

Maqashid Shariah and Democracy: Considering the Relevance of Restricting the Age of Early Voters in the Context of Indonesian Electoral Justice

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Abstract

Indonesia's electoral landscape has sparked significant discourse regarding age limitations for both new voters and political candidates. Central to this conversation is Constitutional Court Ruling 90/PUU-XXI/2023, which permits individuals younger than 40 to seek the presidency or vice presidency, provided they possess prior experience in regional leadership roles. Additionally, the Supreme Court established 30 years as the minimum age threshold for gubernatorial and deputy gubernatorial aspirants through Decision 23 P/HUM/2024. This research investigates the evolving perspective on voting age restrictions through the lens of Maqashid Syariah principles. The methodology combines normative legal analysis with statutory examination to understand how age-based voting regulations are transforming, while assessing the impact on electoral fairness and political leadership quality using Islamic jurisprudential frameworks. The study's conclusions suggest that age-based voting barriers should be loosened, arguing that chronological age no longer serves as a reliable indicator of civic maturity or decision-making capability. From an Islamic governance perspective, political systems should prioritize collective welfare in accordance with Shariah objectives, following the fundamental principle that leadership decisions must serve the greater public interest. The research advocates for reconsidering age restrictions based on the Islamic legal concept that prohibitions require clear justification, implying that age barriers lack an inherent legal foundation. Furthermore, the principle of adaptive jurisprudence indicates that legal interpretations must evolve with changing circumstances, timeframes, locations, and societal needs. Consequently, there is a compelling need to reassess current age-related electoral policies to guarantee equitable democratic processes for all participants in both national and regional elections.

Keywords: Maqashid Shariah, age of voting rights, elections.

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INTRODUCTION

Indonesia presently establishes 17 years as the minimum age for individuals casting their inaugural ballot. Nevertheless, advocacy exists for elevating this threshold to 18 years or beyond. This research seeks to examine the consequences of increasing the minimum voting age for new voters through the lens of Maqashid Syariah principles. The current 17-year



minimum voting age in Indonesia was established on the premise that persons younger than 18 lack sufficient maturity to make well-informed choices regarding their political inclinations (Fahmi, 2018). Yet this premise faces opposition from those who contend that minors under 18 possess the capacity to make informed decisions about their political leanings, particularly given their ability to make significant personal choices such as entering marriage, arguing that the age restriction conflicts with societal socio-cultural characteristics and violates fundamental human rights (Hasim et al., 2022).

Reconsidering the minimum age requirements for electoral participation holds significant importance for multiple compelling reasons. Initially, intellectual maturity cannot be accurately measured solely through chronological years. Given contemporary society's unprecedented information accessibility, younger individuals demonstrate a remarkable capacity for comprehending complex political and societal matters rapidly, indicating that age alone fails to serve as a reliable measure of cognitive readiness. Additionally, reducing electoral age thresholds could substantially boost political engagement within younger demographics. Early integration of novice voters into democratic frameworks cultivates accountability and active involvement in governmental processes. Furthermore, evolving social dynamics and technological advancements have revolutionized information distribution methods, enabling youth to participate more dynamically in political discourse via digital platforms and online networks. Moreover, examining current age-based voting restrictions serves democratic equity by guaranteeing improved representation across all societal groups, particularly younger populations. Ultimately, youthful voter participation introduces fresh viewpoints on contemporary challenges including environmental sustainability, technological innovation, and educational reform, which may result in more comprehensive and enduring policy solutions (Persson, 2015). Consequently, reexamining voting age parameters represents an essential measure for maintaining electoral system relevance amid ongoing social and political evolution while strengthening democratic inclusiveness.

When citizens participate in electoral processes—whether selecting a president, governor, regional leader, or village head—they naturally hold specific anticipations about what their chosen candidate will deliver once in office. These expectations serve as the foundation for their voting decisions. Comprehending how voters make their choices, particularly the underlying influences that shape these decisions, holds critical importance. With adequate insight into electoral behavior patterns, candidates and political organizations can more effectively develop, establish, execute, and assess their campaign approaches and tactical methods, ultimately positioning themselves to secure electoral victory through strategic vote acquisition.

The concept of rational voters encompasses individuals who possess responsibility, awareness, analytical thinking, logical reasoning, and the capacity to exercise critical oversight over their preferred candidates. This voter profile stands in stark contrast to traditional voters characterized by fanatical, primordial, and irrational tendencies, while also differing from swing voters who consistently display indecision and frequently alter their political allegiances. Within the electoral landscape, first-time voters represent a pivotal demographic in democratic participation, commonly recognized as an influential element capable of molding tomorrow's

political environment. Academic investigations undertaken by multiple research organizations indicate that newcomers to the voting process demonstrate a propensity toward well-established, mainstream political organizations. To illustrate, research conducted by an academic institution examined 2,500 first-time voters spanning five metropolitan areas in Indonesia, revealing their inclination to support larger, firmly rooted political parties. This voting pattern may stem from elements including enhanced public visibility, robust political brand recognition, and penetration via social media platforms or traditional media channels—advantages that these established parties enjoy over smaller or emerging political movements (Bland et al., 2021).

