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## Integrating *Maqasid al-Shari'ah* in Contemporary Islamic Legal Reform on Drug Policy

**Abstract:** This research explores how contemporary Islamic legal reform shapes drug policy using the framework of *Maqasid al-Shari'ah*. In many Muslim-majority countries, drug-related problems are on the rise, and traditional punitive responses—such as mandatory death sentences and corporal punishment—are increasingly questioned for being ineffective and misaligned with core Islamic values. Using a qualitative-normative approach combined with comparative analysis, this study examines statutory frameworks, fatwas, and recent legal reforms in countries like Malaysia, Indonesia, and Iran. It highlights a growing shift toward maqasid-based reasoning in designing more balanced and humane drug policies. The findings reveal three key trends. First, there is increasing emphasis on *hifz al-nafs* (protection of life) and *hifz al-'aql* (protection of intellect), reframing drug offences not merely as moral or legal violations but as public health concerns requiring systemic solutions. Second, several Islamic legal institutions are adopting harm reduction strategies—such as rehabilitation, decriminalisation of minor drug use, and reintegration programs—framed within the maqasid discourse to uphold human dignity and promote social welfare (*maslahah 'ammah*). Third, there is a growing openness toward contextual *ijtihad*, allowing reinterpretation of *hudud* and *ta'zir* punishments considering contemporary realities and scientific evidence. Academically, this research contributes to Islamic legal studies by offering a systematic and comparative analysis of how the principles of *Maqasid al-Shari'ah* are being operationalised in modern drug policy reform. It fills a gap in the literature by bridging classical Islamic legal theory with contemporary policy needs, particularly in areas often neglected by traditional *fiqh* discourse, such as drug rehabilitation and public health. The study also advances the methodological integration of maqasid-based reasoning with empirical policy analysis, providing a practical framework for future legal reforms in Muslim-majority contexts.

**Keywords:** Drug Policy, Harm Reduction, Islamic legal Reform, *Maqasid al-Shari'ah*, Rehabilitation.

## INTRODUCTION

The problem of drug abuse is a global issue that is also a significant concern in countries with a Muslim-majority population.<sup>1</sup> The high prevalence of addictive substance use has a profound impact on public health, social stability, the legal system, and national security. In many Muslim countries, the legal approach to narcotics crimes still prioritises a repressive model with severe sanctions such as the death penalty, long-term imprisonment, or corporal punishment.<sup>2</sup> This approach is based on a reading of classical fiqh that categorises narcotics as *mufsidat* (destroyers) and imposes sanctions in the framework of *ta'zir* or even *hadd*. However, policies that focus too much on punishment have proven to have no significant deterrent effect and instead risk neglecting aspects of rehabilitation, human rights protection, and social recovery for users.

As awareness of the importance of a more holistic approach to countering narcotics abuse has increased, contemporary Islamic law reform has begun to emphasise the *Maqasid al-Shari'ah* framework as an alternative foundation for formulating more humane and just policies.<sup>3</sup> *Maqasid al-Shari'ah* emphasises the protection of five fundamental values: religion (*hifz al-din*), soul (*hifz al-nafs*), intellect (*hifz al-aql*), heredity (*hifz al-nasl*), and property (*hifz al-mal*).<sup>4</sup> In the context of narcotics abuse, the protection of the mind and soul is very central, as addictive substances directly impair cognitive function and endanger the safety of the user's life.<sup>5</sup>

<sup>1</sup> Maimun Maimun dkk., "Dampak Penyalahgunaan Narkoba Terhadap Perkembangan Moral Anak," *Antropocene : Jurnal Penelitian Ilmu Humaniora* 3, no. 2 (28 Mei 2023): 59–67, <https://doi.org/10.56393/antropocene.v3i2.1648>.

<sup>2</sup> Muh Awaluddin Kadir, Muh Shuhufi, dan Misbahuddin M, "Efek Jera Pemidanaan Dalam Hukum Islam Dan Penerapannya Di Indonesia," *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* 1, no. 11 (5 Juli 2024), <https://doi.org/10.5281/zenodo.12666985>.

<sup>3</sup> Hapni Laila Siregar dkk., "Analisis Peran Agama Islam Dalam Menanggulangi Penyalahgunaan Narkoba Di Kalangan Remaja," *Madani: Jurnal Ilmiah Multidisiplin* 2, no. 5 (5 Juni 2024), <https://doi.org/10.5281/zenodo.11489278>.

<sup>4</sup> Suansar Khatib, "Konsep Maqashid Al-Syari' Ah: Perbandingan Antara Pemikiran Al-Ghazali Dan Al-Syathibi," *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 5, no. 1 (30 Desember 2018): 47–62, <https://doi.org/10.29300/mzn.v5i1.1436>.

<sup>5</sup> Rangga Abdi Ramadhan, Athifatul Wafiroh, dan Cecep Soleh Kurniawan, "Penerapan Hukuman Mati Di Indonesia Perspektif Maqasid Al-Shari'ah," *Ma'mal: Jurnal Laboratorium Syariah Dan Hukum* 5, no. 1 (2 Februari 2024): 27–49, <https://doi.org/10.15642/mal.v5i1.198>.

Several previous studies have highlighted the relevance of *maqasid* in narcotics policy. Mohd Norbayusri Baharudin et al. (2020) emphasised the importance of integrating *maqasid* values in the framework of rehabilitation of drug abusers, which aims not only to stop addiction but also to restore the social and spiritual functions of former users.<sup>6</sup> Meanwhile, Mahadir (2024) examines that drugs keep the perpetrators away from worship, destroy health, weaken consciousness to encourage criminal acts and adultery, and cause severe economic losses. This multidimensional impact makes drugs a common enemy that must not only be addressed legally but also through spiritual, social, and educational approaches based on Islamic values.<sup>7</sup> However, the implementation of this *maqasid* approach is still partial and has not been systematically integrated into the narcotics legal system in many Muslim countries. Some policies still prioritise severe criminal punishment rather than preventive and rehabilitative approaches.<sup>8</sup> Therefore, further efforts are needed to reform narcotics policy by making *maqasid* not only a moral or ethical basis but also an operational principle in the preparation of laws and regulations oriented to the public benefit. Previous studies have touched on aspects of Islamic law and narcotics, but most are still stuck in textual or normative approaches. Although the study of *maqasid* has developed widely, its specific and practical application in the context of narcotics policy is rarely studied, especially in policy analysis that combines classical legal sources and modern contextual needs. This is the research gap that we want to fill in this study.

This research offers novelty by critically examining contemporary Islamic law reforms related to narcotics policy through the *Maqasid al-Shari'ah* approach in an applicative manner. This approach not only reconstructs fiqh's view of narcotics but also evaluates the policies implemented in several Muslim countries to see the extent to which the principles of *maqasid* are implemented in public policy. By combining the study of Islamic law, narcotics policy, and contemporary *maqasid* theory, this research contributes to

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<sup>6</sup> Mohd Norbayusri Baharudin, Mahadzirah Mohamad, dan Fazida Karim, "Drug-Abuse Inmates Maqasid Shariah Quality Of Life: A Conceptual Paper," *Humanities & Social Sciences Reviews* 8, no. 3 (29 Juni 2020): 1285-1294, <https://doi.org/10.18510/hssr.2020.83131>.

<sup>7</sup> Mahadir Mahadir, "Penyalahgunaan Narkoba Dalam Perspektif Maqashid Syariah," *Brilliant: Journal of Islamic Economics and Finance* 2, no. 1 (23 Juli 2024): 30-48.

