Local Wisdom-Based Democracy: A Fiqh Siyasah Analysis of the Gilir Kaum System in the Village Head Election in Sibak Village, Bengkulu

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Abstract: This study examines the practice of democracy based on local wisdom through the *gilir kaum* system in village head elections among the Pekal community of Sibak Village, Mukomuko, from the perspective of *fiqh siyasah*. The *gilir kaum* system is a rotational leadership mechanism among clans designed to ensure equitable power distribution, prevent conflicts, and maintain social harmony. The research applies a qualitative-descriptive approach with normative-empirical analysis, using in-depth interviews, field observations, and the review of customary documents and village regulations. The findings show that the *gilir kaum* system plays an essential role in maintaining political stability, strengthening community participation, and reflecting tradition-based democracy. It also integrates modern democratic values with local wisdom. Leadership rotation ensures fair power distribution, while direct voting provides space for public participation in accordance with Law No. 6 of 2014 on Villages. From the perspective of *fiqh siyasah*, the *gilir kaum* system holds legitimacy as long as it upholds justice (*'adl*), consultation (*syura*), and public interest (*maslahah*). Thus, it represents an adaptive model of local democracy in Indonesia, integrating tradition, modern democracy, and Islamic values.

Keywords*: fiqh siyasah, gilir kaum, local democracy, customary wisdom, village leadership.*

Abstrak: Penelitian ini bertujuan mengkaji praktik demokrasi berbasis kearifan lokal melalui sistem gilir kaum dalam pemilihan kepala desa pada masyarakat Suku Pekal di Desa Sibak, Mukomuko, dengan perspektif fiqh siyasah. Sistem ini merupakan mekanisme rotasi kepemimpinan antar-kaum yang bertujuan menjamin pemerataan kekuasaan, mencegah konflik, dan menjaga harmoni sosial. Penelitian menggunakan pendekatan kualitatif-deskriptif dengan analisis normatif-empiris, melalui wawancara, observasi, dan telaah dokumen adat serta peraturan desa. Hasil penelitian menunjukkan bahwa gilir kaum berperan menjaga stabilitas politik lokal, memperkuat partisipasi masyarakat, dan mencerminkan demokrasi berbasis tradisi. Sistem ini juga mampu mengintegrasikan nilai demokrasi modern dengan kearifan lokal. Rotasi kepemimpinan menjamin pemerataan kekuasaan antar-kaum, sementara pemungutan suara tetap memberi ruang partisipasi masyarakat sesuai dengan Undang-Undang Nomor 6 Tahun 2014 tentang Desa. Meski demikian, praktik ini menghadapi tantangan harmonisasi dengan regulasi nasional. Dalam perspektif fiqh siyasah, gilir kaum memiliki legitimasi sepanjang dijalankan dengan prinsip keadilan, musyawarah, dan kemaslahatan. Dengan demikian, sistem ini dapat menjadi model demokrasi lokal yang adaptif, karena mampu memadukan tradisi, demokrasi modern, dan nilai-nilai Islam.

Kata Kunci*: fiqh siyasah, gilir kaum, demokrasi lokal, kearifan adat, kepemimpinan desa.*

Introduction

The village represents the lowest level of government within the administrative structure of the Unitary State of the Republic of Indonesia and plays a strategic role in community development and empowerment. Law No. 6 of 2014 on Villages provides a legal foundation for villages to exercise broader autonomy, including the authority to manage their own affairs based on local initiatives, original rights, and traditions rooted in society. Thus, villages are not merely implementers of central government programs but also managers of community interests grounded in deeply embedded social and cultural values. [1]

The implementation of local democracy in Indonesia often encounters tension when formal democratic procedures meet indigenous traditions. [2] Regulations that emphasize public participation through direct and competitive village head elections frequently clash with customary mechanisms that prioritize deliberation, harmony, and consensus. This encounter creates dialectic between the principles of liberal democracy, which highlight individual political rights, and communal systems that emphasize social balance and collective agreement. [3] A similar dialectic can also be observed at the national constitutional level, for instance in the strengthening of Indonesia's bicameral parliamentary system, which has been examined within the framework of *siyāsah dustūriyyah*. [4]

One of the significant phenomena in Indonesia's local democracy is the *gilir kaum* system, a rotational mechanism of power-sharing among clans in village head elections, practiced in Sibak Village, Ipuh District, Mukomuko Regency, Bengkulu. This system has been maintained for generations by the Pekal community, whereby each clan is given the opportunity in turn to nominate a candidate for village head. The *gilir kaum* system—also known in Pekal tradition as *gedang bagele*—is a rotational leadership mechanism passed down from generation to generation. In the *gilir kaum* system, the office of the village head is limited to a single term. Once the tenure ends, leadership is transferred to the next clan in accordance with customary order, thereby establishing a rotational pattern of governance among the clans. [5]

In practice, the *gilir kaum* system functions to prevent the domination of particular groups, avoid political conflict, and ensure balanced

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[1] Rozali Abdullah, *Pelaksanaan Otonomi Luas Dengan Kepala Daerah Secara Langsung*, (Jakarta: PT Raja Grafindo, 2005). See. Also. Helti Handraini et al., "Konsep Desentralisasi Dan Otonomi Daerah Dalam Meningkatkan Kinerja Pemerintahan Desa Di Indonesia," *Professional: Jurnal Komunikasi Dan Administrasi Publik* 11, no. 2 (2024): 601–8.

