



Challenges and Solutions in the Appointment of Acting Regional Heads (PJ. Kepala Daerah) in Indonesia: a Sharia and Islamic Democracy Perspective

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Abstract: This study examines the mechanism of appointing regional heads in Indonesia from the perspective of sharia law and Islamic democracy. Using a qualitative approach with descriptive-comparative analysis, the research is based on document analysis and literature review of classical Islamic texts and contemporary Indonesian policies. The results show that although appointing regional heads without direct elections may be necessary under certain conditions to maintain administrative continuity, it raises concerns about legitimacy, transparency, and public participation. From the shariah perspective, the process must uphold justice, trust (*amanah*), and public welfare (*maslahah*), in line with Islamic ethical governance. Islamic democracy's principle of *shura* (consultation) emphasizes community involvement in leadership selection. The study concludes that a hybrid model integrating meritocracy and *shura* can offer a solution by promoting democratic accountability and adherence to Islamic values. This contributes to understanding how democratic mechanisms can be harmonized with Islamic political thought in regional governance.

Keywords: appointment of officials; district head; Islamic democracy.

Abstrak: Penelitian ini mengkaji mekanisme pengangkatan kepala daerah di Indonesia dari perspektif hukum syariah dan demokrasi Islam. Dengan pendekatan kualitatif dan metode analisis deskriptif-komparatif, penelitian ini didasarkan pada analisis dokumen dan telaah literatur teks-teks Islam klasik serta kebijakan kontemporer Indonesia. Hasil penelitian menunjukkan bahwa meskipun pengangkatan kepala daerah tanpa pemilihan langsung dapat diperlukan dalam

kondisi tertentu untuk menjaga kontinuitas administrasi, hal ini menimbulkan kekhawatiran terkait legitimasi, transparansi, dan partisipasi publik. Dari perspektif syariah, proses tersebut harus menjunjung tinggi keadilan, amanah, dan maslahat yang sejalan dengan tata kelola etika Islam. Prinsip shura dalam demokrasi Islam menekankan keterlibatan masyarakat dalam pemilihan kepemimpinan. Studi ini menyimpulkan bahwa model hibrida yang mengintegrasikan meritokrasi dan shura dapat menjadi solusi dengan mendorong akuntabilitas demokratis sekaligus mematuhi nilai-nilai Islam. Temuan ini memperkaya pemahaman tentang harmonisasi mekanisme demokrasi dengan pemikiran politik Islam dalam tata kelola daerah.

Kata Kunci: pengangkatan pejabat; kepala daerah; demokrasi Islam.



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Introduction

In the Indonesian government system, the mechanism for appointing regional heads is one of the topics that continues to experience dynamics. As a country that adheres to a decentralized system, Indonesia gives authority to regions to regulate and manage their government affairs.¹² In practice, regional heads are generally elected through general elections as a form of implementing the principle of democracy, which gives the people the right to directly determine their leaders.³

In its development, the phenomenon of appointing regional heads outside the election mechanism has given rise to various discourses regarding the principles of democracy, the legitimacy of leadership, and ideal governance.⁴ One approach that can be used to study this phenomenon is sharia law and Islamic democracy. The analysis reveals that the core principles of democracy, such as the right of citizens to elect their leaders freely, are compatible with Islamic values.⁵ Indonesia's experience

¹ Reynold Simandjuntak, "Sistem Desentralisasi Dalam Negara Kesatuan Republik Indonesia Perspektif Yuridis Konstitusional," *De Jure: Jurnal Hukum Dan Syariah* 7, no. 1 (2015): 57-67, <https://doi.org/10.18860/j-fsh.v7i1.3512>.

² Muhammad Mutawalli Mukhlis, *Negara Hukum Kedaulatan dan Demokrasi (Konsepsi Teori Dan Perkembangannya)* (Pustaka Aksara, 2023).

³ Sarbaini, "Penyelenggaraan Pemilihan Kepala Daerah Secara Langsung Dan Demokratis Sebagai Bentuk Perwujudan Hak Asasi Politik Masyarakat Di Indonesia," *Legalitas: Jurnal Hukum* 12, no. 1 (2020): 107-36, <https://doi.org/10.33087/legalitas.v12i1.197>.

⁴ Furaihan KamyI Arnazaye, Ariq Nabil Sulaiman, and Muh Imam Kastholani, "Efektivitas Pengangkatan Pejabat Kepala Daerah Dalam Perspektif Demokrasi Dan Teknokrasi," *Jurnal Publik* 17, no. 01 (2023): 29-39, <https://doi.org/10.52434/jp.v17i01.188>.