<sup>8</sup> Heru Pranoto dkk., "Construction of Narcotics Law Against Narcotics Abusers in Perspective Justice," *Khazanah Hukum* 6, no. 2 (6 Agustus 2024): 145-158, <https://doi.org/10.15575/kh.v6i2.37635>.

expanding the horizon of legal *ijtihad* that is more responsive to the challenges of the times. Based on this background, this study asks How the *Maqasid al-Shari'ah* approach can formulate contextual, solutive, and equitable narcotics policies within contemporary Islamic law. This study aims to analyse the potential of *Maqasid al-Shari'ah* as a paradigm of Islamic law reform towards narcotics policy, focusing on the principles of protection, benefit, and social justice.

## METHOD

This research uses a qualitative approach with a juridical-normative method<sup>9</sup> and a policy analysis framework based on *Maqasid al-Shari'ah*. This approach is chosen because the study explores how contemporary Islamic legal concepts, norms, and practices respond to drug policy issues and how the principles of *maqasid* can be applied to develop practical, solution-oriented public policies. Primary data includes legal documents such as narcotics laws and regulations from Muslim-majority countries—specifically Indonesia, Malaysia, and Iran—as well as fatwas issued by scholars and official fatwa institutions related to drug-related issues. Secondary data is drawn from academic literature, journals on Islamic law, contemporary *maqasid* studies, public policy reports, and international documents related to narcotics and public health.

The study uses content analysis<sup>10</sup> to examine legal texts and fatwas and a comparative analysis of drug policies in the three case study countries. These countries were selected purposively because they represent different Islamic legal systems and exhibit varying approaches to narcotics control—from strict punitive measures to more reform-oriented models. In the analysis, the *Maqasid al-Shari'ah* framework—particularly the principles of *hifz al-nafs* (protection of life), *hifz al-'aql* (protection of intellect), and *hifz al-din* (protection of religion)—serves as a tool to assess how closely each country's policy aligns with Islamic legal and ethical values. To strengthen the validity of the analysis, data triangulation is used through cross-country comparisons and theoretical triangulation. In

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<sup>9</sup> Helaluddin dan Hengki Wijaya, *Analisis Data Kualitatif: Sebuah Tinjauan Teori & Praktik* (Sekolah Tinggi Theologia Jaffray, 2019).

<sup>10</sup> Burhan Bungin, *Analisis Data Penelitian Kualitatif* (Jakarta: PT Raja Grafindo Persada, 2003).

addition, the researcher conducted limited semi-structured interviews with Islamic legal scholars, practitioners, and religious leaders to provide deeper empirical insights and perspectives on how Islamic law is practiced and interpreted in contemporary drug policy debates.

## RESULTS AND DISCUSSION

### Narcotics Policy in Muslim-Majority Countries: A Comparative Analysis

The problem of narcotics has become a serious issue in many Muslim-majority countries because of its destructive impact not only on individuals but also on the social order as a whole. Countries face a dilemma between applying a harsh legal approach and offering a humane recovery strategy.<sup>11</sup> In this context, *Maqasid al-Shari'ah*—which emphasises the protection of the soul (*hifz al-nafs*), reason (*hifz al-'aql*), and religion (*hifz al-din*)—can be an essential foundation in formulating a balanced and benefit-oriented narcotics policy.

Indonesia, as a country with the largest Muslim population, has a legal framework for narcotics through Law Number 35 of 2009, which is quite comprehensive.<sup>12</sup> Although this law opens up space for the rehabilitation of users, the practice in the field is still dominated by a penal approach.<sup>13</sup> Many narcotics users are sentenced to prison, even for cases of mild dependence. As a result, correctional institutions are over-capacity, and rehabilitation services are not optimal. This legal approach does not fully reflect the spirit of protection of the soul and reason, which are integral parts of the purpose of Sharia.

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<sup>11</sup> Fauzi Anshari Sibarani dan Erwin Asmadi, "Harmonizing Law Enforcement Officials Against Child Victims of Narcotics Abuse," *Justisi* 10, no. 2 (1 Februari 2024): 328–340, <https://doi.org/10.33506/js.v10i2.2834>.

<sup>12</sup> Dahlan Dahlan, Zahoor Ahmed, dan Sitta Saraya, "The Concept of Criminal Justice For Drug Abuse: A Legal Approach," *Jurnal Hukum* 41, no. 1 (1 Maret 2025): 55–72, <https://doi.org/10.26532/jh.v41i1.43965>.

<sup>13</sup> Riyansyah Riyansyah dan Sintong Arion Hutapea, "Efektivitas Restorative Justice Dalam Penyelesaian Kasus Penyalahgunaan Narkotika Di Indonesia," *Mahkamah : Jurnal Riset Ilmu Hukum* 2, no. 2 (9 April 2025): 70–77, <https://doi.org/10.62383/mahkamah.v2i2.566>.

On the other hand, Malaysia shows a more progressive approach by emphasising rehabilitation based on Islamic values through the National Anti-Drugs Agency (NADA).<sup>14</sup> The Malaysian approach combines medical and spiritual elements, such as religious counselling, morale building, and worship activities in the recovery process.<sup>15</sup> This holistic approach reflects a more profound understanding that drug abuse is not only a legal issue but also related to spiritual and social aspects.<sup>16</sup> This model shows that Sharia values can be implemented in public policy systematically and humanely.

Iran presents a different approach by prioritising harm reduction policies.<sup>17</sup> Although Iran is a country with a strong religious system, its approach to narcotics is more pragmatic. The Iranian government has decriminalised the use of mild narcotics and provided impact-reduction services such as methadone therapy and sterile syringe exchange programs.<sup>18</sup> Some rehabilitation centres even combine a medical approach with spiritual guidance. It reflects a contextual and responsive interpretation of Sharia to social realities, emphasising the protection of life and risk reduction (*raf' al-haraj*).

Through the lens of *Maqasid al-Shari'ah*, Malaysia's and Iran's narcotics policies show more prominent achievements in protecting critical human dimensions. Malaysia prioritises spiritual and mental recovery,<sup>19</sup> while Iran focuses on public health and risk reduction. These two approaches emphasise that narcotics policy does not have to be

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<sup>14</sup> M. Saiful Amri Zainal Abidin dkk., "The Practice of Islamic Psychospiritual Therapy in the Treatment of Drug Addiction at Rehabilitation Centres in Malaysia," *Afkar: Jurnal Akidah Dan Pemikiran Islam* 24, no. 2 (31 Desember 2022): 143–168, <https://doi.org/10.22452/afkar.vol24no2.4>.

<sup>15</sup> Nor Alia Aqilah Mohd Nawawi dkk., "Drug addictions in Malaysia: a mini-review on drug types, rehabilitation centers and therapeutic programs," *Journal of Ethnicity in Substance Abuse* 0, no. 0 (t.t.): 1–13, <https://doi.org/10.1080/15332640.2024.2336495>.

<sup>16</sup> Ahmad Za'im Rafiqin Zainuddin dan Faudzinaim Badaruddin, "Drug Addiction Treatment in Malaysia: A Comparison: Rawatan Ketagihan Dadah Di Malaysia: Suatu Perbandingan," *Al-Qanatr: International Journal of Islamic Studies* 9, no. 1 (2 Juli 2018): 27–34.

<sup>17</sup> S. Ali Shafiee, AbouAli Vedadhir, dan Emran Razaghi, "Ups and downs of addiction harm reduction in Iran: key insights and implications for harm reduction policy and policing," *Harm Reduction Journal* 20, no. 1 (20 Januari 2023): 8, <https://doi.org/10.1186/s12954-022-00719-0>.

