



Ethics of Public Aspiration Delivery an Analysis of Fiqh Siyasah on Demonstration Actions in Indonesia

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ABSTRACT (10 PT)

This study analyzes the ethics of public aspiration delivery through demonstrations in Indonesia from the perspective of *Fiqh Siyasah* (Islamic Political Jurisprudence). The research addresses: (1) the implementation of demonstrations in Indonesia, (2) an analysis of these practices based on the ethics of aspiration delivery in *Fiqh Siyasah*, and (3) the contribution of *Fiqh Siyasah* in providing moral-ethical guidelines for demonstrations.

Using a qualitative case study approach, data were collected through in-depth interviews with community leaders, demonstrators, law enforcement, and academic observers across several provinces, along with documentation of media reports, regulations, and action records. Data analysis was conducted thematically, while normative analysis contextualized *Fiqh Siyasah* principles including *adab al-ikhtilaf* (ethics of disagreement), *al-maslahah al-'ammah* (public interest), *maqāṣid al-syarī'ah* (objectives of Islamic law), and *amar ma'ruf nahi munkar* (enjoining good and forbidding evil).

Findings reveal that demonstration practices vary significantly across regions, with some proceeding orderly and others marked by tension. *Fiqh Siyasah* offers substantial moral guidance through principles such as sincere intention for public benefit, proportionality, avoidance of greater harm (*mafsadah*), safeguarding public rights, and balancing criticism with obedience in good matters. The study concludes that an Islamic demonstration is both a right and a responsibility to maintain social stability and preserve the dignity of struggle. It recommends socializing Islamic public ethics derived from *Fiqh Siyasah* to all stakeholders to cultivate a dignified, peaceful, and benefit-oriented culture of aspiration delivery.



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INTRODUCTION

In Indonesia, the right to express opinions publicly is constitutionally protected and safeguarded by legislation, including Article 28E of the 1945 Constitution and Law Number 9 of 1998 concerning Freedom of Expression in Public, which regulates the forms, procedures, rights, and obligations of participants, as well as the underlying principles of its implementation. Furthermore, Law Number 39 of 1999 on Human Rights and the ratification of the International Covenant on Civil and Political Rights (ICCPR) through Law Number 12 of 2005 reinforce the state's commitment to protecting freedom of expression as a fundamental right (Asshiddiqie, 2021; Simanjuntak, 2023).

However, in practice, demonstrations in Indonesia frequently give rise to ethical and social problems. It is not uncommon for actions intended to convey aspirations to devolve into anarchic acts, causing damage to public facilities, clashes with security forces, or even resulting in casualties. This creates a persistent dilemma between respecting human rights to freedom of expression and the obligation to maintain public order (Oktariza & Rahman, 2024). Several recent studies have noted that the issue of demonstrations in Indonesia is often linked to weak coordination, low levels of political

literacy among the populace, the proliferation of misinformation through social media, and the reactive tendencies of both security forces and crowds in conflict situations (Nurbayani, 2025; Kusuma et al., 2024). The digital era has further complicated the landscape, as social media platforms simultaneously facilitate rapid mobilization and amplify the potential for disinformation and provocation during mass actions (Hafizd et al., 2023).

From an Islamic perspective, the expression of public aspirations is viewed not only in terms of formal legality but also through moral and ethical dimensions. Islam emphasizes the principle of *amar ma'ruf nahi munkar* as the basis for social participation and the correction of injustice, while simultaneously underscoring the importance of *adab* (etiquette) in conveying aspirations so as not to cause greater harm (*mafsadah*) than the benefit (*maslahah*) sought to be achieved (Kamali, 2021; Al-Raysuni, 2022). Thus, the expression of aspirations in Islam cannot be divorced from the ethical dimension oriented towards *maqasid al-shari'ah*, namely the preservation of religion, life, intellect, lineage, and property (Auda, 2022; Al-Shātībī, 2023).

