



# The Prohibition of Fair Treatment Toward Perpetrators of Annexation: A Thematic-Phenomenological Analysis of Surah al-Mumtahanah Verses 8–9 and MUI Fatwa No. 83 of 2023

Larangan Berlaku Adil terhadap Pelaku Aneksasi: Analisis Tematik-Fenomenologis atas Surat Al-Mumtahanah Ayat 8–9 dan Fatwa MUI No. 83 Tahun 2023

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**Abstract:** *This article explores the interpretation of Surah al-Mumtahanah verses 8–9 and its relevance to the Indonesian Ulema Council's (MUI) Fatwa No. 83 of 2023, within the context of Israel's ongoing annexation and aggression against Palestine. The significance of this study lies in the close thematic connection between these Qur'anic verses and the current plight of Palestinians—despite the verses not being explicitly cited in the fatwa. Employing a qualitative library research method, this article combines thematic tafsir with Alfred Schutz's phenomenological framework to examine the meanings and implications of the verses. The analysis reveals that the verses instruct Muslims not to extend fairness or form alliances with those who expel them from their land. When contextualized within the Israeli-Palestinian conflict, the verses imply that Muslims should avoid conciliatory relations with Israel. Phenomenologically, the "because motive" behind the interpretation is Israel's continued aggression, while the "in-order-to motive" is to support the cessation of violence and the attainment of Palestinian independence. These findings highlight the ethical and political dimensions of scriptural interpretation in response to contemporary geopolitical crises.*

**Keywords:** al-Mumtahanah 8–9; MUI Fatwa No. 83/2023; Alfred Schutz; Palestine; phenomenology



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**Abstrak:** Artikel ini mengkaji penafsiran Surat Al-Mumtahanah ayat 8–9 dan relevansinya dengan Fatwa Majelis Ulama Indonesia (MUI) No. 83 Tahun 2023 dalam konteks agresi dan aneksasi yang terus dilakukan oleh Israel terhadap Palestina. Studi ini penting karena secara tematik, ayat-ayat tersebut berkaitan erat dengan kondisi kontemporer rakyat Palestina, meskipun tidak secara eksplisit disebutkan dalam fatwa tersebut. Artikel ini menggunakan metode kualitatif berbasis studi pustaka, dengan pendekatan tafsir tematik dan kerangka fenomenologis Alfred Schutz untuk menganalisis makna dan implikasi ayat-ayat tersebut. Hasil kajian menunjukkan bahwa ayat-ayat tersebut memerintahkan umat Islam untuk tidak bersikap adil atau menjalin persekutuan dengan pihak yang telah mengusir mereka dari tanah airnya. Ketika dikontekstualisasikan dengan situasi Palestina, ayat ini mengisyaratkan agar umat Islam tidak menjalin hubungan kooperatif dengan Israel. Secara fenomenologis, "because motive" dari penafsiran ini adalah agresi Israel yang berkelanjutan, sementara "in-order-to motive"-nya adalah untuk menghentikan kekerasan dan mendukung terwujudnya kemerdekaan Palestina. Temuan ini memperlihatkan dimensi etis dan politis dalam penafsiran Al-Qur'an sebagai respons terhadap krisis geopolitik kontemporer.

**Kata Kunci:** al-Mumtahanah 8-9; fatwa MUI Fatwa No. 83/2023; Alfred Schutz; Palestine; Fenomenologi

## Introduction

There has been a conflict between Israel and Palestine since November 2, 1917. If counted, these attacks have occurred for 106 years. The conflict between the two became increasingly heated after the al-Aqsa *intifada*, or al-Aqsa resistance, in September 2000. This resistance occurred again after Israel stepped up attacks, both in the air and on land, in the Gaza Strip in 2008. The attack occurred again on Saturday, October 7, 2023. Apparently, the attack occurred because the Hamas group continued its attack so that it could penetrate Israel's defensive fortifications. Hamas did this, but not without reason. The attack was carried out because the Israeli military carried out violence to oppress Palestinians.<sup>1</sup>

