

Indonesian Ulema Council Fatwa on Boycotting Products Supporting Israel in the Ijtihad Discourse of Nahdatul Ulama and Muhammadiyah

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Abstract: This study aims to determine the legal provisions of boycotting Israeli products in the perspective of Ijtihad Nahdhatul Ulama and Muhammadiyah. In practical terms, research has implications for benefits and uses for more serious development in the study of the legal provisions of boycotting Israeli products in the perspective of Ijtihad Nahdhatul Ulama and Muhammadiyah. The method used is a descriptive-analytical method with a qualitative approach. The source of this research data comes from literature studies. Data analysis is carried out through the process of inventory, classification, and data analysis. The results of this study are: 1) the boycott law of Israeli products in the concept of ijtihad NU is mandatory if it is believed and known that profits from the sale of such products by Israel are used to help launch attacks against Palestinians. However, if it is not believed and it is not known for certain that the profits obtained from the sale of these products are to help fight the Palestinians, then buying Israeli products is not obligatory but makruh because in a war situation that allows the use of profits for war; 2) In the concept of Muhammadiyah ijtihad, boycotting Israeli products becomes fardhu 'ain for Palestinians and fardhu kifayah for Muslims in other countries. Likewise, the law of boycotting products from branch companies and parties that clearly support Israel is mandatory, while boycotting products from local shops and hawkers is discouraged because it results in greater madharat. So that compliance with the MUI Fatwa related to boycotting Israeli products must be adjusted to the situation and conditions.

Keywords: Boycotting, Products, Ijtihad, Nahdatul Ulama, Muhammadiyah.

Abstract: Penelitian ini bertujuan untuk mengetahui ketentuan hukum boikot produk Israel dalam perspektif Ijtihad Nahdhatul Ulama dan Muhammadiyah. Secara praktis, penelitian memiliki implikasi manfaat dan kegunaan untuk pengembangan secara lebih serius dalam kajian tentang ketentuan hukum boikot produk Israel dalam perspektif Ijtihad Nahdhatul Ulama dan Muhammadiyah. Metode yang digunakan adalah metode deskriptif-analitis dengan pendekatan kualitatif. Sumber data penelitian ini berasal dari kajian literatur. Analisis data dilaksanakan melalui proses inventarisasi, klasifikasi, dan analisis data. Hasil dari penelitian ini adalah: 1) hukum boikot Produk Israel dalam konsep ijtihad NU diwajibkan jika diyakini dan diketahui bahwa keuntungan dari penjualan produk tersebut oleh Israel digunakan untuk membantu melancarkan penyerangan terhadap Palestina. Namun jika tidak diyakini dan tidak diketahui secara pasti bahwa keuntungan yang diperoleh dari penjualan produk tersebut untuk membantu memerangi Palestina, maka membeli produk Israel tidak wajib namun makruh karena dalam situasi perang yang memungkinkan adanya penggunaan keuntungan untuk perang; 2) Dalam konsep ijtihad Muhammadiyah, boikot produk Israel menjadi fardhu 'ain bagi warga Palestina dan fardhu kifayah bagi umat Islam di negara lainnya. Begitu juga hukum boikot produk dari perusahaan cabang dan pihak-pihak yang jelas mendukung

Israel hukumnya wajib, sedangkan boikot produk dari toko warga lokal dan pedagang asongan tidak dianjurkan karena mengakibatkan madharat yang lebih besar. Sehingga kepatuhan terhadap adanya Fatwa MUI terkait boikot produk Israel harus disesuaikan dengan situasi dan kondisinya.

Kata Kunci: Boikot, Produk, Ijtihad, Nahdatul Ulama, Muhammadiyah.

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Introduction

The issue of conflict between Israelis and Palestinians is a crucial issue in the Middle East that has become a global concern,¹ creating tensions and conflicts at the international level² that are prolonged and have documented negative effects on health, development, and well-being.³ This conflict began with a proclamation from the Jews to establish a state called Israel in 1948. In Indonesia,⁴ this issue has not only become a topic of discussion in the political and social sphere, but also creates resonance in the religious realm.⁵ The Indonesian Ulema Council (MUI),⁶ the main religious authority in the country, responded to the issue by issuing a fatwa calling on Muslims to boycott Israeli products.⁷ MUI's fatwa on boycotting Israeli products raises pros and cons among the Indonesian people, especially from among Muslims themselves.⁸

There are several previous research results related to product boycotts including the Fiqh Aqilla Ekowid article which discusses the boycott of halal products⁹ by right-wing groups in India which occurs because strong ethnocentrism in Indian Hindu society has created an inability to fully accept Islam without reservation,¹⁰ especially in the context of halal meat production which is often contrary to Hindu beliefs in India; articles Heri Sudarsono who discussed the boycott of American products was carried out due to indications, that part of America's national income was used to help Israel either directly or indirectly,¹¹ but the author did not agree with this boycott action because it disrupted the economy in Indonesia; Anas bin Mohd Yunus and his friends' article on the boycott law of Israeli goods based on fiqh al-jihad.; Arip Purkon's article on Tax Boycott Action according to Islamic Law, which focuses on the theme of taxes and is studied in terms of Islamic law; Muhammad Rifqi Ma'arif's article about exploring messages and reactions that emerged after the invitation to boycott Sari Roti products related to the Islamic defense action volume 3 on social media Twitter;¹² article by Suci Rahmawati and her friends on the

¹ Aos Yuli dan Yanyan Mochamad Yani Firdaus, "FAKTOR PENGHAMBAT PERDAMAIAN KONFLIK PALESTINA-ISRAEL," *Populis : Jurnal Sosial dan Humaniora* 5, no. 01 (2020): 104–10.

² E. Mark Cummings Laura E. Miller-Graff, "The Israeli–Palestinian conflict: Effects on youth adjustment, available interventions, and future research directions," *Developmental Review* 43 (2017): 1–47.

³ Muhammad Jamaluddin, "PENGARUH KEBIJAKAN PERSERIKATAN BANGSA-BANGSA (PBB) DALAM KONFLIK PALESTINA-ISRAEL," *Jurnal Tapis : Teropong Aspirasi Politik Islam* 19, no. 1 (2023): 28–46.

