



## A Fiqh Siyāsah Review of the Implementation of Article 64 of the Bandar Lampung Municipal Regulation on Public Order

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### ABSTRACT

*This study examines the implementation of Article 64 of Bandar Lampung Municipal Regulation Number 01 of 2018 concerning the prohibition of unauthorized alcohol sales and demonstrates the existence of a significant gap between normative design and empirical practice. Employing a qualitative socio-legal approach through a case study conducted in Sukarame District, the research reveals that policy ineffectiveness is not merely attributable to weaknesses in legal norms, but rather to the complex interaction among limited institutional capacity, inconsistent law enforcement, community economic vulnerability, and the weak internalization of legal norms within social life. These conditions indicate that illegal alcohol distribution practices function as adaptive responses to the disjunction between formal regulation and socio-economic realities. The principal contribution of this study lies in the operationalization of siyāsah tanfidziyyah as an analytical framework for evaluating public policy implementation. The findings demonstrate that the principles of legal implementation, justice, public welfare, and accountability have not been fully realized in practice. Accordingly, effective policy implementation requires a multidimensional approach encompassing the strengthening of institutional capacity, consistency in law enforcement, the integration of socio-economic policies, and the enhancement of public legal consciousness.*

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## 1. Introduction

The regulation of alcoholic beverage consumption constitutes one of the most critical issues in global public governance, given its substantial implications for public health, social order, and economic stability. Numerous studies have demonstrated that alcohol consumption contributes significantly to the global burden of disease, accounting for approximately 3.2%–5.9% of total global mortality and nearly 4%–5% of the overall disease

burden measured through disability-adjusted life years (DALYs).<sup>1</sup> Alcohol consumption has also been causally linked to more than thirty health conditions, including non-communicable diseases such as cancer, cardiovascular diseases, liver diseases, diabetes, and neuropsychiatric disorders,<sup>2</sup> while simultaneously contributing to both intentional and unintentional injuries.<sup>3</sup> Within the literature on moral regulation and regulatory governance, alcohol control is not merely understood as an instrument of public health policy, but also as a contested arena in which the state must balance competing interests, including public protection, individual liberty, and economic interests derived from taxation and excise revenues.<sup>4</sup> Contemporary scholarship further indicates that the complexity of alcohol regulation has intensified due to the expansion of the global alcohol industry and the diverse socio-cultural contexts of developing countries.<sup>5</sup>

Within the Southeast Asian context, patterns of alcohol consumption and regulatory approaches vary considerably depending on cultural values, policy orientations, and socio-economic conditions.<sup>6</sup> Recent studies indicate that although many states have formally adopted alcohol-control policies, substantial gaps remain in their implementation and enforcement.<sup>7</sup> In Indonesia, this complexity is further intensified by the country's pluralistic

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<sup>1</sup> Kevin Shield et al., "National, regional, and global statistics on alcohol consumption and associated burden of disease 2000–20: a modelling study and comparative risk assessment," *The Lancet Public Health* 10, no. 9 (September 2025): e751–61, [https://doi.org/10.1016/S2468-2667\(25\)00174-4](https://doi.org/10.1016/S2468-2667(25)00174-4); J A Bornhorst dan G McMillin, "Genetic markers related to alcohol use and abuse," in *Critical Issues in Alcohol and Drugs of Abuse Testing*, 2019, 43–57, <https://doi.org/10.1016/B978-0-12-815607-0.00004-6>; J Rehm et al., "Global burden of disease and injury and economic cost attributable to alcohol use and alcohol-use disorders," *The Lancet* 373, no. 9682 (2009): 2223–33, [https://doi.org/10.1016/S0140-6736\(09\)60746-7](https://doi.org/10.1016/S0140-6736(09)60746-7); World Health Organization, *Global status report on alcohol and health and treatment of substance use disorders*, World Health Organization (Geneva, 2024).

<sup>2</sup> J Rehm et al., "The relation between different dimensions of alcohol consumption and burden of disease: An overview," *Addiction* 105, no. 5 (2010): 817–43, <https://doi.org/10.1111/j.1360-0443.2010.02899.x>; N Sabila, "Alcohol Use and Non-Communicable Diseases, is there a Relationship?," *Texila International Journal of Public Health* 8, no. 2 (2020), <https://doi.org/10.21522/TIJPH.2013.08.02.Art030>.

<sup>3</sup> G E C Narro et al., "Alcohol-related liver disease: A global perspective," *Annals of Hepatology* 29, no. 5 (2024), <https://doi.org/10.1016/j.aohep.2024.101499>.

<sup>4</sup> C E B Huertas, J D G Becerra, dan A E C Martínez, "EQUITY AND EFFICIENCY IN WINE TAX POLICY: A HERMENEUTIC INTERPRETATIVE APPROACH," *Juridicas CUC* 21, no. 1 (2026): 396–412, <https://doi.org/10.17981/juridcuc.21.1.2025.21>; M van der Maas et al., "Drinking patterns, alcohol-related harm and views on policies: Results from a pilot of the international alcohol control study in Canada," *Health Promotion and Chronic Disease Prevention in Canada* 40, no. 5–6 (2020): 165–75, <https://doi.org/10.24095/hpcdp.40.5/6.05>.

<sup>5</sup> Gianna Gayle Herrera Amul, "Alcohol Advertising, Promotion, and Sponsorship: A Review of Regulatory Policies in the Association of Southeast Asian Nations," *Journal of Studies on Alcohol and Drugs* 81, no. 6 (2020): 697–709, <https://doi.org/https://doi.org/10.15288/jsad.2020.81.697>.

<sup>6</sup> Marzalyla Putri Hendriansyah et al., "Analysis of Health Policy Impacts on Adolescent Tobacco and Alcohol Consumption in ASEAN: An Ecological Descriptive Study," *Journal of Indonesian Health Policy and Administration* 10, no. 3 (September 2025), <https://doi.org/10.7454/ihpa.v10i3.1134>.

<sup>7</sup> S Assanangkornchai et al., "Alcohol Control Policy in Southeast Asia: A Descriptive Review," *Asia-Pacific Journal of Public Health* 38, no. 2–3 (2026): 127–35, <https://doi.org/10.1177/10105395251414918>.

legal character, in which state law dynamically interacts with religious values and socio-cultural practices.<sup>8</sup> On the one hand, strong religiously grounded social resistance toward alcohol consumption persists; on the other hand, the alcohol industry continues to contribute to state revenues.<sup>9</sup> Consequently, alcohol regulation becomes a site of negotiation among multiple normative orders that do not always operate harmoniously.

