

Transformation of Political Leadership in Indonesia According to Islamic Law: A Study of SIYASAH SYAR'I

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Abstract

The aim of this research is to determine the transformation of political leadership in Indonesia according to Islamic law. In the study of siyasah syar'i, political leadership must not be obtained through dirty means but through agreed mechanisms. Siyasah syar'i is present as a mediator in the midst of leadership conflicts so that the resulting leaders can carry out their functions as community services. The method used in this research is qualitative descriptive by reviewing data found in the field and processed through literature review. The research results show that political leadership in Indonesia only carries out its functions normatively and it is necessary to strengthen Islamic law so that political leadership runs conductively. Siyasah syar'i is a method formulated by Ulama which was formulated in Islamic studies to find answers to political leadership in Indonesia. The source of siyasah syar'i studies adopted the leadership system of the Prophet Muhammad in governing the State of Medina.

Keywords: Transformation, Leadership, Political, Islamic, Law.

Islamic law is a law that has static and dynamic characteristics. It is said to be static because it originates from the Qur'an and hadith in every aspect of human life and it is said to be dynamic because it is able to answer all problems and is in accordance with developments in time, place and circumstances, and is suitable to be placed in all kinds of social structures of life, both individually or collectively in society so that the Qur'an is guidance and guidance for all mankind, containing many legal aspects. (Chua, L. J., & Engel, D. M, 2019).

Islamic law as God's regulations for humans is certainly not without purpose but was born for

the welfare of humans themselves. The embodiment of Allah's commands through the Koran and its explanation can be illustrated from the hadith of the Prophet Muhammad. Islamic law is comprehensive, not only regulating how humans worship their God, but also regulating all aspects of life. Islamic law is God's decree that requires humans to direct their lives. (Abdullatif, Bashir, and Mohd Farid Mohd Sharif, 2020)

To realize God's will so that human life can be happy, leaders are needed who can protect and guide in a better direction. Leaders are a group that can direct people to fulfill their desires. This association cannot be separated from its

existence as a unifying entity that is obeyed. In the view of Islamic law, leaders are the front guard in a state and society in order to provide protection from disturbances (Majid Junaidi, J. L. A., & Nazri, M. A, 2022).

Within the scope of the smallest communities, the presence of leaders is very necessary in realizing an order of justice as a unifying pillar to maintain the continuity of religious teachings. Through the function of a leader, it is hoped that he can control and protect sharia policies to unite everything from the smallest community to the largest community in the fabric of national life through political implementation in a country. (Anang Setiawan, E. A, 2019)

The problem of leaders in Islamic law has always been a topic of discussion in the country's political system. In a country, of course, the presence of a head of state is needed as the center of leadership. The election of the head of state is an important matter and gets attention in Islam, because it is of course a lifelong need for mankind. Changes that occur in society also receive attention because they also influence leadership in society. (Nasrulloh, A. M., & Nurrohman, N, 2023).

Islamic law considers that leadership is closely related to the existence of power. Matters related to power are known as politics as an effort to solve problems. In the modern era, Islamic law plays a very significant role in demanding change. Many new cases that have emerged in the modern era have not been explained in the Al-Qur'an and Al-Hadith, so they require interpretation in the field of Islamic law. Experts in the field of Islamic law strive to make legal discoveries so that the cases at hand can be resolved. (Gazi, Md. A, 2020).

In the context of leadership, legal cases that must be resolved concern corruption issues. Many officials are very happy with the culture of corruption which is carried out in various ways. Various cases of corruption occur as a result of laws and regulations being violated by government officials, government organizations

and private organizations. Apart from that, there is abuse of power and authority in office so that with power and authority in any form or level a person tends to have opportunities for corruption. (Islam, T., Ahmed, I., Ali, M., Ahmer, Z., & Usman, B, 2022).