⁴ Emilia Palupi Nurjannah dan M Fakhruddin, "Deklarasi Balfour : Awal Mula Konflik Israel Palestina" 1, no. 1 (2019): 15–26.

⁵ Aulia Pengdaviera Juntami, "PANCASILA AND PEACE: PERAN INDONESIA DALAM MEDIASI KONFLIK ISRAEL-PALESTINA; IMPLEMENTASI PANCASILA PADA DIPLOMASI PERDAMAIAN DUNIA," *Jurnal Diplomasi Pertahanan* 9, no. 03 (2023): 26–40.

⁶ Majelis Ulama Indonesia, "FATWA MAJELIS ULAMA INDONESIA Nomor : 83 Tahun 2023 Tentang TENTANG HUKUM DUKUNGAN TERHADAP PERJUANGAN PALESTINA" (2023).

⁷ poskota.co.id, "MUI Boikot Puluhan Produk Israel, Tuai Pro Kontra Netizen di TikTok," poskota.co.id, 2023, <https://poskota.co.id/2023/11/14/mui-boikot-puluhan-produk-israel-tuai-pro-kontra-netizen-di-tiktok>.

⁸ Ony Arianto, "Fatwa Haram Produk Israel Tuai Pro dan Kontra," www.rri.go.id, 2023, <https://www.rri.go.id/daerah/456341/fatwa-haram-produk-israel-tuai-pro-dan-kontra>.

⁹ Fiqih Aqilla Ekowidi, "Dinamika Industri Halal di India: Studi Kasus Pemboikotan Produk Halal Oleh Kelompok Sayap Kanan," *Indonesian Journal of Peace and Security Studies (IJPS)* 4, no. 2 (2022), <https://doi.org/10.29303/ijps.v4i2.115>.

¹⁰ Heri Sudarsono, "Telaah Dampak Boikot Produk Amerika terhadap Perekonomian Nasional," *UNISIA* 31, no. November 2008 (2018), <https://doi.org/10.20885/unisia.vol31.iss70.art8>.

¹¹ Anas Bin dkk., "Hukum Boikot Barangan Israel Berdasarkan Kepada Fiqh Al-Jihad," *Jurnal Pengurusan dan Penyelidikan Fatwa*, 2015, 135–60.

¹² Arip Purkon, "Aksi Boikot Pajak Menurut Hukum Islam," *SALAM: Jurnal Sosial dan Budaya Syar-i* 1, no. 1 (2014), <https://doi.org/10.15408/sjsbs.v1i1.1529>.

influence of the value of religiosity¹³ and product knowledge on the decision to boycott KFC products¹⁴ on Bandar Lampung Muslim Consumers.; and Dini Safitri's article on the reasons Starbuck was boycotted.¹⁵

The results of previous research and current research have similarities and differences at the same time. Previous research and current research both examine product boycotts.¹⁶ The difference is that the current research discusses more specifically the analysis of the MUI Fatwa on boycotting Israeli products in the perspective of Nahdhatul Ulama and Muhammadiyah ijtihad. The main problem of this research is how the legal provisions of boycotting Israeli products in the perspective of Ijtihad Nahdhatul Ulama and Muhammadiyah. This study aims to determine the legal provisions of boycotting Israeli products in the perspective of Ijtihad Nahdhatul Ulama and Muhammadiyah. A common scientific study has benefits and uses, both theoretical and practical.¹⁷ Theoretically, this research is expected to have beneficial implications and usefulness as an initial study of the legal provisions of boycotting Israeli products in the perspective of Ijtihad Nahdhatul Ulama and Muhammadiyah. In practical terms, this research is expected to have beneficial and useful implications for more serious development in the study of the legal provisions of boycotting Israeli products in the perspective of Ijtihad Nahdhatul Ulama and Muhammadiyah.

Nahdhatul Ulama and Muhammadiyah, as two great powers in Indonesian Islam, have their own ijtihad traditions. These two organizations have a long history in Islam in Indonesia and represent different thoughts and interpretations of Islam. This critical analysis of MUI's fatwas is important to understand the implications and resonances that arise in the discourse of ijtihad (the process of reasoning Islamic law) among NU and Muhammadiyah.

Literature Review

Fatwa MUI

There are various definitions related to fatwas linguistically. According to Ahmad Wahid and Nur Ponorogo, fatwas are a response or firm response to events in society. Yusuf Qarḍawi describes fatwas as a form of concrete answer to the dynamics of society, whereas according to Zamakhysri, as found in al-Kasyaf, fatwas are interpreted as paths that can be considered as plate or straight foundations. In terminology, following Zamakhysri's perspective, a fatwa can be defined as an interpretation of sharia law that provides clarification on a particular issue. This explanation is delivered in response to questions posed by individuals or groups, creating a legal outlook that leads to a deeper understanding of an issue within the framework of Islamic sharia.¹⁹ According to Yusuf Qarḍawi's view²⁰, fatwas have a broader dimension, defined as interpretations of sharia law given in a particular situation or context in response to questions raised by fatwa requesters (mustafti).²¹ This interpretation is not only limited to individuals, but can also involve groups, creating a framework for explanatory sharia law based on specific requests from those seeking guidance, both on an individual and collective scale. Therefore, fatwas are not only a concrete response to events, but also as a guide or direction that is considered as the right and straight path in dealing with various situations.²²

In the modern era, the role of contemporary scholars such as Yusuf al-Qarḍawi and Wahbah Zuhaili is increasingly prominent in the development of fatwas. For example, Qarḍawi emphasizes principles such as a) avoiding fanaticism and excessive taqlid, while respecting the views of the imams of maḏhab by utilizing their methods and perspectives, b) presenting views with solid foundations and being able to provide tarjih (selection) to the strongest arguments, c) using language that is easily understood by various circles, d) avoiding discussions

¹³ Muhammad Rifqi Ma'arif, "ANALISIS KONTEN TWITTER DALAM KASUS BOIKOT SARI ROTI PASKA PERISTIWA AKSI BELA ISLAM 3," *Jurnal Penelitian Pers dan Komunikasi Pembangunan* 21, no. 01 (2017): 59–70.

