



IDENTITY POLITICS IN THE SCALES OF FIQH SIYASAH: AN ANALYSIS OF THE CONCEPTS OF WALAYAH AND KAFA'AH IN PUBLIC LEADERSHIP

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Abstract

Religious identity politics has become a controversial phenomenon in the political landscape of pluralistic countries, including Indonesia, often triggering polarization and testing the principles of democratic inclusivity. This study aims to analyze this phenomenon through the framework of Fiqh Siyasah (Islamic Constitutional Law), focusing on the dialectic between two main requirements of leadership *Walāyah* (authority/religious identity) and *Kafā'ah* (competence/managerial eligibility). Using a qualitative normative-philosophical literature study method, primary data in the form of the Qur'an and Hadith, as well as secondary data from classical and contemporary Fiqh Siyasah literature, were analyzed using the *Usūl al-Fiqh* and *Maqāshid Syariah* approaches. The results of the study show that Fiqh Siyasah demands the perfect integration of these two concepts. Shariah arguments establish *Walāyah* as a moral-theological commitment, but explicitly juxtapose it with *Kafā'ah*, which includes expertise, honesty, and managerial capacity as essential requirements for effective leadership (e.g., QS. Al-Qashash: 26). The tendency of modern identity politics is to absolutize formal *Walāyah*, thereby neglecting *Kafā'ah*. The Shariah implication of neglecting *Kafā'ah* is the emergence of collective damage (*mafsadah*) that threatens *Maslahah 'Āmmah* (public interest), including the destruction of unity (*wahdah*) and the emergence of incompetent leadership that fails to uphold universal justice ('*Adalah*). The conclusion of this study confirms that identity politics is only valid and constructive if it is directed at electing leaders with integrity and proven competence, making *Kafā'ah* a crucial consideration in Sharia law in order to realize the goal of *Rahmatan lil 'Ālamīn*.

Keywords: Fiqh Siyasah, Identity Politics, *Kafā'ah*, *Maslahah 'Āmmah*

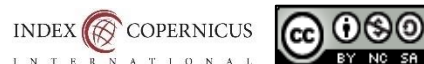
Abstrak

Politik identitas agama telah menjadi fenomena kontroversial dalam lanskap politik negara-negara pluralistik, termasuk Indonesia, sering memicu polarisasi dan menguji prinsip-prinsip inklusivitas demokrasi. Penelitian ini bertujuan untuk menganalisis fenomena ini melalui kerangka Fiqh Siyasah (Hukum Tata Negara Islam), dengan fokus pada dialektika antara dua persyaratan utama kepemimpinan *Walāyah* (otoritas/identitas agama) dan *Kafā'ah* (kompetensi/kelayakan manajerial). Dengan menggunakan metode studi literatur normatif-filosofis kualitatif, data primer berupa Al-Qur'an dan Hadis, serta data sekunder dari literatur Fiqh Siyasah klasik dan kontemporer, dianalisis dengan menggunakan pendekatan *Usūl al-Fiqh* dan *Maqāshid Syariah*. Hasil penelitian menunjukkan bahwa Fiqh Siyasah menuntut integrasi sempurna dari kedua konsep ini. Argumen Syariah menetapkan *Walāyah* sebagai komitmen moral-teologis, tetapi secara eksplisit menyandingkannya dengan *Kafā'ah*, yang mencakup keahlian, kejujuran, dan kapasitas manajerial sebagai persyaratan penting untuk kepemimpinan yang efektif (misalnya, QS. Al-Qashash: 26). Kecenderungan politik identitas modern adalah untuk mengabsolutkan *Walāyah* formal, sehingga mengabaikan *Kafā'ah*. Implikasi Syariah dari mengabaikan *Kafā'ah* adalah munculnya kerusakan kolektif (*mafsadah*) yang mengancam *Maslahah 'Āmmah* (kepentingan umum), termasuk penghancuran persatuan (*wahdah*) dan munculnya kepemimpinan yang tidak kompeten yang gagal menegakkan keadilan universal ('*Adalah*). Kesimpulan dari penelitian ini menegaskan bahwa politik

identitas hanya valid dan konstruktif jika diarahkan pada pemilihan pemimpin yang berintegritas dan kompetensi yang terbukti, menjadikan Kafā'ah sebagai pertimbangan penting dalam hukum Syariah untuk mewujudkan tujuan Rahmatan lil 'Ālamīn

