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The Effects and Role of Market Control in Preventing Social Anomalies Based on Jurisprudential Foundations

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This article investigates the jurisprudential foundations, mechanisms, and social implications of market control within the framework of Islamic law, focusing on its potential role in preventing social anomalies in the contemporary Iranian context. Market control in Islamic jurisprudence is not conceived as a discretionary economic intervention but as a mandatory governance duty rooted in Sharia principles such as la darar (no harm), the prohibition of ghish (fraud), the prohibition of ihtikar (hoarding), and the obligation of amr bi'l ma'ruf wa nahy 'an al-munkar (enjoining good and forbidding wrong). The study situates market control historically, highlighting its institutionalization through the hisbah system in classical Islamic civilization, where market inspectors supervised ethical conduct, stabilized prices, and ensured equitable access to goods. It argues that the weakening of such mechanisms in contemporary markets has contributed to economic instability, price volatility, monopolistic practices, and corruption—factors that undermine public trust and foster deviant behaviors. Through an analytical review of classical Shi'a and Sunni jurisprudential sources and contemporary Iranian statutory law, the study identifies the legal grounds for market regulation as embedded in the constitutional mandate to align legislation with Islamic law. It emphasizes that principles such as maslaha (public interest), darura (necessity), and hifz al-nizam (preservation of the Islamic system) provide the normative justification for state intervention to prevent harm and ensure distributive justice. The study further demonstrates that market control yields multidimensional social benefits: reducing poverty and inequality, curbing rent-seeking and economic corruption, promoting equitable distribution of resources, and lowering crime rates and social unrest. It establishes a clear causal link between market disorder and social harm, showing how unregulated markets can destabilize social order by eroding trust and encouraging opportunistic or deviant behavior. Ultimately, the article argues that revitalizing fiqh-based market control offers a viable path for strengthening social stability in Iran. By embedding ethical obligations within economic regulation and operationalizing them through modern legal institutions, policymakers can transform markets from sources of disorder into pillars of justice, trust, and social cohesion.

Keywords: *Market control; Islamic jurisprudence; social anomalies; economic justice; market regulation; hisbah; poverty; corruption; distributive equity; Iran*

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1. Introduction

The market has historically stood as one of the most vital economic and social institutions within Islamic societies, functioning not merely as a locus of commercial transactions but as a structured space imbued with religious ethics, communal solidarity, and socio-political regulation. In classical Islamic civilization, the bazaar was intricately woven into the fabric of urban life; its regulation and oversight were regarded as essential duties of governance, ensuring both economic efficiency and moral integrity. Markets were not seen as value-neutral arenas but as spaces where ethical obligations—rooted in the principles of fairness, honesty, and social responsibility—were actively enforced by religious and legal authorities. Scholars have emphasized that the design of Islamic economic systems emerged to align material exchanges with the overarching objectives of Sharia, seeking to promote justice, eliminate exploitation, and uphold the public good (Chapra, 1992; Sachedina, 1988). This foundational vision underscores why the market is not simply a venue for supply and demand to operate freely but a domain of human conduct requiring moral and legal regulation.

The centrality of the bazaar in Islamic societies also rests upon its role as a primary mechanism for social integration. It has historically provided livelihoods to a significant portion of the population, nurtured trust-based relationships, and facilitated the circulation of goods essential to communal well-being. The bazaar's embeddedness within the moral economy has made it a cornerstone of collective security: when markets function fairly, they contribute to societal cohesion, whereas when they descend into manipulation, hoarding, or speculative excess, they can unravel social trust and precipitate instability. Scholars of Islamic jurisprudence have consistently underscored that economic activity is inseparable from ethical imperatives, highlighting that violations of market integrity—through fraud, monopoly, or artificial price inflation—threaten the moral order and must be restrained through legal and religious mechanisms (Mughniyya, 1998; Zuhayli, 1997). This ethical framing demonstrates why the health of the market is intertwined with the health of society itself.

However, the contemporary Iranian context has seen increasing tension between the ideal of a morally regulated Islamic market and the realities of a rapidly globalizing economy marked by price volatility, monopolistic practices, and recurrent market crises. Economic instability, manifested in unpredictable price fluctuations, hoarding of essential commodities, and the emergence of monopolistic cartels, has often served as a precursor to broader social anomalies. Studies have shown that economic deprivation and uncertainty can amplify deviant behaviors such as theft, corruption, and black-market dealings, eroding the sense of collective responsibility and deepening public distrust (Goode, 2020; Jamrozik, 2009; Maxwell, 2015). When market actors manipulate prices or restrict supply, they not only distort economic efficiency but also engender social resentment, widening the gap between different socio-economic strata and fostering environments conducive to deviance. The classical Islamic jurists were acutely aware of such dynamics; they deemed practices like hoarding (*ihtikar*) and fraudulent misrepresentation (*ghish*) as ethically and legally impermissible precisely because of their potential to disrupt public welfare (Muhaqqiq al-Hilli, 1983; Rouhani, 1995).

The erosion of public trust is perhaps the most insidious consequence of unregulated markets. Trust functions as the invisible infrastructure upon which economic exchanges depend; without it, transactions become fraught with suspicion, increasing transaction costs and diminishing economic vitality. Social control theorists have long argued that economic uncertainty and social disorganization can weaken informal mechanisms of regulation, thereby amplifying deviant conduct (Chriss, 2013). In the Iranian context, repeated episodes of sudden price hikes and market manipulations have not only strained household budgets but have also fostered a climate of cynicism toward regulatory authorities. This deterioration of confidence undermines state legitimacy and emboldens opportunistic behaviors, further entrenching cycles of social disorder. Such patterns validate the classical Islamic insight that the market cannot be left to self-regulate but must be actively governed to preserve justice and public trust (Majlisi, 1983; Najafi, 1984).

Despite this, there remains a conspicuous gap in the practical application of Islamic jurisprudential principles to the regulation of contemporary markets in Iran. While the nation's legal framework formally draws upon Islamic law, its market oversight mechanisms often operate in ways more influenced by secular economic theories than by fiqh-based norms. This disjunction has produced a hybrid system in which ethical oversight is frequently subordinate to expedient economic considerations, weakening the moral underpinnings of market governance. Although Iran's post-revolutionary legal system emphasizes the role of the Islamic state in promoting justice, the translation of classical jurisprudential rules—such as the principle of *la darar* (no harm) or the duty of *amr bi'l ma'ruf wa nahy 'an al-munkar* (enjoining good and forbidding wrong)—into operational regulatory frameworks has been incomplete and inconsistent (Khomeini, 1985; Sadr, 1982). The absence of robust fiqh-based regulatory models has created a vacuum often filled by ad hoc interventions that lack coherence and sometimes exacerbate rather than mitigate market volatility.

This lacuna is particularly problematic given that classical Shiite jurisprudence contains a rich corpus of legal thought addressing precisely the challenges posed by market disorder. Jurists such as Sheikh Ansari and Mohammad Hasan Najafi articulated detailed rulings on the permissibility of price controls, the obligations of market supervisors (*muhtasib*), and the conditions under which state authorities could intervene to prevent harm (Ansari, 1981; Najafi, 1984). These rulings were rooted in a moral economy paradigm in which safeguarding communal welfare outweighed individual profit maximization. Likewise, modern Islamic economists argue that the state has a duty to curb exploitative practices, ensure equitable distribution, and stabilize markets to prevent social harm (Chapra, 1992; Mirakhor & Iqbal, 2017). Yet, contemporary Iranian policy often invokes these jurisprudential principles only rhetorically, without embedding them structurally into market governance institutions. The resulting disconnect has diminished the preventive capacity of market regulation, allowing social anomalies to proliferate during periods of economic turbulence.

The implications of this regulatory gap are profound. Unregulated or poorly regulated markets can act as incubators for corruption, cronyism, and illicit rent-seeking, which in turn perpetuate poverty and social inequality. Such conditions are fertile ground for the emergence of deviant subcultures and the erosion of social cohesion (Bhargava, 2005; Maxwell, 2015). Classical fiqh sought to preclude precisely these outcomes by mandating proactive oversight mechanisms. The institution of *hisbah*, historically implemented by the Islamic state, exemplified this approach: it charged appointed officials with inspecting markets, ensuring fair weights and measures, preventing hoarding, and sanctioning unethical practices (Sachedina, 1988; Zuhayli, 1997). This supervisory apparatus functioned as a form of moral policing, embedding ethical standards into economic life and thereby preventing the socio-economic dislocations that breed deviance. In its absence, market economies risk devolving into arenas of unchecked self-interest, eroding the social bonds that sustain collective order.