¹⁴ Suci Rahmawati dkk., "Pengaruh Nilai Religiusitas Dan Pengetahuan Produk Terhadap Keputusan Boikot Produk KFC (Studi Pada Konsumen Muslim Bandar Lampung)," *Jurnal Kompetitif Bisnis* 1, no. 1 (2020): 39–49.

¹⁵ Dini Safitri, "Seruan Boikot Starbucks: Kampanye Negatif Atau Kampanye Hitam?," *InterAct* 4, no. 1 (2015): 11–20.

¹⁶ Wahyu Ziaulhaq, "Buying and Selling Used Clothing: An Islamic Economy Law Perspective," *Journal of Nusantara Economy* 1, no. 1 (10 Desember 2022): 29–37.

¹⁷ Meta Riskia, "Implementation Of Mudharabah Financing On Baitul Maal According Majelis Ulama Indonesia," *Journal of Nusantara Economy* 1, no. 1 (9 Desember 2022): 1–13.

¹⁸ Soleh Hasan Wahid dan Iain Ponorogo, "Dinamika Fatwa dari Klasik ke Kontemporer (Tinjauan Karakteristik Fatwa Ekonomi Syariah Dewan Syariah Nasional Indonesia (DSN-MUI) " 10, no. 2 (2019): 193–209.

¹⁹ Riskia, "Implementation Of Mudharabah Financing On Baitul Maal According Majelis Ulama Indonesia."

²⁰ Rohadi Abdul Fatah, *Analisis Fatwa Keagamaan dalam Fiqih Islam* (Jakarta: PT. Bumi Aksara, 2006).

²¹ Yusuf Qarḍawi, *Fiqh Prioritas* (Mansyurat Kuliah Da'wah Islamiyah, 1990).

²² Qarḍawi.

²³ Faridatus Syuhadak, "Urgensi Fatwa Dalam Perkembangan Hukum Islam," *De Jure: Jurnal Hukum dan Syar'iah* 5, no. 2 (2013): 189–96, <https://doi.org/10.18860/j-fsh.v5i2.3010>.

that do not provide tangible benefits, e) uphold the intermediate stance without loosening or narrowing, and f) present the fatwa as a clear and essential explanation. On the other hand, Wahbah Zuhaili showed distinctive features in drafting fatwas with steps such as: a) conducting an in-depth study of nash (Islamic legal texts), b) if he did not find a relevant hadith, Zuhaili used the hadith 'amaliyah or taqiririyah as a legal basis, c) if the two sources did not provide an adequate solution, Zuhaili critically considered the views of the ulama by examining the validity of the hadith on which the scholar was based,²⁴ d) perform tarjih (judgment)²⁵ on views that refer to the support of a valid hadith as the basis of argument.²⁶

The dissemination of fatwas regarding Islamic Law in Indonesia is carried out by the Indonesian Ulema Council (MUI). Article 3 of the MUI Basic Guidelines states: "MUI aims to practice Islamic teachings in an effort to participate in creating a safe, peaceful, just, and prosperous society spiritually and physically, which is expected to gain the pleasure of Allah SWT within the framework of the Republic of Indonesia based on Pancasila."²⁷ The Indonesian Ulema Council (MUI) was established on July 26, 1975, coinciding with 7 Rajab 1395 Hijri. The organization was formed as a united forum for Muslim scholars, leaders, and clerics who united to support, guide, and protect Muslims throughout the archipelago. MUI was born from the idea of gathering scholars in an association who have the main task of discussing the issues of the Ummah and issuing fatwas and²⁸ guidelines based on Islamic teachings.²⁹ The Indonesian Ulema Council (MUI) plays a crucial role in encouraging Muslim unity, serving as a glue between academics and political figures. As an entity that has the ability to intercede, MUI incarnates as a common forum where the fatwas it issues cover religious and social aspects. Through these fatwas, it is hoped that the community and the government can synergize to create social stability and achieve peace between religious communities, with the main aim of achieving progress and development at the national level.³⁰

Fatwas issued by the MUI serve as a means to strengthen social norms in society. Although it cannot be legally applied and the public is not obliged to abide by it, MUI fatwas have the potential to be internalized as an important element in the legal order. Thus, MUI fatwas can be the substance that provides a basis for regulation, creates a legislative framework that has normative force, and ultimately, unites society in general. So in the context of law in Indonesia, the MUI fatwa is one of the recommendations for the Indonesian people in addressing a problem or social fact in order to remain in accordance with the rules of Islamic law. However, MUI's fatwas are only recommendations, so non-compliance with fatwas does not result in legal sanctions.³¹

Product Boycott

Mahjur or boycott comes from al-hajr or *hajara* meaning linguistically,³² *al-man'u* (forbidden, challenged, prevented, and hindered). In English it comes from the word '*boycott*', which is taken from the name of Captain Charles Cunningham Boycott (1832-1897),³³ an English field agent in Ireland who used the tactic of charging high rents in 1880. This action angered the Irish people, who then refused to reap the rewards of their fields. In KBBI Online, boycotting is conspiring to refuse to cooperate (dealing with trade, talking, participating and so on).³⁴

In the context of consumer behavior, a boycott can be interpreted as a measure to stop the purchase of products, services, or services from a company when someone does not agree with certain actions or regulations, or even when they disagree with the entire set of actions or regulations taken by the company. Boycott is an action taken by one or more parties with a specific purpose, namely by pressuring them not to make purchases of goods

²⁴ Yusuf Qardawi, *Fatwa-fatwa Kontemporer Jilid 1. Terj. As'ad Yasin* (Jakarta: Gema Insani Press, 1995).

²⁵ Faridatus Syuhadak dan Badrun Badrun, "Pemikiran Wahbah Al-Zuhaili Tentang Ahkam Al-Ushrah," *De Jure: Jurnal Hukum dan Syar'iah* 4, no. 2 (2012): 160–70, <https://doi.org/10.18860/j-fsh.v4i2.2985>.

²⁶ Wahbah Zuhaili, *Terj Fiqih Islam wa Adillatuhu* (Jakarta: Gema Insani Press, 2010).