Kata Kunci: Fiqh Siyasah, Identity Politics, Kafā'ah, Masalahah 'Āmmah

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A. INTRODUCTION

Identity politics has become a significant global phenomenon, especially in the political landscape in countries with a pluralistic social composition, including Indonesia. In the Indonesian context, identity politics often refers to the mobilization of political support by using religious (Islamic) issues as the main basis.¹ Although identity is a fundamental aspect of political life, this practice of mobilization often leads to sharp social polarization, questioning the principles of tolerance, inclusivity, and democratic stability.

This controversy urges the need for an in-depth study from the perspective of Islamic science, especially Fiqh Siyasah (Islamic Constitutional Law). Fiqh Siyasah is a legal framework that regulates state affairs, leadership, and public welfare (*masalahah 'āmmah*). Until now, public debates on identity politics have tended to dwell on sociological and practical political dimensions, while comprehensive normative-sharia analysis, especially considering the ethics and legality of the use of religious identity in power struggles, has been limited.²

The essence of the political debate on religious identity in the context of leadership lies in two fundamental concepts in Fiqh Siyasah, namely *Walāyah* (Authority or Leadership).³ This concept has to do with the legal basis (legitimacy) of a person or group to lead. In the context of identity politics, *the issue of walāyah* is often narrowed down to the aspect of faith (Muslim or non-Muslim) as an absolute requirement for leadership, to the exclusion of other Sharia considerations.

Then, *Kafā'ah* (Competence or Eligibility) This concept refers to the technical, moral, and managerial requirements that a leader must have, such as expertise, honesty, integrity, and the ability to manage the country. In many cases of identity politics, *the criteria of kafā'ah* (competence) are often ignored or duplicated in favor of the narrow *criteria of walāyah* (religious identity).⁴

This research aims to balance the two concepts through the Fiqh Siyasah scale. By analyzing in depth how Sharia positions *walāyah* and *kafā'ah* in choosing public leaders, this research is expected to provide a more holistic and equitable normative framework in responding to the

¹ Peter van der Veer, *Religious Nationalism: Hindus and Muslims in India*, 10. print. (Oxford Univ. Press, 2010).

² Dr. Muhammad Muslehuddin, *Philosophy Of Islamic Law And Tha Orientalists* (2024), <http://archive.org/details/philosophy-of-islamic-law-and-tha-orientalists>.

³ David Hanif, *Analysis of Fiqh Siyasah about the Caliphate according to al-Mawardi in the book al-Ahkam as-Shulthaniyyah*, n.d.

⁴ "The Implementation of Ibn Khaldun's Thought for Human Civilization," NU Online, accessed October 7, 2025, <https://lampung.nu.or.id/literasi/implementasi-pemikiran-ibnu-khaldun-untuk-peradaban-manusia-SIJaR>.

phenomenon of identity politics.⁵ The results of this research are expected not only to enrich the scientific treasures of Fiqh Siyasah, but also to become a guide for the ummah and stakeholders to practice identity politics that are constructive, ethical, and oriented towards the benefit of all citizens, in accordance with the principle of *rahmatan lil 'ālamīn*.

B. METHODS

This research uses a qualitative approach with a normative-philosophical type of literature research. This approach was chosen because the main focus of the study is to analyze and interpret religious texts (*nash*) and Islamic legal theories (Fiqh Siyasah) to formulate an ethical and legality framework for the contemporary phenomenon of identity politics.

