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# Relocating the Capital City of Indonesia: A Maqāṣid-Based Critical Evaluation

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## Abstract

*This article aims to critically evaluate the relocation of the capital city of Indonesia based on the principles of al-maqāṣid (the objectives of Islamic law), as outlined in the existing legislation. The relocation of a capital city has historical precedence in Islamic tradition, with its primary justification being the fulfillment of the public good (maslahah). Through a normative legal study, this research reveals that the objective of relocating national capital is fundamentally a secondary need (ḥājiyyāt) rather than a primary necessity (ḍarūriyyāt) for the Indonesian populace. This classification indicates that the process of developing new national capital may face significant challenges in the future, as it does not address an essential or urgent need, but rather a secondary one. Consequently, the potential for encountering serious issues during the development and implementation phases of new capital is high, warranting a careful and well-considered approach to avoid future complications.*

**Keywords:** *Capital City of Indonesia; Critical Evaluation; Ibu Kota Nusantara; Maqāṣid*

## INTRODUCTION

The issue of the Nusantara National Capital (IKN) has become a hot topic in 2024 presidential election debates. This debate began when the government designated it as a national strategic priority

project (Menteri Perencanaan Pembangunan Nasional/Kepala Bappenas, 2019). The culmination of this was the enactment of Law No. 3 of 2022 regarding National Capital, making the project a mandatory task for the government. However, in the presidential debate, candidate pair number 1, Anies Baswedan-Muhaimin Iskandar, argued that, as a policy product, the IKN project needs to be re-evaluated. They contend that many fundamental needs still require attention. While Jakarta, as the current capital, faces numerous issues, moving capital is not a solution. Relocating and building new capital will not lead to equitable development. Instead, the focus should be on constructing new cities across various regions. In essence, the development of IKN can exacerbate inequality (Sedayu, 2023; Suryadi, 2023).

Once they became presidential election issues, these opposition arguments were reflected in the candidates' support. Approximately 25% of Indonesia's population do not view IKN as an urgent national agenda. Furthermore, other data show that the rejection of IKN is 57.3% (CNN Indonesia, 2023; Movanita & Meiliana, 2019; Nelfira, 2023; Triyoga & Lestari, 2023). Despite this, research shows that Indonesia's post-pandemic economic recovery has been relatively positive, although it is facing many serious challenges (Arismaya, 2023; Indrawati et al., 2024). Industrialization policy remains ambivalent and tends to lack direction, much like in the past. Therefore, this development approach can be described as a form of "New Developmentalism" (Warburton, 2016). Limited fiscal capacity is allocated to subsidies, while inflationary pressures persist on the monetary side. In addition, the newly implemented decentralization policy has not thoroughly explored and addressed regional development problems such as corruption and political patronage (Lewis, 2023; Shoesmith et al., 2020).

In their research, Syaban & Appiah-Opoku (2023) emphasized that relocating and constructing IKN in Kalimantan, from socio-economic, political, and environmental perspectives, presents a more sustainable development alternative owing to its economic potential and ecological preservation. However, the challenge lies in ensuring that IKN development is conducted transparently and accountably. Corruption has historically stained every development project in Indonesia. Hence, an accommodative and adaptive policy, as well as collaboration between the government, stakeholders, and public, is necessary (Nurkaidah et al., 2024).

In contrast to previous research, this study aims to conduct a critical evaluation based on the maqāṣid sharīʿah regarding the relocation of National Capital as regulated by law. This is necessary because earlier studies have revealed contradictions between the goals and strategies used to achieve them (Lewis, 2023). Additionally, the absence of democratic and spatial compromise could endanger the functional effectiveness of new National Capital (Perwira et al., 2024).

## THEORETICAL FRAMEWORK

The term *maqāṣid al-sharīʿah* consists of two words: *maqāṣid* and *sharīʿah*. The word *maqāṣid* is the plural form of *maqṣad*, meaning "objectives" (Ibn Faris, 1979, pp. 95–96). The word *sharīʿah* linguistically refers to a path leading to a water source, which can also be interpreted as a path leading to the essence of life (Rahman, 2020). As a foundation for the development of Islamic law, *maqāṣid al-sharīʿah* began to be developed by Imam al-Juwayni, also known as Imam al-Haramain, and later by his student, Imam al-Ghazali. It was then systematically compiled by a scholar of the *uṣūl al-fiqh* from the Maliki School in Granada (Spain), As-Shaṭibi (d. 790 H). This concept was written in his famous book *al-Muwāfaqāt fī Uṣūl al-Aḥkām*, particularly in Volume II, which he named the Book of Maqāṣid. According to as-

Shaṭibi, the essence of the *sharī'ah* is to ensure the welfare of humanity (*maṣāliḥ al-'ibād*), both in this world and in the hereafter. In his view, welfare forms the core of the maqāṣid al-sharī'ah. In other words, the establishment of Islamic law, whether in general terms (*jumlatan*) or in detail (*tafṣīlan*), is based on achieving human welfare (As-Syāṭibî, 2002; Aziz, 2021; Rasyid et al., 2024; Rismayani & Nanda, 2019).