Previous studies reveal that alcohol regulation has generally been examined through the perspectives of public health, political economy, and regulatory governance.<sup>10</sup> However, at the level of local implementation, scholarly analyses tend to focus primarily on regulatory effectiveness, legal compliance, and enforcement capacity, particularly emphasizing institutional roles and policy instruments in controlling the circulation of illegal alcohol. Within the Indonesian context, Roestamy (2022) argues that alcohol regulation remains characterized by legal uncertainty arising from overlapping norms and conflicts between investment interests and public morality, thereby necessitating legal reform grounded in Pancasila values.<sup>11</sup> Rahmatiah (2025) demonstrates that the formulation of local regulations is significantly influenced by local wisdom and Islamic legal principles, resulting in substantial policy variation across regions, ranging from limited legalization to strict prohibition.<sup>12</sup> identifies tensions between the protection of local cultural products through geographical indications and moral norms rejecting the legitimacy of traditional alcoholic beverages.<sup>13</sup> Meanwhile, Anwar (2025) argues that the effectiveness of sharia-based law enforcement largely depends on institutional capacity and community support, whereas Miharja (2021) criticizes the discriminatory potential of alcohol prohibition policies that may not fully conform to human rights principles,<sup>14</sup> sedangkan Miharja (2021) mengkritisi potensi diskriminasi dalam regulasi pelarangan alkohol yang tidak sepenuhnya sejalan

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<sup>8</sup> H L Rahmatiah, T S Arbani, dan M Damopolii, "The Approach of Local Wisdom and Islamic Law to the Establishment of Regional Regulations on Alcoholic Drinks," *Samarah* 6, no. 2 (2022): 798–822, <https://doi.org/10.22373/sjhh.v6i2.15045>; H Syafaq et al., "Localized Alcoholic Beverages Regulations in the Recent Development of Indonesia: A Nexus between Ethical and Sociological-Legal Analysis," *Journal of Drug and Alcohol Research* 14, no. 10 (2025), <https://doi.org/10.4303/JDAR/236472>.

<sup>9</sup> B S Rukmono et al., "ARRANGEMENT REGISTRATION OF GEOGRAPHICAL INDICATIONS OF TRADITIONAL ALCOHOLIC BEVERAGES IN INDONESIA BASED MULTICULTURALISM," *Revista de Gestao Social e Ambiental* 17, no. 6 (2023), <https://doi.org/10.24857/rgsa.v17n6-001>.

<sup>10</sup> THOMAS F. BABOR et al., *Alcohol: No Ordinary Commodity: Research and public policy*, 3rd edn, Oxford University Press, 2022, <https://doi.org/https://doi.org/10.1093/oso/9780192844484.001.0001>.

<sup>11</sup> M Roestamy dan A R Ibnu, "The Romanticism of Alcoholic Beverage Regulation in Indonesia: Evidence of Legal Uncertainty?," *Sriwijaya Law Review* 6, no. 2 (2022): 336–49, <https://doi.org/10.28946/slrev.Vol6.Iss2.1239.pp336-349>.

<sup>12</sup> Rahmatiah, Arbani, dan Damopolii, "The Approach of Local Wisdom and Islamic Law to the Establishment of Regional Regulations on Alcoholic Drinks."

<sup>13</sup> Rukmono et al., "ARRANGEMENT REGISTRATION OF GEOGRAPHICAL INDICATIONS OF TRADITIONAL ALCOHOLIC BEVERAGES IN INDONESIA BASED MULTICULTURALISM."

<sup>14</sup> S Anwar, M A Ramli, dan M Nuruddin, "Autonomy and Islamic Criminal Law Enforcement in Creating Social Order in Aceh Region," *De Jure: Jurnal Hukum dan Syar'iah* 17, no. 2 (2025): 438–57, <https://doi.org/10.18860/j-fsh.v17i2.32771>.

dengan prinsip HAM.<sup>15</sup> Furthermore, Syafaq (2026) emphasizes that alcohol regulation in Indonesia represents the outcome of complex negotiations among religious ethical norms, social pluralism, and state legal authority within a multilayered legal framework.<sup>16</sup>

In this regard, the perspective of *fiqh siyasah*, particularly the concept of *siyasah tanfidziyah* (executive governance policy), offers a relevant analytical framework. From this perspective, public policy is not merely an administrative instrument, but also a manifestation of the state's moral and political responsibility to realize justice (*'adl*), public welfare (*maslahah*), and the prevention of social harm (*mafsadah*).<sup>17</sup> As the holder of governing authority, the state bears the obligation to ensure that public policies are not only technically effective but also normatively legitimate and socially accountable. Nevertheless, within contemporary academic discourse, *fiqh siyasah* continues to be predominantly positioned as a normative-conceptual discourse that has not yet been systematically operationalized in the analysis of public policy implementation.<sup>18</sup>

This condition reveals a significant research gap in the study of alcohol regulation, particularly within pluralistic legal societies such as Indonesia. In general, socio-legal and public policy studies tend to emphasize empirical aspects of regulatory implementation, including effectiveness, compliance, and enforcement capacity, while often neglecting the normative dimensions that shape policy legitimacy within society.<sup>19</sup> Conversely, studies grounded in Islamic political jurisprudence, including *fiqh siyasah*, have largely developed at the conceptual and normative levels without being systematically operationalized as analytical frameworks for evaluating public policy implementation. As a result, existing literature remains limited in comprehensively explaining the relationship between the normative design of policy, the realities of local implementation, and the degree of social acceptance. This gap becomes increasingly relevant in the context of alcohol regulation, where policy effectiveness is determined not only by legal instruments and institutional capacity, but also by the extent to which such policies align with the religious and social values embedded within society.

This article argues that such a gap may be bridged through an integrative approach combining socio-legal analysis with the principles of *fiqh siyasah* in evaluating public policy

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<sup>15</sup> D Miharja, A S Ruswanda, dan I Ruslan, "Revisiting Local Regulation of Sukabumi Regency No. 7 of 2015 Concerning the Prohibition of Alcoholic Drinks," *Al-'Adalah* 18, no. 2 (2021): 233–50, <https://doi.org/10.24042/adalah.v18i2.10133>.

<sup>16</sup> Syafaq et al., "Localized Alcoholic Beverages Regulations in the Recent Development of Indonesia: A Nexus between Ethical and Sociological-Legal Analysis."

<sup>17</sup> Jaser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*, International Institute of Islamic Thought, 2008, <https://doi.org/https://doi-org.proxy.undip.ac.id/10.2307/j.ctvkc67tg>; Mohammad Hashim Kamali, *Shari'ah Law: An Introduction*, Oneworld Publications, 2008.

<sup>18</sup> Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament*, Columbia University Press. (New York, 2013).

