

Analysis of the Decision of the State Administrative Court Number 282/G/2019/PTUN.MDN Concerning the Dismissal of the Head of Sampali Village from the Perspective of Fiqh Siyasah

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Abstract: Provinces and regencies/cities are autonomous regions, namely a legal entity with clear territorial boundaries and have the rights, authority, and responsibility to regulate and manage their own government affairs. Village apparatus plays a role in supporting the village head to ensure the smooth administration of government, provide services needed by the community, and carry out village obligations, duties, and functions. The purpose of the research is to find out how the decision of the state administrative court Number 282/G/2019/PTUN.MDN concerns the dismissal of the head of the Sampali village hamlet from the perspective of fiqh siyasah. Research method, normative legal research. The results of the research, the dismissal of the Head of the Sampali Village Hamlet was carried out without deliberation, adequate notification, or consultation with the sub-district head, as a result of which it violated Law Number 3 of 2024 concerning Villages and Regulation of the Ministry of Home Affairs Number 67 of 2017, as a result the decision was declared null and void, and the defendant was ordered to revoke the decision, return the plaintiff to his original position, and pay court costs. According to the perspective of fiqh siyasah, this decision reflects the application of the principles of justice ('adl), deliberation (shura), and responsibility (mas'uliyah) in governance. The act of dismissing the village head without going through a legitimate procedure not only violates state law, but also the ethics of Islamic leadership. This case is an important precedent for applying the values of fiqh siyasah in maintaining the welfare of the community and the integrity of the village government.

Keywords: Dismissal, Village Head, Fiqh siyasah.

1. Introduction

Indonesia as a unitary state adopts the principle of decentralization in its governance. Through this principle, the government gives authority and freedom to regions to regulate and manage their own government affairs within the framework of regional autonomy. (Bath, 2024), (Pratiwi, 2024). The 1945 Constitution of the Republic of Indonesia applies two models of division of power, namely horizontal and vertical. The horizontal division of power divides state authority into several institutions with different tasks, namely the executive which runs the government, the legislative which formulates laws and regulations, and the judiciary which plays a role in supervision and law enforcement. (Koswara, Guntara, Abas, & Lubis, 2023), (Lekipiouw, 2020). Meanwhile, the vertical division of power allocates authority between the central and regional governments based on the principle of decentralization, so that regional governments have autonomy in managing certain affairs in line with applicable provisions. (Sunarso & SH, 2023), (Sudaryo, Sjarif, & Sofiaty, 2021).

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Received: Nov 20, 2024;

Revised: Nov 30, 2024;

Accepted: Dec 07, 2024;

Published: Dec 30, 2024;



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Article 18 Paragraph (1) of the 1945 Constitution "The Unitary State of the Republic of Indonesia is divided into provincial regions and the provincial regions are divided into districts and cities, each of which has a regional government, which is regulated by law" means a unitary state, not a federal state.(Lambelanova & Jaelani, 2022),(Rossy Lambelanova, IP, Jaelani, IP, & Vinda Verina, nd). In the government system, Indonesia is divided into several provinces, which are then divided again into districts and cities. Each province, district, and city has its own regional government to carry out government affairs in accordance with the regulations set by law. This means that there is decentralization of power, where regions have certain authorities in their own government affairs in their territory, but remain within the framework of the Unitary State of the Republic of Indonesia.(Robuan, 2022),(Region, 2021).

Regional governments have the authority to regulate and manage their own regional interests, as regulated in Article 10 Paragraph (2) of Law Number 23 of 2014.(Rahayu, 2022),(Son, 2019). The article emphasizes that regional governments, whether at the provincial, district, or city level, have the authority to carry out government independently in accordance with the principles of regional autonomy and assistance tasks. The main purpose of regional autonomy is to give authority to regional governments to regulate and manage the interests of their own communities, as a result public services become more effective and efficient. With regional autonomy, each region can develop local potential, improve community welfare, and accelerate equitable development. In addition, regional autonomy also encourages community participation in decision-making and creates more transparent and accountable governance.(Rahman, bin Abubakar, Rizwan, Muntasir, & Hidayat, 2024),(Pasaribu, 2022).

