

Author:

^{1*}Maryanto, ²Muh. Isna Nurdin
Wibisana, ³Bambang
Sumardjoko

Affiliation:

^{1,2}Universitas PGRI Semarang,
Indonesia

³Universitas Muhammadiyah
Surakarta, Indonesia

Corresponding author:

*maryanto@upgris.ac.id

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Contemporary Islamic Legal Perspectives on Qualification Policy Politics in Indonesia

Abstract: This study investigates contemporary Islamic legal perspectives on qualification policy in Indonesia, with particular attention to the formulation and implementation of standards for public and religious office. It examines how key actors—religious leaders, bureaucratic officials, and academics—perceive, interpret, and respond to these policies within the framework of *Sharīʿah* values. Adopting a qualitative, field-based research approach, data were collected through in-depth interviews, participant observation, and document analysis across selected governmental and religious institutions. The findings reveal a persistent tension between the normative principles of Islamic law—such as justice (*al-ʿadl*), public interest (*maṣlaḥah*), and competence (*kifāyah*)—and the political realities influencing qualification policies, which are often shaped by administrative logic and pragmatic interests. Although policy discourse frequently invokes the integration of Islamic values, implementation in practice demonstrates that bureaucratic dominance frequently marginalizes substantive Islamic ethical principles. This research contributes to contemporary Islamic legal scholarship by illustrating the interaction between *Sharīʿah* principles and legal-political practices in Indonesia. It also provides a normative-critical analytical framework for developing qualification policies that are more just, inclusive, and firmly anchored in *Sharīʿah* values while remaining compatible with modern governance structures.

Keywords: Islamic Law, Justice, Legal Politics, *Maṣlaḥah*, Qualification Policy.

INTRODUCTION

In the modern government system, the qualification policy has a very important role as a tool to measure a person's eligibility to occupy public office and religious professions. Qualifications are not only concerned with administrative and academic competence, but also related to aspects of morality, integrity, and social legitimacy. In Indonesia, as a country with a Muslim majority population and a legal system that is open to religious values, the qualification policy has become a meeting ground between positive legal rules, social norms, and sharia principles. The problem is that how the state formulates and implements this policy is often inseparable from the political dynamics that affect both the process and the results.¹

Theoretically, Islamic law has strong principles in determining a person's qualifications to hold a trust. In much classical and contemporary literature, the terms of leadership and scholarship have always been associated with high moral and spiritual responsibility. However, in policy practice in Indonesia, qualification standards are often influenced by political, bureaucratic, and even pragmatic considerations, resulting in an imbalance between the idealism of Islamic law and the reality on the ground. This raises fundamental questions about the position of Islamic values in determining the direction and content of public policy in the democratic era.²

A number of previous studies have attempted to explain the relationship between Islamic law and qualification policies. For example, Fikriana et al. (2024) found that the selection process for public officials at the regional level is often colored by the practice of patronage and political affiliation that shifts the principles of Islamic meritocracy.³ Zainal Abidin (2022), in his research highlights how the policy of determining qualifications for

¹ Erlin Elisa et al., 'Kriteria Calon Pemimpin Kalangan Masyarakat dengan Classifier Algorithm Method', *Prosiding Seminar Nasional Ilmu Sosial dan Teknologi (SNISTEK)* 2 (November 2019): 91-96.

² Abdul Manaf, 'Teori Kepemimpinan Dalam Perspektif Fiqih Siyasah Syi' Ah Dan Sunni', *SANGAJI: Jurnal Pemikiran Syariah Dan Hukum* 7, no. 1 (2023): 1, <https://doi.org/10.52266/sangaji.v7i1.1560>.