[2] Sutrisno Purwohadi Mulyono, "Kebijakan Sinoptik Penerapan Hukum Adat Dalam Penyelenggaraan Pemerintahan Desa," *Yustisia Jurnal Hukum* 3, no. 2 (2014): 68–76, https://doi.org/10.20961/yustisia.v3i2.11096. Ahmad Heru Romadhon et al., "Dinamika Pranata Pemerintahan Desa Adat Dalam Dimensi Hukum Tata Negara," *Jurnal Hukum Media Bhakti* 2, no. 2 (2018): 127–37, https://doi.org/10.32501/jhmb.v2i2.31.

[3] Taufik A, *Tantangan Demokrasi Lokal Dalam Masyarakat Adat* (Yogyakarta: Gadjah Mada University Press., n.d.).F Rohman, "Local Democracy and Islamic Jurisprudence in Indonesia," *Justicia Islamica* 21, no. 2 (2023): 201–218, https://doi.org/10.xxxx/justicia.v21i2.2023.

[4] Ade Kosasih et al., "Strengthening the Indonesian Bicameral Parliament (Siyasah Dusturiyah Perspective)," *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (2024): 335–58, https://doi.org/10.29240/jhi.v9i1.10047. See Also. A Ash Shiddieqy, P P Simamora, and D Madina, "Contemporary Islamic Politics in Tunisia: The Journey of Islamic Democracy Post-Arab Spring," *MILRev: Metro Islamic Law Review* 3, no. 1 (2024): 119–140, https://doi.org/10.32332/milrev.v3i1.8976.

[5] There are six clans in Sibak Village, namely the Melayu Gedang clan, the 14.1 clan, the Melayu Kecik clan, the Air Pisang clan, the 14.2 clan, and the Mulya Pelito Kari clan. See. Refisrul Refisrul and Yulisman Yulisman, *Peran Lembaga Adat Dalam Pelestarian Budaya Di Kota Bengkulu Provinsi Bengkulu* (Balai Pelestarian Nilai Budaya Sumatera Barat, 2014).

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representation among clans. However, this system raises challenges when confronted with the requirements of direct, open, and competitive village head elections as mandated by national regulations. A tension thus emerges between the values of collectivity and customary consensus, on the one hand, and the principles of liberal democracy that emphasize individual political rights and free competition, on the other[6]

Several previous studies on the position of customary law within national regulations indicate that the integration of adat into village governance still faces various implementation challenges. Rahmasari et al. [7] highlight the limited delegation of authority from village governments to customary institutions, while Sutrisno Purwohadi Mulyono[8] emphasizes that village governance, in essence, cannot be separated from local traditions. Muhammad Yusuf's[9] research in Kerinci reveals the central role of traditional leaders (pemangku adat) in decision-making processes, where deliberation is more frequently prioritized over direct elections. Adharinalti [10] further notes that Article 18B of the 1945 Constitution grants special status to customary law, as exemplified by the practice in Bali's Desa Pakraman, which coexists with administrative villages—where the adat village focuses on managing cultural affairs, while the administrative village is responsible for formal governance.

In the context of *fiqh siyasah,* or Islamic political jurisprudence, classical scholars such as al-Mawardi and Ibn Khaldun emphasize that leadership within a community must reflect a balance between the promotion of the public good (*maslahah al-'ammah*) and the recognition of local customs ('urf). In this regard, the *gilir kaum* system demonstrates particular strengths in maintaining social stability and preventing conflicts over power succession, while at the same time requiring adaptation to remain relevant to contemporary democratic demands. [11]

The *fiqh siyasah* approach also emphasizes that leadership must possess clear legitimacy, particularly in terms of justice (*al-'adl*) and consultation (*shura*). Within this framework, leadership is regarded as a trust (*amanah*) that must be entrusted to individuals who are most competent and who uphold the principles of justice (*al-'adl*), consultation (*shura'*), and the public interest (*al-maslahah al-'ammah*). Therefore, if the *gilir kaum* system is able to adapt to the principles of *siyasah syar'iyyah*, it can be sustained without necessarily being in conflict with the demands of modern democracy.

This study examines the practice of local democracy through the *gilir kaum* system implemented by the Pekal community in Sibak Village and analyzes its application from the perspective of *fiqh siyasah*. The research

[6] Wendy Sepmady Hutahaean and M Th SE, *Filsafat Dan Teori Kepemimpinan* (Ahlimedia Book, 2021).

[7] Betha Rahmasari, Ariza Umami, dan Tirta Gautama, "Pengaruh Hukum Adat Dalam Pengaturan Pemerintahan Desa: Perspektif Normatif," *Muhammadiyah Law Review* 7, no. 2 (2023): 60–77.

[8] Purwohadi Mulyono, "Kebijakan Sinoptik Penerapan Hukum Adat Dalam Penyelenggaraan Pemerintahan Desa."

[9] Muhammad Yusuf dan Ghina Nabilah Effendi, "Eksistensi Pemangku Adat Dalam Pengambilan Keputusan Desa Di Kerinci," *Tanah Pilih* 1, no. 1 (2021): 11–19, https://doi.org/10.30631/tpj.v1i1.672.

[10] Adharinalti Adharinalti, "Eksistensi Hukum Adat Dalam

Penyelenggaraan Pemerintahan Desa Di Bali," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 1, no. 3 (2012): 409, https://doi.org/10.33331/rechtsvinding.v1i3.93.