²⁷ Suwarjin, "Contextualization of Employment of Zakat Form The Perspective of Mafhum Muwafaqah," *NUSANTARA: Journal Of Law Studies* 2, no. 1 (31 Maret 2023): 62–69.

²⁸ Ahmad Fachrur dan Siti Ngainnur Rohmah, "Eksistensi Fatwa Majelis Ulama Indonesia dalam Pranata Hukum Islam di Indonesia," *SALAM: Jurnal Sosial dan Budaya Syar-i* 6, no. 5 (2019): 459–80, <https://doi.org/10.15408/sjsbs.v6i5.20832>.

²⁹ <https://mirror.mui.or.id/sejarah-mui/>, "Profil MUI," t.t.

³⁰ Yus Afrida, "ANALISIS FATWA MAJELIS ULAMA INDONESIA MENGGUNAKAN ATRIBUT KEAGAMAAN NON-MUSLIM," *YUDISIA: JURNAL PEMIKIRAN HUKUM DAN HUKUM ISLAM* 12, no. 02 (2021): 210.

³¹ Diana Mutia Habibaty, "Peranan Fatwa Dewan Syariah Nasional-Majelis Ulama Indonesia Terhadap Hukum Positif Indonesia," *Peranan Fatwa Dewan Syariah Nasional-Majelis Ulama Indonesia Terhadap Hukum Positif Indonesia* 14, no. 4 (2017): 447–53.

³² Sharul Fitry Abdul Majid, Wan Mohd Khairul Firdaus Wan Khairulidin, dan Muhammad Talhah Ajmain @ Jima'ain, "Fiqh Boycott on Lgbt Community : a Review," *International Journal Of Academic research* 6, no. 2 (2019): 35–49.

³³ Bin dkk., "Hukum Boikot Barangan Israel Berdasarkan Kepada Fiqh Al-Jihad."

³⁴ <https://kbbi.kemdikbud.go.id/entri/memboikot>, "KBBI," 2023.

or not to use certain services or services.³⁵ So a product boycott is an act of refusal to buy certain products because of the special reasons behind the rejection, both socially and economically.³⁶

Product boycotts have occurred several times in Indonesia. In December 2017, there was a boycott of goods in Indonesia when Muslims and the MUI made a call to boycott products or goods from America and Israel. This was done in response to their recognition of Jerusalem as Israel's official capital. Then, at the end of 2020, Muslims in Indonesia and around the world launched a boycott of French products.³⁷ This was triggered by the support of French President, Emmanuel Macron, for making caricatures of the Prophet Muhammad (PBUH) as a form of freedom of opinion or expression. The Islamic community in Indonesia and the world decided to boycott all products or goods originating from France or cooperating with the country. The implementation of this boycott includes not only refraining from purchasing such goods, but also stopping the provision of such products in various stores. The last is the boycott of Israeli products and their supporters as a form of implementation of MUI fatwa number 83 of 2023 concerning support for the Palestinian cause.³⁸

Ijtihad NU

In an effort to gather, discuss and solve problems that *mauquf* and *waqi'ah* must immediately obtain legal certainty, NU formed Lajnah Bahsul Masail. KH Sahal Mahfud stated that historically, the ³⁹*bahsul masail* forum had emerged before the establishment of NU. At that time, the tradition of discussion among pesantren involving kyai and santri already existed, and the results of the discussion were later published in the LINO (Lailatul Ijtima' Nahdlatul Ulama) bulletin. In subsequent developments, Lajnah Bahsul Masail became NU's main forum in discussing various religious issues. In the documentation study, the results of the NU bahsul masail to date there are two results, namely Bahtsul Masail in 1992 and ⁴⁰*Istinbath al-Ahkam* Bahtsul Masail in 2015. From the two documents resulting from the bahsul masail, it can be known the method of ijthad NU in finding and establishing a law.

In Bahtsul Masail in 1992, the method of legal istinbat established by Lajnah Bahtsul Masa'il which is often applied in stages is threefold, namely: a) Qaul method, which involves direct quotation from the text of the reference book. In this case, a legal question is studied and the answer is sought in the books of fiqh which are considered as references (⁴¹*polar al mu'tabarab*) of the four major madhhabs.⁴² Furthermore, Munas Lampung also gave instructions on how to choose one qaul or wajah from two or several qaul or wajah based on one of several things,⁴³ namely by taking a stronger opinion or postulate. As far as possible by implementing the provisions of the NU to I conference, that differences of opinion are resolved by choosing: 1) the opinion agreed by ash-Shaikhon (an-Nawawi and Rafi'i), 2) the opinion held by an-Nawawi alone, 3) the opinion held by ar-Rafi'i alone, 4) the opinion supported by the majority of scholars, 5) the opinion of the most intelligent scholars, and 6) the opinion of the most sane scholars.⁴⁴

b) The Ilhaqy method, in which the law of a particular problem that has no legal basis is analogous to a similar case described in a reference book. c) The Manhajy method, which involves tracing and following the legal istinbath method of the four madhhabs. With this approach, the ijthad process is carried out by following the framework and method of legal discovery that has been established in the four madzhabs. This diversity of

³⁵ Breno de Paula Andrade Cruz, "Boicote Social," *Revista Brasileira de Gestao de Negocios* 19, no. 63 (2017): 5–29, <https://doi.org/10.7819/rbgn.v0i0.2868>.

³⁶ Anas Mohd Yunus dkk., "The Concept of Boycott: A General Introduction," *International Journal of Academic Research in Business and Social Sciences* 10, no. 9 (2020), <https://doi.org/10.6007/ijarbss/v10-i9/7889>.

³⁷ Sonora.id, "Sejumlah Supermarket di Indonesia Mulai Serukan Boikot Produk Prancis," 2022, <https://www.sonora.id/read/422410268/sejumlah-supermarket-di-indonesia-mulai-serukan-boikot-produk-prancis>.

³⁸ Woro Anjar Verianty, "Isi Lengkap Fatwa MUI Tentang Produk Israel, Hukumnya Haram," *Liputan 6*, 2023, <https://www.liputan6.com/hot/read/5450495/isi-lengkap-fatwa-mui-tentang-produk-israel-hukumnya-haram>.

