

## Maqāṣid al-Syarī'ah and Constitutional Accountability in Urban Governance: An Islamic Legal Reflection on Public Safety Policy in Banjarmasin City

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### ABSTRACT

**Background:** The placement of U-turn lanes near traffic lights in Banjarmasin City reveals how local administrative decisions can affect citizens' constitutional rights to safety and order. Within Islamic legal ethics, such policies must reflect maqāṣid al-syarī'ah to preserve life and promote public welfare.

**Aims:** This study explores the constitutional and Islamic legal dimensions of urban traffic governance, focusing on how the Banjarmasin City Government exercises its authority in public safety regulation. It seeks to demonstrate that local policies should embody the principles of maqāṣid al-syarī'ah as a form of humanitarian accountability in modern governance.

**Methods:** Adopting an empirical qualitative design, the research gathered data through interviews, field observations, and document reviews. The analysis combined constitutional law theory with maqāṣid al-syarī'ah reasoning, emphasizing *maslahah 'ammah* (public benefit) and justice in local decision-making.

**Results:** The findings indicate that the current U-turn policy, although intended to improve mobility, often leads to congestion and higher accident risks. Such outcomes suggest weak alignment with the objectives of *ḥifz al-nafs* (protection of life) and *ḥifz al-māl* (protection of property). Broader community participation and evidence-based policymaking are required to realize just and beneficial governance.

**Conclusion:** The study concludes that integrating maqāṣid al-syarī'ah with constitutional accountability offers a comprehensive framework for ethical urban governance. By aligning public policy with Islamic humanitarian principles, local governments can ensure justice, compassion, and the protection of human dignity in serving society.

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## Introduction

In recent years, the question of how local governance should embody justice and compassion has become increasingly urgent in Muslim-majority societies. Rapid urbanization has intensified ethical and legal challenges, especially in how local governments design public spaces that affect citizens' safety and comfort (Sanchez et al., 2025; Zhang et al., 2023). In Indonesia, Banjarmasin City reflects this tension vividly through its controversial policy of placing U-turn lanes near traffic lights. What appears to be a simple administrative decision has produced far-reaching implications for mobility, road safety, and social welfare. Citizens often face longer waiting times, heightened accident risks, and psychological stress while commuting through congested intersections. These realities expose a gap between the government's legal authority and its humanitarian responsibility. In Islam, governance is never neutral; it carries the moral weight of ensuring benefit and preventing harm (Asutay & Yilmaz, 2021; Elmahjub, n.d.). Thus, the urgency of this study lies in revisiting how public policy can harmonize legal autonomy with the ethical imperatives of maqāṣid al-syarī'ah.

Banjarmasin, a growing city with increasing vehicle density, demonstrates how administrative efficiency sometimes overshadows human well-being. Local authorities justified the U-turn placement as a measure to improve traffic flow, yet its outcomes reveal contradictions with citizens' lived experiences. Instead of enhancing mobility, the policy contributes to congestion, air pollution, and public dissatisfaction (Majumdar et al., 2021; Petraki et al., 2022). These consequences are not merely technical; they represent a failure to uphold the constitutional right to safety and order. From an Islamic legal

viewpoint, such neglect violates *ḥifẓ al-nafs* (protection of life) and *ḥifẓ al-māl* (protection of property), which form the moral core of public welfare. The neglect of these values transforms policy from a service to a source of harm. Therefore, the Banjarmasin case provides an ethical and empirical lens for examining how local autonomy can unintentionally compromise the public good (Mukhlis et al., 2025). Understanding this dynamic is crucial to restoring justice and accountability in governance.

The Indonesian constitutional framework grants regional governments autonomy to regulate public services under Article 18 of the 1945 Constitution. However, this autonomy is bounded by the principles of lawfulness, justice, and proportionality, which require that every policy protect citizens' fundamental rights (Andrić, 2021; Erman, 2022). The intersection of law and ethics thus becomes central to policy legitimacy. When local policies disregard these principles, they lose both moral and legal authority. The problem of U-turn placement exemplifies how a technically rational decision can contradict constitutional values if divorced from ethical considerations (Urbina, 2024; Wilkinson, 2023). In Islamic legal philosophy, authority must operate within the bounds of *amānah*—the trust to govern in ways that ensure justice (*ʿadl*) and benefit (*maṣlaḥah*). The present condition of urban management in Banjarmasin raises the question of whether local autonomy has been exercised responsibly within this ethical and constitutional framework. Addressing that question is central to redefining governance through an Islamic humanitarian lens.