⁵ Risky Aulya Ramadan dan Shofiyullah Muzammil, *Democracy as Political Jihad: Evaluating Yusuf Qaradhawi's Vision and its Application in Indonesia* (Yogyakarta: Universitas Islam Negeri Sunan Kalijaga Yogyakarta, 2024)

proved that secularists and Islamists are able to work together to realize the shared ideals contained in the fifth precept of Pancasila, namely, social justice for all Indonesian people.⁶ *Siyasah shariah*, as an Islamic political concept, focuses on the principles of justice, benefit, and responsibility in leadership.⁷ Meanwhile, Islamic democracy seeks to integrate Islamic values into the modern system of government,⁸ so that it can provide a broader perspective on the mechanism for appointing regional head officials.

The process of appointing Acting Regional Heads in Indonesia often triggers debate, especially regarding aspects of transparency, legitimacy, and accountability. Without a clear and participatory mechanism, this policy risks creating conflicts of interest, reducing public trust, and weakening the principles of democracy in regional government. Several previous studies have examined this issue from various perspectives, providing an overview of the challenges that arise and the need for reform in the Acting Regional Head appointment system. The following are several studies that can be used as references in further understanding this issue.

Three studies analyze the appointment of Acting Regional Heads in Aceh concerning democratic principles. Sitepu finds the process centralized with limited public participation, causing transparency and accountability issues. Fajri highlights weaknesses in the current regulation (Permendagri No. 4/2023), recommending a more transparent, participatory selection with candidate vetting to strengthen legitimacy. Ramanda points out potential conflicts of interest and legitimacy problems due to a lack of direct elections, suggesting appointing senior bureaucrats to ensure neutrality and reduce political influence.

Therefore, the study of the appointment of regional heads is important because it concerns the basic principles of democracy, an effective government system, and the legitimacy of regional leadership. Various previous studies have studied the system of democracy and decentralization in Indonesia, but further study is still needed on how *siyasah shariah* and Islamic democracy can provide solutions to the problem of appointing regional heads outside the election mechanism.

Based on this background, this study attempts to answer several main questions, namely how is the mechanism for appointing regional heads in Indonesia

⁶ Nurrohman Syarif, Zulbaidah, dan Muhammad Andi Septiadi, "Political Theology: How God's Law Is Applied in the Context of Indonesian Democracy Based on Pancasila," *Cogent Arts & Humanities* 11, no. 1 (2024), <https://doi.org/10.1080/23311983.2024.2407104>.

⁷ Irwansyah and Zenal Setiawan, "Prinsip-Prinsip Fiqh Siyasah," *Jurnal Cerdas Hukum* 2, no. 1 (2023): 68–75.

⁸ Lalu Yoga Vandita and Hirmayadi Saputra, "Demokrasi Dalam Perspektif Islam," *Nusra: Jurnal Penelitian Dan Ilmu Pendidikan* 5, no. 2 (2024): 545–52, <https://doi.org/10.55681/nusra.v5i2.2628>.

today, how is the concept of *siyasa shariah* in appointing government leaders, how Islamic democracy views the process of appointing regional heads, and solutions that can be offered based on *siyasa shariah* and Islamic democracy in the context of Indonesia.

This study aims to analyze the mechanism for appointing regional heads in Indonesia, examine the concept of *siyasa shariah* related to government leadership, explore Islamic democracy from the perspective of regional leadership, and offer an ideal concept for appointing regional heads based on Islamic values and democracy.

This study adopts a qualitative approach combined with a descriptive-comparative analysis method, primarily relying on library research for data collection. A qualitative approach is employed to understand the phenomena surrounding the appointment of acting regional heads from the perspective of relevant actors and texts, using narrative and descriptive data. The descriptive-comparative analysis enables a systematic examination of the current appointment mechanisms in Indonesia, comparing them with concepts derived from classical Islamic political thought, particularly *siyasa shariah* and Islamic democracy.

The data in this research consists of both primary and secondary sources. Primary data are drawn from official government policy documents and documented practices concerning the appointment of acting regional heads, which serve as the central focus of the study. Classical Islamic texts are not treated as primary data but are utilized as a theoretical foundation to provide an analytical framework. Secondary data includes relevant scholarly journals, academic books, news reports, and previous studies that contextualize and enrich the analysis.

Data collection is conducted through comprehensive library research by reviewing various written references pertinent to the research focus. This method facilitates a deeper understanding of the theoretical and normative dimensions of leadership in Islam as well as contemporary policy practices. In addition to the literature review, the study also uses document analysis of local government policies to identify patterns, trends, and broader implications arising from these regulatory frameworks. This methodological combination allows for a thorough exploration of the appointment process through both empirical and normative lenses.

The appointment of regional heads without going through direct elections may be essential in certain situations to preserve governmental stability. However, this method presents several challenges, particularly concerning its legal foundation, transparency, and the extent of public engagement. From the standpoint of shariah, such a process must reflect the values of justice and prioritize the public interest to

remain aligned with Islamic principles. Meanwhile, in a democratic framework, involving the public in selecting government leaders is crucial to enhance legitimacy and ensure government accountability⁹. Therefore, the formulation of clearer and more open policies and procedures is necessary to promote meaningful public participation in this process.

