

**ANALYSIS OF MUI FATWA NO. 83 OF 2023 CONCERNING THE  
BOYCOTT OF PRODUCTS AFFILIATED WITH ISRAEL BASED ON  
THE THEORY OF SADD AZ- ZARI'AH**

**Isratul Marfirah**

Universitas Islam Negeri Ar-Raniry Banda Aceh, Indonesia  
Email: 180102163@student.ar-raniry.ac.id

**Abstract**

The dynamics of the conflict between Palestine and Israel, made the Indonesian Ulema Council issue MUI Fatwa No. 83 of 2023 concerning the Prohibition of Transactions and the Use of Products Affiliated with Israel, which initially the law of transaction activities and the use of products is permissible. Therefore, this study aims to analyse MUI Fatwa No. 83 of 2023 concerning the prohibition of transactions of products affiliated with Israel from the perspective of saddudzari'ah. The type of research conducted is library research. The method used is a qualitative method with a normative legal approach. The primary data source in this study is MUI Fatwa No. 83 of 2023 concerning the Law of Support for the Struggle for Palestine. While secondary data is taken from books or articles related to the title of the study. Then the data is analysed using data analysis methods or techniques that involve dissecting the text or contents of the book. This study concludes two things. First, the legal basis used by the MUI in determining MUI Fatwa No. 83 on the law on the Palestinian struggle, according to the objectives and contents of the fatwa. Second, the saddudzariah review of MUI Fatwa No. 83 of 2023 concerning the Law on Support for the Palestinian Struggle changes the law on transactions and the use of products affiliated with Israel, when viewed from the pillars of sadd saddudzari'ah, namely on actions or actions that apply so that intermediaries to something, in MUI Fatwa No. 83 of 2023, namely initially the law on transactions and the use of products affiliated with Israel was permissible or allowed to be forbidden. Because there is a strong suspicion that it brings damage, namely, it can support Israeli aggression against Palestine either directly or indirectly.

**Keywords:** Banda Aceh, Fatwa MUI No. 83 Year 2023, Islamic Economic Law, Palestine, Sadd Az- Zari'ah theory

### **Abstrak**

Dinamika konflik antara Palestina dan Israel mendorong Dewan Ulama Indonesia (MUI) untuk mengeluarkan Fatwa MUI Nomor 83 Tahun 2023 tentang Larangan Transaksi dan Penggunaan Produk yang Berkaitan dengan Israel, yang pada awalnya hukum transaksi dan penggunaan produk tersebut diperbolehkan. Oleh karena itu, penelitian ini bertujuan untuk menganalisis Fatwa MUI Nomor 83 Tahun 2023 tentang Larangan Transaksi Produk yang Berkaitan dengan Israel dari perspektif saddudzari'ah. Jenis penelitian yang dilakukan adalah penelitian perpustakaan. Metode yang digunakan adalah metode kualitatif dengan pendekatan hukum normatif. Sumber data primer dalam penelitian ini adalah Fatwa MUI Nomor 83 Tahun 2023 tentang Hukum Dukungan terhadap Perjuangan Palestina. Sedangkan data sekunder diambil dari buku atau artikel yang berkaitan dengan judul penelitian. Data dianalisis menggunakan metode atau teknik analisis data yang melibatkan pembedahan teks atau isi buku. Penelitian ini menyimpulkan dua hal. Pertama, dasar hukum yang digunakan oleh MUI dalam menetapkan Fatwa MUI Nomor 83 tentang Hukum Perjuangan Palestina, sesuai dengan tujuan dan isi fatwa. Kedua, tinjauan saddudzariah terhadap Fatwa MUI Nomor 83 Tahun 2023 mengenai Hukum Dukungan bagi Perjuangan Palestina mengubah hukum transaksi dan penggunaan produk yang terkait dengan Israel, jika dilihat dari pilar-pilar saddudzariah, yaitu tindakan atau perbuatan yang berlaku sehingga menjadi perantara terhadap sesuatu. Dalam Fatwa MUI Nomor 83 Tahun 2023, yaitu awalnya hukum transaksi dan penggunaan produk yang terkait dengan Israel diperbolehkan atau diizinkan untuk dilarang. Karena terdapat kecurigaan yang kuat bahwa hal tersebut dapat menimbulkan kerugian, yaitu dapat mendukung agresi Israel terhadap Palestina baik secara langsung maupun tidak langsung.