Furthermore, As-Shaṭibi divides the concept of welfare (*al-maṣāliḥ*) into three levels: *al-maṣāliḥ al-ḍarūriyyah*, *al-maṣāliḥ al-ḥājiyyah*, and *al-maṣāliḥ al-taḥsīniyyah*. *Al-ḍarūriyyāt* refers to the primary objectives of the sharī'ah that must exist to achieve human welfare, without which destruction will occur, such as the pillars of Islam. *Al-maṣāliḥ al-ḍarūriyyah* focuses on five forms of protection: religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*) (Al-Gazālî, 1936). *Al-ḥājiyyāt* refers to matters needed to alleviate hardship such as the concession (*rukhsah*) of not fasting for the sick. *Al-taḥsīniyyāt* refers to actions taken to improve life and avoid harm, such as nobility (Kamali, 1999; Mas'ud, 1975).

The concept of *maqāṣid al-sharī'*ah emphasizes that Islamic law is legislated to achieve and preserve humanity's welfare. This concept has been recognized by scholars, which is why they formulated a well-known principle: "Where there is welfare, there is the law of God" (As-Sa'di, 1997). By considering welfare as the reference point in Islamic legal legislation, all actions are taken by humanity to achieve collective well-being. Concepts that provide the greatest benefit for the continuity of the government and the state should be chosen for the common good.

Today, *al-maqāṣid* is used as an approach in many studies, and is not limited to Islamic studies (Fad & Imron, 2022; Nugroho et al., 2022). For example, in Islamic economic research, *al-maqāṣid* in economic development, according to Ahmad, is *al-falāḥ*, both in this world and the hereafter. In a global context, *al-falāḥ* is a

multidimensional concept that impacts both individual/micro and collective/macro behaviors. For worldly life, *al-falāḥ* encompasses three meanings: survival, freedom from want, and power and honor. For the afterlife, *al-falāḥ* includes eternal survival, eternal prosperity, everlasting glory, and knowledge free from ignorance (Misanam et al., 2014). There are three important aspects of achieving *al-falāḥ*: welfare, resources, and cooperation and participation (Khan, 1994). These three aspects have a direct impact on the development indicators from an Islamic economic perspective, both at the macro and micro scales.

In the policy context, *maqāṣids* have also been developed as models for evaluation. Abdelgafar (2018) formulated three stages of public policy based on the *maqāṣid* framework: justification of *maqāṣid*; *shūrā*; and *iṣlāḥ* . In the first stage, it is necessary to establish policy objectives, formulate success criteria, and ensure legal support. *Shūrā* refers to the collective decision-making process that results in beneficial outcomes. This aligns with the literal meaning of *shūrā*, which refers to the process of extracting honey from its sources. Therefore, this process must involve the epistemic community, stakeholders, and the public, who are targets of the policy. The *iṣlāḥ* process is conducted through two interrelated paths: the policy of elimination and the policy of creativity. The first is intended to ensure that during the implementation phase, the government removes any barriers that could hinder the achievement of policy objectives, whether they are internal or external obstacles. Meanwhile, creative policy refers to the government's ability to enhance policy by capitalizing on opportunities that arise in the field, thereby increasing the overall benefits of the policy.

## METHOD

This study utilized a qualitative descriptive methodology by aggregating several literature sources, encompassing both primary

and secondary data. The principal objective of the study is to assess the strategic policy regarding the relocation of Indonesia's national capital, studied through the lens of *maqāṣid al-sharī'ah*. This study offers a comprehensive examination of the topic using a diverse range of sources, including scholarly journals, expert viewpoints, and authoritative perspectives. The study emphasizes combining existing literature and expert analyses to provide insights into the ramifications of this momentous policy move, rather than conducting novel empirical research or collecting new data. This method facilitates a theoretical analysis of a policy's conformity with Islamic principles, especially those concerning national welfare.

