

REDEFINING GOLPUT IN THE LENS OF LAW: EXAMINATION OF ISLAMIC AND POSITIVE LAW

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ABSTRACT

In the evolving dynamics of democracy, the phenomenon of Golongan Putih (Golput) has emerged as an ongoing political issue. This research aims to explore the origins of golput, its meaning, and how Sharia law and the state respond to this phenomenon. The researcher recognizes that abstention is a complex issue, which is influenced by various factors, including political identity, social polarization, and conflict between paradigms. With this approach, the researcher seeks to understand the interaction between Sharia Law and the state, which is the main basis for examining the golput phenomenon. Hopefully, this research can provide a new perspective and critical analysis in response to the emergence of the golput phenomenon. The method used in this research is a literature study, by analyzing various literature sources, such as scientific articles as primary sources and books that discuss similar themes as secondary sources. The findings of this research show that abstention has become a controversial issue that has influenced the formation of Sharia law and state policy. In both Islamic and state views, people's political participation is considered obligatory, provided that they consider the qualities of the leader, such as justice and trustworthiness. This phenomenon is also justified through the MUI fatwa that forbids abstention, based on a number of supporting arguments, as well as Qur'anic interpretations that encourage compliance with government policies accordance with good moral principles.

Keywords: *Golput phenomenon, Islamic law, Positive law*

ABSTRAK

Dalam dinamika demokrasi yang terus berkembang, fenomena Golongan Putih (Golput) muncul sebagai sebuah isu politik yang berkelanjutan. Penelitian ini bertujuan untuk menggali lebih dalam mengenai asal-usul golput, maknanya, serta bagaimana hukum Syariah dan negara merespons fenomena ini. Peneliti mengakui bahwa golput merupakan masalah yang kompleks, yang dipengaruhi oleh berbagai faktor, termasuk identitas politik, polarisasi sosial, dan konflik antar paradigma. Dengan pendekatan ini, peneliti berusaha memahami interaksi antara Hukum Syariah dan negara, yang menjadi dasar utama dalam menelaah fenomena golput. Diharapkan, penelitian ini dapat memberikan perspektif baru serta analisis kritis sebagai respons terhadap munculnya fenomena golput tersebut. Metode yang digunakan dalam penelitian ini adalah studi pustaka, dengan menganalisis berbagai sumber literatur, seperti artikel ilmiah sebagai sumber primer dan buku-buku yang membahas tema serupa sebagai sumber sekunder. Temuan penelitian ini menunjukkan bahwa golput menjadi isu yang kontroversial yang turut mempengaruhi pembentukan hukum Syariah dan kebijakan negara. Baik dalam pandangan Islam maupun negara, partisipasi

politik masyarakat dianggap wajib, dengan syarat mempertimbangkan kualitas pemimpin, seperti keadilan dan amanah. Fenomena ini juga dijustifikasi melalui fatwa MUI yang mengharamkan golput, didasarkan pada sejumlah dalil pendukung, serta penafsiran al-Qur'an yang mendorong kepatuhan terhadap kebijakan pemerintah asalkan sesuai dengan prinsip-prinsip moral yang baik.

Kata Kunci: Fenomena Golput, Hukum Islam, Hukum Positif

A. INTRODUCTION

The White Group (Golput) or the group that does not exercise their right to vote in the general election is a phenomenon that has long been a concern in the political context in Indonesia. Golput often appears in every general election, whether presidential, gubernatorial, or legislative. This is due to various factors, including socio-economic conditions, education, and disappointment with election organizers.¹ Golput is a moral movement that was first proclaimed in the Jakarta cultural building as a form of protest against the general election held by the state at that time. Golput was originally a moral movement that was first proclaimed in the Jakarta cultural building as a form of protest against the general elections held by the state at that time.² Golput is a phenomenon that often occurs in every general election, both presidential, governor, and legislative elections.³

The phenomenon of Golput is an inseparable part of a country that adheres to a democratic system. The term Golput is intended for someone who has the right to vote but does not use their right to vote during the election or can also be defined as a group of people who do not vote for any party that participates in the election⁴ But then the question arises what happens if everyone thinks that Golput is a natural thing and simultaneously does not give a choice during the elections or elections? what about the legitimacy of the results of the election or the election? and what about the commitment to build and co-operate as a great

¹ Fatmawati, *Kampanye Politik: Sebuah Pendekatan Fenomenologi*, ed. Nur Asih Wulandari, *Anggota IKAPI*, Cetakan Pe (Banyumas: CV. Amerta Media, 2021), https://www.researchgate.net/profile/Adrian-Wijanarko/publication/352471771_Branding_Konsep_dan_Studi_Merek_Lokal/links/60caa9ae299bf1cd71d53502/Branding-Konsep-dan-Studi-Merek-Lokal.pdf.