**Kata Kunci:** Banda Aceh, Fatwa MUI Nomor 83 Tahun 2023, Hukum Ekonomi Islam, Palestina, Teori Sadd Az-Zari'ah

### **INTRODUCTION**

The Islamic belief system has a sophisticated and idealistic religious foundation.<sup>1</sup> Sharia, or Islamic law, is the basic legal standard established by God. Muslims are required to abide by it based on moral beliefs and relationships with God, others, and the universe. Islam follows Allah's command to prioritise the good of mankind and avoid the bad in this life and

---

<sup>1</sup> Chairul Fahmi, "TRANSFORMASI FILSAFAT DALAM PENERAPAN SYARIAT ISLAM (Analisis Kritis Terhadap Penerapan Syari'at Islam Di Aceh)," *Al-Manahij: Jurnal Kajian Hukum Islam* 6, no. 2 (2012): 167–76.

the hereafter.<sup>2</sup> According to the ushul fiqh scholar Imam Ghazali, there are five main characteristics that need to be maintained and realised in order to benefit both in this world and the hereafter. Religion, soul, mind, offspring and wealth are the five basic components.

The five objectives are commonly referred to as *usul al-khamsah* or the five principles. Currently there is a conflict between Palestine and Israel. This conflict has actually been going on for a long time starting in 1948, the heavenly religion adherents were involved in a religious dispute, which became the initial basis for the Israeli-Palestinian conflict. This dispute turned into an ideological dispute between the Jewish Zionist group and other parties. This intellectual struggle then developed into a political struggle to maintain the status quo of the two countries.<sup>3</sup>

The failure to create two states based on ethnic equality. Especially considering that the majority of Palestinians were born outside the state and the Israeli army's continuous occupation, including stealing Palestinian land and controlling the Gaza Strip, is the real reason why Israel needs to establish a state. The Israeli-Palestinian conflict has always been violent, and the Palestinians lack control over their own territory.<sup>4</sup>

Then on October 7, 2023 HAMAS succeeded in carrying out an attack that hit Israel's defences, which resulted in the state of Israel suffering huge losses. Furthermore, Israel responded to the attack brutally, thus attracting world attention, especially Muslim countries that condemned the actions taken by Israel. Israel's acts of aggression against Palestine were supported by the following: arming Israel; lending money to organisations associated with Israel and Zionism; fostering pro-Zionist sentiment in the public sphere; and buying goods that openly support Zionism and Israeli aggression. Related to

---

<sup>2</sup> Ahmad F. Yousif, "Contemporary Islamic Movements in Southeast Asia: Challenges and Opportunities," in *The Blackwell Companion to Contemporary Islamic Thought*, ed. Ibrahim Abu-Rabi' (John Wiley & Sons, 2008).

<sup>3</sup> Nurkhofifah Parawangsa, A Maslahah Mursalah Review of the Importance of Business Licence Legality for Micro, Small and Medium Enterprises (MSMEs) (Study in Bunut Baok Village, Praya District, Central Lombok Regency), *Thesis, Mataram State Islamic University*, 2022, p. 1. 1

<sup>4</sup> Bernhard May, "The Law on the Governing of Aceh: The Way Forward or a Source of Conflicts?," *Conciliation Resources*, no. 20 (2008), <https://www.c-r.org/accord-article/law-governing-aceh-way-forward-or-source-conflicts>.

the legislation on aid to Palestine, the Indonesian Ulema Council in this case issued MUI Fatwa Number 83 of 2023. This fatwa contains about:<sup>5</sup>

1. Supporting the Palestinian cause through fundraising efforts, prayers for victory, and heartfelt prayers for Palestinian martyrs are all encouraged among Muslims.
2. The government called for decisive steps to support the Palestinian cause, including sending humanitarian supplies, uniting OIC countries to put pressure on Israel to stop aggression, and using diplomacy at the UN to end the conflict and impose sanctions on Israel.
3. The purchase and use of Israel-related goods and goods that promote colonialism and Zionism should be avoided by Muslims as much as possible.<sup>6</sup>

Indonesia supports the independence of Palestine by fully opposing those who help Israel, as stated in MUI Fatwa No. 83 of 2023 on the Law of Supporting Palestine. Zakat, infaq, and alms distribution are also mandated by MUI Fatwa Number 83 of 2023 to support the resistance of the Palestinian people. It also forbids transactions and the use of products affiliated with the state of Israel by boycotting Israeli-affiliated products in order to reduce financial aid to Israel.<sup>7</sup>

As a result of the fatwa above, some Muslim communities began to switch to using products that are not affiliated with Israel. On the other hand, the Indonesian economy is still dependent on the products of Israel and its allies, as evidenced by the number of foreign companies investing in Indonesia. For example, Unilever, Coca-Cola Company, Procter & Gamble, Johnson, and others. While many Muslim communities still need products, for example from Danone milk products, many toddlers are already suitable for

---

<sup>5</sup> Abdhul Fadhil, *The Intifada Movement and the Emergence of Hamas (1987-1993)*, PERIODE: *Journal of Islamic History and Education*, Vo. 1, No. 1, 2019, pp. 2,

<sup>6</sup> MUI Fatwa Commission, MUI Fatwa No. 83 of 2023 on the Law of Supporting the Palestinian Struggle.