Islamic Principles and Democratic Values in the Appointment of Regional Leaders

The main principle in the selection and appointment of leaders in Islam is justice (*al-'adalah*).¹⁰ A leader must be able to be fair in all policies and decisions taken, without siding with certain groups or personal interests. A just leader will always prioritize the welfare of his people, following Allah's command in the Qur'an, Surah an-Nisa verse 58, which emphasizes that the mandate must be handed over to those who are entitled and all decisions must be taken with justice.¹¹

In addition to justice, trust is a fundamental characteristic that a leader must have.¹² Trust in the context of leadership means that leaders must carry out their duties with full responsibility and have high moral integrity.¹³ In the hadith narrated by Bukhari and Muslim, the Prophet Muhammad SAW stated that leadership is a mandate that will be held accountable in the afterlife.¹⁴ Therefore, a trustworthy leader not only carries out their duties well but also avoids abuse of power for the benefit of certain individuals or groups.

Historically, the Islamic caliphates applied this mechanism of shura by involving key figures such as community leaders, religious scholars, and representatives of the people in selecting and approving leaders. For example,

⁹ Hariyanto, Muhammad Mutawalli Mukhlis, and d Daud Rismana, "The Role and Authority of the Deputy Regional Head According to Islamic Principles within the Framework of Regional Government Law," *JURIS (Jurnal Ilmiah Syariah)* 24, no. 1 (2025): 13-27, <https://doi.org/10.31958/JURIS.V24I1.12678>.

¹⁰ Irwansyah and Setiawan, "Prinsip-Prinsip Fiqh Siyasah."

¹¹ Afsya Septa Nugraha Srifariyati, "Prinsip Kepemimpinan Dalam Perspektif QS. An-Nisa: 58-59," *Jurnal Madaniyah* 9, no. 1 (2019): 41-61.

¹² Suharnia Wati et al., "Pemimpin Ideal Dalam Cahaya Al Qur'an," *Akhlaq: Jurnal Pendidikan Agama Islam Dan Filsafat* 2, no. 1 (2025): 287-98.

¹³ J Hasyim, A Kara, and A R Sakka, "Pemimpin Amanah Dalam Perspektif Hadis Tematik : Konsep Ideal Bagi Indonesia," *Madani Jurnal Ilmiah Multidisiplin* 3, no. 1 (2025): 418-24, <https://doi.org/10.5281/zenodo.14619518>.

¹⁴ Nurfaika Ishak, Laode Ismail, and Abdul Rahman Sakka, "Pemimpin Amanah Dalam Perspektif Hadis Tematik: Konsep Ideal Bagi Indonesia," *Jurnal Al-Qadau: Peradilan Dan Hukum Keluarga Islam* 11, no. 1 (2024): 72-83.

during the reign of Caliph Umar bin Khattab, a Shura Council was formed, which became a model for subsequent Islamic governance systems.¹⁵

In the modern context, shura can be implemented through public participation mechanisms that allow the community to participate in assessing the suitability of a prospective leader.¹⁶ Without the principle of shura, the appointment of regional heads can become a means for the practice of nepotism and certain political interests, which can harm society at large.¹⁷

In the context of regional government in Indonesia, the system of appointing Acting Regional Heads (Pj) carried out by the central government often causes controversy, especially in terms of legitimacy and transparency. The perspective of shariah law emphasizes that a leader must obtain legitimacy from the community he leads, not only from higher authorities.¹⁸ If the appointment mechanism is not transparent and does not involve community participation, then there is a high possibility of rejection of the leadership.

Community participation in the political process in Islam is highly emphasized as part of social responsibility.¹⁹ In the principle of *fiqh siyasah*, the people have the right to elect a leader whom they consider capable of carrying out their mandate well, as well as advising the leader if necessary.²⁰ Therefore, Islamic democracy prioritizes the principles of openness and justice in every political process, including in regional head elections. In this case, the election system implemented must be able to provide opportunities for the people to participate freely and honestly.

Therefore, the election system must be designed in such a way as not only to provide legitimacy to the leader, but also to ensure that the elected leader can carry out his duties properly under Islamic values. The solution that can be adopted from the principles of *siyasah shariah* in the regional government system is the

¹⁵ Sukardi Sukardi, Muhammad Adib Alfarisi, and Riyani Riyani, "Systems of Government in Islamic Countries: The Dynamics of Sharia Law from the Prophetic Period to the Modern Era," *Justicia Islamica* 21, no. 2 (November 6, 2024): 291–312, <https://doi.org/10.21154/justicia.v21i2.8465>.

¹⁶ Sumardi Efendi, "Prinsip Syura Dalam Pembentukan Kebijakan Publik Menurut Hukum Islam," *Constitutio: Journal of State and Political* 3, no. 1 (2024): 69–78, <https://doi.org/10.47498/constitutio.v3i1.3455>.

¹⁷ Fourzan Fajar, "Politik Hukum Pengangkatan Penjabat Kepala Daerah" (UIN Ar-Raniry Banda Aceh, 2023).