² Rudi Trianto, "Buzzer Sebagai Komunikator Politik," *An-Nida' : Jurnal Komunikasi Dan Penyiaran Islam* 11, no. 2 (2023): 74–97, <https://doi.org/10.61088/annida.v11i2.562>.

³ Haris Alfarisi, "Konstruksi Makna Golput Di Kalangan Mahasiswa" (Universitas Muhammadiyah Surakarta, 2021).

⁴ Badri Khaeruman, *Islam Dan Demokrasi: Mengungkap Fenomena Golput Sebagai Alternatif Partisipasi Politik Umat* (Jakarta: Nimas Multima, 2004).

nation? This anxiety then motivated the author to return to questions about the pros and cons of Golput in elections or local elections in Indonesia.⁵

The phenomenon of white groups or Golput is still a concern in every general election, including elections and local elections. In fact, in some cases, Golput has become a "winner" in general elections, causing polemics related to efforts to build democracy through elections or local elections. From the Islamic perspective, there are diverse views related to Golput. Some view it as incompatible with Islamic teachings, while others view it as individual rights and freedoms. In Indonesia, the Indonesian Ulema Council (MUI) has issued a fatwa declaring Golput as illegal, but this view is also a subject of debate among the public.⁶ On the other hand, in the perspective of positive law, participation in elections or local elections should be the right of citizens, but Law No. 10/2008 states that participation in elections is only a right, not an obligation.⁷ Therefore, the phenomenon of Golput remains a complex topic and requires deep understanding from various points of view.⁸

In the context of Islamic law, Golput has also become an interesting subject of study. Several Muslim scholars and scholars have analyzed Golput based on the Qur'an and Hadith. Some of them associate the obligation to choose leaders with the concept of *Amar ma 'ruf nahi munkar* (advocating good and preventing bad) in Islam. In addition, the view of Islamic law on Golput has also been the topic of study. Some contemporary scholars have issued opinions on the law of about in the concept of *fiqh siyasah*. They consider the general problem (benefit) in assessing the attitude of abstention in the general election.⁹

From a political point of view, Golput can also be analyzed as the political behavior of the community. Several studies have been conducted to understand the factors that lead to abstinence, including lack of confidence in prospective leaders, dissatisfaction with government performance, and the feeling that participation in elections will not bring

⁵ Abdul Kadir, "Jurnal Ilmu Pemerintahan Dan Sosial Politik UMA Peranan Partai Politik Dalam Menanggulangi Golongan Putih (Golput) Pada Pemilihan Legislatif 2009," *Jurnal Ilmu Pemerintahan Dan Sosial Politik* 1, no. 1 (2013): 54–64, <http://ojs.uma.ac.id/index.php/jppuma>.

⁶ Risdianto, Rini Fatma Kartika, and Usman Alfarisi, "Golput ' Dalam Pemikiran Politik Al-Mawardi Dan Korelasinya Terhadap Fatwa Majelis Ulama Indonesia Tahun 2009," *Politea : Jurnal Pemikiran Politik Islam* 6, no. 2 (2023): 199–215, <https://doi.org/10.21043/politea.v6i2.22200>.

⁷ Muhammad Syihabuddin et al., "Dialectics of the White Group Phenomenon (Golput): A Comparative Analysis of Islamic Law and Positive Law," *HIERARKI: Constitutional Law Journal* 1, no. 1 (2024).

⁸ Nyoman Subanda, "Analisis Kritis Terhadap Fenomena Golput Dalam Pemilu," *Jurnal Konstitusi* 2, no. 1 (2009): 60–72.

⁹ A Zarkasi and Dimas Rizal, "Partisipasi Politik Masyarakat Dalam Pemilihan Walikota Jambi Periode Tahun 2018-2023 Di Kecamatan Telanaipura Kota Jambi," *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)* 4, no. 3 (2020): 136–43, <https://doi.org/10.58258/jisip.v4i3.1173>.

significant changes.¹⁰ In general, the phenomenon of Golput is a complex issue and involves various aspects, both social, political, and legal.¹¹ The study of Golput from the perspective of positive law and Islamic law is important to understand and overcome this phenomenon. Hopefully, the paper on "White Phenomenon: Study of Positive Law and Islamic Law" can contribute to a deeper understanding of this issue.

