

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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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 (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 *najasah* (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-shar'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

Results

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

The findings indicate that *Sadd ad-Dzari'ah* functions as a preventive principle in Islamic law that allows an initially permissible activity to be restricted when it becomes a credible means of generating harm (*mafsadah*). The principle does not only consider the formal legality of an act, but also its potential consequences in social, economic, and moral dimensions. In this sense, it operates as a forward-looking mechanism that evaluates the relationship between lawful means and possible harmful outcomes, thereby distinguishing between direct prohibition and preventive restriction based on anticipated impact.

From the perspective of *maqashid al-syari'ah*, *Sadd ad-Dzari'ah* is closely linked to the objective of preventing harm (*dar' al-mafasid*), where the avoidance of damage takes priority over the pursuit of benefit when the harm is greater, systemic, or difficult to control. In application, this requires a balanced assessment between benefit and risk, particularly in terms of probability and severity. This framework is relevant to ball thrift trade, which, although economically beneficial in terms of affordability and market accessibility, still requires legal scrutiny when its mechanism generates uncertainty, information asymmetry, or potential consumer disadvantage.

The application of *Sadd ad-Dzari'ah* is therefore highly dependent on proportional risk assessment. Preventive restriction is not justified merely by the existence of risk, since all economic activities inherently involve uncertainty. Instead, intervention is warranted only when the likelihood and impact of harm are significant and empirically observable. In this regard, *dzari'ah* can be classified into four levels of risk probability, ranging from almost certain harm to weak possibility of harm. Based on this classification, ball thrift trade may fall into the category of likely harm under certain conditions, particularly when transparency, contractual clarity, and product inspection are limited. However, its legal status remains contextual and cannot be generalized, as Islamic legal schools also differ in their acceptance and application of *Sadd ad-Dzari'ah*, reflecting its interpretive flexibility and the need to distinguish between actual and speculative harm.

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

Table 1 demonstrates that *Sadd ad-Dzari'ah* is fundamentally oriented toward harm prevention as a proactive legal principle that anticipates potential risks before actual harm occurs. This anticipatory character makes it relevant for evaluating contemporary economic practices that extend beyond classical transactional models.

The findings further emphasize that risk assessment and proportionality are central to its application. Only risks that are significant in probability, frequency, and severity justify preventive intervention, ensuring that Islamic legal reasoning remains balanced and does not over-restrict lawful economic activity.

Finally, the doctrinal differences among *madhabs* highlight that *Sadd ad-Dzari'ah* is not an automatic basis for prohibition, but a contextual interpretive tool. Therefore, in assessing practices such as ball thrift trade, legal judgment must carefully distinguish between real, demonstrable harm and speculative assumptions, in alignment with both evidence and the objectives of *maqashid al-syari'ah*.

Ball Thrift Trade Practices and Potential *Gharar*

The findings indicate that the potential *gharar* in ball thrift trade primarily arises from uncertainty regarding the condition, quality, quantity, composition, and economic usability of goods contained within sealed bales. Buyers may know the general category of the goods being purchased, such as used clothing, but they cannot necessarily identify the characteristics of each item before the transaction is completed. This creates an information gap between the expected value of the bale and its actual contents. However, the existence of uncertainty alone is insufficient to automatically classify the transaction as prohibited *gharar*, since commercial transactions naturally involve a certain degree of risk. The critical issue is whether the uncertainty concerns essential elements of the contract, is substantial enough to affect consent and pricing, and creates a disproportionate allocation of risk to one of the contracting parties.

The transactional structure of ball thrift trade also shows similarities with classical forms of transactions characterized by limited inspection, particularly *mulamasah* and *munabadzah*. The similarity lies not in their identical contractual form, but in the underlying problem of purchasing goods without adequate knowledge of their actual condition. In ball thrift transactions, the buyer may acquire an entire bale based on general descriptions, weight, category, origin, or seller claims without being able to inspect each garment individually. This condition becomes more problematic when the proportion of defective, unusable, incorrectly categorized, or economically worthless items cannot be reasonably estimated before purchase. From this perspective, the potential *gharar* becomes stronger when the buyer's decision is based on insufficient material information and the resulting loss is structurally transferred to the buyer. Conversely, when sellers provide reliable grading systems, representative samples, transparent information on product composition, inspection opportunities, or mechanisms for resolving substantial discrepancies, the degree of uncertainty can be reduced.