<sup>18</sup> Zahra Alam-Mehrjerdi dkk., "Drug Use Treatment and Harm Reduction Programs in Iran: A Unique Model of Health in the Most Populated Persian Gulf Country," *Asian Journal of Psychiatry* 16 (Agustus 2015): 78–83, <https://doi.org/10.1016/j.ajp.2015.06.002>.

<sup>19</sup> Mahmood Nazar Mohamed dan S. Marican, "Treatment and Rehabilitation of Substance Use Disorder: Significance of Islamic Input in Malaysia," *International Journal of Human and Health Sciences (IJHHS)* 2, no. 4 (29 Agustus 2018): 209–216, <https://doi.org/10.31344/ijhhs.v2i4.57>.

synonymous with a repressive approach. On the contrary, policies rooted in Sharia values can be preventive, solution-oriented, and recovery-oriented. In Indonesia, faith-based initiatives have developed, such as rehabilitation boarding schools, but they have not been integrated into the national system. The lack of coordination between spiritual programs and state policies has led to the great potential of a sharia-based approach not being fully utilised.<sup>20</sup> This shows a need for policy reconstruction that is legal-formal and spiritual-substantive, following the spirit of *maqasid*.

An important lesson from this comparison is that the effectiveness of narcotics policies depends mainly on how countries understand the root of the problem and respond to it comprehensively. Approaches that touch on spiritual, social, and health dimensions have proven to be more effective in reducing the rate of narcotics abuse and increasing social reintegration opportunities for former users.<sup>21</sup> Within this framework, *Maqasid al-Shari'ah* serves as a normative basis and a strategic instrument for public policy.<sup>22</sup>

It is time for Muslim-majority countries, including Indonesia, to reconsider their approach to narcotics policy. Protecting the soul, intellect, and religion must be a top priority. This comparison proves that the integration of sharia values in narcotics policy is not only possible but can also increase effectiveness and humanity in handling the contemporary narcotics crisis.<sup>23</sup> For more details regarding the comparison of narcotics policies from various countries, you can see the table below,

<sup>20</sup> Asadulla Shafee Ahmed dan Zuraini Ab Hamid, "Islamic Concept Of Drugs And Rehabilitation: Its Compatibility With Maldivian Legal Framework," *AlQanatir: International Journal of Islamic Studies* 32, no. 1 (1 Oktober 2023): 43-57.

<sup>21</sup> Teguh Hartono, Vadira Hanami, dan Fanniya Dyah Prameswari, "Drug Abuse Rehabilitation Policies in Indonesia: A Comparison with Vietnam, Australia and Portugal," *Wacana Hukum* 29, no. 2 (31 Oktober 2023): 163-180, <https://doi.org/10.33061/wh.v29i2.9576>.

<sup>22</sup> Faisal Yahya dan Nida Ul Fadhila, "Addictive Drug Abusement by Underage Children in Blangkejeren Gayo Lues [Penyalahgunaan Zat Adiktif oleh Anak di Bawah Umur: Studi Kasus di Kecamatan Blangkejeren Kabupaten Gayo Lues]," *Legitimasi: Jurnal Hukum Pidana dan Politik Hukum* 9, no. 1 (28 Juni 2020): 17-45, <https://doi.org/10.22373/legitimasi.v9i1.7325>.

<sup>23</sup> Lisa Analisa, Kamarusdiana Kamarusdiana, dan Nurul Adhha, "Implementation of Rehabilitation for Narcotics Addicts in Positive Legal Perspective and Islamic Law," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 22, no. 1 (30 Juni 2022): 92-124, <https://doi.org/10.30631/alrisalah.v22i1.1122>.



Table 1: Comparison of Narcotics Policies in Indonesia, Malaysia, and Iran

Aspects	Indonesia	Malaysia	Iran
Types of Approaches	Repressive and legalistic	Rehabilitative and based on Islamic values	Maslahat-based harm reduction
Policy Focus	The criminalisation of consumers and distributors	Physical, mental, and spiritual recovery	Public health and risk reduction
Key Implementers	BNN, Police, Ministry of Health	National Anti-Drugs Agency (NADA)	Ministry of National Health & Rehabilitation
The Role of Spirituality	Minimal, not yet nationally integrated	Integrated into the rehabilitation system	Integrated into several rehabilitation centres
Reflection of <i>Maqasid</i>	Weak (focused on crime)	Kuat ( <i>hifz al-dīn</i> , <i>hifz al-nafs</i> , <i>hifz al-'aql</i> )	Kuat ( <i>hifz al-nafs</i> , <i>raf' al-haraj</i> , <i>jalb al-maslahah</i> )
Key Challenges	Excessive Criminalisation, Prison Capacity	The need for social reintegration	There is still a death penalty for heavy traffickers

Source: Author's Interpretation

Table 1 above shows a comparison of narcotics policies in three Muslim-majority countries—Indonesia, Malaysia, and Iran—by highlighting the legal approach, policy focus, implementing institutions, the role of spiritual values, and their relationship with the principles of *Maqasid al-Shari'ah*. Indonesia still tends to apply a legalistic repressive approach with a predominance of criminals, so it does not reflect the protection of life and reason substantially. Malaysia stands out with its Islamic value-based rehabilitation system through NADA, combining medical and spiritual aspects comprehensively. Iran presents a pragmatic but nuanced harm reduction model, with great attention to life protection and risk reduction. In terms of *maqasid*, Malaysia and Iran are superior because their approaches touch on the dimensions of *hifz al-nafs*, *hifz al-'aql*, and *raf' al-haraj*, while Indonesia is still stuck in formal law enforcement that is not yet holistic.

### ***Maqasid al-Shari'ah* as an Evaluative Paradigm in Narcotics Policy Reform**

*Maqasid al-Shari'ah* is a fundamental concept in Islamic law that aims to protect the interests of the ummah through the protection of five main aspects: religion (*din*), soul



(*nafs*), intellect (*'aql*), heredity (*nasl*), and property (*mal*).<sup>24</sup> In the context of narcotics policy, this paradigm offers a holistic and humanist evaluative framework, which not only sees drugs as a purely criminal problem but also as a threat to the survival of individuals and society.<sup>25</sup> Using *maqasid* as a basis, policies can be measured to the extent that they can protect and maintain these fundamental values for the common good.<sup>26</sup>

In its application, *Maqasid al-Shari'ah* provides a different evaluation dimension than conventional legal approaches. Instead of focusing on punishment and prevention alone, this paradigm prioritises the ultimate goal of Sharia, which is to achieve a balance between risk control and human empowerment.<sup>27</sup> For example, in terms of life protection (*hifz al-nafs*), narcotics policies must be able to reduce the risk of death and health damage while providing space for recovery and social reintegration of users. This paradigm challenges policies only oriented towards criminalisation and do not consider aspects of rehabilitation and reintegration.

In addition, the protection of reason (*hifz al-'aql*) becomes particularly relevant in the context of narcotics because the use of illicit substances directly impairs the cognitive function and mental health of individuals. Policies based on *maqasid* will demand adequate education, psychological rehabilitation, and social support programs so that users can recover mentally and emotionally. This shows that the *maqasid* paradigm is a legal evaluation tool and a blueprint for sustainable and empowering policy development. The *maqasid* paradigm also places religious protection (*hifz al-din*) as essential.<sup>28</sup> The use of narcotics can destroy a person's spirituality and attachment to religious values. Therefore, policy reforms

<sup>24</sup> Nur Aqila Mohd Zahari dan Mohd Hafiz Safiai, "Maqasid Sharia and the Biomedical Ethics of E-Cigarettes: A Contemporary Islamic Legal Assessment," *MILRev: Metro Islamic Law Review* 4, no. 1 (30 Mei 2025): 295–318, <https://doi.org/10.32332/milrev.v4i1.10398>.