<sup>19</sup> Syafaq et al., "Localized Alcoholic Beverages Regulations in the Recent Development of Indonesia: A Nexus between Ethical and Sociological-Legal Analysis."

implementation. Through this approach, policy effectiveness is assessed not solely in terms of compliance rates or enforcement success, but also in relation to the extent to which policies embody the values of justice, public welfare, and governmental accountability in practice.

Empirically, this study focuses on the implementation of Article 64 of Bandar Lampung Municipal Regulation Number 01 of 2018 concerning Public Order and Public Tranquility, which regulates the control of unlicensed alcoholic beverage distribution. Normatively, this regulation was designed to maintain social order and minimize the negative consequences of alcohol consumption.<sup>20</sup> Nevertheless, various studies demonstrate that, in many local contexts, the implementation of such policies frequently encounters obstacles arising from weak supervision, limited institutional capacity, and socio-economic factors that sustain illegal practices. This condition indicates the existence of a gap between policy design and implementation realities.<sup>21</sup>

The City of Bandar Lampung constitutes a strategic site for examining this phenomenon because it reflects the dynamics of urban governance within a rapidly developing region characterized by high population mobility and intensive economic activities. Within this context, Sukarame District was selected as the research locus due to its characteristics that reflect intensive urban activity and vulnerability to violations of public order, including the illegal sale of alcoholic beverages. This condition provides an important analytical space for understanding how public policy operates in practice and how the interaction among social, institutional, and normative factors shapes the effectiveness of policy implementation.

Based on this framework, the present study seeks to address three principal questions: (1) how Article 64 of Bandar Lampung Municipal Regulation Number 01 of 2018 has been implemented in supervising the sale of unlicensed alcoholic beverages in Sukarame District; (2) what factors hinder the effectiveness of law enforcement against the circulation of illegal alcoholic beverages; and (3) to what extent the implementation of the regulation reflects the principles of *siyasaḥ tanfidziyah*, particularly with respect to justice, public welfare, and governmental accountability.

Theoretically, this study contributes to the development of legal and public policy scholarship by demonstrating the importance of integrating socio-legal approaches with religious normative frameworks in analyzing policy implementation within pluralistic societies. Furthermore, this study operationalizes the principles of *fiqh siyasaḥ* as evaluative

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<sup>20</sup> Amila Suranga Malawige et al., "Health impact of alcohol regulatory interventions: a systematic review of policies in low- and middle-income countries," *Health Policy and Planning* 40, no. 7 (Agustus 2025): 780–804, <https://doi.org/10.1093/heapol/czaf036>.

<sup>21</sup> Gaza Muhammad Alghifari et al., "Law Enforcement In The Implementation of Kuningan Regency Regional Regulation Number 6 of 2014 Against The Illegal Sale of Alcoholic Beverages," *Journal Research of Social Science, Economics, and Management* 4, no. 1 (Agustus 2024): 67–76, <https://doi.org/10.59141/jrssem.v4i1.692>.

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analytical instruments for assessing governance practices, thereby bridging the gap between normative theory and empirical realities. Practically, the findings of this research are expected to contribute to the formulation of policy strategies that are more effective, legitimate, and oriented toward social justice within the framework of regional governance.

## 2. Legal Material and Methods

This study employed a qualitative approach with a socio-legal case study design to analyze the implementation of alcohol control policies within a pluralistic legal context. This approach was selected because it enables an in-depth exploration of the interaction between legal norms, social practices, and religious values in the implementation of public policy, which constitutes the central focus of this research. The research was conducted in Sukarame District, Bandar Lampung City, selected purposively because it represents an urban area characterized by intensive economic and social activities, where the practice of unlicensed alcohol sales remains prevalent. The selection of this location enabled a contextual analysis of the gap between regulatory norms and the realities of policy implementation at the local level.

Research informants were determined through purposive sampling based on the criterion that they possessed knowledge, experience, or direct involvement in the practices, supervision, or consumption of illegal alcoholic beverages. The informants consisted of seven individuals, namely one district government official, four alcohol sellers, one consumer, and one community member. The number of informants was determined based on the principle of data sufficiency, whereby data collection was terminated once the information obtained demonstrated recurring patterns and no substantially new themes emerged.

The study utilized both primary and secondary data sources. Primary data were obtained through in-depth interviews, field observations, and documentation conducted directly with the informants in order to explore experiences, perceptions, and practices related to policy implementation. Secondary data were derived from legal sources and relevant academic literature. The legal materials included legislation at multiple hierarchical levels, namely the 1945 Constitution of the Republic of Indonesia, statutes such as Law Number 23 of 2014 concerning Regional Government and Law Number 17 of 2023 concerning Health, as well as implementing regulations including Minister of Trade Regulation Number 20/M-DAG/PER/4/2014 concerning the Control and Supervision of the Procurement, Distribution, and Sale of Alcoholic Beverages. In addition, Bandar Lampung Municipal Regulation Number 01 of 2018 concerning Public Order and Public Tranquility served as the principal object of normative analysis. Secondary data were further enriched by literature on fiqh siyasah, scholarly books, and international journal articles relevant to the research topic.

Data were analyzed thematically by adopting an interactive analytical model encompassing the processes of data reduction, categorization, and interpretation. The

analytical process involved coding procedures to identify the principal themes emerging from the empirical findings, which were subsequently interpreted through the theoretical framework of *siyasah tanfidziyyah*. In this regard, the concepts of justice (*'adl*), public welfare (*maslahah*), and accountability were employed as analytical categories in evaluating policy implementation. To ensure data validity and trustworthiness, the study applied source and method triangulation by comparing information obtained from different informants and integrating findings from interviews, observations, and documentation. Furthermore, the research adhered to ethical research principles, including informed consent and the confidentiality of respondents' identities.

### 3. Results and Discussion

#### 3.1 Implementation Gaps in Alcohol Regulation: A Socio-Legal Analysis of Article 64 of Bandar Lampung Municipal Regulation Number 01 of 2018 in Sukarame District

Bandar Lampung Municipal Regulation Number 01 of 2018 concerning Public Order and Public Tranquility, particularly Article 64, constitutes a regional legal instrument designed to control the distribution of alcoholic beverages through the prohibition of unauthorized distribution. The provision explicitly prohibits individuals or business entities from selling or distributing alcoholic beverages without official authorization from the regional government, subject to administrative and criminal sanctions.<sup>22</sup> Normatively, this regulation is consistent with the decentralization framework established under Law Number 23 of 2014 concerning Regional Government, which grants regional authorities the competence to maintain public order and social tranquility.<sup>23</sup> Furthermore, the regulation of alcoholic beverages intersects with the broader national regulatory regime, including Presidential Regulation Number 74 of 2013 concerning the Control and Supervision of Alcoholic Beverages and Minister of Trade Regulation Number 20/M-DAG/PER/4/2014, which governs the restricted distribution and licensing of alcoholic beverages.