This research uses literature studies, examining several texts in the form of manuscripts of articles and books that are by the research theme.¹² The focus of this study includes the study of the phenomenon of white groups (Golput) in Indonesia which is a polemic in every general election. Therefore, this paper will discuss the history and response issues of Islamic law and the state. Primary sources in this study are sourced from articles that discuss Golput, while secondary sources are relevant supporting books. The data analysis of this study used data extraction, classification, and analysis and continued with a conclusion. The data processing method was carried out by analyzing the phenomenon of Golput in Indonesia.

B. RESULTS AND DISCUSSION

1. White Group (Golput): A Historical Overview

Golput or the abstention movement, was first sparked by Arief Budiman alongside his peers, such as Adnan Buyung Nasution, Imam Waluyo, Julius Usman, and Marsilam Simanjutak, who were part of the activist group from the 1966 generation during the 1971 elections. They decided to boycott the elections to express their disillusionment with the authoritarian nature of the Suharto regime, particularly due to the severe limitations on political party participation at the time. The government's restrictions on political parties violated the fundamental democratic right to freedom of association and political engagement. This movement soon garnered support from various regions across Indonesia, including Bogor, Bandung, Yogyakarta, Semarang, and Solo.¹³

The essence of the basic attitude of Golput advocates towards the New Order regime was revealed from the struggle of the 66th generation in realizing and giving birth to the

¹⁰ Faiz Albar Nasution, Muhammad Husni Thamrin, and Alwi Dahlan Ritonga, "Menakar Partisipasi Politik Masyarakat Kota Medan Terhadap Pemilihan Walikota Medan Tahun 2020," *Politeia: Jurnal Ilmu Politik* 12, no. 2 (2020): 97–133.

¹¹ Nurul Dwiana, "Analisis Wacana Tolak Golongan Putih Pada Film Suara April" (Universitas Islam Negeri Syarif Hidayatullah Jakarta, 2021).

¹² Mestika Zed, *Metode Penelitian Kepustakaan* (Jakarta: Yayasan Obor Indonesia, 2008).

¹³ Arbi Sanit, *Golput: Aneka Pandangan Fenomena Politik*, Cetakan Pe (Jakarta: Pustaka Sinar Harapan, 1992).

People's Tri Demands (TRITURA).¹⁴ The initial demand, which called for the disbandment of the PKI, stemmed from student protests and other factions within the New Order regime. This period was marked by the rise of two major authoritarian systems in Indonesia: the first, Sukarno's Presidential Democracy that emerged in 1959, and the second, the PKI, which attempted to seize control of the country, culminating in the failed coup of September 30, 1965. The second demand, focusing on the cabinet, criticized the inefficacy of the government despite its centralized power, which allowed for intervention in the DPR and reliance on just three political forces—the Army, PKI, and TNI. Student activists called for democratization and reform of the governance structure through a cabinet reshuffle. Lastly, the third demand addressed economic issues, urging a reduction in prices, symbolizing the need for a planned and regulated economic development approach.¹⁵

The gap between the intended goals and the actual implementation of elections, as well as the ideal of democracy, is evident in the first demand of TRITURA, which called for the dissolution of the PKI. This demand symbolized the need to eliminate the non-democratic influence of the Old Order. This situation gave rise to the Golput movement, which acted as a political protest. In their declaration on May 20, 1971, they voiced their opposition to the manipulation of electoral procedures by all candidates and the government's biased support for Golkar. According to the Golput movement, these practices were contrary to the true development of democracy.¹⁶

Although Golput was not a formal organization, at that time Golput, like other political groups, played a role in providing political education to the community. The goal was for people to be able to think critically about political life in Indonesia. The political education in question aims to make the public aware that in general elections, choosing not to vote is also a right that every citizen has. Thus, Golput seeks to provide an understanding that participation in elections is not only about voting, but also about realizing that not voting is a legitimate and respectable choice in a democratic system. It invites people to be more open in assessing and deciding their political actions according to their personal understanding and beliefs.¹⁷

¹⁴ Acu Nurhidayat, "Fenomena Golput Di Indonesia Pasca Orde Baru (Studi Kasus Pada Pemilu 2004)," *Jurnal Ilmu Sosial Dan Ilmu Politik UIN Syarif Hidayatullah Jakarta* (Universitas Islam Negeri Syarif Hidayatullah Jakarta, 2009).

¹⁵ Sanit, *Golput: Aneka Pandangan Fenomena Politik*.

¹⁶ Sanit.