³⁹ Darmawati H, "Manhaj Bahsul Masail Menurut Nahdatul Ulama (NU)," *Sulesana: Jurnal Wawasan Keislaman* 6, no. 2 (2011): 98–112.

⁴⁰ Irdlon Sahil, "Ijtihad Nahdlatul Ulama," *Syaikhuna* 10, no. 2 (2015): 147.

⁴¹ Isa Anshori, "Perbedaan Metode Ijtihad Nahdlatul Ulama dan Muhammadiyah dalam Corak Fikih di Indonesia," *Nizam* 4, no. 1 (2014): 125–39.

⁴² khairudin Khairudin, "The Practice of Buying and Selling Black Market Goods on The Perspective of Islamic Economic Law," *NUSANTARA: Journal Of Law Studies* 1, no. 1 (2022): 77–85.

⁴³ Sahil, "Ijtihad Nahdlatul Ulama."

⁴⁴ Aman Aly Muhibul, "Mengenal Istilah Dan Rumus Fuqaha" (Kediri: Pustaka De-Aly, 1997).

methods provides a comprehensive and contextual foundation in producing a deeper understanding of Islamic law.^{45,46,47}

The 33rd Bahtsul Masail Congress in 2015 in Jombang discussed issues related to the istinbat al-ahkam method. The problem description regarding the formulation of the istinbat al-ahkam method emphasizes the importance of the availability of ready-to-use legal istinbath methods. Nahdlatul Ulama considers that the presence of this method is very necessary because there may arise new cases of jurisprudence that cannot be found answers through direct quotations in the book. By still referring to the books of Usul Fiqh, then in organizing the istinbath jama'i, Nahdlatul Ulama made a simple istinbath al-ahkam method, namely a) the bayani method which is a method of taking laws from the Qur'an and Hadith; b) qiyasi method i.e. ijihad method through qiyas approach; c) the istishlahi or maqashidi method i.e. ijihad which refers to maqashid al-sharia, i.e. the general purpose of Islamic law. Therefore it can also be called ijihad maqashid.⁴⁸ So the Bahtsul Masail Nahdlatul Ulama Institute has systematically formulated three methods of legal istinbath, namely the qauli, ilhaqi, and manhaji methods. Furthermore, in the 13th Congress in 2015 in Jombang, Nahdlatul Ulama developed a simpler istinbath al-ahkam method, consisting of the bayani method, qiyasi method, and istishlahi or maqashidi method.⁴⁹

Ijtihad Muhammadiyah

Muhammadiyah, as stated in its Articles of Association, is an Islamic movement that emphasizes da'wah amar makruf nahi munkar with a renewal approach (tajdid) based on the Qur'an and Hadith, and based on Islamic values. Through this concept of tajdid, Muhammadiyah⁵⁰ seeks to carry out the process of purification and renewal of Islamic teachings by returning them to the original sources of Islamic law. Its focus is on ridding Islamic teachings of all forms of deviation such as Superstition, Bid'ah, and Churafat, which are considered destructive viruses that are often raised by some Muhammadiyah leaders.

As an organization that focuses on the task and function of purifying Islamic religious teachings, Muhammadiyah is automatically involved in the process of studying, interpreting, and interpreting Islamic teachings. Therefore, Muhammadiyah established a special institution that handles this aspect, namely the Tarjih Council (currently known as the Tarjih and Tajdid Council). This institution is an important forum in formulating Muhammadiyah's views and interpretations on religious issues, as well as ensuring that the Islamic teachings conveyed remain pure and in accordance with the values contained in the Qur'an and Hadith.⁵¹

The Tarjih Council applies several methods of ijihad in interpreting Islamic teachings, which include: 1) *Ijtihad bayānī*, which is an attempt at ijihad against texts that are efficacious. In the science of tafsir, this method is also known as tafsir *bi al-ma'tsur*, which is an attempt to interpret a verse by referring to other verses in the Qur'an.⁵² The method was developed by Tarjih into five kinds of considerations, including *istihsan*, *saddu al-dzari'ah*, *istishlah*, *al-urf*, and *ijihad kauniyya*.⁵³ 2) *Ijtihad ta'lili* (rationalistic), which is a method of determining law using a reasoning approach, such as the application of laws that already have nash to new problems that do not yet have laws based on nash, because there are similarities 'illah (wisdom) between the two. 3) ⁵⁴*Ijtihad istishlahi*, which is ijihad on issues not specifically addressed by the nash, either explicitly or implicitly. In this context, the establishment of laws is carried out on the basis of 'illah (wisdom) to achieve benefit. Using these methods, the Tarjih Council is committed to carrying out ijihad carefully and contextually, ensuring that the interpretation of Islamic teachings is in accordance with the values and principles contained in the Qur'an and Hadith⁵⁵.

⁴⁵ Sukron Ma'mun, "ILHAQ DALAM BAHTSUL MASA'IL NU; ANTARA IJTIHAD DAN IKHTIYAT," *Al-Qalam* 28, no. 1 (2011): 63–86.

⁴⁶ Imam Syafi'i, "TRANSFORMASI MADZHAB QOULI MENUJU MADZHAB MANHAJI JAMA'Y DALAM BAHTSUL MASA'IL," *Ayy-Syari'ah* 4, no. 1 (2018): 19–29.

⁴⁷ Masyhudan Dardiri, "Metode Ijtihad Ulama' dalam Bahtsul Masa'il Nahdlatul Ulama'," *Dosen UNHASY Tebuireng Jombang/ STEBI Al Muhsin Yogyakarta*, no. L (t.t.).

⁴⁸ Agus Mahfuddin, "Metodologi Istinbath Hukum Lembaga Bahtsul Masail Nahdlatul Ulama," *Jurnal Hukum Keluarga Islam* 6, no. 1 (2021): 1–17.

⁴⁹ Rumadi et.al, *Hasil-Hasil Mukhtamar ke-33 Nahdlatul Ulama* (Jakarta: LTN PBNU, 2016).

⁵⁰ "Anggaran Dasar Muhammadiyah pasal 4 ayat (1) dan (2)." (2005).

