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ANALYSIS OF MUI FATWA AND MINISTRY OF TRADE.pdf

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ANALYSIS OF MUI FATWA AND MINISTRY OF TRADE POLICY ON BOYCOTT PRODUCTS IN INDONESIA

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Abstract

The prolonged conflict between Palestine and Israel has made several parties more aggressively support Palestine. One form of Indonesia's support for Palestine is the issuance of the Indonesian Ulema Council (MUI) fatwa No 83 of 2023 on the Law of Supporting the Palestinian Struggle. Unlike the MUI, the Ministry of Trade did not issue any decree regarding the prohibition of Israeli boycott products entering Indonesia, as long as they follow the applicable procedures. This research method uses a literature study to collect data and information from books, journals, articles, and related news. The purpose of this research is to analyze the fatwa of MUI and the Ministry of Trade regarding the boycott of Israeli products circulating in Indonesia, as well as the response and attitude of the community regarding this matter. The result of this research shows that the boycott of Israeli products is a form of indirect support of the Indonesian people, namely with the MUI fatwa, which urges as much as possible to avoid transactions and use of products affiliated with Israel and that support colonialism and Zionism. Unlike the MUI, the Ministry of Trade does not prohibit any product from circulating and being traded in Indonesia as long as it follows the applicable rules. This also has an impact on the decline of Indonesia's economic level. The Ministry of Commerce, MUI, and the governments concerned should clarify and affirm the decisions made regarding the Israeli boycott of products in Indonesia.

Key Words: Boycott Product, Israel, Ministry of Trade, MUI Fatwa

INTRODUCTION

The Israeli Zionist action against the Palestinians, which has lasted for 100 years, has had a broader impact on several aspects, including economic. The damage caused by destroyed state facilities such as houses, schools, hospitals, government offices, and shopping malls also affects the lives of the people there. Not only does it affect the domestic economy but also the economy of the neighboring countries, such as the cessation of export-import activities (Firdaus & Yani, 2020). The most influential type of export is oil. The vast areas of conflict and the big countries with oil potential will be affected by adverse economic aspects such as inflation and the rise in sales prices.

The magnitude of the impact has led some countries to offer all kinds of aid to the Palestinians. One of them is the boycott of Israeli sales products that already dominate the world market, including the export-import activities of commodities. By boycotting Israeli products, it is expected to cut off Israeli imports, whose profits are transferred to the war against Palestine. Most of the Muslim-majority countries strongly support this movement. Saudi Arabia, Iran, Yemen, Ireland, Malaysia, Brunei, and Indonesia are examples of countries boycotting Israeli-made products (Rimapradesi & Sahide, 2021).

Indonesia is one of the countries that frequently sends aid to Palestine, including food and food supplies, diplomatically, and even establishing an Indonesian Hospital for Palestine. National and international organizations for managing charges, charges, and charges also assist in providing charitable, charitable, and charitable funds to the Palestinians. However, those who cannot help significantly and directly can still help Palestine through other means, namely by following a boycott of Israeli products (Fatwa MUI, 2023).

A policy or movement to boycott Israeli products, if widely implemented, could affect Indonesia's trade and diplomatic relations with other countries that support Israel, especially large countries with global economic influence (UNAIR, 2023). These countries such as the United States, Canada, China,

Australia play an important role in global trade and have a major influence on the Indonesian economy. A widespread boycott policy implemented by Indonesia could have direct economic impacts, including a potential decrease in Indonesian exports, loss of investment, or a decrease in the level of strategic trade cooperation (Nurisnaeny, 2024).

The survey results of the Kompas marketing research institute during the period May 19-June 15, 2024 revealed a significant decline in sales for the brands involved such as Starbucks, Danone, Nestle, Zara, Kraft Heinz, Unilever, Coca Cola Group, McDonalds, Mondelez, Burger King, and Kurma Israel (REPUBLIKA, 2024).

