the practice of boycotting in the current era, particularly when it involves products and services linked to Israel, requires careful consideration and a nuanced approach to prevent negative impacts on innocent individuals.

In this regard, a detailed assessment of benefit (*maslahah*) and harm (*mafsadah*) is pivotal in achieving the authentic goals of Shariah law.⁵⁰ Islamic jurists have established criteria to ascertain how *maslahah* can be achieved in a way that it brings about positive outcomes for humanity. As elucidated by Imam al-Ghazali, *maslahah* encompasses all endeavors aimed at securing benefits and preventing detriments.⁵¹ Likewise, al-Buti categorizes *maslahah* as something advantageous and viewed positively, while *mafsadah* is considered detrimental and viewed negatively.⁵² The concept of welfare revolves around securing benefits and averting harm, and should not be based purely on intellectual

⁴⁷Sharul Fitry Abdul Majid, Wan Mohd Khairul Firdaus Wan Khairuldin, and Muhammad Talhah Ajmain, "Fiqh Boycott," p. 35-49.

⁴⁸ Anas Mohd Yunus, et.al., "Hukum Boikot Barangan Israel Berdasarkan Kepada Fiqh Al-Jihad," *Jurnal Pengurusan dan Penyelidikan Fatwa* 4, no. 1 (2017), p. 135-160.

⁴⁹ Leor Halevi, "The Consumer Jihad: Boycott Fatwas and Nonviolent Resistance on the World Wide Web," *International Journal of Middle East Studies* 44, no. 1 (2012), p. 45-70.

⁵⁰ Muhammad Nazir Alias, et.al., "The Position of Maqasid al-Shariah within Islamic Legal Sources: A Comprehensive Analysis." *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 9, no. 2 (2025), p. 937-964.

⁵¹ Tarmizi, Tarmizi, "The concept of maslahah according to imam Al-Ghazali," *Jurnal Al-Dustur* 3, no. 1 (2020), p. 22-29.

⁵² Muhammad Said Ramadhan al-Buthi, *Dhawabith al-Mashlahah fi al-Syari'ah al-Islamiyyah* (Beirut: Muassasah al-Risalah, 1973), p. 20-25.

reasoning.⁵³ Conversely, *mafsadah* signifies something destructive or harmful, opposing *maslahah*, and leading to degradation.⁵⁴

Abu Zahrah posits that *maslahah* is invariably paired with *mafsadah*, indicating a balance between the positive and negative aspects inherent in any situation.⁵⁵ For instance, while food and beverages serve beneficial purposes for human health, they also pose risks of harm, including various diseases that can arise from excessive preparation and disproportionate consumption. Aligning with this perspective, al-Buti emphasizes that a mujtahid (Islamic scholar performing *ijtihad*) must carefully consider the potential *mafsadah* associated with any issue during *ijtihad*. Specifically, the *mafsadah* identified in a legal matter subject to *ijtihad* should not outweigh its *maslahah*.⁵⁶

The criteria for evaluating *maslahah* and *mafsadah*, as established by Ahmad,⁵⁷ are outlined through the following key guidelines:

1. Synthesis of both aspects. When it is viable and suitable to synthesize *maslahah* with *maslahah*, *mafsadah* with *mafsadah*, or *maslahah* with *mafsadah*, this amalgamation should be undertaken.⁵⁸
2. Determining and electing between both aspect (*tarjih*). In cases where it is not possible to synthesize both aspects, the focus should be on determining which of the two holds a more significant position, and making a choice based on that priority.⁵⁹
3. Selection of one or choosing impartiality (*Tawaqquf*). In circumstances where it is difficult to identify which of the two (*maslahah* with *maslahah*, *mafsadah* with *mafsadah*, or *maslahah* with *mafsadah*) is more dominant, the strategy should be either to select one of them or to adopt an impartial stance (*tawaqquf*), avoiding a decisive judgment either in favor or against.⁶⁰

⁵³ 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. 1148-1170.