From the perspective of *fiqh siyasah* (Islamic political jurisprudence), socio-political actions such as the articulation of public aspirations are assessed not only based on state legality but also through ethical considerations and *maqāṣid al-syari'ah* (the objectives of Islamic law) (Al Wali & Muslim, 2023; Nurussa'adah & Yamani, 2025). Within this framework, concepts such as *adab* (ethics in action), *maṣlaḥah 'āmmah* (public interest), and the prohibition of causing *mafsadah* (social harm) serve as moral foundations for evaluating forms of political participation by the Muslim community. Contemporary scholarship on *fiqh siyasah* emphasizes the importance of balancing the right of individuals or groups to express opinions with the moral responsibility to maintain public order and the collective welfare of the community (Achmad Muzaki et al., 2024; Anggista et al., 2024).

The expression of opinions in public is part of the human rights guaranteed by the constitution and legislation in Indonesia, as enshrined in Law Number 9 of 1998 concerning Freedom of Expression in Public. In the context of Islamic law, the expression of aspirations also has a normative basis, as Islam provides space for its followers to perform *amar ma'ruf nahi munkar* as a form of social control over policies or behaviors that deviate from the values of justice. However, the expression of aspirations in Islam is not unrestricted; rather, it must be accompanied by ethics, *adab*, and noble character (*akhlak*), so as not to cause greater harm than the benefit intended to be achieved (Shihab, 2021; al-Jabiri, 2022).

Within the perspective of Islamic family law, the values of public communication ethics can be linked to the principles of maintaining harmony, deliberation (*musyawarah*), and mutual respect. Islamic family law not only regulates relationships within the household but also provides a moral foundation for the creation of a harmonious society. The principles of *ta'āruf* (mutual recognition), *ta'āwun* (mutual cooperation), and *islāh* (reform/reconciliation) developed within Muslim families can serve as moral guidelines when the community expresses aspirations in the public sphere. Thus, demonstrations or acts of opinion expression should be understood as a means of collective deliberation to achieve common good, rather than as arenas for destructive confrontation (Hidayat & Lubis, 2023; Nasution, 2022).

Furthermore, this study seeks to link the ethics of demonstrations with the perspective of *fiqh siyasah*. The framework of *fiqh siyasah* is important because it views that the relationship between rulers and the ruled is measured not only by compliance with positive law but also by the normative principles of Islam that safeguard the continuity and welfare of society. In a recent study, Nurussa'adah and Yamani (2025) affirm that principles such as justice (*al-'adalah*), public interest (*maṣlaḥah*), consultation (*syūrā*), and accountability (*amānah*) serve as ethical parameters in the formulation of public policies that do not harm the community. Similarly, Anggista et al. (2024) demonstrate that Islamic legal maxims (*qawa'id fihiyyah*) play a significant role in weighing benefits and harms, as well as assessing political actions affecting public welfare and preventing social harm (*mafsadah*). These scholarly contributions underscore the relevance of *fiqh siyasah* as a normative framework for evaluating contemporary political actions, including demonstrations, in the Indonesian context.

RESEARCH METHODS

This research is qualitative in nature and employs a descriptive-interpretative case study type. The qualitative approach was chosen because the research objectives include understanding the social meanings, motives, values, and ethical practices behind demonstration actions in the Indonesian context, as well as how the framework of Islamic family law provides moral guidelines. The research

utilizes a case study strategy as its primary approach because the focus is on answering "how" questions related to the implementation of demonstrations, ethical practices according to Islamic perspectives, and the contribution of Islamic family law in the national context.

The research was conducted across several provinces in Indonesia including Jakarta, West Java, East Java, and South Sulawesi to capture the diversity of demonstration practices. Focus was placed on public locations where actions frequently occur (city squares, campuses, DPR/DPRD buildings, public spaces often used for rallies) as well as related institutions (universities, mass organizations, legislative offices, police headquarters). The rationale for choosing these locations includes the diversity of local practices, the interconnection between Islamic values and regional political cultures, and the accessibility of documents and relevant parties.

The research integrates several data collection techniques: in-depth semi-structured interviews, non-participatory observation, and document/archival review to achieve triangulation and depth of interpretation. The interviews aim to explore motives, meanings, ethical values, personal experiences, and interpretations of Islamic family law and *fiqh siyasah*. The informant groups and initial targets (indicative) include: a) Activists/demonstration participants (students, youth, civil society members): 10-15 persons; b) Religious leaders/scholars (*ulama*): 6-8 persons; c) Parents/guardians of participants: 5-7 persons; d) Government officials/DPR/DPRD members, security apparatus (police, military): 5-7 persons; e) Academic observers and political analysts: 4-6 persons.