In the tradition of Islamic jurisprudence, the objectives of Sharia, or *maqāṣid al-syarīʿah*, establish a comprehensive moral structure for social regulation. These objectives preserving religion, life, intellect, lineage, and property serve as the foundation for public policy that seeks to balance utility and justice (Elmahjub, n.d.; Hassoon & Karimes, 2024). Within this framework, protecting life and property is not optional but mandatory for legitimate governance. The management of public facilities, including roads and traffic systems, therefore falls under the moral duty to ensure safety and reduce harm. When policy decisions result in danger, anxiety, or inequity, they contradict both divine intent and the ethical purpose of law (Forati & Bartz, 2025; Najdowski & Goff, 2022). The U-turn policy in Banjarmasin illustrates this misalignment between administrative action and moral reasoning. Evaluating such policies through *maqāṣid*-based principles allows governance to recover its ethical direction. This approach ensures that administrative power remains an instrument of justice rather than a source of harm.

The relevance of *maqāṣid al-syarīʿah* in modern urban governance lies in its ability to humanize policy within a framework of compassion and accountability. Unlike purely secular models that prioritize functionality, Islamic legal reasoning emphasizes balance, mercy, and social cohesion. This perspective urges policymakers to consider not only the mechanical outcomes of policy but also its spiritual and social consequences. For example, regulating U-turn distances should involve assessing whether the policy fulfills *maṣlaḥah ʿammah* (public good) and minimizes hardship (*rafʿ al-ḥaraj*). These ethical filters ensure that law serves humanity rather than bureaucracy (Andreetta, 2022; Considine et al., 2022). Applying *maqāṣid*-based evaluation to local governance can strengthen constitutional accountability by grounding it in moral awareness. It transforms public administration into a reflection of divine justice in the earthly realm (Drechsler et al., 2024; Jun, 2022). Hence, Islamic humanitarian jurisprudence provides the intellectual bridge between law, ethics, and public welfare.

The urgency of integrating ethical and constitutional principles in local governance becomes clearer when considering the social costs of neglect. Policies designed without moral reflection often produce inefficiency, public frustration, and erosion of trust in institutions (Flinders, n.d.; Webler & Tuler, 2021). The case of Banjarmasin demonstrates how administrative reasoning detached from ethical values leads to harm rather than harmony. Citizens bear the consequences through wasted time, increased risk, and diminished confidence in local leadership. From an Islamic standpoint, this outcome represents a deviation from *maqāṣid al-syarīʿah*, which requires governance to safeguard well-being in both material and moral dimensions. Consequently, this study situates urban policy as a moral test of leadership integrity and social responsibility (Awasthi & Walumbwa, 2022; Perlman et al., 2023). By analyzing Banjarmasin's experience, it highlights the broader relevance of Islamic humanitarian ethics in shaping

equitable and sustainable urban life. This integration is not merely theoretical but essential for societal resilience.

Public participation also plays a crucial role in realizing just and accountable governance. In Islam, the principle of *shūrā* (consultation) mandates inclusivity and transparency in decision-making. However, in many instances, local governments formulate policies without adequate dialogue with citizens, experts, or affected communities. This absence of participation weakens legitimacy and limits the policy's responsiveness to real human needs. The U-turn policy's shortcomings reveal the cost of excluding community voices in governance processes (Makwela et al., 2024; Nasr & Hoes, 2024). Restoring *shūrā* as a guiding principle ensures that local autonomy aligns with both democratic and Islamic values. Through participatory governance, the community becomes a partner in achieving *maslahah 'ammah*, not merely a passive recipient of policy outcomes (Fanani & Pohl, 2024; Nouman et al., 2021). This study, therefore, views consultation as a vital ethical mechanism that sustains public trust and strengthens the moral foundation of regional administration.

Finally, the Banjarmasin case provides a platform for reinterpreting Islamic law's role in contemporary governance. While discussions of Sharia often focus on family or financial law, its humanitarian and administrative dimensions are equally profound (Harahap et al., 2023). Applying *maqāṣid al-syarī'ah* to local governance illustrates how divine principles can inform modern policymaking in a pluralistic democracy. The study of traffic regulation may seem narrow, yet it embodies universal issues of justice, safety, and human welfare (Coote, 2021; Wyatt et al., 2022). It shows that Islamic law, when understood dynamically, remains relevant in addressing complex social realities. This research contributes to the development of Islamic humanitarian jurisprudence by demonstrating that moral reasoning can coexist with empirical governance. Therefore, the urgency of this study extends beyond Banjarmasin—it calls for a renewed understanding of Islamic law as a living framework for ethical public policy in the modern world.