<sup>25</sup> Niken Dwi Amanda dkk., "Analisis Penanganan Kasus Narkoba Ditinjau Dari Perspektif Hukum Dan Masyarakat," *Media Hukum Indonesia (MHI)* 2, no. 2 (27 Mei 2024): 249–258, <https://doi.org/10.5281/zenodo.11318606>.

<sup>26</sup> Teguh Ifandy dan Idaul Hasanah, "Maslahat (Benefits) in Fiqh Awlāwiyāt: A Comparison between Yūsuf al-Qarādhawī's View and Abdus Salam Alī al-Karbulī's," *Al'Adalah* 21, no. 1 (25 Juni 2024): 1–24, <https://doi.org/10.24042/adalah.v21i1.21316>.

<sup>27</sup> D. Santoso, "Efforts to prevent drugs abuse among youth in islamic family law perspective," *Journal of Drug and Alcohol Research* 10, no. 8 (2021).

<sup>28</sup> Nor Hidayah Mohd Taufek dkk., "Experiential Education as a Strategy to Preserve Maqasid Al-Shariah by Identifying and Addressing Stigmatic Views Held by Pharmacy Students of Patients with Substance Use Disorders," *Journal of Pharmacy* 1, no. 1 (8 Januari 2021): 1–7, <https://doi.org/10.31436/jop.v1i1.9>.

based on *maqasid* encourage the integration of religious values in the rehabilitation process, such as moral coaching, spiritual counselling, and strengthening faith-based communities. This strengthens the religious aspect and helps users rebuild their social identity and integrity.

In addition to maintaining the five main aspects, *Maqasid al-Shari'ah* contains the principles of *jalb al-maslahah* (bringing benefits) and *daf' al-mafsadah* (rejecting damage). This evaluative paradigm requires policymakers to choose the steps that get the most significant benefits while minimising negative impacts, not only from a legal perspective but also from a social and humanitarian perspective.<sup>29</sup> In the context of narcotics, this means that policies must be more flexible and adaptive to the needs of the community, as well as the development of science on dependence and rehabilitation. Using *maqasid* as an evaluative paradigm also opens up a space for dialogue between classical Islamic law and contemporary challenges.<sup>30</sup> For example, Muslim-majority countries now face a dilemma between a harsh penal approach and health-based rehabilitation programs. With *maqasid*, the reform of narcotics law can be based on sharia objectives relevant to current conditions, thus producing policies that are not only religiously valid but also socially and scientifically effective. This is important in addressing the tension between normative law and empirical reality.

Furthermore, this paradigm invites stakeholders to engage various multidisciplinary aspects in policy reform, including psychology, public health, socio-cultural, and theology. This comprehensive approach avoids oversimplification of policies and allows for holistically formulating strategies that address the root of the narcotics problem. Thus, policy reform is an instrument of control, empowerment, and recovery. Therefore, *Maqasid al-Shari'ah*, as an evaluative paradigm, provides a strong normative and methodological foundation for narcotics policy reform. This approach guides policymakers to harmonise

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<sup>29</sup> Nurul Ma'rifah, "Mengali Dan Menemukan Konsep Maqasid Syari'ah Dalam Pohon Ilmu Hukum Indonesia," *Istinbath: Jurnal Hukum* 16, no. 2 (31 Desember 2019): 248-264, <https://doi.org/10.32332/istinbath.v16i2.1707>.

<sup>30</sup> Andriyani Andriyani dan Rusmala Dewi, "Rehabilitation Sanctions Against the Narcotics User According to the Perspective of Maqashid Shariah," *Nurani* 20, no. 2 (1 Desember 2020): 233-246, <https://doi.org/10.19109/nurani.v20i2.6926>.

the demands of Sharia and contemporary human needs, ensuring that each policy not only upholds the law but also prioritises the benefit, justice, and sustainability of people's lives. This paradigm opens up opportunities for reforms that are more inclusive, responsive, and oriented toward maintaining fundamental human and religious values.

### **Towards a *Maqasid*-Based Narcotics Policy Model: A Conceptual Proposal**

Narcotics<sup>31</sup> policies in Muslim-majority countries are currently still dominated by a repressive approach that focuses on criminal and law enforcement aspects. This approach often ignores the humanitarian dimension, and Sharia values emphasise protecting and maintaining fundamental human rights.<sup>32</sup> Therefore, there needs to be a policy transformation that is not only oriented to control but also to recovery, prevention, and empowerment of individuals and communities. *The Maqasid al-Shari'ah-based* narcotics policy model offers a holistic and comprehensive framework in response to this need.

The *maqasid*-based policy model focuses on the five main objectives of Sharia, namely the protection of religion (*hifz al-din*), the soul ( *hifz al-nafs*), reason (*hifz al-aql*), heredity (*hifz al-nasl*), and property (*hifz al-mal*).<sup>33</sup> In the context of narcotics, each of these goals is an evaluative aspect and an ideal policy foundation. For example, life protection requires policies that ensure the safety and health of users, while the protection of reason requires mental rehabilitation and education programs. This concept prioritises a balance between the interests of the individual and society as a whole.

One of the key pillars in this model is a rehabilitative approach integrated with spiritual and social values. Rehabilitation functions as physical recovery and a moral and mental development process based on Sharia principles. This also instils religious

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<sup>31</sup> Andri Winjaya Laksana, "The Legal Position Of Islamic Boarding School (Pesantren) As A Rehabilitation Effort For Narcotics Abuse," *International Journal of Law Reconstruction* 5, no. 2 (2021): 317-27, doi:<https://doi.org/10.26532/IJLR.V5I2.17756>.

<sup>32</sup> Agus Purnomo, "Hukuman Mati Bagi Tindak Pidana Narkoba di Indonesia: Perspektif Sosiologi Hukum," *De Jure: Jurnal Hukum dan Syar'iah* 8, no. 1 (25 Juni 2016): 15-23, <https://doi.org/10.18860/j-fsh.v8i1.3726>.

<sup>33</sup> Asa'ari Asa'ari dkk., "Urgensi Pemahaman Terhadap Maqashid Al-Syari'ah Dan Perubahan Sosial Dalam Istibath Al-Ahkam," *De Jure: Jurnal Hukum Dan Syar'iah* 13, no. 2 (31 Desember 2021): 222-239, <https://doi.org/10.18860/j-fsh.v13i2.13818>.

awareness, which can help prevent a recurrence.<sup>34</sup> In addition, this rehabilitation program must be supported by an adequate health service system and wide accessibility so that users can get help without burdensome stigma. Narcotics prevention in this model also plays an important role. Prevention strategies should involve religion- and cultural-based education that can fortify communities from the risk of abuse. Strengthening family and community values is an integral part of building social resilience.<sup>35</sup> Public campaigns that prioritise *maqasid* can be an effective means of creating collective awareness and reducing the demand for the narcotics market.

The law enforcement aspect in this model is not abolished but is adjusted to the purpose of *maqasid*, which emphasises justice and benefit. Law enforcement must be proportionate, prioritise fair and humane punishment, and avoid the punishment that aggravates users' social and health conditions.<sup>36</sup> For example, heavy prison sentences for users should be replaced with alternatives in the form of mandatory rehabilitation, while drug dealers and manufacturers are still subject to strict sanctions to maintain public order.

