

Government Intervention in Price Regulation: A Sharia Review of Afghanistan's Pricing Policy After 2021

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Abstract

Afghanistan's political transition in August 2021 generated severe economic disruption, weakened household purchasing power, and increased vulnerability to food insecurity and market instability. This study aims to evaluate government intervention in Afghanistan's post-2021 pricing policy through the principles of *tas'ir*, *hisbah*, and *maqāsid al-sharī'ah*, with particular attention to market fairness and public welfare. The study employs normative qualitative legal research combined with statutory, conceptual, and policy approaches. Data were collected through documentary analysis of Afghan government regulations, ministerial policies, official reports, international institutional publications, classical Islamic legal works, and recent academic studies. The findings show that Afghanistan's pricing policy does not primarily operate through comprehensive compulsory price fixing but through a mixed model of corrective market regulation, including market inspections, reductions in import-related costs, trade facilitation, consumer protection, and control of unsafe or unfair commercial practices. These measures are broadly consistent with Islamic economic law when they respond to genuine market failure, are implemented proportionately, protect both traders and consumers, and contribute to *hifz al-nafs* and *hifz al-māl*. However, their contribution to public welfare remains limited by unemployment, weak household income, declining international assistance, fragile financial institutions, and persistent food insecurity. This study contributes a Sharia-based policy-evaluation framework that distinguishes arbitrary price fixing from legitimate corrective market intervention in a fragile post-conflict economy.

Keywords: Afghanistan; *maqāsid al-sharī'ah*; price regulation; public welfare; *tas'ir*.

Abstrak

Transisi politik Afghanistan pada Agustus 2021 menimbulkan gangguan ekonomi yang serius, melemahkan daya beli rumah tangga, serta meningkatkan kerentanan terhadap kerawanan pangan dan ketidakstabilan pasar. Penelitian ini bertujuan mengevaluasi intervensi pemerintah dalam kebijakan pengaturan harga Afghanistan pasca-2021 berdasarkan prinsip tas'ir, hisbah, dan maqāsid al-sharī'ah, dengan perhatian khusus pada keadilan pasar dan kesejahteraan publik. Penelitian menggunakan metode hukum normatif-kualitatif yang dipadukan dengan pendekatan perundang-undangan, konseptual, dan analisis kebijakan. Data dikumpulkan melalui studi dokumentasi terhadap regulasi pemerintah Afghanistan, kebijakan kementerian, laporan resmi, publikasi lembaga internasional, karya hukum Islam klasik, serta penelitian

akademik mutakhir. Hasil penelitian menunjukkan bahwa kebijakan harga Afghanistan tidak terutama berbentuk penetapan harga wajib secara menyeluruh, melainkan model regulasi pasar korektif yang mencakup inspeksi pasar, pengurangan biaya impor, fasilitasi perdagangan, perlindungan konsumen, serta pengawasan terhadap barang tidak aman dan praktik perdagangan yang tidak adil. Kebijakan tersebut secara umum sejalan dengan hukum ekonomi syariah apabila diterapkan untuk mengatasi kegagalan pasar, dilakukan secara proporsional, melindungi pedagang dan konsumen, serta mendukung ḥifz al-nafs dan ḥifz al-māl. Namun, kontribusinya terhadap kesejahteraan publik masih dibatasi oleh pengangguran, lemahnya pendapatan rumah tangga, menurunnya bantuan internasional, rapuhnya lembaga keuangan, dan berlanjutnya kerawanan pangan. Penelitian ini menawarkan kerangka evaluasi kebijakan berbasis syariah yang membedakan penetapan harga sewenang-wenang dari intervensi pasar korektif yang sah dalam ekonomi pascakonflik yang rapuh.

Kata kunci: Afghanistan; kesejahteraan publik; maqāṣid al-sharī‘ah; pengaturan harga; tas‘īr.

Introduction

Government intervention in price regulation remains a contested issue in economic law and public policy. Market-oriented economic theory generally regards prices formed through supply and demand as essential signals for allocating resources, encouraging production, and adjusting consumption. Nevertheless, markets do not always operate competitively or distribute essential goods fairly, particularly when information asymmetry, monopoly, collusion, hoarding, supply disruption, or unequal bargaining power affects market outcomes. Under such conditions, public intervention may be justified to correct market failures and protect vulnerable consumers, although poorly designed controls may also create shortages, discourage production, impose fiscal burdens, and stimulate informal markets (Mankiw, 2021; Stiglitz, 1989; Guénette, 2020).

The global food and energy crises following the COVID-19 pandemic and the Russia–Ukraine war have renewed debates over the appropriate boundaries of government intervention. Governments have responded through price freezes, subsidies, reductions in import duties and consumption taxes, export restrictions, cash transfers, strategic reserves, and other measures intended to protect purchasing power. Comparative international evidence, however, indicates that broad price suppression is often less efficient than targeted assistance because it weakens price signals and benefits both vulnerable and affluent consumers. Consequently, contemporary policy analysis increasingly distinguishes between arbitrary or generalized price fixing and temporary, proportionate, and targeted intervention designed to respond to identifiable market failures (Amaglobeli et al., 2023).

Food-price regulation is particularly significant in low-income and conflict-affected countries, where households allocate a large proportion of their income to basic necessities.

Persistent food-price inflation can reduce access to nutritious diets even when nominal incomes remain unchanged, while sudden price shocks force poor households to reduce food quality, sell productive assets, incur debt, or adopt other harmful coping strategies. The latest international assessment emphasizes that elevated food prices disproportionately undermine the purchasing power and nutritional security of low-income households, women, children, and rural communities (FAO et al., 2025). Price policy must therefore be evaluated not only in terms of market equilibrium and inflation, but also in relation to distributional justice, food accessibility, and the protection of basic living standards.