⁵⁴ Akbar Syarif and Ridzwan Ahmad, "Konsep Maslahah dan Mafsadah Sebagai Asas Pemikiran Maqāsid Syariah: Satu Analisis," *Ijtihad* 10, no. 2 (2016), p. 1-20.

⁵⁵ Nor Rosnita Gani Shofian Ahmad and Amir Fazlim Jusoh, "Relevance of Maqasid Al-Shari'ah in Corporate Social Responsibility," *International Journal of Academic Research in Business and Social Sciences* 9, no. 11 (2019), p. 1599-1609.

⁵⁶ Muhammad Said Ramadhan al-Buthi, *Dhawabith al-Mashlahah*, p. 20-25.

⁵⁷ Ridzwan Ahmad, "Metode pentarjihan maslahah," p. 107-143.

⁵⁸ Tarmizi Tarmizi, "The concept of maslahah," p. 22-29.

⁵⁹ Ridzwan Ahmad, "Metode pentarjihan maslahah," p. 107-143.

⁶⁰ Ibn 'Abd al-Salam, *Qawaid Al-Ahkam fi Masalih Al-Anam* (Beirut: Dar Al-Ma'rifah, n.d.), v. 1, p. 51.

Approach to Boycotting Products or Services Linked to Jewish, Israeli, and Israeli-Supporting Entities

When devising a strategy for boycotting or deciding against boycotting products or services associated with Jewish, Israeli, and Israel-supporting entities, the critical element is to judiciously weigh *maslahah* (benefit) and *mafsadah* (harm) for the various stakeholders in the economic ecosystem related to these products or services. Regarding *maslahah*, the purpose of the boycott is to generate positive effects by imposing pressure on Jewish and Israeli-owned businesses and supporters of the Zionist regime. This economic pressure, though it may not result in substantial losses, is intended to diminish their profits. Therefore, the boycott of essential products that have viable alternatives, or those that are non-essential, is justifiable as it does not create a chain of negative consequences for the Muslim community.

Conversely, for franchise companies of Western origin, a detailed analysis between *maslahah* and *mafsadah* is required. As these companies are largely not owned by Jewish or Israeli stakeholders, and many Muslims are a part of their product distribution network, the *mafsadah* or potential harm to the livelihood of involved individuals must be carefully assessed. Implementing a boycott in such cases could lead to widespread effects, primarily characterized by reduced sales, job losses, and a reduction in income. The absence of fallback plans by boycott organizers to protect the interests of local owners and workers implies that the boycott's impact could severely disrupt their lives. Engaging in boycott campaigns against these entities might inflict significant *mafsadah*.

This approach aligns with Islamic law maxim “*Prioritizing the Avoidance of Harm Over the Pursuit of Benefit*.”⁶¹ In alignment with this principle, the focus in making decisions is predominantly on mitigating harm, which is considered more imperative than realizing potential benefits.⁶² In the dynamics of a boycott, those who are targeted may face repercussions such as job losses and a decline in income. It is therefore paramount to avert such predicaments to safeguard the sustenance of those impacted. The boycott process affects various stakeholders within the economic spectrum, including suppliers, distributors, and logistics facilitators. While the entities initiating the boycott are unlikely to endure significant losses, the franchised companies involved might incur severe financial setbacks. Their viewpoints diverge from those of franchised companies in Israel, and notably, franchised entities in Malaysia have actively contributed to Palestinian aid, demonstrating a stand of solidarity.

⁶¹ Jalal al-Din ‘Abd al-Rahman Al-Suyuti, *al-Ashbah wa al-Naza’ir* (Beirut: Dar al-Kutub al-‘Ilmiyyah, 1983).

⁶² Desip Trinanda, et.al., “Maslahah and Justice in the Formulation of the Law: A Critic on the Formulation of Job Creation Law,” *JURIS (Jurnal Ilmiah Syariah)* 21, no. 1 (2022), p. 53-66.