The urgency of reintegrating fiqh-based regulation is further underscored by empirical evidence linking market failures to social instability. When essential commodities become subject to speculative hoarding, low-income groups bear the brunt of price spikes, intensifying grievances and fostering anti-social responses such as black-market trading and theft (Goode, 2020; Jamrozik, 2009). Moreover, monopolistic practices can generate structural unemployment and wage stagnation, which correlate strongly with rising crime rates and public unrest (Maxwell, 2015). These dynamics affirm that market disorder is not merely an economic inefficiency but a catalyst for social disintegration. By contrast, regulated markets that prioritize distributive justice and ethical conduct can serve as bulwarks against social decay. Islamic jurisprudence envisioned economic regulation precisely as a tool to secure such stability, recognizing that social order rests upon the equitable distribution of resources and the suppression of exploitative behavior (Muhaqqiq al-Hilli, 1983; Rouhani, 1995).

Given this context, the present study seeks to address the critical gap between Islamic jurisprudential ideals and contemporary regulatory practice in Iran. It posits that the failure to operationalize fiqh-based market control has contributed to the persistence of social anomalies, and that reintegrating these principles can enhance the moral and social fabric of the market. This argument aligns with the broader perspective of social control theory, which holds that formal regulatory frameworks must be supported by internalized ethical norms to effectively constrain deviance (Chriss, 2013). In the Islamic paradigm, these ethical norms are codified in fiqh, offering a comprehensive moral-legal infrastructure for market governance. The task, therefore, is not to invent new regulatory doctrines but to reactivate and adapt existing jurisprudential principles to contemporary conditions.

The significance of this inquiry extends beyond theoretical interest; it carries direct policy implications. Reinvigorating fiqh-based market control could serve as a means of restoring public trust, reducing opportunities for corruption, and preventing the socio-economic marginalization that fuels deviant behavior. By embedding ethical norms into economic institutions, policymakers can transform markets from potential sources of disorder into engines of social stability. Previous scholarship suggests that markets governed by transparent, justice-oriented rules exhibit lower levels of corruption and higher levels of civic cooperation (Bhargava, 2005; Mirakhor & Iqbal, 2017). This indicates that effective market regulation can produce not only economic benefits but also social dividends, strengthening the moral cohesion of society.

Accordingly, the objective of this research is to investigate the jurisprudential foundations of market control and analyze their role in preventing social anomalies. It aims to elucidate which specific fiqh rules—such as the prohibition of harm, the duty of market supervision, and the enforcement of distributive justice—should govern market activity, and how their application can enhance social order. The central research question guiding this study is therefore: Which jurisprudential rules govern market control, and how do they affect social order? By exploring this question, the article seeks to contribute both to the scholarly understanding of Islamic economic jurisprudence and to the practical design of regulatory frameworks capable of mitigating social anomalies in contemporary Iran.

2. Theoretical Background and Literature Review

The concept of the market has long occupied a central place in both classical and modern economic thought, being defined as the institutionalized arena in which buyers and sellers interact to exchange goods, services, and capital under a set of rules and expectations. In classical economic theory, the market is often conceptualized as a self-regulating mechanism driven by the forces of supply and demand, a framework grounded in the assumption of rational actors and competitive equilibrium. Modern perspectives, however, have expanded this notion to emphasize the institutional, social, and legal structures that shape market behavior, acknowledging that markets are embedded within broader social contexts and are not purely autonomous entities (Chapra, 1992; Choudhury, 1992). In this view, markets function not merely as neutral spaces of exchange but as complex social systems regulated by norms, power relations, and collective expectations. Such a perspective aligns with the Islamic conception of the market, which views it not simply as a mechanism for price discovery but as a moral institution tasked with promoting fairness, justice, and communal welfare (Sadr, 1982; Zuhayli, 1997).

The structure of traditional Islamic markets was distinctly shaped by their physical and institutional features, which reflected the ethical imperatives of Sharia. Classical Islamic marketplaces, or bazaars, were typically situated at the heart of urban centers, physically symbolizing their importance to social and economic life. These markets were organized into specialized sections or *suqs* dedicated to particular goods, with guild-like associations regulating standards, resolving disputes, and supervising commercial ethics. The marketplace was not only a site of economic activity but also a locus of social interaction and mutual trust, where reputation and adherence to religious norms significantly influenced commercial success (Mughniyya, 1998; Sachedina, 1988). Market inspectors, known as *muhtasibs*, were appointed by the state to enforce ethical conduct, monitor weights and measures, and prevent fraudulent practices. Their role epitomized the integration of moral oversight with economic governance, ensuring that market operations aligned with the broader goals of justice and public welfare (Khomeini, 1985; Najafi, 1984). This institutional design stands in contrast to modern capitalist markets, which often prioritize profit maximization over communal ethics and thereby detach economic activity from moral obligations.

The market in Islamic civilization thus developed as an inseparable component of the moral and legal architecture of society. From the earliest Islamic periods, markets were regulated under the principle of *hisbah*, a doctrine that obligated the Islamic government to supervise economic activities to prevent harm and ensure fairness. Historical records from the periods of Prophet Muhammad and Imam Ali demonstrate consistent enforcement of rules against hoarding, monopolies, and price manipulation, all rooted in the ethical concern for protecting public access to essential goods (Muhaqqiq al-Hilli, 1983; Rouhani, 1995). Over time, this evolved into an elaborate system of market governance supported by religious endowments (*waqf*), guilds (*asnaf*), and scholarly authorities who provided guidance on ethical commercial behavior. These structures ensured that economic activity served not only individual profit but also social stability and distributive justice, embodying the Islamic vision of a moral economy (Mirakhor & Iqbal, 2017). The moral obligations embedded in the bazaar system helped maintain trust and reciprocity, allowing markets to act as pillars of social cohesion rather than sources of inequality and conflict.

Guilds played a particularly crucial role in sustaining the integrity of the bazaar. These associations of craftsmen and traders functioned as semi-autonomous self-regulatory bodies, enforcing quality standards, resolving intra-guild disputes, and instilling a shared ethical code among their members. Their operations were often supported by religious endowments, which funded public goods such as caravanserais, fountains, and schools adjacent to the markets, further integrating economic life with social welfare (Sadr, 1982; Zuhayli, 1997). This intertwining of commerce, religion, and charity reflected the Islamic conviction that wealth carries social responsibilities and must circulate within society to prevent inequality. Ethical norms such as honesty, moderation in profit, and prohibition of deceit or coercion were not merely moral exhortations but enforceable obligations grounded in fiqh. The legitimacy of market activity was thus contingent upon adherence to ethical standards, illustrating that the Islamic market was never conceived as morally neutral but as a mechanism for advancing social justice.

Understanding the market's centrality also requires examining its relationship with social anomalies, which are disruptions of normative order manifested through behaviors or structures that deviate from accepted standards. Sociological theories conceptualize social anomalies as outcomes of weakened social controls, rapid social change, or structural strains that prevent individuals from achieving culturally approved goals through legitimate means (Goode, 2020; Jamrozik, 2009). Economic instability—such as unemployment, inflation, or widening inequality—often acts as a catalyst for such deviance by eroding social cohesion and fostering feelings of alienation. When individuals perceive markets as unjust or inaccessible, they may resort to illicit activities like theft, black-market trading, or corruption as alternative survival strategies (Maxwell, 2015). This dynamic illustrates why economic disorder can rapidly translate into social disorder. In Islamic thought, this linkage is well-recognized; classical jurists warned that violations of market ethics such as hoarding (*ihtikar*) or price manipulation (*tas'ir* without just cause) could precipitate public unrest and thus had to be preemptively curtailed (Muhaqqiq al-Hilli, 1983; Najafi, 1984). Their rulings underscore the principle that stable markets are indispensable for maintaining social order.

The drivers of social anomalies are not purely individual but often structural. Persistent poverty, for example, undermines the ability of individuals to participate in lawful economic activity, pushing some toward criminal behavior. Inequality can erode trust in institutions, fueling resentment and collective unrest, while chronic unemployment deprives individuals of legitimate roles and can facilitate the formation of deviant subcultures (Jamrozik, 2009; Maxwell, 2015). Islamic economic jurisprudence sought to mitigate these drivers through distributive mechanisms such as zakat, khums, and price regulation, aiming to prevent extreme wealth concentration and ensure that all members of society could meet their basic needs. This preventative approach reflects an implicit sociological understanding that market disorder is not only an economic problem but also a social risk factor. By embedding ethical and redistributive principles into market governance, Islamic law sought to neutralize the conditions that produce social anomalies before they could emerge.

