



Evaluating sound horeg through *maqāṣid*-based legal reasoning: A *maqāṣid* assessment of a contemporary cultural practice in Indonesia

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ABSTRACT

Background: Sound horeg is a grassroots sound culture from East Java, Indonesia, characterized by extremely loud sound systems. This phenomenon has sparked debate over whether its economic benefits can justify its associated public health harms under Islamic legal principles. This study examines whether sound horeg constitutes legitimate *maslahah* or should instead be regarded as *mafsadah* within Ibn ‘Āshūr’s *maqāṣid* al-sharī‘ah framework. **Methods:** This study employs a doctrinal legal research method. The research combines *maqāṣid*-based legal reasoning with information from economic and public health sources. Legal materials were collected through library research and analyzed using doctrinal analysis and thematic synthesis. **Findings:** This study indicates that sound horeg provides limited economic benefits that are often temporary and inconsistent. In contrast, substantial evidence indicates that sound horeg poses significant health risks, including hearing damage, cognitive impairment, and psychosocial stress. These documented harms provide the basis for assessing sound horeg within the *maqāṣid* al-sharī‘ah framework. From this perspective, they threaten the preservation of life (*hifẓ al-nafs*), intellect (*hifẓ al-‘aql*), and public welfare. **Conclusion:** This study concludes that sound horeg cannot be regarded as legitimate *maslahah* under *maqāṣid* al-sharī‘ah because its documented harms outweigh its limited economic benefits. **Novelty/Originality of this Article:** This article integrates cultural practice, public health, the creative economy, and Islamic legal theory into a *maqāṣid*-based legal assessment. It demonstrates the application of *maqāṣid*-based legal reasoning in evaluating contemporary cultural practices.

KEYWORDS: contemporary culture; *maqāṣid*; sound horeg.

1. Introduction

Grassroots sound practices have gained significant prominence as a form of cultural expression and as contributors to local economies in Southeast Asia. In Indonesia, one noteworthy example of this trend is the practice referred to as “sound horeg.” This term combines the English word “sound” with the Javanese word “horeg”, which translates to trembling or vibrating, thereby conveying the concept of “sound that shakes” (Rofik, 2025). Unlike standardized professional sound systems, sound horeg prioritizes extreme loudness and pronounced bass frequencies. This practice is often showcased in open-air parades, village festivities, weddings, and mobile convoys. The music played during these events typically includes remix versions of genres such as dangdut, electronic dance music (EDM), and popular tracks from social media platforms, often broadcasted at volumes exceeding 120 dB and reaching up to 135 dB (Hardiantoro & Nugroho, 2024). Initially emerging as a creative cultural expression among grassroots communities in East Java, sound horeg has developed into a significant socio-economic phenomenon. It reflects local identity, fosters

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cultural pride, and encourages community participation while also providing new avenues for economic opportunity and a political mass mobilization tool. Despite its growing popularity and socio-economic significance, the legal status of sound horeg remains contested due to concerns over its compatibility with the objectives of Islamic law.

Existing studies indicate that sound horeg events are both vibrant and controversial. From a socio-economic viewpoint, these events significantly contribute to local economies by creating multiplier effects that support small-scale enterprises, including food and beverage vendors, informal laborers, and equipment rental services. Additionally, Indonesia's broader creative economy plays a crucial role in enhancing national Gross Domestic Product (GDP) and employment, primarily through micro, small, and medium enterprises (MSMEs) (Sulistyawati et al., 2024; Utami, 2022). Field studies have documented that sound horeg festivals and parades enhance income streams, encourage youth engagement, and promote communal solidarity. However, these studies also reported emerging social concerns, including noise complaints, intergenerational conflicts, and disputes over event management (Aprilian et al., 2025).

The primary research issue is the considerable public health risks associated with high-intensity noise exposure. Extensive audiological and biomedical research has shown that both occupational and recreational exposure to loud sounds can result in various auditory harms, including Noise-Induced Hearing Loss (NIHL), tinnitus, and hyperacusis. Non-auditory health impacts such as sleep disturbances, cognitive impairments, cardiovascular stress, and reduced learning capacity have also been identified (Basner et al., 2014; Pienkowski, 2021; Śliwińska-Kowalska & Davis, 2012).

The World Health Organization (WHO) guidelines stipulate that exposure to noise levels exceeding 100-120 dB, even for short durations, may lead to permanent hearing loss (Prell, 2022). Measurement studies, including those utilizing the Noise Exposure Structured Interview (NESI), have confirmed significant risks for populations frequently exposed to episodic high-decibel sounds such as concerts, parades, and street festivals (Guest et al., 2018). Recent reports from local health institutions further indicate the increasing number of ear, nose, and throat (ENT) cases associated with prolonged exposure to high-intensity sound events, highlighting the growing public health concern surrounding recreational noise exposure in East Java. In the Indonesian context, the exceptionally loud sounds generated by traditional events known as "horeg" not only pose a threat to human hearing but also impact ecosystems, as low-frequency sound waves can disturb marine environments (Solé et al., 2023). Therefore, while sound horeg represents an important cultural and economic practice, it also poses significant public health challenges, with potential environmental impacts requiring further attention.

