

Legal Provisions on the Sale of Drugs Indicated as Dangerous from a Sharia Perspective

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ABSTRACT

The development of the pharmaceutical industry in Indonesia has increased significantly in recent years, but this has also brought the risk of dangerous drugs. The Food and Drug Administration (BPOM) has announced several cases of drugs circulating in Indonesia and indicated to contain hazardous ingredients such as Ethylene Glycol (EG) and Diethylene Glycol (DEG), which can cause acute kidney disorders. Therefore, the government has ordered the withdrawal of these medicinal products from the market and the destruction of existing product stocks. Even so, there are still people who sell the drug under the pretext that the government does not provide compensation. This study aims to analyze the legal provisions of the sale of drugs that are indicated to be dangerous from a sharia perspective. The author considers it important to analyze Sharia law related to the sale of drugs that are indicated to be dangerous. The principles of maqasid sharia, such as the protection of life, property, offspring, reason, and religion, need to be applied to determine whether or not it is lawful to sell potentially dangerous drugs. This research uses a qualitative approach with a focus on descriptive analysis to understand the law of selling potentially dangerous drugs from a sharia perspective. The research locations include pharmacies, clinics, and drug sales places in Lebak Regency, where researchers can directly observe sales practices and interactions between sellers and consumers. The data sources include legal documents, fatwas from sharia institutions, and information from sharia legal experts. The results of this study indicate that the law of selling drugs that are indicated to be dangerous in the perspective of sharia is strictly prohibited (haram) because it contradicts the principles of maqasid sharia, especially the protection of the soul (hifz al-nafs), property (hifz al-mal), offspring (hifz al-anas), and intellect (hifz al-aql).

INTRODUCTION

The pharmaceutical industry in Indonesia has grown and increased significantly in recent years. This is due to the rapid advancement of technology and science.¹ Thus, various types of drugs have emerged that are more sophisticated and effective in treating various diseases. However, this development also carries the risk of the emergence of drugs that are indicated to be dangerous. In recent years, the Food and Drug Supervisory Agency (BPOM) has released several cases of drugs circulating in Indonesia that are indicated to contain hazardous ingredients such as Ethylene Glycol (EG) and Diethylene Glycol (DEG). These cases have resulted in acute kidney disorders in several patients, so BPOM has instructed to withdraw these drug products from the market and destroy existing product stocks.² The government's policy to issue a ban on the sale of drugs that have been circulated and are indicated to contain hazardous ingredients is the right step to protect public health. BPOM has carried out risk-based traceability, sampling, and gradual sample testing of drug products that have the potential to contain EG and DEG contaminants. This proves that the government is trying to improve drug safety and prevent unwanted events that have a greater impact.

The rapid development of the pharmaceutical industry is also influenced by the Industrial Revolution 4.0 which has given birth to innovative technologies in providing health services.³ However, this also brings challenges in monitoring drug safety and ensuring that the drugs produced do not contain hazardous substances. In this situation, it is important to analyze sharia law about the sale of drugs that are indicated as dangerous. The principles of maqasid sharia, such as protection of life, property, descendants, reason, and religion, need to be applied to ensure whether selling potentially dangerous drugs is halal or not.

¹ N. Nurlaela Arief et al., "Pharma 4.0: Analysis on Core Competence and Digital Levelling Implementation in Pharmaceutical Industry in Indonesia," *Heliyon* 8, no. 8 (2022): e10347, <https://doi.org/10.1016/j.heliyon.2022.e10347>.

² Khofifah Ayu Aryawati and Luthfian Ubaidillah, "Tanggung Gugat Perusahaan Farmasi Terhadap Konsumen Mengonsumsi Obat Sirup Yang Mengandung Etilen Glikol Dan Dietilen Glikol (Kasus Gagal Ginjal Akut Pada Anak)," *Indonesian Journal of Law and Justice* 1, no. 4 (2024): 8, <https://doi.org/10.47134/ijlj.v1i4.2911>.

³ Ezra Butar Pandapotan, "Adaptasi Pemasaran Layanan Kesehatan Di Era Digital : Literature Review," *Indonesian Nursing Journal of Education and Clinic* 4, no. 2 (2024): 93–103.