The main data used in this study is secondary data which is divided into two categories: normative primary data and theoretical secondary data. Normative primary data includes authoritative sources of Islamic law, namely the Qur'an and Hadith, especially verses and narrations related to the concepts of trust, leadership (*imāmah*), feasibility (*kafā'ah*), and guardianship (*walāyah*). The theoretical secondary data consisted of classical Siyasah Fiqh books (e.g. the works of Al-Mawardi and Ibn Taymiyyah) and contemporary literature (journals, books, and research results) that discuss issues of identity politics, Maqāshid Shariah, and Maslahah 'Āmmah.

C. RESULT AND DISCUSSION

The Dialectic of Walāyah and Kafā'ah Balances Theological and Pragmatic Dimensions in Fiqh Siyasah

Definition and Significance The concept of *Walāyah* refers to the authority or authority of leadership that is often associated with theological and faith aspects (Muslim terms). Meanwhile, *Kafā'ah* is a requirement for a leader's feasibility, competence, and managerial capacity to carry out the mandate. In Fiqh Siyasah, these two concepts ideally go hand in hand. The requirement of faith (*walāyah*) ensures spiritual alignment and moral commitment to Sharia values, while *kafā'ah* ensures the practical ability to run the wheel of government effectively and professionally.⁶

The Roots of Evidence and the Basis of Syar' The basis for determining *walāyah* often refers to postulates such as QS. An-Nisa: 141 and QS. Al-Maidah: 51 which prohibits the appointment of *walī* (leaders/protectors) from among non-believers.⁷ However, these postulates must be read together with the principle of *kafā'ah*, as implied in the story of the Prophet Yusuf (a.s.) who asked for the position of treasurer because he was "smart and knowledgeable" (QS. Yusuf: 55), or the words of the daughter of the Prophet Shu'aib (a.s.) who advised Moses (a.s.) to be employed

⁵ "The Myth of the Clash of Civilizations," diakses 7 Oktober 2025, https://www.researchgate.net/publication/288197255_The_Myth_of_the_Clash_of_Civilizations.

⁶ Arie Sulistyoko dkk., "Tinjauan Hak Asasi Manusia Terhadap Pembatasan Pembangunan Tempat Ibadah Di Banjarmasin," *JOURNAL OF ISLAMIC AND LAW STUDIES* 9, no. 1 (2025): 55–66, <https://doi.org/10.18592/jils.v9i1.16684>.

⁷ Rena Zulfaidah dkk., "ANALISA HAK GENDER TERHADAP FENOMENA CHILDFREE DALAM PERSPEKTIF MAQASID SYA'RIAH," *Masca: Journal of Islamic Studies* 2, no. 1 (2026): 35–42, <http://ypmsc.org/index.php/mjis/article/view/59>.

because "the best person you hire to work (on us) is the strong and trustworthy" (QS. Al-Qashash: 26).⁸

The Tendency to Absolutize *Walāyah* The phenomenon of identity politics shows that there is a tendency among some people to literally absolutize the condition of *walāyah* (religious identity). This is often accompanied by marginalization or neglect of *kafā'ah* criteria. As a result, the focus shifts from looking for leaders who are capable and with integrity, to simply looking for leaders who have the same religious identity, regardless of their track record, expertise, or capacity in managing the country.⁹

A number of contemporary scholars argue that in the context of a complex modern state, *kafā'ah* should be a major consideration, even equivalent to *walāyah* or even precede it in certain cases. They argue that managerial failures (due to the lack of *kafā'ah*) can bring greater *mafsadah* (damage) to the ummah and the state than just identity issues.¹⁰ Therefore, *walāyah* must be interpreted broadly, encompassing a moral commitment to upholding justice and welfare, not just a formal identity.

The principle of *Maslahah* as a Balancer between *walāyah* and *kafā'ah* can be achieved through the principle of *Maslahah Mursalah* (public interest that is not explicitly regulated). If you choose a leader who has a Muslim identity but is not competent to bring *mafsadah* for the economy, security, or justice, then according to Sharia, this choice is contrary to the main purpose of sharia (*Maqashid Shariah*), which is to protect religion, soul, intellect, descendants, and property.