The complexity of formulating public policy regarding sound horeg is rooted in a direct conflict between potential *maslahah* in the form of economic activity and the preservation of local culture and the threat of spatial *mafsadah*, thereby creating a regulatory dilemma for local governments. Existing regulatory approaches in Southeast Asia typically involve a combination of municipal ordinances, administrative sanctions, and discretionary enforcement. However, these strategies often encounter resistance, particularly when the cultural and economic significance of local events are not adequately considered (Basner et al., 2014). The absence of clear and enforceable frameworks specific to noise regulation in Indonesia has intensified disputes, leaving communities and administrators without consistent guidelines to balance competing interests. This situation underscores the need to develop inclusive, participatory, and health-conscious policies that support cultural practices while being mindful of their potential economic benefits and health implications.

Scholars and policymakers have proposed a range of solutions to address the challenges associated with the regulation of noise. Public health initiatives emphasize the importance of education, awareness campaigns, and behavioral strategies to reduce exposure risks (Loughran et al., 2020; Vogel et al., 2009). Multi-faceted strategies, such as hearing protection, time and volume restrictions, and community-led regulations, have demonstrated effectiveness in mitigating harm while respecting cultural practices (Loughran et al., 2021). Additionally, ethnographic and policy analyses suggest that

incorporating inclusive and culturally sensitive approaches, such as negotiated community rules and restorative practices, can help alleviate conflicts while safeguarding communal identity (Aprilian et al., 2025). These approaches indicate that regulation based on time, place, and manner restrictions may offer an alternative to outright prohibition by reducing harm while preserving cultural events' social and economic functions. Thus, these findings also highlight the need for a normative framework capable of balancing cultural expression with public health protection.

In Islamic jurisprudence, *maqāṣid al-sharī'ah*, which refers to the higher objectives of Islamic law, offers a framework for balancing competing interests. Legal scholars have drawn upon both classical and contemporary thought to apply *maqāṣid*-based legal reasoning, effectively reconciling economic welfare with health protection. This is achieved by prioritizing higher objectives, such as the preservation of life (*ḥifẓ al-nafs*) and the preservation of intellect (*ḥifẓ al-'aql*), over mere economic benefits (Laksana et al., 2025; Umami & Ghofur, 2022).

Ibnu Ashur's concept of *maslahah* outlines four criteria for determining whether a public interest can be recognized as a legitimate objective of sharia: *tsubūt* (certainty), *dhuhūr* (clarity), *indibāt* (measurability), and *iṭṭirād* (consistency). These criteria provide the analytical basis for evaluating whether the economic benefits of sound horeg constitute legitimate *maslahah*. The term *tsubūt* (certainty) refers to meanings that are either known or strongly presumed to be certain. The term *dhuhūr* (clarity) indicates that a meaning is explicit, undisputed among jurists, and not easily confused with similar concepts. The term *indibāt* (measurability) indicates that a concept has clear boundaries and should not be exaggerated or minimized. Finally, the term *iṭṭirād* (consistency) signifies that a meaning remains the same across different times, places, ethnicities, or circumstances (Sabil, 2022).

Previous studies have illustrated the application of this approach across various policy contexts, including pandemic management, refugee integration, and financial regulation, demonstrating its adaptability to contemporary legal and policy issues (Ascarya & Masrifah, 2023; Shakar et al., 2025). Scholars assert that ephemeral or inconsistent benefits should not take precedence over enduring and measurable harms, such as those associated with noise-induced hearing loss and public health deterioration (Husen & Mukhlisin, 2024). Nevertheless, some scholars maintain that contextual regulation and proportional restrictions may also fulfill *maqāṣid* objectives, provided that the causes of harm are adequately mitigated and the legitimate social benefits are preserved.

The existing literature indicates limited research integrating empirical evidence on *sound horeg* with Ibn Ashur's *maqāṣid al-sharī'ah* framework to evaluate whether its economic benefits constitute legitimate *maslahah*. While individual studies have explored recreational noise exposure, the contributions of the creative economy, and the Islamic legal perspective, few have systematically synthesized these areas to address practical challenges, such as sound horeg. Furthermore, the implementation of Ibn Ashur's four criteria for *maslahah* remains insufficiently developed in such contexts. This situation underscores the need for interdisciplinary approaches that effectively link normative frameworks with empirical evidence.

Therefore, this study employs Ibn Ashur's framework of *maslahah* to evaluate the competing economic and health consequences of sound horeg and to assess whether this practice can be justified within the objectives of Islamic law. Accordingly, this study asks: to what extent do the economic benefits of sound horeg satisfy Ibn Ashur's criteria of *maslahah* when weighed against documented public health risks? Can sound horeg be regarded as a legitimate form of *maslahah* within the framework of *maqāṣid al-sharī'ah*?

2. Methods

2.1 Research design and data collection

This study employs a doctrinal method (a methodological approach unique to legal scholars) to describe, draw conclusions from, and revise doctrinal rules based on specific

values (Theil, 2025). This approach is appropriate because the study evaluates the legal status of sound horeg through Ibn 'Āshūr's *maqāṣid al-sharī'ah* framework, which provides explicit criteria for assessing public benefit (*maṣlahah*) and harm (*mafsadah*). This aligns with the study's objective of exploring whether the economic and cultural advantages of sound horeg can be considered as *maṣlahah* within Ibn 'Āshūr's framework of *maqāṣid al-sharī'ah*.