Taking McDonalds in Malaysia for instance, the fast-food chain, upon confirming legal proceedings, reiterated its stance that none of its sales, profits, royalties, or franchise fees are allocated to any political causes or conflicts. The entity has maintained transparency and consistency in its communications, asserting that McDonald's Malaysia neither supports nor condones the ongoing conflict in the Middle East. The company has expressed its deepest sympathies, aligning with the sentiments of Malaysians, towards the innocent victims in Gaza. Furthermore, it has contributed a sum of RM1 million to the Palestinian Humanitarian Fund initiated by the government and continues to hope for the resolution of the conflict and lasting peace in Gaza.⁶³

However, in the recent boycott, some McDonald's employees, including part-time and handicapped staff, were terminated with 24 hours' notice, as the company witnessed a significant decline in consumer demand.⁶⁴ The situation deteriorated further when the boycott created a hostile environment for Muslim employees at McDonald's, who were subjected to harassment and unfounded accusations of conspiring against the Muslim community.⁶⁵

For the case of KFC, its revenue distribution model indicates that 94% of returns are retained by the company, with only 6% allocated to franchise owners. Despite the presence of a fixed franchise fee contributing to American corporations, this arrangement notably benefits consumers, particularly Muslims who frequent fast-food outlets for their dietary needs. This system not only channels revenue back to Muslim-owned enterprises but also creates employment opportunities within these communities. Specifically, KFC's operational model, by integrating into the Muslim economy and generating job prospects for over 30,000 individuals, facilitates the provision of halal food sources more efficiently.⁶⁶

When an analysis is conducted to weigh the *maslahah* (benefit) that may be derived against the potential *mafsadah* (harm) that could arise, it becomes

⁶³ H. Naz Harun, "Your right to boycott but base it on facts'- McDonald's Malaysia on BDS suit," *New Straits Times*, December 30, 2023, <https://www.nst.com.my/news/nation/2023/12/995545/your-right-boycott-base-it-facts-mcdonalds-malaysia-bds-suit>.

⁶⁴ Kosmo, "Boikot produk Israel punya pasal, pekerja kena buang," *Kosmo*, Oktober 28, 2023, <https://www.kosmo.com.my/2023/10/28/boikot-produk-israel-punya-pasal-pekerja-kena-buang/>; MStar, "Pendapatan OKU terjejas, staf sambilan hilang kerja... Ramai meratap sedih, terkesan gerakan boikot produk sokong Israel," *Mstar*, October 28, 2023, <https://www.mstar.com.my/lokal/viral/2023/10/28/pendapatan-oku-terjejas-staf-sambilan-hilang-kerja-ramai-meratap-sedih-terkesan-gerakan-boikot-produk-sokong-israel>.

⁶⁵ Busst, Natasha, "Henti boikot Starbucks, McDonald's, rayu pekerja," *Free Malaysia Today*, March 23, 2024, <https://www.freemalaysiatoday.com/category/bahasa/tempatan/2024/03/23/henti-boikot-starbucks-mcdonalds-rayu-pekerja/>;

⁶⁶ Anas Mohd Yunus, et.al., "An Analysis of Fiqh al-Waqi," *International Journal of Humanities and Social Science*, 3, no.1 (2013), p. 194-202.

evident that the risk associated with *mafsadah* is more significant. Considering the Islamic jurisprudential approach outlined above, it is discernible that boycotting franchise companies may result in more pronounced and substantial *mafsadah* compared to the *maslahah* attained.

Therefore, in the context of boycotting products from franchise companies operating in Malaysia that do not endorse the Israeli aggression against Palestinians, it is imperative to exercise judicious evaluation, moving beyond mere sentimentality and emotional reactions.⁶⁷ While the objective of such boycotts may be to exert economic pressure on Israel, it is crucial to recognize the collateral adverse effects, including potential financial losses for local entrepreneurs and job losses for the local workforce. In these circumstances, the principle of minimizing harm takes precedence over the pursuit of benefits. Should the boycott proceed, it is essential to address the repercussions faced by those impacted, particularly employees and primary earners, by ensuring the provision of adequate job support to mitigate the disruption to their livelihoods.⁶⁸ Additionally, the stress and financial instability resulting from job losses can have a significant psychological impact on parents and children, affecting their well-being and development.⁶⁹