In conclusion, *Fiqh Siyasa* demands an ideal leadership model that is a perfect integration of these two concepts: A leader who has faith and piety (*walāyah*), at the same time intelligent, honest, professional, and has high managerial capabilities (*kafā'ah*). When these two conditions cannot be met ideally, *Syariah* leaves room for *ijtihad* to prioritize which is the least *mafsadah* or which is the greatest *maslahah* for the ummah, a calculation that should not be based solely on identity sentiments.

The Implications of Identity Politics on *Maslahah 'Āmmah* and the Social Contract of the State

Definition and Importance of *Maslahah 'Āmmah*: *Maslahah 'Āmmah* is the main goal of all Islamic law, which is to reap benefits and avoid harm to the public as a whole. In the context of statehood, *Maslahah 'Āmmah* includes political stability, economic justice, security, and interreligious harmony.¹¹ Narrow and exclusive identity politics can directly threaten this *maslahah* by dividing social solidarity and shifting the focus away from the issue of substance.¹²

⁸ Abi Al Hasan Ali bin Muhammad bin Habib Al Basri Al Baghdadi Al Mawardi; *Al Ahkam Al Sulthaniyah wa Al Wilayati Al Diniyah* (Dar al kutub al ilmiyah, 2006), Beirut, //opac.uinkhas.ac.id%2Findex.php%3Fp%3Dshow_detail%26id%3D9370.

⁹ Robert W. Hefner, *Civil Islam: Muslims and Democratization in Indonesia* (Princeton University Press, 2011).

¹⁰ holy, *The Idea of Fiqh as a Priority Concept of Yusuf Qardhawi*, n.d.

¹¹ Muhyar Fanani, *Hudud Theory as an Alternative to the Development of Fiqh Usul Science*, n.d.

¹² Rena Zulfaidah dan Utang Rosidin, *Pengujian Konstitusionalitas Hak Atas Lingkungan Hidup Yang Baik Dalam Kasus Pencemaran Lintas Batas: Telaah Terhadap Prinsip Kedaulatan Negara* | *ALADALAH: Jurnal Politik, Sosial, Hukum Dan Humaniora*, 9 Januari 2026, <https://ejurnalqarnain.stisnq.ac.id/index.php/ALADALAH/article/view/1748>.

Threats to Unity and Socio-Political Contract Aggressive identities tend to fuel polarization by creating "us" (*the in-group*) and "them" (*the out-group*) along religious lines.¹³ This polarization undermines the social contract built on the principle of equal citizenship. From the perspective of Sharia, destroying unity (*wahdah*) and triggering division (*fitnah*) is a great *mafsadah* that must be prevented, just as Islam teaches universal brotherhood (*ukhuwah insaniyah*) and brotherhood of fellow Muslims (*ukhuwah Islamiyah*).¹⁴

Correlation with Incompetence and Public Failure When the basis for selecting leaders is dominated by identity without being balanced by *kafā'ah*, the result is often the placement of inappropriate people in strategic positions.¹⁵ Fiqh Siyasah views the handing over of affairs (*amanah*) to those who are not members as a form of betrayal and a threat to *Maslahah 'Āmmah*. This incompetence will ultimately harm all parties, including groups who feel that their identity has been represented, because it has an impact on public service failures, bureaucratic inefficiencies, and economic injustice.¹⁶

Eroding the Principle of Justice ('*is*) Universal The essence of *Maslahah 'Āmmah* is the upholding of justice ('*is*) for all, regardless of tribe or religion. Identity politics driven by sectarian sentiments risks giving birth to discriminatory policies, benefiting internal groups, and oppressing minority groups or those who are politically opposed.¹⁷ This practice is clearly contrary to Allah's command to be just, even to the hateful, as affirmed in QS. Al-Maidah: 8.¹⁸

The Position of *Urf* and the Constitution in Fiqh Siyasah Within the framework of Fiqh Siyasah, customs ('*urf*) and agreed rules (constitution) are respected as long as they do not conflict with the definitive Sharia *nash*. In the context of a modern country that adheres to a multicultural system, *urf* in the form of a national agreement to uphold diversity and the principle of meritocracy should be recognized as *maslahah mursalah*. Identity politics that violates the national *urf* can be seen as a counterproductive action against *Maslahah 'Āmmah*.¹⁹