¹⁸ Muhammad Ariq Ilham Falih, "Tinjauan Fiqh Siyasah Terhadap Legitimasi Penjabat Kepala Daerah Sebagai Pengganti Kepala Daerah Definitif Dalam Penyelenggaraan Pemerintahan Daerah" (UIN Sunan Ampel Surabaya, 2023).

¹⁹ Nurul Azisah Syahrani Haris, Andi Muh Reza Caecar Arfan, and Andi Muhammad Aflah Kurniati, "Eksistensi Etika Politik Islam Dalam Pemerintahan," ... *Publikasi Ilmu Hukum* 2, no. 3 (2024): 197–209, <https://doi.org/10.59581/deposisi.v2i3.3829>.

²⁰ Abdul Hamid, "Nazhariyyat Al-Fiqih Al-Siyasi Dalam Memilih Pemimpin Pemerintahan Dan Negara Menurut Al-Mawardi," *Adliya: Jurnal Hukum dan Kemanuaasiaan*, 9, no. 1 (2015): 86–98. <https://doi.org/10.15575/adliya.v9i1.6159>.

implementation of a stricter feasibility test before someone is appointed as Acting Regional Head. This stricter test would involve more comprehensive assessments of candidates' qualifications, including their ethical integrity, leadership experience, understanding of public administration, and commitment to public welfare.²¹

Islamic principles of leadership, such as justice, when integrated with democratic values such as transparency, participation, and accountability, can form a strong framework for the appointment of regional leaders. In the context of Indonesia, these principles offer valuable guidance in reforming and improving the system of selecting Acting Regional Heads to be more just, representative, and oriented toward public welfare.

Regional Head Official Appointment System In Indonesia: A Critical Analysis

The system for appointing regional heads in Indonesia is part of the dynamics of government, which has undergone various changes in accordance with political, legal, and social needs.²² However, under certain conditions, the government can appoint acting regional heads to fill vacant positions, especially in the run-up to a government transition or in an emergency.²³

On the one hand, this policy can maintain the effectiveness and efficiency of the government, especially in situations where direct elections are not possible or have the potential to cause instability.²⁴ On the other hand, the appointment of regional heads can raise concerns regarding democratization and people's representation in regional government.²⁵

From the perspective of advantages and disadvantages, the appointment system has several advantages compared to direct elections. Appointments are generally quicker and more cost-effective than elections.²⁶ However, the

²¹ Lukman Santoso, "Eksistensi Taqin Dalam Negara Hukum Modern Dan Relevansinya Dalam Dinamika Legislasi Di Indonesia," *El-Dusturie* 2, no. 1 (July 26, 2023), <https://doi.org/10.21154/el-dusturie.v2i1.6746>.

²² Rusdan Arifin Al Mugni and Atep Abdurrafiq, "Politik Hukum Penentuan Penjabat Kepala Daerah Oleh Pemerintah Pusat (Studi Kasus Provinsi Banten Dan Provinsi Aceh)," *Jurnal Islamic Constitutional Law* 1, no. 2 (2023): 131–59.

²³ Rahmazani, "The Problems of Appointment Acting Officer of Regional Head in the Transition Period Before the Election of 2024," *Jurnal Konstitusi* 20, no. 2 (2023): 196–215, <https://doi.org/10.31078/jk2022>.

²⁴ Arnazaye, Ariq Nabil Sulaiman, and Muh Imam Kastholani, "Efektivitas Pengangkatan Penjabat Kepala Daerah Dalam Perspektif Demokrasi Dan Teknokrasi."

²⁵ Mohammad Rahul Farhan and Radian Syam, "Tinjauan Yuridis Kedudukan Kepala Otorita IKN Dalam Sistem Pemerintahan Di Indonesia: Legal Review of the Position of the Chief of the IKN Authority within Indonesia's Governance System," *Amicus Curiae* 1, no. 4 (2024): 1688–98.

²⁶ Sayyidatul Insiyah, Xavier Nugraha, and Shevierra Danmadiyah, "Pemilihan Kepala Daerah Oleh Dewan Perwakilan Rakyat Daerah: Sebuah Komparasi Dengan Pemilihan Secara Langsung Oleh Rakyat," *Supremasi Hukum : Jurnal Penelitian Hukum* 28, no. 2 (2019): 163–86.

appointment system also has significant weaknesses. One of them is the reduced involvement of the community in determining its leaders, which can reduce public trust in local government.²⁷ In addition, the potential for political intervention in the appointment process can give rise to nepotism practices and hinder the principle of meritocracy in the government bureaucracy.²⁸ Without a strict oversight mechanism, this system can be misused for the interests of certain groups rather than the interests of the wider community.