³ Askana Fikriana and M. Kahfi Rezki, 'Etika Politik Dan Kualifikasi Calon Legislatif Dalam Pemilu: Perspektif Fiqih Siyasah', *ALADALAH: Jurnal Politik, Sosial, Hukum Dan Humaniora* 2, no. 1 (2024): 235-248, <https://doi.org/10.59246/aladalah.v2i1.657>.

religious positions is often manipulated for the benefit of certain groups, thereby weakening the moral legitimacy of appointed officials.⁴ Meanwhile, Rahmawati et al. (2025) examined the role of fatwa in influencing the professional standards of religious teachers, who often experience a tug-of-war between religious authorities and the state.⁵ Although relevant, the three studies have not directly touched on how contemporary Islamic law conceptually and practically responds to the politics of qualification policy holistically.

This is where the research gap that this research wants to fill. So far, existing studies tend to be descriptive or normative and limited to certain sectors. Not many studies have used field approaches to uncover how social actors—such as clerics, bureaucrats, academics, and civil society—understand, respond, or even negotiate qualification policies in the context of changing power politics. In fact, these responses are essential to capture the actual and complex dynamics of the interaction between religious values and state policies. Moreover, in the context of contemporary Islamic law, there needs to be a rereading of classical principles regarding qualifications in order to remain relevant to modern realities. For example, the concept of *ahl al-ḥall wa al-ʿaql* as a group of experts who determine the feasibility of leaders in classical literature can be reinterpreted as the participation of the public and professional institutions in the selection process for public positions in the democratic era. Similarly, the principle of *maṣlaḥah* as the goal of Islamic law needs to be used as a benchmark in assessing the extent to which a qualification policy brings real benefits to the ummah and the nation, not just fulfilling formal procedures.

This research offers a novelty in the form of a field approach that combines in-depth interviews, observations, and documentation to explore the perceptions and attitudes of actors towards qualification policies. With this approach, the study sees not only Islamic law as a collection of norms, but also as a social practice that lives and interacts

⁴ Zainal Abidin, 'Dinamika Kebijakan Seleksi Pimpinan Perguruan Tinggi Keagamaan Islam Negeri', *LEADERIA: Jurnal Manajemen Pendidikan Islam* 3, no. 2 (2022): 2, <https://doi.org/10.35719/leaderia.v3i2.395>.

⁵ Nur Halyza Rahmawati et al., 'Relevansi Syarat-Syarat Guru Profesional Menurut Undang-Undang Dan Menurut Islam', *QOSIM: Jurnal Pendidikan Sosial & Humaniora* 3, no. 1 (2025): 1, <https://doi.org/10.61104/jq.v3i1.825>.

with power, regulation, and the public interest. On the other hand, this study also seeks to develop an integrative analysis model that can accommodate normative, sociological, and political approaches in assessing public policy from an Islamic perspective. Practically, this research is expected to provide input for policymakers to consider Islamic values more substantially in determining criteria and qualification mechanisms. The qualification criteria should not only emphasize the administrative and legal-formal aspects, but should also reflect moral integrity and social responsibility. Thus, the qualification policy can be an instrument that is fair, transparent, and beneficial to the wider community, and in line with Sharia principles.

With this background and framework, this study aims to critically analyze how contemporary Islamic law responds to the politics of qualification policies in Indonesia. The main focus is directed at the interaction between Sharia values and public policy dynamics, as well as how social actors respond to the tensions between religious norms and political practices. This research is also expected to make a theoretical contribution to the development of Islamic legal thought in the context of the modern nation-state, as well as to enrich the academic literature in the fields of law, politics, and values-based public policy studies. Based on these objectives, the main question that this study aims to answer is: "How does the perspective of contemporary Islamic law interpret and respond to political dynamics in the policy of qualification for public and religious positions in Indonesia?"

METHOD

This research uses a qualitative approach⁶ with a type of field research that focuses on exploring the meaning, understanding, and response of actors to qualification policies in public and religious positions in Indonesia. This approach was chosen because it is able to capture social, political, and legal dynamics contextually, as well as reveal how Sharia values are understood and articulated in contemporary policy practices. The research location includes several strategic institutions, both state institutions and religious

⁶ Burhan Bungin, *Analisis Data Penelitian Kualitatif* (PT Raja Grafindo Persada, 2003).

institutions, that are directly involved in the process of formulating and implementing qualification policies, such as relevant ministries, regional offices of the Ministry of Religious Affairs, Islamic organizations, and Islamic higher education institutions. The research subjects consist of religious figures, bureaucratic officials, and academics who are considered to have authority and experience in the field of Islamic law and public policy.