The findings therefore suggest that ball thrift trade should not be treated as inherently non-compliant solely because goods are packaged in bales. Its legal assessment depends on the intensity of uncertainty and the mechanisms used to control it. A distinction must be made between ordinary commercial risk and excessive *gharar*. Ordinary risk remains tolerable when the object of sale can be sufficiently identified, market participants understand the nature of the transaction, and potential losses can reasonably be calculated. Excessive *gharar*, however, emerges when uncertainty becomes

dominant, materially affects the contractual object, prevents an informed assessment of value, or creates a significant possibility of dispute and unfair loss. Consequently, transparency, disclosure, inspection, grading, contractual clarity, and balanced risk allocation constitute important variables in determining whether a particular ball thrift transaction remains within permissible commercial uncertainty or develops into legally significant *gharar*.

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

Table 2 indicates that the identification of *gharar* in ball thrift trade is primarily determined by the degree of uncertainty that affects essential contractual elements, rather than the physical form of the transaction itself. Sealed bales become legally significant only when they prevent buyers from obtaining sufficient and relevant information about the goods. Therefore, the level of transparency, reliability of seller information, proportion of defective items, and availability of inspection or compensation mechanisms are key indicators in assessing whether the uncertainty remains within acceptable commercial limits or escalates into legally problematic *gharar*.

A critical issue emerging from the analysis is the presence of informational asymmetry between sellers and buyers. Sellers generally possess more detailed knowledge regarding the classification, quality, and expected composition of the bales, while buyers rely on limited descriptions or external representations. This imbalance can weaken informed consent and shift commercial risk disproportionately to buyers. However, the analogy with classical forms such as *mulamasah* and *munabadzah* must be applied carefully, as modern wholesale practices may include grading systems, sampling, and market experience that reduce uncertainty and distinguish them from purely speculative transactions.

Overall, the findings show that *gharar* in ball thrift trade exists on a spectrum, ranging from tolerable commercial uncertainty to excessive uncertainty that undermines contractual fairness. Economic and environmental benefits do not automatically negate the presence of *gharar*, as contractual validity depends on transparency and risk distribution rather than utility alone. From the perspective of *Sadd ad-Dzari'ah*, preventive measures are justified when uncertainty consistently leads to consumer harm, but such measures should remain proportional and focus on improving transparency, disclosure, and risk management rather than imposing blanket prohibition.

State Revenue Loss and Industrial Impact

The findings indicate that illegal ball thrift imports generate economic harm through two interconnected mechanisms: loss of state revenue and distortion of domestic market competition. Because imported used garments entering through illegal channels bypass customs duties, import taxes, and formal reporting procedures, the state loses potential fiscal revenue while illegal traders obtain an artificial price advantage. This

condition creates an uneven market structure in which imported second-hand clothing can be sold at substantially lower prices than legally produced or distributed domestic products. Therefore, the problem extends beyond regulatory non-compliance and reflects a structural imbalance between informal imported goods and lawful domestic economic activity.

The industrial impact is equally significant. Lower-priced imported used garments can reduce demand for domestically produced textile and apparel products, placing pressure on production capacity, employment, and business continuity within the national textile sector. However, the relationship should not be interpreted as purely linear, because industrial decline may also be influenced by production costs, productivity, consumer preferences, global competition, and other structural factors. Nevertheless, the rapid increase in used-garment imports indicates that ball thrift may intensify existing competitive pressures, particularly when imported goods circulate outside the tax and regulatory system. From an Islamic economic perspective, this condition is relevant to *hifz al-mal* because the protection of wealth concerns not only individual property but also the preservation of fair economic structures and public resources.

The empirical pattern strengthens this assessment. The recorded import value of used garments increased from approximately US\$44,000 in 2021 to US\$272,146 in 2022 and reached approximately US\$1.31 million during January–July 2025. At the same time, estimates of state losses indicate substantial fiscal exposure, although the exact magnitude should be interpreted cautiously because illegal trade is inherently difficult to measure. The more defensible finding is therefore not that every increase in recorded imports directly causes an equivalent decline in state revenue or industrial output, but that the combination of illegal importation, tax avoidance, price distortion, and increasing market penetration creates a credible pathway toward broader public economic harm. This pattern provides a substantive basis for evaluating ball thrift trade through *Sadd ad-Dzari'ah*, particularly when its continuation facilitates recurring fiscal and industrial risks.