<sup>7</sup> Karen J. Alter, ed., "International Law Enforcement," in *The New Terrain of International Law, Courts, Politics, Rights* (Princeton University Press, 2014), 244-81, <http://www.jstor.org/stable/j.ctt5hhs2t.13>.

the product and cannot be replaced with other products, there are side effects such as diarrhoea, septism and meningitis.<sup>8</sup>

And there are many other products that are still needed by the Muslim community. Indirectly, the products that are forbidden by the Indonesian Ulema Council are reasonable products that can prevent evil or increase goodness in mankind while bringing wealth or other benefits.<sup>9</sup>

When debating Islamic law, considering *maslahah* becomes crucial in determining what the actual legal provisions should be in implementing *taklif*, the main objective of the *Shari'ah* (*maqasid asysyarisid*) and the *wasa'il* (means) side.<sup>10</sup> According to one of the *fiqhiyyah* norms, the legal rules relating to the intermediary (*wasa'il*) are the same as those found in the destination (*maqasid*). Imam as-Syathibi classifies *azl* into 4 (four) types based on the calibre of the excess. Namely:

1. The act done causes a real (*qathi'*) loss. For example, a well may be dug on someone else's doorstep. The owner of the house does not realise that there is a well on his doorstep, so the type of harm caused by the act can be known, namely the owner of the house falling into the well. A *mujtahid* or *mufti* is not allowed to make a ruling on a legal matter unless he is fully aware of the consequences of *mashlahah* and/or *mafsadah*.
2. The action that is done is permissible, but it does not lead to any harm. For example, digging a well in a place where it would not normally cause harm, or selling a type of food that would not normally cause harm to those who consume it.
3. It is prohibited to carry out an activity if there is a high probability of causing harm, so similar actions are still allowed under the original laws and regulations. Meanwhile, harm is rare in this case. Damage is generally or probably caused by the activity. Therefore, conduct can be used as a standard to judge the prohibition against behaviour, conduct based on a strong suspicion (*azl al-galib*) of the behaviour causing harm.

---

<sup>8</sup> Lynn Darwich and Haneen Maikey, "The Road from Antipinkwashing Activism to the Decolonization of Palestine," *Women's Studies Quarterly* 42, no. 3/4 (2014): 281-85, <https://www.jstor.org/stable/24365011>.

<sup>9</sup> Muhammad Takhim, *Saddu Al-Dzari'ah in Islamic Muamalah*, Access: Journal of Economics and Business, (Semarang: Wahid Hasyim University), Vo. 14, No. 1, 2020, pp. 20.

<sup>10</sup> Taufik Adnan Amal, *Islam dan tantangan modernitas: studi atas pemikiran hukum Fazlur Rahman* (Bandung: Mizan, 1989).

4. Basically this activity has advantages, but there is also the possibility of it backfiring. Take for example the bai' al-ajal transaction, which involves the sale of shares. This kind of buying and selling usually results in usury.

Sadd al-zari'ah in the framework of Islamic legal theory as a sincere effort of a mujtahid to make legislation by considering the legal consequences it causes, by preventing something that becomes an intermediary in causing harm. Az-zari'ah is the wasilah (route) that conveys the goal, whether it is halal or not. Therefore, it is also haram to communicate by haram means or techniques.<sup>11</sup>

If a path or approach explains what is lawful, then legislation is also lawful. Meanwhile, there are mandatory techniques or methods in conveying something. Wahbah Zuhaili chose Ibn Qayyim's concept in order to avoid harm and risk, he defines sadd az-zari'ah as forbidding and rejecting everything that can be used as a haram tool.<sup>12</sup>

Az-zari'ah is a singular word that has the plural form zarai. Its meaning is route, link, and intermediary, or wasilah. The term az-zari'ah is most often understood in Islamic legal studies as a path leading to something forbidden. Actually, the origin of the path is legally acceptable. It is positioned impartially. Depending on its purpose, it may be both beneficial and haram. But there is actually an imbalance of attitude when one considers az-zari'ah as a means to an end. A path may be closed or reopened according to the maslahah and mafsada.

