FLAG RESPECT IN INDONESIA: A STUDY OF ISLAMIC LITERATURE AND LEGISLATION IN INDONESIA

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Abstract: The tribute of the flag is routinely debated on social media, with a flag ceremony held on 17 August each year. Such issues appear to be annual discussions, although there are logical reasons for the party to unanimously express respect for the flag. This article was presented to add academic literature to honoring the flag by answering how unquestioned human diversity is in Islamic literature, how the urgency of the flag in Islamic literature, and how urgency honors the flag in the legal state. The method used to answer these questions is a descriptive qualitative research method with a literary study approach. The sources used are secondary data obtained by authors of Verses, Hadith, Classical Islamic literature, legislation, journals, processes, and relevant online news. The result of the discussion was to become sunnatullah of the existence of humans who are of different ethnicities and nations. The flag that represents a nation or a nation exists and is recorded in the history of Islamic literature. The salute of the flag as an expression of gratitude, a love of the fatherland, commemorating the hero's ceremonial service, which proved there is no Shirk word in the anthem, the blessing of ceremony-bearers and the words of prayer recited at the end of the ceremony are acceptable, recommended even (should) on postulate šahīḥ even above šārīḥ. The attitude of the flag in the legislation is in Article 20 PP. Number 40/1958 and Article 15 of Law Number 24/2009, respect means to uphold the state's identity while also being a
form of love and acknowledging the sovereignty and honor towards the state.

Keywords: Diversity, Ensign Salute, Ceremony.

Introduction

The debates on the validity of visiting the flag of the Islamic Shariah State have always been re-echoed on social media as the August 17 ceremony took place. Medsos are not only social tools but have become propaganda tools for interest and understanding, proven by the existence of inclusive Medsos groups. The Medsos Group of Renditions, Alma maters, affiliates, and so forth have become the field of sowing religious understanding of moderation, fundamentalism, and even extremism. Regarding flag veneration, the average person is not happy or even expects it to originate from a group with religious doctrine affiliated with the Saudi Wahabi or former sympathizers of the banned organization Hizb ut-Tahrir Indonesia (HTI).

This group argued that the salutes of the flag were unlawful because it treated it as sacred. Even for them, crying and kissing the flag’s heirloom could be martyrdom. Muhammad Ismail Yusanto - HTI, expressed this understanding massively. Like Ismail, Cholil Ridwan, the former Chairman of the MUI, had also personally submitted the textual opinion to the public by claiming to have discussed it with several Middle Eastern Professors. He deserves respect from his parents and senior age by greeting him after he is put into the ensign.¹

Cholil Ridwan’s recognition of discussions with Great Masters in the Middle East was questionable, as in fact, when he gave his opinion on the flag’s harshness, he only cited the Saudi fatwa of al-Lajnah ad-Dāmah lil Buhūth al-‘Ilmiyah wa al-Iftā’ and a few other Wahabi Saudi clerics alone. They argue that the first respectful flag is a heresy, which the Prophet never did. Second,

contrary to perfect tauhidan, admiration must be on God alone. Third, the flag salute is a means of shirk. Fourthly, the honorariums of the flag are taqlīd acts of the Musyrik. Neither did Cholil Ridwan convey the opinion of the Saudi cleric Wahabi, Sheik Shalih al-Fauzan, and Sheik Ibn Jibrin about the forbidden honor of the flag as it had been in ceremonies. If, for him, the flag’s respect is the symbol of the state’s respect, then we should respect the state in the way God taught us. Specifically, it is to listen to and obey the laws of the state that are not of maximum value and according to Islamic law and to pray for the officials of the state to receive guidance from Allah swt.²

The former banned organization sympathizers or followers of the Saudi Wahabi cleric who like to preach heretics will always speak of the flag’s low honor, though not out loud in public. Private rooms such as the Medsos group, inclusive recitation groups, schools, or pesantren are often the object of spreading the doctrine to help foster their understanding, at least among themselves, such as the SDIU Sahabat Madiun who teaches students, guardians, and the surrounding community about honor and flag ceremonies.³ It was also a discussion in the community when news broke that Vice President Jusuf Kalla did not raise the hand of homage to the red and white flag that was being raised on the 70th anniversary of Indonesian Independence at the Istana Merdeka, a similar gesture which Vice President Mohammed Hatta had previously made during the annual ceremony. Suppose this attitude is going to be contrary to existing regulations in Indonesia. In that case, there is a need for the same explanation to continue to spread moderate understanding along with strengthening existing legislation to counter that textual understanding. Expansion can be through electronic media, print media, general presentations, seminars, schooling or university, etc.