This study's data comprise secondary legal materials. It involves classical fiqh literature, peer-reviewed journal articles on related topics, and credible reports on sound horeg or similar high-decibel cultural events. These materials were gathered through library research, specifically by using academic databases, scholarly repositories, indexed journals, and official reports (Jaya et al., 2023; Allen, 2017).

The selected materials are assessed using specific inclusion criteria to maintain clarity. A source was included if it addressed at least one of these topics: *maṣlahah*, Ibn 'Āshūr's *maqāṣid* theory, economic impacts of informal cultural activities, or health risks from high-intensity sound exposure, as each provides evidence relevant to evaluating sound horeg within the *maqāṣid al-sharī'ah* framework. The study prioritizes peer-reviewed articles, reputable scholarly works, authoritative texts, and credible reports from reputable news organizations and official databases from government. This assessment ensures the analysis's reliability and the strength of legal conclusions.

2.2 Data analysis

The data are analyzed qualitatively through doctrinal interpretation and thematic synthesis. Relevant legal materials are closely examined to identify concepts and evidence related to the benefits and harms caused by sound horeg. These materials are then coded into two main themes: the economic-cultural benefits of sound horeg and its associated health risks or harms. Each theme is evaluated using Ibn 'Āshūr's four criteria (*tsubūt, zuhūr, indibāt, and ittirād*) to determine whether the identified benefits fulfill the requirements of legitimate *maṣlahah*.

Where conflicting interpretations emerge within the *maqāṣid* literature, the analysis prioritizes interpretations that are consistent with Ibn 'Āshūr's theoretical framework and supported by the higher objectives of Islamic law. Competing scholarly opinions are comparatively examined through doctrinal interpretation, with greater weight given to interpretations supported by authoritative legal scholarship and empirical evidence concerning public welfare and harm prevention. Ultimately, the findings are synthesized through *maqāṣid*-based legal reasoning. This analytical approach is justified because doctrinal legal research can be combined with qualitative interpretation, particularly when legal meanings rely on contextual understanding (Hutchinson & Duncan, 2012; Majeed et al., 2023).

3. Results and Discussion

3.1 Ibn 'Āshūr's *maqāṣid al-sharī'ah* framework

The doctrinal analysis indicates that Ibn 'Āshūr's *maqāṣid al-sharī'ah* framework provides an appropriate normative basis for evaluating the legal implications of sound horeg. Islamic law is not just a set of commands but a purpose-oriented system aimed at human welfare, which encompasses long-term impacts and social stability beyond immediate conveniences or material gains (Umami & Ghofur, 2022). The divine laws, especially Islamic law, are designed to provide human benefit in the present or future. Thus, while a legal obligation may initially seem burdensome, its ultimate benefits can be more profound. For example, the prohibition of intoxicants shows that although it may eliminate short-term pleasures, it ultimately protects human welfare in a lasting way.

The objective of law is to sustain the world's order and guide human behavior in ways that shield society from corruption and decay (Fauzan, 2023). Consequently, the *maqāṣid*

framework necessitates that the researcher scrutinizes both benefit and harm as crucial legal matters. This implies that sound horeg must be evaluated not solely as a form of entertainment or cultural expression but as a social phenomenon whose effects may either enhance public welfare or cause societal harm.

Ibn ‘Āshūr offers a methodical epistemology for recognizing *maqāṣid*. *Maqāṣid* may be known through three key approaches. The first and most significant approach is induction from the practical rulings of the *Sharia*, especially by scrutinizing rulings with known legal causes (*‘illah*) and by analyzing legal proofs that share a common underlying reason. This approach is based on the practical rulings of the *Sharia*. By engaging in this process, the jurist can gain confidence that a specific cause reflects the Lawgiver’s objective. The second approach involves using Qur’anic texts with clear meanings that are unlikely to suggest interpretations beyond their apparent sense based on the Arabic language. The third approach is the *mutawātir Sunnah*, which refers to prophetic reports that are transmitted with certainty (Ibn ‘Āshūr, 2004). These three approaches demonstrate that *maqāṣid* reasoning is not arbitrary; it requires a foundation in texts, an inductive legal analysis, and a focus on recurring patterns of legal meaning.

The analysis further reveals that Ibn ‘Āshūr characterizes *maṣlaḥah* and *mafsadah* based on the outcomes of human actions. *Maṣlaḥah* refers to an action attribute that yields good, specifically benefit. In contrast, *mafsadah* refers to an action that causes damage or harm (Ibn ‘Āshūr, 2004). This principle provides the basis for assessing whether the documented benefits and harms of sound horeg reflect consistent outcomes rather than isolated cases. A practice that sporadically produces benefit but predominantly results in harm is not easily considered legitimate *maṣlaḥah*.