Conclusion The Impact of Syar'i The politics of religious identity, if not guided by the criteria of *kafā'ah* and the principle of *inclusive Maslahah 'Āmmah*, can produce leadership whose *Walāyah* is formally guaranteed, but substantially fails to fulfill the mandate of the state.²⁰ This failure,

¹³ "Tafsir Al-Mishbah Jilid 02 -Dr. M. Quraish Shihab.pdf," t.t., diakses 7 Oktober 2025, <https://ia803106.us.archive.org/22/items/etaoin/Tafsir%20Al-Mishbah%20Jilid%2002%20Dr.%20M.%20Quraish%20Shihab.pdf>.

¹⁴ Scott; *Al Ahkam Al Sulthaniyah wa Al Wilayati Al Diniyah*.

¹⁵ Michael Buehler, "Islam and Democracy in Indonesia," *Insight Turkey* 11, no. 4 (2009): 51–63.

¹⁶ Rena Zulfaidah dan Usep Saepullah, "Hak Atas Keterlupaan (Right to Be Forgotten) Dan Paradoks Keabadian Data: Tinjauan Filsafat Hukum Tentang Kedaulatan Individu Di Ruang Siber," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 3, no. 4 (2025): 3855–64, <https://doi.org/10.62976/ijjel.v3i4.1558>.

¹⁷ Mendra Siswanto, *Yusuf Al-Qardhawi's Reasoning Patterns in Contemporary Issues*, n.d.

¹⁸ Rena Zulfaidah dan Dewi Sulastri, "Kesadaran Hukum Gender Dan Transformasi Sosial; Implementasi UU KDRT Dalam Mengubah Pola Relasi Domestik Di Indonesia," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 4, no. 1 (2026): 133–44, <https://doi.org/10.62976/ijjel.v4i1.1593>.

¹⁹ Basuki Wibowo, *The State of Law, Legal Certainty, Justice, and Legal Usefulness in the Criminal Justice System in Indonesia* (n.d.).

²⁰ Muhamad Abdul Kholik dkk., "Analisis Sanksi Tindak Pidana Pembunuhan Berencana Dalam Putusan Nomor:305/PID.B/2024/PN RBI Perspektif Hukum Pidana Islam," *Kartika: Jurnal Studi Keislaman* 5, no. 1 (2025): 66–79, <https://doi.org/10.59240/kjsk.v5i1.142>.

driven by the neglect of *kafā'ah*, leads to collective damage (*mafsadah*) that is considered heavier in the Sharia scales than the short-term political benefits based on identity alone.²¹

Contemporary Reinterpretation of Walāyah and Kafā'ah: Embracing Plurality in the Framework of the Nation-State

Fiqh siyasah in the contemporary era faces significant challenges in relevanting its classical doctrines, especially regarding the concepts of *walāyah* (leadership authority) and *kafā'ah* (competence), in the context of modern pluralistic nation-states. Classical texts often discuss leadership within the framework of a caliphate or sultanate with the dominance of a single identity, while today's political reality demands inclusivity and recognition of the diversity of identities. Therefore, a progressive reinterpretation effort is needed so that the concepts of *walāyah* and *kafā'ah* do not become a tool for legitimizing exclusive identity politics, but rather become an ethical-legal basis for just leadership and embracing all elements of the nation.²²

One of the central aspects of this reinterpretation is to separate the rigid theological dimension from the pragmatic dimension of the public benefit (*maslahah 'āmmah*) in the determination of *walāyah*. The criteria of *walāyah* should place more emphasis on *professional kafā'ah*, moral integrity, and tested managerial capacity, transcending the narrow barriers of primordial identity. In the context of the Indonesian nation-state, for example, the spirit of *Bhinneka Tunggal Ika* demands that *the criteria of walāyah* must be open to every citizen who meets the standards of constitutional *kafā'ah* and public ethics, without discrimination based on religion, ethnicity, or gender.²³

