

## Direct Election System In City of Makassar In Islamic Law Perspective

HM Akil<sup>1</sup>, H. Lamba Sultan<sup>2</sup>, Darussalam Syamsuddin<sup>3</sup>, Moh Sabri<sup>4</sup>

<sup>1</sup>Student Alauddin State Islamic University, Indonesia

<sup>2</sup>Professor Alauddin State Islamic University, Indonesia

<sup>3</sup>Professor Alauddin State Islamic University, Indonesia

<sup>4</sup>Associate Professor Alauddin State Islamic University, Indonesia

Email : [m.akiltahir@gmail.com](mailto:m.akiltahir@gmail.com)

### Abstract

Direct Election System in Makassar City in Islamic Law Perspective, this is located in Makassar City, South Sulawesi Province. This type of research is descriptive qualitative. While the approach used in this study is a formal juridical approach. The results of the study indicate that, the mechanism of direct elections in Makassar City in accordance with the 1945 Constitution, Article 18 paragraph (4) affirms: "Governors, Regents and Mayors respectively as Heads of Provincial, Regency and City Governments are democratically elected". It's just that there are still those that are not in line with the provisions of Islamic law and law, for example being elected as Regional Head because of nepotism, using the power of money or called *money politics*. Regional Head in Makassar City, it can be said that he is competent. However, when viewed from the post-conflict local election law, it turns out that there is one important requirement that is omitted, namely about public testing, so that it is not chosen from its capacity, but is chosen more in terms of the strength of political parties and in terms of the strength of the funds. The character of the voters is also diverse and generally there are still some whose voting rights can be bought with money.

**Keyword :** Direct Pemilukada, Islamic Law, Makassar

### Introduction

Direct Election of Regional Heads has been carried out since June 2005 in various regions, throughout Indonesia until now. However, in 2009, there was no implementation of the Regional Head Election, because it coincided with the agenda of organizing the Election of Legislative Members and the Election of the President and Vice President. Election of Regional Heads was held again in 2010. In 2014, the Election of Legislative Members was held again, as well as the Election of the President and Vice President. In December 2015 Regional Heads were re-elected simultaneously throughout Indonesia, including in South Sulawesi and there were 11 Regions participating in the democratic party Election of Regional Heads and Deputy Regional Heads, namely: Gowa Regency,

Maros, Barru, Luwu Utara, Luwu Timur, Tana Toraja, North Toraja, Pangkep, Soppeng, Selayar and Bulukumba Regency.

Direct election of Regional Heads held in several regions has taken a lot of time, costs and energy. Even in various regions, the Election of Regional Heads is directly colored by various conflicts. The point of conflict has been seen starting at the time of registration of candidates, the campaign period and the most occurring is after the announcement of the results of the Election of Regional Heads by the Regional General Election Commission (KPUD). The causes of conflict varied, ranging from internal party conflicts, candidates for Regional Heads who were not ready to lose, supporters who could not accept the reality if the candidate he supported lost and so on.

The ongoing conflict had raised claims and criticisms of the direct implementation of Regional Head Elections. Large Islamic organizations (NU and Muhammadiyah) have filed complaints and criticisms of the direct Regional Head Election system. This system is considered wasteful and prone to conflict. There are hundreds of direct Regional Head Elections that must be carried out and means that the costs incurred are even higher, especially if the Regional Head Election has to be held in two or three rounds, you can imagine how much it must cost. Not to mention if there is a conflict between supporters of the candidate which leads to anarchic action by damaging public facilities, then the amount of costs that must be incurred for the direct election of the Regional Head will increase. Clashes that occur between supporters of candidates for Regional Heads can also lead to divisions that can lead to national disintegration.

The direct implementation of the Regional Head Election also resulted in the community becoming bored with the implementation of the election. Almost every day, people are treated to news about the Election of Regional Heads. From several Regional Head Elections held, from time to time the number of abstentions increased. Community participation before the direct post-conflict local election implementation in Indonesia, including in Makassar City for example elections in 1971 with registered voters as many as 58,558,776, valid votes 54,669,509, while absent 3,479,696, while abstentions 3,889,267, so that abstentions only 6.64%, comparing elections in 2009 it turned out that abstentions increased, registered as voters as many as 171,265,443, valid votes 104,669,785, then those who were absent 49,677,079 while those who abstained were 67,165,657, meaning the number of abstentions after the post-conflict local election implementation immediately at 39.22%, it shows that the increasingly widespread direct and even simultaneous post-conflict local elections carried out in Indonesia, but have not found the right system as a way to attend the abstentions of abstentions. The community is no longer enthusiastic to vote even though they have the right to vote. The General Election Commission as the organizer of the election also looks very difficult in preparing for the implementation of the election, because often elections are held.