Ibn ‘Āshūr’s framework also recognizes that the assessment of worldly benefit and harm is not based solely on abstract legal speculation. As stated by Izz al-Dīn ibn ‘Abd al-Salām, the worldly benefit, harm, and their underlying causes can be understood through necessity, experience, tradition, and responsible rational analysis (Ibn ‘Āshūr, 2004). When the matter is unclear, one should seek supporting evidence. An individual aiming to evaluate more significant and lesser forms of benefit and harm should rationally examine the issue, even considering how it would be judged if no direct textual evidence were available. This statement offers considerable room for empirical observation and rational thought within legal reasoning, except in issues of pure worship (*ibadah mahdalah*), whose benefits and harms may remain beyond human comprehension. In this regard, the doctrinal framework facilitates a comprehensive assessment where legal reasoning, social observation, and empirical data work together.

Ibn ‘Āshūr established four methodological standards for determining valid *maqasid* and legitimate *maslahah*: *tsubūt* (certainty), *dhuhūr* (clarity), *indibāt* (measurability), and *iṭṭirād* (consistency) (Ibn ‘Āshūr, 2004). These four standards act as protective measures against excessive subjectivity in legal interpretation. They prevent interpreters from considering a benefit valid solely based on its perceived usefulness in a specific context or particular interest group.

The first criterion, *tsubūt* or certainty, necessitates that a claimed objective or benefit be proven with confidence or at least with a strong presumption nearing certainty (Ibn ‘Āshūr, 2004). This criterion asks whether the claimed benefit or harm is backed by reliable indications rather than speculation in pragmatic terms. The second criterion, *zuhūr* or clarity, demands that the meaning must be obvious and not ambiguous, ensuring that jurists do not fundamentally disagree in identifying it or confuse it with similar meanings (Ibn ‘Āshūr, 2004). This criterion is important for distinguishing between authentic public benefit and merely claimed or symbolic benefit.

The third criterion, *indibāt* or measurability, stipulates that the meaning must have defined limits (Ibn ‘Āshūr, 2004). No legal meaning should be overstated or reduced below its proper extent. This standard is particularly important for evaluating practices whose impacts can be measured through indicators such as the number of people affected or the distribution of benefits. The fourth criterion, *iṭṭirād* or consistency, demands that the meaning remains stable across various regions, social groups, and time periods (Ibn ‘Āshūr,

2004). This ensures that a temporary, local, or exceptional benefit cannot be promoted to a general legal objective.

The *maṣlaḥah* in Ibn ‘Āshūr’s framework is categorized through three interconnected dimensions: 1) the hierarchy of needs; 2) the scope of beneficiaries; and 3) the level of certainty. Regarding the hierarchy of needs, *maṣlaḥah* is divided into *ḍarūriyyah*, *ḥājiyyah*, and *taḥsīniyyah*. *Ḍarūriyyah* refers to fundamental interests that are crucial for maintaining order in communal and individual lives. If these interests are compromised, society tends to shift toward chaos and disintegration (Ibn ‘Āshūr, 2004). This category encompasses the essential protections typically associated with religion (*hifdz al-aql*), life (*hifdz al-nafs*), intellect (*hifdz al-aql*), lineage (*hifdz al-nasl*), and property (*hifdz al-maal*).

In contrast, *ḥājiyyah* refers to secondary needs that support life and avoid hardship. Their absence does not disrupt social order, but it can lead to disorder, challenges, or dysfunction. On the other hand, *taḥsīniyyah* relates to supplementary interests that enhance social life, foster refinement, and enable a community to exist with dignity, peace, and moral beauty (Ibn ‘Āshūr, 2004). This hierarchy provides the basis for assessing the relative importance of the benefits and harms identified in *sound horeg*.

In terms of scope, Ibn ‘Āshūr makes a distinction between universal (*kullīyyah*) and partial (*juz’iyyah*) benefits. Universal benefit refers to advantages that uniformly impact the entire community or a significant group or region, while partial benefit is more limited and specific (Ibn ‘Āshūr, 2004). This distinction is important because a benefit gained by a small group cannot be equated with a harm felt by a larger public without careful consideration of both the scope and significance of each.

Ibn ‘Āshūr classifies *maṣlaḥah* into *qaṭ’iyyah*, *ẓanniyyah*, and *wahmiyyah*. *Qaṭ’iyyah* is defined as a benefit confirmed by definitive texts, mutually reinforcing evidence, inductive analysis of the *Sharī‘ah*, or logical proof indicating that it results in significant benefit or that its absence leads to serious harm. *Ẓanniyyah* denotes a benefit backed by strong rational probability or legal evidence. *Wahmiyyah* signifies a presumed benefit that, after examination, actually contains harms, either because the harm is hidden or because the clear benefit is outweighed by a more dominant damage (Ibn ‘Āshūr, 2004). This classification is crucial for assessing contemporary social practices, where the immediate benefits may be apparent, but the underlying harms could be underestimated.

Overall, these criteria establish a structured evaluative framework. They require the researcher to consider whether the benefits attributed to *sound horeg* are certain, clear, measurable, and consistent, as well as whether the harms associated with it satisfy the same criteria. This framework prepares the foundation for assessing whether the benefits of *sound horeg* can be acknowledged as legitimate *maṣlaḥah* or whether its harms place it closer to *mafsadah* within *maqasid*-based legal reasoning.

