

**Decree of the Supreme Aamirulmominen, may Allah the Almighty preserve him,
regarding the enforcement of the Law
of promotion of virtue and prevention of vices**

Translation to English

Number (1)

Date: August 24, 2024

Article One:

I hereby approve the Law of Commanding the promotion of virtue and prevention of vices, which consists of (1) Introduction, (4) Chapters, and (35) Articles.

Article Two:

This decree shall take effect from the date of its approval and shall be published in the official gazette along with the text of the mentioned law.

Peace, mercy, and blessings of Allah be upon you!

**The Supreme Aamirulmominen Sheikh of the Quran and Hadith
Mawlawi Habtullah Akhundzada**

Law of promotion of virtue and prevention of vices

Introduction

Foundation

Article One:

This law is based on Decree (9) dated 19 March 2023, which corresponds to 2 August 2024, issued by the Supreme Aamirulmominen, may Allah the Almighty preserve him.

Objectives

Article Two:

The objectives of this law are:

1. To regulate matters related to commanding the promotion of virtue and prevention of vices.
2. To regulate matters concerning the duties and authority of the overseers (Muhtasib).

Terminology

Article Three:

The following terms in this law are defined as follows:

1. Accountability (Ihtisab): The act of commanding the promotion of virtue and prevention of vices in accordance with Sharia and this law by an overseer.
2. Overseer (Muhtasib): An individual appointed by the Supreme Aamirulmominen, may Allah the Almighty preserve him, or by someone authorized by Aamirulmominen, to carry out the duties of accountability.
3. Subject of Accountability (Muhtasib Fih): Anything in which accountability is exercised by the overseer.
4. Good (Ma'roof, Subject of Accountability): A statement or action deemed good by Sharia.
5. Promotion of virtues (Amr Bil Ma'roof): Directing adherence to the teachings of the Messenger of Allah, peace be upon him, and following Sharia.
6. Vices (Munkar, Subject of Accountability): A statement or action considered bad by Sharia.
7. Prevention of vices (Nahi Anil Munkar): Preventing the commission of evil acts.
8. Subject of Accountability against (Muhtasib Alayh): An individual who is commanded to do good and prevented from committing evil by the overseer.
9. Disciplinary Action (Ta'zir): A punishment administered by the overseer in accordance with Sharia and this law for public commission of evil, in the context of the rights of Allah.
10. Islamic Hijab: Clothing that covers the entire body and face of a woman from non-mahrams, and is not thin, short, or tight.

Scope of Application

Article Four:

This law applies to all offices, public places, and individuals residing within the territory of Afghanistan.

Authority of Implementation

Article Five:

The Ministry of promotion of virtue and prevention of vices and Receiving Complaints is the authority responsible for implementing the provisions of this law.

Establishing virtue and prevention of vice

Article Six:

1. The Ministry of promotion of virtue and prevention of vice and Receiving Complaints is obligated to command good and forbid evil in accordance with Islamic Sharia and Hanafi jurisprudence.

2. The Ministry is also responsible for ensuring peace and brotherhood among people and preventing them from tribal, linguistic, and factional prejudices.

Restricting the Establishment of virtue and Changing Vice

Article Seven:

Anyone with the capacity can command good and forbid evil, but the specific responsibility is assigned to the overseer.

Abbreviation

Article Eight:

From now on, the Ministry of promotion of virtue and prevention of vice and Receiving Complaints will be referred to as the "Ministry" in this law.

Chapter One

Conditions, Etiquettes, Manners and Principles Related to the Overseer (Muhtasib), Muhtasib feh, Muhtaseb alyehe.

Conditions and Characteristics of the Overseer

Article Nine:

(1) An individual appointed as an overseer must meet the following conditions:

1. Be a Muslim.
2. Have reached legal maturity (sound mind and adulthood).
3. Possess knowledge of the Sharia rulings that pertain to commanding or forbidding.
4. Have a predominant belief that changing evil will result in its removal and that promotion of good will be beneficial and impactful.
5. be just.
6. Have the authority to command and forbid.