One striking case is the appointment of acting governors and regents/and mayors ahead of simultaneous elections. For example, in DKI Jakarta Province, the central government appointed an Acting Governor to fill the vacant position after the definitive governor's term of office ended before the election. Heru Budi Hartono was appointed as Acting Governor of DKI Jakarta on October 17, 2022, replacing Anies Baswedan, whose term of office ends on October 16, 2022.²⁹ And in October 2024, President Joko Widodo appointed Teguh Setyabudi as the new Acting Governor of DKI Jakarta.³⁰

For example, several acting governors were appointed in the newly formed provinces in Papua in 2022.³¹ In 2022, the Minister of Home Affairs (Mendagri), Tito Karnavian has appointed 36 acting regional heads to fill the vacant positions of governor, regent, and mayor whose terms of office had ended.³² This appointment was carried out as part of the government mechanism to ensure the continuity of public services and administrative stability in the regions before the implementation of the next simultaneous regional head elections. Appointed officials generally came from ministries and local governments.

In some cases, the appointment of these officials has raised concerns about the lack of representation of local communities, given that direct elections were not conducted. Considering these aspects, it is important for the government to design

²⁷ Laode Harjudin et al., "Menggugat Penunjukkan Penjabat (Pj) Kepala Daerah Tanpa Pemilihan: Tergerusnya Kedaulatan Rakyat Dan Menguatnya Dominasi Pemerintah Pusat," *Journal Publicuho* 5, no. 4 (2022): 1355-66.

²⁸ Agil Sabani et al., "Pentingnya Implementasi Sistem Meritokrasi Dalam Instansi Pemerintahan Indonesia," *Aktivisme: Jurnal Ilmu Pendidikan, Politik Dan Sosial Indonesia* 1, no. 3 (2024): 144-52, <https://doi.org/10.62383/aktivisme.v1i3.333>.

²⁹ L M Putri, "Heru Budi Nyatakan Masa Jabatannya Akan Usai Pada 17 Oktober," *Antara*, 2024.

³⁰ E Yanwardhana, "Teguh Setyabudi, Pj Gubernur DKI Pengganti Heru Budi Pilihan Jokowi," *CNBC Indonesia*, 2024.

³¹ Tim detikNews, "3 Provinsi Baru-Pj Gubernur Dilantik, Kini Indonesia Punya 37 Provinsi," 2022.

³² CNN Indonesia, "Daftar 36 Pj Kepala Daerah Yang Telah Dilantik Mendagri Tito Karnavian," *CNN Indonesia*, 2022, <https://www.cnnindonesia.com/nasional/20220707093254-32-818345/daftar-36-pj-kepala-daerah-yang-telah-dilantik-mendagri-tito-karnavian>.

a mechanism for appointing regional head officials that is transparent, accountable, and still respects the principles of democracy and regional autonomy. Policy reforms can be directed at increasing public oversight, involving independent institutions in the selection process, and strengthening regulations to prevent abuse of power. In addition, there needs to be a strict evaluation system for appointed officials to ensure that they are truly capable of carrying out their duties well and are not merely extensions of certain political interests.

Reconstruction of Regional Head Appointment Model Based on Shariah System and Islamic Democracy

The appointment of regional heads in Indonesia, in the context of the Islamic government system, should follow the basic principles upheld in the shariah system, namely justice, the welfare of the people, and social welfare. As expressed by several researchers.³³ The ideal model from an Islamic perspective reflects a combination of the shariah system and Islamic democracy, which ensures that leaders are selected based on capacity, integrity, and commitment to Islamic values.³⁴ In this context, leadership is not only a social mandate but also a moral and religious responsibility that must be accounted for before Allah and society.³⁵

Therefore, leaders must be fair, honest, and able to protect all elements of society without discrimination. One of the main challenges in the appointment of regional heads in Indonesia is the incompatibility between democratic values and the application of Islamic principles in the selection process. In this context, a model that combines the principles of meritocracy and *shura* (deliberation) can be an effective alternative (deliberation).³⁶ Meritocracy ensures that leaders are selected based on competence, experience, and expertise, while *shura* ensures that there is community participation in the election process through a transparent and accountable deliberation mechanism.³⁷ Thus, the regional head selection process is

³³ Mahmud, "Kedaulatan Rakyat Di Balik Pengangkatan Penjabat Kepala Daerah" (Universitas Islam Indonesia, Yogyakarta, 2024).

³⁴ Arif Sugitanata, "Urgensi Pemilihan Pemimpin Beretika Dalam Perspektif Maqashid Syariah Menuju Tatanan Sosial Dan Politik Yang Sehat," *Jurnal Multidisiplin Ibrahimy* 1, no. 2 (2024): 253–66, <https://doi.org/10.35316/jummy.v1i2.4591>.

³⁵ Irka Muliyanthy, Hamdanah Hamdanah, and Noor Fahmi, "Dasar Al-Qur'an dan Hadits Tentang Kepemimpinan," *Journal on Education* 6, no. 4 (2024): 20928–35, <https://doi.org/10.31004/joe.v6i4.6226>.