The need to reconsider voting age limitations for new voters stems from multiple compelling reasons. Initially, technological advances have provided younger generations with unprecedented access to information, allowing them to grasp political concepts at an accelerated pace and demonstrating that cognitive development is no longer strictly tied to chronological age (Norris, 2011). Additionally, extensive research emphasizes how involving youth in political processes is crucial for building a more representative and equitable democratic system. Research conducted by International IDEA illustrates that when young people are included in political participation, it not only strengthens governmental credibility but also promotes policy changes that better address the needs of coming generations (Munyuru, 2018).

Research conducted through the lens of Maqashid Syariah demonstrates that voting age limitations must be grounded in the concept of *maslahah* (public welfare). Islamic jurisprudence recognizes that legal frameworks should adapt to evolving temporal, geographical, and contextual realities, as articulated through Maqashid Syariah principles (Abdillah, 2011). Consequently, reassessing voting age thresholds for first-time voters becomes essential to promote electoral systems that are both equitable and comprehensive. Ardianto and Erdinaya argue that students' political consciousness serves as a crucial element determining civic engagement levels, establishing it as the primary driver of political involvement (Ardianto et al., 2008). This indicates that an individual's understanding and recognition of civic duties and rights within their community and political sphere establishes the benchmark for their degree of participation in political processes. Nevertheless, what sets first-time voters apart from other demographic groups is their limited electoral experience, resulting in decision-making foundations that remain volatile and susceptible to fluctuation based on surrounding information sources or prevailing preferences.

The question of minimum age requirements for electoral candidates in Indonesia represents an ongoing and intricate policy discussion. Throughout Indonesia's democratic development, the age thresholds for those seeking elected office have evolved through multiple legislative revisions. Originally, Law No. 1/2014 concerning the Election of Governors, Regents and Mayors established that individuals aspiring to serve as governor or deputy governor must be at least 30 years of age and possess a high school diploma or its equivalent. For those pursuing regent or mayoral positions, the legislation set the bar at 25 years minimum with comparable educational credentials. Subsequently, Law Number 10 of 2016 addressing regional head elections (*Pilkada*) maintained these same standards: gubernatorial and deputy

gubernatorial hopefuls needed to meet the 30-year age threshold along with high school-level education or equivalent qualifications, while candidates for regent and mayor positions continued to face the 25-year minimum age requirement paired with similar educational prerequisites (Fahmi, 2018).

Debates and disputes surrounding voting age limitations frequently arise from concerns about equity and foundational democratic values. Opponents of these restrictions maintain that establishing a fixed age threshold, such as 17, while disregarding personal development and political understanding, may violate democratic ideals. They assert that all citizens who have attained the statutory voting age should be entitled to engage in elections, representing a core tenet of democratic governance. Such opponents argue that age-based voting restrictions may unjustly deny participation to persons who possess the full capacity to make well-informed choices regarding their representatives and personal stakes in political outcomes.

Studies demonstrate that adolescents as young as 17 display considerable political awareness and civic participation, frequently surpassing their older counterparts who may be less attentive to contemporary political developments. Advocates for reducing the minimum voting age contend that today's youth, particularly given their enhanced access to information resources, deserve representation in policy-making processes that will profoundly shape their lives (Norris, 2011). Furthermore, research conducted by International IDEA highlights how expanding voting rights to younger citizens can enhance democratic credibility by incorporating perspectives from every societal demographic, particularly young people who contribute innovative viewpoints to political dialogue (Munyuru, 2018).

These critiques resonate with wider discussions about democratic participation globally, where broadening access to voting is viewed as essential for ensuring electoral outcomes represent the will of all community members rather than favoring specific demographic segments. Indonesia's voting age limitations carry multiple consequences. Initially, such restrictions may constrain promising individuals who possess valuable expertise and capabilities across different sectors from participating as candidates. Additionally, these barriers could discourage youth engagement in democratic processes, potentially undermining the overall strength of Indonesia's democratic system. Furthermore, such limitations might restrict citizens' capacity to select representatives who truly align with their values and priorities, consequently diminishing public confidence in the democratic process.

Islamic jurisprudence recognizes the principle of Maqashid Shariah, which holds that legal determinations serve the fundamental purpose of promoting human welfare (maslahah), with the understanding that juridical applications must respond to evolving temporal, geographical, and situational factors. This framework asserts that Islamic jurisprudence is designed to safeguard five essential aspects of human existence: faith (din), physical well-being (nafs), rational capacity (aql), familial continuity (nasl), and material resources (mal) (Al-Qarhawi, 2017). As substantial transformations emerge within societal, cultural, political, or technological landscapes, the practical implementation of legal principles may undergo modification to better serve the overarching goal of human flourishing.