This study serves as a policy analysis rather than policy research. Methodology specialists, such as Weimer & Vining (2017), assert that the differentiation between these two terminologies is based on their objectives and emphasis. Policy research often seeks to predict the effects of public policy modifications, examine the factors that affect outcomes, and produce statistics to guide decision making. Conversely, policy analysis primarily focuses on evaluating and contrasting various solutions to tackle societal challenges stemming from a policy without the obligation to forecast future results. The intended consumers of these methodologies vary; policy research typically aims to inform specific decision-makers, whereas policy analysis is employed more broadly to facilitate discussions among stakeholders or to offer critical assessments for public entities. This study belongs to the latter type and provides a comprehensive analysis of the national capital relocation program without emphasizing empirical predictions.

## RESULTS AND DISCUSSION

### The History of Capital Relocation in Islam

#### *The Era of the Rashidun Caliphate*

During this period, the capital was relocated when Caliph ʻAli bin Abi Talib took office. At the beginning of his rule, Ali was in a disadvantaged position, with the political climate deeply divided, and only a portion of the Muslim community pledged allegiance to him (Al-Yaʻqûbî, 1992; Aldzakhiroh et al., 2024; Dahrani & Fitriyadi, 2024). The first opposition to Caliph ʻAli came from Aisha, Talhah, and Zubair, who were driven by personal grievances. Their opposition to ʻAli stemmed from their demand for retribution against the killers of Uthman (Abd, 2020; Marzieh et al., 2022). Meanwhile, in Syria, Muawiyah also demanded justice from Ali for Uthman's death and even declared himself a rival caliph in Syria. Despite this, ʻAli was considered a legitimate caliph because of the support of the majority of people (Misnahwati et al., 2024; Setiyawan et al., 2020).

Facing the chaotic situation in Medina and the political challenges from his opponents, Ali moved the capital to Kufa (Kennedy, 2007; Odhaib, 2022), where he received full support from the people. Meanwhile, in Syria, Muawiyah prepared to confront Ali. Although Ali sought peace through negotiations, Muawiyah rejected the proposal, leading to the Battle of Siffin in the month of Safar, 37 H/656 CE (Basri et al., 2024; A. Ibrahim, 2020). Both sides suffered severe casualties. Ultimately, the battle ended with arbitration (*taḥkīm*) between the two parties, resulting in a biased outcome: ʻAli was deposed and Muawiyah was declared caliph (Ibn Aṡîr, 1987).

#### *The Umayyad Dynasty*

After the battle against Ali, Muawiyah's position in Syria solidified, with the support of the local population. He began to

restore order in the country by reappointing former governors dismissed by ‘Ali, such as reinstating Al-Mughirah bin Shu'bah as governor of Kufa with the task of quelling the resistance of ‘Ali’s loyal supporters. He also enacted various political policies (Ibn Aṡîr, 1987). One of Muawiyah’s political strategies was to relocate the capital of the Islamic empire from Kufa to Damascus, where he had previously served as the governor (Al-Bili, 1994; Fayzullayev, 2024). Muawiyah chose Damascus as the capital because it was like a second home to him and served as a stronghold for his popular support. Additionally, it was far from the opposition center in Kufa and situated in the Umayyad territories. This decision was a strategic move by Muawiyah to secure his position as a caliph and ensure smooth operation of the government. The relocation of the capital was a strategic move and was politically motivated, as Medina, the "capital" at the time, was controlled by Muawiyah's opponents. Hence, moving capital to Damascus has become a rational choice (Manshur, 2012).

***The Abbasid Dynasty***

During the Abbasid rule, the capital was relocated several times. Initially, the Abbasid government was based in Kufa, but this city was deemed insecure because of its strong support for the Shia faction, which was highly loyal to ‘Ali. Consequently, the first Abbasid caliph, Abu Abbas As-Saffah , moved the capital to Hashimiyah, but this location also proved unsafe because of its proximity to Kufa (Ibn Aṡîr, 1987). During the reign of Caliph Abu Ja'far al-Mansur, the capital was relocated to Baghdad (Rusydi et al., 2023; Tholib, 2008). Later, during the rule of Caliph al-Mu’tasim, the capital moved again, this time from Baghdad to Samarra. The relocation served several purposes: first, as a new residence for the caliph; second, as a gift to Asynas, a Turkish military commander; and third, to accommodate the Turks, who could no longer stay in Baghdad because of frequent disturbances and conflicts (Fathiha, 2021; Ismail, 2007; Ravshanbekovna, 2024).