Furthermore, in the present era, there is a notable reliance of the Muslim community on foreign technology, specifically in areas such as electronic gadgets, machinery, computer software, and the latest social media applications.⁷⁰ This dependence is primarily due to a lack of equivalent alternatives and limited consumer choices. In this scenario, an Islamic legal maxim comes mentioned, “*What cannot be done entirely should not be abandoned entirely.*”⁷¹

This concept suggests that if full execution of a task is not feasible to perfection, but partial execution is possible, then it's preferable to undertake what is achievable. Abandoning the entire task due to the inability to accomplish it in full is not advised.⁷² Based on this maxim, boycott measures should be directed at certain products and services that support and finance Israel, particularly when

⁶⁷N.F. Zahra, “Boikot dengan ilmu, bukan perasaan – Fuziah,” *Kosmo*, December 7, 2023, <https://www.kosmo.com.my/2023/12/07/boikot-dengan-ilmu-bukan-perasaan-fuziah/>.

⁶⁸Mohd. Anuar Ramli, “Mendepani Isu Boikot berdasarkan Pertimbangan Maslahah dan Mafsadah,” *Pengasuh*, 680 (2023), p. 2-5.

⁶⁹Syed Mohammad Hilmi Syed Abdul Rahman and Annuar Ramadhon Kasa, “Pengurusan Stres Anak-Anak Menurut Perspektif Islam.” *Jurnal Islam dan Masyarakat Kontemporari* 22, no. 1 (2021), p. 205-215.

⁷⁰Talat Zubair and Amana Raquib, “Islamic perspective on social media technology, addiction, and human values,” *Journal of Islamic Thought and Civilization* 10, no. 2 (2020), 244-267.

⁷¹Al-Sarami, ‘Abd al-Latif Sa’ud. “Qa’idah “Ma la yutriku kulluh, la yutriku julluh” Ta’silan wa Tatbiqan,” *Majallah Jami’ah al-Imam Muhammad b. Sa’ud*, 6. no. 2 (2008), p. 165-243.

⁷²Al-Sarami, ‘Abd al-Latif Sa’ud. “Qa’idah “Ma la yutriku kulluh,

boycotting all their products and services is impractical. This includes products and services that are indispensable and lack viable alternatives. Implementing such a boycott could lead to challenges for the consumers.

Hence, the approach to boycotting needs to be methodical and steadfast, with an emphasis on consistency. These actions should not be motivated by a desire for popularity or driven by covert agendas for self-interest. Furthermore, decisions to boycott should be founded on rationality, not just based on anti-Jewish or anti-Israel sentiments, nor solely influenced by emotions. Rather, they should be informed by knowledge, understanding, and awareness, with a clear objective aimed at ensuring the sustainability and wellbeing of the community.

Conclusion

Solidarity with Palestinians reflects a profound connection that goes beyond religious, ethnic, and national boundaries, characterized by both faith-driven and humanitarian efforts. This includes prayers, financial aid, and targeted boycotts against Israeli-owned companies. Nevertheless, it is crucial to provide balanced and careful consideration to those involved in foreign franchising operations, notably in Malaysia, where Islam is the predominant faith of both the majority owners and the workforce, who do not support or condone the actions of the Zionist regime. When considering the *maslahah* and *mafsadah*, it currently appears that the *mafsadah* are more significant. Such a scenario could have a ripple effect of adverse outcomes on the local stakeholders involved. Therefore, it would be more advantageous to provide Muslim business owners and employees with alternative employment and business opportunities, thus averting the adverse effects of the boycott, including potential income loss and hardship. In light of this, the application of boycotts should be carried out with thoughtful and equitable considerations, taking into account the impacts on various innocent parties. The process should be strategic and focused, aimed explicitly at those who overtly support the Israeli regime, rather than being erratic or seasonal in nature.

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