Several drugs have been indicated as dangerous drugs by the government in recent years because they contain potentially toxic ingredients. Here are some examples of drugs that have been indicated as dangerous: First, syrups containing Ethylene Glycol (EG) and Diethylene Glycol (DEG) such as Termorex syrup, Flurin DMP syrup, Unibebi Cough syrup, Unibebi Fever syrup, and Unibebi Fever Reducer have been detected to contain EG and DEG contamination, which can cause acute kidney disorders.⁴ Second, Drugs Containing Other Hazardous Materials. Although not specific, several surveys and studies have shown that many drugs have been released into the environment and can become pollutants, such as narcotics detected in surface water, groundwater, and drinking water.⁵ Third, Potentially Toxic Synthetic Drugs. The development of synthetic drugs is increasing, but some of these drugs can also cause toxic effects if the dose is too high or under certain conditions.⁶

The purpose of this article is to analyze the legal aspects of the sale of drugs that are indicated as dangerous from a sharia perspective. In recent years, there have been many health workers, pharmacies, and drug stores that have sold drugs that have been declared dangerous by the government. The main reason often used is the lack of compensation from the government for the losses suffered. However, this cannot be used as an excuse to violate the principles of Sharia law which aims to protect public health and safety. By analyzing Sharia law, this article aims to provide a deeper understanding of the obligations and responsibilities of individuals and society in dealing with the problem of selling dangerous drugs. The principles of maqasid sharia, such as protection of life, property, descendants, reason, and religion, will be used as an analytical framework to determine whether selling potentially dangerous drugs is halal or not. This article is expected to make a significant contribution to addressing the problem of selling

⁴ Asti Widiani and Rini Hendriani, "Studi Perspektif Masyarakat Terhadap Sirup Pasca Pernyataan Bpom Mengenai Turunan Glikol Di Apotek Kota Bandung," *Termometer: Jurnal Ilmiah Ilmu Kesehatan dan Kedokteran* 1, no. 2 (2023): 201–6, <https://ejurnal.politeknikpratama.ac.id/index.php/Termometer/article/view/1416>.

⁵ Tri Sulismuji Wiyono, "Perlindungan Hukum Konsumen Terhadap Produk Pangan Yang Mengandung Bahan Berbahaya," *Jurnal Ilmu Hukum: ALETHEA* 4, no. 1 (2020): 21–40, <https://doi.org/10.24246/alethea.vol4.no1.p21-40>.

⁶ Azat R. Asadullin et al., "Approach to Classifying 'Design' Drugs and New Potentially Dangerous Chemical Substances, with a Brief Review of the Problem," *International Journal of Environmental and Science Education* 11, no. 14 (2016): 6697–6703.

dangerous drugs from a sharia perspective and emphasizes that protecting public health is the primary responsibility of all parties involved in the pharmaceutical industry.

In analyzing the legal status of selling potentially dangerous drugs from a sharia perspective, we must consider the principles of maqasid sharia. First, protection of life is key, because selling potentially dangerous drugs can endanger human lives. Second, protection of property is also important, because selling dangerous drugs can cause economic and financial losses to society. Third, the protection of descendants must also be considered, because dangerous drugs can cause damage to future generations. Finally, protection of reason must also be considered, because selling dangerous drugs can cause psychological and mental damage. In this scope, sharia and fiqh laws must be used as references. Sharia and fiqh laws are based on the revelation of Allah and the Sunnah of the Prophet, so they must be considered in determining whether it is halal or haram to sell potentially dangerous drugs. In addition, fatwas from the National Sharia Council also need to be considered to determine whether the sale is halal or not.