Before a village can be formed, the Minister of Home Affairs is required to establish regulations that regulate certain conditions. These conditions include minimum population limits, area size, and economic potential that supports the sustainability of the village.(Matheus, 2022),(SILALAH, 2022). In addition, social, cultural, and village capacity aspects in organizing government are also the main considerations. All of these provisions aim to ensure that the village that is formed can be independent and function effectively in serving the community. Before the regional regulation can be enforced, the authorized official must provide approval. The process of expanding, strengthening, or eliminating a village is regulated in accordance with the regulations in force at that time.(Sihombing, 2020),(AND, FROM, UNTIL, & INDEPENDENCE, 2024).

The legal status and role of village officials, as part of the government that is directly related to the people, has long been an issue that is often discussed among political leaders. Village officials play a role in supporting the village head in ensuring that the government runs well, providing services needed by the community, and carrying out village duties, functions, and responsibilities optimally.(Hemafitria, Sopia, & Octavia, 2022), .

The achievement of community welfare is very dependent on the implementation of the principle of amar ma'ruf nahi munkar, namely encouraging good deeds and

preventing bad deeds. Therefore, religion orders the enforcement of this principle. The implementation of *amar ma'ruf nahi munkar* requires the presence of someone who has a good understanding of religion, wisdom, and a wise attitude in upholding goodness and preventing evil. That person must be able to provide advice in a polite and wise manner.(Rizha, 2021).

This hadith, according to the understanding (*al-nash*) through the method of *fahwa al-khitab* and *qiyas aulawi*, also teaches the importance of choosing a leader in a large community. Therefore, even in a small group, a leader is needed to organize and maintain order, so logically, a larger society certainly needs a leader to manage the various affairs of their lives well.(Labolo, 2023).

One example is the State Administrative Court Decision Number 282/G/2019/PTUN.MDN concerning the dismissal of the head of Sampali village, which can be seen as an important study on the implementation of Law Number 3 of 2024 which is an amendment to Law Number 6 of 2014 concerning Villages. In this law, the term of office of the village head is set at 8 years per period, with a maximum limit of two terms of office, either consecutively or not. This formulation is intended to provide stability and sufficient time for the village head to implement development programs and empower the village community. This law provides guidelines regarding the mechanism for dismissing a village head which must be based on the principles of transparency, participation, accountability, and in line with existing regulations, including the Regulation of the Minister of Home Affairs Number 66 of 2017 concerning the Appointment and Dismissal of Village Heads. According to the *fiqh siyasah* perspective, the act of dismissing a village head must reflect the principles of justice (*'adl*) and deliberation (*syura*) as part of the leader's responsibility to safeguard the benefit of the community.(Fadhillah, 2024).

Sampali Village is one of the villages in Percut Sei Tuan District, Deli Serdang Regency, North Sumatra, Indonesia. This village is located close to Medan City, directly bordering Indra Kasih Village in Medan Tembung District and Me and Timur District.

According to the Decision of the State Administrative Court Number 282/G/2019/PTUN.MDN, this dispute began according to the Decree of the Head of Sampali Village Number 140/165/2019 issued on July 4, 2019 regarding the appointment and dismissal of village officials. In this case, the Village Head as the defendant issued a letter of dismissal against one of the village officials without first holding a deliberation or official notification. Abdullah Panjaitan, as the plaintiff, received the decree on July 11, 2019 and immediately asked for an explanation on July 12, 2019, but could not receive a response from the defendant. In accordance with Article 77 paragraph (1) and (2) of Law Number 30 of 2014, the plaintiff filed an objection within 21 working days. Although the meeting on September 2, 2019 decided to dismiss a number of hamlet heads and re-screening, the defendant did not implement the decision, but issued a new Decree on September 12, 2019 stating that there would be no change in hamlet heads. The plaintiff then filed a lawsuit with the PTUN Me and on October 30, 2019, which was declared

valid according to the 90-day grace period according to PERMA No. 6 of 2018 (Fadhillah, 2024).

