



## DECREE

### BAHTSUL MASA'IL AD-DINIYAH AL-MAUDLUIYYAH<sup>1</sup>

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#### 1. THE NATION, CITIZENSHIP AND STATE LAW

##### 1.1. Introduction

From the dawn of Islamic history until the fall of the Ottoman Turkish Caliphate, the majority of Muslims lived within the framework of a political system in which state and religion were virtually united. The state professed an official religion [i.e., Islam] and functioned as a religious state with an Islamic identity.

Following the logic of a religious state, citizenship status was determined on the basis of religious identity. Muslims enjoyed full citizenship, whilst non-Muslims were relegated to the second-class status of *kufār dhimmīyūn* [infidels who had submitted to Islamic rule, dwelled within the borders of an Islamic state, paid an annual head tax and were governed by specific, highly discriminatory provisions of Islamic law]. The rest of the world's inhabitants—who did not live under the authority of an Islamic state and had not signed a currently-valid peace treaty with Muslims—were to be fought as *kufār ḥarbīyūn* [infidels engaged in war with Muslims, who may be killed on sight unless they convert or submit to Islam].

This system is inseparable from the existence of *sharī'ah* law, which requires physical compulsion by the state if its provisions are to be implemented. *Sharī'ah* itself is generally viewed [by orthodox Muslims] as a set of norms established by God—Praiseworthy and Exalted is He!—or at least as the result of scriptural interpretation, derived from the practice of a strict discipline for elucidating God's laws, known as *ṭarīqat al-istinbāṭ*.

Following the collapse of the Ottoman Caliphate, the Islamic world was shattered and subdivided into many states, the majority of which no longer declared themselves to be Islamic states [e.g., Sultanates or Emirates], but instead chose to become nation states, and/or nations without an official religious identity.

The Unitary State of the Republic of Indonesia followed this pattern, and was established as a multi-religious, pluralistic nation state, with a constitutional guarantee of equal rights for all

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<sup>1</sup> The Bahtsul Masa'il is a division of Nahdlatul Ulama which addresses issues related to Islamic law that are of immediate and practical concern to Muslims. Members of the Bahtsul Masa'il are prominent '*ulamā'*' (religious scholars) whose knowledge and mastery of *fiqh* (Islamic law) qualifies them to issue authoritative rulings on such matters.

of its citizens on the basis of Pancasila [“the Five (Foundational) Principles”]. Even in many countries that formally declare themselves to be Islamic states—for example, Malaysia and Brunei Darussalam (the “Abode of Peace”)—citizenship is no longer restricted to those who have a specific religious identity.

Similarly, legal rulings are no longer determined according to the Islamic disciplines of *tarīqat al-istinbāṭ* (the creation of Islamic law through analysis of sacred texts, i.e., the Qur’an and Sunnah) or *manhaj al-ijtihād* (the methodology of creating Islamic law through independent legal reasoning), as practiced by ‘*ulamā*’ (Islamic religious scholars), and these religious sciences are no longer used to draft legislation.

## 1.2. The modern nation state from an Islamic perspective

The nation state is a system of political organization, wherein people who share the same national identity live within clearly-defined borders and generally enjoy the same legal rights regardless of their class, race or religion.

In Islam, discussion of the concept of a nation state belongs to the category of *fiqh siyāsah* (Islamic law related to the field of governance), while the field of *siyāsah* is itself part of the study of *fiqh mu‘āmalah* (Islamic law related to the field of general transactions, which includes civil acts and, in general, all aspects of *fiqh* excluding ritual worship (‘*ibādah*)). And in things pertaining to *mu‘āmalāt* (general transactions), the following rule applies: “[In Islam,] the fundamental assumption regarding general transactions is that they are permissible, unless there is evidence of their prohibition.”

Thus, an activity not explicitly prohibited is considered permissible on the basis of the proposition that “Knowledge of the absence of evidence [of prohibition] is [in and of itself] evidence.”