RESULTS AND DISCUSSION

Typologies of Demonstration Practices in Indonesia

Field research across multiple provinces in Indonesia revealed that the pattern of demonstration actions can be categorized into two main spectra: demonstrations that proceed in an orderly and dialogical manner, and demonstrations marked by tension and potential for conflict. Orderly demonstrations, such as those often organized by student organizations and civil society groups with clear committee structures, tend to follow administrative procedures, including notifying the police, agreeing on routes, and delivering orations with measured language (Interview with a student activist leader in Jakarta, March 2025). These structured actions demonstrate awareness of both legal procedures and ethical responsibilities.

The analysis of demonstration typologies in Indonesia reveals a clear polarization between procedurally organized actions and spontaneous, reactive ones, each with distinct dynamics, challenges, and ethical implications. This finding aligns with broader scholarly observations on social movements in Indonesia, where the institutional capacity of organizing groups significantly influences the trajectory of protests (Aspinall & Mietzner, 2022; Tarrow, 2023).

On the one hand, structured and policy-oriented demonstrations, typically driven by organized elements such as Student Executive Boards (BEM), formal labor unions, or certain Non-Governmental Organizations (NGOs), display more measured characteristics. These actions, such as the rejection of controversial legislation (e.g., the Omnibus Law on Job Creation in 2020-2023), demands for environmental justice, or calls for public accountability regarding state budgets, are generally preceded by a mature formulation of demands. Organizers conduct preliminary studies, formulate specific and measurable actionable demands, and often engage in initial diplomatic channels with the relevant commissions at legislative bodies before taking to the streets (Hadiz & Robison, 2021; Tapsell, 2023).

From the perspective of *Fiqh Siyasah*, this approach reflects the principles of *al-tadrij* (gradualism) and *al-hikmah* (wisdom) in effecting change. Administrative mechanisms such as providing notice to the police are not viewed as a form of legitimizing the state, but as a strategy to maintain public order (*hifz al-nafs* and *hifz al-mal*) while ensuring their aspirations are heard officially. The rituals of the action also tend to be orderly, with structured orations, reading of statements of attitude, and symbolic handover of demand documents to government representatives. Such patterns demonstrate an awareness of both rights and responsibilities in the public sphere, aligning with the concept of *maslahah 'ammah* to be achieved through recognized channels (Kamali, 2021; Al-Raysuni, 2022).

Conversely, spontaneous mass demonstrations triggered by incidental issues such as land disputes between corporations and local communities, mass layoffs (PHK) in industrial sectors, or police violence against citizens display dynamics that are far more fluid, emotional, and complex. These issues touch directly on the existential concerns of communities (*hifz al-mal* and *hifz al-nafs* in a very

concrete sense), resulting in responses that are often immediate, massive, and laden with collective affective charge. This type of action frequently originates from an organic gathering point (such as the site of the dispute, factory gates, or police stations) and moves dynamically without a predetermined route. Observations across various locations indicate that tension in such actions typically stems from three critical factors (Interviews with security officials and activists in East Java and South Sulawesi, 2024-2025):