³⁶ M A Asri, "Sistem Meritokrasi Rekrutmen Kepemimpinan Daerah Dalam Penguatan Demokrasi Lokal Di Tingkat Provinsi Sulawesi Barat" (Universitas Hasanuddin, Makassar, 2020).

³⁷ Firman Firman, "Meritokrasi dan Netralitas Aparatur Sipil Negara (ASN) Dalam Pengaruh Pilkada Langsung," *The Indonesian Journal of Public Administration (IJPA)* 3, no. 2 (2017): 88–105.

not only oriented towards political interests alone, but also towards aspects of leadership quality based on Islamic values.³⁸

This aims to ensure that the elected leader can provide maximum service to the community and implement policies that favor the interests of the people. For example, in several regions in Indonesia that have adopted a participatory system in regional head elections, such as in the city of Surakarta, although the majority of prospective leaders are selected through a more open and transparent process, the process is often still colored by less-than-ideal political practices.³⁹ However, by integrating the shura principle into this system, the community can play an active role in providing input or recommendations to their prospective leaders through a deliberation forum that can involve community leaders, clerics, academics, and representatives of community organizations. This will certainly strengthen the legitimacy of the elected leaders, because they have gone through a process that directly involves the community.⁴⁰

The selection mechanism based on meritocracy and shura can be carried out in several systematic and objective stages. First, administrative selection that assesses the eligibility of candidates based on their track record, educational background, and capabilities in managing the government.⁴¹ Second, an assessment by an independent panel consisting of religious scholars, academics, and community leaders to ensure that regional head candidates have moral integrity and a deep understanding of Islamic principles in governance.⁴² Third, community involvement in decision-making through a deliberation or voting process that still respects democratic principles.⁴³ This process aims to ensure that regional head candidates have moral integrity, a deep understanding of the principles of just governance, and a commitment to implementing policies that are in the interests of the people. For example, the implementation of strict selection like this can be

³⁸ Novi Satria, Arlis Arlis, and Juwi Chahnia, "Integrasi Prinsip Syura dan Demokrasi: Tinjauan Pemilihan Kepala Daerah Dalam Hukum Islam Dan Indonesia," *Madania: Jurnal Hukum Pidana dan Ketatanegaraan Islam* 14, no. 2 (2024): 11–22.

³⁹ Oktavia Deta Riawan, "Dominasi Oligarki dan Politik Dinasti Dalam Kandidasi Kepala Daerah Oleh Partai Demokrasi Indonesia Perjuangan Di Kota Surakarta Tahun 2020," *Journal of Politic and Government Studies* 13, no. 4 (2024): 1–8.

⁴⁰ Lukman Santoso, *Negara Hukum dan Demokrasi Di Indonesia* (Yogyakarta: Arti Bumi Intaran, 2024).

⁴¹ Sabani et al., "Pentingnya Implementasi Sistem Meritokrasi Dalam Instansi Pemerintahan Indonesia."

⁴² Osvaldo Sahambang, Novie Pioh, and Welly Waworundeng, "Manajemen Sistem Aparatur Sipil Negara (Studi Tentang Sistem Merit Dalam Penempatan Jabatan Pimpinan Tertinggi Di Lingkungan Pemerintahan Kabupaten Kepulauan Sangihe)," *Jurnal Jurusan Ilmu Pemerintah* 3, no. 3 (2019): 1–13.

⁴³ Abd Kahar and Warda Said, "Transparansi Dan Partisipasi Publik Sebagai Implementasi Sistem Merit Dalam Seleksi Terbuka Jabatan Tinggi Pratama," *Paradigma: Jurnal Administrasi Publik* 2 (2023): 51–68, <https://doi.org/10.55100/paradigma.v2si.57>.

illustrated in regional head elections in several Muslim countries, such as Malaysia, which involve various elements of society in assessing their candidate leaders through open and participatory forums. Thus, this system not only ensures that the candidates who are elected are the best, but also provides space for the community to channel their aspirations in determining their regional leaders. However, although the meritocracy and shura systems offer the potential to improve the quality of regional head appointments, their implementation must remain in line with the principles of democracy that apply in Indonesia. In this case, Islamic democracy can be a solution that harmonizes Islamic principles with a modern government system. Islamic democracy emphasizes justice, a balance between individual rights and collective interests, and community involvement in political decision-making.

In the context of appointing regional heads based on *shariah* values and Islamic democracy, it is important to re-examine the basic principles taught in classical and contemporary literature on Islamic governance. In the view of Imam Al-Mawardi through his work *al-Ahkam al-Sultaniyyah*,⁴⁴ a leader is not only chosen because of the will of the majority, but because he meets the requirements of competence, morality, and religious integrity. These principles are not only theoretical, but have proven to be a strong foundation in the practice of governance based on Islamic values in various regions, including in Indonesia, especially in Aceh.

