

Illicit Trade Prevention in Prophetic Hadith: A Maqasid al-Shari'ah Perspective

Pencegahan Perdagangan Ilegal dalam Hadis Nabi: Perspektif Maqasid al-Shari'ah

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Abstract:

The increasing prevalence of illicit trade poses significant challenges to economic justice, public security, and social stability. Although previous studies have predominantly examined illicit trade from legal, economic, and criminological perspectives, limited attention has been given to the normative framework of the Prophetic hadith and its relevance to contemporary social stability. This study aims to analyze the prevention of illicit trade from the perspectives of the Prophetic hadith, Critical Discourse Analysis (CDA), and Maqasid al-Shariah. Employing a qualitative library research design, the

study applies thematic analysis to five relevant hadiths contained in al-Kutub al-Sittah and interprets them through the analytical frameworks of CDA and Maqasid al-Shariah. The findings demonstrate that the Prophetic hadiths establish a comprehensive ethical framework for preventing illicit trade by prohibiting fraud, unlawful commodities, hoarding, and transactions involving gharar, while promoting honesty and trustworthiness as the foundations of Islamic commercial ethics. These principles support the realization of the essential objectives of the Shariah, particularly the preservation of religion (hifz al-din), life (hifz al-nafs), wealth (hifz al-mal), and intellect (hifz al-aql), thereby strengthening public trust, market integrity, and social stability. This study concludes that the Prophetic hadith provides not only religious guidance but also a normative and ethical framework for contemporary policies aimed at preventing illicit trade and promoting sustainable economic governance. The study contributes to contemporary Islamic legal scholarship by integrating Prophetic hadith, Critical Discourse Analysis, and Maqasid al-Shariah into a unified analytical framework for illicit trade prevention.

Keywords:

Prophetic hadith; illicit trade; Maqasid al-Shariah; Critical Discourse Analysis; Social stability.

Abstrak

Meningkatnya peredaran illicit trade menimbulkan tantangan serius terhadap keadilan ekonomi, keamanan publik, dan stabilitas sosial. Meskipun penelitian mengenai illicit trade selama ini lebih banyak berfokus pada perspektif hukum, ekonomi, dan kriminologi, kajian mengenai kerangka normatif hadis Nabi ﷺ serta relevansinya terhadap stabilitas sosial kontemporer masih relatif terbatas. Penelitian ini bertujuan menganalisis pencegahan illicit trade berdasarkan perspektif hadis Nabi ﷺ, Critical Discourse Analysis (CDA), dan Maqasid al-Sharī'ah. Penelitian menggunakan pendekatan kualitatif berbasis studi kepustakaan dengan menerapkan analisis tematik terhadap lima hadis dalam al-Kutub al-Sittah yang relevan dengan pencegahan illicit trade, kemudian dianalisis menggunakan kerangka CDA dan Maqasid al-Sharī'ah. Hasil penelitian menunjukkan bahwa hadis-hadis Nabi ﷺ membangun kerangka etika yang komprehensif melalui

larangan penipuan, perdagangan komoditas haram, penimbunan barang, serta transaksi yang mengandung gharar, disertai penegasan nilai kejujuran dan amanah sebagai fondasi etika perdagangan Islam. Prinsip-prinsip tersebut mendukung terwujudnya tujuan utama syariat, terutama perlindungan agama (*hifz al-dīn*), jiwa (*hifz al-nafs*), harta (*hifz al-māl*), dan akal (*hifz al-'aql*), sehingga memperkuat kepercayaan publik, integritas pasar, dan stabilitas sosial. Penelitian ini menyimpulkan bahwa hadis Nabi ﷺ tidak hanya berfungsi sebagai pedoman keagamaan, tetapi juga menyediakan kerangka normatif dan etis bagi kebijakan kontemporer dalam pencegahan illicit trade serta penguatan tata kelola ekonomi yang berkelanjutan. Penelitian ini juga menawarkan integrasi antara hadis Nabi ﷺ, Critical Discourse Analysis, dan Maqasid al-Sharī'ah sebagai kerangka analitis baru dalam kajian pencegahan illicit trade.

Keywords:

Hadis Nabi; illicit trade; Maqasid al-Sharī'ah; Critical Discourse Analysis; stabilitas sosial..

Introduction

The phenomenon of illicit trade circulation constitutes one of the most serious socio-economic problems in the modern era.¹ Activities such as smuggling, unlicensed production, counterfeiting of brands, and the distribution of prohibited or dangerous goods not only violate state law but also cause moral, economic, and social harm.² For example, the illicit trafficking of narcotics has contributed to rising rates of addiction and organized crime in many countries,³ while the circulation of counterfeit medicines poses serious risks to public health

¹ OECD and European Union Intellectual Property Office, "Mapping Global Trade in Fakes 2025: Global Trends and Enforcement Challenges," *Illicit Trade*, ahead of print, May 7, 2025, <https://doi.org/10.1787/94d3b29f-en>.

² "World Customs Organization," accessed June 13, 2026, <https://www.wcoomd.org/en/media/newsroom/2026/february/world-customs-organization-wco-releases-latest-illicit-trade-report.aspx>.

³ NK Tharshini and Fauziah Ibrahim, "The Link between Drug Dependency and Criminality: A Systematic Review," *Jurnal Psikologi Malaysia* 37, no. 2 (2023).

by exposing consumers to ineffective or hazardous products.⁴ These practices undermine public trust, distort markets, and threaten social stability. The spread of illicit trade leads to economic inequality, the loss of distributive justice, and an increase in crime and corruption that threatens societal stability.⁵ In this context, Islam—as a religion that emphasizes justice and public welfare—pays great attention to preventing all forms of behavior that can disrupt the moral and social order of the community.