3.2 Complex duality: Economic impact and health risks

The practice of *sound horeg* has emerged as a significant cultural and socio-economic phenomenon in contemporary Indonesia. *Sound horeg* has notable implications for local economies and community dynamics, as well as raising concerns regarding public health and environmental well-being. This section examines the economic benefits of *sound horeg* alongside the documented health risks associated with high-intensity sound exposure.

Sound horeg has created economic opportunities for local MSMEs and informal workers involved in community events. Research and community-level observations reveal that these events create valuable business opportunities for sound-system rental operators, audio technicians, vehicle modification specialists, and local artists performing at such gatherings (Aprilian et al., 2025). Economic influence extends to ancillary services, including food and beverage vendors, souvenir sellers, and informal laborers such as parking attendants. These activities are typically linked to weddings, carnivals, or local festivals, generating localized revenue streams and enhancing grassroots economies’ vibrancy. Sulistyawati et al. (2024) demonstrated that community events such as *sound horeg* contribute to measurable revenue increases for MSMEs, aligning with the multiplier

effect theory, which posits that a single economic activity can initiate multiple secondary income flows. Such informal activities provide a crucial buffer for vulnerable communities in the context of a strained national economy characterized by rising unemployment and decreased household purchasing power.

The Indonesian Ministry of Creative Economy (Kemenekraf/Bekraf, 2025) reported that by 2025, the creative economy's contribution to Indonesia's GDP had reached more than Rp1,500 trillion, or about 7%. This underscores its role as the backbone of national development. Informal music and entertainment activities, such as sound horeg represent a dynamic yet precarious segment of the informal sector, demonstrating a significant capacity for labor absorption. These figures highlight the growing contribution of the creative economy to Indonesia's economic development. Employment in the creative economy's sector rose from around 14 million workers in 2013 to more than 26,5 million in 2024, marking an 89% increase over the decade and demonstrating the sector's broad social impact through expanded job opportunities for MSMEs (Nidarmawati, 2025).

Significant disparities mark the distribution of economic benefits within the event economy. Entrepreneurs with direct access to this sector tend to secure substantial rewards, whereas individuals outside the immediate trading sphere often derive little to no benefit (Sulistyawati et al., 2024; Umami & Ghofur, 2022). Research indicates that these income gains are frequently transitory and do not contribute to long-term sustainable development. Instead, they result in temporary increases in local income without significantly enhancing structural economic resilience. Furthermore, the informal nature of the sector leaves many workers without social protection, rendering them vulnerable to economic fluctuations (Naicker et al., 2021). This situation underscores the dual-edged nature of sound horeg as both a cultural and economic driver. While sound horeg contributes to local economic activities and MSME participation, these benefits remain temporary and unevenly distributed.

Policy analyses suggest that integrating informal cultural practices within creative-economy frameworks can help address governance challenges related to balancing economic benefits with public health protection. In emerging economies, governments are increasingly recognizing the economic value associated with MSMEs that are derived from cultural events. Efforts to harmonize support mechanisms for these enterprises with participatory governance are underway (Utami, 2022). Promoting inclusive and restorative approaches that foster community deliberation and co-designed regulations, rather than relying solely on punitive measures, which may exacerbate conflicts, is essential in pursuit of sound governance (Puspita et al., 2018).

Biomedical and epidemiological evidence clearly shows that repeated exposure to loud recreational sounds can lead to NIHL. Numerous population-based and systematic reviews have consistently identified increased risks of high-frequency hearing deficits, tinnitus, and cochlear injury associated with exposure to leisure sounds, such as concerts, festivals, and community events (Carroll et al., 2017; Pienkowski, 2021; Śliwińska-Kowalska & Davis, 2012). Field measurements show that the noise level from the sound horeg can reach 135 dB (Hardiantoro & Nugroho, 2024), significantly surpassing the WHO's safe limits. According to the National Institute for Occupational Safety and Health NIOSH (1998), the safe limit for noise exposure is 85 dB for 8 hours per day. Mechanistic research links these harms to both metabolic and mechanical injury to cochlear hair cells, involving pathways related to oxidative stress and genetic susceptibility factors (Alagramam et al., 2014; Miao et al., 2021; Xu et al., 2016). Because cochlear hair cells do not regenerate, any damage to them is permanent, meaning that once auditory function is impaired, it cannot be restored.

Recent data from East Java reveal a troubling public health trend. According to Aminuddin (2025), hospitals in Malang reported an increasing number of patients with ear, nose, and throat (ENT) issues associated with prolonged exposure to extremely loud sounds. Similarly, Astuti (2025) documented numerous public complaints regarding hearing disturbances following sound horeg events. An even more alarming statistic was reported by Huda & Ramadhan (2025), which revealed that Lumajang government hospital (RSUD) treated 2,480 patients with ENT hearing-related disorders in 2025, representing

the highest number ever recorded in Lumajang regency. These findings suggest growing public health concerns that warrant further investigation and appropriate public health measures to manage recreational noise exposure.