With the issuance of the MUI fatwa, the movement to boycott Israeli products in Indonesia is increasingly being carried out by the public. Countries with most Islamic religious communities make the fatwa issue an "order" for the Indonesian community to do. However, Indonesia is a state of law in which all existing regulations are subject to applicable law. Suppose you look at the Indonesian state legal system. In that case, the fatwa issued by MUI stands as an aspirational law with a morally constructive power for a society with an aspiration and a desire to implement it. On the other hand, the position of the fatwa cannot be used as an instrument of coercion for different opinions because the fatwa is not included in the positive law (Assegaf dan Sutopo, 2024).

The rules regarding the licensing of foreign trademarks entering Indonesia themselves have been regulated by the Indonesian Ministry of Commerce (PERMENDAG No. 36, 2023). The terms of any goods that can be circulated in Indonesia are also determined by the Ministry of Commerce. However, Israeli products and their supporting products entering Indonesia are allowed if they comply with applicable procedures and regulations. According to Zulkifli Hasan, the government is only focused on enforcing the rules, so there is no ban on the sale of any products in Indonesia as long as the products comply with the rules in force (Nugraha, 2024).

LITERATURE REVIEW

This research is based on the theory of the MUI Fatwa No. 83 of 2023 on the Law of Support for Palestine, which contains the appeal not to use and carry out any transaction related to Israeli boycott products in Indonesia. The circulation of goods in Indonesia, including the acceptance of exports and imports, is regulated by the government, namely the Ministry of Trade.

After the release of the fatwa, a lot of pro-contra and a variety of questions from the community. Indonesia itself is one of the countries with the most unwavering martial act supporting Palestine, but the existence of Israeli boycott products circulating in Indonesia itself has become a question for specific communities.

In connection with the matter, the Minister of Commerce, Zulkifli Hasan, stated that the Ministry did not prohibit any goods from entering as long as they followed existing procedures and policies. This is the basis for the author's theory to investigate more deeply the matter, between the fatwa that is not used and the Ministry of Commerce that has no prohibition whatsoever related to it.

RESEARCH METHODS

This research uses the library research method, which collects data and information from books, journals, and articles. The primary data used is from MUI Fatwa No. 83 of 2023, relating to the Supportive Law for the Palestinian Struggle and the UU, as well as the regulations of the Ministry of Commerce related to trade permits in Indonesia. At the same time, the secondary data used was taken from references from books, journals, and related websites. The researchers applied Krippendof content analysis methods and critical analysis approaches in taking, collecting, and processing data (Ramadani & et al.). It also encourages the public to be prudent in viewing information and to act on the circulation of news and authorities' decisions related to the Palestinian-Israeli conflict.

RESULTS AND DISCUSSION

MUI Fatwa on the Law of Support for the Palestinian Struggle

The expenditure of fatwa by the MUI itself has several specific reasons, one of which is to solve a problem relating to the law or the furnishings of the Islamic people. In establishing it, it must also obey

the laws established by the Qur'an and Hadith. Besides, scholars must be gathered to consult present opinions based on their understanding of their religion and validate the fatwa to ensure the decision is taken jointly according to the conditions of their profession (Fatwa MUI, 2023). Looking at various aspects and the present conditions, the Indonesian Parliament issued Fatwa MUI No. 83 of 2023 on the Law of Support to the Struggle of Palestine, which responded with various views from Indonesians. Some support full support, some try to support, and others make ordinary decisions. In this case, the public's views and understanding become essential aspects that influence his actions. Those who support it fully assume that it is accurate and must be obeyed. People who try to support have a desire to do so but are controlled by all sorts of things, and people who don't make any moves think there will be no problems (Mustaufiq, 2023).

The MUI fatwa on the law of support for the Palestinian struggle was issued with many considerations, one of which is that the Israeli aggression and annexation of Palestine has caused many lives, injuries, thousands of refugees, and damage. Aid from various countries with various kinds of aid has been deployed, but no response or signs of peace. Conflicts ranging from religious issues to moral and human aspects have helped non-Muslim communities. (Fatwa MUI, 2023).