From the various problems that arose during the direct implementation of the Regional Head Elections, the idea emerged that the implementation of Regional Head Elections should be returned to the previous mechanism, namely through the DPRD mechanism. In the life of a developing country. There are many demands from various circles of society relating to the implementation of direct Regional Head Elections, those who feel their interests are not accommodated in legislation, or feel their rights have been

impaired due to the issuance of legislation, then they take legal action by applying for judicial review of applicable laws and regulations. With the granting of the request for judicial review, it requires a change to the existing laws and regulations.

Changes to laws and regulations relating to the Election of Regional Heads should be carried out thoroughly, so as not to overlap and what is certain is that regulations do not change frequently which results in people losing their orientation. In addition, if laws and regulations often change, the costs incurred in the formation of regulations are also increasingly high.

One of the actual problems that always arises in the discourse of Islamic thought throughout the history of Muslims is politics. Islam seems to be inseparable from politics, both in its normative doctrinal studies and in its historical meaning.

Normatively, Islam provides general or global clues that are directly or indirectly related to political issues, both in general and broad terms and in a specific sense of state / party. But it must be noted that the Qur'an and the hadith are the same and how the most suitable for regulating the community or people. Even two authentic sources of Islam do not give formal legitimacy about the need for a political party / constitutional system as a place to regulate the interests of Muslims and ensure the survival of Islam.

A person's success depends on the way politics is run. Islam provides guidance that, in politics or regulating government in a country or region, should be polite and compete in a healthy manner, not insulting each other, offending one another. If there are problems that cannot be resolved through deliberation and consensus, then return to Allah and His messenger (the Qur'an and the hadith of the Prophet).

In the case of Indonesia which has the largest Muslim population in the world but is not included in the formal Islamic group, it turns out that the practice of Islamic teachings goes well among the people. Islamic development also takes place systematically both in terms of syiar and teachings and in terms of institutions. Even though there was an upheaval motivated by the desire to establish an Islamic state, the upheaval itself did not gain broad support from Muslims. After the movement could be extinguished by the government there was no longer heard of a similar movement, which wanted to establish an Islamic state, replace Pancasila as an ideology and basic philosophy of the country, although lately Hizb ut-Tahrir has made a vow to replace Pancasila in the name of Islam. But NU as the largest Islamic organization in the country has made a statement that the state of Pancasila is the final form of the Indonesian republic. The Nahdlatul Ulama statement was widely accepted so that nostalgia for forming an Islamic state was regarded as a past dream that had to be buried.

Political / party politics throughout its history, can accommodate all party / state system that live in society, including the system of Socialism and Communism Atheism as practiced in the Russian state. While the democratic theocracy system is maintained by the Islamic Republic of Iran. The other Islamic countries adhere to a different nuanced system of democracy.

The form and mechanism of democracy in Law No. 32 of 2004 that, Democracy does not only apply at the national level but needs to be applied at the regional level, both at the level one and at the second level for the birth of compatible leaders in the region.

However, the good objectives of Law No. 32 of 2004 concerning the General Election of Regional Heads By several bad mechanisms including:

- a. Were overwhelmed Excessive ambition of positions from a number of Democratic contestants. Most of them tend to justify any means to win Democracy either through *money politics* or *black campaign*.
- b. To win Democracy, a person needs large funds both to finance legal and illegal activities which are usually used to influence the tendency of people to vote. Because it is almost certain that anyone who wins Democracy will do everything in his power to get compensation from the costs incurred. For this reason, the potential for Corruption, Collusion, Nepotism and Bribery (KKNS) in the era of leadership for elected leaders. Therefore, those who become rulers are entrepreneurs so that it is a misunderstanding of Democracy from the people, by the people and for the people and for entrepreneurs.
- c. Election mechanisms that are quantitative pattern *one men one foot* will not produce compatible leaders because the voice of the professor is the same as the sound of a pedicab driver. In addition, what is called the people is 50% plus 1% and besides 51 is not called the people. In line with that, the term appears as if true but wrong that is the most sound is the voice of God. Even though according to the Qur'an the most votes are the sounds of demons. Such a mechanism is difficult to produce compatible leaders as desired by Law No. 32 of 2004. Herein lies the urgency of this problem to find and get leaders. According to Abu Bakr Ash Siddiq et al. (Ahlus Sunnah wal Jamaah) seeking a leader is far more important than burying the Prophet. That is, choosing the absolute leader is so that there is no emptiness. It is necessary to find the right and correct mechanism so that compatible leaders are born.

Apart from all the gaps above, Muslims themselves must appear to contribute tirelessly to support the realization of the noble goals contained in Law No. 32 of 2004. This effort is important to present Islam as a very rich doctrine with noble values to fight in the middle people who are adopting a democratic system. Even if in the past political practices of Muslims, Muslims tended not to be democratic or violate the values and principles of democracy. However, this cannot be used as a measure, because the condition of the people and the atmosphere of the times surrounding the Muslims at that time did not provide a conducive climate for the growth of a democratic state system. Strictly speaking, the most important thing that must be championed by Muslims is not a formal form but rather the practice carried out by the organizers and the noble goals to be achieved which must be prioritized. The most important thing is the realization of the noble values that are universally upheld by all religions in the form of just and civilized humanity and the realization of prosperity for the entire community.

## Research Methods

The type of research used is *field research*. The research was carried out in Makassar City by examining the two regional election electoral institutions which were the executors of the General Election, namely the Makassar City General Election Commission (KPU) and the South Sulawesi Election Supervisory Body (BAWASLU). This study uses a normative juridical approach and a sociological juridical approach.

In analyzing the data collected, researchers used descriptive qualitative methods, namely processing data obtained in the field through observation and interviews. Miles, Huberman and Saldana stated that, activities in analyzing qualitative data interactively and continued continuously to completion so that the data is clear. The data analysis process was carried out by the researcher through three stages, namely the data condensation stage, the data presentation stage (*data display*) and verification / conclusion drawing.

## Research Results

### A. Direct Regional Election Mechanisms in Makassar City

Based on Article 18 paragraph (4) of the post-amendment to the 1945 Constitution states that filling in the positions of regional heads must be carried out by democratic elections. However, it is not further explained how the meaning of "democratically chosen" can be meaningful (ambiguous), meaning that there are alternatives that can be directly or indirectly chosen / representative with democratic provisions. The absence of further explanation of the meaning of "democratically elected" resulted in many different interpretations resulting in various mechanisms for filling positions in each government regime. The diversity of models for filling the position of head of the region raises the assumption that governments claiming to apply the principles of democracy can interpret the position of regional head in various mechanisms, including the meaning of democratic elections as stipulated in the current constitution. Thus, it can be said that the meaning of democracy becomes ambiguous when seen in the practice of filling in the position of regional head in Indonesia so far. The diversity of mechanisms for filling in regional head positions does not only occur in Indonesia but also in many countries in the world.

The mechanism of direct regional head election is the basis of democracy that is desired by society as a whole, including the people of Makassar City. Direct election of Regional Heads is a product of state policy that becomes a big political momentum that is currently assessed and expected by the government and all Indonesian people as the right choice and way to move towards regional democracy. This is in line with one of the objectives of reform, namely to create a more democratic Indonesia. This can only be achieved by returning sovereignty in the hands of the people.

Conflicts regarding the mechanism of regional head elections that are currently developing must get the best solution. The resolution of this problem must not harm all parties and all the people of Indonesia. If the politicians who voice this matter in the interests of democracy and people's welfare, the choice of this solution is certainly acceptable.

According to Makassar City KPU members, the mechanism of direct Regional Head selection is maintained because, still in the learning process, besides that, it is still looking for the best form between the two forms and it is considered that direct election is relatively new compared to the Regional Head election. representative by the DPRD.