The concept of *modern kafā'ah* must be measured through objective and transparent performance indicators, such as the ability to formulate effective public policies, the capability in budget management, and its success in improving the welfare of the community. Identity politics can be counterproductive if it prioritizes common identity over competence, which can ultimately undermine the quality of governance. Therefore, *fiqh siyasah* should encourage the formulation of a universal *standard of kafā'ah*, which applies to anyone who wishes to lead in the public sphere.²⁴

In facing the challenge of identity politics, some contemporary scholars and *scholars of fiqh siyasah* tend to shift the focus from the personal identity of the leader to the ideal identity of the state or system. They argue that as long as the existing leadership system guarantees the upholding of justice, the protection of basic rights, and the realization of *the maslahah mursalah*,

²¹ Nisa Afifah dkk., "ANALISIS YURIDIS PASAL 27 PERPRES NO. 38 TAHUN 2015 DALAM PENGADAAN TANAH UNTUK PERENCANAAN PROYEK KPBU," *SUPREMASI: Jurnal Pemikiran, Penelitian Ilmu-ilmu Sosial, Hukum dan Pengajarannya* 20, no. 2 (2025): 258–68, <https://doi.org/10.26858/supremasi.v20i2.77328>.

²² Ashwab Mahasin, "REINTERPRETASI KONSEP KAFAAH (Pemahaman Dan Kajian Terhadap Maqashid Sharia)," *Al-Syakhsyiyah: Journal of Law and Family Studies* 2, no. 1 (2020): 21–37, <https://doi.org/10.21154/syakhsyiyah.v2i1.2158>.

²³ Muhajirin Muhajirin dan May Dedu, "Mashlahah Mursalah Dan Implementasinya Dalam Akad Muamalah (Hukum Ekonomi Syariah)," *Al-Mashlahah Jurnal Hukum Islam Dan Pranata Sosial* 9, no. 01 (2021): 172–200, <https://doi.org/10.30868/am.v9i01.963>.

²⁴ Muhamad Abdul Kholik dkk., "POSITIVISME HUKUM SEBAGAI DASAR PENJATUHAN PIDANA: ANALISIS PUTUSAN NOMOR 11/PID.B/2025/PN CKR TENTANG TINDAK PIDANA TURUT SERTA MELAKUKAN PEMBUNUHAN BERENCANA," *Jurnal Media Akademik (JMA)* 3, no. 12 (2025): 1–20, <https://doi.org/10.62281/fh4ch693>.

then the legitimacy of the leader can be accepted according to *sharia*, regardless of his or her identity background. The legitimacy of the system is an umbrella for the acceptance of leaders of various identities, as long as it is proven to be *kāfi* (competent) and *'ādil* (fair) in carrying out their duties.²⁵

This approach is in line with the principle of the modern state's social contract which is rooted in civic agreement, not on exclusive theological agreement. Identity politics, if managed well, should be a source of wealth of diversity, not a tool to divide the nation. Contemporary *fiqh siyasah* must provide a theoretical basis that recognition of the *Walāyah* of a public leader must be based on his commitment to the charter of citizenship (such as Pancasila and the 1945 Constitution in Indonesia) and his ability to protect all elements of the nation.²⁶

On the other hand, it needs to be recognized that identity politics also has a positive function as social control and a means of articulating the interests of marginalized groups that have been neglected. In the context of *fiqh siyasah*, this articulation of identity can be seen as part of the mechanism of *muḥāsabah* (accountability) to the rulers, ensuring that public policy does not only benefit the dominant group. Thus, the task of *fiqh siyasah* is to balance the demands of universal *kafā'ah* inclusivity with the need for healthy and constitutional articulation of identity.²⁷

The challenges of implementation in Indonesia are very real, where the debate on *the criteria of walāyah* often returns to the dimension of primordial identity, especially in the run-up to general elections. Indonesian academic journals note that the politicization of religion and identity is still a crucial issue that obscures the consideration of *substantive kafā'ah*.²⁸ The reinterpretation of *walāyah* and *kafā'ah* must produce a normative framework capable of resisting the destructive politicization of identity, by prioritizing leadership ethics that emphasize the values of unity, integrity, and indiscriminate devotion.