The data collection technique was carried out through semi-structured in-depth interviews with key informants to obtain their views comprehensively. In addition, participatory observation is used to observe institutional dynamics and decision-making processes, while documentation studies are carried out on various official documents such as government regulations, qualification standard guidelines, religious fatwas, and the results of relevant academic studies. The data obtained was analyzed descriptively-qualitatively through three main stages, namely data reduction, data presentation, and conclusion drawn. Data reduction is carried out by filtering relevant information from various sources, and then the data is arranged in thematic categories for in-depth analysis. Conclusions are drawn with an interpretive approach, combining findings in the field with the framework of contemporary Islamic legal theory and legal political theory. To ensure the validity of the data, this study uses a source triangulation technique.⁷

RESULTS AND DISCUSSION

The Construction of Qualifications Policy in Indonesia: Between Administrative Standards and Political Interests

The qualification policy in public and religious positions in Indonesia is actually intended to create a fair, professional, and accountable selection system. Applicable regulations, such as Law Number 5 of 2014 concerning the State Civil Apparatus and Government Regulation Number 11 of 2017 concerning ASN Management, have established various administrative indicators to measure the eligibility of prospective

⁷ Helaluddin and Hengki Wijaya, *Analisis Data Kualitatif: Sebuah Tinjauan Teori & Praktik* (Sekolah Tinggi Theologia Jaffray, 2019).

officials.⁸ In the religious realm, these standards are expanded to take into account moral integrity, scientific capacity, and social acceptance. However, its implementation in the field shows that the concept of qualifications is not always applied consistently and is often interpreted narrowly, depending on the interests of the institutions and actors involved.⁹

At the normative level, qualifications are usually measured through indicators such as formal education, career track record, and competency test results. These indicators are technical in nature and are expected to be objective parameters. But in reality, the selection process is often overshadowed by the subjectivity of the assessment team. *"Sometimes there is already a desired name, the selection is just a formality to justify the decision,"* said a bureaucratic official.¹⁰ This statement indicates that administrative standards that should guarantee meritocracy can actually be used as a tool for legitimizing decisions that are loaded with interests.

The inequality between regulation and reality is the main problem. Many strategic positions are given not based on competence, but on political proximity, ideological loyalty, or other pragmatic considerations. One academic noted that *"There is an election of deans on one of the state's Islamic campuses that considers religious organizations more than their academic quality."*¹¹ This phenomenon shows that the selection procedure is often a place to hunt for positions colored by patronage, rather than the objective selection of skills. In religious positions, the problem becomes more complicated because it involves moral and spiritual aspects. Although religious positions should emphasize example, understanding of sharia, and closeness to the ummah, the selection practices tend to focus on diplomas and political support. A leader of Islamic organizations said, *"In several selection processes, the quality of*

⁸ Mikael Mahin, 'Rekrutmen Calon Anggota Dewan Perwakilan Rakyat Daerah (DPRD) Oleh Partai Politik Pada Pemilu Legislatif', *FOKUS : Publikasi Ilmiah untuk Mahasiswa, Staf Pengajar dan Alumni Universitas Kapuas Sintang* 18, no. 1 (2020): 1, <https://doi.org/10.51826/fokus.v18i1.403>.

⁹ M. Azmi Khirman Fadhlani and Sudirman Suparmin, 'Analisis Kriteria Calon Kepala Negara Perspektif Imam Al-Mawardi', *UNES Law Review* 6, no. 1 (2023): 1, <https://doi.org/10.31933/unesrev.v6i1.1024>.

¹⁰ Joko Susilo, 'Personal Interview', 2024.