The concept of social control is central to understanding how market order can be preserved. Social control encompasses the mechanisms—both formal and informal—by which societies regulate behavior to conform to norms. Formal controls include legal regulations, institutional enforcement, and state sanctions, while informal controls operate through cultural norms, peer expectations, and internalized moral values (Chriss, 2013). Classical Islamic market governance employed both forms simultaneously: formal oversight was exercised by appointed officials such as *muhtasibs*, while informal controls were sustained through communal moral expectations, religious teachings, and guild ethics. This dual structure enhanced compliance, as violations incurred not only legal penalties but also social stigma and loss of reputation. Modern scholarship emphasizes that such integrated systems of control are more resilient because they align external enforcement with internalized ethical commitments (Mughniyya, 1998; Sachedina, 1988). The decline of informal ethical constraints in contemporary markets has weakened this balance, making formal regulation less effective and allowing deviant practices to proliferate.

In the context of market regulation, the interplay of internal and external controls is particularly significant. Internal control refers to the moral self-regulation of market actors, while external control involves oversight by state institutions. Islamic jurisprudence sought to cultivate internal control by embedding commercial ethics within religious duty, so that adherence to fair practices was perceived as an act of worship rather than merely legal compliance (Khomeini, 1979; Rouhani, 1995). External controls, by contrast, were structured through legal rules, price-setting mechanisms, and supervisory institutions to correct market failures and prevent harm. This comprehensive framework distinguished Islamic markets from their modern capitalist counterparts, where regulation is often fragmented and reactive. The weakening of internal ethical commitments in contemporary Iranian markets has left external controls overburdened and frequently ineffective, contributing to cycles of price instability, corruption, and public distrust. This underscores the need to revive the integrated model of control envisioned in fiqh to restore market order and prevent social disintegration.

Several prior studies have examined the relationship between market regulation and social order, offering insights yet leaving important gaps. Abrosh and Jabari analyzed the managerial practices of Imam Ali and highlighted his proactive market supervision as a mechanism for ensuring distributive justice and preventing exploitation, noting that he frequently intervened to regulate prices and punish unethical behavior (Abrosh & Jabari, 2016). Mahdavi-Hampa and colleagues explored the broader framework of social control in Shiite jurisprudence, emphasizing that economic regulation was considered a core component of maintaining public morality and social stability (Mahdavi-Hampa & et al., 2019). Rasouli and co-authors examined the jurisprudential basis for criminalizing market-related offenses in Iran's capital market, demonstrating that contemporary legal systems retain latent fiqh-based principles yet often fail to operationalize them effectively (Rasouli & et al., 2021). Similarly, Amin-Naji and colleagues investigated the ethical dimensions of market justice based on the teachings of Nahj al-Balagha, concluding that the absence of such ethical enforcement mechanisms exacerbates economic inequality and social unrest (Amin-Naji & et al., 2022). Mohammadiari's study on the jurisprudential and legal foundations of market regulation by the Islamic government argued that current policies insufficiently draw on classical fiqh, resulting in ad hoc regulation lacking coherent ethical orientation (Mohammadiari, 2015). Collectively, these studies affirm the relevance of fiqh-based regulation for social stability but also reveal a persistent gap between jurisprudential theory and practical implementation in contemporary markets.

In sum, the literature highlights that the market is not merely an economic institution but a moral and social system whose disorder can trigger social anomalies. Traditional Islamic markets embodied a holistic regulatory framework that combined ethical norms, institutional oversight, and distributive mechanisms to prevent harm and sustain social order. Contemporary economic systems, by contrast, often neglect these moral foundations, resulting in increased vulnerability to corruption, inequality, and deviance. Addressing this divergence requires revisiting the jurisprudential principles that historically governed markets and reassessing how they can be re-integrated into modern regulatory frameworks. By situating market regulation within the broader context of social control and justice, this study seeks to build upon prior scholarship while addressing the gaps that have hindered the effective application of Islamic jurisprudence in contemporary market governance.

3. Jurisprudential Foundations of Market Control

The jurisprudential foundations of market control in Islamic law rest upon a deeply embedded framework of ethical-legal rules that aim to protect public welfare, prevent injustice, and ensure the equitable functioning of economic exchanges. These foundations draw from the objectives of Sharia (*maqasid al-shari'a*), which prioritize the preservation of religion, life, intellect, lineage, and wealth, and view market activity as inseparable from these overarching goals. Classical jurists framed the regulation of markets as a religious obligation of the Islamic government, designed to avert harm and promote justice within society. This perspective contrasts with secular economic models that often assume markets are self-regulating systems driven primarily by supply and demand dynamics. In the Islamic tradition, markets are not morally neutral arenas; they are spaces of ethical responsibility where legal oversight is essential to prevent exploitation and social harm (Chapra, 1992; Zuhayli, 1997).

One of the most fundamental jurisprudential principles underpinning market regulation is the rule of *la darar wa la dirar* (no harm and no reciprocating harm). This principle asserts that any economic activity resulting in unjust harm to others is impermissible, and it serves as a general legal maxim across the spectrum of Islamic jurisprudence (Mughniyya, 1998). Applied to markets, this rule mandates that market behavior must not produce harm to consumers, competitors, or the broader public interest. For instance, price manipulation, speculative hoarding, and monopolistic practices are deemed prohibited because they create artificial scarcity and impose harm upon the community. Jurists such as Sheikh Ansari emphasized that contractual freedom in Islamic law is limited by this principle; a contract that causes undue harm to others cannot be legally valid even if both parties consent to it (Ansari, 1981). Similarly, Mohammad Hasan Najafi in *Jawahir al-Kalam* underscored that preserving the public welfare (*maslaha 'amma*) takes precedence over private profit, thus legitimizing state intervention to prevent harmful market practices (Najafi, 1984). The rule of *la darar* therefore operates as a safeguard against market behaviors that undermine collective welfare, reinforcing the notion that economic liberty must be bounded by ethical responsibility.

Closely related to the rule of no harm is the prohibition of *ghish* (fraud and deception), which addresses the moral and legal duty of transparency and honesty in commercial dealings. The prophetic traditions explicitly condemn fraudulent practices, declaring that deceitful merchants will be denied divine blessing. This principle is foundational to Islamic commercial law, which requires full disclosure and prohibits misrepresentation of goods, concealment of defects, and manipulation of weights and measures (Saleem, 2013). Classical jurists considered *ghish* not only a private wrong but a public offense that erodes trust and threatens the integrity of the market. Muhammad Baqir Majlisi highlighted in *Bihar al-Anwar* that fraud undermines the ethical foundation of the marketplace and necessitates governmental oversight to deter violations (Majlisi, 1983). Because market exchanges depend on trust, the prohibition of *ghish* functions as a cornerstone of market regulation: without it, transaction costs rise, social cohesion weakens, and economic instability ensues. The Islamic state is therefore tasked with policing fraudulent behavior through inspection regimes, certification systems, and punitive measures, ensuring that transparency and honesty remain non-negotiable standards of market conduct (Sachedina, 1988).

Another critical principle is the prohibition of *ihtikar* (hoarding), which addresses attempts to manipulate supply for personal gain at the expense of public need. This practice involves stockpiling essential goods to induce scarcity and drive up prices, thereby exploiting consumers. Islamic law categorically prohibits *ihtikar* because it inflicts harm on society, violates distributive justice, and undermines public trust. Jurists have consistently ruled that the state may compel the release of hoarded goods to stabilize prices and ensure public access (Muhaqqiq al-Hilli, 1983; Rouhani, 1995). Muhammad Baqir Sadr argued that hoarding distorts market signals and disrupts the just distribution of resources, directly contradicting the ethical objectives of Islamic economics (Sadr, 1982). From a jurisprudential standpoint, the prohibition of *ihtikar* exemplifies the preemptive logic of Islamic market regulation: it seeks not merely to punish harmful outcomes but to prevent the conditions that produce them. This preventive ethos aligns with broader social control theories that emphasize addressing root causes of deviance rather than merely reacting to their symptoms (Chriss, 2013).

The obligation of *amr bi'l ma'ruf wa nahy 'an al-munkar* (enjoining good and forbidding wrong) further anchors the jurisprudential duty to regulate market behavior. This principle mandates that Muslims collectively intervene to promote ethical conduct and suppress wrongdoing in public life, including economic activity. Classical jurists viewed this obligation as both an individual and institutional duty, assigning the state a central role in its enforcement. Ruhollah Khomeini emphasized that the Islamic government bears responsibility for safeguarding public morality by supervising markets, enforcing fair trade, and preventing exploitation (Khomeini, 1985). Market supervision (*hisbah*) historically embodied this principle: *muhtasibs* were empowered to inspect goods, monitor prices, and penalize unethical merchants. Their work reflected the belief that unregulated markets breed corruption and social disorder, while regulated markets foster justice and communal harmony (Abrosh & Jabari, 2016). The principle of *amr bi'l ma'ruf* thus transforms market regulation from a discretionary policy into a religious duty, binding upon both individuals and the state.