Preventing illicit trade is not merely an administrative or economic issue; it is an integral part of Islamic teachings that require the lawfulness (*halāl*) of property, honesty in transactions (*mu'āmalah*), and social responsibility.⁶ Islamic law (*sharī'ah*) establishes the principle that all wealth must be acquired through lawful means and must not harm others. Any violation of this principle—whether through fraud, theft, deceit, or monopoly—constitutes an act that undermines the foundations of justice and undermines the foundations of justice and social welfare.⁷ Therefore, the enforcement of honesty, trustworthiness (*amānah*), and justice in economic activities forms part of the prophetic mission to establish a dignified and civilized society.

From the perspective of the Prophetic *Hadīth*, the prevention of illicit trade is closely related to the concepts of *hifz al-māl* (protection of wealth) and *hifz al-nafs* (protection of life) within the framework of

⁴ Biset Asrade Mekonnen, Muluabay Getie Yizengaw, and Minichil Chanie Worku, "Prevalence of Substandard, Falsified, Unlicensed and Unregistered Medicine and Its Associated Factors in Africa: A Systematic Review," *Journal of Pharmaceutical Policy and Practice* 17, no. 1 (December 2024): 2375267, <https://doi.org/10.1080/20523211.2024.2375267>.

⁵ "Trade News Snapshot - Volume 4, Issue 5 | U.S. Customs and Border Protection," accessed June 13, 2026, <https://www.cbp.gov/trade/snapshot/volume-4-issue-5>.

⁶ Muhammad Tanveer et al., "Role of Ethical Marketing in Driving Consumer Brand Relationships and Brand Loyalty: A Sustainable Marketing Approach," *Sustainability* 13, no. 12 (June 2021): 6839, <https://doi.org/https://doi.org/10.3390/su13126839>.

⁷ Yedi Herdiana et al., "Towards Halal Pharmaceutical: Exploring Alternatives to Animal-Based Ingredients," *Heliyon* 10, no. 1 (January 2024): e23624, <https://doi.org/10.1016/j.heliyon.2023.e23624>.

maqasid al-sharī'ah (the higher objectives of Islamic law).⁸ Islam regulates not only the relationship between humans and God but also social life in a just and balanced manner, including the economic sphere.⁹ The Hadith of the Prophet ﷺ contain ethical values that guide Muslims to avoid all forms of deceit, oppression, and unlawful transactions, as such actions disrupt social harmony and diminish the sense of security within the community.¹⁰ Hence, ensuring the lawful circulation of goods is both a moral and spiritual responsibility for Muslims.

The study of Prophetic Hadith concerning illicit trade is essential for understanding the ethical foundations of Islamic social thought. This study examines relevant traditions contained in *al-Kutub al-Sittah* through a thematic approach (*al-dirāsah al-mawdu'iyah*) in

⁸ Muhammad Nazmul Hoque et al., "Money Laundering from Maqasid Al-Sharī'ah Perspective with a Particular Reference to Preservation of Wealth (Hifz Al-Mal)," *J. Legal Ethical & Regul. Isses* 24 (2021): 1.

⁹ Erie Hariyanto, "The Settlement of Sharia Banking Dispute Based on Legal Culture as a Practice of Indonesian Islamic Moderation," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 14, no. 2 (2019): 301–16; Fajar Sugianto and Slamet Suhartono, "The Existence of President Instruction of the Republic of Indonesia Number 1 the Year 1991 on the Wide Spread of Compilation of Islamic Law in Indonesian Legal System," *AL-IHKAM J. Huk. Pranata Sos.* 13, no. 2 (December 2018): 291–309, <https://doi.org/https://doi.org/10.19105/al-lhkam.v13i2.1727>; Habeebullah Zakariyah, Turki Obaid Al-Marri, and Bouhedda Ghalia, "Ighlāq Al-Masājīd Man'an Lī Intishār Fayrūs Corona Dirāsah Taḥlīlīyah Fī Ḍaw' Maqāṣid al-Sharī'ah," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 15, no. 2 (2020): 326–50; Irsyad Hasan, Marwan Mas' ud, and Teguh Dwi Prayoga, "Preventing Bullying in Pesantren: A Maqāṣid al-Sharī' ah and Ḥadīth Perspective on the Role of the Sakinah Family," *Al-Insyiroh: Jurnal Studi Keislaman* 12, no. 1 (2026): 1–17, <https://doi.org/https://doi.org/10.35309/alinsyiroh.v12i1.633>; Isnain La Harisi et al., "Algorithms, Religious Authority, and Digital Da'wah: A Qualitative Study of Social Media in Indonesia," *Journal of Mathematics Instruction, Social Research and Opinion* 5, no. 1 (April 2026), <https://doi.org/https://doi.org/10.58421/misro.v5i1.1322>; Muhammad Fahrurrozi et al., "Prophetic Supplications and Economic Stability: A Ḥadīth-Based Analysis through al-Shāṭibī's Maqāṣid al-Sharī' ah Framework," *Solo International Collaboration and Publication of Social Sciences and Humanities* 4, no. 02 (March 2026): 647–60, <https://doi.org/10.61455/sicopus.v4i02.533>.

¹⁰ Tawffeeq A. S. Mohammed, "A Scientometric Study of Maqasid Al-Shariah Research: Trending Issues, Hotspot Research, and Co-Citation Analysis," *Front. Res. Metr. Anal.* 9 (November 2024): 1439407, <https://doi.org/10.3389/frma.2024.1439407>.

order to explore the Islamic perspective on preventing illicit trade as a means of preserving social stability. This thematic analysis aims to demonstrate how the Prophet Muhammad ﷺ promoted the values of integrity, responsibility, and justice in economic life, and how these values remain relevant for building a secure, transparent, and just society in the contemporary era.