Islamic economic law provides a distinctive normative framework for examining the relationship between market freedom and public authority. It recognizes voluntary exchange and market-based price formation while requiring economic activity to remain free from injustice, fraud, exploitation, monopoly, and the unlawful appropriation of wealth. Government intervention is therefore neither absolutely prohibited nor unconditionally permitted; its legitimacy depends on the source of the price disturbance, the public need involved, the method of intervention, and the balance between the interests of traders and consumers. This conditional approach differs from both unrestricted laissez-faire policies and arbitrary state control because it places justice and public interest at the center of market governance.

The classical debate on government price regulation is commonly associated with the Prophetic report concerning *tas'īr*, in which the Prophet declined a request to determine prices when the increase was not shown to have resulted from injustice by market participants. Classical jurists did not interpret this report as an absolute prohibition against all forms of price intervention. Ibn Taymiyyah maintained that unjust price fixing was prohibited, whereas fair intervention could become permissible or obligatory when traders manipulated supply, withheld essential goods, colluded, or imposed prices that harmed the public (Ibn Taymiyyah, 1983). Ibn al-Qayyim similarly placed regulatory intervention within the authority's responsibility to prevent harm and secure justice through legitimate public policy (Ibn al-Qayyim, 1991).

This balance between market autonomy and regulatory responsibility is also reflected in the institution of *ḥisbah*. Historically, *ḥisbah* provided a mechanism for supervising market conduct, verifying weights and measures, preventing fraud, and protecting the public from exploitative commercial practices (Islahi, 1988). Its function was not to replace ordinary market exchange but to preserve the ethical and legal conditions under which a fair market could operate. In a contemporary setting, market inspection, consumer protection, anti-hoarding

enforcement, supply facilitation, and carefully limited price intervention can be assessed as modern regulatory functions comparable to the objectives historically associated with *hisbah*.

The legitimacy of pricing policy must also be evaluated through *maqāṣid al-sharī'ah*, rather than solely through formal conformity with classical doctrine. The *maqāṣid* framework directs public policy toward the realization of benefit, the prevention of harm, and the protection of fundamental human interests (Chapra, 2008; Auda, 2008). In the context of essential commodities, *hifẓ al-naḥs* requires meaningful access to food and other necessities, while *hifẓ al-māl* concerns the protection of household purchasing power, lawful property, and economic security. A Sharia-based assessment should therefore consider whether price intervention is necessary, evidence-based, proportionate, procedurally fair, and capable of protecting vulnerable groups without creating greater market distortion.

These questions are especially important in Afghanistan following the political transition of August 2021. The change in government was followed by the suspension of much international development assistance, restrictions on international financial transactions, the freezing of central-bank assets abroad, disruption of banking activities, and a substantial contraction in domestic economic activity. These developments weakened employment, household income, investment, and the delivery of public services, while Afghanistan's dependence on imported food and fuel increased its exposure to external price and exchange-rate shocks. The post-2021 crisis thus created conditions in which the ordinary functioning of the market could not be separated from wider institutional, humanitarian, and financial constraints (Shafiq & Wafayezada, 2023; World Bank, 2025).

Afghanistan's economy subsequently recorded a limited recovery, but macroeconomic stabilization has not produced a corresponding restoration of household welfare. The economy grew by an estimated 2.5% in 2024, marking a second consecutive year of positive growth, yet this expansion remained constrained by declining international aid, a widening trade deficit, fragile financial intermediation, limited employment creation, and restrictions on women's economic participation (World Bank, 2025). Approximately 14.8 million people still faced food shortages in early 2025, while poverty, unemployment, and acute malnutrition continued to affect large segments of the population (World Bank, 2025). UNDP likewise reported that household income and expenditure declined during 2024 and that approximately 75% of the population remained unable to meet essential subsistence needs (UNDP, 2025).

The coexistence of price stability and widespread deprivation illustrates why changes in inflation cannot be treated as a sufficient measure of public welfare. Lower or stable prices may provide short-term relief, but households may remain unable to purchase essential goods when

unemployment is high, wages are weak, and income-generating opportunities are limited. Moreover, price movements may reflect changes in demand, imports, exchange rates, humanitarian assistance, or domestic supply rather than the success of one government measure. An assessment of Afghanistan's pricing policy must therefore avoid claiming a direct causal impact and should instead examine the policy's legal basis, regulatory instruments, intended protective functions, and plausible implications for public welfare.

Previous international studies provide important evidence on particular dimensions of Afghanistan's economic vulnerability. D'Souza and Jolliffe (2012) demonstrated that increases in wheat prices reduced the real value of household food consumption and prompted families to substitute nutrient-rich food with cheaper staples. Oskorouchi and Sousa-Poza (2021) showed that floods aggravated food insecurity and forced affected households to adopt coping strategies, confirming the interaction between environmental shocks and household vulnerability. These studies establish the importance of prices, supply shocks, and coping capacity, but they predate the 2021 political transition and do not examine contemporary government pricing policy through an Islamic legal framework.

A second body of literature analyzes governance, conflict, and economic performance. Azimi and Shafiq (2020) found causal relationships between government effectiveness, the rule of law, and economic growth in Afghanistan, thereby demonstrating the importance of institutional quality for economic performance. Shafiq and Wafayezada (2023) subsequently analyzed the consequences of insurgency, political uncertainty, aid dependence, and the Taliban's return to power for economic well-being. Although these studies explain the macro-institutional context of Afghanistan's economic deterioration, they do not specifically evaluate market supervision, price regulation, anti-hoarding measures, tariff adjustments, or consumer protection from the perspective of Sharia economic law.

Recent household-level studies further demonstrate that economic recovery remains uneven and socially fragile. Saif-Nijat et al. (2023) found a substantial deterioration in food security and quality of life following the political change, with physical, psychological, environmental, and financial dimensions of household welfare particularly affected. Ahmadzai and Morrissey (2025) found that agricultural diversification improved household consumption, food expenditure, and dietary diversity and could mitigate some of the adverse welfare effects of conflict. Hassanzoy et al. (2025) further showed that rural and urban households experience different forms of food insecurity: rural households face more persistent livelihood vulnerability, whereas poor urban households are particularly exposed to unstable incomes, unemployment, and inadequate current food consumption.

