

A Critical Examination of Ball Thrift Trade in Islamic Law: A *Sadd ad-Dzari'ah*-Based Assessment of Used Garment Imports

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DOI: <https://doi.org/10.61987/fiqh.v2i2.1321>

Received: 22 November 2025

Revised: 23 February 2026

Accepted: 05 March 2026

Abstract:

This study aims to critically examine the legal and socio-economic implications of ball thrift trade in Indonesia using the principle of *Sadd ad-Dzari'ah* in Islamic law. The rapid growth of second-hand clothing imports has raised concerns regarding transparency, public health, and the protection of domestic industries. Many transactions occur with minimal regulatory oversight, exposing consumers and society to potential harm while benefiting low-income households economically. This research employs a normative legal research design with a qualitative approach, analyzing Islamic jurisprudence, scholarly literature, *fatwas*, and relevant regulations to evaluate the permissibility and consequences of ball thrift trade. The findings indicate that *Sadd ad-Dzari'ah* provides a preventive framework to block transactions that may lead to harm, emphasizing the need for regulatory caution; the inherent *Gharar* in opaque bales can mislead consumers and increase health risks, including microbial contamination and chemical exposure; and illegal imports result in significant state revenue losses and negatively affect domestic textile industries, contributing to unemployment and decreased GDP. This study contributes to Islamic commercial law and public policy by integrating normative *fiqh* principles with practical considerations, recommending stricter transparency requirements, hygiene standards, and enforcement.

Keywords: *Ball thrift, Sadd ad-Dzari'ah, Gharar, Public health, Consumer protection*

INTRODUCTION

The trade in imported used garments, in the form of bales of secondhand clothes, has grown remarkably in recent decades, fueled by globalization and liberalized trade. This phenomenon is economically significant for low-income consumers and micro-entrepreneurs who rely on affordable clothing stock to sustain livelihoods (Das, 2025; Guo et al., 2021; Sheik & Adekomaya, 2025). From a social perspective, the ball thrift trade stimulates microeconomic activity, expands access to consumption, and contributes to local market dynamism (Retnoningsih et al., 2023). However, beyond its economic utility, the practice raises complex legal and ethical questions in Muslim communities where transactions must align with Islamic legal and moral frameworks (S. Ahmad et al., 2023). Preliminary reports highlight risks including illicit imports, potential health hazards from unverified goods, and adverse effects on domestic textile industries (Guo & Choi, 2024). Given potential *maslahah* (benefits) and *mafsadah* (harm), it is crucial to evaluate ball thrift trade through rigorous Islamic legal analysis. This study thus addresses the broad societal need for clarity on whether and under what conditions such trade is permissible under Islamic law, balancing socio-economic benefit with adherence to *Shari'ah* principles.

Despite its pervasiveness, ball thrift trade often occurs without adequate understanding of Islamic legal norms, creating uncertainty among Muslims engaged in the practice. Existing literature hints at mixed perceptions regarding its legality, yet lacks integration of preventative jurisprudential frameworks (Zuhra et al., 2025). The absence of clear guidance often leads to transactional ambiguities, including concerns about *Gharar* (uncertainty), *tadlis* (concealment), and the permissibility of imported goods of ambiguous origin (Khan, 2019). More critically, stakeholders overlook the ethical dimension where certain economic activities may inadvertently facilitate the distribution of unverified goods or promote unhealthy market dependencies (Jamiu, 2025). This normative gap underscores the need for a deeper inquiry into Islamic legal positions that move beyond classical jurisprudence and directly engage with modern socio-economic impacts. Therefore, this study frames the central problem as reconciling widely practiced economic behaviors with Islamic ethical and legal mandates, specifically through the lens of *Sadd ad-Dzari'ah* a principle that justifies preventative measures to impede harmful channels before harm manifests (Yusuf et al., 2025). The result is a compelling need for jurisprudential clarity to safeguard both community welfare and religious integrity.

Empirical evidence indicates that ball thrift trade is not merely a marginal economic activity but a substantive component of informal markets in many Muslim-majority societies (Nurra, 2023). Investigations in Southeast Asia and West Africa reveal that thousands of micro-entrepreneurs depend on ball thrift as primary business capital, while consumers benefit from low-cost apparel options (Retnoningsih et al., 2023). At the same time, domestic textile producers often decry this trend, arguing that cheap imported second-hand clothes depress local manufacturing, inhibit industrial growth, and encourage dependency on foreign goods (Guo et al., 2021; Manieson & Ferrero - Regis, 2023). Moreover, reports document the presence of worn-out and potentially unhygienic garments in bales, raising public health questions that extend beyond economic evaluation (Mensah, 2023). Market transparency also remains a challenge, as buyers frequently lack full information regarding the condition of the goods they purchase. Such on-the-ground complexities illustrate that ball thrift trade cannot be viewed through simplistic economic lenses; ethical, developmental, and jurisprudential dimensions must be incorporated in any robust assessment.