Previous studies discussing illicit trade include the article titled *"Illicit Trade in Tobacco Products: Recent Trends and Coming Challenges"* written by Guillermo Paraje, Michal Stoklosa, and Evan Blecher.¹¹ This study examines the illegal trade of tobacco products as a threat to global efforts in reducing cigarette consumption. Although taxation policies have proven effective in curbing consumption, the existence of illicit cigarettes undermines their impact. The article highlights recent developments, new measurement methods, and global challenges in controlling the illicit trade. The findings reveal that although the rate of illegal cigarette trade remains relatively stable, its overall volume has declined in line with the general decrease in tobacco consumption. Many countries have raised taxes and improved their tax structures, while independent studies have provided a more accurate understanding of the issue. The article emphasizes the importance of the WHO FCTC Protocol and the implementation of track-and-trace systems as key solutions to reducing the circulation of illicit tobacco products. Overall, the global efforts to combat illegal tobacco trade show significant progress, with international cooperation identified as a crucial factor in achieving a substantial decline in both legal and illegal tobacco consumption in the future.

Another important study is *"Studying Illegal Online Trades in Plants: Market Characteristics, Organisational and Behavioural Aspects, and Policing Challenges"* by Anita Lavorgna and Maurizio Sajeve.¹² This research explores the illegal trade of plants and their derivatives,

¹¹ Guillermo Paraje, Michal Stoklosa, and Evan Blecher, "Illicit Trade in Tobacco Products: Recent Trends and Coming Challenges," *Tob. Control* 31, no. 2 (March 2022): 257–62, <https://doi.org/10.1136/tobaccocontrol-2021-056557>.

¹² Anita Lavorgna and Maurizio Sajeve, "Studying Illegal Online Trades in Plants: Market Characteristics, Organisational and Behavioural Aspects, and Policing Challenges," *Eur. J. Crim. Pol. Res.* 27, no. 4 (December 2021): 451–70, <https://doi.org/https://doi.org/10.1007/s10610-020-09447-2>.

which threatens species conservation, natural resources, and public health. The rise of online trading has intensified these activities, yet the issue remains underexamined in criminological research. Through interviews with law enforcement officers and experts, the study – part of the FloraGuard project – analyzes the characteristics of illegal online plant trading, the actors involved, and the limitations faced by authorities in law enforcement. The study concludes with practical recommendations for strengthening law-enforcement strategies against illegal plant trade.

Despite the growing body of literature on illicit trade, previous studies have predominantly examined the phenomenon from legal, economic, public health, and criminological perspectives.¹³ Research conducted by Paraje, Stoklosa, and Blecher focuses on the economic and regulatory challenges of illicit tobacco products, while Lavorgna and Sajeve analyze the organizational and law-enforcement dimensions of illegal online plant trade. In contrast, the present study introduces a distinct perspective by examining illicit trade through the lens of the Prophetic Hadith. This approach shifts the discussion from regulatory and enforcement mechanisms to the ethical and normative foundations of economic behavior in Islam, thereby filling an important gap in the existing literature.

A second novelty of this study lies in its integration of Prophetic Hadith and *maqasid al-sharī'ah* as a unified analytical framework for understanding the prevention of illicit trade. Previous studies generally assess illicit trade in terms of its economic losses, criminal networks, or policy implications, yet they rarely explore its implications for the preservation of the essential objectives of *Sharī'ah*. By demonstrating how illicit trade threatens *hifz al-māl*, *hifz al-nafs*, *hifz al-'aql*, *hifz al-dīn*, and *hifz al-nasl*, this study expands the contemporary application of *maqasid al-sharī'ah* beyond classical legal discussions and positions it as a comprehensive framework for addressing modern socio-economic challenges.

The third novelty concerns the study's conceptual contribution to the discourse on social stability. Rather than treating illicit trade solely as an economic crime or regulatory problem, this research

¹³ Julinda Hoxha, "Illicit Drugs: Production and Trade Patterns, Networks, and Implications," in *Illicit Economies and Security Dynamics* (IOS Press, 2026), <https://doi.org/10.3233/nhsdp260012>.

conceptualizes it as a multidimensional threat to social security and public welfare. Through the application of Critical Discourse Analysis to selected hadiths from al-Kutub al-Sittah, the study demonstrates that the Prophetic hadith function not merely as legal injunctions but as transformative social discourses that cultivate collective responsibility, economic justice, and public trust. In this way, the study contributes a new theoretical perspective by linking Prophetic ethics, maqasid al-sharī'ah, and contemporary social stability within a single analytical framework.

Methods

This study employs a qualitative approach, namely research that focuses on understanding and explaining social phenomena from the perspective of individuals or groups. Qualitative research originates from scholars of Anthropology and Sociology, for whom the world and its environment can be studied scientifically.¹⁴ A library study serves as the data collection technique in this research. The library study is characterized by four features: direct engagement with texts, the availability of ready-to-use data, freedom from spatial and temporal limitations, and its secondary nature.¹⁵ This study employs

¹⁴ Loraine Busetto, Wolfgang Wick, and Christoph Gumbinger, "How to Use and Assess Qualitative Research Methods," *Neurological Research and Practice* 2, no. 1 (May 2020): 14, <https://doi.org/10.1186/s42466-020-00059-z>.