The literature reviewed above makes three major contributions but also leaves a significant analytical gap. Studies of food prices and household welfare demonstrate the consequences of price shocks; studies of governance explain Afghanistan's institutional and macroeconomic vulnerability; and recent food-security studies identify the uneven hardships experienced by different household groups. However, these strands of research have not sufficiently examined how Afghanistan's post-2021 pricing policy should be legally characterized, whether its instruments constitute direct price fixing or broader corrective market regulation, and under what conditions those measures comply with the Islamic legal principles of *tas'ir*, *hisbah*, justice, and *maqāsid al-sharī'ah*. The absence of this integrated analysis limits understanding of whether government intervention merely controls commercial activity or legitimately responds to market failure and public necessity.

The novelty of this study lies in transforming *tas'ir* from a predominantly doctrinal debate over the permissibility of price fixing into an evaluative framework for contemporary public policy. The study distinguishes direct price determination from indirect price-stabilization instruments, including market supervision, tariff adjustment, supply facilitation, consumer protection, and measures against hoarding and manipulation. It then evaluates these instruments according to the existence of market failure, the necessity and proportionality of intervention, procedural fairness, protection of traders and consumers, prevention of harm, and the objectives of *ḥifẓ al-nafs* and *ḥifẓ al-māl*. This approach connects classical Islamic economic law with the institutional realities of a fragile and post-conflict economy.

Accordingly, this study aims to evaluate Afghanistan's government intervention in price regulation after 2021 through the principles of *tas'ir*, *hisbah*, and *maqāsid al-sharī'ah*, with particular attention to its implications for market fairness and public welfare. This inquiry is academically important because it clarifies the legal distinction between arbitrary price control and legitimate corrective intervention within Sharia economic law. It is also practically urgent because the affordability of essential commodities in Afghanistan remains closely connected to food security, household purchasing power, and the protection of vulnerable communities.

Methods

This study employs normative qualitative legal research combined with policy analysis. The legal analysis uses statutory, conceptual, and policy approaches to examine Afghanistan's post-2021 price-regulation measures within the framework of Islamic economic law, particularly the concepts of *tas'ir*, *hisbah*, *maṣlahah*, and *maqāsid al-sharī'ah*. The research materials consist of primary legal sources, including Afghan laws, regulations, official gazettes,

ministerial policies, and government documents relating to price regulation, market supervision, customs duties, consumer protection, and the prevention of hoarding, as well as secondary sources comprising classical Islamic legal works, peer-reviewed journal articles, books, and reports published by international organizations. The materials were collected through a documentary study and selected purposively based on their authority, relevance to Afghanistan's post-August 2021 economic conditions, direct connection with market and price policies, and availability of verifiable institutional information (Rohman et al., 2024). The collected materials were analyzed using qualitative content analysis, legal interpretation, and policy evaluation. The analysis proceeded by identifying the legal basis, institutional authority, regulatory instruments, target commodities or market practices, and intended welfare outcomes of each policy. These findings were then evaluated according to the Islamic legal criteria of market failure, public necessity, justice, proportionality, prevention of harm, protection of consumers and traders, and the objectives of *ḥifẓ al-nafs* and *ḥifẓ al-māl*. This analytical procedure enables the study to distinguish arbitrary price fixing from legitimate corrective market intervention and to assess the implications of Afghanistan's pricing policies for market fairness and public welfare.

Government Price Intervention and Economic Conditions in Post-2021 Afghanistan

For analytical purposes, Afghanistan's post-2021 pricing policy should not be understood as a single and comprehensive price-fixing regime. The available policy documents instead indicate a combination of market monitoring, customs and tax adjustments, consumer-protection measures, anti-hoarding enforcement, and efforts to facilitate the supply of essential commodities. This distinction is important because direct price determination constitutes *tas'īr* in a narrow sense, whereas measures that improve supply, supervise market conduct, or reduce transaction costs represent broader forms of corrective market regulation.

The political transition of August 2021 fundamentally altered Afghanistan's economic structure and the institutional environment within which markets operated. The reduction of international development assistance, freezing of offshore central-bank assets, loss of access to much of the international banking system, and disruption of financial intermediation caused a sharp decline in aggregate demand, investment, employment, and the delivery of public services. Afghanistan's dependence on imported food, fuel, machinery, and other essential goods also increased its exposure to exchange-rate movements, border disruptions, and external commodity-price shocks (World Bank, 2025).

The economic contraction following the transition was both substantial and prolonged. Afghanistan's real gross domestic product contracted by approximately 20.7% in 2021 and a further 6.2% in 2022 before returning to modest growth of 2.3% in 2023 and an estimated 2.5% in 2024 (World Bank, 2025). Although the return to positive growth indicates a degree of macroeconomic stabilization, the scale of the economy remains considerably smaller than before the political transition, while population growth has absorbed much of the limited improvement in aggregate output. Consequently, the recent recovery has not generated sufficient increases in per capita income, productive employment, or household welfare.

The composition of the recovery also reveals persistent structural weaknesses. Agriculture expanded in 2024 and contributed significantly to overall growth, but manufacturing and services remained constrained by weak investment, limited access to finance, policy uncertainty, and an unfavorable business environment. Private-sector development has also been restricted by the fragility of the banking system, the limited availability of credit, and Afghanistan's continuing financial isolation. These conditions reduce the capacity of producers and traders to respond efficiently to changes in demand and increase the vulnerability of domestic markets to supply disruption (World Bank, 2025).

Price developments during the recovery period must be interpreted carefully. By November 2024, overall consumer prices were approximately 3.8% lower than in the corresponding period of the previous year, while food prices had declined by approximately 7%, primarily because of weak aggregate demand, a relatively strong Afghani, improved agricultural supply, and lower international commodity prices (World Bank, 2024). Nevertheless, falling or stable prices did not necessarily indicate an improvement in living standards because weak household income, unemployment, and limited purchasing power continued to prevent many families from obtaining essential goods. Afghanistan's experience therefore demonstrates that price stability and household affordability are related but analytically distinct conditions.