Clear and effective implementation of legality is essential in overseeing drug safety. Strict and fair regulations must be enforced to protect society from the dangers of selling potentially dangerous drugs. Strict and fair sanctions must also be imposed on those who sell these drugs without regard to public safety and security. Thus, the analysis of sharia law can help identify whether selling potentially dangerous drugs is halal or not and make a significant contribution to addressing the problem of selling dangerous drugs from a sharia perspective. This study produces several novelties: first, linking the principles of maqasid sharia *hifd an-nafs*, *hifdz mall*, *hifdz aql*, and *hifdz ad-din* as the main legal framework in analyzing the halal or haram status of selling dangerous drugs. Second, linking maqasid sharia with government actions can strengthen modern pharmaceutical regulations, especially in facing the challenges of the Industrial Revolution 4.0. Third, this study not only discusses the principles of Sharia theoretically but also connects them with moral and legal obligations for individuals and industry players. Fourth, it is hoped that Sharia fatwas will be a reference for providing certainty of decisions in the context of pharmacy in government institutions.

METHODS

This study uses a qualitative approach with a focus on descriptive analysis to understand the law on selling drugs that are indicated as dangerous from a sharia perspective.⁷ This method was chosen because it allows researchers to dig up information in depth and interpret data obtained from various sources. Data collection was carried out through three main techniques: observation, interviews, and document analysis.⁸ The research locations included pharmacies, clinics, and drug sales outlets in Lebak Regency, where researchers could directly observe sales practices and interactions between sellers and consumers. Data sources used included legal documents, fatwas from Sharia institutions, and information from Sharia law experts and pharmaceutical practitioners. Thus, this study can provide a comprehensive picture of the issues being studied.

The data collection technique began with direct observation of the drug sales process at a predetermined location. Researchers recorded the practices carried out by sellers and consumer responses to the products offered. Furthermore, interviews were conducted with Sharia law experts, pharmaceutical practitioners, and consumers to gain a broader perspective on the impact of selling dangerous drugs. Furthermore, document analysis was conducted to examine regulations, fatwas, and guidelines related to drug sales in the context of sharia. By combining these various techniques, the research is expected to produce relevant and useful findings in understanding the law on selling drugs that are indicated as dangerous and its implications for society.

RESULT AND DISCUSSION

A. Sharia Law Analysis

Analysis of sharia law based on the principles of maqasid sharia is very important in understanding the purpose and meaning of every law established in Islam. Maqasid sharia, which means the purpose or intent of sharia, focuses on five main aspects:

⁷ A. Michael Huberman and Saldana Jhonny, *Qualitative Data Analysis a Methods Sourcebook* (America: Arizona State University, 2014), 23.

⁸ Sugiyono, *Metode Penelitian Pendidikan (Pendekatan Kuantitatif, Kualitatif, Dan R&D)* (Bandung: Alfabeta, 2015).

protection of life, property, descendants, reason, religion, and honor.⁹ Each of these aspects plays an important role in maintaining the welfare of individuals and society as a whole. The principle of protection of life (hifz al-nafs) is one of the fundamental aspects of maqasid sharia which emphasizes the importance of maintaining and protecting human life.¹⁰ In the context of Sharia law, this principle is the basis for various regulations that aim to protect individuals from all forms of threats that can endanger their health and safety.¹¹ Protection of life does not only cover physical aspects but also mental and spiritual health, so that any action or policy that has the potential to harm human life must be avoided. For example, in the context of selling drugs, Sharia law prohibits the distribution of drugs that are indicated as dangerous and can cause death or serious damage to health.

In implementing the principle of life protection, Sharia law encourages preventive measures against risks that can threaten life.¹² This is reflected in the recommendation to avoid food and drinks that can harm health, as well as the prohibition of unethical medical practices. For example, the use of illegal or dangerous drugs that do not have official permits is strictly prohibited in sharia, because it can cause damage to the soul and body. Therefore, drug sellers have a moral and legal responsibility to ensure that the products they sell are safe and do not harm consumers. In addition, life protection also includes efforts to increase public awareness of the importance of health and safety. In this case, education regarding the proper and safe use of drugs is very important. Sharia law encourages Muslims to seek correct knowledge and information about health so that they can make the right decisions regarding treatment and self-care. This means that the principle of life protection in the maqasid sharia not only functions as a prohibition

⁹ Amir Husin Mohd Nor et al., "Application of the Principles of Maqasid Shari'ah in Administration of the Islamic Countries," *Advances in Natural and Applied Sciences* 6, no. 6 (2012): 847–51.