¹¹ Supri, 'Personal Interview', 2024.

morals and track record of service to the community are not considered at all. The important thing is that the political support is strong."¹²

As a result, Islamic values such as justice (*al-'adl*), benefit (*maṣlaḥah*), and collective responsibility (*kifāyah*) have little place in the technocratically dominant selection system. A researcher of Islamic law criticized this administrative approach: *"If only titles and ranks are seen, we lose the trust as the spirit of public office according to Islam."*¹³ When these values are not internalized in policy, public office risks becoming just an administrative status, not a mandate that must be accounted for morally and socially. In conversations with several religious leaders, the view emerged that the renewal of the qualification policy has become an urgent need. A scholar and caretaker of the pesantren said that *"Many officials are formally legal according to the law, but their policies do not reflect the interests of the ummah because they do not understand maqāṣid syarī'ah."*¹⁴ This is an alarm for the need to include basic Sharia principles in the assessment mechanism so that public and religious positions are truly carried out for the common good.

Nevertheless, resistance to renewal is still quite strong. Some bureaucrats think that rigid administrative procedures actually help ensure accountability. A personnel chief stated: *"We can only assess the data on the table, not on spiritual or moral matters. It's beyond our authority."*¹⁵ This view shows that there is a gap between the idealism of Islamic values and the technocratic reality that dominates the bureaucratic system. From the perspective of contemporary Islamic law, this condition reflects that the national legal system has not fully integrated Islamic ethical values into legal politics. Islamic law is often only a legal-formal symbol without the functionalization of its substantive values.¹⁶

¹² Laras, 'Personal Interview', 2024.

¹³ Supri, 'Personal Interview', 2024.

¹⁴ Ahmad Shidiq, 'Personal Interview', 2024.

¹⁵ Rudi, 'Personal Interview', 2024.

¹⁶ Muflih Munazih, 'Menilai Kualitas Pemimpin: Fit and Proper Test Dalam Demokrasi Berbasis Moralitas, Intelektualitas, Dan Elektabilitas', *PAMALI: Pattimura Magister Law Review* 4, no. 3 (2024): 386-406, <https://doi.org/10.47268/pamali.v4i3.2370>.

Therefore, a paradigm shift is needed in the formulation of qualification policies. The policy is not enough to be oriented only to the legal-formal aspect, but must integrate Islamic ethical and spiritual values substantially. The combination of professional, social, and moral indicators will allow for a more complete and fair selection process. With this approach, qualification policies can be an instrument of social transformation, not just a tool for power administration, and reflect the spirit of *maqāṣid al-syarī'ah* in an ethical and inclusive system of government.¹⁷

Response of Strategic Actors to Qualification Policy

Responses to the policy of qualification of positions, both public and religious, show complex dynamics at the level of discourse and practice. In this context, various strategic actors have diverse views depending on the positions, experiences, and value orientations they hold. Religious leaders, bureaucrats, and academics of Islamic law show a response that is not always uniform, but enriches the understanding of the policy from the moral, administrative, and normative sides. Religious leaders, for example, view that the qualification process should not only be administratively based, but also consider spiritual and ethical aspects. A caretaker of a pesantren in Central Java we interviewed stated, *"It is not only the degree or experience of the bureaucracy that is important, but also honesty and commitment to the people. "If you're good at it on paper, but you don't have manners, how can you be a role model?"*¹⁸ This statement underscores the importance of the moral and personality dimensions in determining a person's suitability to occupy a certain position, especially in the religious sector.

In the same view, a figure from the regional Indonesian Ulema Council (MUI) emphasized that religious positions cannot be treated just like ordinary administrative positions. He said, *"We need a leader who not only knows the law, but also understands maqāṣid al-syarī'ah, who knows when to be firm and when to be lenient. This cannot be measured only through*

¹⁷ Ali Mu'ammam, 'Kualifikasi Pemimpin Dalam Tafsir Al-Azhar', *JOURNAL OF ISLAMIC AND LAW STUDIES* 3, no. 2 (2019), <https://doi.org/10.18592/jils.v3i2.3275>.

¹⁸ Hasan Bashri, 'Personal Interview', 2024.