MUI's position in Indonesia itself is part of the government's political infrastructure. Indonesia, a state of law, grants the rights and obligations of every institution that stands without prejudice to the Indonesian National Assembly. The function and position of MUI in Indonesia is not only the institution that can determine the legality of a good or treatment but also as an institution that is in the element of state infrastructure (Tamam, 2021). This is because the majority of Indonesian people are Muslim, whose societies need government agencies that can guide and mediate everything that is going to happen, whether religious, political, or state. Fatwa is not a positive law to obey and is sanctioned when not obeyed. Fatwa is the opinion of scholars based on the Qur'an and Hadith about a societal problem. The MUI issued the fatwa to support and call for the Palestinian struggle. As the Indonesian government agencies do, such as fighting behind the lines of diplomacy and international relations (Sidqi & Witro, 2020).

From the abundance of facts and contributions from some parties and the media, as well as from the various movements that the Muslim countries in the world have undertaken, MUI dares to take a step by issuing a fatwa on the law of support for the Palestinian struggle. The same is true of the movement of the Indonesian government itself in support of Palestine as has been done by the Ministry of Foreign Affairs in an active effort to express its support for Palestine in terms of diplomacy and international conferences (Kementerian Luar Negeri, 2024). Not only has the Ministry of Foreign Affairs expressed its support, but the Ministries of the Interior, Religious Ministry, MPR, and BAZNAS are the institutions of the Indonesian government that support the Palestinian struggle (MPR, 2024).

With the rise of the fatwa on the laws supporting the Palestinian struggle, most Indonesians feel closed and increasingly determined to participate in the fight for Palestine. The fatwa has a considerable influence on the Indonesian people, as seen from the rate of consumption of the people that began to change and the movement of the sellers by sorting out the products of the boycott of Israel (Septiazi and Yuliana, 2023). However, some people oppose the fatwa with the pretext of difficulty switching or looking for the same domestic product or already dependent on the product. The people's different responses to the fatwa are the rights of each individual and should not be used as a tool of division in society (Wibowo & et al., 2024). But how good it is as a Muslim to follow what the scholars suggest, the Palestinian-Israeli events are not just about religion but also about humanity's morality (Wahyudi & Fajar, 2018).

Regulations of the Ministry of Commerce Concerning Foreign Products Entering and Circulating in Indonesia

One of the essential components of a country's economy is trade. Various methods and approaches are used to ensure the trade route stays smooth and productive. It is not excluded to make trade relations with other countries to meet the needs of each country. Indonesia itself is one of the developing countries, and it has not yet been able to meet all the country's needs on its own. Trade

relations and following the World Trade Organization are options to meet the needs and improve the Indonesian economy (Astuti, 2019).

Export-import activities are another option that Indonesia can do to improve the economy. All activities relating to trade or sales are regulated by various government agencies, one of which is the Ministry of Commerce. All regulations and rules concerning trade in Indonesia are governed by the Department of Trade, including trade licenses of both domestic and foreign companies. Legality is one of the preconditions for a company's licensing or establishment, and domestic companies that take goods from a foreign country must be accompanied by a certificate of origin (PERMENDAG No. 37, 2008).

Regarding companies that relate to countries outside, most companies operate in the services and logistics fields. Although operating in the service field, the company sometimes provides services to take or distribute external goods, so it is not exempt from the entry of external products. The kind of goods prohibited from being exported involves dangerous goods such as weapons, chemicals, drugs, etc. There is no regulation on the denial or prohibition of a foreign country or agency as long as the goods are safe and have passed the procedure of licensing or legality (UU No. 17, 2017).

Indonesia's membership of the World Trade Organization (WTO) or World Trade Group facilitates the entry and exit of goods in Indonesia. It is also done to meet national interests in the social and economic spheres. The facilities not only expanded markets and reduced export-import tariffs but could also settle disputes, development of quality human resources, politics, technology, etc. The relationship between states can affect the use of the country's products. (UU No. 17, 2017).

There is no denying how many Israeli products have long been scattered and have become essential to the daily lives of the Indonesian people. Various considerations about accepting Israeli products in Indonesia may have been considered, but rejecting and boycotting it becomes a heavier consideration. Regarding support for the Palestinian struggle, the Indonesian government did not remain silent, but denying the entry of Israeli products into Indonesia was not done with much consideration.