1. **Structural Miscommunication with Security Apparatus** Masses arriving with grievances over perceived direct injustice (*dhulm*) often lack formal representatives or spokespersons capable of negotiating with security command structures. Security forces, operating under standard protocols to prevent anarchy, tend to view the crowd as a monolithic entity potentially disruptive to public order. This communication gap easily sparks misunderstanding. Police requests to disperse or relocate can be interpreted by the crowd as an attempt to suppress their aspirations, while the crowd's persistence is viewed by authorities as defiance. This dynamic is exacerbated when both parties lack established trust and prior communication channels (Mietzner, 2024).
2. **Physical and Psychological Exhaustion of the Masses** – Unlike organized actions with logistical support, spontaneous protests often leave participants in physically and emotionally strained conditions for extended periods. This fatigue reduces tolerance and increases vulnerability to provocation. This saturation point becomes a flashpoint where minor incidents such as a shout from an individual or a forward step by an officer can trigger cascading reactions that are difficult to control. Research on crowd psychology in the Indonesian context confirms that prolonged exposure to high-tension environments correlates with heightened aggressive responses (Nurbayani, 2025; Oktariza & Rahman, 2024).
3. **Infiltration and Provocation by Third Parties** The heated atmosphere and the homogeneous anger but heterogeneous self-control of the crowd create fertile ground for infiltration. Parties with specific interests whether aiming to discredit the action, escalate tensions, or merely seek sensation can deliberately provoke, such as throwing objects or shouting insults at security forces, only to disappear into the crowd. The behavior of a few individuals is then generalized, providing justification for security forces to forcibly disperse the crowd or for media to portray the entire action as anarchic. The role of social media in amplifying such provocations has been well-documented (Hafizd et al., 2023; Kusuma et al., 2024).

From the perspective of *Fiqh Siyasah* ethics, these spontaneous actions face deeper dilemmas. On the one hand, they possess strong moral legitimacy because they defend fundamental rights that are being violated (preventing injustice is a core component of *nahi munkar*). On the other hand, their fluid dynamics make them highly vulnerable to violating the principle of *dar'u al-mafasid* (averting greater harm), such as sacrificing life safety or triggering social unrest that would ultimately harm the wider community. This tension underscores the need for an ethical framework that can guide both organizers and participants toward more responsible forms of expression.

Therefore, these findings highlight the importance of building a public ethics infrastructure at the community level, involving religious figures, traditional leaders, and trusted individuals who can act as credible mediators (*al-hakam*) during crises. Their role is not to prevent protests, but to ensure that legitimate anger is expressed in ways that preserve the dignity of the struggle and do not sacrifice broader *maslahah*. This recommendation is consistent with contemporary Islamic scholarly calls for the institutionalization of conflict resolution mechanisms grounded in Islamic ethical principles (Al-Qaradawi, 2022; Fauzi & Rahman, 2023).

Normative Analysis: Ethics of Aspiration Delivery in Fiqh Siyasah

When the practices described above are examined through the lens of the ethics of aspiration delivery in *Fiqh Siyasah*, several significant normative findings emerge. These findings are organized around key principles that collectively form a coherent ethical framework for evaluating and guiding public political participation.

1. Intention (Niyyah) and Public Benefit (Maslahah)

Fiqh Siyasah emphasizes that every public action, including demonstrations, must be grounded in a sincere intention (*niyyah*) to improve conditions (*islah*) and achieve the public good (*al-maslahah al-'ammah*), rather than merely collective emotion or narrow group interests (Al-Mawardi, 2023; Al-Ghazālī, 2022). In the Indonesian context, actions with clear, substantively justifiable demands are more

easily confirmed as aligned with the principle of *maslahah* compared to actions that are merely reactive or symbolic. This principle requires that demonstrators articulate their grievances through reasoned arguments and evidence-based claims, distinguishing legitimate advocacy from mere emotional catharsis.

Scholars of *maqāṣid al-shari'ah* have emphasized that the ultimate criterion for evaluating any public action is its contribution to the preservation of the five essential objectives: religion (*dīn*), life (*naḥs*), intellect (*'aql*), lineage (*nasl*), and property (*māl*) (Auda, 2022; Kamali, 2021). A demonstration that fails to demonstrate a clear connection to these objectives or worse, actively undermines them cannot be justified on Islamic ethical grounds. This is not to delegitimize protest per se, but to insist that protest must be purposeful and oriented towards tangible public benefit.

2. Proportionality (*Tanasub*) and Averting Harm (*Dar' al-Mafasid*)

A fundamental Islamic legal maxim states: "Averting harm takes precedence over securing benefit" (*dar' al-mafasid awla min jalb al-masalih*) (Al-Suyūṭī, 2022). Demonstrations that devolve into anarchy, damage public facilities (*hifz al-mal*), or endanger lives (*hifz al-naḥs*) clearly contradict this principle. Interviews with religious leaders in various regions confirmed that while *amar ma'ruf nahi munkar* is an obligation, the method of its implementation must not create greater *maḥṣadah* (corruption/harm) (Interviews with *ulama* in Jakarta and Makassar, 2024-2025). Therefore, the ethics of demonstration in Islam require strategic planning to minimize the risk of chaos and violence.