While the emergence of MUI fatwa No. 83 of 2023 on the law of support for the Palestinian cause has not shown the benefits for the Muslim community in Indonesia, in the fatwa only supports the benefits of the Palestinian state, without seeing the harm that causes the Muslim community confused. Many Indonesian Muslims feel that they have been harmed and feel comfortable and accustomed to the products that are now forbidden by MUI.<sup>13</sup>

---

<sup>11</sup> Intan Arafah, "The Sadd Adz-Dzari'ah Approach in Islamic Studies", *Al-Muamalat: Journal of Sharia Law & Economics*, (Yogyakarta: UIN Sunan Kalijaga Yogyakarta), Vo. 5, No. 1, pp. 72.

<sup>12</sup> Panji Adam, *Hukum Islam: Konsep, Filosofi dan Metodologi* (Jakarta: Sinar Grafika, 2021).

<sup>13</sup> Audra laili, "Analysis of Sharia Economic Law on the Boycott of Israeli Products", *Journal of Sharia Economics*, (Lampung: UIN Raden Intan), Vo. 2, No. 2, December 2021, pp. 158,



With this, people are also confused about the law if they still use products affiliated with MUI's fatwa to support the Palestinian people while also being able to completely avoid products with many considerations. In one example, the products are permissible, but the profits from the products affiliated with Israel are used to support Israel's aggression against Palestine, which can lead to something that is prohibited.

## RESEARCH METHODS

The research method used in this article is *qualitative research*. Scientific research in the field of law is an activity carried out based on reality or legal issues supported by data with a strong scientific foundation.<sup>14</sup> For this reason, in strengthening the findings in this article, two forms of *approach* are used, firstly a *statute approach*, and secondly a *conceptual approach*. *Statute approach* is a *statutory approach*, in the form of analyses related to legal rules that have relevance to the object of research.<sup>15</sup> Meanwhile, the *conceptual approach* is an approach in which the problem is approached with theories and concepts to be used as the basis of analysis or a stepping stone in analysing research problems.<sup>16</sup>

This type of research includes normative legal research or *normative juridical*. Data is obtained by classifying data into primary, secondary and tertiary legal materials. The data collection technique in this research is carried out by literature study with a *survey books* model of relevant materials. The nature of the analysis in this research is *prescriptive (prescriptive-analysis)*. Prescriptive analysis in legal studies means that what is studied and analysed are legal objectives, legal values and principles, validity, effectiveness of a rule of law, legal concepts and legal norms. The nature of this analysis is intended to provide an argument for the results of the research that has been carried out. Argumentation is carried out by researchers to provide prescriptions or

---

<sup>14</sup> Muhammad Siddiq-Armia, *Penentuan Metode Dan Pendekatan Penelitian Hukum*, ed. Chairul Fahmi (Indonesia: Lembaga Kajian Konstitusi Indonesia (LKKI), 2022).

<sup>15</sup> An explanation of this *conceptual approach* and *statute approach* can be found in several literatures, for example in, Peter Mahmud Marzuki, *Legal Research*, Cet. 13, (Jakarta: Kencana Prenada Media Group, 2017), p. 133-137; Jonaedi Efendi and Prasetyo Rijadi, *Normative Empirical Legal Research Methods*, Second Edition, Cet. 5, (Jakarta: Kencana Prenada Media Group, 2022), p. 132; I Made Pasek Diantha, *Normative Legal Research Methods in Justifying Legal Theory*, Cet. 2, (Jakarta: Kencana Prenada Media Group, 2017), p. 132.. 159.

<sup>16</sup> Marzuki, *Legal Research*, p. 133-137; Jonaedi Efendi and Johnny Ibrahim, *Normative and Empirical Legal Research Methods* (Jakarta: Kencana Prenada Media Group, 2018), p. 133-137.. 132.

judgements regarding right or wrong or what should be according to the law against facts or legal events from the results of the research.<sup>17</sup>

## **RESULTS AND DISCUSSION**

### **A. MUI Fatwa No. 83 Year 2023 on the prohibition of transactions of products affiliated with Israel in Banda Aceh City**

Fatwa is one of the products of Islamic law which until now is still very dynamic. This is due to the character of fatwa which is a response to all the problems that arise. The characteristics of this fatwa make Islamic law able to develop following the dynamism of the community where the law grows and develops. As well as MUI Fatwa No. 83 Year 2023 issued by the Indonesian Ulema Council on 8 NolveImbelr 2023, the Fatwa was issued because of the conflict between the state of Israel and Palestine. The conflict between Israel and Palestine started from a religious dispute that led to a political conflict, therefore the Indonesian Ulema Council issued Fatwa Nolmolr 83 Year 2023 which is none other than to support the Palestinian cause, the legal basis contained in MUI Fatwa No. 83 Year 2023.<sup>18</sup>