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Scientifically, the discussion of the flag salute in the form of a journal article has been explicitly written by some scholars, including Rokhmad⁴, Safrina⁵, Sari⁶, and Ibrahim⁷. Conscientiously, the theme of the banner’s respect has not been conveyed by the author, so this article is meant to discuss how the banner’s reverence contributes to the spread of moderate understanding to avoid religious doctrines that can degenerate the spirit of nationalism and unity of the nation by answering the question, how does the inevitability of human diversity in Islamic literacy?, how is the urgency of the flag in Islamic literature and how is the urgency of the flag’s respect in a state the perspective of the rule of law?

This article is descriptive qualitative research with an approach to bibliographic research. The data used to answer these problems are secondary data obtained from classical literature, journals, prosiding, e-media, and mainly Hadith books and Qur’anic verses and legislation. In this research, the first step is to gather empirical data from various sources and record the information obtained. Then, the data collected from these records are managed by authors and analyzed to obtain conclusions that can objectively answer the problem. In terms of analysis, the authors apply content analysis rules that we find inductively summarize the results.

Inevitability of Human Diversity

The diversity of humanity is a necessity, and the formation of tribes, tribes, races, and nations is human nature; this is clearly stated in the word of Allah SWT:

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⁶ Siska Diana Sari, “Cinta Tanah Air dan Salafus Shalih.”
“O humanity! Indeed, We created you from a male and a female, and made you into peoples and tribes so that you may ‘get to’ know one another. Surely, the most noble of you in the sight of Allah is the most righteous among you. Allah is truly All-Knowing, All-Aware.”

The verse elaborates by Quraish Shihab that the purpose of creation originates from men and women, Adam and Hawa’. But there are also some interpretations that human events originate from male sperm and female eggs. Then, the purpose of creating nations and tribes is not the intent of Bengsa as we meet today because nationality was not recognized at the time of the verse’s descent. The people referred to are the people or could also be the group. It is known only in the 17th century that Napoleon invaded Egypt and said: "You are Egyptians, not Turks." Napoleon’s words were meant to divide the Egyptians with the Turks, who were then in a Turkish caliphate.

At QS. al-Ḥujarāt: 13 it is also mentioned as being about getting to know one another. Quraish scholar Shihab explains that mutual acquaintance is a way to achieve a shared goal of mutual respect. Mutual respect is the goal with the start of recognition of existence. The recognition of existence exists because the need for mutual complementarity and mutual replenishment cannot occur if no one recognizes each other; therefore, mutual respect is the purpose. A veneration does not imply a mere acknowledgment of opinion and opinion but is also a religious one. And respect doesn’t have to accept all views. Furthermore, Allah SWT. He confirms that noble humans in His sight are the most pious. The attitude of righteousness is in the heart but can be seen on the surface, namely morals. A Muslim can be seen whether his Islam is good not from his prayers but his morals because the most influential thing in humans in the diversity of life is their morals or manners. Then, when Allah SWT. states that the noblest in His

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8 QS. al-Ḥujarāt: 13
sight is the most pious. We do not know who that person is, but we can judge it from their morals. As in the Hadith of the Prophet Muhammad SAW.: “Innāma Nakkumu bi al-Dhawāhir wa Allāh Yataballā al-Sarā’ir” - Indeed, we judge what is seen, and Allah Swt. deal with what's hidden.

The belief in human diversity is not only manifested solely in QS. al-Ḥujarāt: 13 above, the words of Allah Swt. others also indicate the presence of the Prophet, who preached the Quran in various communities or people; even Ibn Kathir writes about the absence of a race, but there has been a forewarning of it. This we can understand from QS. al-Ra’id: 7 “...Wa Likulli Qawmin Hādin...” - And for each of you, there are people who give a clue, QS. al-Nāḥāl: 36 “Walaqad Ba’atsnā Fī Kulli Ummatin Rasūlan...” - And indeed We have sent the apostles to all the faithful (to call), and dan QS. Fāṭir: 24; “Wa in Min Ummatin Illā Khalā Fihā Nadzīrūn” - And there are no people, but there is a warmer.