Certainty (*al-‘ilm*) regarding the absence of evidence [within the Qur’an or Sunnah] forbidding nation states is sufficient to justify their establishment. In fact, the Prophet (peace be upon him) founded the state of Medina in harmony with the principles of the modern nation state.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ هَذَا كِتَابٌ مِنْ مُحَمَّدٍ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، بَيْنَ الْمُؤْمِنِينَ  
وَالْمُسْلِمِينَ مِنْ قُرَيْشٍ وَيَثْرِبَ ، وَمَنْ تَبِعَهُمْ فَلَحِقَ بِهِمْ وَجَاهَدَ مَعَهُمْ إِيَّاهُمْ أُمَّةً وَاحِدَةً  
مِنْ دُونِ النَّاسِ . . . . وَإِنَّ الْيَهُودَ يُنْفِقُونَ مَعَ الْمُؤْمِنِينَ مَا دَامُوا مُحَارِبِينَ وَإِنَّ يَهُودَ بَنِي  
عَوْفٍ أُمَّةٌ مَعَ الْمُؤْمِنِينَ لِلْيَهُودِ دِينُهُمْ وَلِلْمُسْلِمِينَ دِينُهُمْ مَوَالِيَهُمْ وَأَنْفُسُهُمْ إِلَّا مَنْ  
ظَلَمَ وَأَثِمَ فَإِنَّهُ لَا يُوتَعُ إِلَّا نَفْسَهُ وَأَهْلَ بَيْتِهِ

“In the name of Allah the Compassionate, the Merciful. This document [the Medina Charter], from Muḥammad, the Prophet (peace be upon him), [is a Charter] between the Believers [including Jews] and Muslims from Quraysh [an Arab tribe from Mecca] and Yathrib [Medina] and those who followed them and so joined them and fought alongside them; [this Charter decrees that] they are a single nation [or community, *ummah wāḥidah*], distinct from other peoples [or nations]... and that the Jews [will fight alongside and/or] support the Believers so long as they are being fought by others, and that the Jews of Beni ‘Awf are, along with the Believers, part of a single nation. To the Jews their religion, and to the Muslims their religion and their followers, except for he who commits injustice and transgresses, for he [who does so] wrongs no one other than himself and the people of his house.”<sup>2</sup>

Viewed from another perspective, the state is simply a means to an end. Hence, in matters of *siyāsah/mu‘āmalāt*, Islamic *sharī‘ah* permits Muslims to choose what form their state shall assume. In other words, Islam does not prescribe a specific form of government. So long as the state brings benefit to its citizens, it is aligned with the spirit of Islam.

قَالَ ابْنُ عَقِيلٍ السِّيَاسَةُ مَا كَانَ فِعْلًا يَكُونُ مَعَهُ النَّاسُ أَقْرَبَ إِلَى الصَّلَاحِ وَأَبْعَدَ عَنِ  
الْفُسَادِ وَإِنْ لَمْ يَضَعَهُ الرَّسُولُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَلَا نَزَلَ بِهِ وَحْيٌ

“Ibn ‘Aqīl said: “Politics is not an activity through which people become closer to the good, or further away from corruption. The Prophet (peace be upon him) did not prescribe it [politics], nor was it revealed to him.”<sup>3</sup>

### 1.3. The status of non-Muslims in communal and national life

The findings of the 29th Nahdlatul Ulama Congress, held in 1994 in Cipasung, Tasikmalaya, West Java, affirmed that:

*“The [optimal] system of relationships between human beings, whereby all may grow and flourish, is founded upon universal human fraternity, commonly referred to as “Ukhuwah Basyariyah.” This system of relationships [founded upon universal human fraternity] is comprised of, and involves, all elements of life related to ensuring equal human dignity, which are necessary to achieve a prosperous, just and peaceful life.”*

A *fiqh* [Islamic law] ruling agreed upon by the *Ḥanafī*, *Mālikī* and *Ḥanbalī* schools of Islamic jurisprudence states that *‘illat al-jihād al-qitālī* (the legal grounds permitting and/or

<sup>2</sup> Ibn Hishām [d. 833 CE], *al-Sīyrah al-Nabawīyah (The Life of the Prophet)*, Beirut: Dār al-Jīl, Part 3, pp. 32-34

<sup>3</sup> See Ibn Qayīm al-Jawzīyah [1292 – 1350 CE], *al-Ṭuruq al-Ḥukmīyah (The Paths of Jurisprudence)*, Cairo: Maṭba‘ah al-Madanī, p. 17

compelling Muslims to engage in war) against other parties is said parties' commission of unjust, tyrannical and destructive acts (*al-zulm* and *al-ḥirābah*).