Research by M. Quraish Shihab⁴⁵ shows that the concept of leadership in Islam cannot be separated from the principle of shura, namely deliberation as an instrument of public participation. This is reinforced in QS. Asy-Shura [42]: 38: "It is also better and more lasting for those who accept (obey) God's call and perform prayers, while their affairs are (decided) by deliberation between them. They spend part of the sustenance that We have bestowed upon them."

This verse is the basis for making leadership decisions, including in the appointment of regional heads, a participatory approach is strongly emphasized. Research by Satria, Arlis, and Chahnia⁴⁶ emphasizes that the application of shura in the local democratic process not only allows for the strengthening of political legitimacy but also ensures the presence of values of justice and morality in the

⁴⁴ Al-Mawardi, *Al-Ahkam al-Sultaniyyah* (Beirut: Dar al-Kutub, 1996).

⁴⁵ M. Quraish Shihab, *Wawasan Al-Qur'an: Tafsir Maudhu'i Atas Pelbagai Persoalan Umat*, 14th ed. (Bandung: Abacus, 2003).

⁴⁶ Juwi Chahnia Novi Satria, Arlis Arlis, "Integrasi Prinsip Syura Dan Demokrasi: Tinjauan Pemilihan Kepala Daerah Dalam Hukum Islam Dan Indonesia," *Madania: Jurnal Hukum Pidana Dan Ketatanegaraan Islam* 14, no. 2 (2024): 11-22.

election of regional heads. Their research shows that when the community is involved in an open deliberation forum, involving religious figures, academics, and traditional leaders, the results of the leader selection become more credible and widely accepted.

Another empirical study that supports the importance of integrating the principles of shura and Islamic values in the selection of local leaders can be found in the study of Rasyad et al.⁴⁷ This study highlights the involvement of ulama and santri in the 2019 Election in Aceh, which shows that the basis of religious morality plays an important role in determining the direction of political support from the community. Ulama not only act as preachers, but also as value directors in selecting regional head candidates who have a good track record, adequate religious knowledge, and high social concern. This phenomenon is reinforced by the findings of Rahma et al.,⁴⁸ which explains how, in the context of East Aceh, two groups of ulama from different *dayah* backgrounds have a significant electoral influence. However, this influence is still bound by considerations of values and integrity, not solely based on political affiliation.

The real implementation of this system was also seen in the 2024 Bireuen Pilkada, as studied by Arahman and Fahmi.⁴⁹ They revealed that in the candidate campaign, the involvement of clerics was not done transactionally, but rather through communication of values through religious studies, Friday sermons, and social media. This strategy prioritizes a moral approach over a material approach and has proven effective in forming a more rational and ethical public opinion. This is where the advantage of the sharia-based shura approach lies, which does not separate politics from morals, but instead makes ethics the main axis in selecting leaders.

However, this system cannot always run optimally without an adequate regulatory framework. In the context of Indonesian democracy based on elections, public participation is very high, but the quality of selection is often determined by the strength of political capital and logistics. Therefore, as suggested by Munawir

⁴⁷ Rasyad et al., "Ulama and Politics: A Study of Ulama and Santri's Participation in 2019 General Election in Aceh," *Miqot: Jurnal Ilmu-Ilmu Keislaman* 46, no. 1 (2022), <http://dx.doi.org/10.30821/miqot.v46i1.787>.

⁴⁸ Alya Rahma et al., "The Divergence of the Influence of Ulama and Dayah in the Dynamics of Electoral Politics in East Aceh Regency," *JUSS (Jurnal Sosial Soedirman)* 7, no. 1 (2024): 118–38, <https://doi.org/10.20884/juss.v7i1.11663>.

⁴⁹ Zulfikar Arahman and Zulfan Fahmi, "Komunikasi dan Pendidikan Politik Ulama Dayah Aceh Dalam Pilkada 2024 Di Kabupaten Bireuen," *Fikruna: Jurnal Ilmiah Kependidikan dan Kemasyarakatan* 7, no. 2 (2025): 465–86, <https://doi.org/10.56489/fik.v7i2.306>.

Sjadzali in his book *Islam dan Tata Negara: Ajaran, Sejarah, dan Pemikiran*,⁵⁰ an independent moral institution is needed that acts as an initial filter to screen candidates based on intellectual capacity, morals, and public service track records. In the Indonesian context, this can be realized through the formation of a kind of "Regional Amanah Assembly" consisting of clerics, academics, and community leaders whose integrity has been tested. This assembly does not replace the KPU or official institutions, but rather becomes a moral reinforcement and value director in the local democratic system.

It is interesting to compare with similar practices in Malaysia, especially in Kelantan, where the Islamic Party of Malaysia (PAS) consistently uses a sharia-based approach in determining regional leaders. In a research article published by the International Journal of the Malay World and Civilisation, Ahmad Ali Nurdin⁵¹ shows that PAS built a strict leader cadre system, starting from internal religious studies, Islamic leadership training, to merit and moral-based selection. Although this system remains within the framework of electoral democracy, the moral substance it carries provides a strong alternative to the practice of money politics or pragmatic mobilisation.