***The Ottoman Empire***

During the reign of Orhan, the Ottoman Empire captured the city of Bursa and made it its capital. Upon Orhan's death, his son Murad I succeeded him. Under Murad I, the capital was moved from Bursa to Edirne to shift the empire's focus towards Europe, resulting in Murad I's conquest of Sofia. Finally, Mehmed II relocated the capital to Constantinople after its conquest (Affan, 2018). Constantinople, also known as Istanbul, had a rich history of Byzantium reaching the height of its glory as a major capital. Although Constantinople initially retained its status as the capital, the rise of the Turkish Republic changed. On October 13, 1923, the capital officially moved from Constantinople to Ankara, previously known as Angora or Enguru. During the Roman period, the city was called Ancyra, and during Hellenistic times, it was known as Ankyra (Alexandris, 1983; Brockett, 2014).

Ankara, Turkey's second largest city, has significant economic and industrial importance. It is located in Turkey's driest region, surrounded by steppe land, with various archaeological sites from the Ottoman, Byzantine, and Roman eras. However, the transition was not easy, particularly during Ataturk's rule, when difficulties in relocating the capital were felt. Despite these challenges, Mustafa Kemal Ataturk remained resolute, driven by strong reasons to relocate the government seat to Ankara. Ankara's strategic location in the center of Asia Minor, with 97 percent of Turkey's territory located in Asia Minor, allowed Ataturk to more easily manage his government from west to east rather than keeping Istanbul as the capital. Ataturk also sought to reduce the opposition from religious scholars who resented his push for secularism. While he did not want to erase the long history of Istanbul as a symbol of the Ottoman Caliphate, he aimed to establish a new history of secular democracy in Ankara as the new center of governance (Özoglu, 2011; Rustow, 1959).

The above description demonstrates the various dynamics involved in the capital relocation process. Political stability and security were the primary considerations, followed by plans for urban development, economic expansion, and the dissemination of knowledge. One of the rulers' popular policies at the time was to implement an integrative civilization system. This meant that, despite the diverse functions and political statuses of various cities, they remained unified by common factors derived from a single religious reference. The following paragraphs illustrate what united these cities—despite differences in region and era—in terms of standardized planning, management, facilities, services, lifestyle, and perspectives on life.

This is the reality of the cities as described by Durant (1997) in his statement that "great cities were found in various places in Islamic countries where Islamic civilization reached the highest levels of beauty, knowledge, and happiness." Due to these prosperous cities, "Islamic civilization proved superior to Christian civilization in terms of elegance, comfort, education, and military strategy". Furthermore, Durant (1997) stated, "all the caliphs ensured security for humanity to an extraordinary extent, securing life and hard work for them. These caliphs have also provided opportunities for those in need and prosperity for centuries across vast territories. Such a phenomenon has never been recorded (in history) after their era".

The responsibility for maintaining religious, social, health, security, economic, and public facilities has been linked to rulers' duties since the early periods of Islamic history. These functions are defined in Islamic political theory as necessary for achieving *al-maqāṣid*, which is the realization and preservation of the "public interest" on three levels: *daruriyat* (essentials), *hajiyat* (needs), and *tahsiniyat* (improvements) or *kamaliyat* (luxuries).

Based on their responsibilities and power, the concerns of caliphs, princes, and governors for all types of facilities and public services in pre-Islamic and newly established Islamic cities were evident. The starting point, as was first demonstrated during the Prophetic period, was the establishment of mosques in line with the desire of public authorities in every Islamic country to place the *jami'* mosque at the center of the city.

The philosophy governing construction in Islamic society necessitated that it be centered around the mosque, as it expressed the ultimate purpose of *sharī'ah* law, namely religious objectives, which imply the highest authority, that of Allah (SWT). Surrounding the mosque was another facility aimed at achieving the other *maqāṣid*, ensuring the public's interest in various aspects, such as preserving life, safeguarding property, and anything related to these objectives, such as housing, markets, official administrative institutions, security, and services (education, health, and social welfare).

When the city of Kufa was founded in 17 H/639 CE, "the first thing planned and built—when they decided to establish it—was the mosque." Next to the mosque was the public treasury, constantly guarded by the people; thus, "the *bait al-māl* (treasury) was placed there' (Al-Ṭabarī, 2015). When the construction of Baghdad was completed at 149 H/767 CE, a palace was built in the center of the square (*ar-raḥba*), with the *jami'* mosque next to it. There were no buildings around the palace except for a house on the Syrian side for the guards and a large warehouse, one of which housed the police officers, while the other side accommodated the guards (Al-Ya'qûbî, 1992).