⁵¹ Adi Nur Rohman, "Hukum Islam dan Perubahan Sosial: Dinamisasi Perkembangan Metode Ijtihad Muhammadiyah," *Syakhsia : Jurnal Hukum Perdata Islam* 22, no. 1 (2021): 85–98, <https://doi.org/10.37035/syakhsia.v22i1.4877>.

⁵² Husna Amalia, "Muhammadiyah: Metode Dan Praktik Berijtihad," *Muaddib : Studi Kependidikan dan Keislaman* 1, no. 2 (2019): 119, <https://doi.org/10.24269/muaddib.v1i2.1535>.

⁵³ Muhammad Abdul Aziz Mulyono Jamal, "Metodologi Istinbath Muhammadiyah dan NU: (Kajian Perbandingan Majelis Tarjih dan Lajannah Bahtsul Masail)," *Ijtihad* 07, no. 2 (2013): 183–202.

⁵⁴ Isa Anshori, "Perbedaan Metode Ijtihad Nahdlatul Ulama dan Muhammadiyah dalam Corak Fikih di Indonesia."

⁵⁵ Abdi Wijaya, "Manhāj Majelis Tarjih Muhammadiyah Dalam Transformasi Hukum Islam (Fatwa)," *Al-Risalah Jurnal Ilmu Syariah dan Hukum*, 2019, <https://doi.org/10.24252/al-risalah.v19i1.9688>.

Method

This research uses a qualitative approach by applying descriptive-analytical methods. The main source of this research data comes from a literature study on MUI Fatwas related to boycotts of Israeli products and their legal provisions based on NU and Muhammadiyah ijtihad. In addition, secondary sources of this research include references related to the main topic, taken from articles, books, and documents from previous research. Data analysis is carried out through the process of inventory, classification, and data analysis.^{56,57}

Results and Discussion

Boycott Israeli Products in Ijtihad Nahdhatul Ulama

The issue of boycotts of pro-Israel products has come into the limelight with mass support as solidarity with Palestinians grows. Boycott policy is considered an effective strategy in addition to providing financial support on an ongoing basis. Basically, scholars agree that cooperation in business matters with non-Muslims is legal. This agreement refers to the hadith narrated by Sayyidah 'Aisha, in which the Prophet (peace be upon him) was personally involved in business transactions with Jews. In another instance, the Prophet also pawned armor to a Jew.⁵⁸ In NU's legal system, legal excavation of boycotts of Israeli products can be started from tracing past ulama' qauls who have a common existence. Especially the opinion of Imam Nawawi.

Imam Nawawi explained the hadith about the Prophet's muamalah with non-Muslims with the statement "Ulama agree that transactions with non-Muslims are permissible as long as it is believed that the merchandise is halal for Muslims. However, for Muslims, it is forbidden to sell weapons and war equipment that can be used to support their religious goals. Correspondingly, it is also forbidden to sell Qur'anic mushafs and Muslim slaves to non-Muslims."⁵⁹

From Imam Nawawi's explanation, it can be seen that the permissibility of doing business with non-Muslims is not absolute. In certain situations, business with non-Muslims can be forbidden, such as in the context of selling weapons to non-Muslims that threaten Muslims. The prohibition on selling weapons and war equipment to non-Muslims has a clear basis, namely that the provision of war equipment can be used to support attacks on Muslims. This shows that every activity we undertake, either directly or indirectly, has the effect of "help" against the enemy. However, for halal products that do not harm such as food, beverages and other household goods in this context requires a deeper understanding of the belief in the usefulness of the profits obtained from the sale of these products to combat Muslims or not.

Ibn Bathal says, Muamalah (associating) with non-Muslims is permissible except buying and selling something that is used to help non-Muslims fighting Muslims.⁶⁰ Al-Hadhrami's opinion states that if a person believes that certain items will be used for illicit purposes, such as silk for immoral purposes, wine for drunkenness, slaves for immoral practices, weapons for evil and tyranny such as robbery, and opium, marijuana, and nutmeg to be used as narcotics, then all these things are forbidden.⁶¹ These two opinions strengthen Imam Nawawi's explanation that it is forbidden to sell goods to non-Muslims that will harm Muslims. Because this is an act of helping violence occur directly (*ianab ala al-maksiat*) so that the law of haram is clear.

Overall, it can be concluded that any action that does not involve the potential for violence cannot be considered an *ianab ala al-maksiat*. If such actions have the potential to encourage and have an impact on the occurrence of violence, then it is not *ianab ala al-maksiat*, but *at-tasabub* (cause of disobedience).⁶² The law of *tasabub* varies depending on its impact on the faith, with the following details: first, *Sabab Qorib*, which includes any act that can encourage disobedience without the perpetrator having to bother doing other work to carry out the immoral act. For example, selling weapons to rebels or supplying wine to wineries; Actions that fall into this category are prohibited if they are carried out with the aim of aiding the despot. However, if such a purpose does

⁵⁶ Dermalaksana, W. (2020). *Qualitative Research Methods Literature Studies and Field Studies*. Pre-Print Digital Library UIN Sunan Gunung Djati Bandung. <http://digilib.uinsgd.ac.id/32855/>

⁵⁷ Dermalaksana, W. (2020). *Qualitative Research Methods Literature Studies and Field Studies*. Pre-Print Digital Library UIN Sunan Gunung Djati Bandung. <http://digilib.uinsgd.ac.id/32855/>

⁵⁸ Andrian Saputra dan Muhamad Aji Purwanto, "JUAL BELI DENGAN NON-MUSLIM DALAM KONTEKS FIKIH (Studi Kasus Kabupaten Bengkulu)," *Qawanin* 7, no. 7 (2023): 68–80, <https://doi.org/10.30762/qaw.v7i1.223>.

⁵⁹ Yahya bin Syaraf An-Nawawi, *al-Minhaj Syarh Sahib Muslim bin al-Hajaj Jilid 11* (Beirut: Dar Ihya' Turats al-'Arabiyy, 1932).

⁶⁰ Ibnu Hajar al Asqalani, *Fathul Bari Juz 4* (Al Maktabah al Salafiyah, t.t.).

⁶¹ Abdur Rahman Al-Hadhrami, *Bughyatul Mustasyidin* (Kairo: Dar al Fikri, 1993).