As of Monday, January 8, 2024, the Gaza Ministry of Health reported that 23,084 Palestinians had died and 58,926 were injured as a result of Israeli attacks since October 7, 2023.<sup>2</sup> Thousands of resident's homes and public facilities, such as schools, campuses, and hospitals, have also become targets of Israeli attacks. Apart from that, many cultural heritage sites in Palestine were also destroyed by them.<sup>3</sup>

According to several sources, the ongoing war is caused by Israel's desire to control Palestine. The Palestinian people declare that this land is their birthplace, and they oppose Israel's actions. Apart from that, Israel also insists on controlling the Palestinian territory. Thus, the conflict between these two countries never stops.<sup>4</sup>

In a theological view, al-Quds, or Palestine, is a holy city for three religions: Islam, Christianity, and Judaism. Muslims fiercely defend this region because it is the most

historical region for Muslims. The al-Aqsa Mosque is the first Qibla for Muslims before moving to the Kaaba. The al-Aqsa Mosque is also one of the footholds of the historic journey undertaken by the Prophet Muhammad SAW, known as the Isra Mi'raj event. If viewed based on history, the original population of Palestine was an Arab tribe from the Kan'an nation who were descendants of the Prophet Noah. Then they named the place with the word *filistiyūn*. Judging from international law, Palestine is a fragmented territory of Ottoman Turkey. If we look at the international regulations governing the division of government entities as a result of World War I, the League of Nations stated in Covenant No. 22 of 1919 that the fragments of Ottoman Turkey, which included Palestine, were a fairly developed area and deserved to be recognized as a state. Based on international law, this means that after World War I, ownership of the Palestinian territory belonged to the Palestinian people themselves. Thus, based on a theological review, history, and international law, it is stated that the nation with the greatest right to Palestinian land is the Palestinian people themselves.<sup>5</sup>

Until now, with tenacity, the Palestinian people have defended the land of Palestine from being occupied by Israel. They experienced a lot of terrible suffering to defend their land. They are oppressed by the Israeli invaders.<sup>6</sup> Their electricity and internet networks were cut off by Israel,<sup>7</sup> The water supply was also cut off,<sup>8</sup> Israel also cut off supply lines for food, medicine, and aid; tragic casualties occurred; and they experienced many more terrifying sufferings.

In the Qur'an, it is mentioned:

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّنْ دِيَارِكُمْ أَنْ تَبْرُوْهُمْ وَتَقْسِطُواْ  
إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ إِنَّمَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوكُمْ فِي الدِّينِ وَأَخْرَجُوكُمْ مِّنْ  
دِيَارِكُمْ وَظَاهَرُواْ عَلَى إِخْرَاجِكُمْ أَنْ تَوْلُوْهُمْ وَمَنْ يَتَوَلَّهُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ.

*Allah does not forbid you to do good and be fair to those who do not fight you in matters of religion and do not expel you from your hometown. Indeed, Allah loves those who act justly. (8) Indeed, Allah only forbids you from making as your friends those who fight you in matters of religion, expel you from your hometown, and help others to expel you. Whoever takes them as friends, those are the wrongdoers. (9)*

It is spontaneously explained in this verse that Allah SWT does not forbid Muslims to do good and do justice to those who do not fight Muslims and do not expel them from their homes. Allah SWT forbids it if they fight the Muslims and expel them from their homes. At first glance, this verse corresponds to the current condition of Palestinians, where they are being fought by Israel and expelled from their own country.

Responding to the condition of Palestinians, the Indonesian Ulema Council (MUI) has the function of mufti or fatwa giver,<sup>9</sup> in this case issued a fatwa entitled the law of support for the Palestinian struggle. Among the points of the fatwa is the issuance of haram laws against support for Israeli aggression or parties that support Israel.<sup>10</sup> At first glance, the point of this fatwa is in line with the meaning of the verse above, where we are prohibited from being friends with people who expel or fight us and who help them. In fact, this verse was not taken into consideration by the MUI in issuing the fatwa.