Scholarly discussions on urban governance increasingly highlight the moral dimension of public decision-making, particularly in developing regions where policy outcomes directly affect human welfare. Bhanye (2025) examined how vernacular governance in Zimbabwe reshapes public legitimacy, showing that local policies must be rooted in ethical authority rather than bureaucratic control. Hong Son & Duong, (2025) emphasized that effective transport governance depends on institutional trust, where efficiency is inseparable from moral accountability. Tavella et al. (2025) argued that Brazil's wildfire crisis exposed governance failures rooted in weak ethical oversight, reinforcing the importance of compassion in state responses to public risk. Odoyi & Riekkinen (2025) demonstrated that participatory land policies in Nigeria foster justice by empowering communities within administrative systems. Chen et al. (2021) explored how rural revitalization in China depends on governance structures that balance regulation and social responsibility. Tissayakorn (2025) observed that ASEAN e-government reforms succeed when guided by transparency and humane digital ethics. Hoddy et al. (2025) contended that legal accountability in land governance must integrate social justice and moral norms to achieve legitimacy. Kurt-Özman & Tasan-Kok (2025) warned that authoritarian urban management often undermines community participation and equality. Campana et al. (2025) showed how criminal networks in London emerge where governance lacks fairness and public trust. Finally, Hoffmann et al. (2025) illustrated that urban authority in Congo must rely on moral legitimacy to sustain order. Collectively, these scholars reveal that sustainable governance depends on harmonizing legal structures with ethical and humanitarian principles, aligning closely with the *maqāṣid al-syarī'ah* vision of justice and public welfare.

Every act of governance carries both legal authority and moral weight. In societies guided by Islamic values, these two dimensions cannot be separated. Power is not merely a right to rule but a trust that must be exercised with justice and compassion. When local governments make policies affecting public safety, such as traffic regulation, their decisions reach far beyond technical administration. The issue of U-turn placement in Banjarmasin is not only about road design it reflects how authority is used, how people's welfare is valued, and how justice is understood in practice. A good policy must not only

solve technical problems but also protect the dignity and safety of its citizens. This study is built upon that understanding: that public policy gains legitimacy when it harmonizes constitutional accountability with the ethical purpose of *maqāṣid al-syarī'ah*. In this sense, governance becomes a moral commitment to serve society, not simply an administrative function.

Much has been written about governance and public administration, yet most discussions end at the surface of efficiency and structure. Studies on local autonomy often describe how governments function, but seldom explore whether their policies reflect compassion, fairness, or moral accountability. In practice, decision-making frequently relies on technical evaluation, leaving aside the ethical values that should guide it. This absence of moral reflection is evident in many urban policies that unintentionally harm the people they are meant to serve. Within Islamic thought, this situation reveals a gap between administrative practice and the higher goals of governance as defined by *maqāṣid al-syarī'ah*. There is still limited research that connects the state's constitutional responsibility with its moral duty to uphold life, justice, and welfare. This study seeks to bridge that gap by presenting a framework that combines constitutional law and Islamic humanitarian principles, showing that ethical awareness can strengthen the quality and integrity of governance.

This research aims to understand how the Banjarmasin City Government exercises its authority in determining U-turn lanes near red lights and to evaluate this policy through the lens of both constitutional accountability and *maqāṣid al-syarī'ah*. The study seeks to reveal whether local decisions truly protect the people's rights to safety, comfort, and welfare, as guaranteed by law and guided by moral conscience. It also intends to demonstrate that when ethics and law work together, governance becomes more humane and trustworthy. The main hypothesis proposes that if *maqāṣid al-syarī'ah*—especially *ḥifẓ al-nafs* (protection of life) and *ḥifẓ al-māl* (protection of property) is embedded in policymaking, public administration will become more just, balanced, and sustainable. Through this perspective, the study aspires to contribute to the broader understanding that modern governance, even within secular legal systems, can draw upon Islamic humanitarian values to create policies that are both effective and morally grounded.