Existing studies have begun exploring various aspects of used garment trade. For example, (Azzahra, 2025) investigated second-hand clothing transactions within classical *fiqh mu'amalat* frameworks, determining that they are conditionally permissible provided there is no *najasa* (impurity), *Gharar*, or misrepresentation. While valuable, this approach remains largely confined to transactional validity and does not address broader structural harms that may accrue over time, such as cultural dependency or industrial displacement. Similarly, (Guo et al., 2021; Sugeng et al., 2022) examined state policies restricting the import of used clothing to protect local industries from economic disruption, yet the analysis remained within the scope of positive law and economic policy. Empirical research by (Ayalu et al., 2023) emphasized economic impacts at the grassroots level, highlighting livelihood gains among small-scale traders. Although important, this study did not engage Islamic normative frameworks that assess long-term social and moral consequences. Collectively, these works reveal significant scholarly interest in ball thrift, but also a critical gap: none adequately employ *Sadd ad-Dzari'ah*, a legal principle central to the prevention of anticipatory harm in Islamic jurisprudence (Hafis et al., 2024).

The research gap becomes particularly clear when comparing classical *fiqh* analyses with contemporary ethical imperatives. *Sadd ad-Dzari'ah*, which literally means “blocking the means to harm,” has historically been used to justify preventative measures in Islamic law (Sutrisno et al., 2025). Yet, applications of this principle to modern commercial

practices, such as ball thrift, remain underexplored in academic discourse. Contemporary scholars such as (Pieterse, 2025) emphasize the necessity of adaptive jurisprudential tools to address evolving socio-economic realities, a framework adopted by this study. Likewise, studies on *maqāṣid al-sharī'ah* highlight the importance of evaluating economic activities not merely on the basis of transactional legitimacy but also on their contribution to collective welfare (*maslahah*) and avoidance of harm (*mafsadah*) (Wibisono & Roeslan, 2025). Despite robust theory on preventative jurisprudence, there is limited application to real-world trading practices such as ball thrift. This oversight underscores the urgent need for a comprehensive legal assessment that situates *Sadd ad-Dzari'ah* at the center of deliberation.

The present study contributes to the field by explicitly foregrounding *Sadd ad-Dzari'ah* as the principal analytical lens to evaluate ball thrift trade within Islamic law. Unlike prior research restricted to positive legal or *fiqh* validation, this study proactively interrogates how the mechanism of preventing harmful channels applies to an economic practice with ambiguous ethical outcomes. By integrating *maqāṣid al-sharī'ah* (objectives of Islamic law) with preventive jurisprudence, the research advances a normative framework sensitive to both material benefit and potential systemic harm (Usmani, 2019). This state-of-the-art approach enables scholars and policymakers to assess ball thrift not just as a market phenomenon but as an ethical and legal issue with far-reaching implications for Muslim communities globally. Importantly, this research foregrounds regulatory and ethical criteria derived from religious doctrine that can inform public policy and community norms in Muslim-majority contexts where conventional secular analyses often dominate.

This study is guided by the central question: To what extent is ball thrift trade permissible under Islamic law when evaluated through the framework of *Sadd ad-Dzari'ah*, and does the practice primarily yield *maslahah* (benefit) or *mafsadah* (harm)? In addressing this question, the provisional argument asserts that while trade in general is permissible in Islam, commerce that systematically facilitates harm economic, society, or morals can be legitimately restricted under *Sadd ad-Dzari'ah*. Thus, aspects of ball thrift trade that involve high risk of illicit importation, consumer deception, or negative externalities may be considered impermissible if they constitute means that threaten communal welfare. Consequently, the study argues for jurisprudential boundaries that differentiate acceptable from potentially harmful forms of ball thrift trade, emphasizing a balanced evaluation rooted in *maqāṣid*.

By situating its analysis within preventive jurisprudence and Islamic ethical theory, this study offers a nuanced contribution to Islamic legal scholarship and socio-economic policy. It elucidates how *Sadd ad-Dzari'ah* can be operationalized in contemporary commercial contexts a methodological advancement that expands the traditional *fiqh* toolkit. Additionally, the research proposes evidence-informed guidelines for regulators, religious authorities, and communities aiming to reconcile economic necessity with religious integrity. Recommendations extracted from this analysis have practical relevance for markets where ball thrift is culturally embedded yet legally ambiguous. Ultimately, the article aims to enrich both academic debate and policy dialogue by providing a legally grounded, ethically robust evaluation of a highly topical economic practice with global implications.