¹⁵ Akhmad Husaini et al., "Vasectomy as Social Assistance Policy Discourse: A Normative Juridical Analysis from Ibn 'Uthaymīn's Fatwa," *AT-TURAS: Jurnal Studi Keislaman* 13, no. 1 (March 2026): 1-14, <https://doi.org/10.33650/at-turas.v13i1.13486>; Marwan Mas'ud, Roy Grafika Penataran, and Dimas Hutomo Putra, "THE URGENCY OF PREVENTING ONLINE GAMBLING IN REALIZING FAMILY SECURITY STABILITY IN THE PERSPECTIVE OF THE PROPHETIC ḤADĪTH (A Thematic Study Based on the Ḥadīths in al-Kutub al-Sittah): A Thematic Study Based on the Ḥadīths in Al-Kutub al-Sittah," *As-Sunnah: Jurnal Ilmu Dirayah* 1, no. 2 (March 2026): 25-48; Marwan Mas'ud, Triadi Wicaksono, and Teguh Dwi Cahyadi, "A Thematic Study of the Book Ma'rifah 'ulum Al-Ḥadīth: An Analysis of the Classification of 'Illah from Al-Ḥākim's Perspective," *IJUS | International Journal of Umranic Studies* 9, no. 1 (2026): 13-32; Marwan Mas'ud, Emha Hasan Ayatullah, and Muhid Muhid, "Ibn Ḥajr's Chronological Critique of Ḥadīth Narrations in al-Talkhīṣ al-Ḥabir: A Historical-Critical Study," *Ulūm Al-Sunnah* 3, no. 02 (2025): 58-72.

secondary data as a method of data management. Secondary data refers to data obtained from a second or third party.¹⁶ The secondary data utilized in this research consists of journals, contemporary studies, and Hadith books such as al-Kutub al-Sittah.

This study employs theory of critical discourse analysis. Critical Discourse Analysis is an approach in linguistic studies that aims to uncover the relationship between language, power, and ideology underlying a text or discourse. This approach does not merely focus on what is being said, but also examines how and why something is expressed in a particular way, as well as the social or political interests embedded within it.¹⁷ The analytical technique employed in this research is descriptive analysis, namely a method of data analysis aimed at portraying the conditions or characteristics of the data sample.¹⁸ Subsequently, the data are concluded through a deductive approach, in which the collected information is first analyzed in general terms and then synthesized into specific conclusions.¹⁹

Result and Discussion

The Phenomenon of Illicit Trade in Social Life and Its Legal Perspective in the Framework of Maqasid al-Shari'ah

In modern social life, the circulation of illicit trade has become one of the most complex problems threatening economic stability, public security, and societal morality.²⁰ The term illicit trade refers to

¹⁶ Michelle M. Kelly, Tasha Martin-Peters, and Jessica Strohm Farber, "Secondary Data Analysis: Using Existing Data to Answer New Questions," *J. Pediatr. Health Care* 38, no. 4 (July 2024): 615–18, <https://doi.org/https://doi.org/10.1016/j.pedhc.2024.03.005>.

¹⁷ Annabelle Lukin, "Halliday, Critical Discourse Analysis and Ideology," *LangCT* 6, no. 2 (December 2024): 227–61, <https://doi.org/https://doi.org/10.1075/langct.00072.luk>.

¹⁸ Jennifer L. Green et al., "Descriptive Statistics," in *International Encyclopedia of Education (Fourth Edition)* (Elsevier, 2023), 723–33.

¹⁹ Theophilus Azungah, "Qualitative Research: Deductive and Inductive Approaches to Data Analysis," *Qualitative Research Journal* 18, no. 4 (November 2018): 383–400, <https://doi.org/10.1108/QRJ-D-18-00035>.

²⁰ Ayesha Siddiqua, John N. Hahladakis, and Wadha Ahmed K. A. Al-Attiya, "An Overview of the Environmental Pollution and Health Effects Associated with Waste Landfilling and Open Dumping," *Environ. Sci. Pollut.*

all forms of commodities that are produced, traded, or consumed in ways that violate state law, social norms, or the principles of Islamic law.²¹ These goods include narcotics, alcoholic beverages, unlicensed weapons, untaxed smuggled items, counterfeit products, hazardous drugs, protected flora and fauna, and various other commodities traded for purposes contrary to law and public welfare.

This phenomenon has grown alongside technological advancements and the globalization of trade.²² Online platforms and anonymous digital payment systems have facilitated smuggling and cross-border distribution of *Illicit Trade*.²³ Across different social strata, illegal commodities are not only traded through black markets but also infiltrate formal trade networks through fraudulent practices such as falsified halal labels, quality manipulation, and hoarding.²⁴ As a result, the boundary between lawful economic activities and those that violate legal and ethical standards has become increasingly blurred.

The social and economic impacts of illicit trade circulation are far-reaching. Economically, such practices undermine state revenue through the loss of taxes and customs duties and create unfair competition for legitimate businesses.²⁵ Socially, illicit trade pose real dangers to the community – such as the spread of narcotics, counterfeit

Res. Int. 29, no. 39 (August 2022): 58514–36,
<https://doi.org/https://doi.org/10.1007/s11356-022-21578-z>.

²¹ Domenico Marino, Francesco Timpano, and Jaime Gil Lafuente, “The Competition between Legal and Illegal Firms in the Market: Theoretical Models and Empirical Evidence,” *Eur. Res. Manag. Bus. Econ.* 29, no. 3 (September 2023): 100228, <https://doi.org/https://doi.org/10.1016/j.iedeen.2023.100228>.

²² Waleed M. Sweileh, “Research Trends on Human Trafficking: A Bibliometric Analysis Using Scopus Database,” *Global. Health* 14, no. 1 (December 2018), <https://doi.org/https://doi.org/10.1186/s12992-018-0427-9>.

²³ Dong He, “Digitalization of Cross-Border Payments,” *China Economic J.* 14, no. 1 (January 2021): 26–38, <https://doi.org/https://doi.org/10.1080/17538963.2020.1870272>.