Furthermore, Makassar City KPU members said that there was no longer carried out competency and integrity tests for candidates for Regional Heads as a public test, so that it could not be known until where the compatibility of a Regional Head candidate to be chosen later. Likewise, it is no longer a requirement that candidates for Regional Head must be devoted to God Almighty. According to Makassar City KPU members in assessing the devotion or disloyalty of a candidate for Regional Head, there is no measure that can be used as a basis, that this is a *bertaqwa* candidate. KPU members only use public views by seeing good people and never being sentenced.

It is different from the opinion of South Sulawesi Bawaslu members, that competency and integrity tests are still carried out, only it is not in accordance with what is in the mandate of the law which says that those who conduct competency and integrity tests through public testing are from academics, the police and community leaders, but what is done today is only the people who assess in terms of their vision and mission, the programs they offer, the expected goals, then in line with the needs of the community and be able to see and understand the needs and demands of the community in a dignified manner. for unemployed scholars.

Seeing various opinions about the mechanism of regional head elections, which are currently carried out directly by the community, most opinions say that is a mechanism that is in line with the wishes of the Indonesian people and that is also democratic elections. But others consider that any mechanism carried out in the election of Regional Heads remains democratic, the most important in its implementation is carried out with full sense of trust, responsibility and high commitment, and prioritizing justice in following established regulations.

Unlike the opinion of the Chairperson of the South Sulawesi Bawaslu who said that, the cause of the high costs in the direct election of Regional Heads was due to the behavior of political parties, also the interests of sponsors intended for projects implemented later after being elected as Regional Heads. It was also said that, direct elections were carried out by adhering to the existing principles, therefore there were no problems posed especially the voters were smart. It's just that the views of some people say that, the election of Regional Heads can directly increase corruption, both candidates for Regional Heads and their supporters.

After corruption resulted in a decrease in the effectiveness of the government, then there was also an escalation of conflict and the election of the Regional Head. Furthermore, there was a decrease in voter participation, but in accordance with the opinion of the Chairperson of Bawaslu above it turned out to be inversely proportional to the views of the people. Therefore it is still reasonable to maintain the direct election of Regional Heads.

Furthermore, it is said that money politics is very closely related to corruptors. However, Wahid Hasyim view of the Makassar City KPU member in relation to that said that it was not the real intention, meaning that it was not meant for corruption, but the Regional Head candidate wanted to return the capital that had been spent, if later he sat as the Regional Head, still looking for and this is usually corruption. So not all candidates

for Regional Head who have political money become corruptors, because it turns out there are also candidates for Regional Heads who have a lot of capital and that is what makes money politics.

This is almost in line with the opinion of the Chairperson of the Election Supervisory Body and his Deputy, only he said that there were indeed Regional Head candidates giving money to prospective voters, so that later they felt heavy if they were not elected, but there were also candidates for the Regional Head. whatever to the prospective voters. Then indeed the Regional Head candidates need budgetary resources and if they are not sufficient, funds are used which are not clearly proven after becoming the Regional Head trying to return them, but if that is not enough, it is strongly correlated with corruption.

#### **B. Compatibility of Regional Head Candidates in Direct General Elections in Makassar City According to Islamic Law and Law Islamic**

Teachings do not lay down the standard rules regarding the system and procedures for selecting and recruiting leaders or the election of Regional Heads. Islamic teachings explain the basic principles and values that must be considered in the selection of Regional Heads or leaders in an area, including in Makassar City. As for the mechanism and procedures, it is left to humans to regulate and determine it themselves, the most important thing is to keep in line with the teachings and principles of Islam.

In the direct election of the Regional Head held in the City of Makassar in principle based on existing rules, but in reality there are those that are not in accordance with the existing legislation, for example about public testing.

One of the Articles in Government Regulations Substituting the Law of the Republic of Indonesia No. Paragraph (3) of 1 of 2014 states that, the public test as referred to in paragraph (1) is held by a public test committee. Then in paragraph (4) states that the public test committee as referred to in paragraph (3) consists of five people consisting of two people from academics, two from community leaders and one member from the Provincial KPU or Regency / City KPU. However, in the Republic of Indonesia Law Number 8 of 2015 concerning public testing has been deleted, as well as Law No. 10 of 2016 was also deleted. Likewise, it was stated by members of the KPU of Makassar City, that the public test had not existed or had been deleted.