DISCUSSION

The decision of the MUI to issue a fatwa on the law of support for the Palestinian struggle has at least five considerations, one of which is a point that reads "that the Israeli aggression and annexation of Palestine has resulted in distant lives, countless injuries, thousands of civilians displaced, and the destruction of houses, buildings, and public facilities" (Fatwa MUI, 2023).

Every fatwa issued is the result of the opinion of the scholars based on the life guidelines of the people of Islam, that is, the Qur'an and hadith, and supported by the knowledge of Fikih. In this setting, MUI takes ten Qur'an verses, including five interpretations. The discussion concerned the prohibition of harming even in war, the prohibited killing of fellow human beings, the right to resist those who carried out expulsion and colonization, the order to help one another and to be in solidarity among humans, and finally, the authority to distribute the wealth to the victims of war. Then added by the hadith that covers four things, and reinforced by the philosophy that discusses "The damage must be eliminated" or *الضرر يُزال* (Fatwa MUI, 2023).

After considering various suggestions, MUI established a Fatwa on the Law of Support to the Palestinian Struggle. The fatwa contains three coverages. The first concerns the provisions of the law, which discuss that the law supporting the Palestinian struggle is compulsory and the distribution of zakat can be given to the impossible in remote places. The second contains recommendations encouraging Muslims to support the fight for Palestine by raising funds and also avoiding transactions or the use of products affiliated with Israel. (Fatwa MUI, 2023).

Indonesian support for Palestine is not a recent one, but Indonesia-Palestine ties have been tight for quite some time, even before the Israeli attack on Palestine peaked. Since Indonesia's independence in 1945, Palestine has been one of the supporters of Indonesian independence. At the time, the Supreme Leader of the Palestinian Council managed to increase the recognition of other states in the Arab territory

to recognize Indonesian independence, i.e., through the Arab League. Good Palestinian relations continue to this day (Fardah, 2012).

Good relations between nations are the key to establishing a trade relationship between the nations. It may start only as diplomatic or political relations, then comes to trade relations, and so on. Relations between Indonesia-Israel since the independence of Indonesia is not good, that is when Israel supports Britain when it wants to settle in Indonesia. And also, Indonesia refuses to make diplomatic relations and recognition of Israel. Good relations between nations are the key to establishing a trade relationship. It may start only as diplomatic or political relations, then comes to trade relations, and so on. Relations between Indonesia-Israel since the independence of Indonesia is not good, that is when Israel supports Britain when it wants to settle in Indonesia. And also, Indonesia refuses to make diplomatic relations and recognition of Israel.

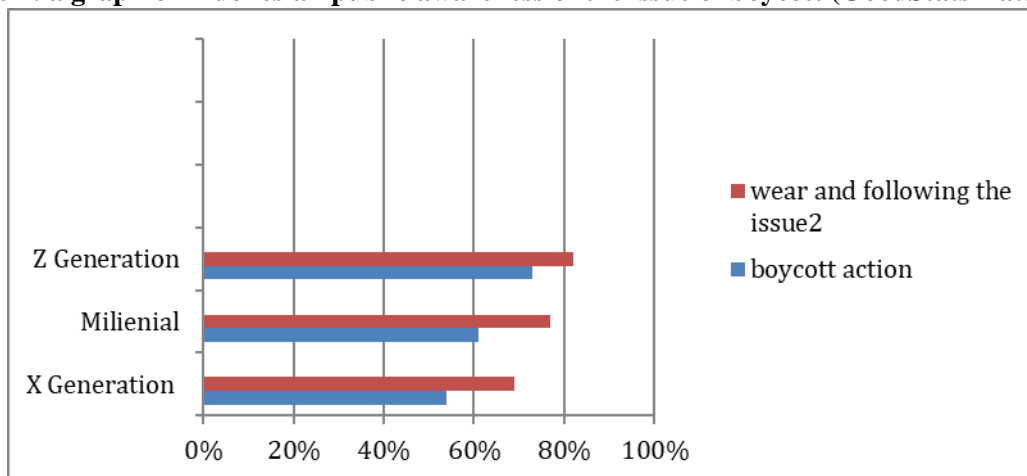
The entry of Israeli products or companies affiliated with Israel into Indonesia itself has been subject to some controversy. The Ministry of Commerce, as a government agency in Indonesia, states that there is no prohibition on the entry of products from a particular community as long as it follows existing procedures and regulations. The Minister of Commerce Zulkifli Hasan confirmed this during a meeting with the VI Commission of the DPR RI in Jakarta: "We do not ban any products as long as according to the existing provisions." The Ministry of Commerce only regulates and does not prohibit related boycotts products. The statement was added by the Director-General of Home Trade of the Indonesian Ministry of Trade, Isy Karim, saying that choosing the products of the Israeli boycott should be done selectively, and concerning the product of the boycotts circulating in Indonesia because only the extent of the trade relationship between Israel and Indonesia is not a diplomatic relationship (KEMENDAG, 2023).