Nevertheless, empirical findings in Sukarame District reveal a significant implementation gap between the normative design of the policy (law in books) and its practical operation (law in action). Although the regulatory framework appears relatively comprehensive, the sale of unlicensed alcoholic beverages continues to persist in hidden yet widespread forms.<sup>24</sup> Field interviews revealed that illegal alcohol distribution frequently

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<sup>22</sup> Al Qudri, Ardiansah Ardiansah, dan Bagio Kadaryanto, "Implementation of Sanctions Against Unlicensed Alcoholic Beverage Sellers in Pekanbaru City Based on Regional Government Regulation No. 13 of 2021 concerning Public Order and Tranquility," *Melayunesia Law* 7, no. 2 (Desember 2023): 239, <https://doi.org/10.30652/ml.v7i2.7910>.

<sup>23</sup> Krista Yitawati et al., "Peran Dan Hambatan Satuan Polisi Pamong Praja Kota Madiun Dalam Mengendalikan Peredaran Minuman Beralkohol," *YUSTISIA MERDEKA : Jurnal Ilmiah Hukum* 10, no. 1 (Mei 2024): 18–23, <https://doi.org/10.33319/yume.v10i1.263>.

<sup>24</sup> "Ops Cempaka Krakatau 2024, Polsek Sukarame Amankan Sepasang Muda Mudi dan Sita 6 Botol Miras," <https://linkarutama.com>, 2024, <https://linkarutama.com/2024/03/25/ops-cempaka-krakatau-2024-polsek-sukarame-amankan-sepasang-muda-mudi-dan-sita-6-botol-miras/>.

operated through informal commercial spaces, including roadside kiosks, small neighborhood stalls, and tire-repair workshops.<sup>25</sup> Several sellers acknowledged that alcoholic beverages were stored discreetly and distributed only to trusted consumers in order to evade regulatory detection. These findings demonstrate that the existence of legal norms does not automatically produce compliance; rather, compliance is highly dependent upon enforcement capacity and the broader socio-economic conditions within the community.<sup>26</sup>

From a local political economy perspective, the findings indicate that the illegal sale of alcoholic beverages functions as a survival strategy for small-scale business actors. The majority of seller informants reported that limited access to formal employment opportunities and persistent household economic pressures compelled them to continue engaging in such activities despite their illegality. Several informants further acknowledged that alcohol sales generated relatively stable daily profits and were perceived as one of the few accessible income-generating opportunities within the informal sector. Female informants who served as heads of households particularly emphasized the burden of family economic responsibilities as a major factor sustaining their involvement in the trade, notwithstanding their awareness of its unlawful nature. These practices have also adapted flexibly to local social conditions, with distribution operating through informal commercial spaces such as small kiosks, roadside stalls, and tire-repair workshops. This pattern reflects the adaptive characteristics of the informal economy, which remains difficult to penetrate through formal state supervisory mechanisms.<sup>27</sup>

From a law enforcement perspective, the implementation of Article 64 encounters significant structural constraints. Interviews with local enforcement officials revealed that raids and monitoring operations conducted by the Municipal Civil Service Police Unit (Satuan Polisi Pamong Praja / Satpol PP) were carried out only intermittently, generally two to three times annually. Enforcement officials further indicated that information concerning planned inspections was frequently leaked prior to enforcement operations, enabling sellers to temporarily conceal alcoholic beverages before raids were conducted. This infrequency reflects weak and unsustainable supervisory capacity. Moreover, the premature disclosure of enforcement operations creates what regulatory governance literature describes as

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<sup>25</sup> Herman (pseudonym), informal alcohol seller, interview by author, Sukarame District, February 15, 2026; Sunarti (pseudonym), roadside stall owner and traditional palm wine seller, interview by author, Sukarame District, February 16, 2026; Kartini (pseudonym), tire-repair workshop owner and informal alcohol seller, interview by author, Sukarame District, February 17, 2026

<sup>26</sup> Roestamy dan Ibnu, "The Romanticism of Alcoholic Beverage Regulation in Indonesia: Evidence of Legal Uncertainty?"

<sup>27</sup> Herman (pseudonym), informal alcohol seller, interview by author, Sukarame District, February 15, 2026; Sunarti (pseudonym), roadside stall owner and traditional palm wine seller, interview by author, Sukarame District, February 16, 2026; Isah (pseudonym), informal alcohol seller and household head, interview by author, Sukarame District, February 16, 2026; Kartini (pseudonym), tire-repair workshop owner and informal alcohol seller, interview by author, Sukarame District, February 17, 2026.

enforcement leakage, allowing business actors to evade sanctions and weakening the deterrent effect of the regulation itself.<sup>28</sup>

Beyond institutional factors, social dimensions also play a significant role in explaining the low level of compliance. The findings demonstrate that, within the local context, the consumption and sale of alcoholic beverages tend to be normalized as ordinary social practices, particularly among certain social groups.<sup>29</sup> Community informants described frequent alcohol-related gatherings in roadside public spaces involving both adolescents and adults, indicating the extent to which alcohol consumption had become socially normalized within certain local social environments.<sup>30</sup> The low level of public legal consciousness, influenced by cultural factors, habitual practices, and limited policy dissemination, has resulted in legal norms not being fully internalized as binding standards of conduct.<sup>31</sup> In this context, law does not function effectively as a mechanism of social control, but rather operates merely as a formal rule with limited practical authority.

From the demand side, patterns of alcohol consumption also demonstrate dynamics that reinforce the persistence of the illegal market. Peer-group pressures, particularly among adolescents, encourage experimental forms of alcohol consumption that gradually develop into recurring habits.<sup>32</sup> Youth informants reported that initial alcohol consumption frequently emerged from peer pressure and social ridicule, which subsequently evolved into habitual patterns of consumption and, in certain instances, deviant conduct undertaken to finance such behavior.<sup>33</sup> This finding indicates that the existence of the illegal alcohol market is driven not only by supply-side factors, but also by relatively stable consumer demand. Consequently, regulatory policies that focus exclusively on controlling supply without addressing demand-side dynamics are likely to remain ineffective.