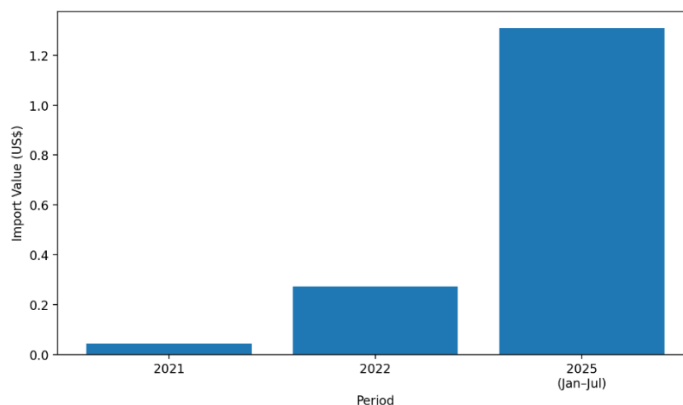


Figure 1. Used Garment Import Value

Figure 1 shows a sharp increase in the recorded value of used-garment imports, from US\$44,000 in 2021 to US\$272,146 in 2022 and approximately US\$1.31 million in January–July 2025. The magnitude of this increase suggests that the circulation of imported used garments is becoming economically more significant rather than remaining a marginal trading activity. However, the figure should be interpreted as evidence of increasing exposure rather than direct proof of the total scale of illegal trade, since unrecorded imports may not appear in official statistics.

When examined together with fiscal losses and pressures on domestic textile production, the upward trend indicates a cumulative economic risk. Increasing flows of untaxed or improperly regulated goods can weaken state revenue collection while simultaneously creating asymmetric competition for compliant domestic producers. In the framework of *Sadd ad-Dzari'ah*, the relevant concern is therefore not the existence of second-hand trade itself, but the mechanism through which illegal importation becomes a means toward broader *mafsadah*. Where such practices repeatedly undermine public revenue, fair competition, and domestic productive capacity, preventive intervention becomes more strongly justified as part of protecting public wealth and economic welfare.

Health and Environmental Issues

Health risks in ball thrift trade primarily arise from uncertainty regarding the previous use, storage, handling, and sanitation of second-hand garments. Used clothing may carry biological contaminants such as fungi, bacteria, or parasites when hygiene procedures are inadequate, particularly for garments that come into direct contact with the skin. However, the risk should not be interpreted as inherent to all second-hand clothing. Its significance depends on the level of contamination, storage conditions, duration of exposure, and effectiveness of washing, heat treatment, or disinfection. Therefore, the critical issue is not the second-hand status of the product itself, but the absence of reliable hygiene controls and information that prevent consumers from assessing potential health risks before use.

A second concern involves chemical exposure and environmental consequences. Textile products may contain residual dyes, finishing agents, or other chemical substances whose presence is difficult for consumers to identify. At the same time, damaged or unusable thrift garments can contribute to textile waste when they are rapidly discarded after purchase. This creates a dual externality: potential individual exposure through direct skin contact and broader environmental pressure through waste accumulation and chemical pollution. Nevertheless, these impacts should be assessed proportionally, because extending the useful life of clothing may also reduce demand for new textile production. The environmental assessment of ball thrift therefore requires comparison between its reuse benefits and the risks created by poor quality, short remaining product life, inadequate waste management, and uncertain chemical composition.

From the perspective of *maqashid al-shari'ah*, these findings are relevant to *hifz al-nafs* because protection of life and health requires the prevention of credible and avoidable harm. In relation to *Sadd ad-Dzari'ah*, preventive intervention becomes justified when weak sanitation, lack of product information, and inadequate quality control repeatedly create pathways toward health or environmental harm. However, such intervention should remain proportional. Where risks can be reduced through mandatory cleaning, hygiene standards, inspection, transparent disclosure, quality screening, and proper waste management, regulation is more defensible than an automatic prohibition of second-hand clothing trade.

Figure 2 illustrates an interconnected pathway between transactional uncertainty and health risk. Limited information regarding the quality, cleanliness, and previous condition of garments can create *gharar* while simultaneously restricting the buyer's ability to evaluate health-related risks. When this uncertainty is combined with inadequate sanitation, improper storage, or direct reuse without treatment, the probability of exposure to biological contaminants may increase. The important analytical point is

therefore that *gharar* and health risk do not operate independently; both can originate from the same informational and quality-control deficiencies within the supply chain.