The legal basis for MUI fatwa No. 83 of 2023 concerning the law of support for the Palestinian cause includes QS. Al-baqarah verse 11 contains the prohibition of doing damage even in a state of war. This verse conveys the attitude of some people who when told not to make damage on earth, they answer by claiming that they are doing repairs or improving the situation. This is a reflection of the attitude and unwillingness of some humans to acknowledge or change their bad behaviour, even when they are aware that their actions can damage the environment or society. More broadly, this verse teaches the importance of taking responsibility for our actions and avoiding actions that can harm or destroy the goodness and harmony in society or nature. According to the explanation above, QS. Al-baqarah verse 11 contains the prohibition of doing damage even in a state of war, this is in line with the contents of MUI fatwa Number 83 of 2023 concerning the law of support for the Palestinian cause, because the contents of the fatwa aim to avoid damage

---

<sup>17</sup>Suyanto, *Legal Research Methods: An Introduction to Normative, Empirical and Combined Research* (Gresik: Unigres Press, 2023), p.. 179.

<sup>18</sup> Majelis Ulama Indonesia (last), "FATWA KOMISI FATWA MAJELIS ULAMA INDONESIA Nomor 1 Tahun 2003 Tentang HAK CIPTA" (2003).



by forbidding transactions and the use of products affiliated with Israel, in order to reduce financial assistance to Israeli aggression.

The legal basis for MUI fatwa No. 83 of 2023 on the law of support for the Palestinian cause includes QS Al-Maidah verse 32, the verse explains the prohibition of killing fellow human beings, Allah forbids killing humans without just cause. Every human life is precious, protecting one life is like protecting the whole human race. Allah's messengers have brought clear guidance, but many of the Children of Israel have transgressed by doing damage to the earth. This verse teaches the value of life, the importance of obeying Allah's guidance, and warns against actions that damage life and society. According to the explanation above that QS. Al-Maidah verse 32 about the prohibition of killing fellow humans. This is in line with the contents of MUI fatwa No. 83 of 2023 concerning the law of support for the Palestinian cause, because the fatwa prohibits actions that can lead to mafsadah including the loss of life, countless injuries, thousands of displaced residents, and the destruction of homes, buildings, and public facilities.<sup>19</sup>

The legal basis of MUI fatwa No. 83 of 2023 on the law of support for the Palestinian cause includes QS. Al-Baqarah verse 177, the verse explains about the command to help each other and solidarity between humans, this verse provides a comprehensive description of what taqwa in Islam actually means, which is a combination of strong faith in Allah, good deeds to others, and resilience in the face of life's tests.

According to the explanation above that QS. Al-Maidah verse 177 about the command to help each other and solidarity between humans. This is in line with the content of MUI fatwa No. 83 of 2023 concerning the law of support for the Palestinian cause, because the existence of the fatwa is not only to determine the view of religious law, but also to build the character and solidarity of Muslims in facing complex humanitarian challenges and requires a strong moral response to build character to help each other and solidarity between humans, in the content of the fatwa is the same as helping Palestine from Israeli aggression.<sup>20</sup>

---

<sup>19</sup> Chairul Fahmi, "The Snouck Hurgronje's Doctrine in Conquering the Holy Revolts of Acehnese Natives," *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 10, no. 2 (December 20, 2021): 248-73, <https://doi.org/10.31291/hn.v10i2.628>.

<sup>20</sup> Johan Galtung, "Conflict Theory and the Palestine Problem," *Journal of Palestine Studies* 2, no. 1 (1972): 34-63, <https://doi.org/10.2307/2535972>.

**B. Analysis of MUI Fatwa No. 83 of 2023 concerning the prohibition of transactions of products affiliated with Israel from the perspective of sadd az-zari'ah**

MUI fatwa is not a state law that can be imposed to all people, it also has no sanction and does not have to be obeyed by all citizens. As a social-political power that exists in the constitutional infrastructure, MUI's fatwa is only binding and obeyed by the Muslim community who feel they have a bond with MUI itself. The legality of MUI's fatwa cannot and cannot force to be obeyed by all Muslims. The researcher uses sadd az-ari'ah as the source of analysis of this research. Transactions and the use of products affiliated with Israel can be seen from sadd az-zari'ah in terms of the impact and level of damage caused. According to Muhammad Hasyim al-Burhani, there are 3 (three) pillars that must be fulfilled in az-zari'ah including:

1. Actions or actions that apply so that the intermediary to something. In this case, the law of transactions and the use of goods affiliated with Israel is permissible or halal.
2. Cause or strong suspicion that the act will lead to harm. Transactions and use of products affiliated with Israel may have the effect of supporting Israeli aggression and Zionism, either directly or indirectly.
3. Actions that become a means to the prohibited (al-mutawashil ilaih). In the problems that occur when making transactions or using products that Israeli telecommunications can support Israeli aggression and Zionism, such as supporting weapons and personnel assistance, helping on the financial side through Israeli-affiliated companies. Therefore, making transactions and using Israeli-affiliated products is prohibited.<sup>21</sup>

That is, Islam requires us to oppose any action that causes public harm even though the action is basically permissible. There are many traditions of the Prophet that explain this basic principle, such as the prohibition of selling something that has already been done by another person or proposing to a girl if she has already been proposed to by another person. This is why Islamic law imposes laws that limit people's freedom and prevent them from causing harm

---

<sup>21</sup> Chairul Fahmi, "The Application of International Cultural Rights in Protecting Indigenous Peoples' Land Property in Indonesia," *AlterNative: An International Journal of Indigenous Peoples*, March 8, 2024, 11771801241235261, <https://doi.org/10.1177/11771801241235261>.

to their neighbours, such as the prohibition of transactions and the use of products affiliated with Israel.<sup>22</sup>

In this case what is meant by damage is supporting Israeli aggression against Palestine and supporting Zionism, because the proceeds from the sale of products affiliated with Israel indirectly help Israeli aggression against Palestine and also support Zionism.<sup>23</sup> Meanwhile, what is meant to bring benefits is that by buying products affiliated with Israel, it can make it easier for Indonesians to find the products they are looking for, and people are already familiar with products that are affiliated with Israel. Transactions and the use of affiliated products can help support Israeli aggression against Palestine and support Zionism.<sup>24</sup>

So based on the explanation above, it can be concluded that, in MUI Fatwa Number 83 regarding the law of support for Palestine, if it is associated with sadd az-zari'ah, the Indonesian Ulema Council prioritises forbidding transactions and the use of products affiliated with Israel, the Indonesian Ulema Council prioritises the soul (Hifz al-nafs) and religion (Hifz al-din). Do not let the mafsahadah more belsar. In its fatwa, the Indonesian Ulema Council forbids transactions and the use of products affiliated with Israel, because it can save Palestine from Israel and also support religion to be saved from Zionism. So sadd az-zari'ah is to close the possibility of assistance to Israeli aggression and Zionism, because of concerns in terms of soul, and religion.<sup>25</sup>

Based on this explanation, the author can conclude that according to sadd az-zari'ah in MUI Fatwa No. 83 of 2023 concerning the law of support for the Palestinian state, it can be seen in terms of its implementation first and seen from the damage it can cause. If the implementation of the transaction and the use of Israeli-affiliated products is not at the time of Israeli aggression against Palestine, then the law is makruh, because it closes the possibility that Israeli-

---

<sup>22</sup> W. F. Abboushi, "The Road to Rebellion Arab Palestine in the 1930's," *Journal of Palestine Studies* 6, no. 3 (1977): 23-46, <https://doi.org/10.2307/2535578.a>

<sup>23</sup> Walid Khalidi, "Palestine and Palestine Studies: One Century after World War I and the Balfour Declaration," *Journal of Palestine Studies* 44, no. 1 (2014): 137-47, <https://doi.org/10.1525/jps.2014.44.1.137>.

<sup>24</sup> Matthew Abraham, "Seeking Palestine: New Palestinian Writing on Exile and Home," ed. Penny Johnson and Raja Shehadeh, *Journal of Palestine Studies* 42, no. 4 (2013): 90-91, <https://doi.org/10.1525/jps.2013.42.4.90>.

<sup>25</sup> Shamir Husan, "The Zionist Project and the British Mandate in Palestine," *Proceedings of the Indian History Congress* 75 (2014): 967-74, <https://www.jstor.org/stable/44158480>.

affiliated products are halal and do not violate the terms and conditions of selling belli.<sup>26</sup>

Meanwhile, if it is carried out at the time of Israeli aggression against Palestine, the law is haram, because it is feared to cause damage, namely supporting Israeli aggression and supporting Zionism. In MUI Fatwa Number 83 of 2023 concerning the prohibition of transactions and the use of products affiliated with Israel when associated with the requirements of sadd az-zari'ah according to Ibn Qayyim Al-Jauziyah, there are similarities between them:

1. The evil that is likely to arise from a permissible action is clear and greater than the benefit it brings. According to him, this first requirement, as mentioned in 75 Ismail Jalili, *The Existence of Sadd Adz-Dzari'ah in Ushul Fih: A Study of the Thought of Ibn Qoyyim al-Jauziyyah* the third division of the concept of sadd az-zari'ah itself, namely az-zari'ah as a means that can be used and not followed by the intention (purpose) that leads to bad actions, but if the act is done then it will cause more harm, even the harm is greater than the benefit.
2. Actions that are permissible because they are based on the concept of sadd az-zari'ah do not go on and on. If the need for something and the good that it brings out outweighs the evil that it causes, then the cause must be considered and the end result ignored.
3. The sadd az-zari'ah rule must not conflict with the shar'i text. If there is a conflict between the sadd az-zari'ah rule and the shar'i text, then the attempt to use the sadd az-zari'ah rule as a concept to formulate the law becomes void. That way, in common sense and in shari'a. should not submit arguments that contradict the arguments that have been approved by the scholars.

Through the sadd az-zari'ah approach, the prohibition of transactions and the use of products affiliated with Israel, which was issued by the Indonesian Ulema Council during the Israeli aggression against Palestine, raised a wisdom, namely minimising to reduce arms and personnel assistance to Israel, financial assistance to companies affiliated with Israel and Zionism.<sup>27</sup> The existence of sadd az-zari'ah to close the financial assistance of Israeli-

---

<sup>26</sup> Aida Arosoaie, "Israel-Palestine," *Counter Terrorist Trends and Analyses* 7, no. 1 (2015): 67-70, <https://www.jstor.org/stable/26351320>.

<sup>27</sup> Ibrahim Abu-Lughod, "America's Palestine Policy," *Arab Studies Quarterly* 12, no. 1/2 (1990): 191-201, <https://www.jstor.org/stable/41858944>.

affiliated companies that caused casualties, countless injuries, thousands of displaced residents, and the destruction of homes, buildings, and public facilities.<sup>28</sup>

The purpose of determining the law through sadd az-zari'ah is to facilitate the achievement of benefits and keep away the possibility of damage, in other words, this method is a preventive measure in preventing something before something unwanted happens. According to the researcher in the study of sadd az-zari'ah about the prohibition of transactions and the use of products affiliated with Israel or the fatwa issued by the Indonesian Ulema Council is related, because it is in accordance with the purpose of sadd a-zari'ah which is to close the possibility of damage in terms of health, especially the soul. With this, the use of sadd az-zari'ah in resolving Islamic religious problems is very necessary. Because it is flexible towards taking the law, for example if the size of mafsadah and maslahah is the same, then it is still allowed to take the law that is studied, but if the mafsadah is more than the maslahah then it is forbidden and vice versa.<sup>29</sup>

## CONCLUSIONS

The review of sadd az- zari'ah regarding MUI Fatwa No. 83 Year 2023 on the Law of Supporting the Palestinian Struggle makes the change of the law of transactions and the use of products affiliated with Israel if reviewed from the pillars of sadd az-Zar'ah, namely the first act or action that applies so that the intermediary to something, on MUI Fatwa Zero. 83 Year 2023, namely the initial law of transaction and use of products affiliated with Israel is mubah or permissible to become haram. Second, the cause or strong suspicion that it brings damage, namely, the change of law is suspected to support Israeli aggression against Palestine either directly or indirectly. Third, the act that becomes a means to the prohibited, namely, the transaction and use of products affiliated with Israel can support Israeli aggression and Zionism, such as supporting weapons and personnel and assisting in the financial part through the profits of companies affiliated with Israel, with this bringing wasilah prohibited because it is suspected that it can cause damage, namely the loss of life, countless injuries, thousands of residents displaced, as well as

---

<sup>28</sup> Abu-Lughod.

<sup>29</sup> Arosoaie, "Israel-Palestine."

the destruction of homes, buildings, and public facilities and also support Zionism.