Overall, these findings demonstrate that the implementation of Article 64 has not operated optimally due to the complex interaction among institutional, economic, and social factors. Weak supervision, limited enforcement capacity, and leakage within enforcement processes reflect the ineffectiveness of the state's regulatory function in controlling illegal practices. Simultaneously, economic pressures and low levels of legal consciousness

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<sup>28</sup> Nasrun, Head of Public Order and Security Section at Sukarame District Office, interview by author, Bandar Lampung, February 12, 2026

<sup>29</sup> Syafaq et al., "Localized Alcoholic Beverages Regulations in the Recent Development of Indonesia: A Nexus between Ethical and Sociological-Legal Analysis."

<sup>30</sup> Parmin (pseudonym), community resident, interview by author, Sukarame District, February 20, 2026; Haryanto (pseudonym), community resident, interview by author, Sukarame District, February 20, 2026

<sup>31</sup> V Widyarningsi dan H Hastuti, "A call for action: High smoking and alcohol prevalence among Indonesian male youth," *Annals of Tropical Medicine and Public Health* 22, no. 11 (2019), <https://doi.org/10.36295/ASRO.2019.221142>.

<sup>32</sup> Widyarningsi dan Hastuti.

<sup>33</sup> Andri Hakim (pseudonym), alcohol consumer, interview by author, Sukarame District, February 18, 2026.

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indicate that violations cannot merely be understood as issues of legal compliance, but must also be viewed within the broader structure of socio-economic realities.

Accordingly, the gap between legal norms and empirical realities in the implementation of Article 64 suggests that a purely regulatory approach is insufficient to address the circulation of illegal alcoholic beverages. A more comprehensive approach is therefore required, integrating the strengthening of institutional capacity, the enhancement of consistent law enforcement, and socio-economic interventions capable of reducing community dependence upon illegal activities as sources of livelihood. Such an approach is essential to ensure that regulation is not only formally effective but also socially legitimate and publicly acceptable within community practices.

### **3.2. Factors Hindering the Effectiveness of Law Enforcement Against the Distribution of Illegal Alcoholic Beverages in Sukarame District, Bandar Lampung City**

The findings of this study demonstrate that the obstacles to law enforcement against the circulation of illegal alcoholic beverages in Sukarame District are multidimensional in nature and result from the interaction among structural, economic, social, and institutional factors. This condition indicates that the ineffectiveness of policy implementation cannot merely be attributed to weaknesses in legal norms, but rather to the complexity of governance arrangements influencing implementation at the local level.

First, limited supervisory capacity and inconsistent law enforcement constitute the primary structural constraints. Law enforcement measures that are neither routine nor sustainable reflect weaknesses in monitoring mechanisms within the supervisory system. Interviews with local enforcement officials indicated that supervisory operations were conducted only intermittently, particularly during major holiday periods or coordinated enforcement raids, thereby limiting the continuity and effectiveness of enforcement practices.<sup>34</sup> Furthermore, indications of information leakage prior to enforcement operations reveal the occurrence of what regulatory governance literature describes as enforcement leakage, which directly weakens the coercive force of law and diminishes its deterrent effect upon violators.<sup>35</sup> From a socio-legal perspective, this condition demonstrates that policy implementation is heavily influenced by discretionary practices exercised by field-level officials, which frequently do not fully align with the normative design of the policy itself.

Second, the community's economic vulnerability plays a significant role in sustaining illegal practices. The unauthorized sale of alcoholic beverages cannot be separated from the logic of economic survival strategies, particularly among small-scale actors operating within

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<sup>34</sup> Nasrun, interview

<sup>35</sup> Muhamad Haiqal Hakiki, Emilda Firdaus, dan Separen Separen, "Local Government Supervision of the Circulation of Tuak (Alcoholic) Beverages in the Context of Implementing Public Order, Peace and Community Protection," *PATTIMURA Legal Journal* 4, no. 1 (April 2025): 1–14, <https://doi.org/10.47268/pela.v4i1.17977>.

the informal sector. Limited access to formal employment opportunities, combined with pressures arising from household economic needs, encourages individuals to continue engaging in such activities despite their illegality.<sup>36</sup> Several seller informants further described alcohol sales as one of the few accessible forms of informal income capable of supporting household economic needs, particularly in the absence of stable employment opportunities.<sup>37</sup> This finding suggests that non-compliance is not always based upon a rational decision to violate the law, but often constitutes a response to structural limitations embedded within the local economic system.

Third, high consumer demand further reinforces the persistence of the illegal market. Patterns of alcohol consumption, particularly among adolescents and informal-sector workers, tend to be shaped by social environmental pressures and the normalization of certain behavioral practices. Youth informants acknowledged that alcohol consumption frequently emerged through peer-group interactions and social pressures before gradually becoming normalized as a recurring social practice.<sup>38</sup> Consumption that initially occurs on an experimental basis subsequently develops into repetitive habits, thereby generating relatively stable demand. In this context, the existence of the illegal market is driven not only by supply-side factors, but also by demand dynamics that remain insufficiently addressed through existing regulatory policies.

Fourth, low levels of legal consciousness and weak internalization of legal norms constitute cultural obstacles to effective enforcement.<sup>39</sup> Certain members of the community do not perceive the sale or consumption of unlicensed alcoholic beverages as a serious legal violation. This condition reflects a low degree of legal consciousness, whereby legal norms are not internalized as binding standards of behavior. Limited policy dissemination and insufficient legal education further reinforce this condition, resulting in law functioning merely as a formal rule without effective regulatory authority within everyday social life.

Fifth, the weakness of informal social control mechanisms and the social normalization of alcohol consumption further contribute to the persistence of violations. Although members of the community generally recognize the negative impacts associated with alcohol consumption, collective responses in the form of prevention or reporting remain highly limited. This condition reflects the weakness of informal social control mechanisms, which ideally should complement formal law enforcement within a framework of

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<sup>36</sup> Nyoman Asri Premasanti, Ni Luh Made Mahendrawati, dan Ni Komang Arini Styawati, "THE EFFECTIVENESS OF ALCOHOLIC BEVERAGE DISTRIBUTION CONTROL THROUGH BULELENG REGENCY REGULATION NO. 9 OF 2016," *Journal of Court and Justice*, Juni 2025, 20–39, <https://doi.org/10.56943/jcj.v4i2.771>.

<sup>37</sup> Herman, interview; Isah, interview; Kartini, interview

<sup>38</sup> Andri Hakim (pseudonym), interview.