Among the political elites there are those who do not have a character that deserves to be exemplary, even some people consider only being a flea. However, according to Makassar City KPU members, this is because the recruitment system is not right, meaning that each party recruits new members, whether they are directly accepted as members of the party, or because of their figure or compatibility. Looking at the present reality, the community is smart in choosing and determining its leaders. It is almost certain that the voting community, choosing with their figures and abilities makes the people in the area peaceful and peaceful.

According to Fatmawati, South Sulawesi Bawaslu members said that the character of a Regional Head candidate still had no confidence, so that in nominating a lot of funds with the aim of being able to buy votes, but could not be proven, because Bawaslu did not find strong evidence . Creativity as a candidate for Regional Head is very necessary as a commitment in nominating themselves, meaning that a candidate for Regional Head has compatibility that can be accounted for. Seeing the reality in the midst of society, in the matter of elections, both legislative and regional head elections, compatibility and not many figures determine the victory of a candidate, but what many won in the election is if they have many supporters plus many funds, to finance nomination period.

### **C. Characteristics of Voters on Direct Election in Makassar City in the Islamic Law Perspective**

A good Regional Leader or Head and People's Representative who can fight for people's aspirations, this is a dream for the wider community. If the position is not appointed by the predecessor, it is not appointed by God, but because the people want to become leaders / Regional Heads. This means that however the circumstances which form the basis for the selection of a leader are desired and desired by the community at large, especially in the electoral district.

According to Fatmawati, South Sulawesi Bawaslu members said that the character of a Regional Head candidate and his voters were still not confident, especially supporters, so that in nominating themselves and supporting voters they prepared a lot of funds with the aim of being able to buy votes, but could not be proven, because Bawaslu did not find strong evidence. Creativity as a candidate for Regional Head is very necessary as a commitment in nominating themselves, meaning that a candidate for Regional Head must have accountability that can be accounted for.

Characteristics in Islamic leadership refer to personal problems relating to individuals affiliated with their religion, both as leaders and as members. In fact, this includes also about his faith. That is, a leader with Islamic character, as well as a candidate for a Regional Head candidate, can certainly be seen from his faith and obedience in carrying out his Islam.

The character of the community in the Regional Head elections is directly varied, there are those who want to return to the old mechanism by reason of Direct Local Election increasing corruption and also escalation escalation conflict, as well as making a decrease in voter participation.

Seeing this way, the community judges that it is better to return to the old mechanism, because the election mechanism does not raise many problems, nor does it incur a lot of costs, but sometimes it is not in line with the expectations of the community, but it is security in the area.

Another opinion said that the direct election of Regional Heads in Makassar City so that local communities participate directly in choosing their Regional Heads, because

the old system was only the political parties involved. Moreover, the opinion of the community says that is the selection of legitimacy, because it is more open and democratic and also minimizes the nepotism of certain political elites.

So the character of the Makassar City community in the direct election of the Regional Head, more directly chooses than the old system, namely the representation system even though the community still sees an escalation of conflict in it, but precisely the system electoral stronger and more democratic.

The community hopes that the elected Regional Head candidates can be tested by the public through two aspects. *First*, the competency aspects of skills insight are in the lead as Regional Heads. *The second* is about integrity, including attitude, behavior and character, as well as an understanding of religion and nationality.

Looking at the views of the community as such, the public testing of candidates for the Regional Head should be carried out in accordance with the legislation that presents academics, community leaders and members of the General Election Commission.

Based on Government Regulations Substituting the Law of the Republic of Indonesia No. Paragraph (3) of 1 of 2014 states that, the public test as referred to in paragraph (1) is held by a public test committee. Then in paragraph (4) states that the public test committee as referred to in paragraph (3) consists of five people consisting of two people from academics, two from community leaders and one member from the Provincial KPU or Regency / City KPU. However, in the Republic of Indonesia Law Number 8 of 2015 concerning public testing has been deleted, as well as Law No. 10 of 2016 was also deleted. Likewise, it was stated by members of the KPU of Makassar City, that the public test had not existed or had been deleted.