Thus, in this research, the author aims discuss the interpretation of these two verses and their relevance to MUI Fatwa Number 83. This research is interesting to discuss by considering several things: First, the meaning of the verse is in accordance with the current conditions of Palestinian society. Second, in issuing the fatwa, the MUI explained several considerations from Islamic legal sources, but this verse was not explained in it. Third, the current condition of the Palestinian people is very tense. As academics, we need concrete sources and interpretations of the Koran and hadith as a basis for acting on and responding to what Israel is doing at this time.

In completing this research, the author used the *maudū'i*, or thematic interpretation method. *Tafsir maudū'i* is collecting the same verses of the Qur'an and arranging them based on chronology and the reasons for the revelation of these verses. This interpretation method was chosen with the intention that the interpretation of the two verses would later obtain a comprehensive meaning and a coherent concept from them.

There are several studies that discuss something similar to this research. In conducting a literature review, the author used two keywords, namely MUI fatwa No. 83 and interpretation of Surah *al-Mumtahanah* verses 8–9. There are several studies based on the keywords MUI Fatwa Number 83. Among them are: *Dampak Pemboikotan Produk Pro Israel Fatwa Dsn Mui Nomor 83 Tahun 2023 Bagi Warung Rumahan Di Kota Banjarmasin*,<sup>11</sup> *The Discourse on MUI Fatwa Number 83 Year 2023 Regarding Support for Palestine and The Call to Boycott Pro-Israel Products*,<sup>12</sup> *Business Ethics Values in MUI Fatwa*,<sup>13</sup> and *Landasan Etik Nilai Keberpihakan Fatwa MUI No. 83 Tahun 2023 Tentang Dukungan Terhadap Perjuangan Palestina*.<sup>14</sup>

There is research that discusses the interpretation of the letter *al-Mumtahanah* verses 8–9, namely: *Toleransi Beragama dalam QS. Al-Mumtahanah 8-9 Tipologi Muhammad Mutawalli As-Syā'rawy dalam Tafsir As-Syā'rawy*,<sup>15</sup> *Comparison of Moderation Interpretation of Religious Mufassir in Social Media (Qs Al-Mumtahanah (60): 8-9, The Perspective of Guz Dhofir and Dr. Firanda)*,<sup>16</sup> and *Moderasi Beragama Sebagai Solusi Dalam Menghadapi Gerakan Radikalisme (Kajian Tahlili Qs Al-Mumtahanah Ayat 8-9)*.<sup>17</sup> Based on several studies above, no research and no one

research was found with the same formal and material objects as the author. Thus, there were no indications of re-research or plagiarism of existing research.

## Research Method

Based on the location, this research is library research. According to its type, this research uses qualitative research because the data used and produced are in the form of words, not numbers.<sup>18</sup> The approach used by the author here is a phenomenological approach. Phenomenology is generally understood as an approach used to help understand various social symptoms or phenomena in society.<sup>19</sup> The phenomenological approach used is Alfred Schutz's phenomenology. The essence of Schutz's thinking is how to read a person's actions (which occurred in the past, present, and future) through interpretation. In reading a person's actions, Schutz divides them into two motives: goal motive (in order to motive) and cause motive (because motive).<sup>20</sup> In order to motive is a motive that is used as a basis for someone to carry out something with the aim of getting or producing something. Meanwhile, because motive is a motive that reviews the reasons for implementing something through past events. In simple terms, it can be concluded as an identification of the past as well as an analysis of its influence and contribution in the future or present.<sup>21</sup>

Based on its nature, this research is descriptive. Where, the researcher will describe the data obtained, which in this case are the verses of Surah *Al-Mumtaḥanah* verses 8–9. There are two data sources used in this research: primary data sources and secondary data sources. Primary data sources are tafsir books on Surah *al-Mumtaḥanah* verses 8–9 and MUI fatwa no. 83 of 2023. The secondary data sources in this research are all research, books, articles, etc. related to this research.