RESEARCH METHODS

This study adopts a normative legal research design with a qualitative approach, which is widely used in legal and Islamic jurisprudence research to analyze law as a system of norms rather than empirical statistics (Elshater & Abusaada, 2025; Gatti & McAvoy, 2024). Normative legal research is appropriate here because the central aim is to examine the legal principles and criteria governing the trade of imported used garments (ball thrift) under Islamic law, particularly through the lens of *Sadd ad-Dzari'ah* a preventive jurisprudential principle that blocks means leading to harm (*mafsadah*) and preserves community welfare (*maslahah*) (Yusuf et al., 2025). The qualitative nature of the research enables a rich, contextualized understanding of how Islamic legal norms apply to contemporary economic practices without reducing them to numerical analysis (Isnaini & Sugara, 2024). By situating the inquiry within legal theory and normative frameworks, the study goes beyond descriptive accounts of market behavior and instead evaluates whether ball thrift trade aligns with objectives of Islamic law (*maqāṣid al-sharī'ah*), including the prevention of ethical, social, and economic harm (Mutaqin et al., 2025).

Data collection was conducted through library research, which involved systematic examination of diverse sources such as classical and contemporary *fiqh* texts on *muamalah* and commercial transactions (*Shari'ah* texts), relevant scholarly journal articles in Islamic legal studies and economics (Cernasev & Axon, 2023; Granikov et al., 2020), legal statutes and regulations governing used garment imports, and authoritative *fatwas* from recognized Islamic institutions (S. R. Ahmad, 2025; Anwar, 2024). Library research ensures a robust foundation rooted in Islamic legal doctrine while capturing the current legal and policy context related to the second-hand clothing trade (Pratama et al., 2025). Such an approach enables the identification of normative criteria that inform whether certain trade practices should be permitted, restricted, or reformed in light of *Sadd ad-Dzari'ah* and *maqāṣid* considerations.

The collected data were subjected to a descriptive-qualitative analysis involving systematic documentation and evaluation. First, all legal texts, academic literature, and regulatory documents were described and organized thematically (Chand, 2025; Mbanaso et al., 2023). Second, a normative legal analysis was conducted to interpret the compatibility of ball thrift trade practices with established Islamic norms and the preventive objectives of *Sadd ad-Dzari'ah*. This analytical method facilitates careful differentiation between practices that serve *maslahah* (benefit) and those that risk becoming vehicles for harm (*mafsadah*), such as consumer deception, illicit trade, or negative impacts on domestic industries (Almusaed et al., 2025). The normative analysis also draws on contemporary *maqāṣid* methodologies to ensure that policy recommendations align with the higher purposes of *Shari'ah* rather than with narrow technical legality.

To ensure the data's validity and reliability, several verification strategies were applied. Source triangulation compared multiple literatures from *fiqh* books, academic journals, *fatwas*, and statutory provisions to confirm consistency and reduce bias (Hayashi et al., 2019; Olmsted, 2024). Expert consultation with contemporary scholars of Islamic jurisprudence and legal theory was conducted to validate interpretive judgments, particularly regarding *Sadd ad-Dzari'ah* and its applicability in modern commercial settings. Critical contextual analysis considered differences among jurisprudential schools, historical context, and contemporary economic realities to avoid misapplication of classical norms. Finally, relevance to current socio-economic phenomena ensured that the conclusions and

recommendations are grounded in both normative rigor and practical applicability to contemporary markets in which ball thrift trade is embedded (Johnson et al., 2020).

RESULTS AND DISCUSSION

The Principle of *Sadd ad-Dzari'ah* in Islamic Law

Conceptually, *Sadd ad-Dzari'ah* refers to a preventive principle in Islamic jurisprudence (*fiqh*) aimed at obstructing actions that are intrinsically permissible but have a strong potential to cause harm (*mafsadah*). This principle emphasizes the preemptive closure of channels or means (*dzari'ah*) that may lead to violations of *Shari'ah* or societal harm. Classical and contemporary literature portrays *Sadd ad-Dzari'ah* as an anticipatory legal mechanism, prioritizing harm prevention over the pursuit of benefit (*maslahah*). Essentially, it serves as a normative foundation for legal decision-making by evaluating potential risks and their implications before an action is executed, particularly in modern commercial and social contexts (Hafis et al., 2024; Kawakib & Syuhud, 2021; Settembre-Blundo et al., 2021).