فَرَّرَ جُمْهُورُ الْعُلَمَاءِ مِنْ مَالِكِيَّةٍ وَحَنَفِيَّةٍ وَحَنَابِلَةٍ أَنَّ مَنَاطَ الْقِتَالِ هُوَ الْحِرَابَةُ وَالْمُقَاتَلَةُ  
وَالْإِعْتِدَاءُ وَلَيْسَ الْكُفْرُ فَلَا يُقْتَلُ شَخْصٌ لِمَجْرَدِ مُخَالَفَتِهِ لِلْإِسْلَامِ أَوْ لِلْكَفْرِ إِنَّمَا يُقْتَلُ  
لِإِعْتِدَائِهِ عَلَى الْإِسْلَامِ

“Scholars from the *Hanaḥī*, *Mālikī* and *Ḥanbalī* schools of Islamic jurisprudence have determined that the proper objective of combat is to prevent unjust, murderous and destructive behavior, and other forms of physical aggression. Disbelief is not a legitimate reason for killing others, for a person may not be killed merely for contravening Islam, or for his disbelief, but rather [may be killed] for assaulting Islam.”<sup>4</sup>

Islamic jurisprudence stipulates that *al-ḥukm yadūr ma‘a ‘illatihi wujūdan wa ‘adaman*, i.e., a law is enforced if a reason for the existence of that law is present. This means that war must not/may not occur in the absence of tyrannical and destructive behavior. Conversely, war may occur/is obligatory if tyrannical and destructive behavior is present. This provision applies generally to everyone, both Muslims and non-Muslims.

The *fuqahā’* of the *Shāfi‘ī* school are a minority group who state that *‘illat al-jihād*, the legal rationales for war include disbelief (*kufr*). However, *Takmilat al-Majmū’*—one of the reference books of the *Shāfi‘ī* school (*madhhab*)—explains that the basis of the relationship between Muslims and non-Muslims is peace and non-violence (*al-‘alāqah bayna al-muslimīn wa ghayruhum mabnīyatun ‘ala al-musālamah*). This also conforms to the opinion of Ibn al-Ṣalāḥ, quoted by Wahbah al-Zuhaylī in his book *Āthār al-Ḥarb fī al-Fiqh al-Islāmī* (*The Enduring Consequences of War in Islamic Jurisprudence*).

إِنَّ الْإِسْلَامَ أَسَّسَ عَلاَقَةَ الْمُسْلِمِينَ بِغَيْرِهِمْ عَلَى الْمُسَالَمَةِ لَا عَلَى الْحَرْبِ وَالْقِتَالِ

“Islam established the relationship between Muslims and non-Muslims upon the basis of non-violence, not war and killing.”<sup>5</sup>

<sup>4</sup> Wahbah al-Zuhaylī [1932 – 2015 CE], *Mawsū‘ah al-Fiqh al-Islāmī wa al-Qaḍāyā al-Mu‘āṣirah* (*Encyclopedia of Islamic Jurisprudence and Contemporary Issues*), Damascus: Dār al-Fikr, 1<sup>st</sup> Edition, 2010, part 7, p. 103

<sup>5</sup> ‘Ādil Aḥmad ‘Abd al-Mawjūd et al, *Takmilat al-Majmū’ Sharḥ al-Muhadhdhab* (*Supplement to the Corpus Regarding Proper Conduct*), Beirut: Dār al-Kutub al-‘ilmīyah, 1<sup>st</sup> Edition, 2007, part 24, p. 117. See also Wahbah al-Zuhaylī [1932 – 2015 CE], *Āthār al-Ḥarb fī al-Fiqh al-Islāmī* (*The Enduring Consequences of War in Islamic Jurisprudence*), Beirut: Dār al-Fikr, 3<sup>rd</sup> Edition, 1998, pp. 130-135 and 788.

قَالَ ابْنُ الصَّلَاحِ: إِنَّ الْأَصْلَ هُوَ إِبْقَاءُ الْكُفَّارِ وَتَقْرِيرُهُمْ لِأَنَّ اللَّهَ تَعَالَى مَا أَرَادَ إِفْنَاءَ  
الْحُلُقِ وَلَا حَلَقَهُمْ لِيُقْتَلُوا وَإِنَّمَا أُبِيحَ قَتْلُهُمْ لِعَارِضِ ضَرَرٍ وَجَدَ مِنْهُمْ لَا أَنَّ ذَلِكَ جَزَاءُ  
عَلَى كُفْرِهِمْ فَإِنَّ دَارَ الدُّنْيَا لَيْسَتْ دَارَ جَزَاءٍ بَلِ الْجَزَاءُ فِي الْآخِرَةِ