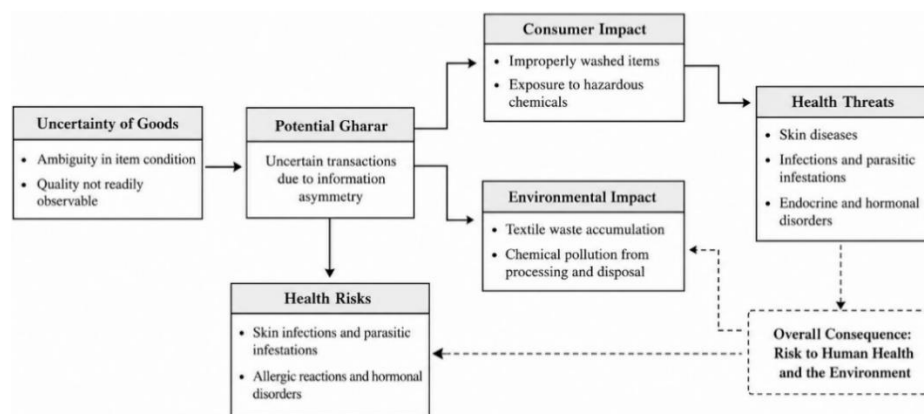


Figure 2. Impact of *Gharar* and Health Risk form Used Clothing

The environmental pathway adds a broader dimension to this analysis. Low-quality or unusable garments may quickly become waste, while unknown chemical residues may create additional environmental and health concerns. Nevertheless, the figure should not be interpreted as establishing an automatic causal relationship between thrift consumption and environmental damage. The magnitude of harm depends on product quality, duration of reuse, sanitation practices, disposal behavior, and waste-management systems. Thus, within a *Sadd ad-Dzari'ah* framework, the strongest justification for preventive governance lies not in the existence of ball thrift itself, but in uncontrolled practices that systematically increase exposure to preventable harm and undermine the objective of *hifz al-nafs*.

Discussion

The findings of this study reinforce the established literature on *Sadd ad-Dzari'ah* as a preventive legal principle while extending its relevance to the complex risk structure of ball thrift trade. Prior scholarship emphasizes that *Sadd ad-Dzari'ah* is applied when a permissible activity has a strong probability of leading to *mafsadah*, prioritizing harm prevention over benefit realization (Hafis et al., 2024; Kawakib & Syuhud, 2021; Settembre-Blundo et al., 2021). The present findings align with this view by showing that ball thrift cannot be evaluated solely through its economic advantages such as affordability and reuse, but must also consider risks embedded in its supply chain. The results also correspond with classifications of *dzari'ah* based on probability of harm, where not all actions are harmful in themselves but may still generate significant adverse outcomes (Firdaus, 2025). However, this study refines earlier interpretations by rejecting automatic prohibition and instead emphasizing proportionality, demonstrable risk, and mitigation capacity, consistent with doctrinal differences between classical legal schools (Manggala & Hamidah, 2024). This contributes a more risk-sensitive application of *Sadd ad-Dzari'ah*.

The findings on *gharar* are broadly consistent with Islamic commercial theory but provide a more nuanced interpretation. Classical and contemporary literature defines *gharar* as uncertainty that may lead to injustice or contractual imbalance (Said & Garba, 2025), with traditional examples such as *mulamasah* and *munabadzah* illustrating transactions lacking adequate inspection (Elfakhani & Sidani, 2015). Ball thrift trade reflects similar uncertainty because buyers often purchase sealed bales without full knowledge of

quality, defects, or composition. This supports arguments that insufficient transparency increases contractual risk (Alfian et al., 2024; Mtatase, 2024) and that informal trading systems intensify uncertainty due to weak verification mechanisms (Azzahra, 2025). However, the study departs from rigid classifications that label all such transactions as invalid *gharar*. Instead, it highlights that the critical issue is the degree and materiality of uncertainty, not its mere existence. This implies that modern *gharar* analysis should incorporate information asymmetry, risk allocation, and available contractual safeguards, shifting evaluation toward whether informed consent and fairness are genuinely compromised.

From an economic perspective, the findings extend individual transaction analysis to macro-level welfare implications. Existing studies associate informal imports with tax leakage, market distortion, and competitive inequality (Grüneisl, 2025; Rulikova, 2020), while broader research highlights impacts on industrial output, employment, and economic stability (Vîrjan et al., 2023; Yasmeen et al., 2022). The present findings are consistent with this literature, showing that illegal used-garment imports may affect both state revenue and domestic textile competitiveness, thereby engaging the principle of *hifz al-mal* (Hoque et al., 2021). Legal frameworks further reinforce this interpretation by classifying unauthorized imports as non-compliant trade practices (Sanjaya & Saputra, 2024). The observed increase in import value from US\$44,000 in 2021 to US\$1.31 million in 2025 (BPS, 2023; Kontan, 2023) indicates rising exposure, while fiscal loss estimates suggest significant potential impact (Indonesian Customs, 2022). However, the study avoids attributing industrial decline solely to thrift imports, instead positioning them as one contributing factor within a broader competitive environment, thereby strengthening a more balanced interpretation of *hifz al-mal* as protection of fair economic systems (Inuwa et al., 2025).