²⁴ Yulia Krylova, *Hubs of Illicit Trade in the Global Economy* (Taylor & Francis, 2024), 50.

²⁵ Marek Martyniszyn, “Competitive Harm Crossing Borders: Regulatory Gaps and A Way Forward,” *J. Compet. Law Econ.* 17, no. 3 (September 2021): 686–707, <https://doi.org/https://doi.org/10.1093/joclec/nhaa034>.

medicines, and toxic food—which directly threaten human life and public health.²⁶ Moreover, criminal networks operating behind illegal trade are often associated with violence, money laundering, and corruption, all of which erode the integrity of the legal system.

From an Islamic perspective, all forms of illicit trade circulation fall under the category of *al-amwāl al-muḥarramah*—wealth acquired through unlawful means.²⁷ Allah Almighty says in the Qur'an (Sūrat al-Nisā' [4]: 29): "O you who believe! Do not consume one another's wealth unjustly, except through lawful trade conducted by mutual consent among you." This verse affirms a foundational principle in *mu'āmalah* (economic dealings): that all economic activity must be grounded in honesty, mutual consent, and lawful processes.

Illicit trade are contrary to the principles of the *Sharī'ah* because they inherently involve elements of deceit, injustice, betrayal of trust, and corruption of public welfare (*fasād fī al-ard*).²⁸ The Prophet ﷺ also strongly prohibited all forms of trade that harm others. As narrated in an authentic hadith: "Whoever deceives us is not one of us." (Narrated by Muslim).²⁹ This hadith conveys a profound moral warning that all forms of fraud in production and distribution—including the trade of illicit trade—constitute a denial of the ethical foundations of Islamic commerce.

From the perspective of *maqasid al-sharī'ah* (the higher objectives of Islamic law), the existence of illicit trade constitutes a form of corruption that threatens the five fundamental principles of

²⁶ Waleed M. Sweileh, "Substandard and Falsified Medical Products: Bibliometric Analysis and Mapping of Scientific Research," *Global. Health* 17, no. 1 (September 2021): 114, <https://doi.org/10.1186/s12992-021-00766-5>.

²⁷ Abdessamad Belhaj, "Illicit Money in Contemporary Islamic Ethics," *Religions* (Basel) 9, no. 8 (July 2018): 226, <https://doi.org/https://doi.org/10.3390/rel9080226>.

²⁸ Kamal-Deen Olawale Sulaiman, "Islamic-Ethical Norms as a Combat against Corruption in Contemporary Nigeria," *Kardan Journal of Social Sciences* 1, no. 2 (2018): 61–82.

²⁹ Muḥammad 'Abd Allāh al-Ḍiyā', *al-Jāmi' al-Kāmil fī al-Ḥadīth al-Ṣaḥīḥ al-Shāmil al-Murattab 'alā Abwāb al-Fiqh*, 1st ed., al-Muṣannafāt al-Ḥadīthiyyah al-Mu'āṣirah (Riyadh, Kingdom of Saudi Arabia: Dār al-Salām lil-Nashr wa-al-Tawzī', 2016). Vol. 11, p. 417.

sharī'ah protection.³⁰ First, in terms of *hifz al-māl* (protection of wealth), illicit trade cause economic loss, deprivation of legitimate ownership rights, and damage to the public financial system.³¹ Second, from the aspect of *hifz al-nafs* (protection of life), the circulation of hazardous substances, narcotics, and unsafe products directly endangers human safety.³² Third, regarding *hifz al-nasl* (protection of progeny), illicit trade of a destructive nature—such as alcohol and narcotics—can undermine family structures and weaken future generations.³³ Fourth, *hifz al-'ird* (protection of honor) is also jeopardized when illegal trade involves sexual exploitation or human trafficking. Lastly, from the dimension of *hifz al-dīn* (protection of religion), the prevalence of illicit goods and fraudulent practices in transactions can erode people's faith and diminish Islamic moral values.

Therefore, the prevention and eradication of illicit trade are integral parts of implementing *maqasid al-sharī'ah*. Islam does not only demand repressive legal enforcement but also emphasizes preventive measures (*sadd al-dharā'i'*) to block the means leading to harm.³⁴ The state, as the authority responsible for maintaining the public interest (*himāyat al-maṣlahah al-'āmmah*), bears a great responsibility to establish regulations, monitoring systems, and appropriate *ta'zīr* (disciplinary) sanctions to curb the circulation of illicit trade.

³⁰ Charu Saxena and Pardeep Kumar, "Bibliometric Analysis of *Journal of Money Laundering Control: Emerging Trends and a Way Forward*," *J. Money Laund. Contr.* 26, no. 5 (November 2023): 947–69, <https://doi.org/https://doi.org/10.1108/jmlc-06-2022-0075>.

³¹ Hoque et al., "Money Laundering from Maqasid Al-Sharī'ah Perspective with a Particular Reference to Preservation of Wealth (Hifz Al-Mal)."

³² Farzaneh Mahmoudi Meymand, Amirhossein Takian, and Ebrahim Jaafariipooyan, "The Challenges Associated with the Prevention of Smuggling and Counterfeiting Health Goods in Iran," *BMC Public Health* 24, no. 1 (June 2024): 1564, <https://doi.org/10.1186/s12889-024-18637-0>.

³³ Lengsi Manurung, "The Impact of Drug Abuse on Families and Society (Literature Review)," *MSJ: Majority Science Journal* 2, no. 2 (May 2024): 239–44, <https://doi.org/https://doi.org/10.61942/msj.v2i2.168>.

³⁴ Sayyed Mohamed Muhsin, "Islamic Jurisprudence on Harm versus Harm Scenarios in Medical Confidentiality," *HEC Forum* 36, no. 2 (June 2024): 291–316, <https://doi.org/10.1007/s10730-022-09503-w>.