The State Administrative Court (PTUN) Me and has decided on an administrative dispute related to the dismissal of Abdullah Panjaitan according to his position as Head of Sampali Village Hamlet according to the Decree of the Head of Sampali Village Number 140/165/2019 dated July 4, 2019. The lawsuit was filed by Abdullah Panjaitan with his attorney against the Head of Sampali Village as the Defendant. The Plaintiff argued that his dismissal did not go through a deliberation process and without adequate notification, resulting in harm to his rights both materially and his legal standing during the 2019-2024 term of office. PTUN Me and examined and decided this case by assessing the validity of the Defendant's administrative decree.

After reviewing the trial facts, the Panel of Judges decided that the Decree of the Head of Sampali Village Number 140/165/2019 did not comply with the procedures stipulated in Law Number 3 of 2024 concerning Villages and Regulation of the Minister of Home Affairs Number 67 of 2017. The plaintiff was dismissed without any administrative sanctions and consultation with the sub-district head, which is contrary to Articles 51 and 52 of Law Number 6 of 2014. Therefore, the decree was declared null and void, and the defendant was ordered to revoke the decree, return the plaintiff to his original position, and pay court costs.

From the perspective of *siyasah fiqh* (Islamic political law), *siyasah fiqh* emphasizes the importance of leaders to act fairly and not arbitrarily when making decisions, through transparent mechanisms and involving deliberation with various interested parties.

As emphasized in the Al-Qur'an Surah Ash-Shura verse 38

وَأْمُرْهُمْ شُورَىٰ بَيْنَهُمْ

"and their affairs (are decided) by consultation between them."

From the perspective of *fiqh siyasah*, the Decision of the State Administrative Court Number 282/G/2019/PTUN.MDN can be analyzed through the principles of leadership in Islam. *Fiqh siyasah* regulates that leaders or rulers have authority (territory) that must be used to bring benefits to the community and prevent harm. The appointment and dismissal of village officials are part of the mandate of leadership, which must be carried out fairly, transparently, and based on valid rules, as emphasized in the concept of justice ('adl) and responsibility (*mas'uliyah*). In this case, if the authority of the village head is used in violation of the principle of *syura* (deliberation) or exceeds the limits of the law, then the action can be considered inconsistent with *fiqh siyasah*. This PTUN Decision is an affirmation that every decision of the leader must be subject to applicable legal regulations, both in state law and in the view of sharia.

If the dismissal is carried out without a clear basis or only in accordance with personal or group interests, then the action can be considered to violate the principles of justice in *fiqh siyasah*, which in the end can cause public distrust of the local government and harm the sense of social justice. This is very relevant to be applied to cases such as

those that occurred in Sampali Village, Percut Sei Tuan District, Deli Serdang Regency, North Sumatra, which directly borders the city of Medan.

This study has similarities with a study conducted by Afran Nababan in 2023 entitled "Appointment of Village Apparatus According to Law Number 6 of 2014 Concerning Villages from a Fiqh Siyasah Perspective." The research studied the recruitment process of village apparatus in Teluk Agung Village, Mekakau Ilir District, South Oku Regency, South Sumatra. The results of the study revealed that the appointment of village apparatus in the area was in accordance with the provisions of Article 49 of Law Number 6 of 2014 and Regional Regulation Number 3 of 2018. The selection process was carried out objectively and transparently, ensuring that all participants had equal opportunities, so that the selected individuals were those who met the requirements as village apparatus. In addition, the governance system for the appointment of village apparatus has fulfilled the principles of fiqh siyasah tanfidziyah, such as democracy, justice, deliberation, and compliance with laws and regulations. However, in terms of dismissal of village apparatus, it was found that the process was still not entirely objective. Therefore, improvements are needed to be more in line with applicable legal provisions. Overall, this study highlights that the appointment of village officials is in line with the principles of Fiqh Siyasah Tanfidziyah in terms of democracy and justice, although there are still shortcomings in the dismissal mechanism. Meanwhile, this study focuses on the dismissal of the hamlet head through a PTUN decision, as a result emphasizing the legal aspect of village administrative disputes.