Table 1. A Comparative analysis of the *masalah* and *mafsadah* of sound horeg activities

Dimensions	<i>Maslahah</i> /Advantages	<i>Mafsadah</i> /Risks	Key interpretations	Supporting literatures
Local economic activity	Financial opportunities are generated for sound-system rental services, audio technicians, vehicle modification specialists, local artists, food vendors, souvenir sellers, and parking staff.	Advantages tend to be focused on those who are directly engaged in the event economy, whereas other community members may experience minimal or no benefits.	This activity promotes the circulation of money within local economies; however, the advantage gained is not shared equally	(Aprilian et al., 2025; Sulistyawati et al., 2024; Umami & Ghofur, 2022)
MSMEs' development	Support MSMEs' by providing short-term boosts in sales during weddings, carnivals, festivals, and public celebrations.	Income gains are frequently short-term and do not necessarily strengthen long-term economic resilience.	The economic contribution is real but mostly event-based and unstable.	(Naicker et al., 2021; Sulistyawati et al., 2024)
Employment absorption	Contributes to informal labor absorption in the creative economy.	Workers in informal cultural events often lack social protection and remain exposed to economic uncertainty.	This activity expands employment, but it not always secure or sustainable employment.	(Nidarmawati, 2025; Naicker et al., 2021)
Cultural identity	Strengthen local cultural expression, youth participation, communal solidarity, and the vibrancy of rural festivals.	Can trigger intergenerational conflict, noise complaints, and disputes over event locations and management.	The same practice that builds solidarity may also produce social tension when left unmanaged.	(Aprilian et al., 2025; Puspita et al., 2018)
Public health	No direct health benefit is identified	Risks of auditory, cognitive function, and cardiovascular stress	The comparative analysis suggests that the documented health harms are more consistent, cumulative, and potentially irreversible than the temporary economic benefits identified.	(Balk et al., 2023; Miao et al., 2021; Pienkowski, 2021; Prell, 2022; Soares et al., 2025)

(Data processed by researchers, 2026)

Tinnitus, which presents as intermittent ringing in the ears, is an early symptom of damage caused by noise exposure. This condition serves as a physiological warning of acoustic stress. Tinnitus can evolve into persistent hearing difficulties if not addressed,

especially in environments with background noise, which significantly reduces the quality of life (Xu et al., 2016). Research further suggests that prolonged hearing impairment may contribute to broader cognitive decline through reduced auditory processing and communication capacity (Xu et al., 2016). Additionally, similar risks are highlighted for children and adolescents, whose learning capacity and memory are particularly vulnerable to noise exposure (Soares et al., 2025). Although the present study does not specifically investigate these age groups, this evidence remains relevant because sound horeg events are typically conducted in open public spaces where exposure is not limited to adult participants but may also involve nearby children and adolescents. Systematic reviews in adults have confirmed that tinnitus and NIHL were significantly linked to decreased attention and cognitive dysfunction (Xu et al., 2016).

In addition to the auditory damage caused by extreme noise, chronic exposure has well-documented psychological and physiological effects. Epidemiological studies show that people exposed to loud recreational sounds experience persistent stress, increased annoyance, disrupted sleep patterns, and impaired daytime functioning (Balk et al., 2023; Basner et al., 2014). These impacts are especially pronounced in children and adolescents, as noise can interfere with attention, memory, and academic performance. Moreover, chronic exposure to noise is associated with cardiovascular risks, such as elevated blood pressure and a higher likelihood of ischemic heart disease. Biomedical research indicates that systemic stress responses, oxidative stress, and dysfunction in neural pathways related to Mitogen-Activated Protein Kinase (MAPK) and Phosphoinositide 3-kinase/Protein Kinase B (PI3K/AKT) signaling may drive these non-auditory effects (Alagramam et al., 2014; Miao et al., 2021).

Overall, the comparative analysis indicates that although *sound horeg* generates localized economic and cultural benefits, these benefits are generally temporary and unevenly distributed, whereas the documented health harms are more consistent and potentially irreversible.

3.3 Reconciling the conflict based on *maqāṣid al-sharīʿah*

The normative evaluation of sound horeg within Islamic law begins with determining whether its economic and cultural benefits outweigh the harms it may inflict on individuals and society. This assessment is grounded in the foundational sources of Islamic law, the Qur'an, hadiths, and established legal principles and maxims of *fiqh* (*qawa'id fiqhiyya*), which provide the primary framework for balancing benefit and harm. The Qur'an explicitly prohibits harm and corruption, both to individuals and society as a whole. For example, the verse "and those who harm believing men and believing women for (something) other than they have earned have certainly born upon themselves a slander and manifest sin" (Qur'an, 33:58) highlights the prohibition against harming others unjustly. Similarly, the divine command "do not commit abuse on the earth, spreading corruption" (Qur'an 7:74) emphasizes the need to avoid actions that undermine social harmony and public welfare. These scriptural principles provide an ethical framework for the ongoing debates about sound horeg.

The prophetic traditions underscore a normative stance by prohibiting self-harm and harming others. The hadiths, "There should be neither harming nor reciprocating harm" (Ibnu Maajah, Ahmad, Malik, and Thabrani), established a universal legal principle in Islamic jurisprudence, which jurists often refer to as a foundational guideline in cases involving public safety. Another narration states, "whoever harms (other), Allah will harm him, and whoever causes hardship (to others), Allah will cause hardship to him" (Abu Dawood, at-Tirmidhi, Ibn Maajah, Ahmad). These narrations highlight both legal and moral prohibitions against practices that inflict harm, which directly relates to concerns about excessive noise exposure, public disturbance, and the social harms caused by sound pollution.