Ibn al-Ṣalāḥ [d. 1245 CE] said: “The fundamental purpose [of Islamic law regarding non-Muslims who live under the authority of Muslim rulers] is to preserve the [lives of] non-Muslims and their decision [not to become Muslims], because Allah most High does not desire the annihilation of [His] creation nor did He create them [non-Muslims] to be killed. Rather, He has permitted their killing to avoid injury inflicted by them, not as a penalty for their disbelief, for this worldly abode is not a place of immediate reward or punishment [for good or evil actions]; rather, [the soul shall receive its] just desserts in the hereafter.<sup>6</sup>

The status of non-Muslims within a nation state is that of citizens (*mūwāṭin*) who possess rights and responsibilities equal to those of the nation’s other citizens. They do not belong to any of the categories of infidel (*kāfir*) which exist within classical Islamic law, i.e., *mu’āhad* (infidels who are subjects of a non-Muslim ruler, who has signed a currently-valid peace treaty with Muslims); *must’aman* (infidels visiting or living in an Islamic state, for purposes of trade, diplomacy, etc., whose safety is guaranteed by a Muslim ruler); *dhimmī* (infidels who have submitted to Islamic rule, dwell within the borders of an Islamic state, pay an annual head tax and are governed by specific elements of Islamic law); and *ḥarbī* (infidels engaged in war with Muslims, and who may be killed on sight). These four categories were conceived within a context in which state and religion were absolutely fused together. Differences of opinion, and of religion, can no longer justify hostility between one person and another.

#### 1.4 The Islamic perspective on legislation and government policies created through modern political processes

Government laws and policies that emerge as a result of modern political processes are an integral part of the constitutional consensus reached by a nation’s citizens. If these laws and policies do not conflict with Islamic values, then they are binding (*mulzim shar’ī*) and Muslims have a religious obligation to faithfully obey them.<sup>7</sup>

<sup>6</sup> See Wahbah al-Zuhaylī, *Āthār al-Ḥarb fī al-Fiqh al-Islāmī*, p. 107

<sup>7</sup> See the Decree of the 32nd NU Congress (2010) on *The Relevance of Qānūn Waḍ’ī (Positive Law) and Sharī’ah Law*

إِذَا أَمَرَ بِوَاجِبٍ تَأَكَّدَ وَجُوبُهُ وَإِذَا أَمَرَ بِمَنْدُوبٍ وَجِبَ وَإِنْ أَمَرَ بِمُبَاحٍ فَإِنْ كَانَ فِيهِ  
مَصْلَحَةٌ عَامَّةٌ كَثُرَ شُرْبُ الدُّخَانِ وَجِبَ بِخِلَافِ مَا إِذَا أَمَرَ بِمُحَرَّمَ أَوْ مَكْرُوهٍ أَوْ مُبَاحٍ  
لَا مَصْلَحَةَ فِيهِ عَامَّةً

“If he [a ruler] orders [his subjects] to perform a religiously obligatory act, then it is obligatory [to do so]; and [likewise], if he orders [his subjects to perform] a good deed or something that is permissible and in the general interest, such as quitting smoking, it is obligatory to do so; but the opposite is the case if he orders something that is not permissible, or injurious, or permissible but not in the general interest.”<sup>8</sup>

وَاعْلَمَ أَنَّ مَحَلَّ كَوْنِ الإِمَامِ إِذَا أَمَرَ بِمُبَاحٍ أَوْ مَنْدُوبٍ يَجِبُ طَاعَتُهُ إِذَا كَانَ مَا أَمَرَ بِهِ مِنْ  
الْمَصَالِحِ الْعَامَّةِ

“Know that if the Imam (ruler) orders [his subjects to perform] something that is permissible or a good deed then he must be obeyed, provided that what he ordered is in the general interest.”<sup>9</sup>

Consideration of whether or not legislation contravenes *sharī‘ah* must comprehensively follow the methodology and rules of *sharī‘ah* itself, including an understanding of the position and application of the underlying purpose animating *sharī‘ah* law.

It must be understood [by those undertaking such an evaluation of legislation] that *sharī‘ah* law is linked, either directly or indirectly, to the sources of *sharī‘ah*. In the first instance, *sharī‘ah* is taken from the primary sources, viz. the Qur’an and Sunnah. Otherwise, *sharī‘ah* is deduced from secondary propositions (considerations) such as *qiyās* (the deduction of legal prescriptions from the Qur’an or Sunnah by analogic reasoning); *ijmā‘* (consensus of the ‘*ulamā*’ on a point of Islamic law); *istihsān* (the abandonment of one legal ruling in favor of another, which is considered better on the basis of the Qur’an, Sunnah or *ijmā‘*), etc.