The number of prophets who gave warnings was only twenty-five, and only twenty-five revealed the whereabouts of the object of their preaching; Allah SWT did not tell the rest. Of the twenty-five Prophets, only four were sent from the Arab nation, according to the Hadith of Abu Dzarr ra. history of Ibn Hibban quoted by Ibn Kathir in al-Bidāyah wa al-Nihāyah:

"I (Abu Dzarr) asked: "O Rasulallah, how many were the Prophets?", The Prophet SAW. answered: “124,000”. I asked (again): "O Rasulallah, of those, how many became Rasul?" Prophet SAW. answered: "313 people". I asked (again): "Who is the earliest of them, O Rasulallah?" Prophet SAW answered: "Adam." I asked (again): "(He Prophet Adam) is a..."
Messenger?” Prophet SAW. answered: “Yes, Allah SWT. He created it from His two hands, breathed His spirit into it, and perfected its form.” He Saw. (next) said: ”O Abu Dzarr, there were 4 Apostles from the Syriac nation, namely Adam, Syits, Nuh, and Khanukh, he was Idris, the man who first wrote with a pen. 4 Apostles from the Arab nation, namely Hud, Shaleh, Syu’āib and your Prophet (this) O Abu Dzarr, and the first Apostle from the Israeli nation was Moses while the last was Isa. The first Prophet was Adam, and the final Prophet is your Prophet.”

Human diversity itself is also implied in the Qur’an, it can be seen in the expressions of the words of Allah SWT. who spoke to various human communities at that time with profanity, “Yā Ayyuhā al-Nās” - oh humans, “Yā Ayyuhā al-Kāfirūn” - oh disbelievers, Yā Ayyuhā alladzīna ‘Āmanū - oh people of faith. We can also concretely understand the existence of human diversity from the QS. al-A’rāf: 158, QS. Saba’: 28, QS. al-Furqān: 1, also the words of the Prophet SAW: 15

“I was given five things that were not given to any Prophet before me, namely: 1) I was helped by fear (of the enemy before my arrival) as far as a month’s journey, 2) The earth was made for me as a place of prostration and a means of purification (for tayammum), so wherever one of my people finds time to pray, let him pray, 3) It is permitted for me were the spoils of war which were never permitted to a Prophet before me, 4) I was given (the right of) intercession, 5) And the Prophets before I was sent specifically for their people, while I was sent for all mankind.”

From the explanation of Nuṣūṣ al-Shari‘ah (Verses and Hadiths) above, it cannot be denied the certainty of the existence of diverse human beings with various ethnic, cultural, linguistic, and national backgrounds. Denying its existence is the same as not believing in what has been conveyed by the Creator and the Most Noble.

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In the Indonesian context, Indonesian society is pluralistic. The pluralism of Indonesian society is caused by the internal conditions of the country and the Indonesian nation itself. The factors that cause the plurality of Indonesian society include geographic conditions, which are the main factor in creating ethnic plurality. For your information, Indonesia's territory consists of approximately 3000 miles from east to west and more than 1000 miles from north to south. Indonesia's plurality was also formed due to its location between the Indonesian ocean and the Pacific ocean, thus greatly influencing the creation of religious plurality in Indonesian society. The Hindu-Buddhist influence from India 400 years after Christ was the first to touch Indonesian society. Hinduism, Buddhism, Christianity, and Islam influence pluralistic Indonesian society. Meanwhile, pluralism is a characteristic of multiculturalism. Multiculturalism can be interpreted as a belief that ethnic or cultural groups (ethnic and cultural groups) can live side by side peacefully in the principle of coexistence, characterized by a willingness to respect other people's cultures. Multiculturalism is also a social formation that paves the way for creating spaces for diverse identities and a bridge that connects these spaces for integration.