The regulations concerning imported products entering and circulating in Indonesia have been regulated in the Regulations of the Ministry of Commerce, one of which is the Trade Minister's Regulations No. 36 of 2023 on import policies and regulations. Chapter 1 describes the general provisions that every entrepreneur engaged in a business must have a legal business permit by registering their company through the INATRADE system by the Ministry of Commerce. Additionally, companies related to imported goods must be accompanied by the Importer Identification Number (API) as an identification mark of the importer's goods (UU No. 17, 2017). Requirements concerning goods imported into Indonesia must have an API, legal company, and taxable status must be confirmed. An old entry permit and must also carry complete original documents (regulated in the Ministry of Commerce of RI regulation number: 37/M-DAG/PER/9/2008 concerning a certificate of origin for imports subject to safeguards) as well as various other requirements that must be met are a route that must pass by any company with imports (PERMENDAG No. 37, 2008).

Furthermore, the government has regulated matters relating to company owners, both domestic and foreign. Regulations on such matters are laid down in the Minister of Commerce of the Republic of Indonesia No. 31 of 2023 concerning the licensing of enterprises, advertising, construction, and supervision of entrepreneurs in electronic trade. (Permendag nomor 31, 2023). Most of the products of the Israeli boycott circulated in Indonesia were purchased by domestic companies, and rarely did Israeli companies directly enter and distribute these products in Indonesia (Fitrity et al, 2023).

The level of consumption of the population itself can affect the circulation of such products; if the majority of the people use it, more of the products will come in, and vice versa. The dilemma between dependence on the use of the product and the support of Zionism when using the product has been experienced by some of the society (Munandar et al., 2023). Various social groups emerged after the MUI's fatwa about using Israel's boycott products by various groups. Some people are very supportive of not reusing the products of the Israeli boycott. Still, some only reduce their use because they are already dependent or because it is difficult to find a replacement (Ardhani, 2023).

Figure 1: a graph of Indonesian public awareness of the issue of boycott (GoodStats Data, 2024)



Source: Jakpat (19-20 February, 2024)

It can be seen from the table above the kind of community that boycotted with a community that was only aware of and followed the boycott issue. Based on research results from 19-20 February 2024, most of the boycott products that come into Indonesia are household needs, which are society's most commonly used needs. Household needs in Indonesia reached 4.82%, contributing to the national GDP of 53.18%. A significant contribution to GDP can boost incomes, but if you look at all its support products from Israel indirectly, it also increases incomes (Databoks, 2023).

Calls to continue to boycott Israeli products are increasingly being made, primarily through social media. Social media is a platform that can be accessed by who, where, and when, and more worrying about what. These media can be positive or negative depending on the user. Any information or anything spread through social media will spread quickly and widely. It can be seen in numerous journals and websites dealing with Israeli boycott products, as well as various polarisations of opinion, lists of boycotts, and related companies (Septiazi & Yuliana, 2023).