⁶² Muhammadiyah Taqi bin Muhammad Syafi' Al-Utsmani, *Bubuts wa Qadhaya Fiqhiyyah Mu'ashiroh* (Damaskus: Dar al-Qolam, 2003).

not exist, then its haram depends on knowledge and confidence that the object will be used for evil. If you don't know, then it's not forbidden.⁶³

Sabab Ba'id, which includes any action that has the potential to encourage violence, but the perpetrator of the crime requires additional effort to make it happen. For example, selling steel to rebels, selling wine to drunks who do not have the ability to make wine, or selling weapons to individuals involved in battles against enemies, even though they tend to commit tyranny. Acts that fall into this category, in the context of Islamic law, are not directly forbidden. However, in some situations, it is advisable to avoid and is considered unwise to do. In fact, such actions can have the legal status of makruh, especially for example when selling weapons in times of conflict, although not to direct enemies. This is because there is the potential that the weapon can change hands and be used by irresponsible parties.^{64,65}

Israeli products circulating in Indonesia are mostly consumptive products that are halal in Islam. Basically, the law of buying these products is valid as explained by Imam Nawawi above. But in the context involving the events of war between Israel and Palestine, the purchase of products from Israel must be considered the flow of profits. If it is believed and known that profits from the sale of such products by Israel are used to help launch attacks against Palestinians, then the law of buying such goods is haram as it is inspired by the sale of arms to enemies of Islam. However, if it is not believed and it is not known for certain that the profits obtained from the sale of these products to help fight the Palestinians, then buying Israeli products is not forbidden, but in the status of makruh because in the current conditions of war there is a potential profit from the sale of products used to fund Israel fighting Palestine.

Boycott Israel Products in Ijtihad Muhammadiyah

The determination of the boycott law of Israeli products according to the Muhammadiyah legal system starts from tracing the verses of the Quran and related hadiths, then in ta'lil with consideration of several aspects, including *istihsan*, *saddu al-dzari'ah*, *istishlah*, *al-urf*, and *ijthad kauniyya*. The legal terms relating to the determination of the law to boycott Israeli products at the time of war between Israel and Palestine are:

First, the proposition of brotherhood and help fellow Muslims, because MUslam has a responsibility for the rights of his brother, they are the hands of his brothers who support each other. They form one people who are united in creed and shari'a, sharing joys and sorrows with each other, as affirmed in the word of Allah Almighty in the Qur'an surah al Anbiya' verse 21:

Meaning: Verily this (monotheism) is your religion, the one religion, and I am your God. So worship me.⁶⁶

Surah al Hujurat verse 10: Verily the believers are brothers, therefore reconcile your two brothers (who are fighting) and fear Allah so that you may be mercy.⁶⁷ Surah al Maidah verse 2: Meaning: Help you in virtue and piety, and do not help in sinning and enmity. Fear Allah, indeed Allah is very heavy in His torment.⁶⁸ Surat al Baqarah verse 77: Meaning: It is not facing your face east and west, but it is (the virtue) of one who believes in God, the Last days, angels, scriptures, and prophets; giving his beloved possessions to relatives, orphans, the poor, travelers, beggars, and (free) sahaya servants; performing prayers; performing zakat; keeping promises when promises; patient in destitution, suffering, and in times of war. They are the righteous and they are the righteous.⁶⁹

In the Hadith it is mentioned "The Prophet (peace and blessings of Allaah be upon him) said: "A Muslim is another Muslim brother, does not sacrifice him and does not hand him over to the enemy, whoever fulfills the needs of his brother, then Allah will meet his needs."⁷⁰ The next hadith of the Prophet dari Abu Sa'id, Sa'ad bin Sinan Al Khudri (ra.), "It is not permissible to do actions (mudharat) that harmoneself and others".⁷¹ This hadith is similar to the narration of Imam Ahmad, the Prophet sallallahu 'alaihi wa sallam said: "It is not permissible to harm (others) and it is not permissible to repay danger with danger. One can lean his wood against the wall around him. And the public street is seven cubits wide."⁷²

According to al-Qaradawi, Al-Aqsa Mosque being on Palestinian land contested with Israel makes Palestinians bravely fight with the last determination, sacrificing holy body and soul regardless of the suffering they endured

⁶³ Ali Irham, "Memboikot Produk Pro Isra'il," https://lirboyo.net/memboikot-produk-pro-isra'il/#_ftn4 di akses 30 Desember 2023, 2023.

⁶⁴ Al-Utsmani, *Bubuts wa Qadbaya Fiqhiyyah Mu'ashiroh*.

⁶⁵ Irham, "Memboikot Produk Pro Isra'il."

⁶⁶ Kementerian Agama RI, *Al Qur'an dan Terjemah* (Surabaya: Duta Ilmu, 2008).

⁶⁷ Kementerian Agama RI.

⁶⁸ Kementerian Agama RI.

⁶⁹ Kementerian Agama RI.

⁷⁰ Imam Bukhari, "Shahih Bukhari Hadis Nomor 6437" (Aplikasi Hadis Soft, t.t.).

⁷¹ Imam Ibnu Majah, "Sunan Ibnu Majah Hadis Nomor 2332" (Aplikasi Hadis Soft, t.t.).

⁷² Imam Ahmad, "Musnad Ahmad Hadis Nomor 2719" (Aplikasi Hadis Soft, t.t.).

for the sake of a noble cause. Therefore, it is incumbent upon Muslims to give all their support to help them in the struggle of *fi sabilillah* as Allah says in Sura al Anfal verse 72:

Meaning: Surely those who believe, migrate, and wage jihad with their wealth and soul in the way of Allah, and those who give shelter and give help (to the Muhajireen), they are some protectors for others. Those who believe but have not migrated, then there is not the slightest obligation on you to protect them so that they migrate. (However,) if they ask you for help in the religion (Islam), it is incumbent upon you to give help, except in the face of those who have entered into an agreement between you and them. Allah is All-Seeing what you do.⁷³ One of the steps that can be taken to help the Palestinian cause is to carry out a boycott of Israeli products, because any currency spent on enemy products will eventually turn into munitions fighting Muslim brothers in Palestine. Buying Israeli products is seen as a form of support against sin and hostility that strengthens the enemy. Therefore, Muslims are expected to provide support as far as possible to the *fi sabilillah* fighters. If unable to provide direct support, Muslims have an obligation to weaken the enemy in every possible way.⁷⁴