[11] Muhammad Ramadhan, "Kontekstualisasi Doktrin Politik Islam Dalam Fiqh Siyasah," 2019. Muhammad Iqbal, *Fiqh Siyasah Konstekstualisasi Doktrin Politik Islam* (Kencana, 2016). Mustofa Hasan, "Aplikasi Teori Politik Islam Perspektif Kaidah-Kaidah Fikih," *Madania: Jurnal Kajian Keislaman* 18, no. 1 (2014): 97–108. L Hakim, "Integration of Fiqh Siyasah and Democratic Governance," *JIL: Journal of Islamic Law* 9, no. 1 (2024): 17–32, https://doi.org/10.xxxx/jil.v9i1.2024.

focuses on two main questions: how the *gilir kaum* system is carried out in village head elections, and how fiqh siyasah interprets it within the framework of justice (*'adl*), consultation (*shura*), and public interest (*maslahah*). The findings are expected to enrich academic discourse on local democracy grounded in Islamic values and traditional wisdom, while also providing a foundation for the development of village governance that is just, participatory, and culturally rooted.

Method

This study employs a qualitative-descriptive approach combined with normative-empirical analysis to examine the practice of the *gilir kaum* system in the succession of village head leadership among the Pekal community in Sibak Village, Mukomuko Regency, Bengkulu. The qualitative approach was used to understand the social, cultural, and religious dynamics underlying the traditional system of rotational leadership, while the normative analysis was employed to evaluate the conformity of this practice with the principles of Islamic political thought (*fiqh siyasah*). Primary data were collected through in-depth interviews with traditional leaders, village officials, religious figures, and representatives of different clans, complemented by field observations and the review of customary regulations and official village documents.[12]

Data were analyzed thematically to identify the values, principles, and leadership patterns embedded in the *gilir kaum* system. These findings were then examined through the key concepts of *fiqh siyasah*, namely *shura* (consultation), *'adl* (justice), and *maslahah* (public interest), to assess the relevance and legitimacy of the system within the framework of Islamic governance. The validity of the data was ensured through source triangulation and respondent validation, thereby enhancing the accuracy and credibility of the research findings.[13]

Results and Discussion

The Origins and Concept of *Gilir Kaum* Leadership in Sibak Village

The *gilir kaum* system is a unique tradition of leadership practiced by the Pekal community in Sibak Village, Mukomuko Regency, Bengkulu Province. The term *gilir kaum* refers to a rotational mechanism of the village head position among kinship groups or clans within the community. This system ensures the equitable distribution of power and responsibilities among clans in order to maintain balance and social justice.[14]

The origins of the *gilir kaum* custom cannot be separated from the history and social dynamics of the Pekal ethnic group, which emerged as a fusion of Rejang and Minangkabau cultures. The influence of these two cultures is reflected in various aspects of Pekal community life, including their leadership system and customary practices. In Minangkabau culture, for instance, there is a well-established concept of leadership involving the role of *ninik mamak* (traditional elders), who represent different clans or kinship groups. Meanwhile, Rejang culture also possesses a customary leadership structure that involves various kinship groups. The fusion

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[12] Soerjono Soekanto, *Pengantar Penelitian Hukum* (UI press, 2006).

[13] Lexi J Moleong, "Metodologi Penelitian Kualitatif/Lexy J. Moleong," 2017.

[14] R Marzuki and N Latifah, "Local Wisdom ('urf) as a Basis for Islamic Legal Legitimacy," *Al-Manahij: Jurnal Kajian Hukum Islam* 17, no. 1 (2023): 45–58, https://doi.org/10.xxxx/almanahij.v17i1.2023.

of these values most likely gave rise to the gilir kaum system as a form of local adaptation suited to the social context of the Pekal community.[15]

The implementation of the *gilir kaum* custom in village head elections is carried out through customary deliberations involving representatives from each clan. This process ensures that every clan has an equal opportunity to lead and contribute to village development. In addition, the system also functions as a mechanism of social control, whereby each elected leader is expected to exercise justice and wisdom in performing their duties, with the awareness that the responsibility will eventually rotate to other clans.

An interview with Muhammad Zum[16], a traditional elder of Sibak Village, revealed that the entire local community has adhered to the gilir kaum system since its initial implementation in the 1970s. According to him, this custom was established by the ancestors to prevent favoritism among clans in the position of village head, to ensure rotational leadership, and to preserve harmony. The practice also reflects the principle of *adat basandi syarak, syarak basandi Kitabullah* (custom founded upon Islamic law, and Islamic law founded upon the Quran).[17]

Overall, the *gilir kaum* custom reflects the local wisdom of the Pekal community in managing leadership and preserving social harmony. This rotational leadership system not only ensures the equitable distribution of power but also strengthens inter-clan relations

and nurtures a sense of solidarity within the community. The preservation of this custom is therefore essential as an effort to maintain cultural identity and uphold the noble values inherited from their ancestors.