¹⁷ Priyambudi Sulistiyanto, *Politik Golput Di Indonesia Kasus Peristiwa Yogya* (Yogyakarta: LEKHAT, 1992).

In addition to giving lectures and political education, they also carry out campaigns to disseminate their ideas. For example, they issued statements through print media by pasting a black pentagon sign symbolizing Golput on white base-colored paper or cloth, complete with the words “Golput” underneath, adjacent to the logos of other election participants.¹⁸ Therefore, Golput seems not just a moral movement but already resembles political action or social movements of political parties in elections. The difference is, that political parties as election participants to introduce their programs are regulated by election law, while the Golput has no legal umbrella. Therefore, this movement is considered unconstitutional by the government.

2. Golput (White Group) from the Islamic and State Perspective

From an Islamic perspective, Golput can be seen as a controversial act. Some scholars argue that participation in elections is a moral obligation for Muslims, as it involves the process of choosing leaders who will lead fairly and based on Islamic principles.¹⁹ However, some views view Golput as a form of protest or dissatisfaction with a political system that is considered corrupt and unfair. Some Islamic scholars and activists argue that if there are no candidates who meet the criteria of justice and piety, then Golput can be a legitimate option to voice disapproval of candidates who do not meet moral and religious standards.²⁰ From a state perspective, Golput can be considered a challenge to the stability and legitimacy of government. Increased output rates can result in low levels of community participation in the democratic process, which in turn can affect the quality of representation and the validity of election results. Therefore, the government and related institutions have the responsibility to create conditions that support the active participation of the community in the electoral process.²¹

In dealing with the phenomenon of Golput, it is important to understand that Islam encourages its people to actively participate in social and political life, with certain conditions

¹⁸ I Nyoman Wijana, “Budaya Dalam Politik Identitas Di Indonesia I Nyoman Wijana Institut Agama Hindu Negeri Ghe Pudja Mataram,” *Renaissance* 5, no. 2 (2020): 650–56.

¹⁹ Andi Nur Mayapada and Nila Sastrawati, “Golput Dan Kewajiban Memilih Pemimpin Dalam Islam,” *Siyasatuna: Jurnal Ilmiah Mahasiswa Siyasa Syari’iyah* 1, no. 3 (2020): 422.

²⁰ Elli Setiawati, “Analisis Hukum Islam Mengenai Golongan Putih Dalam Pemilihan Daerah Menurut Perspektif Majelis Ulama Indonesia (MUI) Lampung” (Universitas Islam Negeri Raden Intan Lampung, 2019).

²¹ Fatihunnada Fatihunnada, Iffatul Ummiati, and Raspiani Raspiani, “Otoritas Fatwa Di Indonesia: Variasi Respons Pengguna Twitter Terhadap Fatwa MUI Tentang Haram Golput Pada Pemilu,” *JISPO Jurnal Ilmu Sosial Dan Ilmu Politik* 11, no. 2 (2022): 301–30, <https://doi.org/10.15575/jispo.v11i2.13879>.

that are by Islamic values.²² A deep understanding of Islamic teachings and principles of statehood can help find a balanced solution between political participation and moral-religious demands. For Muslims, a balance between moral obligation and dissatisfaction with the political system can be achieved through efforts to select candidates who are closest to Islamic principles, or through efforts to engage in the improvement of the political system through active participation in organizations and movements that seek to realize positive change.²³

Meanwhile, Arief Budiman, a sociologist and lecturer at the University of Melbourne, Australia, classified Golput into three types. First, abstentions are caused by political reasons, for example, abstentions as a result of protests against electoral laws that they consider to be dishonest, unfair, and undemocratic or that all candidates are unfit. Second, Golput because it is apathetic to the election.²⁴ For him, politics in Indonesia is considered very elitist, the impact of the election will not be useful for the community, because the elites only think about themselves. Third, Golput by accident. Many people do not understand the rules of the election, so they do not know the correct voting procedures, for example, they should not vote outside the picture or for more than one. When counting election vote results, Golput is usually used to describe many findings, such as absenteeism, blank ballots, accidentally damaged ballots or deliberately damaged ballots. However, sometimes the committee usually labels the ballot as invalid except for those who are absent.²⁵

Table 1. Differences in the Meaning of Golput in Islamic and State Perspectives

Golput Type	Islamic Perspectives	State Perspective
Golput for political reasons	Can be a form of protest or dissatisfaction with a political system that is considered corrupt and unfair.	It can threaten the stability and legitimacy of the government due to the low level of community participation in the democratic process.
Golput due to his apathy toward the election	It can be seen as a controversial act because participation in elections is a moral obligation	May reduce the quality of representation and validity of election results.