In this research, the author uses the *mawdū`i* interpretation method, or thematic interpretation. There are two types of how tafsir *mawdū`i* works: firstly, discussing a letter as a whole and in its entirety by explaining its interpretation, both general and specific, and explaining the correlation between several issues related to it so that the content of the letter looks unified and perfect. Second, collect several verses that are similar and both explain certain problems. The verses are then arranged in such a way as to address one topic of discussion and then interpreted, *mawdū`i*.<sup>22</sup>

The main principle of qualitative data analysis is to process and analyze the collected data into systematic, orderly, structured, and meaningful data.<sup>23</sup> The stages of data analysis in this research follow the stages in the *mawdū`i* interpretation method. Apart from that, the analysis process also involves the structure of Alfred Schutz's phenomenological theory, which is divided into two motifs: in order to motive and because motive.

## Result and Discussion

This research is based on MUI Fatwa Number 83 of 2023, which is support for the struggle of the Palestinian people based on legal provisions, that is:

- 1) Supporting the struggle for Palestinian independence against Israeli military aggression is obligatory.
- 2) One form of support for the Palestinian people is the form of distribution in the form of *zakat*, *infaq*, and *sadaqah* for Palestinian fighters and victims (people).
- 3) It is permissible to distribute *zakat* far from *Muzakki* due to emergencies. In this case, the proceeds from the *zakat* are distributed to the Palestinian people.
- 4) Supporting Israeli aggression against Palestine or parties supporting Israel, either directly or indirectly, is haram.

Thus, based on the letter *al-Mumtahanah* verses 8–9 as the basis for strengthening MUI Fatwa Number 83 of 2023, it can be combined in table form as follows:

<b>Surah <i>al-Mumtahanah</i> verses 8-9</b>	<b>MUI Fatwa Number 83 of 2023</b>
Verse 8 explains that as Muslims, Allah recommends that we continue to act fairly, be tolerant, and continue to help others by prioritizing compassion.	Verse 8 explains that as Muslims, Allah recommends that we continue to act fairly, be tolerant, and continue to help others by prioritizing compassion. Based on the MUI fatwa, points 1, 2, and 3 are included. These points already represent verse 8 about the need for compassion, humanity, and mutual help towards others, based on justice and tolerance.
Verse 9 explains that there is a direct prohibition from Allah not to befriend or make friends with people who are hostile to or fight fellow humans, especially Muslims. People who violate this prohibition will fall into the category of wrongdoing, whether against themselves or others. Point 4 is a form of action to carry out military aggression against Israel or those who support it in the hope that it will create prosperity and prevent additional casualties.	Verse 9 explains that there is a direct prohibition from Allah not to befriend or make friends with people who are hostile to or fight fellow humans, especially Muslims. People who violate this prohibition will fall into the category of wrongdoing, whether against themselves or others. Point 4 is a form of action to carry out military aggression against Israel or those who support it in the hope that it will create prosperity and prevent additional casualties.

“Table number 1.1: a combination of Surah *al-Mumtahanah* verse 8-9 and MUI’s fatwa”

Based on the table above, it can be understood that Surah *al-Mumtahanah* verses 8–9 can be used as a basis for implementing MUI Fatwa Number 83 of 2023. Both verses have similarities in the mission desired by the MUI. Therefore, the existence

of this verse can be a reinforcement and resource in maintaining the prosperity of the Palestinian people based on MUI fatwa number 83 for not being fair to Israel.