Underlying all these specific rules is the broader principle of economic justice (*'adl iqtisadi*), which serves as the ultimate objective of Islamic market regulation. Justice in this context refers not only to procedural fairness in transactions but also to distributive equity that ensures access to basic needs for all members of society. Islamic jurists argue that market outcomes must be evaluated against their contribution to social justice: if market mechanisms generate extreme inequality or deprivation, they must be reformed. Muhammad Baqir Sadr articulated that the purpose of Islamic economics is to prevent wealth concentration and to guarantee a dignified standard of living for all, a stance echoed by modern scholars who advocate state intervention to correct market imbalances (Mirakhor & Iqbal, 2017; Sadr, 1982). The Qur'anic injunctions against hoarding wealth and neglecting the poor reinforce this distributive vision, positioning market regulation as a tool to achieve socio-economic balance. Economic justice thus operates as the normative horizon guiding all other market regulations: prohibitions on harm, fraud, hoarding, and exploitation are all instruments for realizing this overarching goal.

Shi'a and Sunni jurists have generally converged on these core principles, though they have articulated different institutional mechanisms for their implementation. Shi'a jurisprudence, particularly within the Ja'fari tradition, places strong emphasis on the moral obligations of the state to supervise economic activity, rooted in the doctrine of *wilayat al-faqih* (guardianship of the jurist). This doctrine holds that in the absence of the infallible Imam, qualified jurists are vested with authority to administer public affairs, including market regulation, to preserve Islamic values and social order (Khomeini, 1979). Sunni jurists, while not recognizing *wilayat al-faqih*, developed the institution of *hisbah* as a mechanism for market oversight under the broader mandate of the ruler (*wali al-amr*) to protect public welfare (*maslaha*). Scholars like Wahbah Zuhayli emphasize that both traditions uphold the duty of market supervision, differing mainly in their theories of political authority rather than their ethical objectives (Zuhayli, 1997). Contemporary Shi'a scholars argue that this convergence underscores a shared Islamic commitment to preventing exploitation and maintaining public trust in markets (Mahdavi-Hampa & et al., 2019). This cross-sectarian consensus demonstrates that market regulation is not a sectarian innovation but a foundational feature of Islamic legal thought.

The legal authority of the Islamic government to regulate market behavior is thus firmly grounded in jurisprudence. Within the Shi'a framework, *wilayat al-faqih* grants the state not only the right but the obligation to intervene in markets when necessary to prevent harm, ensure fairness, and protect public welfare. Ruhollah Khomeini argued that the legitimacy of the Islamic state rests upon its ability to uphold justice, which includes stabilizing markets, curbing monopolies, and ensuring the equitable distribution of resources (Khomeini, 1985). This duty extends beyond reactive measures to encompass proactive planning and regulation. Sunni jurisprudence similarly legitimizes state intervention through the concept of *siyasa shar'iyya* (Sharia-oriented governance), which allows rulers to enact policies serving the public interest even if not explicitly mentioned in classical texts, as long as they do not contradict Sharia principles (Zuhayli, 1997). This flexibility reflects the pragmatic recognition that markets are dynamic and require adaptive oversight to remain aligned with Islamic values.

A key area where this authority manifests is governmental price-fixing (*tas'ir*), which has been the subject of extensive jurisprudential debate. Classical jurists generally permitted free pricing under normal market conditions, arguing that prices should be determined by natural supply and demand when markets are competitive and just. However, they also agreed that the state may impose price controls during exceptional circumstances such as hoarding, monopolistic collusion, or crises threatening public welfare (Najafi, 1984; Rouhani, 1995). Sheikh Ansari distinguished between voluntary market fluctuations and manipulative practices that distort prices, contending that state intervention becomes obligatory in the latter case to prevent harm (Ansari, 1981). Modern scholars echo this conditional approach, emphasizing that price controls are justified not as routine policy but as emergency measures to preserve justice and stability (Amin-Naji & et al., 2022; Rasouli & et al., 2021). This distinction reflects the balance Islamic jurisprudence seeks to maintain between market freedom and regulatory justice: markets are generally free but not beyond ethical constraint.

Overall, the jurisprudential foundations of market control in Islam form a cohesive ethical-legal framework aimed at harmonizing economic efficiency with social justice. The rules of *la darar*, the prohibitions of *ghish* and *ihtikar*, the obligation of *amr bi'l ma'ruf wa nahy 'an al-munkar*, and the principle of *'adl iqtisadi* collectively establish the moral boundaries of market activity. These rules are enforced not merely through legal sanctions but through the institutional authority of the Islamic state, which is charged with embedding ethical norms into economic structures. By distinguishing between normal conditions warranting market freedom and exceptional conditions requiring intervention, Islamic jurisprudence provides a flexible yet principled model of market governance. This model recognizes that unregulated markets can generate harm, erode trust, and foster social anomalies, while ethically regulated markets can uphold justice and reinforce social order.

4. Mechanisms of Market Control

In Islamic jurisprudence, market control is not perceived merely as a technical mechanism for adjusting economic outcomes but as a holistic legal-moral framework designed to preserve justice, protect public welfare, and prevent social harm. From a fiqh-based perspective, "market control" refers to the collective and institutional measures undertaken by the Islamic state, under its mandate of ensuring the public interest (*maslaha 'amma*), to regulate economic behavior in accordance with Sharia principles. These measures aim not only to ensure efficiency but also to secure ethical compliance, thereby safeguarding both material welfare and moral order. Market control thus encompasses a spectrum of actions—preventive, corrective, and punitive—that the Islamic government is empowered to deploy whenever market behavior threatens to violate the objectives of Sharia. Scholars emphasize that this framework operates within the broader jurisprudential duty of the state to enjoin good and forbid wrong (*amr bi'l ma'ruf wa nahy 'an al-munkar*) (Khomeini, 1985; Mughniyya, 1998). In essence, market control is not an optional economic tool but a legal duty embedded within the Islamic governance system.

The dimensions of market control in fiqh can be understood across three interrelated domains: regulatory oversight, ethical enforcement, and distributive correction. Regulatory oversight involves the formal supervision of prices, supply flows, and trading practices to prevent exploitation and ensure fairness. Ethical enforcement refers to embedding moral obligations such as honesty, moderation, and transparency into economic interactions, transforming them from voluntary virtues into enforceable legal standards. Distributive correction entails the use of state authority to rectify structural imbalances—such as hoarding or monopolization—that obstruct equitable access to goods. This tripartite structure reflects the Islamic conviction that markets, if left entirely to unregulated competition, risk fostering injustice and social instability. By contrast, controlled markets are seen as vehicles of justice and stability, provided their regulation aligns with the ethical imperatives of Sharia (Chapra, 1992; Zuhayli, 1997). Such control mechanisms ensure that economic activity does not become detached from its social responsibilities, reinforcing the unity of moral and material dimensions in Islamic economic thought.

Among the primary instruments of market control is price monitoring and price fixing (*tas'eer*), which has been extensively discussed in classical jurisprudence. Under normal conditions, Islamic law allows prices to be determined by natural market forces, recognizing that supply and demand can allocate resources efficiently when markets function fairly. However, when market actors engage in manipulative practices such as artificial scarcity or cartel-like price collusion, the state is authorized—and indeed obligated—to intervene. Jurists such as Sheikh Ansari maintained that while contractual freedom is respected, it cannot extend to activities that harm the public, and thus governmental price setting becomes permissible when it prevents exploitation (Ansari, 1981). Mohammad Hasan Najafi argued that price control becomes obligatory when the market deviates from just equilibrium due to monopolistic behavior or hoarding (Najafi, 1984). Modern scholars echo this view, noting that unregulated price volatility disproportionately harms the poor and fosters social resentment, which in turn destabilizes the social order (Amin-Naji & et al., 2022; Rasouli & et al., 2021). From this fiqh-based perspective, *tas'eer* is not intended to override market forces arbitrarily but to restore them to their proper ethical and functional balance when they have been distorted by unjust conduct.

Closely related to price regulation is the prevention of hoarding (*ihtikar*) and monopolies, which represents another crucial mechanism of market control. Classical jurists defined *ihtikar* as stockpiling essential goods to induce scarcity and drive up prices, a practice they condemned as a grave violation of public rights. Muhaqqiq al-Hilli ruled that the state must compel merchants to release hoarded goods when public need arises, emphasizing that private ownership does not confer the right to harm society (Muhaqqiq al-Hilli, 1983). Sadeq Rouhani similarly affirmed that any market practice designed to manipulate supply for unjust profit constitutes prohibited harm under the rule of *la darar* (Rouhani, 1995). The logic underpinning this prohibition is that hoarding distorts the distributive function of the market, deprives vulnerable groups of access to necessities, and breeds public anger—all of which erode social cohesion. Monopolistic practices, though not always framed as *ihtikar* in classical texts, fall under the same ethical concern because they eliminate competition, restrict supply, and enable exploitative pricing. By dismantling monopolies and releasing hoarded goods into circulation, the Islamic state fulfills its duty to protect the public from economic harm and preserve market integrity (Mirakhor & Iqbal, 2017; Sadr, 1982). This preventive dimension of market control illustrates its alignment with the broader Sharia objective of averting harm before it materializes.