## Method

### Research Design

This study employed an empirical qualitative design aimed at understanding governance as both a legal and moral practice. Rather than viewing policy merely as an administrative mechanism, this approach interprets it as a reflection of ethical reasoning and social responsibility. The research explored how the Banjarmasin City Government exercised its authority in regulating U-turn lanes near red lights, a seemingly simple decision with complex implications for justice, safety, and public welfare. Qualitative inquiry allowed the researcher to interpret law as a lived reality experienced by people, shaped by context, and guided by moral purpose. By integrating constitutional accountability with the ethical vision of *maqāṣid al-syarī'ah*, this design enabled a deeper understanding of how policy decisions align with both state responsibility and Islamic humanitarian values. The research framework was therefore interpretive, contextual, and normative, emphasizing meaning, perception, and ethical reflection rather than numerical measurement.

### Participant

The study engaged participants who were directly connected to the implementation and effects of the U-turn policy. They consisted of road users, including drivers and motorcyclists, residents living near the affected intersections, and local officials responsible for traffic management. Participants were selected purposively to ensure that data represented different viewpoints and experiences. This selection strategy helped reveal how governance decisions were interpreted by both policymakers and the people they served. Engaging ordinary citizens in the discussion also gave voice to those most affected by administrative decisions. Their perspectives were essential to examine whether the government's exercise of authority fulfilled its constitutional and ethical obligations. In doing so, the study ensured that

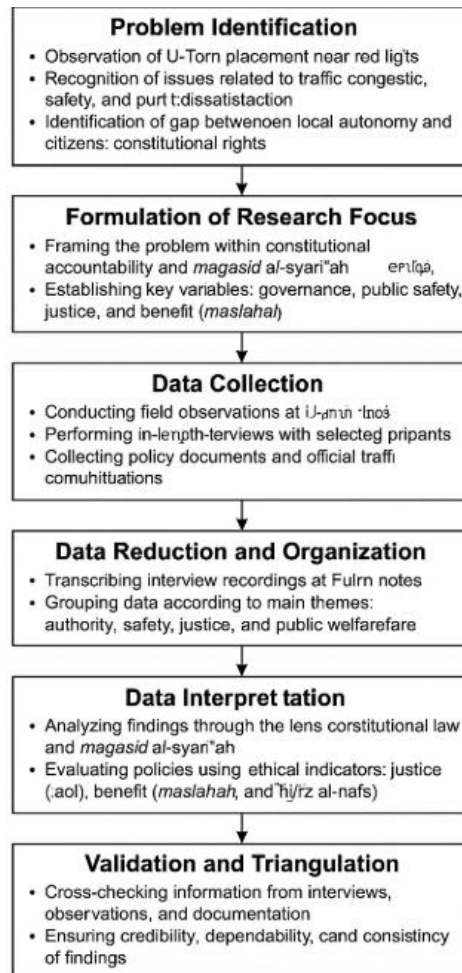
governance was analyzed not only from the institutional dimension but also through the lived experiences of the community.

### **Instrument**

The researcher served as the principal instrument, acting as observer, interviewer, and interpreter throughout the research process. Supporting tools included semi-structured interview guides, field observation forms, and documentation sheets. These instruments were carefully designed to capture three key elements of governance: administrative authority, ethical integrity, and social impact. Interviews encouraged open dialogue and personal reflection, while observations recorded real-time traffic behavior and community responses. Document analysis involved reviewing government regulations, reports, and policy statements related to traffic management. Through this triangulated approach, the data collected reflected not only what was said but also what was observed and practiced in daily life. The use of human-centered instruments ensured that findings were grounded in empathy, authenticity, and contextual understanding core principles consistent with Islamic humanitarian research.

### **Data Analysis**

Data were analyzed using an interpretive thematic approach that emphasized the relationship between factual events and moral values. All interview transcripts, observation notes, and policy documents were reviewed repeatedly to identify emerging themes. The first stage involved data reduction, in which irrelevant information was set aside to focus on patterns relevant to authority, justice, safety, and welfare. The second stage was thematic categorization, grouping insights based on their relation to constitutional accountability and the *maqāṣid al-syarī'ah* principles of justice (*'adl*), benefit (*maṣlaḥah*), and protection of life (*ḥifz al-nafs*). The final stage involved synthesis and interpretation, where the data were connected to the broader framework of Islamic humanitarian governance. Through this process, the researcher did not merely describe what occurred but sought to understand why decisions were made and how they aligned with ethical governance. The analysis, therefore, was both empirical and moral, ensuring that every conclusion reflected the dual foundation of law and humanity.