²² A Indraerawati and Rahmiati, “Golongan Putih Dalam Pemilihan Umum Di Indonesia Perspektif Siyasa Syar’iyyah,” *Jurnal Siyasatuna* 2, no. 3 (2021): 525–36.

²³ Sevenia Angelia Tarigan, “Analisis Faktor-Faktor Yang Mempengaruhi Partisipasi Politik Masyarakat Dalam Pemilihan Walikota Meda Tahun 2020,” *Institut Pemerintahan Dalam Negeri*, 2020.

²⁴ Linda Astuti, “Analisis Bentuk Golongan Putih Dalam Pemilihan Umum Di Kelurahan Betungan Kota Bengkulu,” *Jurnal Professional FIS UNIVED* 7, no. 2 (2020).

²⁵ Ni Putu Noni Suharyanti, “Aspek Hukum Golongan Putih Dalam Pemilihan Umum,” *Jurnal Akses: Jurnal Penelitian Dan Pengabdian Kepada Masyarakat Universitas Ngurah Rai* 12, no. 2 (2020): 141–50.

for Muslims.

3. Comparison of the Response of Islamic Law and the Positive Law to the White Groups

As a holistic legal system, Islam has its views and rules related to white groups or people who commit crimes. The response of Islamic law to white people is based on the principles of humanity and justice. In Islam, law enforcement must be done fairly regardless of one's race or background.²⁶ Therefore, Islam emphasizes the need to provide equal individual rights before the law. On the other hand, positive law countries also have a generally accepted legal system and seek to provide fair treatment to all their citizens, including whites. Legal responses from these countries tend to be secular and based on principles of democracy, human rights, and positive law. The legal systems in these countries seek to provide legal protection for every individual regardless of race or ethnicity.²⁷

However, the difference in approach between the response of Islamic law and the positive law state to white groups also sticks out in the interpretation of criminal acts. In Islamic law, punitive sanctions can include corporal punishment, while in many positive law countries, they tend to be more supportive of rehabilitation and social recovery. These differences reflect differences in cultural values, philosophies, and views toward the goals of the legal system itself. It is important to note that while Islamic law is religious, positive law states tend to separate religion from their legal policies.²⁸ This leads to a more neutral legal response and is not directly related to a particular religious view. On the other hand, in some cases, countries with a majority of the population adhering to a particular religion may tend to provide a legal response that is more in line with those religious values.²⁹

The Indonesian Ulema Council (MUI) also stated that Golput is an objection that must be avoided because the voice of the people will decide who will be led and the fate of the

²⁶ Muhammad Nurdin, "Identitas Nasional," *Advances in Social Humanities Research* 1, no. 4 (2023): 27–36.

²⁷ Haiza Nadia, "Golongan Golongan Putih (Golput) Dalam Pemilihan Umum Perspektif Hukum Islam Dan UU No.7 Tahun 2017," *As-Shahifah : Journal of Constitutional Law and Governance* 3, no. 1 (2023): 83–95, <https://doi.org/10.19105/asshahifah.v3i1.10019>.

²⁸ Muhammad Addi Fauzani and Aldinto Irsyad Fadhlurahman, "Rekonstruksi Hak Memilih Dalam Perspektif Kaidah Mashlahah Mursalah Di Indonesia (Tinjauan Dalam Prespektif Hubungan Rakyat Dengan Negara Dari Segi Filsafat Hukum Islam)," *Journal of Islamic and Law Studies* 4, no. 2 (2020): 78–94, <https://doi.org/https://dx.doi.org/10.18592/jils.v4i2.4152>.

²⁹ Muhammad Gayuh Gumelar, Wijayanto, and Nur Hidayat Sardini, "Fenomena Golongan Putih Pemilih Disabilitas Pada Pemilihan Umum Tahun 2019 Di Kabupaten Klaten," *Angewandte Chemie International Edition*, 6(11), 951–952. 2 (2019).

country for the next 5 years.³⁰ The MUI does not feel the need to uphold the obligation to uphold the Islamic State of Indonesia, because its religious freedom is still integrated into Indonesia's formal laws. However, there is criticism of the haram Golput fatwa, because the MUI has done good socialization, but there are still people who do not heed the Golput.³¹