Inspection and enforcement mechanisms constitute the institutional backbone of market control, translating jurisprudential rules into everyday practice. Historically, this function was carried out by the *hisbah* institution, which empowered state-appointed inspectors (*muhtasibs*) to oversee market operations. These officials were responsible for ensuring accurate weights and measures, verifying product quality, monitoring pricing behavior, and sanctioning fraudulent merchants. Wahbah Zuhayli describes the *hisbah* as an indispensable instrument of Islamic governance, rooted in the duty to enjoin good and forbid wrong and designed to prevent market disorder (Zuhayli, 1997). Ruhollah Khomeini emphasized that such supervision is not merely an administrative function but a religious obligation of the Islamic state, grounded in its mandate to safeguard public morality and justice (Khomeini, 1985). Enforcement involved both corrective measures, such as ordering price adjustments or restitution to wronged buyers, and punitive measures, including fines, confiscation of illicit gains, and public reprimand. Licensing mechanisms also played a role: traders were often required to obtain state permission to operate, which could be revoked if they violated ethical norms. This system created a multilayered regime of accountability, ensuring that merchants operated within both legal and moral constraints. In modern terms, these inspection and enforcement mechanisms can be viewed as a comprehensive compliance framework aimed at aligning individual incentives with communal welfare (Mahdavi-Hampa & et al., 2019).

The historical precedents of market control in Islamic civilization provide concrete illustrations of how these mechanisms operated in practice. During the period of Prophet Muhammad, the Prophet actively supervised the marketplace of Medina, appointing market inspectors and personally intervening to prevent deceptive practices. He prohibited the practice of intercepting traders before they reached the market to manipulate prices and ordered fair display of goods, declaring that sellers who concealed defects would be cursed by God (Majlisi, 1983; Saleem, 2013). These actions reflected his insistence that market integrity was essential for maintaining social trust and public welfare. Similarly, Imam Ali, as Caliph, regularly patrolled the bazaar of Kufa to monitor market behavior, admonishing merchants to practice fairness and honesty, prohibiting false oaths, and punishing hoarders who sought to exploit scarcity (Abrosh & Jabari, 2016). He emphasized moderation in profit, reminding traders that excessive greed undermines social harmony and divine blessing. These historical examples demonstrate that market control was not an abstract theory but a lived practice embedded in the governance of early Islamic society, rooted in the conviction that unregulated commerce could corrode both economic and moral order.

Beyond structural oversight, ethical regulations form a vital dimension of market control, infusing economic transactions with moral discipline. Islamic jurisprudence imposes clear ethical limits on market behavior, such as the obligation of fairness in transactions, prohibition of false swearing, and encouragement of moderation in profit margins. Muhammad Jawad Mughniyya noted that Islamic law regards fairness (*'adl*) not as a mere virtue but as a binding legal standard: unjust gains are considered illicit even if obtained through formally valid contracts (Mughniyya, 1998). Merchants are warned against habitual oath-taking to sell goods, as excessive swearing was believed to erode trust and invite divine displeasure (Majlisi, 1983). Moderation in profit is likewise framed as a religious obligation; while traders are entitled to earn a livelihood, the pursuit of excessive profit at the expense of the community violates the ethical spirit of commerce. Ruhollah Khomeini emphasized that the state must cultivate these moral norms through public education, religious exhortation, and legal incentives, as purely punitive measures cannot sustain ethical behavior in the long term (Khomeini, 1979). By embedding morality within legal regulation, Islamic market control seeks to harmonize internal self-restraint with external enforcement, producing a resilient framework that aligns personal gain with communal responsibility.

Taken together, these mechanisms—price monitoring, prevention of hoarding and monopolies, inspection and enforcement systems, historical precedents of prophetic and Imamic supervision, and ethical regulations—constitute a comprehensive model of market control grounded in fiqh. This model recognizes that markets, if left unchecked, can devolve into arenas of exploitation, inequality, and social harm. It therefore mandates proactive oversight to preserve justice, trust, and social stability. Unlike secular regulatory models that treat market control as an emergency response to market failure, the Islamic approach embeds it as a continuous moral-legal obligation of governance. This ensures that market activity remains aligned with the higher objectives of Sharia, serving not only economic efficiency but also the ethical and social well-being of the community. In this sense, market control in Islamic jurisprudence functions as a vital instrument of social order, preventing the economic dislocations that fuel corruption and deviance while fostering a marketplace rooted in fairness, transparency, and collective welfare.

5. Impact of Market Control on Preventing Social Anomalies

Market control in Islamic jurisprudence is grounded not only in legal theory but in the recognition that the health of the market is intimately tied to the health of society. When markets descend into disorder, the resulting economic instability often cascades into social harm, eroding public trust, amplifying corruption, and fostering deviant behaviors. Understanding the impact of market control thus requires tracing the causal link between market failures and social anomalies, and then examining how regulatory mechanisms can mitigate these harms. Classical jurists consistently warned that economic injustice produces moral decay and social fragmentation, underscoring that the regulation of markets is not simply an economic necessity but a moral imperative (Chapra, 1992; Zuhayli, 1997). Their insights align with modern sociological analyses showing that disorganized markets can catalyze poverty, corruption, and public disorder (Goode, 2020; Jamrozik, 2009).

Market disorder creates social harm primarily by exacerbating poverty and economic insecurity, which are well-established drivers of deviance. When essential commodities become subject to price volatility or artificial scarcity, low-income households are pushed to the brink, and some individuals resort to illicit survival strategies such as theft or black-market participation. Sheila Royo Maxwell has shown that poverty and crime are closely correlated because deprivation erodes adherence to normative behavior and increases the perceived payoff of deviant acts (Maxwell, 2015). From a fiqh perspective, such outcomes are predictable: the rule of *la darar* was designed precisely to preempt market behaviors that inflict harm on vulnerable groups (Mughniyya, 1998). When merchants hoard goods or form monopolies, they create scarcity that disproportionately harms the poor, who must either pay inflated prices or forgo necessities. This fuels resentment toward both market actors and governing institutions, eroding social trust and potentially provoking unrest. Sadeq Rouhani emphasizes that allowing such practices undermines the moral foundation of commerce and contravenes the Sharia's objective of protecting wealth and livelihood (Rouhani, 1995). By contrast, market control disrupts this harm cycle by ensuring stable supply and fair pricing, thereby shielding vulnerable groups from economic shocks that could push them into deviant pathways.

Another dimension of the causal link between market disorder and social harm is corruption, which thrives in environments where markets are opaque and weakly regulated. Corruption includes both petty bribery and grand rent-seeking behaviors, such as collusion between powerful merchants and state officials to manipulate prices or secure exclusive trading rights. Vinay Bhargava notes that corruption distorts markets, diverts resources from productive use, and undermines public confidence in institutions, often triggering cycles of economic stagnation and social unrest (Bhargava, 2005). Classical Islamic jurisprudence recognized this danger: jurists such as Mohammad Hasan Najafi held that rulers must dismantle monopolistic arrangements because they lead to tyranny over the market and facilitate corruption (Najafi, 1984). In contemporary Iran, episodes of price manipulation and insider favoritism have repeatedly provoked public outrage, illustrating how market disorder can spill over into political instability. Without market control, economic power becomes concentrated in the hands of a few, who can extract unearned rents while eroding meritocratic competition. This not only entrenches inequality but breeds cynicism and disillusionment among the broader populace, conditions that are fertile ground for deviant subcultures. By imposing transparency, enforcing competition, and penalizing exploitative conduct, market control curbs rent-seeking behaviors, thereby disrupting the corruption–inequality–deviance nexus.

Black markets represent another manifestation of how market disorder fosters social anomalies. When legal markets fail to provide stable access to essential goods at reasonable prices, informal or illegal markets often emerge to fill the gap. These parallel economies undermine the rule of law, deprive the state of revenue, and often become hubs of organized crime. James J. Chriss explains that when formal social controls break down, informal and deviant structures arise to regulate behavior, albeit in ways that often perpetuate exploitation and violence (Chriss, 2013). Islamic jurisprudence sought to preempt this dynamic by ensuring that legal markets remain functional and just, thereby eliminating the economic incentives for black-market activity. Muhaqqiq al-Hilli ruled that the state must intervene when market dysfunction threatens public welfare, because allowing scarcity to persist invites unlawful alternatives that destabilize society (Muhaqqiq al-Hilli, 1983). By stabilizing legal markets, market control starves black markets of demand, reasserting the state's authority and reinforcing lawful economic behavior. This alignment of economic and legal order is critical: when people trust that legal markets will meet their needs fairly, they are far less likely to turn to illicit alternatives.