Research conducted by Wahyudi Jamal in 2020 entitled "Analysis of the Appointment of New Village Apparatus Post-Election of New Village Head in Sungai Tarap Village, Kampar District, Kampar Regency" studied the role of village apparatus in supporting the running of government under the leadership of the village head. The purpose of this study was to monitor and evaluate the recruitment process of village apparatus. Based on the results of interviews, documentation, and observations in the field, it was found that the process of appointing village apparatus in Sungai Tarap Village was still not running optimally. There were various deviations in its implementation that were not in line with the procedures and regulations that had been determined. Therefore, improvements are needed so that the mechanism for appointing village apparatus can run in line with existing provisions. This study examines the appointment of village apparatus that is not optimal and there are many deviations from the rules. The difference lies in the focus of the problem, where this study evaluates the validity of the PTUN decision from the perspective of Fiqh Siyasah, not the process of appointing village apparatus itself.

The research conducted by Yesa Putriani in 2021 entitled "Dismissal of Village Apparatus by the Village Head in Pelajaran Village, Tanjung Kemuning District Reviewed in Accordance with Minister of Home Affairs Regulation Number 67 of 2017 and Fiqh Siyasah" examines two main aspects. First, how is the process of dismissing village apparatus in Pelajaran Village based on the provisions in Minister of Home

Affairs Regulation Number 67 of 2017. Second, how is the review of the dismissal from the perspective of Fiqh Siyasah. The results of the study show that village heads have not implemented Minister of Home Affairs Regulation Number 67 of 2017 correctly and do not understand its provisions. This was revealed from interviews with sub-district heads, village heads, and dismissed village apparatus, who stated that the dismissal procedure was not in accordance with applicable regulations. From the perspective of Fiqh Siyasah, the dismissal also does not reflect the values of the Qur'an and siyasah dusturiyah related to leadership (imamah), so it is considered untrustworthy and less responsible in carrying out their duties. The research that will be conducted by the author is the Analysis of PTUN Decision Number 282/G/2019/PTUN.ME AND Regarding the Dismissal of the Head of Sampali Village from the Perspective of Fiqh Siyasah. This study examines the dismissal of village officials that are not in line with Permendagri Number 67 of 2017 and Fiqh Siyasah, with the finding that the dismissal was carried out unilaterally without fulfilling the principle of mandate in leadership. The main difference with this study is its focus on the PTUN decision and its analysis in the context of state administrative disputes, not on the village head's policy directly.

The research conducted by Trinh Asi Islami and Irnawati in 2021 entitled "Analysis of Dispute Resolution on Dismissal of Kedungcangkring Hamlet Head from the Perspective of State Administrative Procedure Law" examines the legal aspects related to the dismissal of the hamlet head. The results of the study indicate that the Head of Kedungcangkring Hamlet should not have been dismissed at the age of 62, because based on the Instruction of the Minister of Home Affairs No. 10 of 1990, the maximum age limit for dismissal of a hamlet head is 64 years. This provision is also supported by Article 12 of the Regulation of the Minister of Home Affairs Number 83 of 2015. Because the dismissal procedure carried out was not in accordance with applicable regulations, the decision was declared null and void. Based on the decision that had permanent legal force, the Regent of Kediri Regency then restored the plaintiff's status and position as Head of Kedungcangkring Hamlet, so that he could return to carrying out his duties and responsibilities. The main difference with this research lies in the approach used, where this research examines the problem according to the perspective of Fiqh Siyasah, which focuses on justice and the appropriateness of procedures in decisions of the State Administrative Court (PTUN).