Islamic law in Indonesia exists to influence state administrators so that they can be consistent in implementing Islamic teachings as a source of law so that the culture of corruption can be eliminated. Arguments packaged in Islamic law can be in the form of commands or prohibitions as the main source of problem solving. The societal problems that occur in the current context require solutions in Islamic law that can work independently to free society from the shadow of destruction.

METHOD

This research uses a normative method with a qualitative approach based on the study of *siyasah syar'i*. The conceptual approach used in the research is intended to analyze political leadership problems by looking for answers to Islamic legal issues that occur so that there is compatibility between the approach used and legal issues as a substantial consideration in order to find a leadership model based on *siyasah syar'i* as a barometer of leadership models. which the Prophet had implemented in Medina. The data found through literature review is analyzed to find answers to the problems studied. (Checkland, P., & Poulter, J. (2020).

RESULTS AND DISCUSSION

1. Transformation of Political Leadership in Islamic Law

Political leadership is a mission that was born since the existence of humans as a form of accountability to Allah so that the management of the earth can be regulated based on natural law. Choosing a leader is part of the political arena which is packaged in the form of election or acclamation. In choosing a leader, of course, more established social conditions are needed so

that future leaders will be born. (Anselmann, V., & Mulder, R. H., 2020).

Islamic law as the main source in selecting leaders certainly refers to the main rules, namely *maqashid al-Shariah*. In the basic principles of Islamic law, leaders are chosen based on their ability to carry out their mandate, not based on emotional ties. The reference for Islamic law in choosing leaders is based on the common good, not because of personal or group interests. In Islamic law, there are five standards of political leadership, namely guarding religion, guarding the soul, guarding reason, guarding descendants, and guarding property. (M. Arif, , 2021).

These five standards of political leadership must of course be able to protect the community in the government system so that integrity in the state is maintained. Islamic law can certainly be a unifying pillar in maintaining religious commitment as the main goal. The contribution of Islamic law in political leadership must be able to revitalize a situation that can give birth to a generation that unifies the nation so that the mission envisioned can become a reality according to the goals formulated by Islamic law. The concept of Islamic law in selecting leaders must go through careful consideration so that the resulting leaders can work optimally in realizing the common good. (Kurniawatie, N, 2018).

To get good leaders in Indonesia, a process is needed that considers all aspects, both relating to the personality of the leader, the social conditions of the community he leads and the regulations used as a legal basis. The majority of Indonesia's population is Muslim, so it appears on the surface that Muslim citizens are more dominant in all aspects of life. This could be due to, among other things, the ego of the majority giving rise to minority tyranny, or because of a need wrapped up in the interest of having more contact with Muslims.

Choosing leaders based on Islamic morals in Indonesia is the standard used, because this is guaranteed by law, namely the principle of general, direct, public, free and secret elections. Preventing someone from exercising their right

to vote freely according to their conscience is a violation of the law. Likewise, influencing potential voters by intimidating, vilifying potential leaders in Indonesia on the basis of religious background, race, origin and the like is prohibited. (Miroj, A. N., Saputra, B. R., & Gunawan, I, 2020).

Islam is a religion that orders its adherents to obey the rules that apply wherever they are, as long as it is for the benefit of the world and the hereafter. The basics of leadership in Islam imply the need for a leader in a place or region for the benefit of the population in that region. Living in harmony between fellow human beings, whatever their background, is the goal of Islamic law. (B. A., Raya, A. T., & Tahir, M. S., 2022)

The purpose of leadership in Islamic law cannot be understood rigidly without opening up space for a new understanding of adjustments to the conditions that exist in the lives of Muslims. The formulation which is the conceptual basis surrounding the life of the people, does not stop at one point of understanding, but is always possible to be understood in different contextual ways without deviating from the spirit of Islamic law, which is important to lead to the benefit of the people and the benefit of the nation.