The inevitability of this diversity is certainly not a basis for dividing each other, prioritizing the interests of each group, but rather a spirit to understand each other's differences and strengthen a sense of unity, especially in the context of the state. This concept was exemplified in the State of Medina, a concept of the State built by the Prophet Muhammad at that time. Based on the grace of Islam, several aspects that the Prophet Muhammad always strived for were maintaining unity and peace, prioritizing prosperity, and progressing civilization. This is as stated in Qs. Ali Imran (3):103. Allah commands Muslims to always adhere to and

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return all matters to Allah’s law, prohibiting conflicts that cause division.

**The Urgency of the Flag in the State**

The existence of the flag as a symbol and identity of society existed before the emergence of Islam. Flags as symbols in pre-Islamic times were used by Arabs in various colors and shapes tied to tall spears and carried by the command of war troops, and these war flags are usually referred to as al-Liwa’ or al-Rāyah as we can find in Jahili poetry (poetry before the arrival of Islam) such as that of `Antarah al-`Absi.18 Ribbons of specific colors tied to troop spears are also found as the identity of a particular troop, and precisely, the color white was chosen as a symbol of the very same safety flag we encounter in the present era. Rāyat al-`Uqāb (Eagle banner) is the name of the flag first used by the Prophet Muhammad as the identity of Islamic forces. Rāyat al-`Uqāb is a black square with the words Lā Ilāha Illā Allāh Muhammad Rasūl Allāh written in white in white with the style of ancient Arabic letters, made of wool. After the death of the Prophet SAW, the Khulafaurrasyidin also used this flag in their government.19 So, it can be understood that the Prophet first used the flag as the identity of war troops.

The flag can be interpreted as al-Rāyah or al-Liwa’ in Arabic literature. Some linguists equate the two, but some differentiate the use of the two words. Al-Liwa’ is also called al-`Alam, which means banner or banner; it is carried during war and can indicate the location or identity of troops. 20 However, some explain it differently, namely that the difference between the two is that the word al-Rāyah is usually used to refer to a war troop’s flag (pennant). Therefore, al-Rāyah is also called Umm al-Harb (War

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Command). Al-Rāyah was usually tied to a spear, a fort post, or a troop camp. Meanwhile, al-Liwā’ is a large flag stretched on a long stick and twisted on the stick when it does not want to be spread, it tends not to be spread if it is not needed.\(^\text{21}\)

The above understanding is supported by Ibn Hajar al-Asqalani in the book *Fatḥ al-Bārī* who defines *al-Rāyah* as the identity flag of a troop, usually held by the Troop Leader which is used to direct the troops. Ibnu Hajar added that linguists even equate *al-Rāyah* and *al-Liwā’,* but if you look at the Hadith narrated by Ahmad and al-Tirmidhi, it is explained that the two are different because *al-Rāyah* (flag) belonged to the Prophet is black while his *al-Liwā’* (banner) is white. A similar hadith was also explained by al-Thabrani with the additional editorial “*Maktūban fihi Lā Ilāha Illā Allāh Muḥammad Rasūl Allāh*” Written in it is the sentence “Lā Ilaḥa Illā Allāh Muḥammad Rasūl Allāh”, and *al-Rāyah* itself only appeared in various Hadith narrations in the event of al-Khaybar, before that the famous *al-Liwā’* was known to have been used by the Prophet in various war events.\(^\text{22}\) Another history states that the *al-Rāyah* Prophet is yellow.\(^\text{23}\)

The Umayyad dynasty that replaced Khulafaurrasyidin used green as the state flag. In contrast, the Abbasid dynasty that overthrew the power of the Umayyad dynasty used black as the base of the flag, like the Khulafaurrasyidin era, but had the name of the reigning caliph in white ink.\(^\text{24}\) The Fatimid dynasty, which carried out separatism from Abbasid power, tended to use white as the primary color of its flag, as opposed to the Black color of the Abbasid dynasty. The flag contains verses from the Koran, for example, QS. al-Isrā’: 81, QS. al-Naml: 79, QS. al-An’ām: 115 and so on, according to the policy tastes of the Fatimid rulers. The image