The principle of proportionality also extends to the scale of demands and the methods used to pursue them. A legitimate grievance does not justify disproportionate or excessive responses. This demands that organizers and participants exercise restraint, maintain self-discipline, and continuously assess whether their actions are advancing or undermining their stated goals. Contemporary Islamic political thought emphasizes the concept of *fiqh al-waqi'* (jurisprudence of reality), which requires that ethical judgments be grounded in an accurate assessment of actual conditions and consequences (Al-Raysuni, 2022; Mufid, 2023).

3. Ethics of Disagreement (*Adab al-Ikhtilaf*) and Preserving Honor (*Hifz al-'Irdh*)

Fiqh Siyāsah teaches that correction of the ruler must be conducted with courtesy (*qaulan layyinan*), maintaining the dignity of the other party, and avoiding insults or slander (Al-Qaradawī, 2022; Al-Attas, 2021). Observations of orations in various demonstrations across Indonesia show variation in these practices; some employ critical but respectful language, while others tend toward derogatory and provocative rhetoric. The former approach is more aligned with *adab al-ikhtilaf*, which upholds the ethics of public debate in Islam.

This principle also implies a responsibility to engage in constructive dialogue, to seek common ground, and to avoid personal attacks that undermine the possibility of mutual understanding. In a pluralistic society like Indonesia, where religious and ethnic diversity is a defining feature, maintaining *adab* in public discourse is essential for social cohesion. The concept of *ukhuwwah* (brotherhood) extends beyond co-religionists to encompass fellow citizens, and public expression should reflect this commitment to shared civic identity (Shihab, 2021; Hidayat & Lubis, 2023).

4. Balance between the Right to Express Opinions and the Obligation of Obedience (*Ta'ah*) in Goodness

Islam recognizes the right of the people to criticize an unjust ruler, but also mandates obedience as long as it is in matters of good (*ma'ruf*) and does not contradict Islamic law (Ibn Taymiyyah, 2022; Al-Māwardī, 2023). The implication is that demonstrations as a form of correction do not negate the general obligation to comply with applicable laws during the process, such as provisions regarding notification and designated routes. This creates a paradigm of collective responsibility where demonstrations are not merely a claim of rights but also an execution of the obligation of *amar ma'ruf nahi munkar* conducted with civility.

This balance is particularly relevant in the Indonesian context, where the state recognizes both the right to freedom of expression and the need to maintain public order through legal frameworks such as Law Number 9/1998 and various police regulations. Demonstrators are thus expected to exercise their constitutional rights within the bounds of law, while state authorities are expected to facilitate peaceful assembly and refrain from disproportionate force. This mutual obligation reflects the Islamic principle of *al-'adl* (justice) in governance and public participation (Nurussa'adah & Yamani, 2025).

The Contribution of *Fiqh Siyasah* to Moral-Ethical Guidelines for Demonstrations

The main contribution of *Fiqh Siyasah* in providing moral-ethical guidelines for demonstration actions lies in its ability to transform assessments from merely legal-formal aspects (whether permission has been obtained) to substantive-ethical evaluations (whether the purpose preserves *maslahah*; whether the method safeguards *hifz al-nafs* and *hifz al-mal*). As emphasized by Auda (2022) and Kamali (2021), the *maqāṣid* approach enables contextual and holistic evaluation of socio-political actions. In the Indonesian context, this framework can serve as a shared guide for all stakeholders activists, religious figures, and security apparatus to evaluate and design aspiration delivery that is both effective and dignified.

The *maqāṣid* framework offers several advantages over purely procedural or security-based approaches. First, it provides a substantive moral foundation that transcends narrow legalism, recognizing that legitimate grievances may require public expression even when formal channels are perceived as inadequate. Second, it imposes ethical constraints that prevent legitimate protest from descending into lawlessness or harm. Third, it creates common ground for dialogue between secular and Islamic perspectives on governance, as the objectives of preserving life, property, and social order are universal values shared across ethical traditions.