According to As-Syathibi in (Kawakib & Syuhud, 2021), *Sadd ad-Dzari'ah* must be applied whenever an action has a high probability of serving as a vehicle for harm. He emphasizes that in the objectives of Islamic law (*maqashid al-syari'ah*), preventing harm (*dar' al-mafasid*) takes precedence over attaining benefits (*jalb al-mashalih*). Critically interpreted in this study, this principle implies that even economically legitimate activities should be reassessed if they potentially inflict social, moral, or economic harm. This is highly relevant for ball thrift trade, which, despite its economic benefits, can serve as a conduit for consumer deception or negative impacts on local industries.

Az-Zuhaili in (Firdaus, 2025) categorizes *dzari'ah* based on the level of potential harm: (1) actions that inevitably cause damage, (2) actions rarely causing harm, (3) actions likely to cause harm, and (4) actions that generate damage but with weak probability. This classification provides both qualitative and quantitative evaluation frameworks for legal scholars to assess risk. In the context of this research, this framework enables the identification of ball thrift trade practices that fall into the third category, "likely to cause harm," thereby justifying preventive measures under Islamic legal norms even if the actions are not explicitly prohibited.

Additional studies from (Manggala & Hamidah, 2024) and contemporary *fiqh* literature indicate that the implementation of *Sadd ad-Dzari'ah* varies across madhabs: Malikiyah and Hanabilah endorse its use as a legal basis, whereas Hanafi and Shafi'i schools are more cautious or skeptical. These sources strengthen the finding that the application of *Sadd ad-Dzari'ah* requires consideration of societal context and *maqashid al-syari'ah*, demonstrating flexibility in addressing emerging practices not directly addressed in classical sources. In essence, secondary literature highlights the principle's adaptability as a normative tool for safeguarding societal welfare while remaining consistent with Islamic law.

In summary, primary and secondary literature collectively underscore that *Sadd ad-Dzari'ah* is a critical preventive principle in Islamic law for restraining actions that, though permissible in essence, may result in significant harm. Its application differs among madhabs, yet it universally prioritizes protecting the community from social, economic, and moral risks, in alignment with the objectives of *Shari'ah*. This principle provides a normative evaluation framework for assessing contemporary practices such as ball thrift trade.

Table 1. Data Pattern & Literature Table

Author/Year	Core Argument/Quote	Indicator/Dimension of Finding
Manggala & Hamidah, 2024	<i>Sadd ad-Dzari'ah</i> is a preventive mechanism to avert harm	Preventive principle; risk anticipation
Kawakib & Syuhud, 2021	Harm prevention takes precedence over benefit attainment	<i>Maqashid al-syari'ah</i> ; <i>dar' al-mafasid</i> > <i>jalb al-mashalih</i>
Firdaus, 2025	Classification of <i>dzari'ah</i> by harm potential	Risk evaluation; prioritization of preventive action
Manggala & Hamidah, 2024	Implementation varies among madhabs; Malikiyah/Hanabilah support, Hanafi/Shafi'i skeptical	Consensus vs. doctrinal divergence; legal flexibility

The table illustrates a consistent pattern in literature that *Sadd ad-Dzari'ah* emphasizes harm prevention as the primary consideration, irrespective of potential benefits. There is a general agreement that actions likely to facilitate harm should be restricted, consistent with *Shari'ah* objectives. However, a significant divergence exists among madhabs: Malikiyah and Hanabilah explicitly endorse preventive measures, while Hanafi and Shafi'i demonstrate caution. This highlights a doctrinal debate over the flexibility and adaptability of the principle in contemporary contexts.

Beyond madhab differences, the literature demonstrates a strong link between *Sadd ad-Dzari'ah* and *maqashid al-syari'ah*, especially the priority of safeguarding society from harm (*dar' al-mafasid*). This suggests that the preventive principle functions not merely as a textual legal rule but also as a normative instrument for evaluating risk and societal impact. This trend supports the research argument that in the context of ball thrift trade, even if initially permissible, the potential for *Gharar*, industrial disruption, and social-economic harm warrants assessment under *Sadd ad-Dzari'ah*, emphasizing the need for adaptive jurisprudence in addressing modern phenomena.