## REFERENCES

- Abboushi, W. F. "The Road to Rebellion Arab Palestine in the 1930's." *Journal of Palestine Studies* 6, no. 3 (1977): 23–46.  
<https://doi.org/10.2307/2535578>.
- Abraham, Matthew. "Seeking Palestine: New Palestinian Writing on Exile and Home." Edited by Penny Johnson and Raja Shehadeh. *Journal of Palestine Studies* 42, no. 4 (2013): 90–91.  
<https://doi.org/10.1525/jps.2013.42.4.90>.
- Abu-Lughod, Ibrahim. "America's Palestine Policy." *Arab Studies Quarterly* 12, no. 1/2 (1990): 191–201. <https://www.jstor.org/stable/41858944>.
- Adam, Panji. *Hukum Islam: Konsep, Filosofi dan Metodologi*. Jakarta: Sinar Grafika, 2021.
- Ahmad F. Yousif. "Contemporary Islamic Movements in Southeast Asia: Challenges and Opportunities." In *The Blackwell Companion to Contemporary Islamic Thought*, edited by Ibrahim Abu-Rabi'. John Wiley & Sons, 2008.
- Alter, Karen J., ed. "International Law Enforcement." In *The New Terrain of International Law*, 244–81. Courts, Politics, Rights. Princeton University Press, 2014. <http://www.jstor.org/stable/j.ctt5hhs2t.13>.
- Amal, Taufik Adnan. *Islam dan tantangan modernitas: studi atas pemikiran hukum Fazlur Rahman*. Bandung: Mizan, 1989.
- Arosoaie, Aida. "Israel-Palestine." *Counter Terrorist Trends and Analyses* 7, no. 1 (2015): 67–70. <https://www.jstor.org/stable/26351320>.
- Darwich, Lynn, and Haneen Maikey. "The Road from Antipinkwashing Activism to the Decolonization of Palestine." *Women's Studies Quarterly* 42, no. 3/4 (2014): 281–85.  
<https://www.jstor.org/stable/24365011>.
- Diantha, I Made Pasek. *Metode Penelitian Hukum Normatif Dalam Justifikasi Teori Hukum*. Cet. 2,. Jakarta: Kencana Prenada Media Group, 2017.
- Efendi, Jonaedi, and Johnny Ibrahim. *Metode Penelitian Hukum Normatif Dan Empiris*. Jakarta: Kencana Prenada Media Group, 2018.
- Efendi, Jonaedi, and Prasetyo Rijadi. *Metode Penelitian Hukum Normatif Empiris*. Edisi Kedua, Cet. 5,. Jakarta: Kencana Prenada Media Group, 2022.
- Fahmi, Chairul. "The Application of International Cultural Rights in Protecting Indigenous Peoples' Land Property in Indonesia." *AlterNative: An International Journal of Indigenous Peoples*, March 8,



- 2024, 11771801241235261.  
<https://doi.org/10.1177/11771801241235261>.
- — —. "The Snouck Hurgronje's Doctrine in Conquering the Holy Revolts of Acehese Natives." *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 10, no. 2 (December 20, 2021): 248–73.  
<https://doi.org/10.31291/hn.v10i2.628>.
- — —. "TRANSFORMASI FILSAFAT DALAM PENERAPAN SYARIAT ISLAM (Analisis Kritis Terhadap Penerapan Syari'at Islam Di Aceh)." *Al-Manahij: Jurnal Kajian Hukum Islam* 6, no. 2 (2012): 167–76.
- Galtung, Johan. "Conflict Theory and the Palestine Problem." *Journal of Palestine Studies* 2, no. 1 (1972): 34–63.  
<https://doi.org/10.2307/2535972>.
- Husan, Shamir. "The Zionist Project and the British Mandate in Palestine." *Proceedings of the Indian History Congress* 75 (2014): 967–74.  
<https://www.jstor.org/stable/44158480>.
- Khalidi, Walid. "Palestine and Palestine Studies: One Century after World War I and the Balfour Declaration." *Journal of Palestine Studies* 44, no. 1 (2014): 137–47. <https://doi.org/10.1525/jps.2014.44.1.137>.
- Majelis Ulama Indonesia (last). FATWA KOMISI FATWA MAJELIS ULAMA INDONESIA Nomor 1 Tahun 2003 Tentang HAK CIPTA (2003).
- Marzuki, Peter Mahmud. *Penelitian Hukum*. Cet. 13,. Jakarta: Kencana Prenada Media Group, 2017.
- May, Bernhard. "The Law on the Governing of Aceh: The Way Forward or a Source of Conflicts?" *Conciliation Resources*, no. 20 (2008).  
<https://www.c-r.org/accord-article/law-governing-aceh-way-forward-or-source-conflicts>.
- Siddiq-Armia, Muhammad. *Penentuan Metode Dan Pendekatan Penelitian Hukum*. Edited by Chairul Fahmi. Indonesia: Lembaga Kajian Konstitusi Indonesia (LKKI), 2022.
- Suyanto. *Metode Penelitian Hukum: Pengantar Penelitian Normatif, Empiris dan Gabungan*. Gresik: Unigres Press, 2023.