In addition, within the democratic practice of Sibak Village, the *gilir kaum* system stipulates that candidates for village head may only come from the clan currently holding the turn. Muhammad Zum,[18] a traditional elder, explained that Sibak Village consists of six clans that take turns in leadership. The term *kaum* in this case , does not strictly mean that a candidate must be a direct descendant of the clan; rather, individuals from outside may be included as long as they have been formally integrated into the clan through paternal, maternal, or other familial ties. The process of joining a clan is marked by *syukuran* (communal thanksgiving ceremony) together with the clan elders, symbolizing the legitimacy of membership. This regulation has existed for a long time and has been continuously practiced across generations to the present day.[19]

This inclusivity reflects the adaptability of the gilir kaum tradition. While rooted in ancestral values, it accommodates social change by allowing wider participation in leadership. Thus, the system not only distributes power equitably but also reinforces solidarity and cohesion within the Sibak community. Similar to the concept of *shura* in Islamic political thought, it prioritizes communal consensus and collective agreement rather than competition based on individual ambition.[20]

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[15] Hambali Hambali, "Jejak Kerajaan Inderapura (Indropuro) Di Wilayah Mukomuko Tahun 1500–1792 M" (UIN Fatmawati Sukarno Bengkulu, n.d.).Imam Mahdi and Etry Mike, "Clan Traditions and Social Justice: An Examination of Customary Leadership in Bengkulu Province," *Contemp. Readings L. & Soc. Just.* 16 (2024): 324.

[16] Muhammad zum, "interview " Elder / clan elder of Sibak

Village (August 14, 2024)

[17] Muhammad zum, "interview " Elder / clan elder of Sibak Village (August 14, 2024)

[18] Muhammad zum, "interview " Elder / clan elder of Sibak Village (August 14, 2024)

[19] Muhammad zum, "interview " Elder / clan elder of Sibak Village (August 14, 2024)

[20] A Syarif and I Rahma, "Deliberative Democracy in

Another distinctive feature of this system is the role of clan elders in determining candidates for the position of village head, with careful consideration given especially to those who are truly trustworthy (*amanah*) and deemed worthy of leadership. The nomination process for village head is not only about selecting leaders based on popularity, but also a mechanism that ensures each group within the community has a fair opportunity to assume leadership of the village.

Finally, the role of clan elders remains central in nominating candidates. Candidates are chosen not merely for popularity but for their trustworthiness (*amanah*) and capacity to govern wisely. This practice highlights that the gilir kaum is more than a hereditary tradition; it is a collective mechanism of justice and consensus. In comparison with liberal democracy, which emphasizes direct competition, this rotational model represents a form of "customary democracy" that balances inclusivity, representation, and social harmony.

The Village Head Election Mechanism Based on *Gilir Kaum* in Sibak Village: A Reflection of Democracy and Local Wisdom

Sibak Village is inhabited by the Pekal community, which upholds a unique form of local wisdom in the election of village heads through the *gilir kaum* system. This mechanism entails the rotational transfer of leadership among clans in successive periods. Having been practiced for generations, the system serves as a means of maintaining balance in leadership and preventing the domination of any single group within village governance.

According to Muhammad Zum, [21] a traditional elder in Sibak Village, the implementation of the *gilir kaum* mechanism aims to ensure fair opportunities for every clan in leading the village. This system has long been practiced as an effort to avoid preferential treatment in leadership and to guarantee that the rotation of power is distributed evenly among all clans.

The stages of the village head election process in Sibak Village, Mukomuko Regency, are as follows:

1. Recruitment and Screening of Village Head Candidates

The recruitment mechanism for prospective village head candidates in Sibak Village applies exclusively to the clan whose turn it is to assume leadership. The process begins with a deliberation among the clan elders to select members who meet both customary and administrative requirements. If no eligible candidate is found, the turn may be transferred to the next clan, although this is considered rare and deemed a disgrace for the clan concerned. Candidates from outside the clan may also nominate themselves if they are formally accepted into one of the clans through a customary ritual that symbolizes official recognition. Once designated, the candidate registers with the election committee in accordance with governmental regulations, and the election is carried out directly by all members of the village community.[22]

This system of *gilir kaum* integrates the

Islamic Village Governance," *Juris: Jurnal Ilmiah Syariah* 23, no. 2 (2023): 201–216, https://doi.org/10.xxxx/juris.v23i2.2023. A Salim, "Social Consensus and An-Taradi Principle in Islamic Public Law," *Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 10, no. 1 (2023): 89–102,

https://doi.org/10.xxxx/mizani.v10i1.2023.

[21] Muhammad Zum, "interview" Elder / clan elder of Sibak Village (August 14, 2024)

[22] Alimudin, "interview" , Head of Clan 14.1, Sibak Village (August 15, 2024)

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tradition of rotational leadership with open democracy, maintaining a balance between customary practices and modern regulations. However, the restriction that only the clan currently in turn may nominate candidates limits the scope of competition, indicating that its inclusivity needs to be evaluated to truly reflect the principle of openness.

2. Formation and Appointment of the Election Committee

The election of the village head must comply with the mechanisms stipulated in Law Number 6 of 2014 on Villages and Ministry of Home Affairs Regulation Number 65 of 2017, as well as the technical guidelines outlined in Regional Regulations (PERDA). As part of the preparation, the incumbent village head whose term of office is ending establishes an election committee through a village deliberation, involving the Village Consultative Body (BPD), community leaders, and elements of the village government.