¹⁰ Mustaqim Roslan, Universiti Sultan, and Azlan Shah, "Hifz Al-Nafs Dalam Maqasid Syariah : Analisis Teoritik Hifz Al-Nafs in Maqasid Syariah : A Theoretical" 7, no. 1 (2024): 8–19, <http://jurnal.usas.edu.my/altakamul/index.php/altakamulfiles/article/view/210>.

¹¹ Muhammad Nooraiman Zailani, Nurul Huda Mohd Satar, and Roza Hazli Zakaria, "Maqasid Al-Shariah Based Index of Socio-Economic Development: A Literature Review," *The Journal of Muamalat and Islamic Finance Research* 19, no. 1 (2022): 47–62, <https://doi.org/10.33102/jmifr.v19i1.409>.

¹² Panji Nurrahman, "Physical Distancing Perspektif Maqashid Al-Syari'ah Studi Di Desa Lamendra Kecamatan Kapoiala Kabupaten Konawe," *Ar-Risalah: Media Keislaman, Pendidikan Dan Hukum Islam* XX, no. 2 (2016): 1–23.

against harmful actions but also as an encouragement to improve the quality of life through education and awareness of health.

The principle of wealth protection (*hifz al-mal*) in the maqasid shari'ah emphasizes the importance of maintaining and protecting individual and community wealth. In this context, wealth is seen as one of the basic human needs that must be managed properly to achieve prosperity. Sharia law regulates various aspects of wealth management, including how to acquire, use, and distribute it.¹³ Good wealth management not only ensures the economic sustainability of individuals but also contributes to the social and economic stability of society as a whole. Therefore, any act that harms the wealth of others, such as theft or fraud, is considered a serious violation of Sharia law. In analyzing Sharia law regarding wealth protection, it is important to understand that all wealth in this world belongs to Allah SWT, and humans are only given the right to manage it. This is reflected in the Qur'an which emphasizes that there should be no action that harms others in the management of wealth. For example, in Surah An-Nisa verses 29-30, Allah forbids His people from wrongfully consuming each other's wealth.¹⁴ This principle encourages society to transact fairly and transparently and to maintain integrity in every economic activity.

In addition to property protection, the principle of protection of descendants (*hifz al-nasl*) is also very important in the maqasid shari'ah. Protection of descendants includes aspects of the health and education of children as the next generation. Sharia law stipulates that every parent has a responsibility to provide a good education and meet the basic needs of their children. In this context, good management of assets greatly influences the ability of parents to provide a healthy and supportive environment for the growth of their children.¹⁵ Families who can manage assets wisely will be better able to provide quality education and maintain the health of their children so that they can

¹³ Muhammad Nazmul Hoque et al., "Money Laundering from Maqāṣid Al- Shari'ah Perspective with a Particular Reference to Preservation of Wealth (Hifz Al-Māl)," *Journal of Legal, Ethical and Regulatory Issues* 24, no. Special Issue 1 (2021): 1–10.

¹⁴ M. Quraysh Sihab, *Tafsir Al-Misbah*, 11th ed. (Jakarta: Lentera Hati, 2005), 433.

¹⁵ Z Zailani, Z Zaitun, and A Aslati, "Government Protection of Human Rights Humans in Indonesia in the Perspective of Maqasid Al-Syari'ah," *Proceedings ...* 11 (2023), <https://doi.org/10.30595/pssh.v11i.756>.

produce a better generation in the future. Analysis of sharia law based on the principle of protection of assets and descendants shows how important it is to manage resources responsibly. Sharia law not only serves to protect individuals from financial loss but also to ensure that each generation has an equal opportunity to develop and reach their full potential. This creates a positive cycle that supports the welfare of society as a whole. Thus, the application of the principle of maqasid shari'ah in the management of assets and protection of descendants is very important to create a just and prosperous society.