\(^{21}\) Muhammad Abdurrahman, كيف تطورت شعارات وأعلام المسلمين منذ ظهور الدعوة


\(^{24}\) Muhammad Abdurrahman, كيف تطورت شعارات وأعلام المسلمين منذ ظهور الدعوة

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of the crescent moon was also used by the Fatimid rulers, as stated by the Egyptian historian Taqiyyuddin al-Maqrizi. Later, the image of the crescent moon, first used by the Fatimid dynasty, was synonymous with Islamic art and used in the Ottoman dynasty.\textsuperscript{25}

The Ottoman dynasty used red as the basis of its state flag, which had a triangular shape. When the Ottoman dynasty conquered Constantinople under the command of Muhammad al-Fatih in 1453 H., the Ottoman dynasty flag added an image of a golden crescent moon with a red base. When the regions of Egypt and Syria joined Ottoman rule, the concept of the flag also changed according to the perspective of the Turks.\textsuperscript{26} And after the collapse of the Ottoman dynasty, countries were formed in the Middle East with various colors and models with their respective philosophical meanings as we find today. We also encounter similar things in Europe, the separatist regions of the British, French, German, Russian and other kingdoms also form a country with various flag colors and models that are different from each other. Likewise, in the plains of Asia, Mongols, Chinese, Koreans, Indians, and others have various colors that symbolize their existence, characteristics, and identity.

Seeing how long the history of flags is, even longer than history itself, the existence of flags for each region of a nation or tribe is natural and inevitable. The flag is not only an identity but also a symbol of the identity of the people of a nation. Even the national flag today has a psychological meaning for its people that is emotionally tied tightly to the heartstrings. Conceptually, it also represents the core values of a nation, a mirror of its history and struggle.\textsuperscript{27} For some people, flags are seen as a symbol of the soul of a society in terms of symbolic representation of national consciousness. Therefore, flags can cause people to sacrifice their


\textsuperscript{26} Muhammad Abdurrahman, كيف تطورت شعارات وأعلام المسلمين منذ ظهور الدولة الفاطمية Accessed August 17, 2021).

lives for their flag.\textsuperscript{28} Di era sekarang, eksistensi bendera menjadi keniscayaan yang tidak bisa dihindari oleh negara berdaulat, karena ia menjadi bukti kongkrit kedaulatan dan kemerdekaannya.\textsuperscript{29}

Thus, human diversity demands recognition from one another, where one ethnic group and another are required to help each other and work together to fulfill each other’s needs for good survival. So it is necessary to get to know each other, and to facilitate the acquaintance process, a symbol is needed that symbolizes identity, so naturally, the flag appears as a concrete means.

The national flag as a national identity is rooted in a national value, which means a group of people considered nationally to have a common identity, language, ideology, culture, history, and the same goals. The red and white flag, as a symbol of the identity of the Indonesian state, reflects the sovereignty and honor of the country obtained in the struggle for independent, all components of society from various ethnic groups and cultures unite in the same spirit to obtain independence.

Therefore, it is essential that the identity of the country, such as the flag, language, and national symbols, as well as the Indonesian national anthem, are a means of unification, identity, and a form of existence for the nation, which is a symbol of the sovereignty and honor of the country as mandated in Article 35 to Article 36 A and B the 1945 Constitution of the Republic of Indonesia.

The Urgency of Respecting the National Flag

Darul Ifta’ Egypt, which Sheikh Ali Jum’ah still led at that time, had concretely conveyed the permissibility of saluting the


\textsuperscript{29} Didik Sulaeman, Tata Upacara Bendera dan Tatakrama Terhadap sang Merah Putih (Bandung: Grimukti Pusaka, 1988).
national flag and standing when the national anthem was played. This fatwa was published on the dar-alifta.org website, which has even been translated into Indonesian.  

Egypt, which has well-structured religious institutions through religious education taught in stages at Al-Azhar, makes it the first reference country in terms of Islamic religious education. In contrast to Middle Eastern countries or other Islamic countries, which only teach and practice one school of jurisprudence, Egypt, with its Al-Azhar institution, which is nicknamed Mannâr al-Ilmi (Lighthouse of Knowledge), teaches a religious understanding of various schools of thought and its people to adhere to more than one sect. Therefore, in terms of being oriented towards science, Egypt should be prioritized in order to obtain a good and moderate religious understanding.  