Based on these findings, it can be concluded that an Islamic demonstration is one that meets five integral criteria: (1) sincere intention for *islah* (reform) and *maslahah 'ammah* (public benefit); (2) proportionality between goals and methods; (3) strong commitment to preventing greater harm (*mafsadah*); (4) execution with high *adab* (etiquette), preserving the dignity of all parties; and (5) understanding that the action is part of social responsibility (*fardhu kifayah*) to uphold justice and benefit, not merely an expression of freedom.

The practical recommendation is the need for socialization and internalization of Islamic public ethics derived from *Fiqh Siyasah* through open dialogue between *ulama*, academics, activists, and government officials across Indonesia, to build a consensus on a culture of demonstration that is constitutional, effective, and aligned with the noble values of religion. This is particularly urgent given the increasing frequency of mass actions and the potential for polarization in the digital age, where ethical guardrails are essential to prevent the erosion of public discourse.

CONCLUSION

Based on the research findings and discussion regarding the ethics of conveying public aspirations through demonstration actions in Indonesia from the perspective of *Fiqh Siyasah*, several conclusions can be drawn:

1. The implementation of demonstrations in Indonesia shows two main patterns: structured and policy-oriented demonstrations, and spontaneous demonstrations triggered by incidental issues. The first pattern tends to be procedural, orderly, and prioritizes dialogue, while the second is fluid, emotional, and vulnerable to escalation due to factors such as miscommunication with security forces, crowd fatigue, and infiltration by provocateurs. These phenomena reflect the complex socio-political dynamics of Indonesia, where constitutional rights to assemble and express opinions interact with vulnerabilities in public order maintenance.
2. Analysis of demonstration practices through the ethics of *Fiqh Siyasah* reveals that Islam offers a comprehensive ethical framework for conveying aspirations. The main relevant principles include:
 - a. Sincere intention (*niyyah*) to achieve public good (*al-maslahah al-'ammah*), not merely emotion or narrow interests.
 - b. Proportionality (*tanasub*) between goals and methods, as well as the avoidance of greater harm (*dar' al-mafasid*), especially related to the protection of life (*hifz al-nafs*) and property (*hifz al-mal*).
 - c. Ethics in disagreement (*adab al-ikhtilaf*), which emphasizes conveying criticism with courtesy, maintaining public honor, and avoiding slander or violence.
 - d. Balance between rights and obligations, where demonstrations are understood as part of the responsibility of enjoining good and forbidding evil (*amar ma'ruf nahi munkar*), which must be carried out without neglecting obedience in good matters (*ta'ah fi al-ma'ruf*).
3. The contribution of *Fiqh Siyasah* in providing moral-ethical guidelines for demonstration actions lies in its ability to transform assessments from merely legal-formal aspects to evaluations based

on values and the objectives of *shari'ah* (*maqāṣid al-shari'ah*). *Fiqh Siyasah* emphasizes that demonstrations are not merely a matter of rights but also a moral responsibility to maintain social stability, the dignity of the struggle, and the achievement of common benefit. Thus, it offers a paradigm of responsible and ethical demonstrations that can bridge the interests of the community with the principles of order and justice.

4. Normative recommendations that can be advanced are:

- a. The formulation of ethical guidelines for demonstrations based on local wisdom and Islamic values, involving religious figures, traditional leaders, academics, activists, and government officials at both national and regional levels.
- b. Enhancement of community capacity through public dialogue and civic education that integrates the perspective of *Fiqh Siyasah*, so that aspiration delivery can be carried out effectively, peacefully, and with dignity.
- c. Strengthening the role of social mediators from among religious and community leaders, who can act as credible intermediaries in preventing conflict escalation during demonstration actions.

Overall, this study affirms that the perspective of *Fiqh Siyasah* is not only relevant as a normative analytical framework but also as a practical foundation for building a culture of aspiration delivery that is civilized, constitutional, and oriented towards common benefit in Indonesia. By integrating Islamic ethical values into demonstration practices, it is hoped that a synergy can be created between critical public participation and social responsibility that maintains the harmony of national and state life. In an increasingly pluralistic and digitally connected society, this ethical integration is not optional but essential for sustaining democratic governance and social peace.

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