Table 2. Assessment of the *maslahah* and *mafsadah* of sound horeg based on Ibn Ashur's *Maslahah* Criteria

Criteria	<i>Maslahah</i> /Advantages	<i>Mafsadah</i> /Risks	Assessment	Supporting Literatures
<i>Tsubūt</i> (certainty)	Meets the criteria. Sound horeg contributes to local economies by promoting business activity and increasing income in communities through MSMEs.	Meets the criteria. Health risks, such as NIHL and cognitive decline, are well documented and established.	The benefits are uncertain and often temporary, lacking the long-term stability required for certainty. The harms are clear and consistent, meeting the certainty criterion.	(Pienkowski, 2021; Sulistyawati et al., 2024)
<i>Dhuhūr</i> (clarity)	Meets the criteria. Provides cultural identity and community engagement during festivals or local events, supporting social cohesion.	Meets the criteria. Chronic exposure to loud noises leads to permanent auditory damage and other health problems.	The benefits are culturally significant but context-dependent, making their clarity less consistent. However, the harms are unequivocally clear.	(Aprilian et al., 2025; Xu et al., 2016)
<i>Inḍibāt</i> (measurability)	Partially meets the criteria/leaking evidence. The economic contribution of MSMEs can be quantified through increased revenue for local vendors, parking attendants, and service providers.	Meets the criteria. The measurable impacts of high-decibel sound include hearing loss, tinnitus, and cardiovascular stress	Economic benefits are measurable by transient, while health harms are consistently measurable, showing clear negative impacts on individuals and communities.	(Carroll et al., 2017; Sulistyawati et al., 2024)
<i>Iṭṭirād</i> (consistency)	Does not meet the criteria. The economic impact varies across different regions and events, resulting in inconsistent economic benefits.	Meets the criteria. Health risks associated with noise exposure are consistent across populations and locations, with long-term negative effects on both hearing and cognition.	The economy is inconsistent and localized, failing the consistency criterion. In contrast, the health harms are persistent, thus meeting the consistency requirement.	(Naicker et al., 2021; Prell, 2022)

(Data processed by researchers, 2026)

The legal maxims (*qawa'id fiqhiyya*) provide a framework for applying scriptural imperatives to legal reasoning. A particularly significant principle is “preventing harm takes precedence over acquiring benefit” (*dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*). This maxim underscores the importance of harm reduction over pursuits of benefits (Khalaf, 2010), indicating that the regulation or restriction of sound horeg may be justified if the comparative assessment demonstrates that its harms outweigh its benefits. Moreover, other relevant maxim states that “the basic rules in *muamalat* (transactions) are permissibility unless prohibited by evidence.” This principle suggests that sound horeg is generally permissible but may face restrictions once identifiable harms are demonstrated. Additionally, the concept that when two harms are in conflict, one should choose the lesser harm directly influences policy considerations. While banning sound horeg may limit certain economic opportunities, tolerating unregulated practices could lead to cumulative

and preventable public health harms, including permanent hearing impairment, sleep disturbance, and cognitive dysfunction.

A significant concept articulated by the classical jurist is that of *ta'assuf*, which refers to the misuse of right. According to Wahbah Zuhaili, *ta'assuf* arises when individuals exercise their legitimate rights in ways that cause harm to others, whether intentionally or unintentionally (Wahbah, 1985). In such instances, the exercise of these rights is considered unlawful because it contravenes the principles of justice and undermines the objectives of *Shari'a* law. For example, while individuals may possess the right to organize entertainment or cultural events, such as loud music performances, this right must be tempered by public welfare considerations. It is essential that such activities do not disrupt public welfare considerations for vulnerable groups such as children or the elderly, nor do they jeopardize community health through excessive noise. Thus, the doctrine of *ta'assuf* provides a juristic basis for regulating noisy practices, highlighting that rights are not absolute but should be conditioned by their impact on others and the overarching goals of the law.

Table 2 shows that although the sound horeg has aspects of *maslahah* (economic benefit) that are *tsubut* and *dhuhur*, these benefits fail to meet the criteria of *indibat* and *ittirad*. Conversely, the *mafsadah* aspects such as health risks associated with high-volume noise exposure fully satisfy all four of Ibn Ashur's criteria, as the dangers are certain, real, measurable, and their impacts occur consistently. Therefore, in the balance of *maqāṣid al-sharī'ah*, preventing measurable and consistent harm must take priority over accommodating uneven economic benefits. Thus, the findings support regulating excessive noise exposure from sound horeg in a manner consistent with the *maqāṣid* objective of preserving intellect (*hifz al-'aql*), life (*hifz al-nafs*), and social welfare.