Based on the background above, this study was conducted because of the inconsistency of administrative procedures in the dismissal of the hamlet head which allegedly violated the principles of justice, transparency, and deliberation as regulated in positive Indonesian law and the perspective of fiqh siyasah. This study attempts to analyze the validity of administrative provisions that are the basis for the dismissal of the hamlet head according to the perspective of state administrative law and the values of fiqh siyasah which prioritize justice ('adl) and deliberation (shura). Unlike previous studies that focused on the appointment and dismissal of village officials according to the Village Law and the Minister of Home Affairs Regulation, this study offers

something new by examining court decisions on state administrative disputes and analyzing them through the perspective of fiqh siyasah. This approach provides a more in-depth insight into the ethics of leadership and the validity of procedures in Islam. In addition, this study also explores the legal and social implications according to the PTUN provisions on the stability of village government and public trust, as a result providing a significant contribution to the study of state administrative law and Islamic politics. Therefore, the author is interested in researching this matter, with the title "Analysis of the Decision of the State Administrative Court Number 282/G/2019/PTUN.MDN Concerning the Dismissal of the Head of Sampali Village from the Perspective of Fiqh Siyasah".

2. Research methods

This study adopts a normative legal research method, namely an approach that emphasizes the study of legal norms contained in various legal sources, including statutory regulations and court decisions. The purpose of this study is to understand, analyze, and interpret existing legal regulations and legal principles related to the problems studied. According to Peter Mahmud Marzuki, normative legal research is the process of searching for and identifying legal regulations, legal principles, and applicable legal doctrines, which are used to resolve legal problems that arise. The data collection technique was carried out by analyzing the PTUN Decision Number 282/G/2019/PTUN.MDN. The data analysis method used by the author is to study, review, cite various literature, books, documents, government regulations and laws and the object of study according to this study is the PTUN Decision Number 282/G/2019/PTUN.MDN in connection with the discussion and scope of the research.

3. Results and Discussion

3.1 *Legal Considerations of PTUN Decision Number 282/G/2019/PTUN.MDN in Granting the Lawsuit for Dispute over Dismissal of Hamlet Head.*

Historically, the idea of establishing a State Administrative Court has emerged since the beginning of Indonesian independence, but has not been immediately realized. It was only in 1970, through Law Number 14 of 1970 concerning the Principles of Judicial Power, that this judicial concept began to receive greater attention and become part of the development of the legal system in Indonesia.

The State Administrative Court (PTUN) is the most recently established judicial institution in the Indonesian judicial system. Its existence was officially recognized after the ratification of Law Number 5 of 1986 on December 29, 1986, which became the legal basis for resolving disputes between citizens and the government in the realm of state administration. In the considerations of the law, it is stated that one of the purposes of establishing the PTUN is to realize a safe, prosperous, orderly state life, and to guarantee the position of citizens before the law. In addition, the PTUN also intends to maintain harmonious relations between government officials in the field of state administration and the community. The presence of the PTUN provides a mechanism for the community to sue government administrative decisions or actions that are considered not in accordance with the law. This reflects Indonesia's commitment to creating a transparent, accountable government system based on the supremacy of law. The core function of the State Administrative Court (PTUN) is to provide legal protection for citizens who feel disadvantaged by government administrative decisions or actions. The PTUN plays a role in testing the validity of the decisions of state administrative officials and ensuring that every policy taken is in line with applicable law.

The State Administrative Court (PTUN) Decision Number 282/G/2019/PTUN.MDN provides an important picture of the application of administrative law in the context of dismissal of village officials, especially the Head of Dusun Sampali Hamlet. This dispute began according to the Decree of the Head of Dusun Sampali Village Number 140/165/2019 which was issued without fulfilling the appropriate administrative procedures, including deliberation, adequate notification, and consultation with the sub-district head as mandated by Law Number 3 of 2024 (amendment to Law Number 6 of 2014) concerning Villages and Regulation of the Minister of Home Affairs Number 67 of 2017. Abdullah Panjaitan, as the plaintiff, felt aggrieved both materially and in his legal standing, because his dismissal was carried out unilaterally without a transparent and fair process. In this case, PTUN Me and examined the validity of the defendant's administrative decision according to the general principles of good governance, including justice, transparency, participation, and accountability.