The Fatwa with serial number 4463 is presented comprehensively, starting with the history of the flag, the flag of the Prophet Muhammad, to the urgency of the flag as a symbol and identity. It is well known that in the field of Fiqh Proposals, it has been stated that the original law for all cases is permissible as long as no argument prohibits it. As QS. al-An`ām: 119 and the sayings of the Prophet history of Ibn Majah and al-Tirmidzi:  

“Halal things are those that Allah has permitted in His Holy Book, and haram things are those that He has forbidden in His Holy Book. Meanwhile, something that He keeps silent about is among those that He forgives.” (Hadith narrated by Ibnu Majah and al-Tirmidzi)  

It is also stated in the Sharia rule that the law of means is in accordance with the law of the goal. So, if someone respects the flag because of his love for his homeland, it can be concluded that respecting the flag is a means of realizing love. It cannot be denied

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30 Darul Ifta’, Hukum Hormat Bendera dan Berdiri Saat Dinyanyikan Lagu Kebangsaan.
32 Ibid.
that loving one's homeland is a must, so respecting the flag is automatically a must. Allah SWT. has created the human soul by loving its homeland and longing for it. We can find this in the attitude of the Prophet SAW. when standing in Hazwarah (corner of Mecca), he expressed his desire to live in his homeland of Mecca, where he once said:\textsuperscript{35}

“By Allah, you are the best and most beloved land to Allah. Had I not been driven away from you, I would not have left you.”

Also, a Hadith was narrated by Bukhari about how the Prophet saw. really loves and misses Medina, his second homeland. Friend of Anas bin Malik ra. narrates that the Prophet saw. If he returned from a long journey and saw the high streets of Medina (from a distance), he immediately accelerated his camel, intending to arrive as soon as possible. Ibn Hajar commented on this hadith: “In this Hadith, there is an argument about the primacy of Medina, and it is stated that love for the homeland and longing for it.”\textsuperscript{36}

Friend Ja’far bin Abi Talib ra has also exemplified respect for the flag so that you have to risk your life when he gave up both of his arms and was martyred in the Mu’tah war for the sake of upholding the flag or pennant of the Muslim troops.\textsuperscript{37} Thus, it can be understood that the struggle of the nation’s heroes to uphold the national flag to defend independence, as in the incident of the jihad resolution on 10 November in Surabaya, is classified as \textit{jihād fī sabīlillāh} which has the proposition of \textit{sāriḥ} (clearly written) nan \textit{sāḥīḥ} (genuine, authentic). So, commemorating the struggle of heroes by holding ceremonies and saluting flags does not violate sharia.

If you look closely at the ceremonal flag ceremony, none of it contains an invitation to shirk, even in the program that aims to love the country, remember the services of heroes, give thanks, and

\textsuperscript{35} Muhammad bin Isa bin Sawrah al-Tirmidzi, \textit{Sunan al-Tirmidzi} Vol V, 679.
\textsuperscript{36} Ahmad bin Ali bin Hajar al-Asqalani, \textit{Fatḥ al-Bāri Sharḥ Sahīh al-Bukhārī} Vol. III, 726.
pray to God Almighty. Therefore, ceremonies for students who are affiliated with NU mass organizations or who adhere to the Ahlu Sunnah creed, namely Asy’ariyah-Maturidiyah, by following one of the four schools of Islamic jurisprudence of mu’tabarah and Sufism like the Egyptian Al-Azhar institution, will have a moderate understanding. Not textual, namely that the flag ceremony is not only a medium for expressing love for the nation and remembering the services of heroes, but it is a form of expression of gratitude that a Muslim should carry out for the blessings that Allah SWT has given, and expressing feelings can be done in any way as long as there is no explicit prohibition against that postulate.