Ball Thrift Trade Practices and Potential *Gharar*

Conceptually, *Gharar* refers to uncertainty or ambiguity in a contract or transaction that can lead to unfair outcomes or disputes. In Islamic commercial jurisprudence, transactions with high levels of *Gharar* are considered impermissible because they risk harm to one party (Said & Garba, 2025). The ball thrift trade involves selling large bales of used clothing, where individual items are not visible, making it difficult for buyers to assess quality, quantity, or type. This inherent uncertainty aligns with the classical definitions of *Gharar*, similar to the practices of *mulamasah* (touching goods without full inspection) and *munabadzah* (throwing goods to buyers without verification) (Elfakhani & Sidani, 2015). While the practice offers some economic and environmental benefits, the substantial risk of ambiguity and potential consumer harm necessitates scrutiny under Islamic legal principles.

Az-Zuhaili in (Alfian et al., 2024) emphasizes that any trade involving uncertainty in the object or its attributes constitutes *Gharar*, rendering the transaction non-compliant with *Shari'ah*. This perspective underscores that transparency in trade is a core requirement for permissibility. In the context of ball thrift, the large, sealed bales obscure essential information about the garments, including defects, brands, or usability. Critically, this aligns with Az-Zuhaili's warning about high-risk uncertainty: even if the seller does not intend to deceive, the lack of clarity itself can be a source of harm (*mafsadah*).

Al-Mahalli and As-Sa'di in (Mtatase, 2024) provide detailed classifications of uncertain transactions, highlighting *mulamasah* and *munabadzah* as examples in which buyers may unknowingly assume risks. The ball thrift trade replicates these scenarios, as

purchasers cannot inspect each item thoroughly. The interpretation of this study suggests that, despite minor economic advantages such as affordability and clothing reuse, the cumulative risk to consumers is significant. This creates a normative tension: a legally permissible trade in principle may violate the preventative objectives of *Sadd ad-Dzari'ah* when it fosters uncertainty.

In summary, the literature converges on the idea that the ball thrift trade entails intrinsic *Gharar* due to the opacity of bales and the impossibility of assessing individual items. Although small-scale benefits exist, the potential for consumer harm dominates, signaling that this practice warrants preventive consideration under Islamic jurisprudence. As such, transparency and clarity are essential preconditions for permissibility, and without them, the trade risks being non-compliant with *Shari'ah* objectives.

Table 2. Data Pattern & Literature Table

Author/Year	Core Argument/Quote	Indicator/Dimension of Finding
Alfian et al., 2024	Transactions with uncertainty (<i>Gharar</i>) are prohibited in <i>Shari'ah</i>	Definition of <i>Gharar</i> ; transparency requirement
Mtatase, 2024	<i>Mulamasah</i> and <i>munabadzah</i> exemplify ambiguous transactions	Risk assessment; buyer protection
Azzahra, 2025	Unclear outcomes in trade constitute <i>Gharar</i>	Preventive principle; risk avoidance
Mtatase, 2024	Ambiguity in contracts leads to potential harm to parties	Classification of uncertain transactions

While minor economic and environmental benefits exist, the dominant pattern indicates that the potential harm outweighs benefits, especially for uninformed consumers. The literature shows that even in the absence of deceit, uncertainty itself constitutes risk (*mafsadah*), justifying preventive legal measures under *Sadd ad-Dzari'ah*. This trend highlights a normative gap in regulating contemporary markets: without mechanisms to ensure clarity, modern practices such as ball thrift remain legally and ethically problematic under Islamic jurisprudence.

State Revenue Loss and Industrial Impact

refers to the reduction of public income caused by the absence of customs duties, import taxes, and proper reporting mechanisms in cross-border trade. In the broader economic

literature, this issue is commonly linked to market distortions, in which informal or illegal imports create unfair competition for domestic producers by lowering prices through tax avoidance (Grüneisl, 2025; Rulikova, 2020). In this study, the concept is not limited to fiscal loss alone, but also includes its multiplier effects on the domestic textile sector, such as declining competitiveness, shrinking production capacity, layoffs, and weakened contribution to national economic growth (Vîrjan et al., 2023; Yasmeen et al., 2022). Theoretically, this sub-finding is situated at the intersection of Islamic legal reasoning and public economic welfare, because illegal commercial practices not only undermine the regulatory order but also threaten the protection of wealth (*hifz al-mal*), one of the key objectives of *Shari'ah* (Hoque et al., 2021). This makes the issue relevant both normatively and economically.