Comparison of the response of Islamic law and the positive law to white groups also includes the role of legal institutions in the enforcement of penalties. Positive law countries tend to rely on formal judicial systems, whereas, in Islamic law, institutions such as briefing assemblies or judges can play an important role in the resolution of legal issues.³² This reflects differences in the structure and organization of the legal system between the two. Although there are different approaches, both the response of Islamic law and the positive law state have the same goal, which is to maintain justice, protect human rights, and maintain social order. Understanding and recognizing these common goals can be the basis for establishing a dialogue between Islamic law and positive law to achieve broader and inclusive justice.³³

Table 2. Comparison of the Response of Islamic Law and the Positive to the Golput Phenomenon

Aspect	Islamic law Response	Positive Law Response
Principles	Humanity, justice, protection of human rights	Democracy, human rights, positive law
Law Enforcement	Fair, regardless of race or background	Secular, generally applicable
Penalty	This may include corporal punishment	Better support social rehabilitation and recovery
Relation to Religion	Religious	It tends to be separate from religion

³⁰ Miftahurrozikoh, "Hukum Golongan Putih (GOLPUT) Dalam Pemilu Menurut Fatwa MUI Dan Fatwa Al-Irsyad" (Universitas Islam Negeri Sunan Ampel Surabaya, 2020).

³¹ Fatihunnada, Umniati, and Raspiani, "Otoritas Fatwa Di Indonesia: Variasi Respons Pengguna Twitter Terhadap Fatwa MUI Tentang Haram Golput Pada Pemilu."

³² M. Rausyan Fikri, "Analisis Fiqh Siyasah Terhadap Strategi Komisi Pemilihan Umum Dalam Menekan Angka Golongan Putih Pada Pemilihan Umum Legislatif Tahun 2019 (Studi Di Komisi Pemilihan Umum Kota Bandar Lampung)" (Universitas Islam Negeri Raden Intan Lampung, 2020).

³³ Muhamad Yusuf and Denok Kurniasih, "Reducing 'Golongan Putih' Activities in General Elections Abstention by Strengthening Citizen Participation and Involvement in Public Management," *Journal of Governance* 8, no. 3 (2023), <https://doi.org/10.31506/jog.v8i3.21620>.

The Role of Legal Council of *Taklim*, panel of judges Formal judicial system
Institutions

4. Interpretation of Government Policy Compliance: A Comparison of al-Maraghi and al-Misbah on QS. An-Nisa: 59

Surah An-Nisa' [4]: 59

الرَّسُولَ وَأَطِيعُوا اللَّهَ وَأَطِيعُوا ءَامَنُوا الَّذِينَ يَأْتِيهَا
اللَّهُ إِلَىٰ فَرْدُوهُ شَيْءٍ فِي تَنَزُّعَتُمْ فَإِنْ نَكُمِ الْأَمْرِ وَأُولِي
خَيْرِ ذَلِكَ الْآخِرِ وَالْيَوْمِ بِاللَّهِ تُوْمِنُونَ كُنْتُمْ إِنْ وَالرَّسُولِ
تَأْوِيلًا وَأَحْسَنُ ٥٩

“O you who have believed, obey Allah and obey the Messenger and the rulers among you. If you disagree about something, return it to Allah and the Messenger if you believe in Allah and the Last Day. That is better (for you) and better in consequence (in this world and the Hereafter).”³⁴

In particular, it can be said that after the last verse (Surah An-Nisa' [4]: 58) commands to establish the law fairly, then the above verse commands the *mu'minin* to obey the legal decision of whoever has the authority to establish the law. In order He stated; "O you who believe, obey Allah in His commands contained in the Qur'an and obey His Messenger, Muhammad SAW in all kinds of commands, both orders to do something, and orders not to do it, as stated in his valid sunnah, and also obey the commands of *ulil amri*, which is the authority to handle the affairs of the ummah, as long as they are part of the *mu'min*, and as long as the commands do not contradict the commands of Allah or the commands of His Messenger".³⁵

Quraish Shihab interpreted QS. al-'Imran [3]: 35 suggests that if the verses of the Qur'an command obedience to Allah and His Messenger, two different editors are found. Once the commandment of obedience to Allah was coupled with obedience to the Messenger, without repeating the word "obey" as in QS. Al 'Imrân [3]: 35, and at other times as in the verse of Surah an-Nisa' [4]: 59 the words obey are repeated, each once when commanding

³⁴Department of Religious Affairs. "The Qur'an and its Translation, Completion Edition",118.