CVs."¹⁹ This criticism arises from concerns that an overly technical selection system has the potential to get rid of figures who have integrity, but are not strong administratively.

In contrast to religious leaders, the bureaucracy considers that the qualification policy must remain guided by the applicable regulations. One of the structural officials at the Regional Office of the Ministry of Religion said, *"We work according to standards. There are education, experience-based assessments, and competency tests. When it comes to morals and intentions, that's a difficult area to measure."*²⁰ For him, the bureaucratic system needs measurable indicators that can be legally accounted for. However, critical voices also emerged from within the bureaucracy itself. A head of field at the central ministry acknowledged that there was a gap in the overly technocratic approach. He said, *"We do comply with regulations, but sometimes candidates who really have substantive capacity do not pass just because they are weak in the administrative aspect. This is our challenge."*²¹ This speech shows the awareness that the assessment of qualifications should ideally not be based solely on documents, but also on a more complete leadership qualities.

From the side of Islamic law academics, the response tends to be more normative and reflective. A senior lecturer at PTKIN emphasized the importance of aligning the qualification mechanism with Islamic legal values. He said, *"Legitimacy in Islam is not only a matter of legality, but also justice. Don't let the rules only become a shield to legitimize a process that is unequal in terms of values."*²² According to him, the selection process should be able to distinguish between procedural legality and substantive legitimacy. Other academics even encourage public evaluation of the qualification process, especially in positions that intersect with religious values. One researcher from a contemporary Islamic studies institute proposed, *"Civil society involvement needs to be increased. Don't just officials determine. We need to listen to the voice of the people, especially when it comes to positions that affect the*

¹⁹ Ahmad Walid, 'Personal Interview', 2024.

²⁰ Rudi Irmawan, 'Personal Interview', 2024.

²¹ Dwi Sulastri, 'Personal Interview', 2024.

²² Ahmad Muzaki, 'Personal Interview', 2024.

religious lives of many people."²³ This view shows a desire to expand participation in the selection process and avoid the domination of the elite alone.

In general, the responses of these strategic actors suggest that qualification policy is still in a tug-of-war between a legal-formal administrative approach and a more substantive value approach. This tension is not always negative; In fact, it can be a productive dialogue space if managed inclusively and fairly. What is important is how the policy is formed and implemented by taking into account the diversity of perspectives that exist, so that it is not only legally valid but also meaningful and socially acceptable.

The Tension Between Islamic Legal Values and Qualifications Policy Practice

In the Islamic legal tradition, principles such as *al'adl* (justice), *maṣlahah* (benefit), and *kifāyah* (competence) are important bases in determining a person who is fit to occupy a public or religious office. These three values not only reflect Islamic moral ethics, but also become the foundation of social civilization in state life. In this context, the position is not just an administrative position, but a great mandate that must be accounted for morally and spiritually. Therefore, selection and qualifications for public positions should not only be based on administrative requirements, but also on the integrity and real capacity of prospective officials.²⁴

But in practice, these values often clash with policy realities that emphasize formal aspects and, in some cases, are influenced by political interests. The position selection process is often considered not entirely objective. Many parties highlight that political proximity, personal relationships, or certain affiliations are more dominant than the quality

²³ Suhendra Joko, 'Personal Interview', 2024.

²⁴ Muhammad Jaidi et al., 'Kedudukan Siyasah Dusturiyyah Studi Kasus Politisasi Pemilu 2024 Analisis Peradilan Hukum Islam', *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 2, no. 2 (2024): 2, <https://doi.org/10.62976/ijijel.v2i2.543>.

and feasibility of individuals. As a result, justice as taught in Islam becomes difficult to realize in a system that should uphold meritocracy fully.²⁵

This phenomenon is evident in various cases, one of which is in the religious college environment. A lecturer revealed, *"We once had a very qualified rector candidate, both in terms of academics and experience. But because he did not have strong support from certain political groups, he was eliminated from the selection process."*²⁶ This testimony reflects a distortion in the application of qualifications, where external, substantively irrelevant external considerations often defeat assessments of individual competencies. This kind of practice is contrary to *al-'adl's values*, which emphasize justice not only procedurally, but also in results. In the Islamic view, giving positions to people who are not worthy or ignoring those who are more appropriate is a form of tyranny that can have an impact on the destruction of the system. Moreover, it also violates the principle of *maṣlahah*, since such a decision does not bring benefits to the ummah, and can even worsen public trust in institutions.