The health and environmental findings demonstrate that risks in ball thrift trade are multidimensional and conditional rather than absolute. Prior literature identifies biological contamination and chemical exposure as potential risks in second-hand clothing when sanitation and handling are inadequate (Islam et al., 2025; Rovira & Domingo, 2019). Empirical evidence supports that proper washing and disinfection can significantly reduce biological hazards (Rakhshanpour et al., 2021), while textiles may also contain chemical residues whose effects depend on exposure levels and duration (Rovira et al., 2025). However, this study emphasizes that the central issue is uncertainty combined with weak control systems, including unknown usage history, poor storage, and lack of product information. Environmentally, the findings show a trade-off: reuse may reduce production demand, but low-quality imports may increase waste and pollution. This complexity supports *hifz al-nafs* as a basis for preventive governance (Dahlan et al., 2021; Nurholis, 2025), while also indicating that regulation should focus on controllable risk factors such as sanitation standards, inspection, and waste management rather than assuming uniform harm.

The main theoretical contribution of this study lies in integrating *Sadd ad-Dzari'ah*, *gharar*, economic welfare, and health-environment risks into a unified Islamic risk framework. Previous literature tends to treat these dimensions separately, whereas this study demonstrates that they are interconnected through a shared mechanism of uncertainty, weak governance, and risk externalization. At the micro level, informational asymmetry generates *gharar*; at the meso level, weak regulation distorts competition; and at the macro level, cumulative effects produce fiscal loss, industrial pressure, and public

health risks. The novelty of this study is the operationalization of *Sadd ad-Dzari'ah* as a multilevel risk-assessment model incorporating probability, severity, and mitigation capacity. This advances Islamic legal theory by moving beyond binary halal–haram judgments toward structured risk evaluation grounded in *dar' al-mafasid*, *hifz al-mal*, and *hifz al-nafs*.

Practically, the findings suggest that governance of ball thrift should prioritize proportional risk management rather than blanket prohibition. At the transactional level, improved disclosure, grading, inspection, and sampling can reduce *gharar*. At the health level, standardized sanitation, storage protocols, and consumer education are necessary to minimize exposure risks. At the environmental level, waste management systems and responsible disposal mechanisms are required to address textile accumulation. At the regulatory level, stronger customs enforcement, traceability, and market supervision are needed to protect fiscal revenue and ensure fair competition. The broader impact of this study is its integration of Islamic jurisprudence with public health, environmental governance, and economic policy. It reframes *Sadd ad-Dzari'ah* as an adaptive policy tool rather than a purely prohibitive doctrine, showing that intervention intensity should depend on the magnitude and controllability of harm. This constitutes the study's key contribution: a structured, empirically informed framework for evaluating modern trade practices in line with *Shari'ah* objectives and contemporary regulatory needs.

CONCLUSION

This study finds that ball thrift trade cannot be judged solely from its economic utility or formal permissibility, but must be evaluated through the extent to which it generates *mafsadah* via *gharar*, information asymmetry, illegal import practices, and health-environment risks. The key insight is that *Sadd ad-Dzari'ah* should function as a proportional preventive framework, not an automatic prohibition tool, by assessing the probability, severity, and controllability of harm. Thus, ball thrift remains permissible when supported by transparency, inspection, sanitation, and regulatory compliance, but becomes increasingly problematic when these safeguards are absent and risks accumulate. The main contribution of this study is the integration of *Sadd ad-Dzari'ah*, *gharar*, *hifz al-mal*, and *hifz al-nafs* into a unified Islamic risk-assessment framework that links transactional ethics with economic, health, and environmental impacts, thereby advancing Islamic commercial jurisprudence toward a more contextual and risk-sensitive approach.

However, this study is limited by its normative and library-based design, which does not empirically measure the actual magnitude of economic loss, health impact, or environmental damage caused by ball thrift trade. Variations in market practices, enforcement, and consumer behavior also mean that risk levels may differ across contexts and cannot be fully captured in this analysis. Future research should therefore adopt mixed-method and empirical approaches, including field studies, supply-chain analysis, and health or environmental testing, to validate and quantify the proposed risk framework. Comparative studies across regions and legal traditions are also needed to refine thresholds for when *gharar* and *mafsadah* become significant enough to justify regulatory intervention under *maqāsid al-sharī'ah*.

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