The decline in inflation should also not obscure Afghanistan's dependence on international trade and imported necessities. Imports increased substantially during 2024, while exports weakened, causing the trade deficit to expand from approximately USD 6.3 billion in 2023 to USD 9.4 billion in 2024 (World Bank, 2025). A strong dependence on imported food, fuel, industrial inputs, and consumer goods means that domestic prices remain vulnerable to border closures, transportation costs, regional political tensions, tariff changes, and exchange-rate volatility. Government intervention in this context must therefore address not only retail

prices but also the supply-side and institutional factors that influence the availability and cost of goods.

Afghanistan's fiscal position further limits the state's ability to protect households through broad subsidies or large-scale social assistance. External grants continued to decline after 2021 and fell by an estimated 17.5% in 2024 compared with the previous year, following an even larger decline in 2023 (World Bank, 2025). The reduction in external support has placed additional pressure on health care, education, social protection, and humanitarian services, while domestic revenue remains insufficient to compensate fully for the loss of international financing. These fiscal constraints make administrative and regulatory measures—such as market supervision, supply facilitation, and targeted tariff adjustments—more feasible than comprehensive and costly price subsidies.

The apparent improvement in selected macroeconomic indicators has therefore not translated into a broad recovery in household welfare. Poverty, unemployment, food insecurity, weak purchasing power, and limited access to financial services continue to affect a substantial proportion of the population. These vulnerabilities are particularly severe among households that depend on informal employment, agricultural income, humanitarian assistance, or imported basic commodities. The persistence of deprivation despite lower inflation confirms that a government pricing policy cannot be evaluated solely through aggregate price indices.

Research on household welfare in Afghanistan reinforces the importance of food production and market accessibility. Ahmadzai and Morrissey (2025) find that crop diversification improves household consumption, food expenditure, and dietary diversity, whereas conflict and economic instability weaken these welfare gains. Their findings demonstrate that food security depends not only on the retail price of commodities but also on agricultural productivity, household income, market access, and resilience to economic and security shocks. Consequently, pricing policies that do not address production, distribution, and livelihood constraints are unlikely to generate sustainable improvements in public welfare.

Institutional quality is equally relevant to the effectiveness of market intervention. Azimi and Shafiq (2020) demonstrate that government effectiveness, regulatory quality, and the rule of law have significant relationships with Afghanistan's economic performance. This finding suggests that market intervention cannot be evaluated merely according to the formal existence of price regulations; attention must also be given to the capacity, transparency, consistency, and accountability of the institutions responsible for implementation. Weak enforcement or discretionary application may create uncertainty, increase transaction costs, and undermine public confidence, even when a policy is formally intended to protect consumers.

The post-2021 economic environment creates a plausible need for corrective government intervention, but it does not justify unrestricted or arbitrary price setting. Market failure in Afghanistan may arise from interrupted supply chains, dependence on imports, asymmetric information, weak competition, hoarding, manipulation of scarcity, and the unequal bargaining position of poor consumers. Legitimate intervention should therefore be directed at identifiable sources of distortion and implemented through proportionate instruments, such as market inspection, disclosure of official or reference prices, prevention of hoarding and collusion, quality and measurement controls, facilitation of essential imports, and targeted protection for vulnerable consumers. Direct price ceilings should be distinguished from these measures and used cautiously because prices fixed below sustainable market costs may discourage supply and create informal markets.

Accordingly, Afghanistan's government intervention should be assessed as a combination of price regulation and broader market governance rather than as a uniform system of compulsory price fixing. Its potential contribution lies in correcting unfair market practices, reducing artificial scarcity, improving access to essential goods, and protecting consumers during severe economic disruption. Nevertheless, price regulation alone cannot overcome structural unemployment, declining aid, weak financial intermediation, limited investment, and persistent household poverty. The effectiveness and Sharia legitimacy of the policy must therefore be evaluated according to its necessity, proportionality, institutional implementation, and capacity to balance market stability with the legitimate interests of traders and consumers.

Characteristics of Afghanistan's Post-2021 Pricing Policy

The economic disruption described above created conditions that increased the risk of market failure and strengthened the need for government intervention. Nevertheless, Afghanistan's post-2021 pricing policy should not be characterized as a comprehensive system of compulsory price fixing. Analysis of available government documents indicates that the policy combines five interrelated instruments: market monitoring, reduction of import-related costs, prevention of market abuse and unsafe goods, consumer protection, and facilitation of trade and commodity supply.

The first characteristic is market monitoring through inspections of wholesale and retail businesses. Official records document inspections of food wholesalers, pharmacies, and food outlets in several provinces to assess compliance with health, licensing, quality, and market requirements (Ministry of Public Health, 2025, 2026). These inspections enable public authorities to identify practices that may disadvantage consumers, including the circulation of

expired goods, non-compliance with product standards, and irregularities in commercial distribution. Although these activities do not necessarily constitute direct price fixing, they strengthen market transparency and provide an institutional basis for supervising the availability, quality, and reasonable pricing of essential commodities.

The second characteristic is the reduction of import-related costs as an indirect instrument of price stabilization. In October 2021, the Ministry of Finance reported that customs duties had been reduced following consultations with a technical team to lower the cost of imported raw materials and commodities in domestic markets (Ministry of Finance, 2021). This measure sought to influence prices through the supply side rather than through the compulsory determination of retail prices. The fiscal framework also provides preferential treatment for basic foodstuffs—including wheat, flour, rice, sugar, cooking oil, tea, potatoes, onions, and salt—demonstrating the government’s recognition of the strategic importance of essential commodities for household welfare.