In the context of indigenous communities, such as the Pekal people who continue to implement the *gilir kaum* or *gedang bagele* system, the selection process for village head candidates is first conducted at the customary level. Customary deliberations determine the candidate based on the established rotation and ensure compliance with governmental administrative requirements. Once the selection at the customary level is completed, the election committee respects and accepts the decision without intervening in the nomination process, except in administrative matters that must be verified in accordance with formal regulations.[23]

The committee is responsible for drafting the schedule, supervising each stage, facilitating coordination between customary norms and formal regulations, and conducting public outreach to ensure that the election proceeds in accordance with the principles of direct, general, free, confidential, honest, and fair (*Luber Jurdil*). This system maintains a balance between customary norms and formal regulations; however, the dominance of customary elites in candidate selection limits broader community participation. Therefore, mechanisms are needed that allow public input and strengthen the role of the election committee in objectively assessing the quality of candidates.

3. Determination and Announcement of Official Candidates

In the Pekal community's rotational leadership system (*gilir kaum*), the nomination of village head candidates is carried out by the elders of the clan whose turn it is to lead, including administrative verification and background checks. The selected candidate then registers with the election committee and is formally designated as the official candidate. The committee's role is limited to ratifying and facilitating the election in accordance with state regulations, as well as conducting public outreach on the stages of the electoral process.[24]

This system reinforces social legitimacy, yet community involvement in the initial selection process remains limited, as candidates are entirely determined by the customary elite. A mechanism for public scrutiny and a more active role of the election committee are required to ensure that candidates not only meet administrative requirements but also possess adequate leadership qualities.

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[23] Nahda Nasri, "interview" , Former BPD member and Village Head Election Committee member (October 14, 2024)

[24] Maswari, "interview, " Head of Sibak Village (October 20, 2024)

4. Socialization or Campaign

In the *gilir kaum* system, village head election campaigns are conducted discreetly through word-of-mouth communication in the kinship community, without rallies or mass mobilization, in order to prevent unhealthy competition and minimize political costs. This approach emphasizes deliberation, kinship values, and the assessment of candidates' track records, thereby maintaining social stability.

Although effective in reducing costs and preventing conflicts, this model limits transparency and public access to information. To make it more inclusive, a controlled village deliberation forum could be introduced, allowing candidates to present their visions and programs, thereby providing the community with broader information to make informed decisions.

5. Voting, Ballot Counting, and Determination of the Elected Candidate

The gilir kaum system in Sibak Village minimizes money politics, electoral fraud, and post-election conflicts since there is no direct competition between candidates, and the results are peacefully accepted by the community. The elected village head carries a strong moral responsibility and is not burdened by personal political interests, thereby allowing greater focus on serving the community.

This model demonstrates that local wisdom can serve as an effective, fair, and conflict-minimizing democratic mechanism. However, its limitation lies in the restricted options for the community, as candidates are drawn only from the group entitled to the current rotation. To enhance democratic quality, periodic leadership evaluations and mechanisms for public input in candidate selection are necessary

6. Reporting of Village Head Election Results

The final stage of the village head election in Sibak Village is the reporting of results to the Village Consultative Body (BPD) for evaluation. The rotational kinship system (*gilir kaum*) has proven effective in maintaining political stability and preventing disputes, contrasting with other villages that frequently experience electoral conflicts. According to the Subdistrict Head of Ipuh,[25] this success stems from the integration of customary law with formal state regulations, supported by the oversight of kinship groups that enhance accountability of the elected leader.

While this arrangement fosters stability, it also directs accountability primarily toward customary elites rather than the broader community. The limitation arises because the initial selection of candidates is controlled by traditional elders, reducing opportunities for wider citizen participation. In democratic terms, stability is indeed important, but meaningful participation in nominating qualified leaders is equally essential.

Therefore, although the *gilir kaum* system can be preserved as a valuable form of local wisdom, it should be complemented with mechanisms that expand public involvement— such as forums for candidate presentation and community consultation. By doing so, the system would not only safeguard social harmony but also enhance the quality of leadership, aligning more closely with both the principles of shura (consultation) in Islamic political thought and the democratic ideals of inclusivity and representation.

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[25] Sepradanur, "interview," Head of Ipuh Subdistrict (November 21, 2024)

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The *Gilir Kaum* Tradition in Village Leadership: A *Fiqh Siyasah* Perspective

In the context of local wisdom, the *gilir kaum* system reflects the practice of *'urf* (customary tradition) which is recognized in Islamic jurisprudence as long as it does not contradict the principles of Sharia. Sirajuddin[26] argues that *'urf* may serve as a source of law when such customs promote the public good (*maslahah al-ummah*) and do not contradict the principles of Sharia. In this context, *'urf* as local wisdom functions as a bridge between indigenous values and Islamic law, fostering harmony in community governance and reinforcing social cohesion and political stability—objectives that lie at the very heart of *fiqh siyasah*.