The principle of *kifāyah* also often does not receive adequate attention. Positions in public or religious institutions require intellectual and spiritual skills, as well as strong leadership. Unfortunately, in a number of cases, it is those who are appointed who do not have adequate capabilities. An academic said, *"We need leaders who not only understand administration, but also can answer the challenges of the people ideologically and culturally. It can't just be pointed."*²⁷ Another example can be found in the appointment of religious officials in the region. A community leader recounted, *"In one area, there are religious extension workers who have been active and highly respected for decades, but instead they are chosen people who have just arrived and are considered close to their superiors."*²⁸ This inequality shows that aspects of experience, dedication, and people's beliefs are no longer the main considerations, whereas in Islam, they are all part of a person's *shahadat al-ḥāl* or moral track record.

²⁵ Muhammad Edy Ramlan, 'Tinjauan Fikih Siyasah Terhadap Penerapan Prinsip-Prinsip Good Governance Dalam Efektivitas Kinerja Aparatur Sipil Negara', *QONUN: Jurnal Hukum Islam Dan Perundang-Undangan* 7, no. 1 (2023): 1, <https://doi.org/10.21093/qj.v7i1.6510>.

²⁶ Feri Susanto, 'Personal Interview', 2024.

²⁷ Laras, 'Personal Interview', 2024.

²⁸ Ahmad Walid, 'Personal Interview', 2024.

This kind of tension, if left unchecked, will have an impact on public trust. When the public feels that the official selection process is not carried out honestly and fairly, apathy and cynicism towards the institution will grow. Especially if the institution is a religious institution, it should be a moral role model. In the long run, this can damage social legitimacy and reduce the function of da'wah and public services.²⁹ To address this, policymakers need to reflect on the basic values in *fiqh siyāṣah*. It is not enough to select officials based only on administrative requirements and bureaucratic mechanisms; but must consider aspects of integrity, science, and usefulness. By integrating the values of *al-'adl*, *maṣlaḥah*, and *kifāyah* into real policy practice, we not only create a fairer system but also restore the meaning of office as a noble mandate.

Integrative Efforts: Realizing Qualification Policies Based on Sharia Values

The question of qualifications in public and religious positions is not just an administrative or technical matter, but is closely related to moral and social responsibility.³⁰ In the context of Indonesia, which has the largest Muslim population in the world, it is appropriate for the qualification assessment system to take into account sharia values, especially the principles of *maqāṣid al-shari'ah*.³¹ This approach allows for the birth of policies that are not only procedurally professional but also substantially fair. *Maqāṣid al-syarī'ah*, as the normative framework of Islam, aims to protect five basic things: religion (*ḥifẓ al-dīn*), soul (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), heredity (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). Within the framework of the qualification policy, these values can be derived into the principles of integrity, justice, propriety, and social responsibility.³² With this orientation, the assessment of qualifications not only checks the completeness of documents or

²⁹ Fadhlani and Suparmin, 'Analisis Kriteria Calon Kepala Negara Perspektif Imam Al-Mawardi'.

³⁰ Annisa Dwi Audia Lubis and Dermina Dalimunthe, 'Implementasi Persyaratan Calon Pemimpin Dalam Undang-Undang Nomor 6 Tahun 2014 Pada Pasal 33 Tentang Desa Perspektif Fiqh Siyasah', *Jurnal El-Thawalib* 3, no. 6 (2022): 6, <https://doi.org/10.24952/el-thawalib.v3i6.6657>.