The reduction in Israeli boycott products in Indonesia has had an impact on Indonesia's economy. Many say that the boycott of Israeli products in Indonesia has degraded the economy, but some say otherwise. In this case, the public must be prudent and wise in responding to any information circulating. The public's understanding of the word "boycott" strongly influences the attitude shown. The style of boycott can be expressed as refusing to cooperate with certain parties who act unfairly. The term can also be interpreted as the attitude and action of not using and buying a product or dealing with a particular person or organization as a form of protest (Ensiklopedia, 2024).

The decline in public consumption also means decreased production and sales of such goods. The order of production is also related to the company's revenue. These concerns raise the issue of a massive PHK by companies related to the spread of Israeli boycotts of products. In addition to the circulation of information that the company's shares and revenues are falling, it's upsetting the people working for a long time. Not only are big companies and small and large retailers in the community affected by the losses, but they are also returning to the people's view of the matter. Seeing the spread of the issues related to PHK after it was issued MUI fatwa, it can be seen the impact of MUI Fatwa that can affect the society even though the fatwa is Jimbaran and should not be done (Husna et al, 2023).

The shift in public consumption is also evidence of the influence of the exit of the MUI fatwa on the use of Israeli boycott products. If seen from the other side, it also has a good impact on Indonesian companies to increase productivity by trying to meet the needs of the society previously supplied by the company with pro-Israeli products. Putu Juli Ardika added it as Director General of Agro-Industry of the

Ministry of Industry, who argued that it represents an excellent opportunity to improve and strengthen domestic industries such as micro/small/medium enterprises (MSMEs) and other local industries (Septiazi & Yuliana, 2023).

Indonesia has suffered significant losses from the Palestinian-Israeli conflict: restrictions on the movement of goods, logistics, and supply chains, port and border disturbances experienced by major nations, as well as the disruption of the world's financial and investment sectors. Scanning on inflation, the rise in benchmarks, currencies, and so on does not directly affect Indonesia (Kumparan, 2021). However, the small value of Indonesia's currency in the world market makes it seem to pay twice as much for the export-import activities that Indonesia does. In comparison, the Indonesian economy, both internally and externally, suffered losses from the Palestinian-Israeli conflict (Dewi, 2024).

Not only Indonesia but other countries also suffer the losses of the Palestinian-Israeli conflict, such as Turkey, Egypt, Yemen, and Iran. Ireland supports the Palestinian struggle by breaking diplomatic ties with Israel and also coordinating the European Committee and Association for Palestine movements. If Indonesia only an MUI fatwa denounces the use of Israeli boycott products, Ireland approves a bill prohibiting importing Israeli products to its country (Nurmalasari & Susilowati, 2021).

CONCLUSION

In this research, it can be concluded that the fatwa issued by MUI regarding the boycott of products and the explanation of the Ministry of Trade regarding the same thing is the root of the problem. MUI's fatwa that urges not to use boycott products and no prohibition from the Ministry of Trade makes people wonder about the government's firmness and explanation. The fatwa that discusses the prohibition of the use of products does not clarify the appeal, such as confirming what goods are used, and there is no transparency from the Ministry of Trade regarding the reasons for the continued acceptance of products and companies related to Israel in Indonesia.

It is returned to its society as a consumer, implementing something that conforms to the MUI fatwa even though the government itself does not ban it at all. Suppose this happens and the demand for Israeli boycott products falls. In that case, the Ministry of Commerce will likely not only ban but also deny the entry of Israeli products into Indonesia. It is because of the few consumers and even makes the economy suffer losses if it continues to accept Israeli products that come into Indonesia.

SUGGESTIONS

This study is designed to be a reference for future researchers related to the issue. Furthermore, it aims to conduct more in-depth research and can also conduct research on future government decisions and policies. The discussion in this study does not include data or information that the government will release regarding the issue. With the majority of Muslims, Indonesia should follow what the MUI says and suggests. Everything that MUI has decided is the result of the negotiations of scholars who think of common interests, not just those of a particular group. This boycott action is a form of indirect support for the Indonesian community. Governments must also be clear and transparent in explaining this to the public. This article hopes to be a reference material for other researchers on the same subject. As time passes, we can observe the developments that are taking place in both the government and society in this matter.

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