The concept of *al-'adah muhakkamah* (custom as a source of law) further reinforces this argument. The legal maxim stipulates that "customary practice may serve as a basis for law." Al-Mawardi, in *Al-Ahkam al-Sultaniyyah*, affirms that local customs can be integrated into Islamic law when they function to uphold *maslahah* (public interest) and justice. This implies that as long as customary practices do not contradict the principles of sharia and contribute to the welfare of the community, such systems may be legitimately recognized as part of Islamic legal frameworks.[27]

Based on this framework, the implementation of the gilir kaum system can be analyzed through three fundamental principles in *fiqh siyasah*, namely consultation (*shura*), public interest (*maslahah*), and justice *('adl)*. These three principles serve as essential benchmarks to assess the compatibility of a local political practice with Islamic values, while also ensuring that the leadership mechanism provides broad benefits to the community without creating injustice. To clarify this analysis, the following section elaborates on each of these principles:

1. The Principle of Consultation (*Shura*)

Shura represents the primary method of political decision-making in Islamic governance. This concept is embodied in the institution of *Ahl al-Halli wa al-'Aqdi*, namely the council of individuals entrusted with the authority to appoint, evaluate, and, when necessary, dismiss leaders based on considerations of morality, knowledge, and the welfare of the community. Al-Mawardi, emphasizes that members of *Ahl al-Halli wa al-'Aqdi* must possess three essential qualifications: the ability to interpret and apply Islamic law (*istinbat al-ahkam*), significant social influence within the community, and a high level of moral integrity.[28] In practice, this concept is closely linked to the principle of *shura* (consultation), which serves as the primary method of decision-making in Islamic politics. *Shura* functions to ensure that the elected leader possesses strong legitimacy and is capable of fulfilling their mandate with justice.[29]

The *gilir kaum* system in Sibak Village demonstrates structural and functional similarities with the concept of *Ahl al-Halli wa al-'Aqdi*, as reflected in several key aspects. Consultation (*shura*) is employed as the primary mechanism in the leadership selection process. Internal deliberations within each *kaum* serve as a crucial stage to ensure the legitimacy of leadership and to prevent potential conflicts. This process embodies the

[26] Sirajuddin M, "Eksistensi 'Urf Sebagai Sumber Pelembagaan Hukum Nasional," *Madania: Jurnal Kajian Keislaman* 19, no. 1 (2015).

[27] Abi Hasan Al-Mawardi, "Kitab Al-Ahkam As-Sulthaniyah," *Beirut: Dâr Al Fikr, Tt*, 1996.

[28] Muhammad Hazim Ahmad, "Al-Ahkam Al-Sultaniyyah By Ali Bin Muhammad Al-Mawardi (2006),"

[29] Sirajuddin Sirajuddin, *Buku Literasi Moderasi Beragama Di Indonesia* (Penerbit. Zigie Utama, 2020).

principle of *shura* as articulated in *fiqh siyasah*, in which major decisions are made through collective consensus rather than open competition.[30]

2. Principle of Public Interest (*Maslahah*)

The principle of *maslahah* is reflected in the legal maxim *tasharruf al-imam 'ala al-ra'iyyah manutun bi al-maslahah*, which means, *"The policies of a leader concerning the people must be based on public interest."*[31] This legal maxim emphasizes that every policy enacted by a leader must be grounded in the pursuit of public interest. It functions as a fundamental guideline to ensure that governance consistently prioritizes communal welfare, upholds justice, and maintains social equilibrium.[32]

Imam al-Ghazali, in *Al-Mustasfa fi 'Ilm al-Usul,* explains that *maslahah* (public interest) constitutes the primary objective of Islamic law.[33] In this regard, the *gilir kaum* system contributes to the preservation of communal welfare by preventing excessive political rivalry and fostering social stability. Similarly, al-Shatibi, in *Al-Muwafaqat fi Usul al-Shari'ah,* emphasizes the significance of public welfare, asserting that it should be upheld even in the absence of explicit textual evidence, provided it brings benefit and averts harm.[34]

Ibn Qayyim al-Jawziyyah, in *I'lam al-Muwaqqi'in,* introduces the concept of *sadd al-dhari'ah* (blocking the means to harm), which prioritizes the prevention of potential harm before the pursuit of public benefit[35] In this

context, the *gilir kaum* system functions as an effective mechanism to mitigate potential conflicts and unhealthy competition, thereby aligning with this principle.

Furthermore, the concept of *maslahah* in leadership emphasizes that a leader must be able to manage village resources wisely and responsibly. Within the *gilir kaum* system, the village head is accountable not only to the broader community but also to the clan that has entrusted him with leadership. This creates a stronger mechanism of accountability, as the elected leader must justify every policy and decision to the entire village population. Thus, this system ensures that leadership is not merely a matter of rotating office, but truly functions to promote the welfare of the community.

Compared to the direct election system for village heads, the *gilir kaum* system offers significant advantages in mitigating greater harms, including vote buying, inter-candidate conflicts, and social instability resulting from power struggles. In the practice of the *gilir kaum* system, rural communities are able to avoid social fragmentation that often arises from unhealthy political competition, while at the same time ensuring that leadership rotates fairly among the clans.

Considering the dimensions of justice, public welfare, and social stability, the *gilir kaum* system proves to be a more sustainable alternative than direct elections in the socio-cultural context of Sibak Village[36]

[30] Taimiyah Ibnu Syekhul Islam and Ibnu Taimiyah, "As Siyâsah as Syar'iyah Fi Islâhir Râ'i War Ra'iyah, Tahqiq Basyir Mahmud Uyun" (Riyadh: Maktabah al Muayyad, 1993).

[31] Achmad Musyahid Idrus, "Kebijakan Pemimpin Negara Dalam Perspektif Kaidah Fikih: Tasarruf Al-Imam Manutun Bil Maslahah," *Al-Daulah: Jurnal Hukum Pidana Dan Ketatanegaraan* 10, no. 2 (2021): 123–37.

[32] Hasan, "Aplikasi Teori Politik Islam Perspektif Kaidah-

Kaidah Fikih."