In the social context, society also plays a vital role through the reinforcement of moral awareness and collective responsibility.³⁵ Religious education and Islamic business ethics should be instilled so that individuals realize that preventing illicit trade is not merely a matter of legal compliance, but also an act of social worship aimed at preserving justice and communal welfare. Empowering the poor, monitoring the distribution of goods, and fostering inter-agency and international collaboration are tangible steps aligned with the objectives of *maqasid* in maintaining social stability.

Thus, preventing the circulation of illicit trade from the Islamic perspective is not only an economic or legal issue but also a moral and spiritual concern. Islam regards honesty, trustworthiness (*amānah*), and social responsibility as the foundations of a just and stable civilization. When these principles are comprehensively applied, social security, economic stability, and communal prosperity will be realized in accordance with the ultimate aims of *maqasid al-shari'ah*.

No.	Aspect	Threat of Illicit Trade	<i>Maqasid al-Shari'ah</i> Dimension	Strategic Response
1	Economic Stability	Tax losses, unfair competition, market distortion	<i>Hifz al-Māl</i>	Financial regulation and anti-smuggling enforcement
2	Public Safety	Narcotics, counterfeit medicines, hazardous products	<i>Hifz al-Nafs</i>	Strict supervision and product safety controls
3	Family and Society	Addiction, moral decline, social disintegration	<i>Hifz al-Nasl</i>	Education, rehabilitation, and family protection

³⁵ Claudiu George Bocean et al., "The Role of Social Responsibility and Ethics in Employees' Wellbeing," *Int. J. Environ. Res. Public Health* 19, no. 14 (July 2022): 8838, <https://doi.org/https://doi.org/10.3390/ijerph19148838>.

4	Human Dignity	Human trafficking and exploitation	<i>Hifz al-'Ird</i>	Criminal prosecution and victim protection
5	Religious Integrity	Fraud, deception, and unlawful transactions	<i>Hifz al-Dīn</i>	Islamic business ethics and moral education
6	Social Stability	Organized crime, corruption, and violence	Comprehensive <i>Maqasid</i>	Integrated legal, social, and international cooperation

An Analysis of the Preventing Illicit Trade to Maintain Social Stability in the Perspective of the Prophetic Hadīth

In this discussion, several Hadith have been identified that can serve as the basis for analyzing solutions to this issue using the theory of critical discourse analysis. The exposition is presented as follows:

الأَوَّلُ: عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ غَشَّنَا فَلَيْسَ مِنَّا». (رواه مسلم).³⁶

From Abū Hurayrah (*radiya Allāhu 'anhu*), the Messenger of Allah ﷺ said: "Whoever cheats us is not one of us." (Narrated by Muslim).

The Prophetic hadith of the Prophet ﷺ which states, "*Whoever deceives us is not one of us*," conveys a profound moral and social message against all forms of deceit and fraud, including illegal trade and the circulation of prohibited goods. Within the framework of Critical Discourse Analysis (CDA),³⁷ this hadith is not merely a

³⁶ al-Diyā', al-Jāmi' al-Kāmil fī al-Ḥadīth al-Ṣaḥīḥ al-Shāmil al-Murattab 'alā Abwāb al-Fiqh. Vol. 11, p. 417.

³⁷ Karin Zotzmann and John P. O'Regan, "Critical Discourse Analysis, Critical Discourse Studies, and Critical Applied Linguistics," in *The Routledge Handbook of Applied Linguistics* (Routledge, 2023), 57–67, <https://doi.org/10.4324/9781003082637-7>.

normative statement prohibiting deception but a social discourse that shapes collective moral awareness and the construction of a just social order.

Semantically, the term *ghish* (deception) encompasses every act involving fraud, falsification, or concealment of truth for personal gain and the detriment of others. Illicit trade – such as smuggled products, stolen items, or unlicensed commodities – fall under the category of *ghash* because they involve manipulation of legal, economic, and social systems. This hadith explicitly excludes perpetrators of deceit from the moral community of Islam, as implied in the phrase “*is not one of us.*” This expression carries a deep social connotation: Islam rejects all forms of behavior that undermine honesty, justice, and communal security.

This hadith positions honesty and transparency as the ethical foundation for preventing illicit trade, preserving public trust, and promoting sustainable social stability. From the perspective of *Maqāṣid al-Sharī‘ah*, illicit trade threatens the essential objectives of the Sharī‘ah by undermining the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), wealth (*ḥifẓ al-māl*), intellect (*ḥifẓ al-‘aql*), and progeny (*ḥifẓ al-nasl*). Fraudulent and unlawful economic practices erode religious and moral values, endanger human life through harmful products, distort economic justice, corrupt ethical judgment, and weaken family and social stability. This interpretation is consistent with Ibn Hajar's explanation that the hadith was delivered in response to fraudulent practices in the marketplace, emphasizing honesty and transparency as the ethical foundations of commercial transactions..

الثَّانِي: عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «إِنَّ اللَّهَ حَرَّمَ الْخَمْرَ وَفَنَئِهَا، وَحَرَّمَ الْمَيْتَةَ وَفَنَئِهَا، وَحَرَّمَ الْخِنْزِيرَ وَفَنَئِهَا». (رواه أبو داود وحسنه الضياء).³⁸

On the authority of Abū Hurayrah (*radīya Allāhu ‘anhu*), the Messenger of Allah ﷺ said: “Indeed, Allah has forbidden *khamr* (intoxicants) and its price, forbidden *al-maytah* (the carcass of dead animals) and its price, and forbidden *al-khinzīr* (the swine)

³⁸ al-Ḍiyā’, al-Jāmi’ al-Kāmil fī al-Ḥadīth al-Ṣaḥīḥ al-Shāmil al-Murattab ‘alā Abwāb al-Fiqh. Vol. 5, p. 620.

and its price.” (Narrated by Abū Dāwūd and graded ḥasan by al- Diyā’).