The principle of protecting the mind (*hifdz al-aql*) emphasizes the importance of maintaining the mental and intellectual health of individuals. In this context, the mind is considered a vessel that accommodates understanding of aqidah, sharia, and morals. Sharia law prohibits any form of substance or behavior that can damage the function of the mind, such as the use of drugs or alcohol because it can interfere with an individual's ability to think rationally and make good decisions.¹⁶ Meanwhile, the principle of protecting religion (*hifzhu din*) emphasizes the importance of maintaining freedom of belief and worship. In the Qur'an, Allah SWT emphasizes that there is no compulsion in religion (Al-Baqarah: 256), which indicates that every individual must have the right to choose their beliefs without any pressure. Protecting religion also includes efforts to maintain the practice of Islamic worship so that it continues to run well, such as prayer, fasting, and other religious activities.¹⁷ By maintaining religion, Muslims are expected to obtain blessings and glory in their lives.

These last two principles are interrelated. Protection of reason serves to ensure that individuals can think clearly and understand religious teachings well. Education in this case is a key factor in increasing religious understanding and strengthening one's faith. Sharia law encourages Muslims to seek knowledge and science so that they can live their lives according to religious teachings. In addition, a healthy mind allows individuals to evaluate and understand various aspects of life, including religious matters. These two aspects (the principle of protecting reason and religion) are an integral part of the

¹⁶ Nida Rafiq Izzati et al., "Maqasid Al-Syariah Theory By Imam Al-Syatibi," *Anayasa: Journal of Legal Studies* 2, no. 1 (2024): 93–100, <https://doi.org/https://doi.org/10.61397/ays.v2i1.191>.

¹⁷ Roni Susanto et al., "Interreligious Harmonization (Analytic Study of Kalicinta Village, Kotabumi, Lampung)," *Jurnal Kodifikasia: Jurnal Penelitian Keagamaan San Sosial-Budaya* 17, no. 1 (2023), <https://doi.org/http://dx.doi.org/10.21154/kodifikasia.v17i1.5729>.

maqasid of Sharia. Sharia law not only serves to protect individuals from physical or material harm but also to ensure that everyone can live a meaningful life according to religious values. The application of these principles in everyday life is expected to create a society that is spiritually and intellectually prosperous.

B. Legality of Selling Drugs That Are Indicated as Dangerous

1. Sharia Law on Health and The Obligation to Prevent Harm

The law on selling drugs that are indicated as dangerous from the perspective of Sharia law can be analyzed through the principles of maqasid sharia, which focus on protecting life, property, mind, and religion.¹⁸ First of all, the protection of life (*hifz al-nafs*) is very important in this context. Drugs that are indicated as dangerous can pose serious risks to the health and safety of individuals. In Islam, preserving life is a top priority, so any action that can endanger life must be avoided. For example, selling drugs that contain dangerous ingredients or are not clinically tested contradicts this principle, as it can cause death or permanent health damage. Furthermore, the principle of protection of property (*hifz al-mal*) is also relevant in this analysis.¹⁹ Selling dangerous drugs not only harms the health of consumers but can also result in significant financial losses. Consumers who purchase dangerous drugs may have to spend additional costs for treatment due to side effects or health complications caused by the drug. In the context of sharia law, transactions that harm other parties are considered invalid and contrary to the principle of justice. Therefore, drug sellers have a responsibility to ensure that the products they offer are safe and do not harm consumers.

The principle of protecting the mind (*hifz al-aql*) is also an important consideration in the law of selling drugs. Harmful drugs can affect a person's cognitive and mental functions, thereby impairing their ability to think clearly and make good decisions.²⁰

¹⁸ Muhammad Irsyadhul Ula and Ainun Garini Paramita, "Tinjauan Hukum Perjanjian Jual Beli Obat Tradisional Tanpa Izin Edar (Studi Kasus Obat Tradisional Montalin)," *Jurnal Sains Student Research* 1, no. 1 (2023): 1136–45, <https://doi.org/https://doi.org/10.61722/jssr.v1i1.446>.

¹⁹ Siti Muazaroh and Subaidi Subaidi, "Kebutuhan Manusia Dalam Pemikiran Abraham Maslow (Tinjauan Maqasid Syariah)," *Al-Mazaahib: Jurnal Perbandingan Hukum* 7, no. 1 (2019): 17, <https://doi.org/10.14421/al-mazaahib.v7i1.1877>.