Leading Islamic jurisprudential thinkers like Al-Ghazali and Al-Shatibi have contended that Shariah possesses inherent adaptability, enabling it to respond to evolving circumstances

while maintaining fidelity to its fundamental objectives. In Al-Mustasfa, Al-Ghazali demonstrates that legal provisions designed to safeguard human welfare possess the capacity for modification in response to altered conditions, so long as their core commitment to *maslahah* remains intact (Al-Ghazali, 2005). Al-Shatibi similarly argues in Al-Muwafaqat that the Maqashid Shariah framework examines both the explicit textual provisions and the underlying rationale and circumstances that inform them, thereby permitting legal adaptation when temporal and spatial contexts undergo transformation (Al-Shatibi, 2012).

Modern legal experts similarly maintain that current technological progress, economic transformations, and sociopolitical developments have the capacity to shape particular judicial decisions within Islamic law. As an example, religious legal opinions may be modified according to regional circumstances and the changing requirements of society, a concept explored by Yusuf al-Qaradawi in his scholarship on *Fiqh al-Awlawiyyat* (priorities in Islamic law) (Al-Qaradawi, 2007).

Islamic jurisprudence embraces the principle of Maqashid Shariah, which holds that Islamic legal determinations serve to promote human welfare (*maslahah*) and can evolve in response to shifting temporal, geographical, and contextual factors. This foundational concept underscores that Islamic jurisprudence seeks to safeguard five essential aspects of human existence: faith (*din*), physical well-being (*nafs*), reasoning capacity (*aql*), genealogical continuity (*nasl*), and wealth (*mal*) (Putra et al., 2022). As substantial transformations emerge within societal, cultural, governmental, or technological frameworks, corresponding legal applications may undergo modification to better serve the collective benefit. In his scholarship on *Fiqh al-Awlawiyyat* (the jurisprudence of priorities), Yusuf al-Qaradawi, alongside other modern Islamic scholars, maintains that contemporary technological progress, economic transformations, and socio-political developments possess the capacity to reshape particular Shariah rulings. This adaptability is exemplified in how religious legal opinions (*fatwas*) may be reformulated to address regional circumstances and the changing requirements of Muslim communities.

METHOD

This research employs a juridical normative approach to examine the transformation in voting age requirements for new voters through the lens of Maqashid Syariah principles. The investigation focuses on Maqashid Syariah foundations and utilizes a normative legal methodology with statutory analysis to study the regulatory transformation concerning voting age restrictions, while investigating how this transformation affects electoral fairness and political leadership credibility, all examined through Maqashid Syariah perspectives that underscore the significance of equity, justice, and societal welfare. This investigation represents legal scholarship that is practically oriented and specifically tailored to jurisprudence. Based on classification, characteristics, and objectives, legal scholarship can be categorized into normative legal studies and empirical legal studies. The approach utilized in this investigation is normative legal study (normative juridical) (Ali, 2021). This is because the research is conducted through examination of documentary sources or secondary materials consisting of: *First*, Primary legal sources: Legislative acts concerning general and regional

elections, along with Constitutional Court rulings in judicial review cases involving election and regional election legislation. Second, Secondary legal sources: Materials that offer explanations of primary legal sources, including draft legislation, research findings, scholarly publications, and similar materials. Third, Tertiary legal sources: Materials that supply information regarding primary and secondary legal sources, including legal terminology dictionaries, encyclopedias, periodicals, news media, and online resources.

The analytical approach involves examining the requirements and stipulations governing voting rights and candidacy eligibility as outlined in electoral legislation and regional election statutes, alongside the standards evaluated through constitutional judicial proceedings. Additionally, this information undergoes rigorous scrutiny through the lens of electoral fairness and the legal framework's function in protecting democratic electoral processes, all within the analytical framework of *maqashid syariah al-islamiyah*.

RESULT AND DISCUSSION

Political Islam in the Framework of Maqashid Shariah

As a faith practiced by a significant majority in this nation, Islam naturally encompasses religious teachings that enable politics to serve as an instrument for advancing the welfare of the country and its people. Within Islamic tradition, political governance is known as *Siyasah*. This term “*siyasah*” derives from the root word *sasa*, *yasusu*, *susan* or *wasyiatan*, carrying meanings related to organizing, administrating and governing, providing leadership, formulating decisions or establishing policies within governmental and political contexts. According to etymological analysis in *Oral al-Arab*, *siyasah* represents the management of affairs or guidance of matters while directing them toward the public good. In essence, *siyasah* constitutes the discipline that examines governance principles for organizing society and the state through various systems of regulations or standards that are implemented (Iqbal, 2014).