The PTUN Panel of Judges found that the plaintiff's dismissal decision was not in accordance with the regulated procedures. In addition, the defendant's actions which did not involve deliberation with the community and did not consult with the sub-district head violated Articles 51 and 52 of Law Number 6 of 2014 concerning Villages. This also contradicts the principles of justice ('adl) and deliberation (shura) which are important foundations in Islamic law (fiqh siyasah) to maintain the welfare of the community. Therefore, the Panel of Judges decided that the Decree of the Head of Sampali Village Number 140/165/2019 was null and void and ordered the defendant to revoke the decree. In addition, the defendant was required to return the plaintiff to his original position as Head of the Hamlet of Sampali Village and pay court costs.

After reviewing the trial facts, the Panel of Judges decided that the Decree of the Head of Sampali Village Number 140/165/2019 did not comply with the procedures stipulated in Law Number 3 of 2024 concerning Villages and Regulation of the Minister of Home Affairs Number 67 of 2017. The plaintiff was dismissed without any administrative sanctions and consultation with the sub-district head, which is contrary to Articles 51 and 52 of Law Number 6 of 2014. Therefore, the decree was declared null and void, and the defendant was ordered to revoke the decree, return the plaintiff to his original position, and pay court costs.

This decision emphasizes the importance of fulfilling transparent, accountable, and legally based administrative procedures in making public decisions. This case also explains that the law related to villages not only regulates the mechanism for dismissing village officials, but also provides legal protection to village officials against arbitrary actions. In this context, the PTUN Me also plays an important role in upholding justice and restoring rights that have been harmed due to violations of administrative law. This decision is an important precedent for village governments throughout Indonesia to comply with legal procedures in making decisions related to the appointment or dismissal of village officials, in order to maintain the stability of village government and public trust.

3.2 Fiqh Siyasah's View on PTUN Decision Number 282/G/2019/PTUN.MDN Regarding the Dismissal of the Head of Sampali Village

Fiqh Siyasah is a combination of Idhafi words or tarkib which consists of two terms, namely fiqh and al-siyasi. Etymologically, fiqh comes from the masdar (gerund) form of the words faqaha-yafqahu-fiqhan, which means understanding. Siyasah is a concept in Islam that is related to government governance and policies for managing the affairs of the people. Siyasah includes the principles of justice, benefit and community welfare in accordance with the values of Islamic law. In practice, siyasah plays a role in determining policy, leadership, and making decisions that are oriented towards the common good and compliance with Islamic law. In accordance with this science of fiqh, siyasah fiqh emerged, which specifically regulates various aspects of politics. Fiqh Siyasah has de-

veloped into several branches, including *Siyasah Dusturiyah*, which studies law and the legal system, *Siyasah Maliyah*, which deals with economic policy and state financial management, and *Siyasah Dauliyah*, which regulates diplomatic relations and governance in the international sphere.

Fiqh siyasah, or Islamic political law, is a scientific discipline that regulates the governance of public affairs and government according to sharia principles. Analysis of *siyasah fiqh* can be done through the *ushul fiqh* approach, which is a science that studies the methodology of determining Islamic law. In the context of *siyasah fiqh*, the *ushul fiqh* methods namely *qiyas* (analogy), *istihsan* (legal preference), and *maslahah murrasa* (public benefit) are used to determine public policies that are in line with Islamic values and answer the needs of contemporary society. This ensures that the law applied is not only based on text, but also examines social reality and the main purpose of sharia, namely to realize benefit and justice for humanity.

During the time of Caliph Abu Bakar, governors in various regions not only carried out administrative duties, but also acted as judges in resolving legal cases. However, when the leadership shifted to Caliph Umar, Utsman, and Ali, the judicial system underwent significant changes. Judicial power was separated according to executive authority and handed over to an independent judicial institution, resulting in a more independent and structured legal system. This separation did not only apply in Medina, but also in other provinces, with the exception of certain criminal cases that were still handled by the Caliph. In the early period of the development of Islam, the judicial system was divided into three types of judicial institutions, namely: first, *Qadhi* who handled civil cases; second, *Muhtasib* who was responsible for general affairs and minor crimes; and third, *Wali Madhalim* who handled cases that could not be resolved by *Qadhi* and *Muhtasib*, and functioned as the highest court in the Islamic judicial system.