Some scholars and community groups have challenged the outright prohibition of sound horeg, arguing that it should not be isolated from other musical expressions (Puspita et al., 2018). Instead, it should be regulated based on factors such as time, place, and manner restrictions. Advocates emphasize its significance as a form of grassroots entertainment and cultural identity, suggesting that *fatwas* prohibiting it may overlook the cultural and socio-economic contexts in which sound horeg exists. This viewpoint aligns with research that highlights the importance of inclusive policy frameworks that balance cultural livelihoods with health protection through participatory governance (Choudhury, 2015; Utami, 2022). Proponents of Islam argue that it is not inherently against art or entertainment but rather criticizes excesses that infringe upon the rights of others.

Nevertheless, under *maqāṣid* reasoning, preventing harm takes precedence when the identified harms outweigh the expected benefits. While loud music may provide joy and entertainment, the disturbances it causes, such as disrupting infants, individuals who are ill, students, and worshipers, result in more significant and enduring negative effects than any perceived benefits. From a *maqāṣid* perspective, this conclusion is not based on cultural disapproval but rather on the understanding that excessive noise can severely impair intellectual and psychological well-being, disrupt effective communication, and diminish overall quality of life. In this context, the principle of *hifz al-'aql* is particularly relevant, as research has demonstrated that prolonged exposure to elevated noise levels is associated with hearing loss, cognitive decline, and decreased learning capacity (Xu et al., 2016).

The reasoning within jurisprudence encompasses the principle of '*illah*, or legal cause. Legal scholars assert that prohibitions are grounded in the enduring nature of the underlying '*illah*. In the context of sound horeg activities, the '*illah* -specifically, the extreme noise and its associated harms- remains consistent, irrespective of any alterations in presentation or context, such as branding the sound horeg activity as "*halal*" or modifying its symbolic representation. Consequently, legal restrictions remain justified as long as the harmful attributes persist and cannot be effectively mitigated (Khalaf, 2010). This perspective is in harmony with al-Ghazali's viewpoint, which posits that the concept of *maslahah* is legitimate only when it supports the law's higher objectives. These objectives primarily focus on safeguarding religion, life, intellect, lineage, and property. Any benefit claimed that detracts from these protections is deemed invalid and must be rejected (Zaki, 2018).

Recent scholarship on *maqāṣid* jurisprudence highlights how proportional reasoning and contextual *ijtihād* can address the conflicts between economic development and public health (Fadel, 2022; Supena, 2021). Case studies on pandemic policies, drug regulations, and community welfare show instances where harm-reduction principles informed decisions that limited certain liberties to protect essential *maqāṣid* values (Islam et al., 2018; Laksana et al., 2025). Additionally, applying these principles to sound horeg activities and according to the comparative assessment in this study suggest that while economic benefits are important, context-sensitive regulation may be preferable to absolute prohibition when the identified harms can be effectively controlled.

Taken together, the empirical evidence and *maqāṣid*-based legal analysis support the conclusion that sound horeg may warrant proportionate regulatory restrictions when its documented harms outweigh its economic and cultural benefits. This conclusion aligns with scriptural commands to avoid harm and corruption, as well as the *maqāṣid* framework, which prioritizes the preservation of intellect (*hifz al-ʿaql*), life (*hifz al-nafs*), and community welfare. Accordingly, *maqāṣid*-based reasoning supports a proportional approach that distinguishes between regulated cultural expression and harmful noise practices that exceed acceptable limits.

4. Conclusions

The findings of this study indicate that while sound horeg provides tangible economic and cultural benefits to local communities, these benefits do not fully meet the four criteria of *maslahah* as outlined by Ibn ʿĀshūr, certainty (*tsubūt*), clarity (*dhuḥur*), measurability (*inḍibāt*), and consistency (*iṭṭirād*), when weighed against its significant public health risks. Although the economic benefits are real and contribute to stimulating MSMEs and grassroots livelihoods, they lack the stability and long-term certainty required by *tsubūt*. In addition, their effectiveness often varies by locality and over time, undermining *iṭṭirād*. In contrast, the health risks associated with extreme sound exposure, such as NIHL, sleep disruption, and cognitive impairment, are clear, measurable, and consistent. These factors negatively impact the *maqāṣid* objectives of preserving life (*hifz al-nafs*) and intellect (*hifz al-ʿaql*). Therefore, under Ibn ʿĀshūr's *maqāṣid* framework, *sound horeg* cannot be regarded as legitimate *maṣlaḥah* when its documented harms outweigh its economic and cultural benefits. Furthermore, these findings have practical implications for religious scholars, local government officials, health organizations, cultural actors, and community leaders. Instead of solely depending on bans or allowances, based on the comparative assessment in this study, stakeholders should consider operational guidelines such as maximum decibel limits, restricted performance hours, designated event zones, and permit requirements. However, this study has limitations due to its doctrinal and literature-based analysis. Future research should conduct field measurements, interviews with impacted communities, and economic impact assessments.

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Author Contribution

All authors contributed to the study conception and design. Material preparation, data collection, and analysis were performed by M.N.V. and Z.B.P.R. The first draft of the manuscript was written by M.N.V., and all authors commented on previous versions of the manuscript. All authors read and approved the final manuscript.

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During the preparation of this work, the authors used Grammarly to assist in improving the grammar, clarity, and academic tone of the manuscript. After using this tool, the authors reviewed and edited the content as needed and took full responsibility for the content of the publication.

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