Public distrust is perhaps the most corrosive social consequence of market disorder, as it erodes the implicit social contract that underpins both economic and political systems. Trust enables individuals to engage in market exchanges without excessive suspicion, reducing transaction costs and fostering cooperation. When markets are perceived as rigged or unjust, this trust collapses, leading individuals to prioritize self-interest over collective norms. Erich Goode emphasizes that perceived injustice is a key trigger for norm violations, as it weakens the moral legitimacy of societal rules (Goode, 2020). In the Iranian context, recurrent price shocks and visible corruption in market regulation have fueled widespread skepticism toward authorities, contributing to protests and social unrest. Islamic jurists foresaw this danger; Ruhollah Khomeini argued that the Islamic state's legitimacy depends on its ability to administer justice in economic affairs, warning that failure to do so would corrode public loyalty (Khomeini, 1985). By ensuring fairness and preventing exploitation, market control rebuilds trust, thereby reinforcing compliance with both economic and legal norms. This restoration of trust is not a secondary benefit but a central aim, as social cohesion cannot survive when public faith in institutional integrity is lost.

The socioeconomic benefits of market control are thus multifaceted, beginning with its capacity to reduce poverty and inequality. When markets are left unregulated, wealth often concentrates in the hands of a few through mechanisms such as monopolistic pricing and speculative profiteering. This concentration not only deprives lower-income groups of resources but also deprives them of social mobility opportunities, perpetuating intergenerational poverty. Muhammad Baqir Sadr argued that unchecked markets violate the Islamic principle of distributive justice (*'adl iqtisadi*), which obligates the state to ensure equitable access to basic needs and economic opportunities (Sadr, 1982). Abbas Mirakhor notes that Islamic economics envisions markets as instruments of wealth circulation, not concentration, and that state regulation is essential to maintain this function (Mirakhor & Iqbal, 2017). By curbing practices such as hoarding, cartelization, and exploitative lending, market control prevents wealth extraction from the poor and redistributes opportunities more evenly, thereby narrowing income gaps. This reduction in inequality has profound social implications, as unequal societies are consistently more prone to crime, unrest, and political extremism (Jamrozik, 2009). Thus, market control indirectly promotes social stability by fostering economic inclusion.

Market control also plays a vital role in curbing rent-seeking and economic corruption, which are both symptoms and drivers of social anomalies. Rent-seeking occurs when individuals or firms gain income through manipulation or privileged access rather than productive contribution, and it often flourishes in weakly regulated markets. Vinay Bhargava demonstrates that rent-seeking distorts resource allocation, erodes competition, and fosters perceptions of unfairness, which in turn fuel deviant behaviors (Bhargava, 2005). Classical Islamic law sought to prevent such distortions by enforcing competition and prohibiting exclusive privileges that create artificial advantage. Sheikh Ansari held that economic activities must remain open and competitive unless restrictions are justified by clear public interest, while Mohammad Hasan Najafi warned that favoritism in market access leads to moral decay and institutional corruption (Ansari, 1981; Najafi, 1984). By institutionalizing transparency, imposing accountability, and sanctioning exploitative practices, market control disrupts the structural incentives for rent-seeking. This both improves economic efficiency and removes a major source of public resentment, reducing the social tensions that can escalate into unrest or organized deviance.

A further benefit of market control is its capacity to promote distributive justice and social equity, which are central objectives of Sharia. Distributive justice entails not only preventing exploitation but actively ensuring that all members of society can access essential goods and participate meaningfully in economic life. Wahbah Zuhayli emphasizes that market regulation is justified precisely to achieve this balance, as unregulated competition often fails to meet basic needs equitably (Zuhayli, 1997). Islamic jurisprudence embeds this concern through instruments such as price regulation, zakat, and prohibition of hoarding, which collectively ensure that wealth circulates and does not become locked in elite networks. Muhammad Jawad Mughniyya explains that the principle of justice (*'adl*) in fiqh obligates the state to restructure markets if their outcomes systematically disadvantage the poor (Mughniyya, 1998). By fostering equitable access, market control strengthens social bonds and mitigates the grievances that fuel social disintegration. This equity-driven approach contrasts sharply with laissez-faire models that tolerate inequality as a byproduct of efficiency, highlighting the distinctively moral character of Islamic market governance.

Lowering crime and deviant behaviors is another significant social outcome of market control. Sociological research consistently shows that crime rates rise when economic deprivation and perceived injustice converge, as individuals lose faith in lawful avenues of advancement (Goode, 2020; Maxwell, 2015). Hamid Mahdavi-Hampa and colleagues argue that social control in Shiite jurisprudence integrates economic regulation precisely to prevent such deviance, recognizing that poverty and inequality erode informal moral restraints (Mahdavi-Hampa & et al., 2019). By stabilizing prices, ensuring fair competition, and preventing exploitative practices, market control removes some of the structural pressures that push marginalized individuals toward crime. It also strengthens the legitimacy of legal institutions, increasing voluntary compliance and reducing the need for coercive enforcement. In this sense, market control functions as a form of upstream crime prevention, addressing root economic causes rather than relying solely on punitive measures after deviance occurs. This proactive orientation aligns with the broader preventive ethos of Islamic law, which seeks to block the pathways to harm before they materialize.

The relationship between economic indicators such as the misery index, inflation, and social unrest further illuminates how market control contributes to stability. The misery index, which combines unemployment and inflation rates, serves as a proxy for economic distress;

high values are strongly associated with social unrest, protests, and political turnover. Erich Goode and Adam Jamrozik highlight that sustained economic distress erodes collective morale and trust, creating fertile conditions for deviance and rebellion (Goode, 2020; Jamrozik, 2009). Inflation, in particular, undermines the real incomes of the poor and middle classes, intensifying grievances and prompting both petty crime and organized resistance. Ruhollah Khomeini warned that failure to control inflation would jeopardize the Islamic state's legitimacy, as the public would equate economic instability with moral and political failure (Khomeini, 1985). Market control mitigates these risks by stabilizing prices, preventing speculative bubbles, and ensuring consistent supply, thereby lowering the misery index and dampening the triggers of unrest. By linking macroeconomic stability to social peace, Islamic jurisprudence affirms that economic governance is inseparable from social governance.

In sum, the impact of market control on preventing social anomalies is profound and multidimensional. Market failures generate poverty, corruption, black markets, and public distrust, all of which erode the moral fabric of society and fuel deviance. Market control disrupts these pathways by stabilizing prices, ensuring equitable access, curbing rent-seeking, and reinforcing trust. Its socioeconomic benefits include reducing poverty and inequality, suppressing corruption, promoting distributive justice, and lowering crime. By improving key economic indicators such as inflation and the misery index, it also dampens the structural triggers of unrest. Islamic jurisprudence embeds these regulatory mechanisms not as optional policies but as moral obligations of governance, recognizing that market order is a prerequisite for social order. When markets are justly regulated, they cease to be sources of instability and become pillars of social cohesion, supporting the ethical and material well-being of the community.

6. Legal and Jurisprudential Analysis

The legal and jurisprudential foundations for market control in the Islamic Republic of Iran are rooted in the integration of Sharia principles into the national legal framework, reflecting the constitutional mandate to align legislation with Islamic jurisprudence. This integration creates statutory legal bases that empower the state to regulate markets as part of its obligation to safeguard public welfare and maintain social order. The Iranian Constitution explicitly stipulates that all laws must be consistent with Islamic criteria, a principle enforced by the Guardian Council, which reviews legislation for conformity with Sharia. This constitutional architecture embeds fiqh principles into economic governance, legitimizing state intervention in market activity when required to prevent harm or ensure justice (Khomeini, 1985; Mohammadiari, 2015). The Islamic Consultative Assembly has enacted statutes granting governmental bodies the authority to set price ceilings, regulate supply chains, and sanction anti-competitive practices, reflecting classical juristic rulings on *tas'eer* (price control) and the prohibition of *ihtikar* (hoarding) (Ansari, 1981; Najafi, 1984). Such legislation demonstrates how Islamic jurisprudential principles are translated into enforceable statutory rules, creating a legal scaffold that institutionalizes market control as a duty of the state rather than an optional policy tool.