Commercial centers were often located near the *jami'* mosque, in large squares or areas, partly covered, and partly open to all merchants. Caliph Al-Faruq believed that the marketplace was equivalent to the mosque: "Whoever arrived first and took a seat, that

place belonged to him until he left to return home or finished selling his goods" (Al-Ṭabarī, 2015).

**Overview of Jakarta as the Capital**

Regarding Jakarta as the capital, Fahri Bachmid explained its historical journey within the context of governance. Historically, the designation of the Special Capital Region" was first outlined in Presidential Decree No. 2 of 1961 concerning the governance of the Jakarta Raya Special Capital Region, which later became Law No. 2 of 1961. President Soekarno declared that Jakarta Raya, as the nation's capital, should be made a city of indoctrination, an exemplary city, and a city of aspirations for all Indonesians. Therefore, the minimum standards of an international city had to be met as soon as possible. The next legal basis was Law No. 10 of 1964, which reaffirmed Jakarta Raya as the Special Capital Region and the capital of the Republic of Indonesia, with the official name "Jakarta." This law contained only two articles, which reiterated Jakarta's status as the Special Capital Region and retroactively dated its validity to June 22, 1964, when President Soekarno officially declared Jakarta the capital of Indonesia (Amal & Sulistyawan, 2022; Liputan6.com, 2019; Mahdi, 2022).

In the considerations and general explanation of Law No. 10 of 1964, it was stated that this confirmation was necessary because Jakarta was already renowned and recognized as the city where Indonesia's Proclamation of Independence was declared on August 17, 1945. It was also the center of all activities and the unifying city for the revolution and dissemination of Pancasila ideology worldwide. In 1990, President Soeharto repealed both these laws with the enactment of Law No. 11 of 1990 concerning the Government Structure of the Special Capital Region of Jakarta. This law emphasized that Jakarta, the capital of Indonesia, played a crucial role in supporting and facilitating the administration of the Indonesian government and in

building a prosperous society, reflecting the cultural image of the Indonesian nation (Baihaki & Rachman, 2022; Elnizar, 2017).

During the 1998 reform era, President Habibie once again altered the legal framework for Jakarta with Law No. 34 of 1999 on the Government of the Special Capital Province of the Republic of Indonesia, Jakarta, which further emphasized Jakarta's status as the nation's capital (I. Ibrahim, 2022; Nurfurqon, 2020). Similarly, during the presidency of Susilo Bambang Yudhoyono, Law No. 29 of 2007 was introduced regarding the governance of the Special Capital Province of Jakarta, the capital of the Republic of Indonesia (Mahardika & Saputra, 2022; Santoso, 2020). The year 2019 marked a surprising turn for Indonesians as the government announced that capital would be relocated from Jakarta. In reality, the idea of relocating the capital was not new; it was first proposed by Indonesia's first president, Soekarno, during his visit to Palangkaraya, Central Kalimantan on July 17, 1957 (Arela, 2019; Prattama & Galih, 2019). However, this idea was not implemented because seven years later, Soekarno finally chose Jakarta as the capital for various reasons by issuing Law No. 10 of 1964 (Auliani, 2017; Suhendra, 2019).

Jakarta's limitations in accommodating both governmental and economic hubs were addressed by integrating the surrounding areas (hinterlands), forming the concept of the megapolitan area known as Jabodetabek, a combination of Jakarta, Bogor, Depok, Tangerang, and Bekasi. This policy was intended to support Jakarta as the core city for the nation's government and economic centers. It was expected that the integrated Jabodetabek area would reduce the burden on Jakarta, both as the government center and as a hub for trade and the economy (Hidayadi & Mukafi, 2022; Silitonga, 2010; Wibisono et al., 2019).

However, in practice, the Jabodetabek concept did not entirely resolve Jakarta's limitations as capital. In several aspects, this has resulted in new problems, such as fuel waste, worsening traffic

congestion, and time inefficiency (Tamara & Sasana, 2017). These challenges left the government with two potential solutions for Jakarta's development: relocating the economic center or relocating the government center. Relocating the economic center would have significant consequences for the government, potentially disrupting national and international economic activities, given that much of Indonesia's international trade, including multinational corporations and import-export activities, takes place in Jakarta, particularly through the Jakarta/Tanjung Priok port (Baroroh, 2012).

The solution deemed to carry lower risks was relocating the government center, allowing Jakarta to be reoriented as an economic hub. By moving the government center, Jakarta would no longer bear the burden of accommodating both government and economic functions. This understanding aligns with the government's policy plan to relocate capital due to Jakarta's limitations as a nation's capital (Putri, 2023; VOA Indonesia, 2024).