### 1. Interpretation of Surat *al-Mumtahanah* Verse 8-9

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يَقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتَنْقِسُوهُمْ  
إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

This verse explains that Islam is a religion that has ethical rules in social interactions, especially among inter-religious adherents. Islam places greater emphasis on peace and avoiding hostility, especially if what happens could lead to bloodshed, so Islam strongly recommends acts of justice, tolerance, and mutual cooperation in maintaining the good. As Imam Fakh al-Dīn al-Rāzī, in his interpretation, said, this verse is the basis for Muslims to continue to do good towards followers of other religions. One form of good deed in question is treating them fairly, interacting well and politely, helping each other, and not disturbing their worship.<sup>24</sup>

In this verse, it is explained about *rukhsah*, or the ability to have good relations with non-Muslims as long as they do not fight. Apart from that, there is also the ability to do good for them.<sup>25</sup> Apart from that, Shaykh `Abd al-Rahmān al-Sa`di also said in his interpretation that this verse is a form of reason for Muslims to be able to do good towards fellow human beings, especially for those of different religions. One of the reasons in this verse is to act fairly, to interact politely, to maintain good relations between kinship and neighbors, and most importantly, for humanitarian reasons, with the main goal being for the benefit of the people.<sup>26</sup>

Based on the two interpretations above, it can be understood that Islam has taught good deeds by being tolerant and maintaining good relations with other religions. This is a form of original Islamic teaching that is more about benefit. Therefore, one form of true Islamic experience based on the Koran is to continue to treat them well, politely, fairly, and wisely.

Furthermore, in *Tafsīr al-Baghawī Ma`ālim al-Tanzil*, it is explained that verse 8 is a form of Allah's hope, as in the previous verse. (عسى الله أن يجعل بينكم وبين الذين عادتكم) (منهم مودة). In verse 7, Allah SWT hopes that *mawaddah* (love) can be created between unbelievers in Mecca by strengthening Islam by making them friends or brothers, gathering them in one place, and even marrying them. This statement is in accordance with *asbāb al-nuzūl* from verse 7: when Allah SWT ordered to fight the infidels, many of the Makkah believers were hostile to their idolatrous relatives, and they—the Makkah believers—showed mutual hatred and let go. Then Allah SWT

knew about the situation, so verse 7 came down. Then Allah SWT allowed to reconnect relations for those who did not return and did not fight the believers with the explanation in verse 8.<sup>27</sup>

This interpretation is in line with what Imam Ibn Kathīr wrote in his commentary. It explains that in verse 7, this is a form of hope from Allah SWT for them to continue to show compassion for those they have made enemies of because of the monotheism or faith they have chosen. One form of compassion that Allah SWT desires is contained in verse 8, which states that Allah SWT does not forbid them to continue to act fairly and kindly towards those infidels who do not fight you either because of religion or expel you from your country, because indeed Allah SWT loves those who act fairly and well.<sup>28</sup>

Based on the explanation of several explanations above, it can be understood that this verse is a general provision and main principle in Islam when establishing relationships with non-Muslim people in one country or region. Muslims are required to be fair, behave well, be polite in socializing, and maintain their welfare, especially for those who do not believe, as long as they remain good and want to associate with Muslims. Therefore, the principle that needs to be remembered in the relationship between Muslims and non-believers is to maintain good relations as long as the non-believers still maintain good relations.

إِنَّمَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوكُمْ فِي الدِّينِ وَأَخْرَجُوكُمْ مِّنْ دِيَارِكُمْ وَظَاهَرُوا عَلَىٰ إِخْرَاجِكُمْ  
أَنْ تَوَلَّهُمْ وَمَنْ يَتَوَلَّهُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَنْخُذُوا (عَدُوِّيَ الْخِ).<sup>29</sup> Verses 8 and 9 in Surah *al-Mumtahanah* are a unified discussion, as in *Tafsir al-Munīr* it is explained that these two verses are the main relationship in the social life of Muslims towards others. Verse 9 explains that Allah SWT forbids you from establishing *muwālah* with hostile infidels and those who support those who are fighting against you, thereby causing you to be expelled. Apart from that, Allah SWT also forbids you from making them guardians (roles, helpers, and loyal friends) because they have destroyed your brothers because of different faiths and religions.<sup>30</sup>