From a definitional perspective, *siyasah* encompasses the divine legal principles that govern the exercise of authority and governance within a state, including the equitable establishment and implementation of justice. This concept addresses both the sacred boundaries and divine prerogatives of Allah, alongside the fundamental rights belonging to humanity. Additionally, *siyasah* represents any leadership decisions made through independent reasoning (*ijtihad*) concerning public affairs that guide citizens toward benefit (*maslahat*) while steering them away from harm (*mafsadat*), provided these decisions are not explicitly addressed in primary Islamic sources (Al-Qur'an and As-Sunnah). Such governmental actions must align with the broader objectives of Islamic law (*al-maqasid ash-shari'ah*) and must never conflict with or contradict specific scriptural provisions or detailed legal arguments. The term also extends to encompass disciplinary measures, deterrence, and sanctions (Al-Zar'iy, 2003).

Islamic governance represents a specialized field of knowledge focused on creating systematic frameworks that serve both humanity at large and governmental institutions specifically. This discipline encompasses the formulation of legal codes, administrative guidelines, and strategic directives by those in positions of authority, all grounded in Islamic principles. The fundamental objective is to generate benefits for citizens while protecting them

from diverse threats and damages that may emerge within communal, national, and governmental spheres of existence (Syarif & Khamami, 2008).

Following the directive given by both central and regional authorities, village administrations possess the authority to ensure legal certainty and fairness in accordance with divine guidance from Allah, as referenced in the Quranic verse from Surah An-Nisa, verse 58, which states: “Indeed, Allah commanded you to convey the mandate to those who deserve it and (commanded you) when establishing laws between people so that you establish them justly. Indeed, Allah gives you the best lessons. Indeed, Allah is All-Hearing and All-Seeing” (Departemen Agama RI, 2007). The teachings of Islam have addressed matters concerning the significance of governmental affairs, encompassing both worldly and spiritual dimensions. This comprehensive approach stems from the understanding that Islam represents a complete religious system that encompasses all aspects of human existence, including constitutional frameworks, economic structures, social organizations, and various other institutional systems.

Islamic governance, known as *siyasa*, operates through foundational truths that guide governmental decision-making and reasoning (Subarman, 2012). The Arabic term *al-ashl* refers to fundamental elements that serve as structural foundations—whether tangible or intangible—upon which systems are built and maintained. These foundational elements embody truths that provide the framework for governing from an Islamic worldview. According to Muhammad Tahir Azhary’s analysis, Islamic governmental administration rests upon nine core principles (Samsuddin, 2013): *First*, according to Islamic doctrine, absolute authority rests exclusively with Allah. The foundation of the Muslim faith centers on recognizing Allah as the origin of everything that exists. Power and dominion represent essential building blocks required for constructing Islamic communities, states, and governmental systems. Muslim convictions are shaped by their acceptance of divine supremacy, establishing their understanding that Allah possesses complete authority to create regulations governing human conduct.

Second, the deliberative approach. Within communities, individuals naturally hold varying aspirations and viewpoints, which may spark conflicts and potentially escalate to fatal consequences. Therefore, engaging in thoughtful discussion represents the optimal solution, aligning with Islamic principles as well. This approach serves to protect people from numerous harmful outcomes (Samsuddin, 2013). *Third*, the safeguarding of human rights from an Islamic perspective stems from the fundamental purpose underlying Islamic jurisprudence itself. This religious framework establishes that the divine revelation of Islamic law serves as the cornerstone for defending and preserving essential human welfare. The Islamic approach identifies five critical areas requiring protection: religious freedom, preservation of life, intellectual capacity, family heritage, and ownership rights. This principle recognizes that Islamic law’s core mission centers on upholding human dignity through the systematic protection of these fundamental aspects of human existence, encompassing spiritual practice, physical survival, mental faculties, genealogical continuity, and material security (Samsuddin, 2013).

Fourth, the principle of human equality. From Allah’s perspective, all human beings stand as His servants without any inherent distinctions among them. The only factor that elevates

one person's standing above another in Allah's sight is their adherence to His divine commandments, through which Allah grants elevated status according to His divine will. This fundamental concept finds its foundation in Allah's revelation in the Holy Qur'an, specifically in Surah An-Nisa, verse 1, which states: "O mankind, be conscious of your Lord who brought you into being from a single soul, and from that soul He brought forth its mate; and through them both He spread countless men and women. And remain conscious of Allah, in whose name you appeal to one another, and be mindful of your kinship ties. Verily, Allah is ever watchful over you" (Departemen Agama RI, 2007).

Fifth, the concept of popular compliance with authority. Based on scholarly consensus, citizens must demonstrate allegiance to their governing authority. Islamic believers maintain their faith in Allah as the ultimate sovereign possessing absolute authority, while recognizing that governmental power operates within relative limitations in terms of its fundamental characteristics (Harahap, 2022). *Sixth*, according to Quraish Shihab's framework, the concept of justice encompasses four fundamental dimensions. The initial aspect characterizes fairness as the equitable distribution of rights among individuals. The subsequent element defines justice through the lens of equilibrium and proportionality. The third component emphasizes that fairness involves allocating rights to those who legitimately deserve or meet the necessary qualifications for them. Finally, the fourth dimension establishes justice as inherently connected to divine authority, specifically linked to Allah.