The third characteristic is the prevention of market abuse and the circulation of expired, counterfeit, or substandard goods. Afghanistan has used inter-agency and provincial inspection mechanisms to remove unsafe products from markets and require imported and domestically produced food items to comply with licensing and laboratory standards. Recent official reports describe the collection and destruction of expired food and beverages and warn businesses that violations of applicable health requirements may lead to legal action (Ministry of Public Health, 2026). These measures protect consumers from physical and financial harm while reducing opportunities for traders to profit from information asymmetry or the scarcity of safe products.

The available documents provide clearer evidence of enforcement against expired and low-quality goods than of specific post-2021 prosecutions for hoarding. Accordingly, anti-hoarding should be treated as a normative objective of market regulation rather than presented as an empirically established enforcement outcome unless additional official records are available. From a policy perspective, however, preventing artificial scarcity, collusive supply restrictions, and the deliberate withholding of essential goods remains relevant because such practices can produce unjustified price increases. This distinction is necessary to prevent the study from making claims that exceed the documentary evidence.

The fourth characteristic is consumer protection as the substantive objective connecting the various regulatory instruments. Market inspections, quality controls, import-cost reductions, and supervision of food distribution are intended to ensure that consumers obtain essential goods that are safe, available, and reasonably affordable. Consumer protection in this context therefore concerns more than the nominal level of prices; it also includes accurate product

information, lawful commercial practices, conformity with quality standards, and protection against exploitation during periods of economic vulnerability. The emphasis on affordable and quality-assured products is reflected in official statements concerning food and pharmaceutical markets (Ministry of Public Health, 2025, 2026).

The fifth characteristic is the facilitation of trade and commodity supply. The government's measures to reduce customs duties, facilitate the purchase and transfer of funds for raw materials, and address administrative obstacles faced by traders indicate that its pricing policy does not rely exclusively on restrictions against private commerce (Ministry of Finance, 2021). Instead, these measures seek to increase the availability of imported goods and reduce the transaction costs that are ultimately reflected in domestic prices. Trade facilitation is particularly important in Afghanistan because essential food, fuel, and industrial inputs remain highly dependent on imports and regional transportation networks.

Taken together, these five characteristics reveal a mixed model of market intervention rather than blanket price control. Market inspection and enforcement against unjustified commercial conduct represent regulatory supervision, while tariff reductions and trade facilitation operate indirectly by increasing supply and reducing import costs. Quality control and consumer protection further address non-price dimensions of market fairness, including product safety, transparency, and lawful trading practices. Afghanistan's post-2021 pricing policy should therefore be analyzed as a combination of direct and indirect regulatory instruments intended to preserve market accessibility and fairness during economic crisis.

This mixed model is analytically significant for the Sharia assessment developed in the following section. Measures that correct information asymmetry, prevent exploitation, facilitate the supply of essential goods, and protect consumers differ substantially from arbitrary state determination of all market prices. Their legitimacy under Islamic economic law must therefore be evaluated individually according to their necessity, proportionality, institutional basis, effects on traders and consumers, and contribution to the prevention of harm and realization of public welfare.

Sharia Assessment of Afghanistan's Pricing Policy

Islamic economic law recognizes market exchange as the primary mechanism through which prices are ordinarily formed. This principle is reflected in the Prophetic report concerning *tas'īr*, in which the Prophet Muhammad declined a request to determine prices when prices increased in Medina, stating that Allah is the One who determines prices and provides sustenance (Abū Dāwūd, Hadith no. 3451; al-Tirmidhī, Hadith no. 1314). The report indicates

that public authorities should not arbitrarily replace market mechanisms when price changes result from ordinary movements in supply and demand and no injustice by market actors has been established.

The Prophetic refusal, however, was not understood by classical jurists as an absolute prohibition against all government intervention. Ibn Taymiyyah distinguished unjust price fixing, which imposes prices without necessity or fairness, from just price regulation, which may become permissible or obligatory when market actors engage in hoarding, collusion, monopoly, fraud, or manipulation that harms the public (Ibn Taymiyyah, 1983). Ibn al-Qayyim similarly maintained that public authority may regulate commercial conduct when intervention is necessary to eliminate injustice, prevent harm, and realize legitimate public interests (Ibn al-Qayyim, 1991).

On this basis, the Sharia legitimacy of government intervention depends not merely on whether the state influences prices but on the conditions, objectives, and methods of that intervention. Legitimate intervention requires an identifiable market failure or public necessity, a proportionate regulatory response, consideration of the interests of both traders and consumers, and the absence of arbitrary administrative coercion. It should also rely on adequate market information, consultation with competent actors, transparent implementation, and mechanisms that prevent regulatory abuse.

Hanafi jurisprudence reinforces the importance of fairness and consultation in price regulation. Al-Marghinani explains that government intervention may be justified when traders impose harmful prices and ordinary judicial or market-supervision mechanisms are no longer sufficient to protect the community, provided that the authority consults persons with commercial knowledge and experience (al-Marghinani, 1411). This requirement demonstrates that *tas'ir* is not merely an exercise of political power but a legal mechanism that must be supported by expertise, evidence, and consideration of actual market conditions.

Afghanistan's post-2021 policy largely reflects a mixed model of market governance rather than comprehensive state determination of all prices. The available evidence indicates that the principal instruments include market inspections, reductions in import-related costs, facilitation of essential commodity supplies, consumer protection, and enforcement against expired or substandard goods. These instruments should not all be classified as *tas'ir* in its narrow sense because several of them influence prices indirectly by correcting supply constraints, information asymmetry, or unfair commercial conduct.

The distinction between direct price fixing and broader corrective regulation is significant under Islamic law. A compulsory price ceiling directly limits the price that traders may charge

and may interfere with voluntary exchange if it is imposed below reasonable production and distribution costs. By contrast, tariff reductions, supply facilitation, quality supervision, and market transparency generally preserve market exchange while addressing institutional or commercial conditions that prevent the market from operating fairly. Afghanistan's indirect measures are therefore more appropriately assessed as corrective market governance consistent with the wider objectives of *ḥisbah* and *siyāsah shar'īyyah*.