Although Jakarta empirically faces capacity constraints, the government cannot use Jakarta's internal problems as its sole justification for relocating capital. There are several reasons for this finding. First, using Jakarta's internal issues as the basis for relocating capital demonstrates the government's failure to initially plan an ideal capital city. Second, the relocation of Jakarta's internal problems reflects a reactive policy-making approach, meaning that the government waits for systemic issues to arise before proposing a relocation plan. Ideally, the government should periodically project Jakarta's development, foresee potential future challenges, and incorporate them into policy instruments for capital development. Third, compared to other major cities in Indonesia, Jakarta remains superior in terms of its capacity to host both government and economic centers. Thus, the government must provide concrete, detailed, and clear evidence across various aspects of governance to

prove that it is no longer suitable as capital rather than basing decisions on sectoral issues alone (Utami, 2018).

Therefore, relocating capital must be carefully planned, considering multiple dimensions and future considerations. This would result in a comprehensive and ideal capital development plan that addresses all the existing challenges and opportunities. Despite the longstanding discussion on capital relocation, the current assessment has only been conducted internally by the government. The National Development Planning Agency (Bappenas), the institution responsible for formulating development policies, has not yet produced a comprehensive output that includes the foundation, orientation, concept, and mapping of the location of the new capital.

Moreover, the fundamental reasons for the relocation remain the opinions of a few experts rather than the results of an official government study. To date, at least two primary reasons drive the government's decision to relocate capital: first, to promote economic and developmental equity, and second, to establish better governance. Upon closer examination, both reasons have different implications for new capital and policy instruments that must be created due to relocation.

## The Relocation and Development of the National Capital to Achieve *Al-Falāḥ*

Several factors have driven the relocation of Indonesia's capital from Jakarta, including various forms of urban congestion, such as population density, building density, urban development activities, and traffic congestion (Adisasmita & Adisasmita, 2011; Hidayat et al., 2024; Jiuhardi et al., 2023; Riana et al., 2024). In addition, there are challenges, such as flooding, the threat of rising sea levels, groundwater exploitation, and other complex issues. A high population density, driven by a large population, requires extensive housing facilities and the extraction of large volumes of groundwater.

Over time, this lowers the urban land surface, which, while gradual, has significant long-term consequences and impacts the stability of urban life. In this case, *hifz an-nafs* (protection of life) become necessary, as housing, clean water, and employment are basic human needs. In *maqāṣid al-sharī'ah*, they are classified as *darūriyyah* (primary welfare).

The goal of development, particularly economic development, as frequently mentioned in contemporary Islamic literature, is to meet the needs (*al-ḥad al-kifāyah*) of every Muslim society adequately. The foundation of al-ḥad al-kifāyah's ideas can be found in the writings of Abū Ubaid, As-Sarakhṣī, and Al-Māwardī, and this concept is sometimes implicitly mentioned in several hadiths of zakat. Al-Fanjari is considered to be one of the most prominent writers who connects the concept of al-ḥad al-kifāyah with economic development (Ajwā, 1983).

It is important to note that failure to maintain one of the five key elements at the *darūriyyah* level can have fatal consequences, leading to damage, destruction, and devastation for human life in both this world and the hereafter. *Darūriyyah* needs are ranked the highest and most important compared to the other two categories, *ḥājiyyah* and *taḥsīniyyah*. Therefore, it is not permissible to preserve *ḥājiyyah* and *taḥsīniyyah* if doing so would compromise the *darūriyyah* needs.

Intense business activities in urban areas also have widespread negative impacts such as the emergence of informal markets, street vendors, and makeshift stalls along major roads, which cause traffic congestion and chaos. The inability to regulate and control these activities has made Jakarta increasingly disorganized. In *maqāṣid al-sharī'ah*, this falls under the *hifz al-māl* (protection of wealth) and *hifz an-nafs* (protection of life). Additionally, the flood disaster issue, given Jakarta's vulnerability to flooding, necessitates the implementation of strict policies to address this problem to prevent it from endangering

human existence. When human existence is threatened, *hifz al-māl* (protection of wealth) and *hifz an-nafs* (protection of life) are at risk, leading to damage and corruption (*mafsadah*).

From the outset, Islamic *sharī'ah* has no other purpose than the welfare (*maṣlaḥah*) of humanity. The achievement of maṣlaḥah leads to happiness in both the world and hereafter (*li sa'ādah fī ad-dāraîn*). Therefore, everything that leads to maṣlaḥah is part of Islamic teachings, while anything that leads to injustice and destruction is not. In this context, it is essential to consider both individual/limited interests (*al-maṣlaḥah al-khāṣṣah*) and the broader public interest (*al-maṣlaḥah al-'āmmah*), with priority given to the public interest. The process of deriving legal rulings can only be understood in a formal context such as through analogical reasoning (*qiyās*). However, as is well known, qiyās must be based on a legal cause (*'illah*), which serves as a guiding principle for the law but not the law itself.