(2) An individual acting as an overseer should possess the following qualities:

1. Be committed to good actions and avoid all forms of evil.
2. be sincere (not seeking to show off, gain worldly benefit, or seek the admiration of others).
3. be kind.
4. be patient and tolerant.

Etiquettes and Principles Related to the Overseer and Accountability

Article Ten:

The etiquettes and principles for the overseer and accountability are as follows:

1. Respect the dignity and humanity of every individual and interact with them courteously while promotion of good and forbidding vice.
2. Prevent an evil that is observed directly.
3. Prevent an evil that is heard about.

4. Avoid exposing individuals' hidden sins, spying, or intruding into their private matters while commanding good and forbidding evil, unless permitted by Islamic Sharia.
5. Prevent an evil if it is confirmed by the testimony of two reliable witnesses.
6. Prevent evil in a manner that does not lead to equal or greater evil.
7. Maintain justice and avoid discrimination while establishing good and removing evil.
8. Prioritize what is more important while commanding good and forbidding evil.
9. Make the individual aware of the gravity of their sinful actions.
10. Offer advice and counsel gently.
11. Physical intervention is only permissible if there is no fear of causing a greater harm.

Conditions Related to the Subject of (Muhtasib Alyehe)

Article Eleven:

- (1) The conditions related to the subject of Muhtasib Alyehe are:
1. Engaging in an evil act that should be avoided according to Sharia.
 2. Neglecting a good act that should be performed according to Sharia.
- (2) Commanding good and forbidding evil by the overseer is obligatory when the conditions mentioned in paragraph (1) of this article are present in the subject of accountability.

Conditions Related to the Subject of Accountability (Muhtasib Fihe)

Article Twelve:

Conditions related to the subject of (Muhtasib Fihe) are:

1. The subject of accountability or its prerequisites must currently exist.
2. The subject of accountability must be apparent without the need for spying, such that the overseer can see or hear it, or receive reliable information according to the provisions of this law.
3. The evil must be manifest (not requiring investigation to be confirmed).

Rulings Related to Women's Hijab

Article Thirteen:

1. Covering the entire body of a woman is mandatory.
2. Covering the face of a woman is necessary to prevent temptation.
3. The voice of women (such as singing, reciting hymns, or reading aloud in gatherings) is considered private.
4. Women's clothing should not be thin, short, or tight.
5. Muslim women are obliged to cover their body and face from non-mahram men.
6. The covering of Muslim and righteous women from non-believing and immoral women is obligatory due to fear of temptation.
7. It is forbidden for adult men to look at the bodies and faces of women, and for adult women to look at men who are not related to them.
8. If an adult woman needs to leave her home for an essential reason, she must cover her voice, face, and body.

Rulings on the Covering of Men

Article Fourteen:

1. The private area of a man extends from below the navel to the knees, including the knees.
2. A man is required to adhere to the provisions of paragraph (1) of this article and other rulings related to covering.
3. During leisure and sports, a man must wear clothing that covers his private area. The clothing should not be excessively tight or reveal the shape of the body parts.

Obligations of the Overseer (Muhtasib) Regarding Covering

Article Fifteen:

The overseer is obligated to enforce the rules of this law concerning the covering of men and women, commanding good and forbidding evil.

Chapter Two

Responsibilities and Duties of the Overseer

Responsibilities of the Overseer Concerning the Respect for Islamic Symbols, Prophets, Companions, and Righteous Predecessors

Article Sixteen:

1. The overseer is responsible for ensuring that government employees and the general public respect Islamic symbols, the Prophets, peace be upon them, the noble Companions, may Allah be pleased with them, and the righteous predecessors, may Allah have mercy on them.
2. The overseer is responsible for disciplining those who violate these provisions according to the rulings of this law.

Responsibilities of the Overseer Regarding Media and Information

Article Seventeen:

The overseer is responsible for ensuring that media and information officials adhere to the following:

1. Publishing content that does not contradict Sharia and religion.
2. Avoiding content that belittles or insults Muslims.
3. Avoiding the publication of images of living creatures.