Justice constitutes the primary normative basis for this assessment. The Qur'an commands justice and prohibits wrongdoing and oppression in public and private relations (Qur'an 16:90), while also prohibiting the unlawful consumption of another person's property and recognizing trade based on mutual consent (Qur'an 4:29). These principles require the government to protect consumers from exploitation without depriving traders of reasonable profits, lawful property, or the ability to recover legitimate commercial costs.

Afghanistan's reliance on market monitoring and supply-oriented measures indicates an attempt to preserve this balance. Market inspections may prevent unjustified pricing practices, inaccurate measurements, unsafe products, and other forms of commercial misconduct, while import-cost reductions can help traders obtain essential commodities at lower costs. Such policies are closer to the principle of justice when they reduce artificial market barriers without compelling sellers to trade at prices that cause unreasonable loss.

The regulatory role of the state is also consistent with the historical function of *ḥisbah*. The *muḥtasib* was responsible for supervising market practices, ensuring accurate weights and measures, preventing fraud, and protecting the public from exploitative conduct (Islahi, 1988). Contemporary inspections of wholesalers, retailers, food outlets, and product quality can therefore be understood as institutional adaptations of *ḥisbah*, provided that inspections are conducted lawfully, transparently, and without discrimination.

Measures against artificial scarcity are especially relevant to the prohibition of *iḥtikār*. Hoarding becomes legally objectionable when essential goods are deliberately withheld in order to create scarcity, raise prices, and exploit the needs of the public. Nevertheless, the available government documents provide stronger evidence of enforcement against expired and low-quality goods than of specific post-2021 sanctions for hoarding. Accordingly, the prevention of *iḥtikār* should be treated as a relevant normative criterion for evaluating the policy, rather than as an empirically established enforcement achievement.

The prevention of harm also supports corrective intervention during severe economic disruption. The legal maxim *al-ḍarar yuzāl* (الضرر يزال), meaning that harm must be eliminated, authorizes proportionate measures when market practices threaten access to essential goods or

impose unjust burdens on vulnerable groups. Market inspections, reductions in customs duties, supply facilitation, and consumer-protection measures may satisfy this principle when they address identifiable harm and do not generate greater disadvantages, such as supply shortages, informal markets, or the exclusion of small traders.

The same measures may be evaluated through the principle of *maṣlahah*. Public benefit is realized when government policy improves the availability, affordability, safety, and lawful distribution of essential commodities while preserving the legitimate interests of market actors. However, an asserted public interest cannot justify every form of state intervention because *maṣlahah* must be genuine, publicly oriented, proportionate, and consistent with the broader principles of Sharia. Policies that create greater scarcity, impose excessive administrative burdens, or provide opportunities for corruption would contradict the public interest they claim to protect.

Within the framework of *maqāṣid al-sharī'ah*, Afghanistan's pricing policy is particularly relevant to the protection of wealth, or *ḥifẓ al-māl*. Market supervision protects consumers from fraud, defective goods, manipulated scarcity, and unjustified commercial practices that diminish household resources. Reductions in import costs and measures to stabilize essential commodity supplies may also protect purchasing power, although their benefits remain limited when unemployment, declining wages, and weak household income prevent consumers from purchasing even relatively stable-priced goods.

The policy is equally related to the protection of life, or *ḥifẓ al-nafs*. Affordable and reliable access to flour, cooking oil, sugar, medicine, fuel, and other essential goods is indispensable for meeting basic human needs. Government intervention that improves the supply and accessibility of these commodities may therefore contribute to *ḥifẓ al-nafs*, but continuing food insecurity and malnutrition demonstrate that price-related measures alone are insufficient to secure this objective.

A *maqāṣid*-based assessment must consequently distinguish between the immediate regulatory contribution of pricing policy and the broader realization of public welfare. Price stability may reduce one source of household vulnerability, but it cannot independently overcome unemployment, declining international assistance, limited investment, weak financial intermediation, and restrictions on economic participation. The realization of *ḥifẓ al-nafs* and *ḥifẓ al-māl* requires pricing measures to be integrated with employment creation, agricultural support, social protection, financial access, and sustainable economic recovery (Chapra, 2008; Auda, 2008).

Procedural fairness is also necessary for the Sharia legitimacy of market intervention. Government authorities should define the commodities and practices subject to supervision, provide clear standards for inspections and sanctions, and ensure that traders have access to information and procedures for contesting administrative decisions. Without transparency, accountability, and proportional enforcement, even a policy directed toward public welfare may become arbitrary and inconsistent with justice.

Overall, Afghanistan's post-2021 pricing policy is broadly compatible with the principles of *tas'ir*, *hisbah*, and *maqāṣid al-sharī'ah* insofar as it responds to genuine market disruption, protects consumers, facilitates essential supplies, and seeks to prevent exploitative commercial practices. Its strongest Sharia justification lies not in comprehensive price fixing but in corrective and proportionate market regulation directed toward justice, prevention of harm, and protection of life and wealth. Nevertheless, its contribution to public welfare remains conditional on institutional capacity, transparent implementation, protection of legitimate commercial interests, and coordination with wider economic and social policies.

Conclusion

This study finds that Afghanistan's post-2021 pricing policy is not best understood as an arbitrary or comprehensive system of compulsory price fixing. Rather, it operates through a mixed model of corrective market regulation that includes market inspections, reductions in import-related costs, consumer-protection measures, supply facilitation, and efforts to prevent unfair commercial practices. From the perspective of Islamic economic law, these measures are broadly consistent with *tas'ir*, *hisbah*, and *maqāṣid al-sharī'ah* insofar as they respond to genuine market disruption, seek to uphold justice, prevent harm, protect consumers, and preserve access to essential goods. Their strongest Sharia justification lies in their corrective and proportionate character, particularly in relation to *ḥifẓ al-naḥs* and *ḥifẓ al-māl*, rather than in replacing market mechanisms through generalized price controls.