First, there was a court headed by a *Qadhi*, who was in charge of handling civil cases, such as inheritance or contract matters. Second, there was a court headed by a *Muhtasib*, who had the authority to handle general affairs and minor criminal cases, such as minor assault. However, for more serious criminal cases, they were usually handled by the family of officials or the government of the Caliph and governors. Third, there was a court headed by the head of state, known as a *Qodi* or *Wali Madhalim*. This court had the authority to handle disputes that could not be resolved by the *Qadhi* or *Muhtasib* courts, and functioned as the highest judicial institution that resolved more complex or serious cases.

From the perspective of *siyasah fiqh* (Islamic political law), the phenomenon of dismissal of village officials, as happened in Sampali Village, needs to be analyzed further to ensure whether the procedures and ethics of government are in accordance with the principles of justice, mutual benefit and deliberation. *Siyasa fiqh* emphasizes that a leader must act fairly and avoid following arbitrary decisions. Therefore, dismissal of village officials must be based on valid reasons, carried out through clear procedures, and involving deliberation with interested parties. .

In the rules of Islamic jurisprudence:

God willing, God willing, God willing

"A leader's policy towards his people must be in accordance with the benefit."

This means that the actions of a leader must be based on the welfare or goodness of the community he leads. In the context of *fiqh siyasah*, which regulates governance in Islam, this principle emphasizes that the decisions and policies taken by the leader must be intended to achieve welfare and justice for the people.

Regarding the PTUN Decision Number 282/G/2019/PTUN.MDN regarding the dismissal of the Head of Sampali Village, the analysis of *fiqh siyasah* will examine whether the decision was taken in accordance with the public interest. If the dismissal was carried

out to maintain stability, improve the performance of the village government, or prevent actions that harm the community, then this action is in line with the principle

God willing, God willing, God willing

"A leader's policies towards his people must be in accordance with the benefit."

However, if the dismissal is based on personal motives or without clear reasons related to the interests of society, then this is contrary to this rule. Therefore, from the perspective of *fiqh siyasah*, it is important for leaders to ensure that every decision, including the dismissal of officials, is based on considerations of benefit and justice for the community served.

In addition, according to the rules of Islamic jurisprudence:

الحكم يدور مع علته وجودا وعدمًا

"The law depends on whether or not there is *illat* (which surrounds it)."

This rule means that a law depends on whether or not there is a reason behind it. In this context, the dismissal of a village official must be based on a legitimate and clear reason, such as a violation of duties or behavior that is detrimental to the community. If the reason is not proven or does not exist, then the dismissal is not in accordance with the principles of *fiqh siyasah*.

From the perspective of *fiqh siyasah*, the PTUN Decision Number 282/G/2019/PTUN.MDN regarding the dismissal of the Head of Sampali Village can be used as an important study related to the principles of leadership in Islam, especially in the context of government ethics and procedural validity. *Fiqh siyasah* emphasizes that a leader has a mandate to maintain the welfare of the community through making decisions that are fair ('*adl*), transparent, and based on deliberation (*shura*). In this case, the actions of the Head of Sampali Village who dismissed village officials without going through a deliberation mechanism, adequate notification, and consultation with related parties, contradict these basic principles. This also violates applicable legal provisions, such as Law Number 3 of 2024 concerning Villages and Regulation of the Minister of Home Affairs Number 67 of 2017, which stipulates that the dismissal of village officials must be carried out in accordance with the principles of transparency, accountability, and in accordance with valid legal procedures.

In the context of Islamic law, deliberation is one of the main principles stated in *Surah Ash-Shura* verse 38, which states that public affairs must be decided through joint consultation. Leaders' actions that ignore this principle can damage the relationship between the leader and his community, as well as hurt the sense of social justice. Apart from that, according to the concept of *siyasah qadhaiyyah*, dismissal that is not in accordance with evidence or clear reasons (*al-bayyinah*) can be considered an arbitrary action that violates a person's rights. *Al-Bayyinah*, as explained by Ibn al-Qayyim al-Jauziyah, includes all evidence used to guarantee the truth of a case. In this case, the village head did not provide a valid reason or strong administrative evidence to support his decision, as a result the dismissal was deemed not in accordance with *sharia* or state law.