How does Islam, through the lens of maqāṣid al-sharī'ah, understand the reality of the relocation and development of Indonesia's new capital, Nusantara, in East Kalimantan? A verse of Holy Quran that can be considered as an idea for economic development state: "*It is He who created the earth and all that is in it and made it submissive to you. So traverse its paths and eat of His provision, and to Him is the return*" (Surah Al-Muluk [67] verse 15). This verse contains the meaning of wujûb al-infāq (the obligation to spend) and the construction of facilities that support the fulfillment of this obligation. Islamic jurisprudence states that the construction of facilities required to fulfill a mandatory command is also obligatory. This is reflected in the legal maxim: "*mā lā yatimmu al-wājibu illā bihi fahuwa wājibun*" (what is necessary to complete a mandatory action is itself mandatory). Thus, working (*al-kasbu*) is considered a natural obligation, and according to some scholars, *al-kasbu* is another term for *al-intāj* (production). From this understanding, Muslim scholars have

derived the concept of development within the framework of *sharī'ah* (Bakhit, 1982).

Referring to the above evidence and using *maqāṣid* as a method to understand the text (*naṣ*) (Wahyudi, 2007), it is understood that every verse mentioning the words *al-kasbu*, *as-sa'yu*, *al-infāq*, or *al-ḍarbu fî al-arḍ* (exploring the earth) points to one meaning—economic activity—and also serves as legal evidence for development. The command to build, especially in the economic realm, is a general concept, making it difficult to limit it to specific activities where success can be measured. This view arises from the desire of many scholars to assert that Islam prioritizes everything that benefits humanity and avoids harm.

The reasons behind the government's decision to select East Kalimantan as the location for the new capital include the minimal risk of natural disasters such as floods, earthquakes, tsunamis, forest fires, volcanic eruptions, and landslides. Second, it is strategically located in the middle of Indonesia's archipelago. Third, it is close to well-developed urban areas, such as Balikpapan and Samarinda. Fourth, the region already has relatively complete infrastructure. Fifth, 180,000 hectares of government-owned land were available.

In terms of priority and importance, selecting East Kalimantan as the location for the new capital falls under *maṣlaḥah ḥājiyyah* (secondary welfare), meaning that it serves to facilitate life and eliminate difficulties while preserving the five essential elements of life. Regarding the scope or limitations of the maṣlaḥah or its relation to the public or individuals, *maṣlaḥah* can be divided into two categories. First, *maṣlaḥah 'ammah*, which refers to the public welfare that benefits the entire society or the majority without focusing on individual needs. Second, maṣlaḥah khaṣṣah pertains to individual welfare that, when maintained, leads to collective (public) welfare (Ibn 'Āsyûr, 2011).

The relocation and selection of the new capital's location is categorized as maṣlaḥah *'ammah* (public welfare), because it concerns the interests of all Indonesian citizens. Choosing East Kalimantan as the new capital is considered fair, as it is centrally located within Indonesia, helping dispel the notion of "Java-centric" governance. Furthermore, the policy of relocating capital falls under *maṣlaḥah al-mutaghayyirah*, a welfare measure that changes according to time, place, and legal subject.

This welfare relates to issues of social and customary practices, such as food preferences, that differ across regions. The relocation of capital is an inevitability that will materialize sooner or later as time progresses. From the perspective of whether there is explicit justification for the existence or legality of *maṣlaḥah*, the relocation of the capital is classified as *maṣlaḥah mursalah*, meaning that its existence is neither explicitly endorsed nor rejected by sharīʿah through any detailed evidence. In other words, no specific legal text justifies or opposes the policy of relocating capital.

The government's decision to establish East Kalimantan as the location of the new capital, "Nusantara," and not on the island of Java, is a preventive action, as it aims to prevent potential *mafsadah* (damage) to the new capital due to natural disasters. East Kalimantan is relatively safe from earthquakes and is not part of the "ring of fire" zone, unlike Java and other islands in Indonesia. One way to prevent *mafsadah* is by closing off the means through which damage could occur, known as *sadd aż-żarîʿah*, which is a recognized method in Islamic legal reasoning (*ijtihad*).