Then, the excuse for prohibiting respecting the flag in ceremonies because it resembles infidel Westerners can be refuted with the evidence from the Hadith of Ibn Abbas Ra. which tells the expression of joy and gratitude of friend Ja’far al-Thayyar Ra. when worshiped by the Prophet SAW. who said that he (Ja’far) resembled the appearance and morals of the Prophet Muhammad, at that time, Ja’far’s friend was also the Prophet’s cousin. He got up and walked, hopping on one leg around the Prophet. This expression of joy made the Prophet SAW. ask, "What is this, O Ja’far?” Ja’far answered, "O Messenger of Allah, King Najasyi, if he makes someone happy, he gets up and walks, hopping on one leg around that person.” The meaning of the ḍāhir of this history is; what did the Prophet’s cousin do? This is the habit of the Christian people of Habasyah (Ethiopia) and the attitude of the Prophet. was iqrār (approval) towards him, because he did not deny Ja’far when he imitated what the Habasyah Christians did. So this is a naṣṣ that is truly ṣarīḥ that being different from non-Muslims is not obligatory and is even permissible. Like making a corpse coffin initiated by Asma’ bintu ‘Umais ra. for the Sayyidah of Fatimah when she died, which imitated the shape of the Habasyah people’s coffin.

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38 QS. Yunus: 58
40 Darul Ifta’, Hukum Hormat Bendera dan Berdiri Saat Dinyanyikan Lagu Kebangsaan.
Thus, it can be concluded that those who consider flag ceremonies to be heretical behavior and tend to be shirk are textualists, as Quraish Shihab labeled them. According to him, respect for the flag cannot be equated with glorifying Almighty Allah. Respectfully standing with a perfect attitude during the ceremony when the flag is raised does not mean worshiping and exalting it like glorifying Allah SWT. Likewise, regarding the respect of the leaders and leaders of the ceremony, it is not about cultivating and praising them. Prophet saw. He also once performed a standing salute when a Jewish body passed before him, and he respected the Prophet. The corpse is also not glorifying, let alone cultivating, Jews, but merely respecting them on humanitarian grounds.

For textualists, which we often find in fatwas and opinions of Saudi Wahhabi ulama, *Tark al-Nabī* is an attitude of the Prophet not doing a certain thing is an argument that that thing is forbidden. However, for the majority of Ulama, *Tark al-Nabī* does not give birth to any law, because there needs to be supporting arguments if the Prophet leaves something behind. It is haram, makruh, permissible, sunnah, or even obligatory. If the Prophet saw. not carrying out a flag ceremony does not mean you will automatically be condemned as haram or heresy because you need other supporting data to make it haram. So, the explanation of the arguments and postulates of the Qur’an and Hadith above shows that Islamic sharia allows saluting the flag and even remembers that Allah SWT emphasizes love for one’s country and gratitude in the Qur’an.

As Darul Ifta’ Egypt says, if in Islamic law love of soil is a matter that is required, as has been stipulated in several

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propositions, then the means to realize it, the original law of which is permissible, will become necessary. This necessity is even more emphasized if the attitude of not wanting to stand when raising the flag is viewed by people or customs as a sign or indication of a lack of respect from the perpetrator. Thus, it can be concluded that the urgency of honoring the flag in ceremonies is an expression of gratitude, love for the homeland, a method of remembering the warriors and congregational prayer for the departed souls and the good of the nation as required by sharia. The existence of a national anthem in ceremonial ceremonies is just a symbol whose sentence structure does not contain a shirk and is just a sound. And the good sound is good, while the bad sound is bad. The proposition regarding the prohibition of music is ṣaḥīḥ, but not ṣarīḥ, while the proposition that ṣarīḥ is not ṣaḥīḥ.

The debate regarding respecting the flag was brought into the spotlight again by the public when there were government officials who some groups considered not to respect the red and white flag. responding to this matter must be viewed from the perspective of positive law or existing statutory provisions. So far, the regulations related to flag respect can be found in Government Regulation Number 40 of 1958 concerning the National Flag of the Republic of Indonesia (from now on abbreviated to PP. Number 40/1958) and Law Number 24 of 2009 concerning the Flag, Language, and National Emblem, as well as the National Anthem (from now on abbreviated to Law Number 24/2009), the formation of this Law is a mandate from Article 36 C of the 1945 Constitution of the Republic of Indonesia. PP. Number 40/1958 is still valid as long as it does not conflict with or has not been replaced as per the transitional provisions in Article 72 of Law Number 24/2009.