The primary argument in the text is that imported secondhand clothing enters Indonesia through non-legal channels, which means it bypasses official channels and therefore avoids import duties and taxes. The text explicitly links this practice to Article 47 paragraph (1) of Law No. 7 of 2014 on Trade, which requires importers to import new goods, thereby positioning used-clothing imports as unlawful under the existing legal framework (Sanjaya & Saputra, 2024). This argument is significant because it establishes that the problem is not merely ethical but also juridical: the absence of legal import procedures directly translates into lost fiscal revenue for the state. From the researcher's perspective, this source is crucial because it provides the formal legal basis for classifying ball thrift imports as economically harmful and legally non-compliant, reinforcing the claim that the practice creates structural losses beyond individual transactions.

A second major line of argument in the text emphasizes that the expansion of ball thrift trade threatens domestic industry because imported used clothes are sold at prices far below new products and are not burdened by taxes. As a result, the demand for local textile products declines, factories reduce production, and employment losses increase (Parvin et al., 2020). The text further notes that the textile industry is an important contributor to Indonesia's Gross Domestic Product (GDP), meaning that sustained weakening in this sector can obstruct national economic growth (Rifa'i, 2025; Sugeng et al., 2022). This source complements the first by showing that the impact of illegal imports is not confined to direct state revenue loss; it also generates indirect macroeconomic damage through industrial contraction. Taken together, these two sources create a layered argument: illegal imports damage both the state's fiscal base and the national economy's productive base.

The supporting data in the text provide concrete empirical reinforcement for this finding. The reported import value of used clothing rose from approximately US\$44,000 in 2021 to US\$272,146 in 2022, and then to about US\$1.31 million in January July 2025 (BPS, 2023; Kontan, 2023). At the same time, the text records estimated state losses of Rp19 trillion plus Rp24.21 billion from 234 cases in 2022, Rp19 trillion in 2025, and a conservative annual loss estimate of Rp6.2 trillion (Indonesian Customs, 2022). Although the document notes that official figures are often only estimates because many illegal imports remain unrecorded, the trend still indicates a significant escalation in economic exposure. These figures strengthen the practical dimension of the finding by showing that the problem is measurable, recurring, and systemic. In analytical terms, the legal prohibition, the market distortion, and the fiscal estimates all point to a coherent pattern: ball thrift imports function not as a marginal informal trade but as an economic practice with substantial public consequences.

In sum, the literature and supporting data consistently indicate that illegal ball thrift imports generate a dual form of harm: they reduce state revenue by bypassing tax and customs obligations, and they weaken the domestic textile industry by creating unfair price competition. This combination leads to broader economic consequences, including reduced industrial output, layoffs, and slower national growth. From the perspective of Islamic legal reasoning, this finding is especially important because it aligns with the principle of protecting wealth (*hifz al-mal*) and preventing broader public harm (Inuwa et al., 2025). Therefore, the sub-finding establishes that the issue is not only a matter of unlawful trade practice but also a significant threat to economic justice and collective welfare.

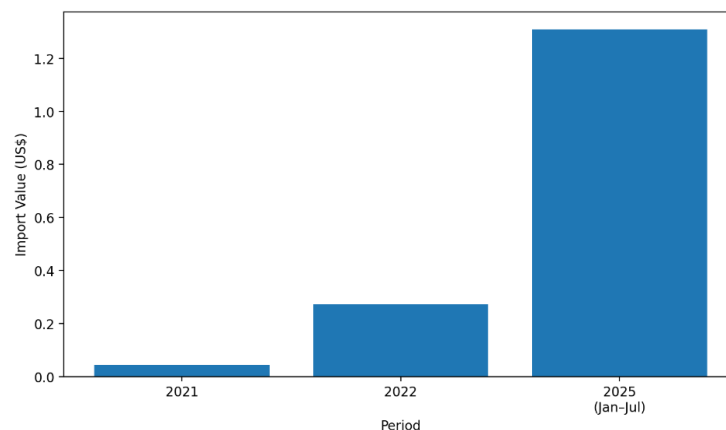


Figure 1. Used Garment Import Value

The visual pattern shows a steep upward trajectory in the import value of used garments over time. The increase from US\$44,000 in 2021 to US\$272,146 in 2022, followed by a jump to US\$1.31 million in January July 2025, indicates that the scale of the trade is no longer incidental or peripheral. Instead, it suggests that illegally imported garments have become increasingly embedded in market circulation. This trend supports the argument that the fiscal and regulatory risks associated with ball thrift are intensifying rather than stabilizing.

More importantly, when this upward import trend is read alongside the reported estimates of state losses and the decline in industrial competitiveness, the pattern reveals a structural relationship: the larger the inflow of untaxed used garments, the greater the economic pressure on lawful domestic production and public revenue. In this sense, the chart does not merely show growth in import value; it visually reinforces the wider argument that ball thrift imports create cumulative macroeconomic harm. This makes the issue especially relevant for a *Sadd ad-Dzari'ah*-based analysis, because the practice functions as a means that opens the way to broader public loss.