²⁰ Rahmi. Indah Laily Hilmi Zubaedah, "Peran Balai Besar Pengawas Obat Dan Makanan Kota Bandung Perlindungan Kepada Konsumen Di Kota Bandung," *Jurnal Hukum POSITUM* 3, no. 2 (2018): 64–78, <https://doi.org/https://doi.org/10.35706/positum.v3i2.2894>.

Sharia law prohibits the use of substances that can impair reason, such as narcotics or illegal drugs. In this context, drug sellers must be responsible for providing clear and accurate information about their products so that consumers can make decisions based on a good understanding of the risks and benefits. The principle of protecting religion (hifz al-din) is also relevant when discussing the law of selling dangerous drugs. In Islam, maintaining physical and mental health is considered part of maintaining religion. Consuming unsafe drugs can interfere with a person's religious practices and spiritual life. Therefore, Sharia law encourages Muslims to choose health products that are in accordance with religious teachings and do not endanger their lives and minds. Thus, selling drugs that are indicated to be dangerous is contrary to the maqasid of Sharia and must be prohibited to protect society from health and spiritual risks.

The law on selling drugs that are indicated as dangerous from a Sharia perspective can be analyzed through the obligation to prevent harm (darar). In Islam, this principle is very important because the main objective of Sharia is to protect humanity from all forms of harm and danger.²¹ Selling drugs that have the potential to harm an individual's health contradicts this principle because it can cause physical, mental, and even death harm. Therefore, drug sellers have a moral and legal responsibility to ensure that the products they offer are safe and do not harm consumers.

In the context of the obligation to prevent harm, Sharia law requires all parties involved in the pharmaceutical industry to comply with strict regulations regarding drug safety. This includes a thorough testing process before a drug is marketed, as well as post-marketing monitoring to detect side effects that may arise after use. If a drug is proven to be dangerous after being distributed on the market, then a product recall action must be taken immediately to protect the public from health risks. In this regard, Sharia law emphasizes the importance of transparency and honesty in the information provided to consumers.²² The obligation to prevent harm also includes educating the public about the risks of using certain drugs. Drug sellers and health workers must provide accurate

²¹ Agus Alimuddin and Risa Alvia, "Pengelolaan Keuangan Publik Dalam Pandang Maqasid Syariah Islam Pada Masa Harun Ar-Rasyid," *Amal: Jurnal Ekonomi Syariah* 3, no. 01 (2022): 1–18, <https://doi.org/10.33477/eksy.v3i01.2388>.

²² Muhammadiyah Farhan Hari Hudiawan Hudiawan, "Kesejahteraan Masyarakat Dalam Tinjauan Maqashid Syariah (Studi Kasus Di Desa Pujon Kidul Kabupaten)," *Jimfeb*, 2020, 13.

information about side effects, contraindications, and how to use drugs properly. By increasing public awareness of the potential dangers of certain drugs, it is hoped that consumers can make wiser and more responsible decisions in choosing health products.²³

Imam al-Suyuthi's statement in his book:²⁴

الثَّالِثَةُ: الضَّرَرُ يُزَالُ. وَأَصْلُهَا قَوْلُهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ «لَا ضَرَرَ وَلَا ضِرَارَ

The third Kubra rule is al-dhararu yuzalu "Danger must be eliminated (avoided)". The proof of this rule is the words of the Prophet Muhammad; "There must be no dharar (danger) or dhirar (harm)."

From here we can see that dharma (doing something harmful) is prohibited in this shari'a. Therefore, it is not permissible for a Muslim to do something harmful to himself or his fellow Muslims, whether in words or deeds, without a valid reason. The principle of the obligation to prevent harm in shari'a law applies not only to individuals but also to society as a whole. The government and related institutions must take proactive steps to monitor the circulation of drugs in the market and ensure that all products sold meet the established safety standards. Thus, the application of this principle will create a safer environment for society and support public health as a whole.