This policy model also emphasises multi-sectoral collaboration between government agencies, religious organisations, civil society, and health workers. This synergy ensures a comprehensive and sustainable approach and reduces policy fragmentation in narcotics management.<sup>37</sup> The involvement of scholars and community leaders is the key to socialising and implementing *maqasid* values in daily life. To optimise implementation, a monitoring and evaluation system based on *maqasid* indicators is needed to measure the success of policies. This indicator includes a reduction in the rate of abuse and crime and

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<sup>34</sup> Mohamad Muhaimin Mohamad Zaki dan Jasni Sulong, "The Islamic Treatment For Drug Addict: A Case Study At Madrasah Anharol-Ulum, Thailand," *European Proceedings of Social and Behavioural Sciences* Role(s) and Relevance of Humanities for Sustainable Development (23 September 2019), <https://doi.org/10.15405/epsbs.2019.09.37>.

<sup>35</sup> Nurul Widhanita Y. Badilla, "Efektivitas Pidana Penjara Bagi Pecandu Narkotika Di Lingkungan Lembaga Pemasyarakatan Narkotika Kelas Iia Jayapura," *Jurnal Komunitas Yustisia* 5, no. 2 (26 Agustus 2022): 603–710, <https://doi.org/10.23887/jatayu.v5i2.51748>.

<sup>36</sup> Hamdan Hamdan dan Afnaini Afnaini, "Implementation Of Restorative Justice In Criminal Acts Of Narcotics And Of Illegal Drug Abuse In Indonesia," *Fox Justi : Jurnal Ilmu Hukum* 15, no. 01 (26 Desember 2024): 72–89.

<sup>37</sup> Fedi Arif Rakhman, "Penerapan Keadilan Restoratif Dalam Penanganan Penyalahguna & Pecandu Narkotika," *Jurnal Ilmu Hukum, Humaniora Dan Politik* 4, no. 6 (13 September 2024): 2258–2267, <https://doi.org/10.38035/jihhp.v4i6.2675>.

improved quality of life, social reintegration, and the spiritual strengthening of users and communities. This evaluation approach encourages policy improvement dynamically and responsively to social development. For more details, you can see the table below,

Table 2: Components of the *Maqasid al-Shari'ah*-Based Narcotics Policy Model

Component	Description	Implementation
Protection of Life ( <i>hifz al-nafs</i> )	Ensuring users' safety, physical and mental health, and the wider community.	Medical rehabilitation, mental health services
Protection of Reason ( <i>hifz al-'aql</i> )	Prevent cognitive impairment and increase healthy thinking capacity through education and rehabilitation.	Educational programs, psychological counselling
Religious Protection ( <i>hifz al-din</i> )	Strengthen spiritual and moral values to prevent dependency and support recovery.	Religious Formation, Spiritual Counseling
Protection of Descent ( <i>hifz al-nasl</i> )	Protect families and future generations from the social and psychological impacts of narcotics abuse.	Healthy family programs, early prevention
Property Protection ( <i>hifz al-mal</i> )	Protect community assets from economic losses due to narcotics and encourage productivity.	Socio-economic rehabilitation, job training
Fair Law Enforcement	Proportionate and alternative punishment for users, strict sanctions for distributors and manufacturers.	Diversion, mandatory rehabilitation, criminal enforcement
Community-Based Prevention	Education and strengthening socio-religious values to fortify society.	Religious campaigns, family and community strengthening
Multi-sectoral Collaboration	The synergy between government, religious, health, and civil society institutions.	Cross-sectoral forum, the role of scholars and community leaders

Source: Author's interpretation

Table 2 summarises the main components of *Maqasid al-Shari'ah*-based narcotics policy model, which protects five fundamental aspects of Sharia: soul, intellect, religion, heredity, and property. Each element is described in descriptions and practical implementations, such as medical rehabilitation to protect the soul, education and counselling to protect the intellect, spiritual guidance to strengthen religion, healthy family programs to protect offspring, and job training to protect property. In addition, the model emphasises the importance of fair law enforcement with proportionate punishment, community-based prevention through strengthening socio-religious values, and multi-

sectoral collaboration between government, religious, health, and civil society institutions. Thus, this table describes a comprehensive framework that balances the legal, social, and spiritual aspects of dealing with narcotics problems holistically and sustainably.

### **Theoretical Discussions: Islamic Law Reform and Contextual Dynamics**

Reform of Islamic law in the context of narcotics policy must be seen as a very urgent need in this modern era. The problem of narcotics is no longer just a crime problem but has become a multidimensional issue involving the health, psychological, social, and economic aspects of the community.<sup>38</sup> Therefore, the conventional Islamic legal approach that only focuses on the elements of punishment and retribution has not solved the problem completely. Islamic law reform must accommodate a more comprehensive and holistic paradigm to respond to the complexity of the growing narcotics problem.

The ever-changing social dynamics in modern society force Islamic law to move adaptively<sup>39</sup>, Especially in handling narcotics problems. Addiction to narcotics is often chronic and harms the mental and physical health of the user, as well as the family and the surrounding community.<sup>40</sup> This is where the importance of an Islamic legal approach that integrates the values of *Maqasid al-Shari'ah*—especially the protection of the soul (*nafs*) and reason (*aql*)—is the primary basis in formulating narcotics policies. This indicates that the handling of narcotics must go beyond criminal punishment and must emphasise rehabilitation, education, and prevention as a whole.

Within the *maqasid* framework, Islamic law preserves five main principles: religion, soul, intellect, heredity, and property.<sup>41</sup> The handling of narcotics that are only oriented towards criminalisation has the potential to ignore aspects of the protection of the user's

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<sup>38</sup> Eva Achjani Zulfa, "Optimalisasi Pendekatan Restorative Justice terhadap Victimless Crime (Penyalahgunaan Narkoba) sebagai Solusi Lapas yang Over Kapasitas," *Jurnal Pendidikan Tambusai* 6, no. 1 (28 April 2022), <https://doi.org/10.31004/jptam.v6i1.3684>.

<sup>39</sup> Mohamad Mikroj dan Adang Djumhur, "Restoratif Justice Sebagai Perwujudan Keadilan Dalam Prespektif Teori Kemaslahatan (Maqashid Al-Syari'ah)," *TAHKIM* 19, no. 2 (31 Desember 2023): 238–253, <https://doi.org/10.33477/thk.v19i2.5164>.

<sup>40</sup> Rustiana dan Dinny Wirawan Pratiwie, "Pembuktian Penyalahguna Narkotika Dalam Rangka Penerapan Asas Restorative Justice: (Studi Perkara Tindak Pidana Nomor: 396/Pid.Sus/2021/PN Smr)," *Yuriska: Jurnal Ilmiah Hukum* 14, no. 2 (25 Agustus 2022): 65–74, <https://doi.org/10.24903/yrs.v14i2.1001>.

<sup>41</sup> Deri Wanto, Rahmad Hidayat, dan R. Repelita, "Maqasid Syariah Change as Theory: From Classical to Cotemporary Maqasid Syariah," *Al-Istinbath: Jurnal Hukum Islam* 6, no. 2 November (11 November 2021): 427–454, <https://doi.org/10.29240/jhi.v6i2.3122>.

life and intellect and can worsen social and economic damage. Therefore, Islamic law reforms that refer to *maqasid* lead policymakers to create a system that prioritises health and mental recovery while encouraging users to return to being productive. This is also proof that Islamic law is flexible and very relevant if understood from the point of view of the goals to be achieved.

The reinterpretation of Islamic law in the context of narcotics<sup>42</sup> is also necessary to respond to social changes and new challenges that do not exist in the classical *Nash*. So far, many fiqh texts consider the abuse of narcotics<sup>43</sup> as an illegal and criminal act that must be punished severely. However, with the development of science on addiction and socioeconomic factors, a more progressive *ijtihad* is needed to accommodate community-based and medical rehabilitation and prevention programs.<sup>44</sup> This opens space for more humane and contextual Islamic legal policies without sacrificing fundamental Sharia values. Furthermore, the context of pluralism and diversity in modern Muslim society is also essential in reforming Islamic law related to narcotics.<sup>45</sup> Each community has different social and cultural characteristics, so the handling of drugs must be carried out with an inclusive and dialogical approach. Legal reform must bridge various interests and views among scholars, the government, medical personnel, and civil society. This holistic approach can prevent social conflicts while increasing the effectiveness of policies through the active participation of all elements of society.