The hadith narrated by Abū Hurayrah, in which the Prophet ﷺ prohibited *khamr*, carrion, swine, and the profits derived from their sale, establishes the Islamic principle that both unlawful commodities and the economic benefits obtained from them are prohibited. From the perspective of Critical Discourse Analysis (CDA), this hadith functions as an ethical discourse that rejects illicit economic practices and affirms that commercial activities must be grounded in lawful transactions, justice, and public welfare.

From the perspectives of Critical Discourse Analysis and *Maqāsid al-Sharī'ah*, the prohibition of trading unlawful commodities extends beyond their forbidden nature to protect the moral and social order from the harmful consequences of illicit economic activities. This principle applies not only to *khamr*, carrion, and swine but also to contemporary forms of illicit trade, such as narcotics, illicit weapons, and human trafficking, all of which threaten public security and social stability. By prohibiting both unlawful commodities and the profits derived from them, the hadith safeguards the essential objectives of the Sharī'ah, particularly the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), and wealth (*ḥifẓ al-māl*), thereby providing an ethical foundation for a just and lawful economic system. Accordingly, this hadith provides an ethical and legal foundation for policies aimed at preventing illicit trade and strengthening public security through lawful economic practices.

الثَّالِثُ: عَنْ مَعْمَرٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ احْتَكِرَ فَهُوَ خَاطِيٌّ». (رواه مسلم).³⁹

From Ma'mar (*radiya Allāhu 'anhu*), who reported that the Messenger of Allah ﷺ said: “Whoever hoards goods is a wrongdoer.” (Narrated by Muslim).

The Prophetic hadith, “Whoever hoards goods is a wrongdoer (*khāṭi'*),” establishes a clear ethical prohibition against market practices that intentionally restrict the circulation of essential goods for

³⁹ al-Diyā'. Vol. 5, p. 660.

private gain. From the perspective of Critical Discourse Analysis (CDA), the hadith functions as a social discourse that challenges economic behavior capable of creating injustice, market distortion, and unequal access to basic necessities. Rather than treating trade as a purely profit-oriented activity, the Prophetic discourse frames commercial transactions as a social responsibility that must uphold fairness and collective welfare.

Semantically, the term *iḥtikār* refers to the deliberate withholding of essential commodities from the market with the intention of creating artificial scarcity and increasing prices. Such practices enable monopolistic control, manipulate supply and demand, and place disproportionate economic burdens on consumers, particularly vulnerable groups. From a CDA perspective, the hadith delegitimizes these exploitative market practices by exposing how economic power may be used to dominate markets and undermine distributive justice. In this way, the Prophetic discourse promotes an economic order based on equitable market access, transparency, and accountability rather than manipulation and excessive profit seeking.

From the perspective of *Maqāṣid al-Sharī'ah*, the prohibition of *iḥtikār* protects the essential objectives of the *Sharī'ah* by safeguarding wealth (*ḥifẓ al-māl*) through fair market competition, preserving life (*ḥifẓ al-nafs*) by ensuring access to essential goods, and maintaining social welfare through economic justice. Artificial scarcity and price manipulation not only harm consumers but also weaken public trust, widen social inequality, and threaten economic stability. Accordingly, this hadith provides an ethical and normative foundation for policies that prevent hoarding, discourage monopolistic practices, and promote fair market regulation in order to strengthen public welfare and sustainable social stability.

الرَّابِعُ: عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْغَرَرِ. (رَوَاهُ مُسْلِمٌ).⁴⁰

From Abū Hurayrah (*radiya Allāhu 'anhū*), he said: "The Messenger of Allah ﷺ forbade *bay' al-gharar* (transactions involving excessive uncertainty)." (Narrated by Muslim).

⁴⁰ al-Ḍiyā'. Vol. 5, p. 611.

The *hadīth* narrated from Abū Hurayrah *radiya Allāhu 'anhu* in which the Messenger of Allah ﷺ stated that “the Prophet forbade transactions involving *gharar* (uncertainty or speculation)” (narrated by Muslim), represents one of the fundamental principles of the Islamic economic system, which rejects all forms of harmful, manipulative, and uncertain transactions. When analyzed through the lens of Critical Discourse Analysis (CDA), this *hadīth* is not merely a legal text (*naṣṣ tashrī'i*) but also an ideological and social discourse aimed at constructing an economic structure that is just, transparent, and free from illegal practices.

Textually, the prohibition of *bay' al-gharar* affirms the principles of clarity, honesty, and openness in economic transactions. The Prophet ﷺ rejected any economic activity that involves deception, uncertainty, or concealment of information, as such acts lead to injustice and social conflict. In the context of modern life, the meaning of *gharar* may be extended to include various forms of illegal or speculative trade, such as smuggling, fictitious transactions, digital fraud, and unregulated economic activities. All these forms essentially contain *gharar*, as they occur outside the legal framework and create uncertainty or harm to others.

From the perspectives of Critical Discourse Analysis and Maqāsid al-Sharī'ah, the prohibition of *gharar* establishes transparency, legal certainty, and fairness as essential principles of economic transactions. By prohibiting contracts characterized by uncertainty, deception, or excessive risk, the *hadīth* protects wealth (*ḥifẓ al-māl*), safeguards public welfare, and promotes justice in commercial activities. In the contemporary context, this principle also provides an ethical basis for preventing illicit trade, including smuggling, narcotics, and other unlawful transactions that rely on concealment, legal uncertainty, and exploitation, thereby reinforcing public trust and social stability. Accordingly, this *hadīth* remains a relevant normative foundation for preventing modern illicit trade by ensuring transparency, legal certainty, and ethical compliance in economic transactions.