The statutory system also embodies the jurisprudential notion that market regulation is essential for protecting the public's right to economic security. Mohammad Hasan Najafi argued that when unregulated market mechanisms threaten basic public needs, the ruler is religiously obliged to intervene to restore fairness (Najafi, 1984). This stance aligns with Article 43 of the Iranian Constitution, which mandates the government to prevent economic domination, ensure access to basic goods, and eliminate poverty. Such provisions are clear statutory expressions of the Sharia objective to protect wealth (*hifz al-mal*) and livelihood as fundamental public rights (Zuhayli, 1997). Moreover, Iran's *Law on the Supervision of Pricing and Distribution of Goods and Services* grants the government explicit authority to monitor production and distribution, penalize hoarding, and enforce fair pricing—functions that mirror the classical *hisbah* system described by Wahbah Zuhayli as indispensable to Islamic governance (Zuhayli, 1997). By embedding these fiqh-derived duties in legislation, the Iranian legal framework operationalizes the concept that market control is not merely an economic policy but a legal obligation rooted in Sharia principles.

Beyond statutory authority, the fiqh-based justifications for market control are anchored in overarching legal maxims and ethical imperatives that transcend specific rules. Central among these is the principle of public interest (*maslaha*), which classical jurists recognized as a foundational source of legislation when explicit textual guidance is absent. Muhammad Jawad Mughniyya emphasizes that *maslaha* allows the ruler to enact policies that serve communal welfare, provided they do not contradict core Sharia principles (Mughniyya, 1998). Market regulation directly fulfills this criterion because it prevents harm to the public, particularly vulnerable groups, by stabilizing prices and ensuring access to essential goods. Muhammad Baqir Sadr similarly argues that Islamic economics exists to secure the welfare of society as a whole, not merely to protect individual property rights, and that the state must intervene when market outcomes undermine this collective welfare (Sadr, 1982). The principle of *maslaha* thus legitimizes state intervention even in areas not explicitly detailed in classical texts, granting flexibility to address modern economic complexities while remaining faithful to Sharia's objectives.

The principle of necessity (*darura*) provides another jurisprudential basis for market control, authorizing the suspension of certain normal rules when essential interests are at stake. Sheikh Ansari and Muhaqqiq al-Hilli both affirm that in situations of necessity, the ruler may impose restrictions or override individual contractual freedoms to avert harm to the public (Ansari, 1981; Muhaqqiq al-Hilli, 1983). Economic crises—such as extreme inflation, supply shortages, or monopolistic price manipulation—constitute such states of necessity because they endanger public welfare and threaten social stability. Sadeq Rouhani notes that when unregulated market behavior leads to deprivation of basic needs, the principle of necessity obligates intervention even if it temporarily constrains market freedom (Rouhani, 1995). This reflects the preventive ethos of Islamic law, which prioritizes averting harm over preserving formal liberties when the two are in conflict. In the Iranian context, this principle underlies emergency market measures such as compulsory release of hoarded goods, temporary price ceilings, and rationing systems during shortages—all designed to protect the public from catastrophic harm while upholding Sharia's objective of preserving life and livelihood.

A third fiqh-based justification is the principle of preserving the Islamic system (*hifz al-nizam*), which asserts that safeguarding the stability and integrity of the Islamic polity takes precedence over individual interests. Ruhollah Khomeini emphasized that the state is religiously obligated to prevent any threat to social order, including economic practices that could provoke unrest or undermine public trust (Khomeini, 1985). Hamid Mahdavi-Hampa and colleagues similarly argue that Shiite jurisprudence integrates economic regulation within its broader framework of social control because economic injustice can corrode the legitimacy of the Islamic state (Mahdavi-Hampa & et al., 2019). This principle recognizes that market failures—manifested in inflation, scarcity, or corruption—can trigger social unrest, weaken loyalty to the government, and ultimately jeopardize the Islamic system itself. Market control is thus not only permitted but mandated under *hifz al-nizam*, as it serves to maintain the stability upon which religious governance depends. This jurisprudential logic transforms economic regulation from a technocratic tool into a pillar of Islamic statecraft, positioning market stability as a prerequisite for preserving the Islamic order.

Operationalizing these fiqh-based principles through contemporary legal institutions and market policies requires aligning modern regulatory structures with the ethical and preventive logic of classical jurisprudence. One avenue is strengthening Iran's existing market oversight bodies, such as the Consumers and Producers Protection Organization, to function more explicitly as modern analogs of the classical *hisbah* system. Wahbah Zuhayli describes *hisbah* as combining supervision, enforcement, and moral guidance (Zuhayli, 1997), suggesting that contemporary regulators should integrate ethical auditing alongside technical price monitoring. This could involve embedding Sharia compliance units within regulatory agencies to assess not only economic efficiency but also distributive justice impacts, thereby aligning enforcement with the principle of *maslaha*. Public education campaigns can further operationalize ethical norms by promoting awareness of prohibitions against *ghish* (fraud) and *ihtikar* (hoarding), echoing Muhammad Baqir Majlisi's assertion that market integrity depends on cultivating public virtue alongside legal enforcement (Majlisi, 1983). Such programs can reinforce informal social controls that complement formal regulation, restoring the dual structure of enforcement envisioned in classical Islamic governance.

Another crucial step is institutionalizing preventive market policies that activate automatically during early signs of disorder, reflecting the jurisprudential emphasis on averting harm. These policies could include dynamic price stabilization mechanisms that trigger state intervention when price volatility exceeds set thresholds, echoing Mohammad Hasan Najafi's position that *tas'eer* becomes obligatory when natural equilibrium breaks down (Najafi, 1984). Similarly, anti-monopoly laws could be expanded and enforced under the explicit fiqh-based rationale of preventing harm and preserving competition, consistent with Sheikh Ansari's warning that monopolistic restrictions contradict the public interest (Ansari, 1981). By codifying such preventive triggers, regulators can shift from reactive crisis management to proactive harm prevention, aligning modern governance with the Sharia principle of *sadd al-dhara'i* (blocking the means to harm). Embedding these mechanisms within statutory frameworks would strengthen their enforceability and insulate them from political fluctuation, ensuring consistent application of fiqh-based controls.

Contemporary application also requires leveraging judicial oversight to ensure that market regulations remain anchored in Islamic jurisprudence while adapting to modern complexities. Ruhollah Khomeini argued that *wilayat al-faqih* grants jurists ultimate supervisory authority over state policies to ensure their conformity with Sharia (Khomeini, 1979). This principle can be operationalized by empowering the Supreme Council for Economic Coordination to consult with leading jurists on the Sharia compliance of major market policies, creating a formal interface between fiqh expertise and economic governance. Judicial review mechanisms can further ensure that regulations adhere to the principles of *maslaha* and *hifz al-nizam*, preventing market liberalization measures from undermining distributive justice. Abbas Mirakhor suggests that embedding ethical criteria in policy evaluation enhances public trust and regulatory legitimacy (Mirakhor & Iqbal, 2017), reinforcing the social contract that underpins market order. Through such institutional reforms, Iran can translate classical jurisprudential principles into contemporary legal practice, demonstrating that fiqh-based market control is not an antiquated doctrine but a dynamic framework capable of addressing modern economic challenges while safeguarding the moral and social foundations of the Islamic system.

In this way, the legal and jurisprudential analysis of market control reveals a coherent structure: statutory provisions draw authority from Sharia principles, while fiqh-based justifications such as *maslaha*, *darura*, and *hifz al-nizam* provide the ethical and doctrinal logic for intervention. Contemporary application requires embedding these principles into regulatory institutions, preventive policies, and judicial oversight mechanisms, thereby operationalizing Islamic economic justice in the modern state. By grounding market control in this integrated legal-ethical framework, the Islamic Republic can ensure that its economic governance fulfills not only technical objectives but also its foundational mandate to preserve justice, public welfare, and the stability of the Islamic order.

7. Discussion and Conclusion

The findings of this study illuminate the central role of market control as both a legal and ethical mechanism for maintaining social order and preventing the emergence of social anomalies. The analysis demonstrated that when markets operate without adequate oversight, they tend to produce patterns of economic disorganization that manifest in the form of poverty, corruption, inequality, black markets, and widespread public distrust. These conditions erode the moral fabric of society, weaken the legitimacy of governing institutions, and provide fertile ground for deviant behavior. By contrast, markets governed through fiqh-based regulations are more likely to produce equitable outcomes, preserve trust, and reinforce social cohesion. This indicates that the ethical and jurisprudential framework embedded in Islamic law is not a set of abstract ideals but a practical governance system capable of addressing the real challenges of modern economies.

One of the key insights emerging from this research is the preventive logic that underpins Islamic market control. Rather than treating regulation as an emergency response to market collapse, Islamic jurisprudence conceptualizes it as a continuous and proactive duty of governance. This preventive orientation is rooted in the understanding that social harm often begins with subtle market distortions—such as price volatility, speculative hoarding, or monopolistic behavior—that gradually accumulate and destabilize the economic foundation of society. By intervening at the early stages of market disorder, regulatory institutions can prevent these small distortions from escalating into systemic crises that generate social unrest and deviance. This aligns with a broader principle of Islamic law, which prioritizes blocking the pathways to harm before they materialize. Such an approach offers a crucial lesson for contemporary economic policy: regulatory systems must be anticipatory rather than merely reactive if they are to maintain stability.