Sustainability is also an important point that must be a concern in reforming Islamic law related to narcotics policy. Policies that focus only on short-term enforcement and punishment tend to be ineffective in addressing the root of the problem of narcotics

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<sup>42</sup> Andri Winjaya et al., "The Legal Position Of Islamic Boarding School (Pesantren) As A Rehabilitation Effort For Narcotics Abuse," *International Journal of Law Reconstruction* 5, no. 2 (October 14, 2021): 317–327, doi:10.26532/IJLR.V5I2.17756.

<sup>43</sup> Andri Winjaya Laksana et al., "Criticism of Legal Protection for Victims of Drug Abuse: The Disharmony in Legal Substance Regulation," *Legality : Jurnal Ilmiah Hukum* 33, no. 1 (January 15, 2025): 93–109, doi:10.22219/LJIH.V33I1.36680

<sup>44</sup> Muhammad Najib Abdullah dan Intan Nadiah Mahraji, "The Use Of Cannabis For Medical Treatment In Malaysia: An Analytical Study From The Fiqh Al-Muwazanat Perspective," *Al-Qanatr: International Journal of Islamic Studies* 33, no. 6 (14 November 2024): 277–292.

<sup>45</sup> Rahmadhani dan Irsyam Risdawati, "Drug Use in Medical Perspective and Islamic Law," *International Journal of Synergy in Law, Criminal, and Justice* 1, no. 1 (11 Juli 2024): 29–36, <https://doi.org/10.70321/ijslcj.v1i1.13>.



abuse.<sup>46</sup> Therefore, a continuously developed, evaluated, and improved system is needed according to the community's needs. Law enforcement must be supported by integrated and sustainable rehabilitation, education, and prevention programs to have a long-term positive impact on individuals and communities.<sup>47</sup>

In this holistic framework, cross-sectoral collaboration is the key to the success of Islamic law reform in dealing with narcotics problems. The government, law enforcement officials, health institutions, religious organisations, and the community must synergise synergistically. Clerics and religious leaders can provide moral and spiritual guidance, while health workers handle users' medical and psychological aspects. This cooperation ensures that the policies implemented are repressive, supportive, and rehabilitative, per Islam's principles of justice and benefit.

Overall, Islamic law reform based on *Maqasid al-Shari'ah* and responsive to contextual dynamics can present a new paradigm in handling the narcotics problem holistically and sustainably. This approach ensures Islamic law maintains fundamental sharia values and can provide honest and humane solutions to contemporary challenges. Thus, the resulting narcotics policy can give maximum protection for the community while empowering individuals to live healthy and productive lives.

## CONCLUSION

This research finds that drug policies in many Muslim-majority countries are still primarily dominated by harsh punitive measures, which have proven ineffective in addressing the complex nature of drug-related issues. Islamic legal reform based on *Maqasid al-Shari'ah* offers a more comprehensive and humane framework by emphasising the protection of life (*nafs*) and intellect (*'aql*) while highlighting the importance of rehabilitation and prevention as essential parts of the policy approach. Through contextual reinterpretation, Islamic law opens space for progressive *ijtihad* that responds to modern

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<sup>46</sup> Dewi Iriani, "Kejahatan Narkoba: Penanggulangan, Pencegahan Dan Penerapan Hukuman Mati," *Justicia Islamica* 12, no. 2 (2015), <https://doi.org/10.21154/justicia.v12i2.331>.

<sup>47</sup> Adi Priyono, "Drug Abuse In The Perspective Of Islamic Law," *International Journal Of Humanities Education and Social Sciences* 2, no. 3 (3 Desember 2022), <https://doi.org/10.55227/ijhess.v2i3.304>.

societal needs without compromising core Sharia principles. The study also shows that successful Islamic legal reform addressing drug issues depends heavily on cross-sector collaboration—between law enforcement, healthcare professionals, religious scholars, and civil society—to develop inclusive, compassionate, and sustainable policies.

With this approach, Islamic law can become more responsive to social change and offer practical legal solutions that are just and focused on the well-being of the ummah in today's context. For future research, it is recommended to conduct more in-depth empirical studies on the implementation of maqasid-based drug policies across different Muslim countries, especially those with diverse socio-cultural settings. Such research can assess the real-world effectiveness of maqasid-oriented rehabilitation and prevention programs and the practical challenges faced in their execution. Moreover, future studies could explore the role of religious communities and organisations in supporting Islamic legal reform and long-term drug policy solutions. An interdisciplinary approach—combining legal, social, psychological, and health perspectives—is strongly encouraged to produce more comprehensive and applicable policy recommendations.

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## **AUTHOR CONTRIBUTIONS STATEMENT**

All authors contributed substantially to this study's conception, design, and completion. Andri Winjaya Laksana conceptualised the research framework and led the writing of the manuscript. Hendro Widodo contributed to the legal analysis and literature review on Islamic legal reform. Denny Suwondo was responsible for the comparative study

on drug policy across Muslim-majority countries and data synthesis. Muhammad Ngazis supported the theoretical development and integration of the *Maqasid al-Shari'ah* paradigm. Ratih Mega Puspa Sari coordinated the methodological design, managed references, and assisted in the final proofreading and formatting of the manuscript. All authors discussed the results, reviewed the manuscript critically for important intellectual content, and approved the final version for publication.

## CONFLICT OF INTEREST

The authors hereby declare that no conflicts of interest, whether financial, professional, or personal, could affect the objectivity, integrity, or interpretation of the results in the research and writing of this article. The entire research process is carried out independently without any intervention or pressure from any interested party, both institutions, funding institutions, and other third parties. This statement was submitted to ensure transparency and maintain academic ethical standards in scientific publications.

## BIBLIOGRAPHY

- Abdullah, Muhammad Najib, dan Intan Nadiah Mahraji. "The Use Of Cannabis For Medical Treatment In Malaysia: An Analytical Study From The Fiqh Al-Muwazanat Perspective." *Al-Qanatir: International Journal of Islamic Studies* 33, no. 6 (14 November 2024): 277-292.
- Abidin, M. Saiful Amri Zainal, M. Zohdi M. Amin, Abdulloh Salaeh, W. Fatimah Zahra' W. Yusoff, dan Salmah Fa'atin. "The Practice of Islamic Psychospiritual Therapy in the Treatment of Drug Addiction at Rehabilitation Centres in Malaysia." *Afkar: Jurnal Akidah Dan Pemikiran Islam* 24, no. 2 (31 Desember 2022): 143-168.  
<https://doi.org/10.22452/afkar.vol24no2.4>.
- Ahmed, Asadulla Shafee, dan Zuraini Ab Hamid. "Islamic Concept Of Drugs And Rehabilitation: Its Compatibility With Maldivian Legal Framework." *Al-Qanatir: International Journal of Islamic Studies* 32, no. 1 (1 Oktober 2023): 43-57.