The Indonesian nation has a complex diversity of life, so to manage this diverse life, Pancasila is one solution for national and state life, including in terms of choosing leaders. The position of Islamic law as a source of law adhered to by the majority of Indonesian society, provides a general umbrella in Islam as requirements for becoming a leader, such as having accurate personal data, being able to be physically and spiritually, never being involved in acts that violate religion and morals, having a track record as a defender of truth and justice, having a high social spirit for the welfare of the people. (Ghofur, A., & Ismanto, K, 2022).

2. The Influence of Islamic Law in the Social Sector

Social structure is understood as a social building consisting of various elements that form society. These elements are interconnected with

one another. If there is a change in one element, the other elements will also experience changes. The elements that form society can be humans or individuals who exist as members of society, a place of residence or an environmental area where the society is located and also the culture and values and norms that regulate life together. (Daniel Nawoseing'ollan, and Josse Roussel, 2017)

The social structure of a society is actually a social and natural process that takes place over a very long time. The social structure in a society will actually have several functions. Social structure is an instrument of society that organizes life as a whole in all aspects of life. Social structure is a characteristic that is unique and owned by a society so that it can give a different color from other societies. Social structure functions as a chain system in organizing every aspect of life so that it becomes orderly and harmonious. (Matias Dewey, Cornelia Woll, And Lucas Ronconi (2021

In the context of Islamic law, women's participation in public space occurred in the early days of Islam, of course it has changed in the current context. Women expressed their protest because they wanted equality in all sectors. Women feel uncomfortable with the social construction that surrounds them. The rules, views, beliefs, even the religious language used seems to subordinate them. (Weol Kalangi, S., , W., Tulung, J., & Rogahang, H, 2021).

In the current context, efforts to liberate women from male domination continue to be fought for by various groups of scientists and academics in various countries in the world. It is not only a discourse and phenomenon for certain groups, but is more of a global problem that crosses space and time. It cannot be denied that women's public role in the course of history has had its ups and downs.

In the era of the rise of Muslims, women's public role was very slow but progressed quite significantly. In the Indonesian context, in line with the era of openness and the upholding of democratic values, as well as the increasing

openness of religious interpretations that are more moderate and uphold the values of equality, the public role of women is starting to be taken into account and recognized by society. Not a few women occupy strategic positions in public institutions. (Bosch, D., 2013).

In the era of the third millennium, women's political leadership is still controversial, the majority of ulama prohibit women from becoming leaders in public affairs. However, some scholars still allow women to be leaders outside the household because the Koran indicates that women can become leaders, not just men. The reason women cannot become leaders is because of psychological conditions that weaken them in decision making.

However, Islam as a universal religion does not place the rights and obligations that exist in human anatomy in opposing positions, rights and obligations are always equal in the Islamic view for men and women. Islam also upholds the concept of justice for anyone regardless of gender. Muslim women have a very strategic role in educating people, improving society, and building a society that lives in its era with the superiority of civilization.

In Islamic law, every human being has the right to be a leader as long as he is able to carry out his duties fairly and wisely, because gender differences are differences between men and women based on social construction, not on gender. Cooperation between men and women is also very important, to help each other, both for work purposes and for religious purposes. (Khoiri, N., Harahap, I., & Latif, M. S. A, 2022)

In achieving goodness and achievement, responsibility between men and women is needed in various sectors, so that whatever gender you have, you still have the right to be a leader. The measure of leadership in Islamic law can be assessed from scientific capability, capacity and quality as well as being able to bring benefit to the people, nation and state.

3. Problems of Political Leadership in Islamic Law

The problem of determining the mechanism for selecting regional heads in Indonesia can be done through direct election by the people or indirect election by the Regional People's Representative Council. To determine the right choice of mechanism that should be implemented, it is not enough to refer only to the applicable laws and regulations but requires other approaches for consideration. (M. Dalimunthe, 2020).