³¹ Yahdi Qolbi et al., 'Geopolitics and Muslim Countries: Navigating Challenges and Opportunities in Contemporary International Political Dynamics', *MILRev: Metro Islamic Law Review* 3, no. 2 (2024): 2, <https://doi.org/10.32332/milrev.v3i2.9910>.

³² Nadya Lestari Putri et al., 'Kajian Fikih Siyasah Pada Mekanisme Pemilihan Presiden Secara Langsung', *Journal of Sharia and Legal Science* 3, no. 1 (2025): 1, <https://doi.org/10.61994/jsls.v3i1.896>.

academic degrees, but also pays attention to a moral track record and dedication to the public interest.

Efforts to realize this assessment model certainly require reconstruction of the existing system. So far, many policies have tended to be pragmatic or even political, ignoring the spiritual and moral qualities of prospective officials. Therefore, it is important to establish a more thorough selection system, balancing professionalism and ethical values. The assessment is not only carried out on the basis of technical competence, but also touches on the dimensions of morality, spiritual leadership, and social concern.³³ A sharia-based qualification assessment model ideally combines a variety of instruments.³⁴ Starting from academic competency assessments, value-based interviews, to spiritual leadership evaluations. This process can also involve elements of civil society and religious leaders, so that the assessment is more participatory and accountable. With this approach, each stage of selection produces not only leaders who are administratively capable, but also with integrity and spiritual visionary.³⁵

Religious institutions have an important role to play in driving this change. Organizations such as MUI, NU, and Muhammadiyah have moral authority and social influence to advocate for the need to reform the position selection system. They can be a critical partner of the government in formulating ethical guidelines and ensuring that the selection process does not deviate from the noble Islamic values.³⁶ Their presence can also ensure that public positions are truly carried out as a mandate, not just a strategic position. In addition, Islamic universities also play a vital role in providing relevant theoretical frameworks and policy tools. Institutions such as UIN, IAIN, and STAIN can develop

³³ Sarkawi Sarkawi and Fadli Ahmad, 'Memilih Pemimpin Dalam Islam', *Idarotuna* 3, no. 3 (2021): 3, <https://doi.org/10.24014/idarotuna.v3i3.14584>.

³⁴ Anis Mashdurohatun, Gunarto Gunarto, and Adhi Budi Susilo, 'The Transfer of Intellectual Property Rights as Object of Fiduciary Guarantee', *Jurnal Akta* 9, no. 3 (2022): 378-392.

³⁵ Bariz Fajar and Abdur Rahim, 'Analisis Perbandingan Syarat Menjadi Kepala Negara Menurut Undang-Undang Nomor 7 Tahun 2017 Dan Fiqih Siyash', *Jurnal Ilmiah Hospitality* 12, no. 2 (2023): 2, <https://doi.org/10.47492/jih.v12i2.2982>.

³⁶ Putri Azqia Rahmadani and Junaidi Junaidi, 'The Role Of Islamic Organizations In Mobilizing Voters For The 2024 Election In Medan City', *SOSIOEDUKASI: JURNAL ILMIAH ILMU PENDIDIKAN DAN SOSIAL* 14, no. 1 (2025): 1, <https://doi.org/10.36526/sosioedukasi.v14i1.5703>.

maqāṣid-based selection instruments through policy research, as well as organize training for public office selection committees. They can also integrate Islamic ethical approaches into government management and public policy curricula.

If the synergy between religious institutions, academics, and policymakers can be realized, then the position selection ecosystem will become healthier and more credible. This process can form a bureaucratic culture that is not only intelligent but also moral and sensitive to social justice. Finally, public trust in the system of government will increase because the selection process reflects noble values that we believe in. Thus, the integration of Sharia values into the qualification policy is not just idealism, but is a real step towards a more equitable system reform. When maqāṣid becomes the main foothold, public office will return to its nature as a divine and social responsibility, not merely a means of power. This is a strategic agenda to build leadership that is not only competent but also trustworthy.