Responsibilities of the Overseer Regarding Merchants, Shopkeepers, and Farmers

Article Eighteen:

The overseer is responsible for ensuring that merchants, shopkeepers, and farmers adhere to the following in their transactions and activities:

1. Mandating the performance of congregational prayers in the mosque at specified times.
2. Ensuring timely payment of Zakat, Khoms, and other financial obligations to those entitled.
3. Conducting transactions in accordance with Hanafi jurisprudence.
4. Prohibiting usury (interest), hoarding (stockpiling goods with the intent to raise prices), deceit (concealing defects of goods), cheating (shortchanging in weight, volume, and measures), manipulation (influencing buyers), unfair practices, false oaths, lies, and other unlawful practices related to transactions.
5. Preventing the sale and purchase of items that are religiously forbidden or illegal, such as alcohol, forbidden meat, blood, weapons, ammunition, military equipment, and images of living creatures.
6. Prohibiting the use of images of living creatures for advertising purposes.
7. Preventing the sale and use of human body parts, such as kidneys, liver, eyes, and hair.

Responsibilities of the Overseer Regarding Tourist and Recreational Areas

Article Nineteen:

The overseer is responsible for ensuring that the officials of tourist and recreational areas adhere to the following:

1. Constructing mosques for congregational prayers.
2. Ensuring that officials and visitors perform congregational prayers in the mosque.

Responsibilities of the Overseer Regarding Passenger and Cargo Vehicles, Motorcycles, and Other Transport

Article Twenty:

The overseer is responsible for ensuring that vehicle operators and drivers adhere to the following:

1. Prohibiting the playing of music.
2. Enforcing the ban on the use and trafficking of drugs.
3. Preventing the transport of women without proper hijab.
4. Ensuring that women do not sit or mix with non-mahram men.
5. Avoiding the transport of women without a legal mahram who is sane and of legal age.
6. Mandating transport companies to arrange their vehicles so that drivers and passengers can perform their prayers at the designated times.

Responsibilities of the Overseer Regarding Bathhouses

Article Twenty-One:

The overseer is responsible for ensuring that individuals cover their private areas in public baths and while playing in water.

Responsibilities of the Overseer Regarding Specific Evils

Article Twenty-Two:

The overseer is responsible for preventing the following specific evils:

1. Adultery, whether by force or consent, whether hidden or public. Temporary marriages (Mut'ah) are also not allowed.
2. Immorality involving sexual activities.
3. Lesbianism (same-sex relations among women).
4. Homosexuality (even if with one's own spouse).
5. Pedophilia.
6. Gambling (such as dice games, gambling with pebbles, coin tossing, or other similar games).
7. Creating conditions or means for adultery, immorality, lesbianism, homosexuality, pedophilia, and gambling.
8. Organizing fights between dogs, chickens, lizards, quails, and other animals or birds.
9. Misuse of television, radio, and similar items for producing and viewing images and videos of living creatures on computers, mobile phones, and similar devices.
10. The loud output of women's voices or music outside the home or gathering.
11. The use, purchase, sale, possession, and trafficking of intoxicants (such as alcoholic beverages).
12. Revealing private areas.
13. Immodesty.
14. Abandoning and neglecting prayers.
15. Neglecting obligatory religious duties.
16. Failing to perform congregational prayers.
17. Breaking the fast.
18. Shaving the beard or trimming it excessively.
19. Haircuts that are contrary to Islamic law.
20. Associating with and emulating non-Muslims in appearance and behavior.
21. Celebrating Nowroz, Yalda Night, fireworks by Muslims, and similar practices that are common among Muslims but have no basis in Sharia.
22. Using and promoting crosses, neckties, and other non-Islamic symbols.
23. Engaging in and promoting innovations (Bid'ah) and reprehensible acts as outlined in authoritative Hanafi jurisprudence.
24. Disobeying parents.
25. Violating people's rights.
26. Misbehaving with or mistreating orphans and the oppressed.

Responsibilities of the Overseer Regarding (Dhimmis), (Musta'mins), Children, and the Insane

Article Twenty-Three:

1. The overseer is responsible for preventing Kids and Mads/insane people who are mentally less progressed, from publicly committing immoral acts.
2. If an immoral act is committed by a child or an insane person, the overseer is responsible for preventing the act.