- Alam-Mehrjerdi, Zahra, Mohammad Abdollahi, Peter Higgs, dan Kate Dolan. "Drug Use Treatment and Harm Reduction Programs in Iran: A Unique Model of Health in the Most Populated Persian Gulf Country." *Asian Journal of Psychiatry* 16 (Agustus 2015): 78–83. <https://doi.org/10.1016/j.ajp.2015.06.002>.
- Amanda, Niken Dwi, Merry Kurniawati Nurdin, Cinta Rizqareka Darmawan, Hilyah Az Zahra, Ananda Ratu Mawaddah, Setyo Nugraha, dan Mulyadi M. "Analisis Penanganan Kasus Narkoba Ditinjau Dari Perspektif Hukum Dan Masyarakat." *Media Hukum Indonesia (MHI)* 2, no. 2 (27 Mei 2024): 249–258. <https://doi.org/10.5281/zenodo.11318606>.
- Analisa, Lisa, Kamarusdiana Kamarusdiana, dan Nurul Adhha. "Implementation of Rehabilitation for Narcotics Addicts in Positive Legal Perspective and Islamic Law." *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 22, no. 1 (30 Juni 2022): 92–124. <https://doi.org/10.30631/alrisalah.v22i1.1122>.
- Andriyani, Andriyani, dan Rusmala Dewi. "Rehabilitation Sanctions Against the Narcotics User According to the Perspective of Maqashid Shariah." *Nurani* 20, no. 2 (1 Desember 2020): 233–246. <https://doi.org/10.19109/nurani.v20i2.6926>.
- Asa'ari, Asa'ari, Zufriani Zufriani, Arzam Arzam, dan Doli Witro. "Urgensi Pemahaman Terhadap Maqashid Al-Syari'ah Dan Perubahan Sosial Dalam Istimbath Al-Ahkam." *De Jure: Jurnal Hukum Dan Syar'iah* 13, no. 2 (31 Desember 2021): 222–239. <https://doi.org/10.18860/j-fsh.v13i2.13818>.
- Badilla, Nurul Widhanita Y. "Efektivitas Pidana Penjara Bagi Pecandu Narkotika Di Lingkungan Lembaga Pemasyarakatan Narkotika Kelas Iia Jayapura." *Jurnal Komunitas Yustisia* 5, no. 2 (26 Agustus 2022): 603–710. <https://doi.org/10.23887/jatayu.v5i2.51748>.
- Baharudin, Mohd Norbayusri, Mahadzirah Mohamad, dan Fazida Karim. "Drug-Abuse Inmates Maqasid Shariah Quality Of Life: A Conceptual Paper." *Humanities & Social Sciences Reviews* 8, no. 3 (29 Juni 2020): 1285–1294. <https://doi.org/10.18510/hssr.2020.83131>.

- Bungin, Burhan. *Analisis Data Penelitian Kualitatif*. Jakarta: PT Raja Grafindo Persada, 2003.
- Dahlan, Dahlan, Zahoor Ahmed, dan Sitta Saraya. "The Concept of Criminal Justice For Drug Abuse: A Legal Approach." *Jurnal Hukum* 41, no. 1 (1 Maret 2025): 55–72. <https://doi.org/10.26532/jh.v41i1.43965>.
- Hamdan, Hamdan, dan Afnaini Afnaini. "Implementation Of Restorative Justice In Criminal Acts Of Narcotics And Of Illegal Drug Abuse In Indonesia." *Fox Justi : Jurnal Ilmu Hukum* 15, no. 01 (26 Desember 2024): 72–89.
- Hartono, Teguh, Vadira Hanami, dan Fanniya Dyah Prameswari. "Drug Abuse Rehabilitation Policies in Indonesia: A Comparison with Vietnam, Australia and Portugal." *Wacana Hukum* 29, no. 2 (31 Oktober 2023): 163–180. <https://doi.org/10.33061/wh.v29i2.9576>.
- Helaluddin, dan Hengki Wijaya. *Analisis Data Kualitatif: Sebuah Tinjauan Teori & Praktik*. Sekolah Tinggi Theologia Jaffray, 2019.
- Ifandy, Teguh, dan Idaul Hasanah. "Maslahat (Benefits) in Fiqh Awlāwiyāt: A Comparison between Yūsuf al-Qarādhawī's View and Abdus Salam Alī al-Karbulī's." *Al'Adalah* 21, no. 1 (25 Juni 2024): 1–24. <https://doi.org/10.24042/adalah.v21i1.21316>.
- Iriani, Dewi. "Kejahatan Narkoba: Penanggulangan, Pencegahan Dan Penerapan Hukuman Mati." *Justicia Islamica* 12, no. 2 (2015). <https://doi.org/10.21154/justicia.v12i2.331>.
- Kadir, Muh Awaluddin, Muh Shuhufi, dan Misbahuddin M. "Efek Jera Pemidanaan Dalam Hukum Islam Dan Penerapannya Di Indonesia." *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* 1, no. 11 (5 Juli 2024). <https://doi.org/10.5281/zenodo.12666985>.
- Khatib, Suansar. "Konsep Maqashid Al-Syari`Ah: Perbandingan Antara Pemikiran Al-Ghazali Dan Al-Syathibi." *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 5, no. 1 (30 Desember 2018): 47–62. <https://doi.org/10.29300/mzn.v5i1.1436>.
- Laksana, Andri Winjaya. "The Legal Position Of Islamic Boarding School (Pesantren) As A Rehabilitation Effort For Narcotics Abuse." *International Journal of Law*

Reconstruction 5, no. 2 (2021): 317-327.

doi:<https://doi.org/10.26532/IJLR.V5I2.17756>.

Laksana, Andri Winjaya, Andri Winjaya Laksana, Hendro Widodo, Moh Aris Siswanto, H D Djunaedi, and Setiawan Widyoko. "Criticism of Legal Protection for Victims of Drug Abuse: The Disharmony in Legal Substance Regulation." *Legality : Jurnal Ilmiah Hukum* 33, no. 1 (January 15, 2025): 93-109.  
doi:[10.22219/LJIH.V33I1.36680](https://doi.org/10.22219/LJIH.V33I1.36680).

Mahadir, Mahadir. "Penyalahgunaan Narkoba Dalam Perspektif Maqashid Syariah." *Brilliant: Journal of Islamic Economics and Finance* 2, no. 1 (23 Juli 2024): 30-48.

Maimun, Maimun, Sanusi Sanusi, Erna Hayati, dan Ari Munazar. "Dampak Penyalahgunaan Narkoba Terhadap Perkembangan Moral Anak." *Antropocene : Jurnal Penelitian Ilmu Humaniora* 3, no. 2 (28 Mei 2023): 59-67.  
<https://doi.org/10.56393/antropocene.v3i2.1648>.

Ma'rifah, Nurul. "Menggali Dan Menemukan Konsep Maqasid Syari'ah Dalam Pohon Ilmu Hukum Indonesia." *Istinbath : Jurnal Hukum* 16, no. 2 (31 Desember 2019): 248-264. <https://doi.org/10.32332/istinbath.v16i2.1707>.

Mikroj, Mohamad, dan Adang Djumhur. "Restoratif Justice Sebagai Perwujudan Keadilan Dalam Prespektif Teori Kemaslahatan (Maqashid Al-Syari'ah)." *TAHKIM* 19, no. 2 (31 Desember 2023): 238-253. <https://doi.org/10.33477/thk.v19i2.5164>.

Mohamed, Mahmood Nazar, dan S. Marican. "Treatment and Rehabilitation of Substance Use Disorder: Significance of Islamic Input in Malaysia." *International Journal of Human and Health Sciences (IJHHS)* 2, no. 4 (29 Agustus 2018): 209-216.  
<https://doi.org/10.31344/ijhhs.v2i4.57>.