<sup>39</sup> Liska Tandi Rerung, "Kesadaran Hukum Masyarakat Mengenai Situasi dan Keadilan Hukum," *Nomos: Jurnal Penelitian Ilmu Hukum* 3, no. 2 (April 2023): 76–83, <https://doi.org/10.56393/nomos.v3i2.1490>.

community-based governance.<sup>40</sup> Community informants further described alcohol consumption in roadside public spaces as an increasingly tolerated social practice involving both adolescents and adults within certain local environments.<sup>41</sup>

Sixth, weak coordination among law enforcement institutions constitutes an institutional factor that significantly hampers effective policy implementation. Fragmentation of authority within the regional governance system results in supervisory and enforcement activities that fail to operate synergistically.<sup>42</sup> The lack of institutional integration contributes to inconsistent law enforcement and reduces the deterrent effect upon violators. From the perspective of public governance, this condition reflects the suboptimal integration of cross-sectoral policies in controlling the circulation of illegal alcoholic beverages.

Overall, these findings demonstrate that obstacles to law enforcement cannot be understood in a partial or isolated manner, but rather must be viewed as part of broader governance problems. The interaction among limited institutional capacity, economic pressures, social dynamics, and weak internalization of legal norms has created conditions in which formal regulations are unable to function effectively in practice.

Accordingly, a multidimensional and integrated policy approach is required. Strengthening law enforcement must be accompanied by enhanced institutional capacity, improved inter-agency coordination, and reinforcement of official integrity. Simultaneously, socio-economic interventions are essential in reducing community dependence upon illegal activities as sources of livelihood. In addition, efforts to strengthen legal awareness and public participation in supervisory processes must be intensified in order to create synergy between formal control mechanisms and informal social control. Such a comprehensive approach constitutes a fundamental prerequisite for ensuring that regulatory policies are not only normatively effective, but also socially legitimate and publicly accepted within community practices.

### **3.3. Analysis of the Implementation of Article 64 of the Bandar Lampung Municipal Regulation from the Perspective of *Siyāsah Tanfīdziyyah***

The implementation of Article 64 of Bandar Lampung Municipal Regulation Number 01 of 2018 may be further examined through the perspective of *siyāsah*

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<sup>40</sup> Yudisa Diaz Lutfi Sandi, Lina Nurul Hidayati, dan Esti Andarini, "MOTIVASI SOSIAL KONSUMSI ALKOHOL PADA REMAJA," *JURNAL PENELITIAN KEPERAWATAN* 6, no. 2 (September 2020): 81–85, <https://doi.org/10.32660/jpk.v6i2.484>.

<sup>41</sup> Parmin (pseudonym), community resident, interview by author, Sukarame District, February 20, 2026; Haryanto (pseudonym), community resident, interview by author, Sukarame District, February 20, 2026.

<sup>42</sup> Nazwa Nabila et al., "Kendala Pada Implementasi Peraturan Daerah No 10 Tahun 2017 Tentang Pengawasan Dan Pengendalian Penjualan Minuman Beralkohol," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 3, no. 1 (Januari 2025): 666–69, <https://doi.org/10.62976/ijijel.v3i1.985>.

tanfidziyyah, a branch of fiqh siyasah that emphasizes the exercise of executive authority in implementing law for the realization of public welfare (*maslahah*).<sup>43</sup> Within this framework, the effectiveness of a policy is measured not merely by the existence of legal norms or formal instruments (*law in books*), but primarily by the extent to which executive authorities are capable of implementing such policies in a manner that is just, consistent, and oriented toward public welfare in practice (*law in action*).<sup>44</sup>

The empirical findings of this study reveal a significant gap between the normative design of the policy and its practical implementation, which may be understood as a partial failure in performing the function of *tanfidh al-ahkām* (implementation of law). Terminologically, this concept refers to the execution or enforcement of legal norms. Although it is not extensively formulated as an independent theoretical concept within contemporary *fiqh siyasah* literature, its substantive meaning is reflected in discussions concerning legal implementation, public policy execution, and the executive function within Islamic governance. In this context, although Article 64 was normatively designed to protect society from the negative consequences of alcohol distribution, empirical findings revealed that enforcement operations were conducted only intermittently and were frequently compromised by information leakage prior to inspections, thereby limiting the effective realization of the regulation's normative objectives.<sup>45</sup> This finding confirms that, from the perspective of *siyāsah tanfidziyyah*, policy success is determined not only by normative validity, but also by the actual capacity of the state to execute and enforce policies consistently at the implementation level.<sup>46</sup>

From the standpoint of the principles of *maslahah* and *mafsadah*, the prohibition of unauthorized alcohol distribution is substantively consistent with the objectives of Islamic law in preventing social harm and protecting public interests, particularly the preservation of intellect (*hifz al-'aql*) and social order.<sup>47</sup> This normative foundation is aligned with Islamic teachings as reflected in Qur'anic verses QS. Al-Mā'idah (5): 90–91:

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<sup>43</sup> Ahmad Rofiq, "Siyasah Tanfidziyah dalam Sistem Ketatanegaraan Modern," *Jurnal Ijtihad* 2, no. 1 (2020): 16–19; Wulan Maulidia, Fathul Mu, dan Alan Yati, "State Apparatus Neutrality in Electoral Governance: The Siyasah Tanfidziyah Perspective on Oversight Frameworks in Indonesia," *Al-Adalah: Jurnal Hukum dan Politik Islam* 11, no. 1 (2026): 80–97.

<sup>44</sup> Abidin Latua et al., "Kedudukan Kejaksaan di Indonesia: Perspektif Fiqh Siyasah," *As-Siyasi: Journal of Constitutional Law* 2, no. 1 (Juni 2022): 39–58, <https://doi.org/10.24042/as-siyasi.v2i1.12778>; Lukman Arake, "Agama dan Negara Perspektif Fiqh Siyasah," *Al-Adalah: Jurnal Hukum dan Politik Islam* 3, no. 2 (2018): 79–116, <https://doi.org/10.35673/ajmpi.v3i2.200>.

<sup>45</sup> Nasrun (pseudonym), Head of Public Order and Security Section (Kasi Trantib), interview by author, Sukarame District, February 15, 2026.

<sup>46</sup> Johana Nurhaliza Ay, Nurnazli, dan Frenki, "Effectiveness of Biopore Policy Implementation in Urban Environmental Governance: A Case Study of Bandar Lampung City from the Perspective of Siyasah Tan fi dziyah," *Al-Adalah: Jurnal Hukum dan Politik Islam* 11, no. 2 (2026).

<sup>47</sup> A B Pratama dan D S Arum, "The Conflict of Legal Norms: Islamic Law and Positive Law in the Regulation of Alcoholic Beverages in Pekalongan City," *Al-Mazaahib* 12, no. 2 (2024): 165–83, <https://doi.org/10.14421/al-mazaahib.v12i2.3671>.

يَأْتِيهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رَجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ٩٠

*Believers! Intoxicants, games of chance, idolatrous sacrifices at altars, and divining arrows are all abominations, the handiwork of Satan. So turn wholly away from it that you may attain to true success. (QS. Al-Maidah : 90)*

إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ وَيَصُدَّكُمْ عَن ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ فَهَلْ أَنتُمْ مُنْتَهُونَ ٩١

*Satan only wants to cause between you animosity and hatred through intoxicants and gambling and to avert you from the remembrance of Allah and from prayer. So will you not desist? (QS. Al-Maidah : 91)*

Within the framework of *maqāṣid al-sharī'ah*, the prohibition is not merely theological in nature, but also possesses a strong social dimension as an instrument for protecting society. Nevertheless, the findings of this study demonstrate that weak supervision and inconsistent law enforcement have created opportunities for the continuation of illegal practices. Consequently, policies that are normatively intended to prevent *mafsadah* risk losing their effectiveness when not supported by adequate implementation mechanisms.<sup>48</sup>

From the perspective of *ta'zīr* as a policy instrument, the government possesses discretionary authority to establish prohibitions and sanctions in order to preserve public order.<sup>49</sup> Article 64 may therefore be understood as a concrete manifestation of a *ta'zīr*-based policy, functioning not merely as a punitive mechanism but also as a preventive and educational instrument intended to create deterrence and cultivate public legal awareness.<sup>50</sup> However, in practice, the inconsistent application of sanctions and the limited deterrent effect indicate that the function of *ta'zīr* has not operated optimally. Within *fiqh siyasah*, the effectiveness of *ta'zīr* depends heavily upon consistency in enforcement and legal certainty; without these two elements, sanctions lose their regulatory force and potentially undermine the legitimacy of the policy in the eyes of society.<sup>51</sup>

Furthermore, from the perspective of *al-'adl* (justice), the implementation of this policy demonstrates significant problems relating to consistency in law enforcement. Within *siyāsah tanfīdīyyah*, justice is not understood merely as normative equality, but also as

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<sup>48</sup> A W Laksana et al., "Integrating Maqasid al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy," *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 416–39, <https://doi.org/10.32332/milrev.v4i1.10665>.

<sup>49</sup> Yesa Peby Yola, Frenki Frenki, dan Nur Rahmah, "Implementasi Pasal 21 Undang-Undang Nomor 19 Tahun 2013 Tentang Perlindungan Dan Pemberdayaan Petani: Analisis Siyasa Tanfidziyah Di Pekon Tanjung Raya Lampung Barat," *MAQASID: Jurnal Studi Hukum Islam* 14, no. 3 (2025): 411–20, <https://doi.org/10.30651/mqsd.v14i3.29249>.

<sup>50</sup> Azhari Akmal Tarigan, "Ta'zīr dan Kewenangan Pemerintah dalam Penerapannya," *Ahkam: Jurnal Ilmu Syariah* 17, no. 1 (2017): 153–70, <https://doi.org/10.15408/AJIS.V17I1.6223>.

<sup>51</sup> Vichi Novalia et al., "Ta'zir Dalam Pidana Islam: Aspek Non Material," *Terang: Jurnal Kajian Ilmu Sosial, Politik dan Hukum* 1, no. 2 (2024): 225–34, <https://doi.org/10.62383/terang.v1i2.222>.

consistency and impartiality in the application of legal norms.<sup>52</sup> Findings regarding selective law enforcement, including reports of leaked inspection information that enabled certain sellers to avoid sanctions, indicate the potential existence of substantive injustice in practice.<sup>53</sup> When legal norms are not enforced evenly and consistently, the legitimacy of the policy tends to weaken, ultimately contributing to low levels of public compliance and diminishing public trust in law enforcement institutions.<sup>54</sup> In this regard, the issue of justice is not merely normative, but is closely connected to the quality of governance and institutional integrity within law enforcement practices.<sup>55</sup>

From the perspective of *mas'ūliyyah al-sulṭah* (responsibility of authority), the government, as the holder of executive power, bears the obligation to ensure that policies are not only formally enacted but also effectively implemented through planned, coordinated, and sustainable processes.<sup>56</sup> Within *fiqh siyasah*, authority is regarded as a trust (*amānah*) for which accountability must be maintained; consequently, failures in policy implementation reflect not merely administrative weaknesses but also failures in fulfilling normative responsibilities.<sup>57</sup> Findings concerning weak inter-agency coordination, limited supervisory capacity, and unsustainable enforcement operations demonstrate that this principle has not been fully realized. In this context, institutions such as the Civil Service Police Unit (Satpol PP) may be understood as contemporary manifestations of *wilāyat al-ḥisbah*, namely authorities tasked with maintaining social order and preventing violations of public norms within the public sphere.<sup>58</sup> However, when this function is not performed optimally, the effectiveness of state-based social control becomes inherently limited.

In addition, the findings reveal that the socio-economic dimensions of community life have not been adequately integrated into the design of policy implementation, thereby creating an implementation gap between normative objectives and empirical realities. From

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<sup>52</sup> Oktaviano Afrizal Okta, "PRINCIPLE OF JUSTICE IN THE RULES OF FIQH SIYASAH AND ITS APPLICATION IN INDONESIA," *Politea: Jurnal Politik Islam* 7, no. 2 (Desember 2024): 118–33, <https://doi.org/10.20414/politea.v7i2.10509>.

<sup>53</sup> Nasrun, interview

<sup>54</sup> Q McLester dan D N Burrell, "The crisis and connection between organizational culture and performance in law enforcement," in *Using Crises and Disasters as Opportunities for Innovation and Improvement*, 2023, 1–14, <https://doi.org/10.4018/978-1-6684-9522-3.ch001>.

<sup>55</sup> T C O'brien dan T R Tyler, "Rebuilding trust between police & communities through procedural justice & reconciliation," *Behavioral Science and Policy* 5, no. 1 (2019): 35–50, <https://doi.org/10.1353/bsp.2019.0003>.

<sup>56</sup> Fathul Mu'in et al., "Optimalisasi Tugas dan Fungsi DPRD dalam Mewujudkan Pemerintahan Bersih," *As-Siyasi: Journal of Constitutional Law* 1, no. 1 (Juni 2021): 100–117, <https://doi.org/10.24042/as-siyasi.v1i1.8960>.

<sup>57</sup> Lukman Ansar dan Sabar Podu, "A l-Adalah : Jurnal Hukum dan Politik Islam Reconstruction of the Authority of the Papuan People ' s Assembly Based on the Principles of Siyasaḥ Syar ' iyyah : A Study of the Function of Cultural Representation," *Al adalah: Jurnal Hukum dan Politik Islam* 11, no. 1 (2026): 229–41, <https://doi.org/https://doi.org/10.30863/ajmpi.v11i1.10900>.