Chapter Three

Punishments

Punishments by the Overseer

Article Twenty-Four:

(1) A person who publicly commits an immoral act will be punished by the overseer according to the severity of the sin and the offender. The punishments include:

1. Admonition.
2. Warning of the punishment of Allah.
3. Reprimanding with harsh words.
4. Punishment through financial loss.
5. Imprisonment from one hour to twenty-four hours in public detention facilities.
6. Imprisonment from one day to three days in public detention facilities.
7. Any other punishment deemed appropriate by the overseer that does not fall under judicial jurisdiction.

(2) The overseer must apply the punishments listed in paragraph (1) of this article while commanding good and forbidding evil.

Authority of the Heads and Supervisors Regarding Punishment

Article Twenty-Five:

1. The heads of urban and provincial departments of promotion of virtue and prevention of vice have the authority to impose the punishments listed in items 1, 2, 3, 4, 5, 6, and 7 of Article Twenty-Four, depending on the severity of the sin and the offender.
2. The supervisors of districts and sub-districts of promotion of virtue and prevention of vice have the authority to impose the punishments listed in items 4, 5, 6, and 7 of Article Twenty-Four, in consultation with the relevant head, depending on the severity of the sin and the offender.
3. If an offender does not amend their behavior after the application of punishments mentioned in paragraphs (1) and (2) of this article, they are referred to court.

Conditions for Referring an Offender to Court

Article Twenty-Six:

The overseer shall refer an offender to court under the following conditions:

1. If a person repeatedly neglects the obligatory prayers without a valid excuse.
2. If a person repeatedly neglects congregational prayers without a valid excuse.
3. If the residents of an area collectively neglect the call to prayer and congregational prayers.
4. If a person repeatedly fails to fast during the holy month of Ramadan without a valid excuse.
5. If children persistently disobey their parents.
6. If a person mistreats orphans or wastes their property.
7. If a person persistently fails to perform all obligatory good deeds or refrains from avoiding all prohibited acts.

Responsibilities of the Overseer Regarding Prisoners

Article Twenty-Seven:

1. The overseers are required to release prisoners whose sentences have ended without delay.
2. The overseers are required to ensure that prisoners have access to religious duties and necessary needs and to provide the necessary facilities for them.

Chapter Four

Miscellaneous Provisions

Public Relations

Article Twenty-Eighth:

The Ministry is required to consult with religious scholars, school teachers, educational institutions, and influential religious figures for the following purposes:

1. To establish good practices and eliminate evils.
2. To prevent the promotion of evils by the enemies of Islam.

Supervision

Article Twenty-Ninth:

The Ministry is responsible for supervising the performance of officials tasked with promotion of virtue and prevention of vice and addressing complaints.

Reporting

Article Thirtieth:

1. The officials of the Ministry are required to report their activities and actions to the Ministry.
2. The Ministry is responsible for reporting its activities and actions to the esteemed Office of the Aamirulmominen, may Allah preserve him.

Training and Education of Overseers and Staff

Article Thirty-First:

The Ministry is required to organize training seminars for its overseers and staff on the provisions of this law and other related legislative documents, as well as effective methods for commanding good, forbidding evil, and handling complaints, taking into account the relevant conditions.

Consultation

Article Thirty-Second:

If an overseer encounters an action not explicitly addressed in this law or other related legislative documents, they must inform the relevant head and seek guidance from the superior authority through the esteemed Office of the Aamirulmominen, may Allah preserve him.

Receiving Assistance**Article Thirty-Third:**

The Ministry is required to share and cooperate with provincial officials on operational procedures for commanding good, forbidding evil, and handling complaints, and to obtain their assistance.

Proposing Procedures and Drafts**Article Thirty-Fourth:**

For the better implementation of this law, the Ministry shall prepare procedures and drafts and submit them for approval to the esteemed Office of the Aamirulmominen, may Allah preserve him.

Enforcement**Article Thirty-Fifth:**

This law shall be effective from the date of its ratification and publication in the Official Gazette. Any other laws not approved or ratified by the esteemed Office of the Aamirulmominen or that are in conflict with this law are hereby annulled.

The End