Mohd Nawawi, Nor Alia Aqilah, Othman ,Elza Azri, Mohd Nasir ,Fairuz, Abdullah ,Kamarul Amin, dan Mohd Norbayusri and Baharudin. "Drug addictions in Malaysia: a mini-review on drug types, rehabilitation centers, and therapeutic programs." *Journal of Ethnicity in Substance Abuse* 0, no. 0 (t.t.): 1-13.  
<https://doi.org/10.1080/15332640.2024.2336495>.

- Pranoto, Heru, Adwani Adwani, Rizanizarli Rizanizarli, dan Mohd Gaussya. "Construction of Narcotics Law Against Narcotics Abusers in Perspective Justice." *Khazanah Hukum* 6, no. 2 (6 Agustus 2024): 145–158. <https://doi.org/10.15575/kh.v6i2.37635>.
- Priyono, Adi. "Drug Abuse In The Perspective Of Islamic Law." *International Journal Of Humanities Education and Social Sciences* 2, no. 3 (3 Desember 2022). <https://doi.org/10.55227/ijhess.v2i3.304>.
- Purnomo, Agus. "Hukuman Mati Bagi Tindak Pidana Narkoba di Indonesia: Perspektif Sosiologi Hukum." *De Jure: Jurnal Hukum dan Syar'iah* 8, no. 1 (25 Juni 2016): 15–23. <https://doi.org/10.18860/j-fsh.v8i1.3726>.
- Rahmadhani, dan Irsyam Risdawati. "Drug Use in Medical Perspective and Islamic Law." *International Journal of Synergy in Law, Criminal, and Justice* 1, no. 1 (11 Juli 2024): 29–36. <https://doi.org/10.70321/ijslcj.v1i1.13>.
- Rakhman, Fedi Arif. "Penerapan Keadilan Restoratif Dalam Penanganan Penyalahguna & Pecandu Narkotika." *Jurnal Ilmu Hukum, Humaniora Dan Politik* 4, no. 6 (13 September 2024): 2258–2267. <https://doi.org/10.38035/jihhp.v4i6.2675>.
- Ramadhan, Ranga Abdi, Athifatul Wafiroh, dan Cecep Soleh Kurniawan. "Penerapan Hukuman Mati Di Indonesia Perspektif Maqasid al-Shari'ah." *Ma'mal: Jurnal Laboratorium Syariah Dan Hukum* 5, no. 1 (2 Februari 2024): 27–49. <https://doi.org/10.15642/mal.v5i1.198>.
- Riyansyah, Riyansyah, dan Sintong Arion Hutapea. "Efektivitas Restorative Justice Dalam Penyelesaian Kasus Penyalahgunaan Narkotika Di Indonesia." *Mahkamah : Jurnal Riset Ilmu Hukum* 2, no. 2 (9 April 2025): 70–77. <https://doi.org/10.62383/mahkamah.v2i2.566>.
- Rustiana, dan Dinny Wirawan Pratiwie. "Pembuktian Penyalahguna Narkotika Dalam Rangka Penerapan Asas Restorative Justice: (Studi Perkara Tindak Pidana Nomor: 396/Pid.Sus/2021/PN Smr)." *Yuriska: Jurnal Ilmiah Hukum* 14, no. 2 (25 Agustus 2022): 65–74. <https://doi.org/10.24903/yrs.v14i2.1001>.



Santoso, D. "Efforts to prevent drugs abuse among youth in islamic family law perspective."

*Journal of Drug and Alcohol Research* 10, no. 8 (2021).

Shafiee, S. Ali, AbouAli Vedadhir, dan Emran Razaghi. "Ups and downs of addiction harm reduction in Iran: key insights and implications for harm reduction policy and policing." *Harm Reduction Journal* 20, no. 1 (20 Januari 2023): 8.

<https://doi.org/10.1186/s12954-022-00719-0>.

Sibarani, Fauzi Anshari, dan Erwin Asmadi. "Harmonizing Law Enforcement Officials Against Child Victims of Narcotics Abuse." *Justisi* 10, no. 2 (1 Februari 2024): 328–340. <https://doi.org/10.33506/js.v10i2.2834>.

Siregar, Hapni Laila, Anggi Yulinda, Arisyah Dwi Fadhilah, dan Uly Anti Mawaddah. "Analisis Peran Agama Islam Dalam Menanggulangi Penyalahgunaan Narkoba Di Kalangan Remaja." *Madani: Jurnal Ilmiah Multidisiplin* 2, no. 5 (5 Juni 2024). <https://doi.org/10.5281/zenodo.11489278>.

Taufek, Nor Hidayah Mohd, Syafiqah Nadiah Halimi, Norny Syafinaz Ab Rahman, Che Suraya Zin, Che Anuar Che Mohamad, dan Christopher John Turner. "Experiential Education as a Strategy to Preserve *Maqasid* Al-Shariah by Identifying and Addressing Stigmatic Views Held by Pharmacy Students of Patients with Substance Use Disorders." *Journal of Pharmacy* 1, no. 1 (8 Januari 2021): 1–7. <https://doi.org/10.31436/jop.v1i1.9>.

Wanto, Deri, Rahmad Hidayat, dan R. Repelita. "*Maqasid* Shariah Change as Theory: From Classical to Cotemporary *Maqasid* Shariah." *Al-Istinbath: Jurnal Hukum Islam* 6, no. 2 November (11 November 2021): 427–454. <https://doi.org/10.29240/jhi.v6i2.3122>.

Winjaya, Andri, Laksana Universitas, Islam Sultan, and Agung Semarang. "The Legal Position of Islamic Boarding School (Pesantren) As A Rehabilitation Effort For Narcotics Abuse." *International Journal of Law Reconstruction* 5, no. 2 (October 14, 2021): 317–327. [doi:10.26532/IJLR.V5I2.17756](https://doi.org/10.26532/IJLR.V5I2.17756).

Yahya, Faisal, dan Nida Ul Fadhila. "Addictive Drug Abuse by Underage Children in Blangkejeren Gayo Lues [Penyalahgunaan Zat Adiktif oleh Anak di Bawah Umur:

Studi Kasus di Kecamatan Blangkejeren Kabupaten Gayo Lues]." *Legitimasi: Jurnal Hukum Pidana dan Politik Hukum* 9, no. 1 (28 Juni 2020): 17-45.

<https://doi.org/10.22373/legitimasi.v9i1.7325>.

Zahari, Nur Aqila Mohd, dan Mohd Hafiz Safiai. "Maqasid Sharia and the Biomedical Ethics of E-Cigarettes: A Contemporary Islamic Legal Assessment." *MILRev: Metro Islamic Law Review* 4, no. 1 (30 Mei 2025): 295-318.

<https://doi.org/10.32332/milrev.v4i1.10398>.

Zainuddin, Ahmad Za'im Rafiqin, dan Faudzinain Badaruddin. "Drug Addiction Treatment in Malaysia: A Comparison: Rawatan Ketagihan Dadah Di Malaysia: Suatu Perbandingan." *Al-Qanatir: International Journal of Islamic Studies* 9, no. 1 (2 Juli 2018): 27-34.

Zaki, Mohamad Muhaimin Mohamad, dan Jasni Sulong. "The Islamic Treatment For Drug Addict: A Case Study At Madrasah Anharol-Ulum, Thailand." *European Proceedings of Social and Behavioural Sciences Role(s) and Relevance of Humanities for Sustainable Development* (23 September 2019).

<https://doi.org/10.15405/epsbs.2019.09.37>.

Zulfa, Eva Achjani. "Optimalisasi Pendekatan Restorative Justice terhadap Victimless Crime (Penyalahgunaan Narkoba) sebagai Solusi Lapas yang Over Kapasitas." *Jurnal Pendidikan Tambusai* 6, no. 1 (28 April 2022).

<https://doi.org/10.31004/jptam.v6i1.3684>.