The community also argues that in the election of the Regional Head directly assessed in terms of his devotion to Allah SWT. Of course by seeing the application in implementing the provisions of Allah SWT. It is also expected that if you elect a Regional Head, choose according to the majority religion in Indonesia, namely Islam. Furthermore, the community wants, as a candidate for Regional Head, not to mutually mutilate each other. Some people also argue that running for Regional Head if they do not meet the criteria of being a leader, is intended to be a protector of the community and an example for those he leads in Islam is not justified in running for office. Moreover, if a person who has been elected as the Regional Head does not pay attention to the people in his own area.

#### **D. The View of Islamic Law on Direct Regional Head Elections in Makassar City**

In the view of the community in general, there are still many regional head elections in Makassar that are not in line with Islamic law, including nepotism, bribery, mutilation with one another, more again accusing each other and ultimately entering the legal domain. Therefore in the election of the Regional Head and his Deputy, it should be a mirror of the principles of power in Islam. The principle that is intended can be studied through one of the words of Allah, in QS. An-Nisa '/ 4: 58-59

وَإِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤْدُوا الْمَأْمَنَاتِ إِلَيْهَا أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعْلَمُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا

يَأَيُّهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَئِكَ الْأَمْرِ مِنْكُمْ فَإِنْ تَنْزَعُمُ فِي شَيْءٍ فَرْدُوْهُ إِلَيْهِ اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

Translation:

(58) Surely Allah tells you to deliver the message to those who have the right to receive it, and (tell you) if it establishes a law among men so that you can determine justly. Surely Allah gives you the best teaching. Lo! Allah is ever Hearing, Seeing.

(59) O ye who believe, obey God and obey the Messenger (Him), and ulil amri among you. then if you have different opinions about something, then return it to Allah (the Quran) and the Messenger (sunnah), if you truly believe in Allah and the day after. that is more important (for you) and better the result.

There are several basic principles contained in the two verses above, namely: (1) The order to fulfill the mandate, (2) The order to be fair in establishing the law, (3) The obedient order to Allah, the Messenger of Allah and Ulil Amri, and (4) The order to complete disputes by returning them to Allah and His Messenger. With this, the scholars view these verses as the principal, which collects all religious teachings. Rashid Ridha argues that the content of the verse is sufficient to be used as the basis for running the government, even though there are no other verses relating to political life.

Ibn Jarir argued that, the verse was addressed to the leaders of the Ummah so that they fulfill the rights of Muslims, such as the distribution of spoils and settlement of people's cases that were handed over to them, to be resolved properly and fairly. Ibn Taymiyyah viewed the term as covering two concepts: Power and property. Another opinion expressed by Muhammad Abduh, he linked the mandate here with knowledge and introduced the term with the meaning of responsibility to recognize and develop the truth. The division of mandate in the opinion of Al-Maragi, namely: (1) Responsibility of humans to God, (2) Responsibility of humans to each other, and (3) Responsibility of humans to themselves.

After seeing this basis, then it was related to the election of Regional Heads, especially in Makassar City in the view that the community had not carried out a good mandate, in which the Regional Head elections always looked for ways to be elected, even though the people were not happy goes according to the mandate expected by the community, moreover if the community has been delivered a promise during the campaign for the election of the Regional Head, then the elected Regional Head does not fulfill his promise.

Some people also view that, almost certainly the Direct Local Election only benefits the political elite, including in Makassar City. According to members of South Sulawesi Bawaslu said that, indeed all human beings are political ambitions, meaning that if there is

someone who nominates himself to be elected as Regional Head he must want to win him in the election, but it is dynamic and not through political power, but through the power of figures and in the end new elites emerged, and later changes will occur.

Therefore, choosing a leader or Regional Head should be chosen in accordance with the rules of Allah and His Messenger. This means that if seen so far, before being appointed as the Regional Head does not carry out the function of the Caliphate, then later it will not be able to carry out its function as a leader or Regional Head in the midst of the people he leads.

God's rules are very clear, that a leader who can be obeyed from his leadership, is a leader who obeys Allah and His Messenger, meaning that if a leader does not obey Allah and His Messenger, then the people must not obey him. So that the provisions of God serve as a basis or guideline in carrying out that leadership, including in this beloved area of Makassar City.