In conclusion, the contemporary reinterpretation of *walāyah* and *kafā'ah* in *fiqh siyasah* must move towards post-identity in public leadership, where primordial identity becomes secondary, and competence and commitment to the universal good become primary. This does not mean negating identity, but rather placing it within the framework of the larger nation-state constitution. Only in this way, *fiqh siyasah* can offer relevant and constructive solutions in responding to identity politics which is often a double-edged sword in the modern political arena.²⁹

²⁵ Ihsan Auliya Arrasyid dkk., "Kepemimpinan Non-Muslim Dalam Perspektif Hukum Islam Kontemporer Dan Problematika Sosialnya," *QOSIM : Jurnal Pendidikan Sosial & Humaniora* 3, no. 2 (2025): 820–27, <https://doi.org/10.61104/jq.v3i2.1153>.

²⁶ Dea Utari, *Analisis Fiqih Siyasah Mengenai Negara Hukum Pancasila*, 1 Januari 2017, https://www.academia.edu/102502873/Analisis_Fiqih_Siyasah_Mengenai_Negara_Hukum_Pancasila.

²⁷ Kholid Romadhoni dkk., "Urgensi Pembaharuan Hukum Melalui Pendekatan *Ius Constitutum* Dan *Ius Constituendum* Pada Tindak Pidana Dalam Kegiatan Bisnis Di Indonesia," *AL-MUTSLA* 7, no. 2 (2025): 678–711, <https://doi.org/10.46870/jstain.v7i2.1953>.

²⁸ Dwi Ria Latifa, "Politisasi Identitas Dalam Pemilu: Tinjauan Politik Hukum Dan Prinsip Maqāṣid Al-Sharī'ah Terhadap Ketahanan Nasional," *Tasyri': Journal of Islamic Law* 4, no. 2 (2025): 1037–72, <https://doi.org/10.53038/tsyr.v4i2.377>.

²⁹ Ach Rasyadi dan Nurul Qomariyah, "Transformasi Konsep Negara dalam Pemikiran KH. Afifuddin Muhajir: Analisis Teks Fiqih Klasik dan Relevansinya di Era Kontemporer," *Tafaqquh: Jurnal Penelitian Dan Kajian Keislaman* 13 (Juni 2025): 1–12, <https://doi.org/10.52431/tafaqquh.v13i1.3601>.

CONCLUSION

This research confirms that the perspective of Fiqh Siyasa offers a balanced and equitable framework in weighing the phenomenon of identity politics that is rampant in public leadership. An analysis of the fundamental concepts of *Walāyah* (religious authority/identity) and *Kafā'ah* (managerial competence/worthiness) shows that Fiqh Siyasa demands the perfect integration of these two conditions in an ideal leader. The tendency to absolutize *Walāyah* (narrow identity) to the point of ignoring or marginalizing *Kafā'ah* (professional competence) is a deviation that is substantially contrary to the main goal of the Sharia, which is the realization of *Maslahah 'Āmmah* (the common good). Thus, identity politics can only be justified in Shar'i if it is constructively directed to ensure that the elected leader is not only faithful, but also has adequate capacity, integrity, and expertise to manage the affairs of the state.

The implications of the disregard of *Kafā'ah* in favor of identity sentiment have been proven to result in greater collective damage (*mafsadah*), including social polarization, the breakdown of social contracts, and the failure of public services due to incompetence. Fiqh Siyasa, through the principle of *Maslahah Mursalah* and the imperative to uphold universal justice ('Is), obliges the ummah to view *Kafā'ah* as an essential crucial requirement. If both conditions cannot be met ideally, the political choice should be based on the calculation of *Ijtihad* which takes precedence over the prevention of the greatest *mafsadah* and the acquisition of the greatest *maslahah* for all citizens, in accordance with the spirit of Islam as *Rahmatan lil 'Ālamīn*. This research serves as a normative guide for Muslims to prioritize ethical politics oriented towards real performance and substantive justice, beyond the mere rhetoric of formal identity

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