Nevertheless, the contribution of these policies to public welfare remains limited by Afghanistan's broader structural economic conditions, including unemployment, weak household income, declining international assistance, limited investment, fragile financial intermediation, and persistent food insecurity. This study is limited by its reliance on legal documents, government publications, international reports, and secondary literature, as well as by the limited availability of verified implementation data on direct price setting, anti-hoarding enforcement, and the experiences of traders and consumers. Future research should therefore combine legal and policy analysis with field-based evidence, including interviews, market-price

data, household surveys, and comparative studies across provinces or other post-conflict Muslim-majority countries, in order to assess more precisely the implementation, effectiveness, and distributive consequences of Sharia-based market regulation.

Bibliography

- Abū Dāwūd, S. ibn al-A. al-Sijistānī. (2009). *Sunan Abī Dāwūd* (Sh. al-Arna'ūt & M. K. Qarah Balilī, Eds.). Dār al-Risālah al-'Ālamiyyah.
- Ahmadzai, H., & Morrissey, O. (2025). Crop diversification, household welfare and conflict: Afghanistan 2011–2017. *The Journal of Development Studies*, 61(3), 381–399. <https://doi.org/10.1080/00220388.2024.2404576>
- Al-Ghazālī, A. H. M. ibn M. (1993). *Al-Mustashfā min 'ilm al-uṣūl* (M. 'A. al-Shāfī, Ed.). Dār al-Kutub al-'Ilmiyyah.
- Al-Marghinānī, B. al-D. A. ibn A. (1411 AH [1990]). *Al-Hidāyah fī sharḥ Bidāyat al-mubtadī*. Dār al-Kutub al-'Ilmiyyah.
- Al-Shāṭibī, I. ibn M. (1997). *Al-Muwāfaqāt* (A. 'U. Mashhūr ibn Ḥasan Āl Salmān, Ed.). Dār Ibn 'Affān.
- Al-Tirmidhī, M. ibn 'Īsā. (1996). *Al-Jāmi' al-kabīr* (B. 'A. Ma'rūf, Ed.). Dār al-Gharb al-Islāmī.
- Amaglobeli, D., Gu, M., Hanedar, E., Hong, G. H., & Thévenot, C. (2023). *Policy responses to high energy and food prices* (IMF Working Paper No. 23/74). International Monetary Fund. <https://doi.org/10.5089/9798400237768.001>
- Auda, J. (2008). *Maqasid al-Shariah as philosophy of Islamic law: A systems approach*. International Institute of Islamic Thought.
- Azimi, M. N., & Shafiq, M. M. (2020). Hypothesizing directional causality between the governance indicators and economic growth: The case of Afghanistan. *Future Business Journal*, 6, Article 35. <https://doi.org/10.1186/s43093-020-00039-4>
- Chapra, M. U. (2008). *The Islamic vision of development in the light of maqasid al-Shariah*. Islamic Research and Training Institute.
- De Hoyos, R. E., & Medvedev, D. (2011). Poverty effects of higher food prices: A global perspective. *Review of Development Economics*, 15(3), 387–402. <https://doi.org/10.1111/j.1467-9361.2011.00615.x>
- D'Souza, A., & Jolliffe, D. (2012). Rising food prices and coping strategies: Household-level evidence from Afghanistan. *The Journal of Development Studies*, 48(2), 282–299. <https://doi.org/10.1080/00220388.2011.635422>
- Food and Agriculture Organization of the United Nations, International Fund for Agricultural Development, United Nations Children's Fund, World Food Programme, & World Health Organization. (2024). *The state of food security and nutrition in the world 2024: Financing to end hunger, food insecurity and malnutrition in all its forms*. Food and Agriculture Organization of the United Nations. <https://doi.org/10.4060/cd1254en>
- Food and Agriculture Organization of the United Nations, International Fund for Agricultural Development, United Nations Children's Fund, World Food Programme, & World Health Organization. (2025). *The state of food security and nutrition in the world 2025:*

- Addressing high food price inflation for food security and nutrition*. Food and Agriculture Organization of the United Nations. <https://doi.org/10.4060/cd6008en>
- Guénette, J.-D. (2020). *Price controls: Good intentions, bad outcomes* (Policy Research Working Paper No. 9212). World Bank. <https://doi.org/10.1596/1813-9450-9212>
- Hassanzoy, N., Petrick, M., & Teuber, R. (2025). Patterns of rural and urban food insecurity in Afghanistan after August 2021. *Food Security*, 17(5), 1099–1117. <https://doi.org/10.1007/s12571-025-01586-w>
- Headey, D. D. (2016). The impact of food prices on poverty and food security. *Annual Review of Resource Economics*, 8, 269–289. <https://doi.org/10.1146/annurev-resource-100815-095303>
- Ibn al-Qayyim al-Jawziyyah, M. ibn A. B. (1991). *Al-ṭuruq al-ḥukmiyyah fī al-siyāsah al-shar‘iyyah*. Dār al-Kutub al-‘Ilmiyyah.
- Ibn Taymiyyah, A. ibn ‘A. al-Ḥ. (1983). *Al-ḥisbah fī al-Islām*. Dār al-Kutub al-‘Ilmiyyah.
- Integrated Food Security Phase Classification. (2025). *Afghanistan: Acute food insecurity situation for September–October 2024 and projection for November 2024–March 2025*. https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Afghanistan_Acute_Food_Insec_Sept2024_Mar2025_Report.pdf
- Islahi, A. A. (1988). *Economic concepts of Ibn Taimiyah*. The Islamic Foundation.
- Ivanic, M., & Martin, W. (2008). Implications of higher global food prices for poverty in low-income countries. *Agricultural Economics*, 39(S1), 405–416. <https://doi.org/10.1111/j.1574-0862.2008.00347.x>
- Kamali, M. H. (2008). *Maqasid al-Shari‘ah made simple*. International Institute of Islamic Thought.
- Laborde, D., Lakatos, C., & Martin, W. (2019). *Poverty impact of food price shocks and policies* (Policy Research Working Paper No. 8724). World Bank. <https://doi.org/10.1596/1813-9450-8724>
- Lederman, D., & Porto, G. (2016). The price is not always right: On the impacts of commodity prices on households and countries. *The World Bank Research Observer*, 31(1), 168–197.
- Mankiw, N. G. (2021). *Principles of economics* (9th ed.). Cengage Learning.
- Martin, W., & Ivanic, M. (2016). Food price changes, price insulation, and their impacts on global and domestic poverty. In M. Kalkuhl, J. von Braun, & M. Torero (Eds.), *Food price volatility and its implications for food security and policy* (pp. 101–113). Springer. https://doi.org/10.1007/978-3-319-28201-5_5
- Ministry of Finance of Afghanistan. (2021, October 27). *Lowering customs duties increased national revenue and reduced the raw material prices in the markets*. <https://mof.gov.af/index.php/en/lowering-customs-duties-increased-national-revenue-and-reduced-raw-material-prices-markets>
- Ministry of Public Health of Afghanistan. (2025a, February 5). *Nangarhar Public Health Directorate inspects pharmacies*. <https://moph.gov.af/index.php/en/nangarhar-public-health-directorate-inspects-pharmacies>
- Ministry of Public Health of Afghanistan. (2025b, November 10). *Inspections conducted across pharmacies and food outlets in Nangarhar and Balkh provinces*.