Seventh, the concept of impartial judicial authority establishes that when a judge is entrusted with significant power, they bear the responsibility to act with integrity and safeguard individual rights through careful deliberation (Khair & Syafri, 2024). *Eighth*, the ideal of harmony serves as a fundamental aspiration for human society. The pursuit of such serene and stable circumstances represents a universal human longing. In response to this need, Islamic doctrine has established comprehensive guidelines governing interpersonal relationships and community interactions, specifically designed to prevent conflicts and discord (Hamid & Putra, 2021). *Ninth*, according to Tahir Azhary's perspective (2015), the welfare principle serves to achieve equitable social and economic conditions for every individual in society.

The concept of Maqashid Shariah represents the fundamental goals and purposes underlying Islamic jurisprudence, focusing on safeguarding and promoting the welfare of people at individual, familial, and societal levels. This framework of Sharia's objectives encompasses multiple key aspects that can be organized into various categories (Muamar, 2017): *First*, the individual-centered sphere. This sphere emphasizes safeguarding and promoting the welfare of each person, encompassing their bodily, psychological, and spiritual wellness. *Second*, the domestic and personal sphere. This aspect underscores the significance of household and individual private spheres, encompassing the safeguarding of familial bonds, matrimonial unions, and the welfare of minors. *Third*, community-collective sphere. This sphere emphasizes how the broader community and societal structures function to safeguard the welfare and security of every individual within it, encompassing the preservation of communal health, public safety measures, and overall collective security. *Fourth*, the human element. This facet addresses the comprehensive scope of human existence, incorporating

safeguards for individual worth, personal freedoms, and the advancement of societal well-being.

These various aspects function as interconnected and mutually dependent elements that establish the groundwork for comprehensive welfare and security of both individuals and communities. According to Yusuf Al-Qadhawi, Islamic jurisprudence encompasses ten fundamental attributes, which include: 1) Islamic jurisprudence inherently promotes ease and removes hardship from religious obligations; the legal framework evolves and responds to contemporary temporal changes; 2) Theoretical principles transform into practical applications, with modifications permitted during crisis situations; 3) Any element that causes detriment to society must be removed and avoided; 4) When harm initially affects a particular group, its application extends to broader circumstances; 5) Lesser damages are accepted as a means to prevent greater catastrophes; 6) Circumstances of compulsion create allowances for otherwise forbidden actions; 7) One form of damage cannot serve as a remedy for another form of damage; 8) Permissions granted due to necessity are limited strictly to the extent of that necessity; and 9) Preventing the origins of harm takes precedence since it serves the welfare of the greater community (Agus, 2014).

Maqashid Shariah Principles on the Provision of Early Voters in the Legislation

The minimum age requirement for inaugural voters within democratic frameworks has emerged as a topic of growing importance, particularly when examined through an Islamic lens. The concept of Maqashid Shariah (the fundamental purposes of Islamic jurisprudence) provides a theoretical foundation for analyzing this age threshold. This study will explore the proper understanding of voting age restrictions through the lens of Shariah's core objectives and examine how their application can enhance communal well-being and social benefit.

Indonesia's electoral laws establish specific frameworks for new voters when examined through Maqashid Shariah principles. Minimum Age Requirements: Electoral statutes establish seventeen years as the threshold age, representing the point at which individuals are deemed sufficiently mature to exercise informed political judgment (Fahmi, 2020). Educational Prerequisites: While the law does not explicitly delineate educational qualifications for voters, there exists an underlying expectation that participants possess a fundamental comprehension of democratic processes and contemporary political matters (Hakim & Thobroni, 2019). Physical Wellness Standards: Though health criteria are not specifically outlined in the statutes, provisions exist to accommodate voters experiencing disabilities through supportive measures. Voter Enrollment: Citizens must complete registration procedures to be included in official voter databases, which are administered by designated Election Implementation Bodies. Electoral Procedures: The voting mechanism is structured to ensure accessibility and comprehensibility, allowing citizens to exercise their franchise through private ballot casting (Sulthon, 2019). Accommodation Services: Legal provisions guarantee assistance for voters with disabilities, safeguarding their fundamental democratic rights (Muhtar et al., 2023). Ballot Privacy: Individual voting choices remain protected through confidentiality measures, maintaining the integrity and transparency of the electoral system (Shofiyullah, 2015). These stipulations align with the foundational concepts

of Maqashid Shariah, which highlight the critical need to safeguard and promote the welfare of persons, households, and the broader community collectively.

Beginner Voting Rights in Indonesian Elections

Understanding electoral participation among new voters requires careful examination, particularly as their numbers continue to grow. Nevertheless, the legal frameworks governing novice voter eligibility remain poorly understood, frequently leading to confusion when establishing voting rights for first-time participants in electoral processes. This study aims to examine the regulatory requirements for novice voters across different election-related statutes and explore how novice voter provisions align with siyasah principles. The research seeks to analyze the legal specifications for new voters found within various electoral laws and regulations, while also investigating how these novice voter stipulations relate to the fundamental tenets of siyasah governance (Syofiyullah, 2015).