In the *Tafsir al-Misbah*, it is explained that in verses 8–9, this is generally applicable anytime and anywhere. The differences in interpretation and understanding of each verse only explain that those who are prohibited from being friends are those who are polytheists and infidels in Mecca. However, Ibn Jarīr al-Ṭabārī has denied this, as stated by Ṭāhir Ibn ‘Ashūr, that at the time of the Prophet Muhammad SAW, there were already many groups of polytheists in Medina who instead defended the Prophet and worked together to help them win against the Quraysh in Mecca. These groups include Bani Khuza‘ah, Bani al-Ḥārith, Ibn Ka‘ab,

and Muazainah.<sup>31</sup> So the prohibition in verse 9 is more about making friends with those who forbid and prevent Muslims from worshiping, apostasize Muslims, and expel and even fight Muslims. Therefore, Allah SWT strictly forbids Muslims to be friends with them.

Meanwhile, Sayyid Qutb explained that the two verses above are a form of explanation about Islam, which is a religion of peace filled with faith and love. Islam has this system to cover all of nature with peace and love that remains under the divine banner, with the same position of knowing and loving each other. There is nothing in this system except those who carry out acts of aggression against Muslims. Meanwhile, if they behave peacefully, then Islam will not carry out hostility, and even in hostility, Islam will still maintain a harmonious spirit that is synonymous with honesty, fairness, and other Islamic attitudes. Because Islam never gives up waiting for human hearts to become clear and lead to straight teachings.<sup>32</sup>

Thus, it can be concluded that, as Muslims, we should continue to maintain friendship, especially among Muslims. because Islam itself still recommends always maintaining one's welfare, being vigilant, while still acting fairly, politely, and doing good deeds. If you have to make friends with Jews, Christians, or other religions, a Muslim should remain vigilant by implementing the system taught by Islam, namely acting fairly and politely and continuing to do good deeds. However, if it is the other way around, then Muslims should not use them as role models, friends, or companions. Because those who violate these rules are people who are wrongful towards themselves, especially towards the Islamic religion.

## **2. Relevance of The Interpretation to MUI Fatwa Number 83 of 2023**

Based on the interpretation of Surah al-Mumtahanah verses 8–9 above, it can be seen that Allah SWT does not prohibit Muslims from doing good and being fair to fellow Muslims and non-Muslims as long as they do not fight Muslims and do not expel Muslims from their land. This shows that Islam is a religion full of compassion, both towards fellow Muslims and others. On the other hand, Allah SWT forbids affection and makes them friends if they fight the Muslims and expel the Muslims from their land. These commands and prohibitions show that Muslims should not start doing bad things; unless they start doing bad things, then Muslims must act firmly because of it.

If this condition is contextualized with the events currently experienced by Palestinians, where the Israelis are fighting them and want to occupy Palestinian territory as Israeli territory, then the attitude taken by Muslims will probably follow the 9th verse. Muslims should respond with two points as an interpretation, namely, first, not doing good and being fair to them, and second, not making them friends.

Responding to the Israeli-Palestinian incident, the Indonesian Ulema Council (MUI) issued Fatwa No. 83 in 2023<sup>33</sup> determined several things as follows:

- a) Obligatory fatwa to support Palestinian independence against Israeli attacks.
- b) Forms of support include the distribution of *zakat*, *infaq*, and alms for the benefit of Palestinians.
- c) *Zakat* funds should be distributed to people whose areas are close to the *muzakki*. However, in an emergency, *zakat* can be distributed to people who are far away using *muzakki*.
- d) It is haram to support Israeli attacks or parties that support Israel, either directly or indirectly.

Apart from the decisions above, the MUI also provided several recommendations, as follows:

- a) Muslims are encouraged to support the struggle of the Palestinian people, both materially and non-materially. This form of material support is in the form of social fundraising. The form of non-material support is in the form of praying for their victory and carrying out unseen prayers for the Palestinian martyrs who have fallen.
- b) MUI recommends that the government take wise steps from a state perspective, for example, by holding diplomacy at the UN to stop the current Israeli-Palestinian war. Apart from that, the government is also advised to consolidate the OIC countries to pressure Israel so that they stop their attacks. Apart from that, the government is also advised to act in a socio-national manner, namely by sending social assistance to Palestinians.
- c) MUI advises Muslims to avoid transactions and use of products affiliated with Israel and countries that support it.