³⁵ Ahmad Musthofa Al-Maraghi, *Tafsir Al-Maraghi* (Majma' Al-Buhuts Al-Islamiyyah, n.d.).

obedience to Allah and again when commanding obedience to the Messenger. Pay attention to his words:

وَأَطِيعُوا اللَّهَ أَطِيعُوا ءَامِنُوا الَّذِينَ يَأْتِيهَا
الرَّسُولَ

“O you who believe, obey Allah and obey the Messenger and the scholars among you.”³⁶

The Qur'anic experts explain that if the command of obedience to Allah and His Messenger is combined with mentioning only once the command of obedience, then it implies that the obedience in question is the obedience commanded by Allah SWT, both of which He commanded directly in the Qur'an, and His command explained by the Messenger through his hadiths. The command of obedience to the Prophet SAW here concerns matters originating from Allah SWT, not that which he ordered directly. Meanwhile, if the command of obedience is repeated as in QS.an-Nisa' [4]: 59 above, then the APOSTLE has the authority and right to be obeyed even though there is no basis from the Quran. That is why the command to obey *ulil amri* is not accompanied by the word obey because they do not have the right to be obeyed if obedience to them is contrary to obedience to Allah or the Messenger.³⁷

Scholars' opinions vary about the meaning of the word (الْأَمْرُ أُولِي) *uli al amri*. Most mufassirs interpret, *ulil amri* as a person who has the authority to take care of the affairs of the Muslims. They are people who are relied upon in handling societal problems. Some argue that they are rulers/governments. Some state that they are scholars, as Wahbah Zuhaili's explanation in his tafsir states that some tafsir experts argue that what is meant by *ulil amri* are scholars who are in charge of explaining sharia's laws to humans. The Imamiyyah Shia explained what is meant by *ulil amri* is the leaders who are *ma'shum*.³⁸ And another opinion states that they are the ones who represent the community in various groups and professions.

It should be noted that the word "*al-amr*" is in the form of makrifat or definite. This makes many scholars limit the authority of the owner of power only to societal issues, not purely religious or religious issues. Furthermore, because Allah commands Muslims to obey them, this means that such obedience comes from religious teachings because Allah's

³⁶ M. Quraish Shihab, *Tafsir Al-Misbah* (Jakarta: Mizan, n.d.).

³⁷ Shihab.

³⁸ Wahbah Zuhaili, *Al-Tafsir Al-Munir Fi Al-'Aqidah Wa Al-'Syariah Wa Al-Manhaj* (Jakarta: Gema Insani Press, 2013).

command is a religious command. On the other hand, the plural form of the word "uli" is understood by scholars in their sense are a certain group, namely a body or institution that has the authority to determine and cancel something - say - for example in terms of the appointment of heads of state, the formation of laws and laws, or named (الرجال أهله) *ahlu al-halli wa al 'aqd*. They consist of community leaders, scholars, farmers, workers, journalists, and other professional circles as well as the armed forces. This opinion, among others, was expressed by the authors of Tafsir al-Manar, Muhammad Abduh, and Rashid Ridha, also by al-Maraghi.³⁹ As the story of Umar bin Khattab when deliberating with *Ahl ar-ra'yi* from friends about the establishment of the office and about other matters that reeked of the welfare of the people along with the opinion of *ulil amri* consisting of other friends. Although the matter did not exist in the time of the Prophet, none of their scholars opposed it.⁴⁰

The authority obtained, both as an entity (Intragroup) and an individual (Intrapersonal), can be sourced from the community to regulate their affairs. Let's say through a general election and it could also be through a legitimate government, which appoints a certain group of people or people to handle one business (KPU). It could even be according to Thahir Ibn 'Asyür - because of the presence in certain people of praiseworthy traits and criteria, so that they become examples and references of society in their fields. Honest scholars and scholars are people who have authority in their bodies. For them, there is no need for any appointment from anyone, because knowledge and honesty do not need it. The community itself by following and referring to them and based on the experience of the community so far, which directly gives the authority factually, although not in writing.⁴¹

Suppose in paragraph 58 the obligation to fulfill the mandate is emphasized, among others in the form of upholding justice. In that case, side by side with that, in paragraph 59 the obligation is stipulated for the community to obey *ulil amri*, although again - it must be underlined by the affirmation of the Apostle (لا مصرية في مخلوق طاعة لا) (الخالق) "it is not permissible to obey a creature in disobedience to Khaliq (the creator)." As stated in the Sahih hadith: (ال معروف في طاعة إن ما).⁴²

³⁹M. Quraish Shihab, "Tafsir Al-Misbah", Juz II....., 484.

⁴⁰ Al-Maraghi, *Tafsir Al-Maraghi*.

⁴¹ Shihab, *Tafsir Al-Misbah*.

⁴² al-Tafsir al-Quran Al-'Adhim, *Ibnu Kathir* (Beirut: Dar al-Fikr, 2006).