Health and Environmental Issues

Conceptually, the health and environmental dimension of the second-hand clothing trade concerns the risk pathways through which used garments may transmit biological contaminants (e.g., fungi, bacteria, parasites) and expose consumers to chemical residues associated with textile processing and finishing. In public health and consumer safety literature, second-hand apparel is typically framed as a potential “vector” when hygiene controls (washing, heat treatment, sterilization) are absent or inconsistent, especially for items that contact skin directly. In environmental health literature, the issue

expands beyond individual exposure to the systemic burden of textile waste and chemical pollution (e.g., dyes, finishes, and persistent chemicals) that may affect both ecosystems and human health through chronic exposure pathways. In this study, these concerns are treated as part of a broader risk assessment of ball thrift as a market practice with measurable externalities, and they are also evaluated through the Islamic ethical-legal framework of *maqāṣid al-sharī'ah*, particularly the protection of life (*hifz al-nafs*) as a core normative priority (Islam et al., 2025; Rovira & Domingo, 2019).

Scientific studies on second-hand clothing contamination report that unwashed used garments can carry microorganisms and ectoparasites that may contribute to dermatological infections. For instance, a study available through PubMed Central reports that unwashed second-hand clothes can be associated with the spread of skin and hair conditions (including parasitic concerns), and emphasizes the need for washing/ironing/disinfection to reduce transmission risk (Rakhshanpour et al., 2021). This aligns with the argument in your text that used garments may become a gateway for microbes such as fungi, bacteria, and parasites if not properly cleaned and sterilized. Critically, within the context of ball thrift, the risk is amplified by supply-chain uncertainty: the prior user history and storage conditions of garments are often unknown, meaning the consumer bears a hidden health risk. This supports the study's position that health risks are not incidental but structurally tied to the way ball thrift commodities circulate.

A second strand of authoritative literature emphasizes health risks from textile chemicals through skin contact, including allergic reactions and broader toxicological concerns. A highly cited review in *Environment International* synthesizes evidence that clothing can be a route of exposure to multiple chemicals, and that adverse outcomes extend beyond simple irritation, depending on the substances present and exposure patterns (Rovira & Domingo, 2019). This supports the text's claim that toxic textile-related substances (e.g., dyes, finishes, pesticides, solvents, and other treatment chemicals) may contribute to allergy, endocrine disruption, and reproductive or immune impacts particularly when consumption scales up and exposure becomes frequent (Islam et al., 2025; Rovira et al., 2025). In this study's interpretation, the two literatures (biological contamination and chemical exposure) are complementary: even if biological risks can be reduced through consumer hygiene practices, chemical exposure risks may remain uncertain because consumers typically cannot identify what chemical residues are present in garments.

Supporting documents in the text further indicate that health risk is concentrated among heavy users of thrift clothing, *especially young people and lower-income groups*, due to limited awareness and inconsistent hygiene control at the consumer and seller levels. In parallel, the text highlights that large-scale consumption and disposal contributes to environmental harm through textile waste and toxic substances used in production processes. This is consistent with the environmental risk literature, which links textile dyeing and chemical discharges to ecosystem toxicity and downstream human health concerns (Islam et al., 2025). From a *Shari'ah*-based policy lens, the supporting *maqāṣid* literature frames protection of life (*hifz al-nafs*) as a decisive objective that can justify preventive measures when a practice creates credible pathways to harm (Dahlan et al., 2021; Nurholis, 2025). Thus, the documents collectively strengthen the finding that health-environment risks are not merely individual matters but public welfare concerns.

In sum, the library-based evidence indicates that ball thrift consumption can create health risks through (1) biological contamination when garments are not properly sanitized and (2) chemical exposure through skin-contact textiles and systemic textile pollution.

These risks are exacerbated by uncertainty regarding prior use, handling, and processing making them difficult for consumers to evaluate *ex ante*. The finding therefore supports a preventive orientation consistent with *maqāṣid al-sharīʿah*, where safeguarding life (*hifz al-nafs*) becomes a key normative anchor in assessing whether and how ball thrift practices should be restricted, regulated, or conditioned by strict hygiene and transparency requirements (Dahlan et al., 2021; Rovira et al., 2025).