*Sharī‘ah* law has two possible types, certain and uncertain. The first type is derived from evidence that is *qaṭ‘ī* [certain] in both its provenance and meaning. The second type is not fully *qaṭ‘ī*, as it is either *qaṭ‘ī al-wurūd ḡannī al-dalālah* [of certain provenance but uncertain meaning], *ḡannī al-wurūd qaṭ‘ī al-dalālah* [of uncertain provenance but certain meaning] or *ḡannī al-wurūd wa al-dalālah* [of both uncertain provenance and meaning].

<sup>8</sup> Muḡammad Nawawī bin ‘Umar al-Jāwī, *Nihāyat al-Zayn (The Best Means for Guiding Beginners)*, Beirut: Dār al-Fikr, n.d. p. 112

<sup>9</sup> Muḡammad ‘Arafah al-Dasūqī, *Hāshīyat al-Dasūqī ‘alā al-Sharḡ al-Kabīr (Notes of al-Dasūqī on the Grand Explanation)*, Beirut: Dār al-Fikr, n.d., part 1, p. 407

If it is concluded that any element of positive (i.e., statutory and/or regulatory) law contravenes *sharī'ah*, this should be—and may only be—corrected by constitutional means. The existence of such laws and regulations may not be employed as a justification for defying a legitimate government.

عَنْ ابْنِ عُمَرَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «السَّمْعُ وَالطَّاعَةُ عَلَى الْمَرْءِ الْمُسْلِمِ فِيمَا أَحَبَّ وَكَرِهَ مَا لَمْ يُؤْمَرْ بِمَعْصِيَةٍ، فَإِنْ أُمِرَ بِمَعْصِيَةٍ فَلَا سَمْعَ عَلَيْهِ وَلَا طَاعَةَ»  
: وَفِي الْبَابِ عَنْ عَلِيٍّ، وَعِمْرَانَ بْنِ حُصَيْنٍ، وَالْحَكَمِ بْنِ عَمْرِو الْعِفَارِيِّ وَهَذَا حَدِيثٌ  
حَسَنٌ صَحِيحٌ

“Ibn ‘Umar said that the prophet of Allah (pbuh) said: ‘Obedience [to a ruler] is incumbent upon a Muslim in matters he likes and hates, provided that he has not been ordered to commit a sin. For if he is ordered to commit a sin, he is not bound to obey.’ And in this chapter [there is a similar account] from ‘Alī, and ‘Imrān bin Ḥuṣayn, and al-Ḥakam bin ‘Amr al-Ghifārī. According to al-Tirmidhī this hadith belongs to the category of ḥasan ṣaḥīḥ.”<sup>10</sup>

قوله (السَّمْعُ) ... قَالَ الْمُطَهَّرُ يَعْنِي سَمْعَ كَلَامِ الْحَاكِمِ وَطَاعَتَهُ وَاجِبٌ عَلَى كُلِّ مُسْلِمٍ سَوَاءً أَمَرَهُ بِمَا يُؤَافِقُ طَبْعَهُ أَوْ لَمْ يُؤَافِقْهُ بِشَرَطِ أَنْ لَا يَأْمُرَهُ بِمَعْصِيَةٍ فَإِنْ أَمَرَهُ بِهَا فَلَا يُجُوزُ طَاعَتُهُ وَلَكِنْ لَا يُجُوزُ لَهُ مُحَارَبَتُهُ الْإِمَامِ وَقَالَ التَّوَوِيُّ فِي شَرْحِ مُسْلِمٍ قَالَ جَمَاهِيرُ أَهْلِ السُّنَّةِ مِنَ الْفُقَهَاءِ وَالْمُحَدِّثِينَ وَالْمُتَكَلِّمِينَ لَا يَنْعَزِلُ الْإِمَامُ بِالْفِسْقِ وَالظُّلْمِ وَتَعْطِيلِ الْحُقُوقِ وَلَا يُخْلَعُ وَلَا يُجُوزُ الْخُرُوجُ عَلَيْهِ لِذَلِكَ بَلْ يَجِبُ وَعَظُهُ وَتَحْوِيلُهُ لِلْأَحَادِيثِ الْوَارِدَةِ فِي ذَلِكَ