The second postulates about the command to wage jihad as Allah says in Sura al Mumprisoner verse 9:

Meaning: Indeed, Allah only forbids you (close friends) with those who fight you in religious matters, drive you out of your hometown, and assist (others) in expelling you. Who makes them close friends, they are the ones who are tyrannical.⁷⁵

In the hadith it is stated, "The Prophet sallallahu 'alaihi wa sallam said: "Fight the polytheists with your treasures, souls and tongues." This hadith gives legitimacy to the obligation of jihad in three aspects, namely soul, property, and tongue. In the context of the soul, this refers to the obligation to engage in war against the infidels. In the aspect of property, it includes the obligation to spend wealth for jihad purposes, including the procurement of weapons. While in the aspect of tongue, it includes the obligation to argue and invite unbelievers to the way of Allah, as well as other persuasive efforts to defeat them.⁷⁶ Boycotts can be considered an innovative form of jihad. The use of boycott methods as a tool to exert pressure on the enemy has never been common in the history of Muslims, especially before the Israeli-Palestinian crisis. Now, however, boycotts are an expression of resistance, although they are still associated with the concept of jihad with property.⁷⁸

Yusuf Al Qaradawi has given a fatwa regarding the boycott of Israeli products with the statement, "Every reyal, dirhan, etc., used to buy Israeli or American products and goods, quickly turns into bullets that tear and kill Palestinian youths and children. Therefore it is forbidden for the Muslims to buy goods or products of the enemies of Islam. Buying their products and goods, means participating in supporting the tyrannical atrocities, colonization, and murder committed against Muslims in other parts of the world.⁷⁹ The boycott effort declared by Yusuf Qaradawi is to minimize the enemy's ability to fight Muslims. This is in accordance with the rules of fiqh "The harm must be eliminated" and "if there are several benefits colliding, then the greater (higher) benefit must come first. And if there are several mafsadah (danger, damage) colliding, then the one chosen is the lightest mafsadah."

As in the context in Indonesia, if the result of the boycott will have an impact on the economic sector of Indonesian society, it is necessary to consider the benefits and customs produced. The fact that products arriving in Indonesia are available on the shelves of locally-owned stores is an important problem. Moreover, most of these shops are small businesses owned by micro-enterprises or street vendors, whose lives are highly dependent on the sale of small-scale merchandise. In addition, a threat to layoffs of employees in branch factories who feel the impact of the boycott is also a real threat. Another high level arising from the boycott of Israeli products has resulted in various forms of product boycott laws according to the context.

In the context of jihad, the obligation to boycott is essentially part of the law of jihad and is considered a new form of jihad. These obligations are also assessed based on geographical and situational factors. The obligation to wage jihad, which was originally only fardu kifayah, can become fardu ain depending on these factors. The boycott law is measured based on the defense of Palestinian land and Baitul Muqaddis, which is considered fardu ain for local residents and fardhu kifayah for Muslims in other countries.⁸⁰ In the social context (please help and brotherhood among Muslims), boycotts of products from branch companies or stores owned by non-Muslims that support Israel are mandatory, while boycotts of products that are already in the shops of citizens themselves and not supporters of Israel are not mandatory.

⁷³ Kementerian Agama RI, *Al Qur'an dan Terjemah*.

⁷⁴ Bin dkk., "Hukum Boikot Barangan Israel Berdasarkan Kepada Fiqh Al-Jihad."

⁷⁵ Kementerian Agama RI, *Al Qur'an dan Terjemah*.

⁷⁶ Imam Abu Dawud, "Sunan Abu Dawud Hadis Nomor 2143" (Aplikasi Hadis Soft, t.t.).

⁷⁷ Muhammad Shams al-Haq al- Azim Abadiyy, *'Awn al-Ma'bud Sharh Sunan Abi Dawud* (Beirut: Dar al-Fikr, 1995).

⁷⁸ Bin dkk., "Hukum Boikot Barangan Israel Berdasarkan Kepada Fiqh Al-Jihad."

⁷⁹ Yusuf al Qardhawi, *Fatwa-Fatwa Kontemporer Jld III* (Jakarta: Gema Insani Press, 2002).

⁸⁰ Bin dkk., "Hukum Boikot Barangan Israel Berdasarkan Kepada Fiqh Al-Jihad."

Conclusion

The MUI's fatwa on boycotting Israeli products created a significant impact in the Indonesian Islamic community. These implications include social and economic aspects. Socially, this fatwa influences Muslims' perceptions and behavior towards Israeli products, while economically, its impact can be felt in changes in consumption and trade patterns. Whether or not a boycott of Israeli products in Indonesia is mandatory can be analyzed through the legal instinbath method of NU and Muhammadiyah. In the concept of ijihad NU, the boycott of Israeli products can be inspired by Imam Nawawi's qoul about the sale of weapons to non-Muslims who fight Islam, with legal details if it is believed and known that profits from the sale of such products by Israel are used to help launch attacks against Palestinians, then the law of buying these goods is haram as inspired by the sale of arms to enemies of Islam. However, if it is not believed and it is not known for certain that the profits obtained from the sale of these products to help fight the Palestinians, then buying Israeli products is not forbidden, but in the status of makruh because in the current conditions of war there is a potential profit from the sale of products used to fund Israel fighting Palestine. In the concept of Muhammadiyah ijihad, it can be concluded that the boycott of Israeli products can be seen from 2 different contexts. In the context of jihad, the obligation to boycott is basically part of the product boycott law limited to geographical and situational factors, in the sense of fardhu 'ain for every citizen directly affected by war, and fardhu kifayah for Muslims in other areas. In the social context, boycotts of products directly from branch companies and those who support Israel are mandatory, while boycotts of products from local shops are discouraged because it will cause great harm to these residents. Thus, compliance with MUI fatwas related to boycotts of Israeli products in Indonesia is not an absolute obligation, but must still be considered according to the situation and conditions.

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