The decision of the PTUN Me and which annulled the Decree of the Head of Sampali Village Number 140/165/2019 explained that the act of dismissal not only violated administrative law but also contradicted the values of *fiqh siyasah*. After the Decision of the PTUN Me and annulled the Decree of the Head of Sampali Village Number 140/165/2019, the dismissed Head of the Hamlet automatically obtained his right to return to office. This decision annulled the act of dismissal which was considered invalid under administrative law and contradicted the values of *fiqh siyasah*, this is in line with the *fiqh* principle of *al-Ḥukm yadūru ma'a al-'illah wujū* and *wa 'adaman*, where a law depends on whether or not there is a reason behind it. In this context, the dismissal of a village official must be based on valid and clear reasons, such as violation of duties or behavior that is detrimental to the community, this also contradicts *Tasarruf al-Imam manutun bil maslahah*, where the dismissal of the Hamlet Head is carried out to maintain stability,

improve the performance of the village government, or prevent actions that are detrimental to the community, as a result the position of the Hamlet Head must be restored as before. From the perspective of fiqh siyasah, the act of dismissing the Hamlet Head through Decree Number 140/165/2019 violates the principles of justice ('adl) and deliberation (shura) which are the basis for making Islamic political decisions. Fiqh siyasah teaches that leaders must act fairly, transparently, and responsibly in carrying out the mandate of leadership. By acting arbitrarily without a clear basis, the Village Head not only violates positive law but also injures the ethical values of leadership in Islam which prioritize the welfare of society and social justice. In the context of the ushul fiqh method, qiyas (analogy), istihsan (legal preference), and maslahah mursalah (public interest) are used to determine public policies that are in line with Islamic values and answer the needs of contemporary society. This ensures that the laws applied are not only based on text, but also examine social reality and the main purpose of sharia, which is to realize the welfare and justice for humanity.

In Islam, leaders are given authority (territory) to carry out tasks for the benefit of society, but this authority must be used responsibly (mas'uliyah) and not exceed the limits. If the leader's decision is made based on personal or group interests without considering the public interest, then the action is not only invalid according to law, but also violates the ethics of leadership in Islam. This is very relevant to maintaining social harmony at the village government level, especially in cases such as those that occurred in Sampali Village, Percut Sei Tuan District, Deli Serdang Regency.

The PTUN ruling underlines that state law and Islamic sharia principles both require leaders to submit to the rules and principles of justice. This ruling serves as a reminder that every leader must carry out his/her mandate by paying attention to the rights of the community and supporting the creation of a just, transparent, and participatory government. Thus, the Sampali Village case is an important reflection on how the values of fiqh siyasah can be applied to maintain the integrity of government and realize social justice at the local level.

4. Conclusions

The act of dismissing the Head of Sampali Village violates administrative law and is contrary to the principles of fiqh siyasah. Administratively, the dismissal was carried out without following legal procedures, without deliberation and consultation with the sub-district head, as mandated by Law Number 3 of 2024 and Regulation of the Minister of Home Affairs Number 67 of 2017. According to the perspective of fiqh siyasah, this decision violates the principles of justice ('adl) and deliberation (shura), which are important foundations in making Islamic political decisions. The PTUN decision which annulled the Decree of the Head of Sampali Village Number 140/165/2019 explains the importance of implementing the principles of justice, transparency, and accountability in village governance. In this context, fiqh siyasah emphasizes that leaders must act fairly, transparently, and responsibly in carrying out the mandate of leadership. This decision not only restores the rights of the illegally dismissed Hamlet Head, but also sets an important precedent to strengthen the legal integrity and ethics of leadership in village government in Indonesia. Thus, the application of the values of fiqh siyasah in public decision-making is very relevant to maintaining social justice and the welfare of society.

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