In issuing this fatwa, the MUI used several considerations based on Islamic law, both from the Koran, hadith, ijma', qiyas, and the opinions of ulama. MUI uses considerations from the Koran. However, this verse was not included in his consideration. Even though it is not included in its considerations, the MUI uses a verse that is similar to that verse, namely:

الَّذِينَ أَخْرِجُوا مِنْ دِيَارِهِمْ بِغَيْرِ حَقٍّ إِلَّا أَنْ يَقُولُوا رَبُّنَا اللَّهُ وَلَوْلَا دَفَعَ اللَّهُ النَّاسَ بِعَصْمَهُمْ بِعَصْمِ  
 الَّهِمَّ صَوَّمْتُ صَوَّمْتُ وَصَلَوْتُ وَصَلَوْتُ وَمَسَجَدٌ يَذْكُرُ فِيهَا اسْمَ اللَّهِ كَثِيرًا وَلَيَنْصُرَنَّ اللَّهُ مَنْ يَنْصُرَهُ  
 إِنَّ اللَّهَ لَقَوِيٌّ عَنِّيْزٌ

(Namely) people who were expelled from their hometowns without a valid reason just because they said, "Our God is Allah." If Allah had not rejected the violence of some humans by others, the monasteries, churches, synagogues, and mosques in which the name of Allah is often mentioned would have been destroyed. Indeed, Allah will surely help those who help Him (religion). Indeed, Allah is truly Almighty.

As in the interpretation of *Surah al-Mumtahanah* verses 8–9 above, the point is not to make friends and not to act fairly and kindly to people who attack and expel Muslims from land. These two points are applied freely to the MUI fatwa points. Free application of the interpretation "not acting fairly" includes, among other things, recommendations to the government to act decisively, both state and national. The application of the interpretation of "not making friends" is that there is a mandatory fatwa supporting Palestinian independence as well as a haram fatwa supporting Israel and countries that are pro-Israel and avoiding transactions and using products affiliated with Israel and countries that support it.

Apart from that, in the fatwa, there is also a free application of the meaning of verse 8. In verse 8, it is stated that Allah SWT does not prohibit Muslims from doing good and being fair to those who do not attack and expel us from our land. Palestine is an interstate friend of Indonesia. The Palestinian population is religiously diverse; there are Muslims, Jews, and Christians. Palestine is currently not attacking the Indonesian people, nor is it expelling the Indonesian people from their land. Thus, based on this verse, Allah SWT does not forbid us from doing good to them. The application of doing good, as explained in the fatwa, is in the form of concrete and abstract attitudes. A concrete form of good and fair deeds is distributing social assistance in the form of *zakat*, alms, and *infaq* to them. The form of good and fair deeds in the abstract is an obligatory fatwa supporting Palestinian independence and supporting them by praying and performing unseen prayers.

### **Analysis of MUI Fatwa Application Based on Alfred Schutz's phenomenological approach**

In Alfred Schutz's phenomenological approach, there are two categories of motives: in order to motive (purpose motive) and because motive (cause motive). This approach will be applied by the author in reading the free application in the MUI fatwa based on the interpretation of *Surah al-Mumtahanah* verses 8–9.

The application in the MUI fatwa points based on the paragraph "not acting fairly and well" is a recommendation to the government to act decisively, both state and national. If viewed from the standpoint of motive, the reason or the because motive of the government is recommended to act decisively is because Israel's attitude in carrying out aggression against the Palestinians has been considered to have exceeded the limits; some even state that this act falls into the category of genocide.<sup>34</sup> As fellow

Muslims, when we see evil or *kemunkaran*, we must eradicate it.<sup>35</sup> The first way to eradicate evil is through hands/ position. In this case, the government is the most authoritative party because it has a position. As explained in the fatwa, the government can carry out diplomacy at the UN and consolidate with OIC countries. Carrying out consolidation and diplomacy between countries is none other than the authority of the government. If viewed from in order to motive, this attitude aims to ensure that the UN imposes sanctions on Israel and can stop the wars and attacks it is carrying out.