<sup>58</sup> F N Aksa, T Saifullah, dan A Farabi, "The Implementation of Qānūn of Jināyāt in Aceh: A Legal Point of View," *Al-Ahkam: Jurnal Ilmu Syari'ah dan Hukum* 8, no. 1 (2023): 16–34, <https://doi.org/10.22515/alakhkam.v8i1.5896>.

the perspective of fiqh siyasah oriented toward *maslahah*, public policy should not merely emphasize prohibition, but must also consider the actual conditions of society, including economic sustainability as part of broader efforts to maximize public benefit and minimize harm.<sup>59</sup> Several seller informants acknowledged that alcohol sales constituted one of the few accessible sources of household income, particularly amid limited employment opportunities and ongoing family economic pressures.<sup>60</sup> Under such conditions, involvement in the illegal alcohol trade does not merely represent a legal violation, but also reflects a survival strategy within the informal economic sector. Consequently, repressive law enforcement unaccompanied by alternative economic interventions may not only generate tensions between regulatory objectives and social realities, but may also encourage illegal practices to become increasingly concealed, adaptive, and difficult to supervise. These findings are consistent with studies conducted in Malawi, which reveal policy dilemmas between public health protection and the economic sustainability of vulnerable groups,<sup>61</sup> as well as research in South Africa demonstrating that intensified law enforcement may paradoxically reproduce informality through avoidance strategies and adaptive practices among business actors.<sup>62</sup> Accordingly, within the framework of *siyāsah tanfīdziyyah*, policy implementation requires an approach that is not solely oriented toward legal enforcement (*tanfīdh al-ahkām*), but is also responsive and adaptive through the integration of socio-economic policies, community empowerment, strengthening of local capacities, and the involvement of community actors in implementation processes in order to ensure the substantive and sustainable realization of *maslahah*.<sup>63</sup>

Accordingly, this analysis demonstrates that the implementation of Article 64 has not yet fully reflected the principal values of *siyāsah tanfīdziyyah*, namely effectiveness in legal implementation (*tanfīdh*), justice (*al-‘adl*), public welfare (*maslahah*), and responsibility of authority (*mas’ūliyyah al-sulṭah*). The gap between normative provisions and practical realities indicates that the primary problem lies not in the weakness of the regulation itself, but rather in the limitations of policy implementation governance.

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<sup>59</sup> Ahmad Izral Fardiansyah dan Arif Fikri, “Integrating Sustainable Environmental Law and Maqāsid al-Sharī‘ah: A Preventive Legal Framework for Disaster Governance in Disaster-Prone Regions,” *Gender, Islamic Law, and Sustainability* 1, no. 1 (Februari 2026): 30–47, <https://doi.org/10.70211/gils.v1i1.386>.

<sup>60</sup> Isah (pseudonym), informal alcohol seller, interview by author, Sukarame District, February 18, 2026; Kartini (pseudonym), tire-repair workshop owner and informal alcohol seller, interview by author, Sukarame District, February 17, 2026.

<sup>61</sup> R J Limaye et al., “Informal alcohol in Malawi: Stakeholder perceptions and policy recommendations,” *Journal of Public Health Policy* 35, no. 1 (2014): 119–31, <https://doi.org/10.1057/jphp.2013.43>.

<sup>62</sup> A J E Charman, L M Petersen, dan L Piper, “Enforced informalisation: The case of liquor retailers in South Africa,” *Development Southern Africa* 30, no. 4–5 (2013): 580–95, <https://doi.org/10.1080/0376835X.2013.817306>.

<sup>63</sup> Ikhwan Fikri dan Triono, “Substantive Legitimacy over Symbolic Formalism: A Maqāsid-Based Framework for Religion State Relations,” *Gender, Islamic Law, and Sustainability* 1, no. 1 (Februari 2026): 48–59, <https://doi.org/10.70211/gils.v1i1.387>.

The principal contribution of this article lies in its operationalization of *siyāsah tanfīdziyyah* as an evaluative framework within public policy analysis, which has traditionally been positioned largely at the normative-conceptual level. By integrating empirical findings into this framework, the study demonstrates that the principles of fiqh siyasah may be concretely employed to evaluate the effectiveness of policy implementation within pluralistic societies.

The implications of this study suggest that improving policy implementation cannot be achieved solely through strengthening regulatory frameworks, but requires a more comprehensive approach encompassing enhanced institutional capacity, reinforcement of bureaucratic integrity, consistency in law enforcement, and the integration of socio-economic policies that support sustainable public compliance. Through such an approach, public policy may achieve not only administrative effectiveness, but also normative and social legitimacy as emphasized within the perspective of *siyāsah tanfīdziyyah*.

#### 4. Conclusion

This study demonstrates that the implementation of Article 64 of Bandar Lampung Municipal Regulation Number 01 of 2018 is characterized by a persistent gap between normative design and empirical practice, in which regulatory ineffectiveness is not caused by the absence of legal norms, but rather by structural limitations within governance shaped through the interaction of institutional weaknesses, inconsistent law enforcement, economic vulnerability, and socially embedded behavioral patterns. These findings challenge the assumption that strengthening legal frameworks alone is sufficient to ensure compliance and confirm that, within pluralistic legal systems, policy effectiveness depends fundamentally upon the alignment between formal rules, enforcement capacity, and social acceptance. In this context, the persistence of illegal alcohol distribution emerges as a form of adaptation to the disjunction between normative regulation and socio-economic realities. The principal contribution of this article lies in the operationalization of *siyāsah tanfīdziyyah* as an evaluative analytical framework, demonstrating that the principles of legal implementation (*tanfīdh al-ahkām*), justice (*al-'adl*), public welfare (*maslahah*), and accountability of authority (*mas'ūliyyah al-sulṭah*) may be systematically employed to assess the performance of public policy governance. The analysis reveals that inconsistent law enforcement undermines substantive justice, weak institutional coordination constrains accountability, and the absence of integrated socio-economic policies limits the realization of *maslahah*. Consequently, failures in policy implementation reflect problems that are simultaneously structural and normative in character. Accordingly, effective policy implementation requires a multidimensional approach that extends beyond the strengthening of law enforcement alone. Such an approach must encompass the enhancement of institutional capacity, the reinforcement of inter-agency coordination, socio-economic interventions, and the development of participatory legal consciousness within society. More broadly, these findings offer a transferable analytical framework for understanding regulatory challenges within pluralistic societies, while reaffirming that the effectiveness of law is ultimately determined not merely by the existence of legal norms, but by the capacity of those norms to operate adaptively within complex social realities.

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