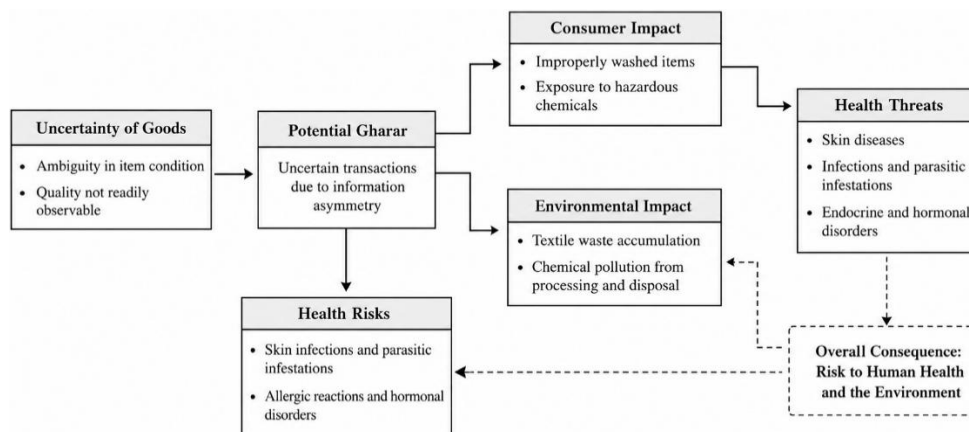


Figure 2. Impact of *Gharar* and Health Risk form Used Clothing

The diagram shows a coherent causal chain in which the opaque nature of bales where consumers cannot adequately inspect quality, type, and cleanliness creates transactional uncertainty that may develop into *Gharar*. This uncertainty shapes consumer behavior and decisions (e.g., purchasing without full knowledge, reusing items without standardized sanitation), thereby increasing the likelihood of inadequate cleaning/sterilization and heightened exposure to biological contaminants. This pattern is consistent with the text’s emphasis that microbes such as fungi, bacteria, and parasites can serve as a gateway to health when handling and hygiene are not properly managed.

The visual also highlights an environmental pathway that operates alongside the direct health pathway: expanded second-hand consumption can still contribute to broader textile waste dynamics and chemical exposure concerns, especially when items are disposed of at scale or when chemical residues remain unknown. This reinforces the idea that the health-environment risks are not only private harms but can be interpreted as public welfare harms making them particularly relevant to *maqāṣid al-sharīʿah*. In a *Sadd ad-Dzariʿah* oriented assessment, the diagram supports the argument that uncertainty and weak control mechanisms function as “means” that open the door to harm, thereby strengthening the rationale for preventive governance grounded in *hifz al-nafs*.

CONCLUSION

The findings of this study provide a comprehensive understanding of the risks and regulatory considerations associated with ball thrift trade from both an Islamic legal and public welfare perspective. First, the principle of *Sadd ad-Dzariʿah* underscores the importance of preventive legal mechanisms to block means that could cause harm, emphasizing that even seemingly permissible transactions require careful evaluation. Second, the transactional ambiguity (*Gharar*) in ball thrift trade highlights how lack of transparency in product quality and quantity can directly endanger consumers. Third, the economic analysis demonstrates that illegal imports result in substantial revenue loss to states and threaten the sustainability of domestic textile industries. Finally, the health and environmental risks underscore the broader consequences of unregulated ball-thrift

circulation, including exposure to microbial contamination and chemical residues that threaten consumer well-being and ecosystem stability. Collectively, these findings reinforce the wisdom of integrating *Shari'ah*-based principles with regulatory oversight, underscoring the need for preventive evaluation of economic practices to balance *maslahah* (benefit) and *mafsadah* (harm) in society.

This study contributes significantly to the scientific and jurisprudential discourse on contemporary Islamic commercial law and public policy. By combining normative *fiqh* principles with empirical and literature-based evidence, it provides an analytical framework for evaluating modern trade practices such as ball thrift through the lens of *maqashid al-syari'ah*. The work advances understanding of how preventive principles like *Sadd ad-Dzari'ah* can be operationalized to guide both policy and consumer protection. However, the research has limitations, primarily due to its reliance on library research rather than direct field data or longitudinal studies, which may limit the empirical generalizability of its findings. For future research, combining normative analysis with quantitative market surveys, consumer behavior studies, and environmental monitoring could further refine the understanding of risks and inform practical policy interventions to enhance compliance, safety, and economic sustainability.

ACKNOWLEDGMENT

We gratefully acknowledge the support and academic environment provided by Ma'had Aly Nurul Jadid, which facilitated this research. We also extend our appreciation to scholars and institutions whose literature and insights contributed to the development of this study. Any remaining limitations remain our responsibility.

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