The regulatory framework governing novice voters encompasses multiple legislative instruments, including Law No. 1 of 2015 which established Government Regulations in Lieu of Law No. 1 of 2014 regarding the selection of Governors, Regents and Mayors. Additional governing statutes include Law No. 7 of 2017 on Elections and Law No. 11 of 2006 on Aceh's Governance (UUPA), which collectively define eligible voters as Indonesian nationals who are at least 17 years of age or older, individuals who are currently married or have previously been married and possess voting entitlements, persons who have been recorded once by electoral authorities in voter registration rolls, those who are mentally competent, individuals who have not had their electoral rights suspended, and those who maintain active voter registration status.

The regulatory framework governing first-time voters aligns with the fundamental tenets of siyasah dusturiyah, specifically the doctrine of *jalb al-mashalih wa dar al-mafasid*, since encouraging new electoral participants represents an Islamic obligation to select trustworthy representatives, thereby upholding core Islamic principles. Additionally, the legal framework for first-time voters incorporates the siyasah dusturiyah principle by accounting for several key factors: the degree of comprehension that new voters possess regarding electoral processes, the presence of political communications that encourage first-time voter participation, the establishment of a supportive political atmosphere that fosters newcomers' desire to engage, their natural inquisitiveness and excitement about joining the democratic process, and the intrinsic motivational elements within the novice voters themselves.

Provisions for Early Voters

Constitutional governance, known as siyasah dusturiyah, represents a specialized field within Islamic political jurisprudence (*fikih siyasah*) that examines governmental structures and legal frameworks. This discipline encompasses the analysis of community dynamics, social hierarchies, and the reciprocal duties and entitlements between the state and its citizens, while establishing regulatory and legal systems grounded in Islamic teachings to promote collective welfare. Furthermore, siyasah dusturiyah addresses the dynamics between ruling authorities and the populace, along with the various civic and governmental institutions operating within

society and the nation (Djazuli, 2003). The Quran reinforces this concept in Surah An-Nisa, verse 59, where Allah commands: “O believers, submit to Allah’s authority, follow the Messenger (Muhammad), and respect those who hold legitimate power among you...” (Departemen Agama RI, 2007).

The concept of political engagement encompasses compliance with leadership directives, particularly when leaders instruct citizens to exercise their electoral rights in choosing governmental representatives. Human adherence to religious beliefs forms the foundation upon which religious systems are built and sustained. Similarly, humanity cannot achieve righteousness without proper leadership guidance. When examining leadership principles, al-Mawardi characterizes a leader as both a mirror of society and the fundamental element that drives communal well-being (Al-Mawardi, 2021). Leadership roles are also identified through the terms Imamah or khilafah, which represent institutional frameworks designed to succeed prophetic authority while safeguarding religious principles and governing worldly affairs. The establishment of the Imamate or khilafah institution has been determined by scholarly agreement to be a collective religious obligation (*fardu kifayah*).

Regarding the mandatory nature of selecting a leader, this duty falls under the category of *fard kifayah*, similar to the religious obligations of jihad and the pursuit of knowledge. When this classification applies, the successful appointment of a qualified individual to serve as Imam (caliph) releases the broader community from this responsibility, since *fardu kifayah* obligations are fulfilled once undertaken by capable members. Conversely, in the absence of an appointed Imam, the community must organize itself into two distinct bodies: an electoral assembly responsible for selecting the Imam on behalf of the ummah, and an authoritative council tasked with formally installing the chosen candidate into the position of Imam (Djazuli, 2003).

According to the aforementioned explanation, the establishment of an Imamate represents a fundamental religious duty. The presence of such leadership fosters collective cohesion among the community members. Furthermore, having a designated leader serves to advance public welfare while simultaneously safeguarding against potential harm. In Indonesia, the selection of leadership occurs via democratic elections, commonly known as general elections. Islamic principles accommodate this electoral approach, as ultimate authority rests with the populace, a core tenet within Islamic governance frameworks. The electoral process mirrors the traditional consultative methodology for leader selection. Once chosen through this process, the elected leader receives divine endorsement to serve as caliph. When examining how first-time voters participated in the 2019 electoral process by exercising their civic voting rights, this constitutes political engagement or represents a trust placed in prospective leaders (Primadi et al., 2019).

Beyond understanding the legal framework for selecting or designating leadership, which constitutes an obligation, the referenced verse demonstrates that political participation within Islamic thought represents a duty toward a trustworthy candidate who aligns with Islamic principles (Jamaa, 2018). Therefore, when an individual abstains from engaging in the leadership selection process, they are failing to extend confidence to the prospective leader and

neglecting to fulfill the requirements established by Islamic jurisprudence, given that such participation carries mandatory legal standing.