This model of regional head appointment is very likely to be replicated in Indonesia through synergy between the principles of meritocracy and shura. Meritocracy ensures that only individuals with good abilities, experience, and vision can run for office, while shura provides space for community participation in the moral and social assessment process. In practice, this process can begin with administrative selection and publication of candidate track records, continue with an open deliberative forum with the community, and end with voting in the regional elections. This process ensures that the elected candidates are not only legally legitimate but also have moral legitimacy in the eyes of the people.

It is also important to emphasize that the implementation of this Islamic-based regional head appointment system must not sacrifice the principles of Indonesian constitutional democracy. This system must guarantee equal voting rights and the right to be elected, and must not monopolize religious interpretation for the benefit of certain groups. Within this framework, Islamic democracy as understood by

⁵⁰ Munawir Sjadzali, *Islam dan Tata Negara: Ajaran, Sejarah, Dan Pemikiran* (Penerbit Universitas Indonesia, 1990).

⁵¹ Ahmad Ali Nurdin, "Islam Supports Democracy: The Views of Partai Islam Se-Malaysia (PAS) and Their Implementation in the Recruitment of the Party's Members and Leaders," *QIJS (Qudus International Journal of Islamic Studies)* 7, no. 1 (2019): 100, <https://doi.org/10.21043/qijis.v7i1.4572>.

intellectuals such as Nurcholish Madjid and Fazlur Rahman demands the strengthening of public moral values without eliminating the civil and political rights of citizens.⁵²

By integrating these principles into the regional head appointment system, not only will the quality of leadership improve, but public trust in the democratic process. This is a middle ground that does not get trapped in religious formalism, but also does not allow liberal democracy to lose its moral direction. With a strong normative and empirical framework, as well as transparent public oversight, this model will be able to produce regional leaders who are fair, trustworthy, and on the side of the welfare of the people in a real way.

Therefore, a regional head appointment system based on Islam must continue to uphold the rights of citizens, including active participation in the election of fair and trustworthy leaders. In addition, the elected regional head must run the government with the principles of trust and responsibility, so that the policies taken are not only based on political interests, but also for the welfare of society at large.

The implementation of this model also requires transparency and accountability in every stage of the selection and appointment of regional heads. To create a clean and corruption-free government, a strict monitoring mechanism is needed from various elements of society, including independent institutions that function as public policy supervisors, such as non-governmental organizations (NGOs) and religious organizations, which can play an important role in ensuring transparency and accountability in the appointment process and policies taken by regional heads. In this case, the principle of accountability upheld in the shariah system must be carried out with full responsibility, ensuring that every decision taken by the regional head always sides with the interests of the wider community, not a particular group or class. Thus, the regional head selection process can run well and produce leaders who are not only competent but also have a high commitment to upholding justice and social welfare. In conclusion, the implementation of the regional head appointment model based on the shariah system and Islamic democracy is expected to produce leaders who are not only qualified but also have a strong commitment to social justice and the welfare of the people. The integration of Islamic values and democratic principles in the appointment of regional heads not only allows for the creation of quality leaders but

⁵² Muhammad Saleh Tajuddin, "Filsafat Politik Nurcholish Madjid," *Jurnal Politik Profetik* 9, no. 2 (2021): 173–88, <https://doi.org/10.24252/profetik.v9i2a1>.

also ensures that leadership runs in a corridor that is in accordance with noble moral and ethical values. With the reform of the regional head appointment system, the hope of creating a government that is fair, transparent, and in favor of the interests of the people can be realized more optimally. To increase democratic legitimacy, this study recommends the existence of special regulations that allow public involvement in the selection process of Acting Regional Heads.⁵³

Conclusion

This study confirms that the appointment of regional heads in Indonesia needs to be studied more deeply from the perspective of siyasah shariah and Islamic Democracy, especially in terms of implementing the principles of justice, welfare, and trust. The research identifies a significant gap between the Islamic ideals of leadership, such as transparency, shura (deliberation), and accountability, and the current appointment mechanism, which lacks openness and sufficient public participation. To address this, reform is necessary through more transparent policies, public testing of candidates, and stronger independent oversight. Employing the Islamic perspective, particularly through shura and the moral imperative of justice and accountability, offers a novel framework for evaluating and improving appointment systems in line with both democratic and Islamic principles. This research contributes to the discourse on harmonizing Islamic political thought with contemporary governance and opens space for future studies on implementing shura in modern states, drawing comparisons with systems in Malaysia and Turkey. Further research is encouraged to adopt empirical methods and engage with diverse stakeholders to propose more inclusive, accountable, and representative models for regional leadership appointments.

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⁵³ Ema Sinlis Junita Br. Sitepu, "Politik Hukum Pengangkatan Penjabat (Pj) Kepala Daerah di Aceh Berdasarkan Prinsip Demokrasi" (Universitas Malikussaleh, 2024).

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