The legal politics of the establishment of Law Number 24/2009 is intended to strengthen unity and unity, maintain the honor that shows the sovereignty of the nation and the Unitary

44 Darul Ifta’, Hukum Hormat Bendera dan Berdiri Saat Dinyanyikan Lagu Kebangsaan.
State of the Republic of Indonesia, and create order, certainty, and standardization of the use of the flag, language, and state symbols, as well as the national anthem. It is clearly stated in the preamble to the letter of the Law that "the flag, language, and symbols of the country, as well as the Indonesian national anthem, are a means of unification, identity and a form of existence for the nation which is a symbol of the sovereignty and honor of the country as mandated in the Constitution of the Republic of Indonesia in 1945". Furthermore, there is an assertion that this national identity is a cultural manifestation rooted in the history of the struggle to obtain independence. This provision is clearly stated in the preamble to letter b of Law Number 24/2009, which states "that the flag, language, and national symbols, as well as the Indonesian national anthem, are cultural manifestations rooted in the history of the nation's struggle, unity in cultural diversity, and equality in realizing the ideals of the nation and the Unitary State of the Republic of Indonesia".

Regarding respect for the flag, in Article 20 PP. Number 40/1958 and Article 15 of Law Number 24/2009, the provisions for respecting the flag in both regulations are more or less the same and are intended for official ceremonies, namely a respectful attitude by standing up straight and solemnly (remaining silent) while facing the State Flag until the raising or lowering of the state flag is completed (there is no obligation to raise your hands in front of your eyebrows).

Every citizen must uphold the state's identity as a feeling of love and acknowledge the sovereignty and honor of the state, one of which is a respectful attitude at the state flag ceremony. Of course, attitudes that reflect rejection or even harassment of the honor of the state's identity deserve to be sanctioned, because they are considered inappropriate. Appreciate the struggle for independence and sovereignty of the Indonesian state. So, any insult to the state's identity should be regulated by sanctions in Law Number 24/2009. The forms of desecration of the state's
symbols are as follows: 1. Desecrating, which has the same meaning as insulting, can be done in several ways, for example: urinating on, tearing, smearing with feces. 2. Harassment, namely humiliating, looking down on, ignoring something. 3. Degrading the honor of the state symbol, such as crossing out, writing, drawing on, or damaging the state symbol. The existence of Law Number 24/2009 is expected to overcome various problems related to the practice of using state identity and various matters related to procedures for using the Flag, Language, and National Emblem, as well as the National Anthem. This includes criminal provisions for anyone who intentionally violates the provisions contained in this law.

Conclusion

The vast expanse of the world has naturally formed the diversity of humanity in tribes and nations; this is Sunnatullah. To complement each other, an identity is needed, so the flag emerged as the country’s symbol. Sharia rules as adhered to by all jurists state that as long as everything is permissible, it is permissible as long as there are no ṣāriḥ and ṣaḥīḥ arguments that make it haram, makhruh, sunnah or obligatory. In connection with respecting the flag as an expression of gratitude and love for the soil, remembering the services of heroes through ceremonial ceremonies which are proven to contain no shirk sentences in the national anthem, the message from the ceremony supervisor, and the prayer sentences read at the end of the event are permissible, recommended and even obligatory based on the ṣaḥīḥ arguments above even though it is not ṣāriḥ. Respecting the national flag is a must, because in state ceremonies where standing when the national anthem is sung or when the flag is hoisted is a sign of ʿurf (customary) respect, and conversely not doing so can be considered an act of disrespect, so standing is more recommended. In this case, if not standing respectfully can trigger division and

Read Article 66 to Article 71 of Law Number 24/2009 concerning the National Flag, Language and Emblem, and the National Anthem.
hatred, then that person must stand up to implement good ethics and noble morals in the state.

Respect for the flag is stated in the statutory regulations in Article 20 PP. Number 40/1958 and Article 15 of Law Number 24/2009, the provisions for respecting the flag in both regulations are more or less the same and are intended for official ceremonies, namely a respectful attitude by standing up straight and solemnly (remaining silent) while facing the State Flag until the raising or lowering of the state flag is completed (there is no obligation to raise your hands in front of your eyebrows). Every citizen must uphold the state’s identity as a feeling of love and acknowledge the sovereignty and honor of the state, one of which is a respectful attitude at the state flag ceremony. Of course, attitudes that reflect rejection or even harassment of the honor of the state’s identity deserve to be sanctioned.

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