The analysis of *siyasah dusturiyah* regarding legal frameworks for first-time voters in Indonesia's general elections demonstrates that these emerging participants engage in the political process based on principles that align with Islamic teachings, specifically (Al-Mawardi, 2021): Initially, first-time voters possess varying degrees of comprehension and awareness. These new electoral participants enter the democratic process driven by their individual knowledge base, which creates distinct personal characteristics among this demographic. Beyond their role as informed citizens, first-time voters carry the fundamental responsibility of students within educational institutions. This means that individuals affiliated with particular educational foundations or organizations bear the obligation to implement their acquired learning in practical, daily circumstances. For both emerging voters and students, there exists no justification for reluctance in pursuing knowledge and comprehending educational content delivered in academic settings. This encompasses political education essential for societal and governmental participation. Consequently, indolent behavior results in inadequate comprehension, leading to apathetic attitudes and unwillingness to seek electoral knowledge. Indeed, Allah disapproves of those who exhibit laziness and refuse to pursue learning. This is reflected in Allah's revelation in Surah al-Alaq Verses 1-5: "Read by (mentioning) the name of your God who created, He has created man from a clot of blood, read and your God is the most merciful, who teaches man through the medium of the pen. He teaches people what they do not know" (Departemen Agama RI, 2007).

This verse encompasses directives for reading, writing, and scholarly pursuit. Divine providence has endowed humanity with inherent capacities that enable the acquisition of diverse knowledge and competencies, thereby enhancing their capability to navigate existence. The relevance to civic engagement lies in how beginning voters should earnestly examine and comprehend various disciplines concerning governance, society, and communal affairs, with the objective of cultivating conscious participation in electoral processes and developing genuine investment in collective social welfare (Loina et al., 2018).

The second factor involves providing encouragement through supportive messaging aimed at helping new voters engage in the electoral process. Within Islamic understanding, this concept aligns with what is known as *deliberation*, originating from the Arabic term *syawara*, which signifies consultation and the exchange of viewpoints. This deliberative process encompasses mutual explanation, negotiation, and the practice of seeking and sharing perspectives on various issues. While Western political philosophy frames deliberation as a cornerstone of political participation, Islamic governance operates under the principle of *amar ma'ruf nahi mungkar*, which serves as the fundamental objective of all Islamic authority. According to Ibn Taymiyyah's teachings, "the sole purpose of Islamic authority is *amar ma'ruf nahi mungkar*," a principle that manifests itself through the essential function of overseeing those in positions of power. This oversight role represents the actualization of popular political participation across all public affairs and legal matters, rooted in the fundamental duty to offer counsel as commanded by the Prophet Muhammad.

When discussing educators, we inevitably encounter individuals who possess deep knowledge and demonstrate excellence in guiding others toward righteousness while steering them away from wrongdoing. This responsibility can only be fulfilled by those who combine wisdom with a genuine desire for others' welfare. Islam, as a distinguished faith, actively promotes the development of learned educators who advocate for righteousness and oppose misconduct among its adherents. Such individuals are considered fortunate both in their earthly existence and in the life to come. This principle is affirmed in the Quran, specifically in Surah Al-Imran, verse 104, which states: "And there should be among you a group of people who call to virtue, enjoin what is good and forbid what is evil" (Departemen Agama RI, 2007).

When examining the participation of first-time voters in Indonesia's national elections, educators within the formal education system hold a crucial position in shaping the political consciousness and mental framework of these emerging voters who remain under educational supervision. This significance becomes apparent as certain first-time voters continue to abstain from electoral participation, yet the constructive teacher-student dynamic demonstrates beneficial outcomes for voters who heed their educators' guidance to demonstrate patriotism through active electoral engagement.

A supportive political atmosphere serves as a catalyst for civic engagement, fostering an environment where individuals develop genuine interest and inquisitive attitudes toward electoral participation. For those experiencing their first opportunity to vote, elections represent uncharted territory that naturally generates questions and wonder. These newcomers to the democratic process frequently seek guidance from experienced voters, inquiring about proper voting procedures and electoral mechanics. When the political climate remains welcoming and encouraging, it creates space for these inexperienced participants to openly explore unfamiliar concepts and seek clarification on matters they have yet to understand. This principle finds spiritual grounding in the Quranic teaching found in Surah Al-Imran Verse 159, which conveys: "So it is because of the mercy of God that you behave meekly towards them. If you are harsh and rude, of course they will stay away from you. therefore forgive them, ask forgiveness for them, and consult with them in the matter. Then when you have made up your mind, then put your trust in God. Indeed, Allah loves those who put their trust in Him" (Departemen Agama RI, 2007). The preceding verse provides a clear explanation of the directive to engage in careful consideration. The connection between the participation of first-time voters in national elections within the Indonesian Republic lies in the questioning nature of these new voters, who seek guidance from their more experienced counterparts, thereby fostering excitement and promoting a spirit of civic engagement in the electoral process.