“The saying of the Prophet (pbuh) [regarding obedience]... al-Muṭaḥhar said: Listening to the words of the ruler and obeying them is obligatory for all Muslims, whether the ruler orders him [a Muslim] to perform something agreeable or disagreeable, provided that the ruler does not order him to commit a sin. If the ruler does order him [a Muslim subject] to commit a sin then it may not be obeyed, but it is not permissible for the subject [in this instance] to wage war against the ruler. al-Nawawī said in *Sharḥ Ṣaḥīḥ Muslim* that the Sunni experts of *fiqh*, hadith and theology agree that the ruler should not be removed because of depravity, injustice and the denial of rights, nor overthrown or rebelled against, but rather its is a religious

<sup>10</sup> al-Tirmidhī.

obligation to advise and admonish the ruler citing hadith which clarify the issue in question.”<sup>11</sup>

### 1.5 Nahdlatul Ulama’s attitude towards conflict in various parts of the world

All armed conflicts worldwide, whether among Muslims themselves or between Muslims and non-Muslims, demand a peaceful resolution. Nahdlatul Ulama considers the struggle for world peace to be a religious obligation, for it is an attempt to end discord (*fitnah*). On the other hand, allowing oneself to be drawn into armed conflicts merely widens the field of discord, violence and consequent human suffering.

عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَنَّهُمَا أَتَاهُ رَجُلَانِ فِي فِتْنَةِ ابْنِ الزُّبَيْرِ فَقَالَ إِنَّ النَّاسَ صَنَعُوا  
وَأَنْتَ ابْنُ عُمَرَ وَصَاحِبُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَمَا يَمْنَعُكَ أَنْ تَخْرُجَ فَقَالَ يَمْنَعُنِي  
أَنَّ اللَّهَ حَرَّمَ دَمَ أَخِي فَقَالَ أَلَمْ يَقُلِ اللَّهُ { وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةً } فَقَالَ قَاتَلْنَا  
حَتَّى لَمْ تَكُنْ فِتْنَةً وَكَانَ الدِّينُ لِلَّهِ وَأَنْتُمْ تُرِيدُونَ أَنْ تُقَاتِلُوا حَتَّى تَكُونَ فِتْنَةً وَيَكُونَ  
الدِّينُ لِعَيْرِ اللَّهِ

“Two men came to Ibn ‘Umar during the civil war (*fitnah*) that involved Ibn al-Zubayr and said ‘the people are lost, and you are Ibn ‘Umar, companion of the Prophet (pbuh), so what prevents you from going out [to fight]?’ So he [Ibn ‘Umar] said, ‘What prevents me is that God prohibited the shedding of my brother’s blood,’ and so they both replied, ‘Did Allah not say ‘fight them until there is no more *fitnah*’?’ So he [Ibn ‘Umar] said ‘We fought until there was no *fitnah* and religion was for God, but *you* want to fight until there *is* *fitnah* and religion is for [purposes] other than [knowing and serving] God!!!’”<sup>12</sup>

Striving for peace is also integral to just behavior, which the Qur’an commands Muslims to observe, even in regard to those whom one may hate.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ عَلَىٰ أَلَّا  
تَعْدِلُوا اعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ

“O you who believe! Be among those who always uphold truth for the sake of God and bear just witness; and let not hatred of a people incite you to act unjustly. Act

<sup>11</sup> al-Mubārakfūrī, *Tuḥfat al-Aḥwadhī bi Sharḥ Jāmi‘ al-Tirmidhī* (The Masterpiece of al-Aḥwadhī Explaining the Corpus of al-Tirmidhī), Beirut: Dār al-Kutub al-‘ilmīyah, part 5, p. 298.

<sup>12</sup> Narrated by al-Bukhārī [810 – 870 CE]



justly, for doing so reflects an acute awareness of God’s existence. And always be conscious of God, for Allah is aware of all you do.”<sup>13</sup>

At the 32<sup>nd</sup> NU National Congress, held in Makassar, Nahdlatul Ulama recommended “... that the [Indonesian] government be actively engaged in resolving armed conflicts—especially those involving Muslims, such as the Israeli – Palestinian conflict and that in Southern Thailand—by committing all components of the nation to simplicity and equity and eliminating historical, ideological, economic and political egotism. The efforts that have been made so far need to be increased, including by facilitating religious organizations to conduct such mediation as part of track two diplomacy.”

The position of Nahdlatul Ulama regarding armed conflict worldwide, therefore, is to struggle for peace rather than engage in conflict.

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<sup>13</sup> al-Qur’ān, 5:8