"Indeed, obedience is only to the truth.". In this context, the Prophet said: "A Muslim is obliged to allow and obey regarding anything (which is ordered by 'ul-' ul- 'amri) like or dislike. "But if he is ordered to sin, then at that time he must not allow, nor obey" (Hr. Bukhari and Muslim through Ibn 'Umar).⁴³

Obedience in the language of the Qur'an means submitting, accepting sincerely, and or accompanying. This means that obedience is not just carrying out what is commanded, but also participating in efforts made by the authorities to support community service efforts.⁴⁴ It is in this context that the Prophet SAW said: (التَّصِيْحَةُ الدِّيْنِ) "Religion is Advice". When the companions asked: "For whom?" The PROPHET replied, "To the leaders of the Muslims, and their multitudes" (hr. Muslims through Abû Ruqayyah Tamim Ibn Aus ad-Dâri), The advice in question is positive support including social control for the success of the tasks they carry out.⁴⁵

The verse implies various institutions that Muslims should realize to handle their affairs, namely the executive, judiciary, and legislative institutions.⁴⁶ People are obliged to accept and submit to this legal law, both secretly and openly. In conclusion, the author understands that the main message of this verse is to emphasize the need to return everything to Allah and His Messenger, affirm that the Prophet SAW was not sent except to be obeyed, and denial of faith for those who do not sincerely accept the Prophet's decree.⁴⁷ especially if differences of opinion arise (conflict), then this is regulated (*manage*) on *ulil amri*. Take the case of abuse of good name, then this is left to the police and judges to be processed fairly. When there is injustice or deviation from the rules of Allah & His Messenger, it is not obligatory to obey them. This is seen in the statement, "Then if you withdraw your opinion regarding something, then return it to Allah (Qur'an) and the Messenger (Sunnah)", and the verses afterward that condemn those who want to seek the source of law other than the Messenger.

In line with the prophet's hadith as follows: Abu Hurayrah narrated that the Prophet Muhammad SAW said,

⁴³ Shihab, *Tafsir Al-Misbah*.

⁴⁴ Shihab.

⁴⁵ Shihab.

⁴⁶ Al-Maraghi, *Tafsir Al-Maraghi*.

⁴⁷ M. Quraish Shihab, "*Tafsir Al-Misbah*", Juz II....., 482-486. See also Wahbah Zuhaili, *al-Tafsir al-Munir fi al-'aqidah wa al-Sharia wa al-manhaj*, Vol. 4 132

فقد عذاني ومن الله ، أطاع فقد أطيعني من
ومن أطيعني ، فقد أميري يطع ومن الله ، عصى
(الحداديث) . . . عذاني فقد أميري يهين

*“Whoever obeys me, obeys Allah, and whoever opposes me, opposes Allah, and whoever obeys my emir, obeys me, and whoever opposes my emir, opposes me...” HR Bukhari dan Muslim).*⁴⁸

C. CONCLUSION

1. Golput as a Controversial Issue:
 - Abstaining from voting (Golput) raises concerns about political engagement and reflects differing perspectives on elections.
2. Religious Duty vs. Protest:
 - Some Muslims view voting as a religious duty to elect leaders who align with Islamic values.
 - Others see Golput as a form of protest against perceived corruption and injustice in the political system.
3. Expression of Dissatisfaction:
 - For those who believe no candidate meets moral or religious standards, Golput becomes a way to express dissatisfaction with the available options.
4. Impact on Governance:
 - High levels of Golput can challenge the legitimacy and stability of the government by weakening public participation, affecting political representation, and undermining trust in electoral outcomes.
5. Islamic vs. Civil Law Perspectives:
 - Islamic law emphasizes consultation and community involvement through religious leaders and scholars.
 - Secular legal systems rely on formal legal procedures and judicial rulings to address issues like Golput.
6. Common Goals of Legal Systems:
 - Despite differences, both Islamic and civil law aim to ensure justice, protect human rights, and maintain social order.
7. Potential for Dialogue:
 - The overlap between Islamic and civil law offers opportunities for collaboration to address political dissent and promote inclusive justice.
8. Qur’anic Guidance on Governance:
 - Interpretations of Surah An-Nisa: 59 emphasize the importance of following divine guidance, obedience to authority, and the legitimacy of challenging unjust rulers, aligning Islamic principles with broader political discourse.

⁴⁸ Muhammad bin Ismail Al-Bukhari, *Shohih Al-Bukhari* (Kairo: Dar al-Kutub al-’Alamiyah, 2015).

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