Additionally, novice voters exhibit certain intrinsic characteristics that influence their electoral participation. Among these internal elements are practical considerations such as the lack of financial barriers preventing them from returning to their place of origin, as well as a tendency toward political disengagement manifested through reluctance to participate in electoral processes. This reluctance represents a form of political withdrawal where individuals distance themselves from civic involvement. While abstaining from voting remains a fundamental right of all citizens, responsible citizenship requires that first-time voters develop

civic consciousness and actively engage in electoral participation to promote the collective welfare of society (Primadi et al., 2019).

According to Islamic principles, governmental structures play a crucial role in maintaining national stability and continuity, as they are fundamentally connected to achieving the collective good of society. Furthermore, aspiring leaders should engage in thoughtful political reflection to transform their territory into a center for Islamic outreach, where they can promote righteous conduct and discourage wrongdoing. Political consciousness among first-time voters remains essential, particularly since a portion of these new voters show reluctance to engage in the electoral process. As first-time voters develop a greater understanding of their role in participating in political mechanisms designed for nation-building, community engagement in governmental affairs correspondingly increases. The desire to learn about and actively participate in elections, along with internal motivating factors within these new voters themselves, contributes to this engagement.

Maqashid Shariah Perspective on the Age Limit for Early Voters

Discussion on the age limit for first-time voters in terms of Maqashid Shariah can be examined through several aspects. *First*, maturity of thought and participation. Islamic jurisprudence's Maqashid Shariah principles highlight the critical need to safeguard intellectual capacity (aql) as a cornerstone of the Islamic legal framework. The intellectual development of a person doesn't necessarily correspond with their chronological age; numerous adolescent voters, including those who are merely 17 years old, have exhibited competence in comprehending political matters and forming well-reasoned judgments. Research by Norris demonstrates that younger demographics frequently display heightened political consciousness, largely attributed to their enhanced access to information via technological platforms. Consequently, chronological age alone should not serve as the exclusive criterion for determining electoral participation readiness (Turashvili, 2016).

Second, justice and prosperity. The concept of fairness (adl) within Maqashid Shariah demands that every societal group enjoys equivalent opportunities for political engagement. The inclusion of younger voters serves as a vital mechanism for guaranteeing their perspectives are heard within governmental decision-making frameworks. Imposing rigid age restrictions may generate inequity while overlooking the capacity of youthful voters to meaningfully participate in choices that will shape their own destinies (Qardhawi, 2014). Political engagement with novice voters frequently focuses merely on vote acquisition and enhancing particular candidates' electoral prospects, despite the fact that these new voters could serve as a foundation for developing long-term strategic policies that preserve ongoing constituent confidence (Setiawan & Djafar, 2023).

Third, legal flexibility. Both Al-Ghazali and Al-Shatibi advocate for the adaptability of Islamic jurisprudence to evolving societal and cultural circumstances. In *Al-Mustasfa*, Al-Ghazali contends that legal provisions must be modified to promote public welfare, whereas Al-Shatibi's work *Al-Muwafaqat* underscores the necessity of contextual comprehension when implementing legal principles. Consequently, voter age requirements ought to undergo periodic reassessment to align with society's changing dynamics (Kamali, 2008).

Fourth, ideally in Islam. Within the principles of Maqashid Shariah, voting regulations must embrace diversity and avoid relying exclusively on chronological age as a determining factor. The optimal approach for establishing minimum voting age requirements should incorporate assessments of personal development, educational background, and civic awareness. Through ensuring that all qualified citizens, especially youth, can participate in the democratic process, we can foster enhanced societal well-being and collective benefit.

CONCLUSION

When examined through the lens of Maqashid Shariah, the minimum age requirements for new voters reveal the necessity for policy reform to establish a more just and comprehensive democratic process. Through the principles of community well-being, fairness, and adaptable jurisprudence, it becomes possible to construct an electoral structure that addresses the requirements of every citizen, particularly younger demographics. The framework of Maqashid Syariah establishes that *Tasharruf al-Imam 'ala al-Ra'iyah manuthun bi al-Maslahah* (Leader Policy based on Benefits) represents a fundamental Islamic doctrine. This approach prioritizes human welfare in both temporal and eternal dimensions. Within Islamic thought, religious law is grounded in divine wisdom and human advantage. Any policies that disregard benefit and fairness fall outside the acceptable boundaries of Shari'a governance.

The maqashid framework additionally emphasizes the principle of Taghayyur al-ahkam bi taghayyur al-azman, which recognizes that evolving temporal conditions, societal circumstances, and environmental factors can drive modifications in legal frameworks, necessitating a reassessment of age-based limitations to guarantee societal welfare and address contemporary community requirements. Current statutory provisions governing first-time voters require reevaluation to align with community demands, ensuring compatibility with the fundamental tenets of maqashid syariah al-Islamiyah and siyasah dusturiyah principles, where regulatory determinations concerning inaugural voter eligibility should be deliberated to achieve the intended benefits through creating opportunities for relaxing age-based voting restrictions for newcomers to the electoral process. Conversely, the consequences of governmental policy decisions extend beyond individuals who have reached 17 years of age, affecting citizens across all demographic segments irrespective of their chronological age or socioeconomic position.

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