<https://www.moph.gov.af/index.php/en/inspections-conducted-across-pharmacies-and-food-outlets-nangarhar-and-balkh-provinces>

- Ministry of Public Health of Afghanistan. (2025c, December 14). *Public Health Minister meets pharmaceutical sector representatives to ensure affordable and quality medicines*. <https://moph.gov.af/en/public-health-minister-meets-pharmaceutical-sector-representatives-ensure-affordable-and-quality>
- Ministry of Public Health of Afghanistan. (2026, May 11). *Inspection conducted at several food wholesalers in Herat Province*. <https://moph.gov.af/en/inspection-conducted-several-food-wholesalers-herat-province>
- Oskorouchi, H. R., & Sousa-Poza, A. (2021). Floods, food security, and coping strategies: Evidence from Afghanistan. *Agricultural Economics*, 52(1), 123–140. <https://doi.org/10.1111/agec.12610>
- Opwis, F. (2010). *Maṣlaḥa and the purpose of the law: Islamic discourse on legal change from the 4th/10th to 8th/14th century*. Brill.
- Rohman, M. M., Mu'minin, N., Mas'ud, M. I., & Elihami, E. (2024). Methodological reasoning finds law using normative studies: Theory, approach, and analysis of legal materials. *MAQASIDI: Jurnal Syariah dan Hukum*, 4(2), 204–221. <https://doi.org/10.47498/maqasidi.v4i2.3379>
- Saif-Nijat, J., Pakravan-Charvadeh, M. R., Gholamrezai, S., Rahimian, M., Lane, G., Béland, D., Koc, M., Clark, N., Omidvar, N., Sadeghi, R., & Vatanparast, H. (2023). The association of the quality of life with Afghan households' food insecurity before and after the recent political change in Afghanistan: A comparative analysis. *BMC Public Health*, 23, Article 2066. <https://doi.org/10.1186/s12889-023-16967-z>
- Shafiq, M., & Wafayezada, M. Q. (2023). The causal impact of the Taliban's insurgency and return to power on economic well-being in Afghanistan. *The Review of Faith & International Affairs*, 21(3), 86–102. <https://doi.org/10.1080/15570274.2023.2235828>
- Stiglitz, J. E. (1989). Markets, market failures, and development. *American Economic Review*, 79(2), 197–203.
- United Nations Development Programme. (2022). *Afghanistan since August 2021: A socio-economic snapshot*. <https://www.undp.org/publications/afghanistan-august-2021-socio-economic-snapshot>
- United Nations Development Programme. (2023). *Afghanistan socio-economic outlook 2023*. <https://www.undp.org/afghanistan/publications/afghanistan-socio-economic-outlook-2023>
- United Nations Development Programme. (2025). *Afghanistan socio-economic review 2024: Fragile gains, deepening subsistence insecurity*. <https://www.undp.org/afghanistan/publications/afghanistan-socio-economic-review>
- Warr, P. (2008). World food prices and poverty incidence in a food-exporting country: A multihousehold general equilibrium analysis for Thailand. *Agricultural Economics*, 39(S1), 525–537. <https://doi.org/10.1111/j.1574-0862.2008.00357.x>
- World Bank. (2024a). *Afghanistan development update: Navigating challenges—Confronting economic recession and deflation*. <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099100824080039148>

- World Bank. (2024b). *Afghanistan economic monitor: December 2024*.
<https://thedocs.worldbank.org/en/doc/ea11494745938f54198beb3a75057f07-0310012025/original/Afghanistan-Economic-Monitor-December-2024.pdf>
- World Bank. (2025a). *Afghanistan development update: April 2025*.
<https://thedocs.worldbank.org/en/doc/777eab7b5ab9802aa3535f1e73fa1456-0310012025/original/Afghanistan-Development-Update-April-2025.pdf>
- World Bank. (2025b). *Afghanistan economic monitor: April 2025*.
<https://thedocs.worldbank.org/en/doc/87f2e826e5f4b93d6bf0557f06cb7d09-0310012025/original/Afghanistan-Economic-Monitor-April-2025.pdf>
- World Bank. (2025c). *Afghanistan poverty and equity brief: April 2025*.
<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099721104222535712>
- World Food Programme. (2024). *Afghanistan food security update 2024: Second quarter*.
<https://www.wfp.org/publications/afghanistan-mvam-household-food-security-survey>