الخَامِسُ: عَنْ أَبِي سَعِيدٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «التَّاجِرُ الصَّدُوقُ الْأَمِينُ مَعَ النَّبِيِّينَ وَالصِّدِّيقِينَ وَالشُّهَدَاءِ» (رَوَاهُ التِّرْمِذِيُّ وَحَسَنَهُ الضَّيَّاءُ).⁴¹

From Abū Sa'īd (*radiya Allāhu 'anhu*), from the Prophet ﷺ, who said: "The truthful and trustworthy merchant will be with the Prophets, the truthful ones, and the martyrs." (Narrated by al-Tirmidī and graded ḥasan by al-Diyā').

The hadith narrated by Abū Sa'īd, in which the Prophet ﷺ states that "the truthful and trustworthy merchant will be with the prophets, the ṣiddiqīn, and the martyrs," establishes honesty (ṣidq) and trustworthiness (amānah) as the ethical foundations of Islamic commerce. From the perspectives of Critical Discourse Analysis and Maqāṣid al-Sharī'ah, the hadith promotes an economic order based on integrity, accountability, and lawful transactions while rejecting fraud, corruption, smuggling, and other forms of illicit trade that undermine the preservation of wealth (ḥifẓ al-māl), religion (ḥifẓ al-dīn), life (ḥifẓ al-nafs), and intellect (ḥifẓ al-'aql). Accordingly, it provides a normative framework for fostering ethical commercial practices, strengthening public trust, and preventing contemporary forms of illicit trade. Accordingly, this hadith establishes honesty and trustworthiness as the normative basis for building public trust and reinforcing ethical governance in commercial activities.

The analysis of the five Prophetic hadiths demonstrates that the prevention of illicit trade is not limited to legal prohibition but is rooted in a comprehensive ethical framework that integrates Islamic commercial ethics with the objectives of the Sharī'ah. Each hadith addresses a distinct dimension of economic conduct, ranging from the prohibition of fraud, unlawful commodities, hoarding, and uncertainty in transactions to the promotion of honesty and trustworthiness. Collectively, these principles provide a coherent normative foundation for preventing illicit trade while safeguarding public welfare and social order. The summary of the main findings is presented in Table 1.

Table 1. Main Principles of Prophetic Hadith and Their Relevance to Illicit Trade Prevention

⁴¹ al-Diyā'. Vol. 5, p. 571.

No.	<i>Hadīth</i>	Main Principle	<i>Maqāṣid</i>	Relevance to Illicit Trade Prevention
1	"Whoever cheats us is not one of us"	Prohibition of fraud and deception	<i>Hifz al-Dīn, al-Māl, al-Nafs</i>	Prevents fraudulent and illegal commercial practices.
2	"Allah has forbidden khamr and its price..."	Prohibition of unlawful commodities	<i>Hifz al- 'Aql, al-Nafs, al-Māl</i>	Prohibits narcotics, illicit alcohol, and other illegal goods.
3	"Whoever hoards goods is a wrongdoer"	Prohibition of hoarding and monopoly	<i>Hifz al-Māl, al-Nafs</i>	Prevents black markets and market manipulation.
4	"The Prophet forbade bay' al-gharar"	Prohibition of uncertainty and speculation	<i>Hifz al-Māl, al- 'Aql</i>	Ensures transparency and legal certainty in trade.
5	"The truthful merchant..."	Promotion of honesty and trustworthiness	<i>Hifz al-Māl, al-Dīn</i>	Encourages ethical business and social trust.

Conclusion

This study concludes that the Prophetic hadiths provide a comprehensive normative framework for preventing illicit trade by integrating ethical commercial principles with the objectives of the *Sharī'ah*. Through a thematic analysis of selected hadiths in *al-Kutub al-Sittah*, the study demonstrates that the prohibition of fraud, unlawful commodities, hoarding, and transactions involving *gharar*, together with the promotion of honesty and trustworthiness, constitutes an interconnected system of Islamic economic ethics. Rather than functioning solely as legal injunctions, these Prophetic teachings establish principles that promote market integrity, protect public welfare, and support social security and stability.

The findings further show that the prevention of illicit trade reflects the realization of the *Maqāṣid al-Sharī'ah*, particularly the preservation of religion (*hifz al-dīn*), life (*hifz al-nafs*), wealth (*hifz al-māl*), and intellect (*hifz al- 'aql*). Interpreted through the perspective of

Critical Discourse Analysis, the hadiths also function as ethical discourses that challenge exploitative economic practices and encourage transparency, accountability, and public trust in commercial activities. Accordingly, the study argues that combating illicit trade should be understood not merely as a matter of legal enforcement but as an effort to realize the broader objectives of the *Shari'ah* through ethical economic governance.

This study contributes to the literature by demonstrating how the integration of Prophetic hadith, Critical Discourse Analysis, and *Maqāsid al-Shari'ah* provides a multidisciplinary framework for understanding illicit trade prevention in contemporary society. The findings offer a conceptual reference for scholars, policymakers, and institutions seeking to strengthen ethical market governance through Islamic legal principles.

Future research is recommended to extend this conceptual framework through empirical investigations of contemporary illicit trade, including digital commerce, cross-border smuggling, counterfeit products, and online marketplaces. Comparative studies involving Islamic legal institutions, regulatory authorities, and law enforcement agencies would also enrich understanding of how Prophetic economic ethics can be translated into effective policies for promoting market integrity, public trust, and sustainable social stability.

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