## Conclusion

1. The mechanism of direct election of Regional Heads in Makassar City, in principle, follows the provisions that have been applied so far, and that is precisely what democratic elections mean. It's just that there are still those that are not in line with the provisions of Allah and His Messenger, for example being elected as Regional Head because of nepotism, using the power of money or called *money politics*, and this cannot be abandoned.
2. Compatibility of Regional Heads in Makassar City, it can be said that he is competent. However, if we see the existing rules, including the General Election Law, it turns out that one of the urgent requirements is omitted, namely about public testing, so that it is no longer chosen in terms of capacity, but is chosen more in terms of the strength of its political parties. and also in terms of the strength of the funds they have. Thus certainly not in line with the expectations of society, also not in line with Islamic law.
3. The character of the Makassar city community in regional elections tends to be directly elected compared to returning to the old system. This is because the community can directly participate in determining who has the right to be the leader. However, the Society expects public testing for prospective regional heads, namely, regarding the aspects of skills competency and more importantly, integrity includes attitudes, behavior and character, as well as an understanding of Religion and nationality.

## References

Ali, Achmad, 1996. *Menguak Tabir Hukum (Suatu Kajian Filosofis dan Sosiologis)*, Jakarta: Candra Pratama..

Ali, Achmad, 2001. *Penegakan Hukum, Hak Asasi Manusia, dan Demokrasi*, Jurnal Ishlah, Fakultas Hukum Universitas Muslim Indonesia, Makassar: Seri Nomor 2, Tahun III, Mei-Juni.

Ali, Mohammad Daud, 2012. *Hukum Islam, Pengantar Ilmu Hukum dan Tata Hukum Islam di Indonesia*, Cet. XVIII, Jakarta: PT. Rajagrafindo.

Ali, Zainuddin, 2010. *Hukum Islam, Pengantar Ilmu Hukum Islam di Indonesia*, Cet.III, Jakarta: Sinar Grafika.

Al-Asqalāni, Ibnu Hajar. *Fath al-Bāri bi Syarh Shahīh al-Imam Abi 'Abd Allāh Muhammad Ibn Isma'īl al-Bukhāri*. t.tp; al-Maktabah al-Salafiyah, tt

Asshiddiqie, 2005. Jimly, *Konstitusi & Konstitisionalisme Indonesia*, Jakarta: Sekretariat Jenderal dan Kepanitriaan Mahkamah Konstitusi RI.

Aswanto, 2012. *Hukum dan Kekuasaan, Relasi Hukum, Politik dan Pemilu*, Yogyakarta: Rangkang Education.

Azizy, A. Qodri, 2004. *Membangun Integritas Bangsa*, Cet.II, Jakarta: Renaisan.

Bagir Manan, 2015. *Kepala Daerah Dipilih Langsung atau Tidak Langsung*, Majalah Hukum Varia Peradilan, Tahun XXX, Nomor 350.

Baharun, Muhammad, 2011. *Buku Pintar Hadits*, Jakarta: Qibla'.

Dahlan, Abdul Azis, 2001. *Ensiklopedi Hukum Islam*, Jilid 5, Cet.V, Jakarta: PT. Ichtiar Baru Van Hoeve.

Departemen Agama RI, 2007. *Alqur'an dan Terjemahnya*, Jakarta: Tiga Serangkai.

Departemen Pendidikan Nasional, 2015. *Kamus Besar Bahasa Indonesia*, Jakarta: PT. Gramedia.

Djazuli, 2009. *Fiqhi Siyasah, Implementasi Kemaslahatan Umat Dalam Rambu-Rambu Syariah*, Cet.4, Jakarta: Kencana..

Djazuli, 2013. *Ilmu Fiqh, Penggalian, Perkembangan dan Penerapan Hukum Islam*, Cet. IX, Jakarta: Prenadamedia Group.

Djazuli, 2014. *Kaedah-Kaedah Fikih (Kaidah-Kaidah Hukum Islam dalam Menyelesaikan Masalah-masalah yang Praktis*, Cet.5, Jakarta: Prenada-media Group

Al-Haet~ samy, 1992. Al-Hafid. *Majma' al-Zawāid*. Beirut: Dār al-Fikr.

Ibnu Taimiyah, Ahmad, *Majmu' Fatawa*, Riyad: Daru Alimi al-Kutub, 1412 H/1991 M.

Iqbal, Muhammad, 2014. *Fiqh Siyāsah, Kontekstualisasi Doktrin Politik Islam*, Cet.1, Jakarta: Prenadamedia Group.