The study also reveals that market control contributes to social stability not only by correcting economic imbalances but also by reinforcing ethical norms. Regulation in the Islamic framework is never purely technical; it is always tied to the moral imperative of ensuring fairness, honesty, and distributive justice. This moral dimension distinguishes Islamic market governance from many modern regulatory systems that emphasize efficiency while neglecting ethics. In practice, when regulation enforces transparency, prohibits fraud, prevents hoarding, and promotes fair competition, it signals to the public that the market is governed by principles of justice. This, in turn, fosters trust and voluntary compliance, reducing the need for coercive enforcement. The integration of ethical standards into market structures therefore has a multiplier effect: it not only improves market outcomes but also strengthens the internalized moral commitments that sustain social order.

Another significant implication of the findings is that market control helps to redistribute economic power in ways that reduce social tensions. Unregulated markets often enable wealth concentration, which deepens inequality and fuels resentment among marginalized groups. Such inequality undermines social cohesion, as people who feel excluded from economic opportunities are more likely to withdraw their loyalty to social norms and institutions. By imposing constraints on monopolies, preventing rent-seeking, and stabilizing prices, market control limits the ability of powerful actors to extract disproportionate benefits. This fosters a more balanced distribution of resources and opportunities, which alleviates the structural pressures that push disadvantaged groups toward deviant behavior. The distributive function of market control thus complements its preventive and ethical functions, creating a comprehensive framework for sustaining social equilibrium.

The results also underscore the importance of public trust as a mediating factor between market regulation and social order. Trust is the invisible infrastructure of both economic and social systems; it enables individuals to cooperate and coordinate their actions with minimal friction. When markets are perceived as fair and well-regulated, trust flourishes, and individuals are more willing to adhere to rules and invest in long-term cooperation. Conversely, when markets appear corrupt or chaotic, trust erodes, and individuals become more inclined toward opportunistic or deviant behavior. Market control contributes to rebuilding and maintaining this trust by demonstrating the state's commitment to justice and public welfare. This has a stabilizing effect not only on economic exchanges but also on broader social relations, reinforcing the legitimacy of legal institutions and reducing the incidence of norm violations.

A further point of discussion concerns the alignment of market control with the broader objectives of governance in an Islamic system. The study shows that fiqh-based market regulation is not an isolated economic policy but part of a larger framework of social control aimed at preserving public order and protecting the common good. The duty of the state to supervise markets stems from the same foundational principles that mandate it to safeguard religion, life, intellect, lineage, and property. Market regulation thus serves as a bridge between economic governance and moral governance, ensuring that the pursuit of material welfare does not undermine the ethical foundations of society. This integrated approach stands in contrast to secular economic models that often compartmentalize economic policy from social policy, resulting in tensions between efficiency and equity. The Islamic model, by embedding ethical obligations directly into market structures, avoids this dichotomy and fosters a more harmonious balance between material prosperity and social justice.

The findings also suggest that the effectiveness of market control depends on the coexistence of formal and informal enforcement mechanisms. Formal controls include laws, regulations, inspections, and penalties, while informal controls operate through ethical norms, communal expectations, and internalized values. In classical Islamic markets, these two layers worked synergistically: formal supervision by *muhtasibs* was reinforced by the informal pressure of religious teachings and guild ethics, creating a robust system of compliance. In contemporary settings, the weakening of informal ethical constraints has placed excessive pressure on formal regulatory systems, often rendering them less effective. Revitalizing informal moral norms—through public education, ethical training, and community engagement—alongside formal enforcement could therefore enhance the resilience of market control. This dual structure would make regulation more sustainable by aligning external oversight with internal moral commitments.

Another discussion point is the relevance of these findings to the design of modern economic policies in Iran. The study indicates that while Iranian law incorporates fiqh-based provisions for market regulation, their implementation has often been inconsistent and fragmented. Regulatory agencies sometimes apply price controls or anti-hoarding measures reactively, without a coherent ethical framework guiding their actions. This ad hoc approach undermines public confidence and limits the preventive potential of market control. A more systematic integration of fiqh principles—such as *maslaha* (public interest), *la darar* (no harm), and *hifz al-nizam* (preservation of social order)—into regulatory policy could enhance both the legitimacy and effectiveness of market governance. Aligning institutional structures with these principles would help transform regulation from a crisis-management tool into a continuous system of ethical-economic stewardship.

Furthermore, the study reveals that market control can serve as a form of social investment. By preventing the economic dislocations that lead to poverty, crime, and unrest, regulation reduces the long-term costs of policing, welfare, and conflict resolution. This preventive effect underscores the economic rationality of fiqh-based regulation, which, although often framed in moral terms, also delivers material efficiency by minimizing the social costs of disorder. Viewing market control as a social investment rather than a mere constraint on commerce could shift public perceptions and increase support for regulatory policies. This reframing would emphasize that regulation is not an obstacle to economic growth but a foundation for sustainable and inclusive development.

The discussion also highlights the adaptability of fiqh-based market regulation to contemporary challenges. While the classical jurists formulated their rulings in premodern contexts, the underlying principles—preventing harm, ensuring justice, and preserving social order—are highly flexible and can be applied to modern economic complexities. Mechanisms such as anti-monopoly laws, consumer protection regulations, and price stabilization programs can be justified and structured within this jurisprudential framework. The key is to interpret and operationalize these principles dynamically rather than rigidly, allowing them to guide policy innovation while maintaining their ethical essence. This adaptability reinforces the argument that Islamic market control is not an antiquated relic but a living system of governance capable of addressing current and future economic realities.

Lastly, the findings suggest that successful market control requires not only legal authority but also institutional capacity. Even the most well-crafted regulations will fail if enforcement bodies lack the resources, expertise, or autonomy to implement them effectively. Building institutional capacity entails training regulators in both technical and ethical dimensions, ensuring adequate funding for inspections, and establishing transparent accountability mechanisms to prevent regulatory capture. These steps would strengthen the credibility and consistency of market control, making it more effective at achieving its dual objectives of economic stability and social justice. Without such capacity-building, fiqh-based regulatory principles may remain aspirational rather than operational.

This study has demonstrated that market control, when grounded in Islamic jurisprudence, functions as a comprehensive system for preventing social anomalies and preserving social order. It achieves this by addressing the economic roots of deviance—poverty, inequality, corruption, and market chaos—through a combination of preventive, corrective, and distributive measures. Unlike reactive regulatory models that intervene only after crises emerge, the fiqh-based approach embeds continuous oversight into the fabric of market governance, aligning economic activity with ethical imperatives. This preventive orientation enables it to stabilize markets before disorder escalates into social unrest, thereby safeguarding both material welfare and moral integrity.

The analysis revealed that market control serves multiple reinforcing functions. It protects vulnerable groups from economic shocks by stabilizing prices and ensuring access to essential goods. It curbs rent-seeking and monopolistic practices, redistributing economic power and reducing the structural inequalities that breed resentment. It embeds ethical norms into market behavior, fostering trust and voluntary compliance that reduce reliance on coercive enforcement. It strengthens public confidence in institutions, reinforcing the legitimacy of legal systems and discouraging deviant behavior. And it lowers the risk of social unrest by improving key economic indicators such as inflation and the misery index, which are closely tied to public morale. These combined effects make market control a linchpin of social stability in the Islamic legal framework.

The study also highlighted that the legitimacy and effectiveness of market control in an Islamic system rest on its grounding in fiqh principles. Concepts such as *maslaha* (public interest), *la darar* (no harm), *darura* (necessity), and *hifz al-nizam* (preserving social order) provide the doctrinal foundation that justifies state intervention in markets. These principles ensure that regulation serves not arbitrary state power but the ethical objectives of Sharia, which prioritize justice, welfare, and stability. Embedding these principles explicitly into contemporary regulatory institutions and policies can enhance both their moral authority and their practical impact. This requires moving beyond ad hoc interventions toward a coherent system of market governance that integrates ethical oversight, preventive mechanisms, and distributive safeguards.

Ultimately, the findings affirm that market control is not a peripheral economic function but a core component of Islamic governance. It bridges the realms of economic and moral order, ensuring that the pursuit of material prosperity does not corrode the ethical foundations of society. By stabilizing markets, fostering fairness, and reducing social harm, fiqh-based regulation contributes to the overarching goal of Sharia: the preservation of a just and harmonious social order. For contemporary Iran, this means that revitalizing market control is not merely an economic necessity but a strategic imperative for strengthening the Islamic system itself. By fully operationalizing these jurisprudential principles, policymakers can transform the market from a potential source of instability into a pillar of justice and social cohesion, ensuring that economic development advances in tandem with moral and social well-being.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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