**Figure 1.** Research Flowchart

## Results and Discussion

### Results






The findings of this study reveal the complex interaction between legal authority, administrative decisions, and the ethical dimensions of governance. During fieldwork in Banjarmasin City, it became evident that the placement of U-turn lanes near red lights had created consequences that extended far beyond traffic management. The policy, initially designed to streamline vehicle movement, instead produced congestion, confusion, and dissatisfaction among citizens. Drivers were often forced to halt abruptly or compete for limited space, especially during rush hours, leading to near-collision situations. Local residents described feeling neglected, arguing that the government had never consulted them prior to implementing the policy. These recurring experiences exposed a fundamental weakness in local governance the separation of technical legality from moral responsibility. In practice, the decision-making process fulfilled regulatory requirements but failed to embody the ethical foundations of justice and care for public safety.

A structured summary of field observations and interviews is presented in Table 1. This table captures the key issues observed on site, showing how each administrative decision reflected not only its legal dimension but also its moral implications for society. The data highlight the gap between policy intention and actual community welfare, demonstrating that governance, when detached from compassion and consultation, risks undermining its own legitimacy.

**Table 1.** Summary of Field Observations in Banjarmasin City

Observation Focus	Key Findings	Analytical Note
<b>Traffic condition</b>	Heavy congestion frequently occurred near U-turns less than 25 meters from red lights.	The short distance caused traffic buildup, disrupting flow and increasing waiting time.
<b>Accident risk</b>	Drivers reported confusion and several near-miss incidents while turning.	Reflects inadequate attention to <i>ḥifẓ al-nafs</i> (protection of life).
<b>Public response</b>	Citizens expressed frustration and a lack of involvement in decision-making.	Indicates weak application of <i>shūrā</i> (consultation) and participatory governance.
<b>Policy rationale</b>	Officials justified the policy as a technical measure to improve circulation.	Reveals limited ethical reflection and lack of holistic evaluation.
<b>Legal compliance</b>	Regulation met basic administrative procedures but overlooked proportionality.	Demonstrates inconsistency between constitutional accountability and moral purpose.

The qualitative coding process identified several recurring themes derived from participant interviews and observation notes. These themes represent the core public perceptions regarding the policy's effectiveness and fairness. The distribution of these themes is presented in Figure 1, which visually expresses the intensity of public concern without assigning numeric values. It shows that the most frequently raised issues were traffic congestion and safety risks, followed by the absence of consultation and weak communication between authorities and citizens.

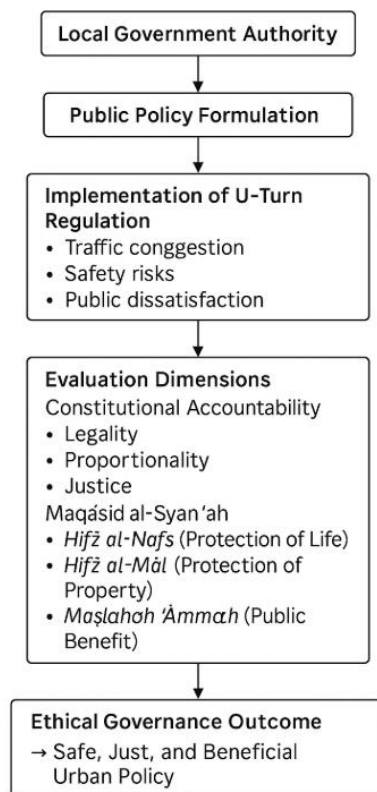
Theme	Relative Frequency	Visual Intensity
Traffic congestion complaints	Very High	
Safety and accident concerns	High	
Lack of consultation ( <i>shūrā</i> )	Moderate	
Weak communication and transparency	Moderate	
Accountability and moral duty	Low	

**Figure 2.** Frequency of Key Themes from Interviews and Observations

Further interpretation of these findings reveals that the issue is not merely administrative but deeply ethical. The city government's decision, while lawful on paper, lacked moral reflection and public sensitivity. The absence of inclusive dialogue contradicts both the constitutional value of accountability and the Islamic ethical principle of *amānah*, which defines governance as a trust from God to serve humanity responsibly. Under the framework of *maqāṣid al-syarī'ah*, governance must uphold *ḥifẓ al-nafs* (protection of life), *ḥifẓ al-māl* (protection of property), and *maṣlaḥah 'āmmah* (public benefit). In this case, the failure to anticipate congestion and potential harm indicates that the policy did not fully achieve its intended public good. The results emphasize that when legality stands alone without ethical reasoning, governance loses its humanitarian orientation.