Table 1: Components of Qualification Assessment Based on *Maqāṣid al-Sharī'ah*

Assessment Aspects	Criterion	Relevance of Maqāṣid
Academic Competence	Field expertise, experience, and technical abilities	<i>ḥifẓ al-'aql</i>
Personal Integrity	Free from lawlessness, commendable morals, and honest	<i>al-'adl, ḥifẓ al-nafs</i>
Spirituality and Religion	Religious commitment, Islamic morals, and example in worship	<i>ḥifẓ al-dīn</i>
Social Ethics	Concern for social justice, empathy for vulnerable groups	<i>Maṣlaḥah, ḥifẓ al-Nasl</i>
Trust Leadership	Able to be an example, have a vision of the community, and be aligned with the people	<i>ḥifẓ al-dīn, ḥifẓ al-māl</i>

Source: Author's Interpretation

Table 1 offers a holistic approach to assessing the feasibility of public officials by integrating professionalism and Islamic values. The five main components displayed include: academic competence, personal integrity, spirituality and religion, social ethics, and trustworthy leadership. Each component is linked to the purpose of sharia, such as *ḥifẓ al-'aql* (care of reason), *ḥifẓ al-dīn* (care of religion), *ḥifẓ al-nafs* (care of the soul), *ḥifẓ al-nasl*

(care of offspring), and *ḥifẓ al-māl* (care of property). Thus, the assessment not only assesses technical skills, but also pays attention to the moral and spiritual dimensions that are the pillars of Islamic leadership.

This approach recommends reform of qualifications policies so that they are not just stuck in administrative procedures or political interests. The integration of the values of *maqāṣid al-syarīʿah* gives a new direction to the selection of officials who are just, benefit-oriented, and have strong religious legitimacy. Religious institutions and Islamic universities play a strategic role in encouraging this paradigm change, both through the education of leaders with integrity and through public policy advocacy. Thus, this framework not only offers normative solutions but also has the potential to answer the crisis of public trust in the recruitment process in Indonesia.

CONCLUSION

This study shows that the tension between ideal normative standards and pragmatic political practices still colors the qualification policy for public and religious positions in Indonesia. Although on paper, regulations have set certain standards, in implementation, there is still a dominance of rigid administrative approaches and strong political interventions. This causes important values in Islamic law—such as justice (*al-'adl*), benefit (*maṣlaḥah*), and competence (*kifāyah*)—to be often overlooked in the selection process. As a result, the quality of leadership in various public and religious institutions has not fully reflected the expected moral integrity and social responsibility. By combining contemporary Islamic legal approaches and field data, this study offers an alternative through the reconstruction of qualification policies based on the values of *maqāṣid al-syarīʿah*. This means that policies are not only oriented to administrative feasibility, but also consider the spiritual integrity and social ethics of the prospective leaders. In this context, the role of religious institutions and Islamic universities is very important to encourage a paradigm shift, so that the qualification process can be more balanced between professionalism and values. This conclusion opens up space for reflection as well as a concrete offer to build

fairer qualification governance, integrity, and relevant to contemporary Indonesian challenges.

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AUTHOR CONTRIBUTIONS STATEMENT

M. conceptualized the research idea, conducted the data collection, and drafted the initial manuscript. M.I.N.W. contributed to the legal analysis, framework development, and manuscript refinement. B.S. provided critical supervision, guided the methodological design, and validated the findings. A.M. reviewed the theoretical background, contributed to discussion development, and finalized the manuscript for submission. All authors have read and approved the final version of the manuscript.

CONFLICT OF INTEREST

The author emphatically states that there is no conflict of interest in the implementation or preparation of this research. The entire process, from problem formulation, data collection, analysis, to concluding, is carried out independently and based on scientific principles that uphold objectivity. The author has no financial, institutional, or other professional affiliations or affiliations that could influence the direction or outcome of this research.

In addition, all sources involved in the study provided information voluntarily, and the data obtained were analyzed with a transparent and responsible academic approach. Thus, the findings and interpretations presented in this article fully reflect the results of

thought and study that are free from the intervention of any party. This statement is made to guarantee academic integrity and to give confidence to readers that this article was compiled with high standards of research ethics.

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