## CONCLUSION

The relocation of Indonesia's national capital was established through Law No. 3 of 2022 on the National Capital. There are two primary reasons for a government's decision to move capital. First,

economic and developmental equity should be promoted, and second, good governance should be established. As Islam is the majority religion in Indonesia, it is relevant to explore the Islamic perspective on this issue. Islamic history records that the relocation of capital has also been based on *maṣlaḥah* (public interest) and is neither mandated nor prohibited by religion.

From the perspective of *maqāṣid al-sharī'ah*, the relocation and development of new capital automatically aligns with the goal of achieving *al-falāḥ* (well-being and success). The decision to relocate and build national capital in East Kalimantan, named Nusantara, was based on discussions that classified this action as a secondary form of welfare, or *maṣlaḥah ḥājiyyah*. This type of maṣlaḥah refers to something necessary to facilitate living and remove difficulties, in line with preserving the five essential elements of life (*hifzh ad-dīn*, *hifzh an-nafs*, *hifzh al-'aql*, *hifzh an-nasl*, and *hifzh al-māl*). Islam, as a religion that is *raḥmatan lil 'ālamîn* (a mercy for all creation), categorizes this relocation and the selection of the new capital's location as *maṣlaḥah 'ammah* (public welfare), as it pertains to the interests of all Indonesian citizens.

**Limitations of the Study**

A limitation of the study is its dependence on historical and theoretical viewpoints, which lack empirical data pertinent to the current context of Indonesia's capital move. This paper references Islamic concepts and historical instances of capital relocations under Islamic governance but lacks empirical evidence or case studies about the present socio-economic and environmental situations in East Kalimantan. The absence of empirical evidence constrains the evaluation of the practical consequences and potential obstacles of capital relocation projects from a contemporary perspective, including economic viability, environmental sustainability, and effects on local inhabitants.

A further disadvantage is the study's emphasis on Islamic law (*maqāṣid al-sharī'ah*) to rationalize the capital's move, thereby neglecting the varied viewpoints of Indonesia's multicultural population. Despite Islam being the predominant religion in Indonesia, this study overlooks alternative cultural, religious, or political perspectives that could affect public opinion and policy formulation. This limited perspective may neglect the intricacies of governing a multiethnic and multireligious nation, where diverse groups may possess distinct goals and concerns regarding the transfer of capital. Consequently, the conclusions of this study may have limited relevance to Indonesia's wider socio-political context.

**Implications for Further Research**

The findings of this study provide opportunities for additional research on the practical consequences of shifting Indonesian capital from Jakarta to East Kalimantan. Future research may examine the socioeconomic effects of this relocation on Jakarta and the new capital, Nusantara, utilizing quantitative studies, surveys, or case analyses. This would yield empirical evidence of the efficacy of the initiative in mitigating economic disparity, urban congestion, and environmental sustainability. Furthermore, examining the impact of the move on local residents in East Kalimantan, particularly on employment, infrastructure, and environmental issues, would provide profound insights into Nusantara's long-term sustainability as a new capital.

Another avenue for further investigation is the analysis of relocation from a multireligious and multiethnic perspective. This study highlights the Islamic viewpoint on *maqāṣid al-sharī'ah* and public welfare (*maṣlaḥah*); however, subsequent research could include perspectives from Indonesia's diverse religious and cultural communities. Comparative research analyzing different communities' perspectives on capital migration could yield a more comprehensive knowledge of the project's societal impact and acceptance.

Furthermore, research may examine the impact of pluralism and religious variety on public policy decisions in Indonesia, especially on major national developments, such as capital relocation, and how these elements might be incorporated into a comprehensive planning framework.

## Author Contributions

Conceptualization: A. & U.J.F.; Data curation: A. & U.J.F.; Formal analysis: A. & U.J.F.; Funding acquisition: A. & U.J.F.; Investigation: A. & U.J.F.; Methodology: A. & U.J.F.; Project administration: A. & U.J.F.; Resources: A. & U.J.F.; Software: A. & U.J.F.; Supervision: A. & U.J.F.; Validation: A. & U.J.F.; Visualization: A. & U.J.F.; Writing – original draft: A. & U.J.F.; Writing – review & editing: A. & U.J.F. All the authors have read and agreed to the published version of the manuscript.

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## Institutional Review Board Statement

This study was approved by Program Studi Magister Ilmu Agama Islam (S2), Universitas Islam Indonesia, Yogyakarta, Indonesia.

## Informed Consent Statement

Informed consent was not required for this study.

## Data Availability Statement

The data presented in this study are available upon request from the corresponding author.

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## Conflicts of Interest

The authors declare that they have no conflict of interest.

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