Apart from that, the government is also advised to act socially and nationally in the form of sending humanitarian aid. Because motive from this act is because the condition of the Palestinian people is getting worse day by day, both in terms of food supplies and others. In this case, the government is the party that also has the most authority because aid is distributed within regions between countries. The government can deliver aid through a systematic process, with the aim (in order to motive) that aid can be distributed properly to those who need it.

The application of the MUI fatwa points on the interpretation of the verse “not making friends” is that the fatwa is haram in supporting Israel and countries that support Israel, and the MUI also advises Muslims to avoid making transactions and using products affiliated with Israel and countries that support it. This haram law was declared a fatwa. Cause motive of this fatwa, because of Israel’s cruelty in carrying out aggression against Palestine, while we Muslims are not justified in remaining silent when we see this incident because this is an evil that must be suppressed. Meanwhile, the purpose (in order to motive) of this haram fatwa is to make Muslims more careful in sorting and choosing which parties they can support and become role models.

In the fatwa, there is also a recommendation for Muslims to avoid transactions and using products affiliated with Israel and countries that support it. In practice, many Muslims boycott Israeli and pro-Israel products. This was done because, in attacking Palestine, Israel used sophisticated and powerful weapons both in the air, at sea, and on land. If Muslims do not transact and do not use Israeli and pro-Israel products, then presumably there will be no funds that can support them to maintain their weapons and upgrade their weapons. This was done with the aim (in order to motive) of making them feel pressured and stopping the attack.

In general, because motive for the application of the interpretation of Surah *al-Mumtahanah* verses 8–9 in the MUI fatwa is caused by Israel’s cruel aggression and annexation, while Muslims are required to eradicate the evil they see. The aim (in order to motive) in general is for Israel to stop its attacks and for Palestinian independence to be realized.

## Conclusion

In the interpretation of Surah *Al-Mumtahanah* verses 8–9, it is explained that Muslims are required to be fair, behave well, be polite in socializing, and maintain their welfare, especially for those who do not believe, as long as they remain kind, do not fight, and want to associate with others. Muslims and did not expel them from their land. However, if it is the other way around, then Muslims should not use them as role models, friends, or companions and should not be fair and treat them kindly. If we contextualize it with the current condition of Palestine, namely that Israel is attacking it and wants to occupy its land, then as Muslims, what we do has two points from the interpretation of this verse, namely not being fair and not making friends. Free application of the interpretation of “not acting fairly” in the MUI fatwa, among others; recommendations to the government to act decisively, both state and national. The interpretation of “not making friends” is that there is a haram fatwa supporting Israel and countries that support it and avoiding transactions and using products affiliated with Israel and countries that support it. Based on Alfred Schutz's phenomenological approach, in general, the cause motive of the application of the interpretation of Surah *al-Mumtahanah* verses 8–9 in the MUI fatwa is caused by Israel's cruel aggression and annexation, while Muslims are required to eradicate the evil they see. The aim (in order to motive) in general is for Israel to stop its attacks and for Palestinian independence to be realized. This research is a thematic interpretation study of verses 8-9 of Surah *al-Mumtahanah* and its relevance to MUI fatwa number 83 of 2023 using Alfred Schutz's phenomenological approach. Apart from that focus is the author's limitations. Surah *al-Mumtahanah* can be research using other research methods, so that it can be clearly seen how should the interactions between Muslims and non-Muslims. MUI Fatwa number 83 can also be viewed from other perspectives, for example from the perspective of sociology, *ushul fiqh*, psychology, and others so that the meaning of the fatwa is richer and reviewed based on various dimensions.

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