2. Legal Analysis of Selling Drugs Suspected of Being Dangerous From a Sharia Perspective

The results of the analysis on the legality of Selling Drugs Indicated as Dangerous from a Sharia Perspective show that the sale of dangerous drugs is contrary to the principles of maqasid Sharia, especially in terms of protecting life (hifz al-nafs).²⁵ Sharia law emphasizes the importance of maintaining the health and safety of individuals, so any action that can threaten life, such as selling unsafe drugs, must be avoided. Drug sellers have a moral and legal responsibility to ensure that the products they offer do not harm consumers. The analysis also revealed that the sale of dangerous drugs hurts the

²³ Annisa Masruri Zaimsyah and Sri Herianingrum, "Tinjauan Maqasid Syariah Terhadap Konsumsi," *Jurnal Studi Keislaman* 5, no. 1 (2019): 1–23, <https://doi.org/https://doi.org/10.36420/ju.v5i1.3638>.

²⁴ Fathi al-Dariny, *Al-Manahij Al-Ushuliyyah Fi Al-Ijtihad Bi Al-Ra'yi* (Damaskus: al-Tawzi, 1985), 145.

²⁵ Muzlifah Eva, "Maqashid Syariah Sebagai Paradigma Dasar Ekonomi Islam," *Jurnal Ekonomi Dan Hukum Islam* 5, no. December (2015): 118–38.

protection of property (*hifz al-mal*) and reason (*hifz al-aql*). Consumers who are affected by the side effects of dangerous drugs not only experience health losses but also financial losses due to additional medical expenses. Sharia law prohibits practices that harm other parties in a transaction, so sellers who offer dangerous products can be considered to be committing fraud. Damage to cognitive function due to the use of dangerous drugs violates the principle of maintaining common sense.

The prohibition of selling drugs that are indicated as dangerous from a fiqh perspective can be categorized as haram. This is because selling drugs that can endanger the health and safety of individuals contradicts the principle of protecting life (*hifz al-nafs*) in *maqasid sharia*. In Islam, preserving life is a top priority, and any action that can threaten life must be avoided. Therefore, selling drugs that have the potential to cause death or serious damage to health is considered a prohibited act (*haram*) because it can cause harm to consumers. Drugs that are indicated as dangerous can also harm the consumer's property (*hifz al-mal*). From a rational perspective (*hifz al-aql*), selling drugs that can damage a person's cognitive or mental function is also a violation of Sharia principles.

The findings of this study emphasize the need for stricter regulations in the pharmaceutical industry to prevent the circulation of drugs that have the potential to endanger public health. The application of the principles of *maqasid sharia* in the supervision and sale of drugs is very important to protect consumers from health risks. This means that law enforcement against dangerous drug sales practices must be a priority to support the public interest and welfare of society as a whole..

CONCLUSION

The results of this study indicate that the law of selling drugs that are indicated as dangerous in the perspective of sharia is strictly prohibited (*haram*) because it is contrary to the principles of *maqasid sharia*, especially the protection of life (*hifz al-nafs*), property (*hifz al-mal*), descendants (*hifz an-nasal*), and reason (*hifz al-aql*). The sale of drugs that can endanger individual health not only threatens the safety of life but can also cause financial losses and damage the cognitive function of consumers. Therefore, drug sellers have a moral and legal responsibility to ensure that the products they offer are safe and do

not endanger the community. Strict law enforcement against the practice of selling dangerous drugs is essential to protect public health and support the public interest, in line with the goal of Sharia to achieve human welfare. The results of this study indicate that the law of selling drugs that are indicated as dangerous in the perspective of sharia is strictly prohibited (haram) because it is contrary to the principles of maqasid sharia, especially the protection of life (*hifz al-nafs*), property (*hifz al-mal*), descendants (*hifz an-nasal*), and reason (*hifz al-aql*). The sale of drugs that can endanger individual health not only threatens the safety of life but can also cause financial losses and damage the cognitive function of consumers. Therefore, drug sellers have a moral and legal responsibility to ensure that the products they offer are safe and do not endanger the community. Strict law enforcement against the practice of selling dangerous drugs is essential to protect public health and support the public interest, in line with the goal of Sharia to achieve human welfare.

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