Iqbal Muhammad dan Amin Husein Nasution, 2010. *Pemikiran Politik Islam dari Masa Klasik Hingga Indonesia Kontemporer*, Cet.I; Jakarta: Kencana.

Januar, Iwan, 2013. *Demokrasi Biang Korupsi*, Majalah Media Politik dan Dakwah, No.151, Tahun XIII, 1-31.

Al-Jawi, 2013. KH. Shiddiq, *Islam Menolak Demokrasi*, Majalah Media Politik dan Dakwah, No.151, Tahun XIII, 1-31.

Kaelan, 2012. *Metode Penelitian Kualitatif Interdisipliner Bidang Sosial, Budaya, Filsafat, Seni, Agama dan Humaniora*, Edisi Pertama; Yogyakarta: Paradigma.

Moleong, J. Lexy, 2014. *Metodologi Penelitian Kualitatif*, Cet. XXXII, Bandung: PT. Remaja Rosdakarya.

Salim, Abd. Muin, 1995. *Fiqhi Siyāsah, Konsepsi Kekuasaan Politik dalam Alqur'an*, Jakarta: PT. Raja Grafindo Persada.

Salim, Abdul Muin, 2000. *Elaborasi Bahasa Politik Islam dalam Al-Qur'an*, Jurnal Kajian Ilmu-ilmu Islam, Al-Huda, Makassar: Vol.I, No.2.

Sampara, Said, 2008. *Pemerintah yang Bersih Korelasinya Dengan Tata Pemerintahan yang Baik*, Jurnal Konstitusi PKK-FH Universitas Muslim Indonesia, Makassar: Volume I, No.1.

Soetrisno dan SRDm Rita Hanafie, 2007. *Filsafat Ilmu dan Metode Penelitian*, Yogyakarta: Andi.

Sunanto, Musyrifah, 2005. *Sejarah Peradaban Islam Indonesia*, Jakarta: PT. Raja Grafindo Persada.

Sultan, Lomba dan Talli Abd. Halim, 2012. *Peradilan Islam dalam Lintasan Sejarah*, Cet. I, Makassar: Alauddin University Press.

Swetandio Wignyosoebroto, 1993. *Sedikit Penjelasan tentang Kajian-kajian Hukum dari Perspektif Ilmu Sosial*, Warta Hukum dan Masyarakat, No. 1 Tahun Ke-1, Nopember, Surabaya.

Sunanto, Musyrifah, 2014. *Sejarah Islam Klasik, Perkembangan Ilmu Pengetahuan Islam*, Jakarta: Prenada Media.

Suryabrata, Sumadi, 2012. *Metodologi Penelitian*, Jakarta: PT. Raja Grafindo Persada.

Al-Suyuti, Abd al-Rahman Ibn Abi Bakr. 1403. *Al-Asybāhā al-Nadhār*. Beirut: Dār al-Kutub al-'Ilmiyah.

Syafiie, Inu Kencana, 2014. *Ilmu Pemerintahan*, Cet. II; Jakarta: Bumi Aksara.

Syahruddin dkk, 2015. "Pilkada Serentak pada 11 Kabupaten di Sulsel Cetak Rekor", *Fajar*, 10 Desember 2015.

Al-Syaibāny, Abu Abdullah Ahmad bin Muhammad bin Hanbal bin Hilal bin Asad. *Musnad Ahmad*. Mesir: Wizārah al-Aukāf, t.th.

Asy-Syiraizi, Syaikh Nashir Makarim, 1992. *Al-Amtsāl fi Tafsīr Kitāb Allāh al-Kurniawan, Tafsīr al-Amtsāl*, Jilid I, Jakarta: Gerbang Ilmu Press.

Syihab, Umar, *Hukum Islam dan Transformasi Pemikiran*, Semarang: Dina Utama, 1996

Zaedian, Abdul Karim. 2000. *Nidhām al-Qadhā: fī al-Syari'ah al-Islāmiyah*. Cet. III; Beirut: Muassasah al-Risālah.

Zaidan, Abdul Karim. 1970. *Al-Fard wa al-Daulah Fī al-Syri'ah al-Islāmiyah*. USA: International Islamic Federation Of Student Organizations.