The problem of direct and indirect election mechanisms in regional head elections is a big concern for society in the constitutional system in Indonesia. Problems certainly require other perspectives for consideration. Islamic law perspective Regarding direct and indirect mechanisms in regional head elections, there are different views. (Alonderiene, R. and , 2016)

According to Islamic law, the mechanism for selecting regional heads is a method of selecting people's representatives because in Islamic law the goal to be achieved in leadership is that there are no difficulties for Muslims. People can choose based on methods that are in line with the demands of the era, place and time, as long as they do not go outside the limits of the Shari'a. From an Islamic law perspective, there are basic principles that must be implemented in selecting regional heads through the principle of deliberation. (Dewi, E. R., 2020).

According to Islamic law, there are no textual rules governing the method of selecting regional heads, either directly or indirectly. However, most scholars believe that elections are not against Islam. This system is a creation of modern civilization that does not conflict with Islamic teachings. During its development, there were differences of opinion among the Ulama regarding the election of regional heads. Some say that general elections are the method used to elect people's representatives to sit in the people's representative assembly. However, different opinions state that leaders are chosen based on deliberation (Charis F, Muhammad, Muhammad Ammar A, Danar Wijokongko, and Muhammad Al-Faza, 2020).

4. Political Leadership According to Siyasaah Syar'i

In the study of siyasah syar'i, leadership is an inseparable part of the relationship between society and the state. Siyasaah syar'i is more specific in the field of muamalah by studying social phenomena and the ins and outs of state and government regulations to realize common interests. (Hudayati, A., & Tohirin, A, 2019).

In the Siyasaah syar'i view, government must adhere to the formal legal principles contained in the Medina charter. The steps taken are to organize the internal life of Muslims without looking at the differences that arise and unite the disputing parties through mutual agreement. Siyasaah syar'i considers that the government must be able to unite heterogeneous communities to prevent conflicts from arising between them in order to guarantee internal order, to conclude peace agreements between neighbors to ensure external order, and guarantee freedom for all groups. (Mohd Shukri Hanapi, 2013)

Social institutions in the context of siyasah syar'i must be able to build government by establishing harmonious relations between Muslim and non Muslim citizens. However, they enjoy the same rights in terms of protection and security of life, self-defense, freedom of religion, freedom of opinion and standing before the law. (Jasser Auda, 2008).

In maintaining state sovereignty, the government must not be authoritarian because it can trigger disputes between people. Government must run democratically. The character of a leader must be above all groups without taking sides so that he can prioritize the public interest above personal or group interests. (Kholish, N., & Roy, M, 2020).

The principle of government in siyasah syar'i refers to honesty so that decisions taken by the government are not easily influenced by circumstances. This commitment must be maintained as a responsibility to society and God. In the state system, honesty is a fixed price in the soul of leaders so that they are not easily swayed in decision making. The government

must be able to pay attention to all sectors in order to create state stability. (Abdurrohman Kasdi, 2019)

The foundation built in *siyasah syar'i* requires government morality so that the state is strong and legal certainty can operate clearly based on the supremacy created. The ethics of a leader are at stake in the national spirit because they have to deal with varied elements of society so that they demand role models that can build the leader's spiritual soul. The contextualization of *siyasah syar'i* cannot be doubted in government because it has a clear reference source and was once practiced by the Prophet in the government system in Medina. (Oladapo, I. A., & Rahman, A. A, 2016).

CLOSING

Islamic law as a source of law adopted in Indonesia certainly responds strongly in choosing a leader. The goal to be achieved in leadership is to achieve the common good, not to save the interests of groups or individuals. In Islamic law, leaders are tasked with protecting the community in the context of fulfilling needs so that service functions can run optimally. The practice of leadership has been implemented by the Prophet Muhammad when he was in Medina, who was able to accommodate all interests from various groups. The implementation of Islamic law in political leadership cannot be separated from the rules of *siyasah syar'i* which regulate the system in leadership. *Siyasah syar'i* has a formulation, limitations, and methods so that leaders are controlled in carrying out state duties.

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