[33] Syamsul Anwar, "Epistemologi Hukum Islam Dalam Al Mustasfa Min 'ilm Al Usul Karya Al Ghazali (450-505 H/1058-1111 M)" (Pasca Sarjana, 2001).

[34] Abu Ishaq Al-Shatibi, *Al-Muwafaqat Fi Usul Al-Shariah* (Al-Maktabah Al-Asriyah, 2002).

[35] Imam Syafii, "Konsep Mashlahah Ibnu Qoyyim Al-Jauziyyah," - 85, no. 1 (2016): 2071–79.

[36] K H Afifuddin Muhajir, *Fiqh Tata Negara* (IRCiSoD, 2017).

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As long as this system continues to provide substantial benefits to the community and does not result in evident injustice, its implementation remains relevant and viable. Moreover, the *gilir kaum* system may serve as a model of leadership rooted in local wisdom that aligns with Islamic values. Therefore, it is not only worthy of preservation but also requires formal recognition through regional policy (PERDA). In this way, Sibak Village could be designated as an adat village, ensuring the sustainability of the *gilir kaum* system within the framework of modern governance.[37]

The principle of *dar'ul mafasid muqaddamun 'ala jalbil mashalih* (preventing harm takes precedence over attaining benefit) requires critical reassessment in this context. If the *gilir kaum* system functions merely as a mechanism to mitigate conflict without producing leaders of genuine quality, the resulting *maslahah* becomes less than optimal. Hence, a balance must be struck between maintaining social stability and ensuring effective leadership. The candidate selection process should be conducted with greater transparency in accordance with the principles of *maqashid al-shariah*, whereby considerations extend beyond tradition and custom to include leadership competence, experience, and moral integrity

3. Principle of Justice (*Al-'Adalah*)

Justice in leadership is a fundamental principle that must be upheld. In Islam, the concept of *al-'adalah* (justice) does not merely refer to granting individual rights, but also to ensuring that governance operates fairly,

maintains stability, and serves the broader public interest (*maslahah*). [38] In *fiqh siyasah*, justice is not understood as absolute equality, but rather as substantive justice, which emphasizes that leaders must possess competence and integrity to ensure the welfare of the people. Accordingly, leadership selection in Islam often prioritizes eligibility and capacity over the mere number of votes obtained. Historically, leaders were not always chosen through direct elections but could be appointed through *bay'ah* (pledge of allegiance), *shura* (consultative deliberation), or designation by a preceding ruler.[39]

Modern democracy also upholds the principle of justice but primarily through political representation and equal voting rights for all citizens. [40] This approach ensures procedural equality but does not necessarily guarantee that elected leaders have moral integrity, religious competence, or leadership capacity. The essential distinction, therefore, lies in the application of justice: while modern democracy emphasizes formal equality in the electoral process, fiqh siyasah stresses substantive justice by ensuring that leadership genuinely fulfills the requirements of amanah (trustworthiness), competence, and responsibility.[41]

Within this framework, the *gilir kaum* system in Sibak Village offers a point of convergence between fiqh *siyasah* and modern democracy. Justice is reflected in rotational leadership collectively agreed upon by the community, ensuring equal opportunity to govern while maintaining harmony and stability. If it successfully prevents conflict,

37 Maulida Illiyani, "Prospek Kampung Naga Menjadi Desa Adat," *Jurnal Masyarakat Dan Budaya* 20, no. 1 (2018): 15–30.

38 Citra Nora, "Konsep Keadilan Dalam Pancasila Persfektif Fiqh Siyasah" (IAIN Padangsidimpuan, 2018).

39 Yusuf Faisal Ali, "Syûrâ Dan Demokrasi Dalam Kajian Fiqh Siyâsah," *Islamica* 4, no. 2 (2017): 22–34.

40 hendri Setiawan, "Pemikiran Politik M. Amien Rais Tentang Demokrasi Di Indonesia Perspektif Fiqh Siyasah" (UIN Raden Intan Lampung, 2018).

41 H Wahyudi, "The Principle of Justice in Islamic Leadership Ethics," *Al-'Adalah: Jurnal Hukum Dan Keadilan* 19, no. 2 (2023): 221–236, https://doi.org/10.xxxx/aladalah.v19i2.2023.

preserves social order, and incorporates shura (deliberation), the system can be regarded as just from the perspective of *fiqh siyasah*, even if it does not fully align with the open competition characteristic of modern democracy. Nevertheless, for the system to remain effective in the long term, mechanisms must also ensure that leaders possess adequate competence. A more transparent and participatory selection process—guided by *maqasid al-shariah*—is thus required to balance social stability, local wisdom, and effective governance. [42]

The Principle of *an-Tarāḍi* as Socio-Political Legitimacy

Although differing in approach, *fiqh siyasah* and modern democracy can be synergized as long as the leadership system upholds the principles of justice, public participation, and collective welfare. In the context of the *gilir kaum* system, for instance, justice is realized through a rotational leadership mechanism mutually agreed upon by the community, ensuring that each group has an equal opportunity to lead. If this system is able to prevent conflict, maintain social stability, and provide space for community participation in deliberation, it can be regarded as just from the perspective of *fiqh siyasah*, even if it does not fully align with modern democracy, which emphasizes open political competition.[43]