The relationship between constitutional accountability and *maqāṣid al-syarī'ah* can be seen as complementary rather than conflicting. Both frameworks seek to achieve justice, welfare, and the protection of human dignity, but from different points of departure. The conceptual link between these

two perspectives is visualized in Figure 3, which illustrates how urban policy should ideally move from administrative decision-making toward ethical governance outcomes.



**Figure 3.** Conceptual Integration Between Constitutional Accountability and Maqāsid al-Syarī'ah

This model explains that local governance operates at the intersection of constitutional authority and moral responsibility. Policies must be evaluated not only through their administrative compliance but also through their alignment with maqāsid al-syarī'ah. The balance between these two domains ensures that urban governance remains both lawful and humane.

Overall, the findings from this study confirm that the placement of U-turn lanes near red lights in Banjarmasin exemplifies a case where administrative autonomy overshadowed moral accountability. The resulting policy outcomes traffic inefficiency, public dissatisfaction, and safety risks reflect the consequences of decisions made without sufficient ethical evaluation. From the Islamic humanitarian perspective, governance that neglects *ḥifz al-nafs* and *maṣlahah 'āmmah* loses its spiritual legitimacy, even when it complies with legal formalities. Therefore, the study emphasizes the need for public policy to integrate constitutional principles with the moral compass of Islamic jurisprudence. Doing so would ensure that every decision by local authorities not only fulfills administrative objectives but also embodies justice, compassion, and respect for human welfare.

## Discussion

The findings of this research emphasize that good governance must operate not only through administrative law but also through ethical consciousness. The policy on U-turn placement in Banjarmasin City, which was created under the authority of local autonomy, illustrates this dual obligation. While the city government acted within its constitutional power, the decision failed to reflect public welfare and moral responsibility. This situation aligns with Bhanye's (2025) observation that legitimate governance cannot rest solely on bureaucratic control but requires ethical validation through community acceptance. In the context of Islamic governance, legitimacy stems from *amānah* the moral trust that binds rulers to their people. When public policies disregard consultation and compassion, that trust erodes. The absence of community involvement in Banjarmasin's policy process reveals how authority can become detached from empathy. As a result, law remains formal, but justice loses its soul.

Similar governance dilemmas were observed by Hong Son and Duong (2025), who found that transport-oriented projects often collapse when institutional ethics are neglected. Their study resonates with the current findings, where administrative decisions pursued efficiency but overlooked humanity. The U-turn policy, though legally sound, caused inconvenience, safety risks, and growing public frustration. This disconnect between technical accuracy and moral consideration shows how urban governance often privileges regulation over reflection. Within the Islamic framework of *maqāṣid al-syarī'ah*, policy should aim to protect life, uphold justice, and promote *maṣlaḥah 'āmmah* (public benefit). The Banjarmasin case demonstrates that without this moral alignment, legal compliance alone is insufficient. The challenge lies not in drafting regulations but in embedding compassion within them. Governance thus becomes meaningful only when law and ethics walk hand in hand.

The ethical weakness seen in this study mirrors the findings of Tavella et al. (2025), who examined the failures of governance during Brazil's wildfire crisis. They concluded that institutional collapse often stems from moral neglect rather than legal deficiency. The same principle applies in Banjarmasin, where policy was implemented without proper ethical reflection. The local government fulfilled its legal obligations yet overlooked its humanitarian duties. In Islam, leadership is not merely a managerial role but a moral stewardship accountable to God and society. The lack of foresight in evaluating the social impact of the U-turn policy illustrates a governance model that prioritizes procedure over purpose. This misalignment between authority and empathy is what transforms good intentions into social harm. Therefore, governance reform must begin by restoring morality as the compass of public policy.

Odoi and Riekkinen (2025) argued that participatory inclusion is the foundation of legitimate governance. Their perspective aligns closely with this study's observation that Banjarmasin's policy lacked transparency and public dialogue. The absence of *shūrā* (consultation) deprived the policy of its moral foundation and weakened its democratic legitimacy. In many Muslim societies, consultation is not just an administrative step it is an act of respect toward the community. Without it, policies risk alienating citizens and undermining their sense of belonging. The case of Banjarmasin shows that even when policies are justified as technical improvements, they can still produce social friction if they fail to engage the people they serve. This highlights the need for local governments to transform decision-making from a bureaucratic process into an ethical dialogue. When citizens feel heard, governance becomes not only lawful but humane.

Chen et al. (2025) found that governance quality determines the success of revitalization policies more than the policies themselves. This insight reinforces the argument that ethical quality, not administrative design, defines effective governance. The Banjarmasin government's approach reveals an overreliance on technical reasoning without sufficient consideration of moral consequence. Roads may have been planned efficiently, but they were not designed with human comfort and safety in mind. In the view of *maqāṣid al-syarī'ah*, this neglect contradicts the principle of *ḥifẓ al-naḥs* (protection of life) and *ḥifẓ al-māl* (protection of property). Public policy should always aim to reduce harm and increase collective welfare. When moral sensitivity is absent, even lawful policies can become ethically flawed. The study underscores that governance must balance structure with sincerity, ensuring that law remains an instrument of compassion.

The relationship between transparency and ethics also emerges as a key theme. Tissayakorn (2025) noted that digital transparency alone does not guarantee integrity if moral responsibility is missing. This observation parallels Banjarmasin's case, where decisions were made openly yet lacked ethical depth. The presence of formal regulation does not automatically translate into fairness or justice. From an Islamic humanitarian standpoint, true accountability involves self-awareness and empathy for those affected by policy decisions. Ethical governance requires leaders to view authority as service rather than power. In this sense, transparency must evolve from a technical obligation into a moral attitude. Integrating *maqāṣid al-syarī'ah* into governance helps transform administrative compliance into moral excellence, ensuring that public policy promotes not only legality but also compassion and trust.

Hoddy et al. (2025) emphasized that accountability must intertwine with social justice to gain legitimacy. Their argument finds direct relevance in this study, where legality was achieved but justice was not. The Banjarmasin case illustrates how rules without empathy fail to achieve their intended goals. The community's dissatisfaction was not with the idea of regulation itself but with how it was implemented. This reflects a universal truth that law detached from moral context loses its ethical weight. Islamic jurisprudence insists that justice ('adl) must guide all forms of authority, both political and administrative. The findings therefore highlight the importance of reinterpreting governance through the lens of humanitarian ethics. Only by restoring justice as the central aim of policy can governments fulfill their constitutional and spiritual responsibilities.

Kurt-Özman and Tasan-Kok (2025) observed that authoritarian governance often silences public voices, creating distance between rulers and the governed. This condition is mirrored in Banjarmasin, where local decisions were imposed rather than discussed. Such an approach contradicts the essence of Islamic governance, which values dialogue, humility, and mutual respect. When power is exercised unilaterally, it diminishes trust and weakens community cooperation. The findings from this study reveal that effective governance must be dialogical, not directive. Policies formed through inclusive discussion are more likely to reflect justice and compassion. In this way, the ethical ideals of maqāṣid al-syarī'ah become practical instruments for social stability. Governance rooted in moral humility ensures that authority remains a means of service rather than domination.

Campana et al. (2025) provided a warning that when moral legitimacy erodes, governance may give way to disorder, even in advanced societies. Although Banjarmasin's context is different, the underlying dynamic is similar. When citizens perceive authority as unjust, compliance gives way to resentment. In Islamic thought, law gains its strength not from fear but from moral conviction. This study shows that public frustration over the U-turn policy arose from a feeling of neglect rather than rebellion. The erosion of moral legitimacy in governance leads to a crisis of trust, which no legal instrument can repair alone. Therefore, ethical renewal in public administration must begin with self-accountability and sincerity. Leaders must act not as controllers of law but as custodians of human welfare, embodying both justice and compassion in their service.

Finally, the findings correspond with Hoffmann et al. (2025), who asserted that moral legitimacy sustains public authority even in fragile governance contexts. In Banjarmasin, the problem was not a lack of law but a lack of moral resonance between leaders and citizens. This disconnection reveals that governance must engage both the mind and the heart to remain effective. When policies are crafted with empathy and ethical awareness, they inspire voluntary compliance rather than forced obedience. The integration of constitutional accountability and maqāṣid al-syarī'ah thus becomes essential in bridging the gap between legality and legitimacy. This study concludes that ethical governance is not a theoretical luxury but a practical necessity for societal harmony. By embedding moral consciousness in every administrative decision, local governments can transform authority into an instrument of collective dignity and justice.