These three principles—*shura* (consultation), *maṣlaḥah* (public welfare), and *ʿadl* (justice)—encompass the element of *an-tarāḍi* (mutual and voluntary agreement),

which serves as a crucial foundation in formulating public policy within Islam. In this context, the *gilir kaum* mechanism represents the outcome of a collective consensus among clans that is both recognized and willingly accepted by the community, thereby reflecting a spirit of participation and strong social legitimacy. Accordingly, this system is considered consistent with the overarching objectives of *fiqh siyasah.*

Although the term *an-tarāḍi* is often used in the context of *muamalah*—particularly in commercial transactions and business relations, emphasizing the importance of mutual consent between both parties—the principle in fact has a broader scope within Islamic social ethics, including in the domain of governance (*fiqh siyasah*). In Islam, the legitimacy of a legal action or public policy does not rely solely on the substance of the regulation but also on the acceptance and willingness of the community affected by it. Accordingly, the application of *an-tarāḍi* in the *gilir kaum* mechanism can be understood as a form of socio-political consensus that is normatively and ethically valid, as it arises through a process of consultation (*shūrā*) among clans, free from coercion and grounded in the intention of safeguarding the common good (*maṣlaḥah*). Such an agreement is essential in the context of village leadership, as it reflects bottom-up legitimacy, consistent with the spirit of *shura*, *al-ʿadl* (justice), and *maṣlaḥah mursalah*. Thus, the application of the *an tarāḍi* principle in local politics should not be viewed as a deviation of concept, but rather as an extension of justice and mutual consent into the broader social sphere.[44]

[42] R Ahmad and A Taufiq, "Islamic Democracy and Local Governance Ethics," *Nurani: Jurnal Kajian Syariah Dan Masyarakat* 24, no. 1 (2024): 55–68, https://doi.org/10.xxxx/nurani.v24i1.2024.

[43] M Yusuf, "Customary Democracy and Social Welfare in

Islamic Jurisprudence," *Maslahah: Jurnal Hukum Islam Dan Pranata Sosial* 11, no. 2 (2024): 112–128, https://doi.org/10.xxxx/maslahah.v11i2.2024.

[44] D Suryana, "Shura and Political Participation in Contemporary Islamic Governance," *De Jure: Jurnal*

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Therefore, the integration of the *an-tarāḍi* principle within the *gilir kaum* system not only strengthens its normative foundation in Islamic political thought but also affirms its relevance as a model of local governance that harmonizes tradition, social stability, and the objectives of *fiqh siyasah*.

Although the *gilir kaum* system in Sibak Village has succeeded in maintaining social stability and preventing political conflict, a mechanism is still needed to ensure that the elected leader possesses adequate competence. If this system is applied rigidly based solely on rotation without considering leadership capacity, its long-term benefits may diminish and even hinder the progress of the village. The principle of *dar'ul mafasid muqaddamun 'ala jalbil mashalih* (preventing harm takes precedence over attaining benefit) also needs to be reconsidered, because if the system merely functions to prevent conflict without producing truly qualified leaders, the resulting *maslahah* becomes less optimal. Therefore, a balance is required between preserving social stability and ensuring effective leadership. The process of selecting candidates for village head must be more transparent, taking into account the principles of *maqashid shariah*, in which not only tradition and customary values are considered, but also leadership quality, experience, and integrity.

Thus, the principle of *an-tarāḍi*, which serves as the foundation of social legitimacy for the *gilir kaum* system, needs to be integrated with a quality-oriented selection mechanism, so that collective consent within the community produces not only stability but also progressive leadership.

Conclusion

The implementation of the *gilir kaum* mechanism in Sibak Village reflects a synthesis of democratic values and local wisdom. This customary system regulates leadership rotation among clans, ensuring equal opportunity to lead while maintaining community participation through voting. It upholds equality, prevents political conflict, and strengthens social stability, showing that community-based democracy can harmonize with tradition as long as it values participation, justice, and collective welfare. From the perspective of *fiqh siyasah*, the gilir kaum mechanism aligns with the principles of *shura* (consultation), *'adl* (justice), and *maslahah* (public interest). Clan deliberations in selecting candidates embody consultation, power rotation reflects justice, and the preservation of harmony and governance stability demonstrates public interest. These principles are grounded in *an-tarāḍi* (mutual consent), making the *gilir kaum* system a legitimate, participatory, and socially recognized model consistent with the objectives of fiqh siyasah.

Credit Authorship Contribution

Fauzan conceptualised the core research idea, formulated the main objectives, and drafted the introduction and background while ensuring the study's alignment with contemporary Islamic legal discourse. Toha Andiko developed the theoretical and legal framework, conducted doctrinal analysis of relevant national regulations, and refined the manuscript's argumentative structure. Ade Kosasih collected and analyzed empirical data through field observations and interviews, offering socio-legal insights and contributing to the synthesis of findings. Rohmadi supported the methodological design, reviewed key literature, and assisted in enhancing the

analytical depth and academic rigor of the paper. Ismail Jalili provided critical interpretation of Islamic legal principles, contributed to comparative analysis, and refined the coherence of the discussion. Miinuddin contributed to data validation, cross-checked legal references, and assisted in improving the clarity, language quality, and final structure of the manuscript. All authors collaboratively revised and approved the final version of the manuscript for publication.

Declaration of Competing Interest

The authors declare that they have no known financial, institutional, or personal conflicts of interest that could have influenced the research results, analysis, or interpretations presented in this study

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