## Implications

This research provides both conceptual and practical insights into how local governance should be guided by moral and constitutional responsibility. Conceptually, it expands the understanding of governance beyond technical and legal frameworks by introducing the ethical dimensions of maqāṣid al-syarī'ah as a source of guidance for public policy. Law, in this sense, is not only a tool for regulation but also a reflection of human duty to protect life, dignity, and justice. The study reaffirms that when ethical considerations are embedded in governance, administrative authority transforms into moral leadership. Practically, the findings call for policymakers to integrate *shūrā* (consultation) and *amānah* (trust) into decision-making structures so that every public policy is aligned with the principles of fairness, transparency, and collective benefit. In the case of Banjarmasin, the lack of public engagement led to decisions that, although legal, failed to serve the common good. Thus, the main implication of this

research is that governance must operate within a framework where legality and morality coexist—ensuring that every decision reflects compassion, justice, and social harmony.

### **Limitations**

While this study offers valuable perspectives, certain limitations should be acknowledged to maintain objectivity. The research was limited to one specific urban policy, namely the U-turn regulation in Banjarmasin, which narrows the generalizability of the findings. Because the study relied on qualitative data, the conclusions drawn are interpretative rather than statistical. Future research could incorporate quantitative analysis to measure indicators such as accident frequency, travel efficiency, or citizen satisfaction to strengthen empirical evidence. The duration of field observation was also limited, providing only a snapshot of policy effects during a specific period. Broader and longer observation would allow a more comprehensive understanding of policy evolution and community adaptation. Another limitation lies in the focus on a single administrative context, leaving other aspects of governance—such as fiscal ethics, environmental justice, or digital accountability—outside the scope of this research. Nonetheless, despite these limitations, the study offers an important contribution by illustrating how Islamic ethical principles and constitutional accountability can be practically combined in modern governance.

### **Suggestions**

Several recommendations emerge from this study for governments, academics, and future researchers. For local authorities, public consultation should be institutionalized as a standard component of policymaking to ensure that every decision reflects the collective voice of society. Leaders are encouraged to view authority as service, guided by empathy and integrity, rather than as control. Incorporating an ethical evaluation mechanism within administrative processes would ensure that policy outcomes are assessed not only by technical success but also by their moral impact on the community. For academic institutions, integrating Islamic humanitarian law and governance ethics into educational programs would nurture future policymakers who lead with conscience as well as competence. Scholars are also encouraged to conduct comparative studies between different regions or governance systems to identify how *maqāṣid al-syarī'ah* principles can be adapted to diverse sociopolitical contexts. Lastly, continuous collaboration between government, civil society, and religious scholars can strengthen governance structures, making them more participatory, just, and compassionate. Through this approach, governance becomes not merely a function of authority but a living manifestation of justice and human dignity, in line with the ethical spirit of Islamic law.

### **Conclusion**

This study reaffirms that governance, at its highest purpose, is not merely an administrative function but a moral responsibility rooted in justice and compassion. The experience of Banjarmasin City in regulating U-turn lanes near traffic lights demonstrates how a policy can be legally correct yet ethically fragile. The decision, while grounded in local autonomy, created unintended harm longer travel times, public discomfort, and reduced trust in leadership. Such outcomes reveal that legality alone cannot guarantee legitimacy; it must be accompanied by an ethical awareness that values human safety and dignity. Within the Islamic worldview, this moral dimension is articulated through *maqāṣid al-syarī'ah*, which places the protection of life, property, and collective welfare as central to all governance. When these values are absent, authority becomes mechanical, and governance loses its human touch. The findings from this research underline the urgent need for local governments to return to the principles of *amānah* and *shūrā*, ensuring that every decision is guided by sincerity, dialogue, and public interest. Ultimately, true governance emerges not from power but from conscience the ability to lead with integrity, to serve with humility, and to act in ways that honor both divine law and human well-being.

## Author Contributions Statement

Atti Janiah solely conceptualized the study, developed the research design, and conducted data collection through interviews, field observations, and document analysis. Atti Janiah carried out the thematic and interpretive analysis by integrating constitutional law perspectives with maqāṣid al-syarī'ah principles. The author drafted the manuscript, critically revised its intellectual content, and approved the final version for publication.

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