

Criminal Protection of Public Decency in Bahraini and Saudi Legislation

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Abstract: Public decency is a term circulating among members of society expressing concepts that stem from social and cultural goals and backgrounds that vary according to place and time. The competent authorities in the Kingdom of Bahrain have been keen to criminalize acts contrary to public decency and have enacted Public Hygiene Law No. 10 of 2019 to maintain the cleanliness of the Kingdom, improve people's feelings and decency, respecting the rights of others, taking into consideration their feelings, reducing infringement by word or deed on what can harm people's decency, and so that personal freedom is disciplinable. However, there

are miscellaneous texts related to public decency governed by the Environmental Law No. 7 of 2022, the Traffic Law No. 23 of 2014, and the Building Regulation Law No. 13 of 1977, as amended, and others. In addition to what is stipulated in the Penal Code, and this is the same direction taken by the Saudi regulator, but more closely to the meaning of public decency, as a special regulation was organized for this under the name of the Public decency Regulation.

Keywords: Public Decency, Public Order, Public Hygiene, Public Tranquility, Criminal Policy.

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I. Introduction

Public taste can be described as a common assessment of behaviours and actions, deciding their moral or ethical value. Given that public taste is influenced by human experience, culture, the level of civilisation, the sense of responsibility, and the need for cooperation and tranquillity, it can be argued that public taste varies across time and place. In administrative law, the elements of public order include public security, tranquillity, health, and morality. Accepting that public taste and public order are interchangeable makes these elements essential components of public taste. In a broader sense, public taste can be seen as the static aspect of societal life, akin to a "portrait," whereas public order represents its dynamic aspect—two sides of the same coin. For instance, a public park is a common space for legal enjoyment, a concept safeguarded by law through penal sanctions for anyone who engages in activities such as public urination or littering. Adherence to such legal restrictions through refraining from such acts is a physical expression of public taste. In instances of contraventions, the law stipulates the application of sanctions or their equivalent, issuing a direct communication that such conduct is socially unacceptable and must be desisted to uphold public taste and, consequently, public health. Adherence to the legal code—embodied in legislative commands and prohibitions—thus reflects social awareness (public taste) regarding the necessity of security, health, tranquillity, and public morality, shaping interaction within society by universally accepted standards of beauty and decency. A review of the existing legislation reveals that there is a fragmented legal framework for the protection of public taste, with relevant provisions scattered across a multitude of laws. Some regulations are included in the Penal Code. In contrast, others are included in specialised legislative areas, such as the Public Cleanliness Law, the Public Health Law, the Traffic Law, and the Environmental Law. Additionally, certain criminalisation provisions are stipulated in executive decrees and administrative instructions issued under legislative authority. Despite their proliferation, these scattered legislative provisions indicate the extent to which public taste is subject to threats and violations. Recent studies underscore the importance of continuously reviewing legal provisions to ensure their compatibility with contemporary developments, thereby promoting justice and effective social regulation¹. Some legislative provisions remain unenforced due to deficiencies in the expertise of enforcement authorities, while others suffer from a lack of diligence on the part of administrative regulatory bodies. This institutional indifference is mirrored by segments of the populace, where diminished ethical inclinations lead individuals to exploit opportunities for legal violations. Furthermore, the enforcement of some laws is hindered by societal passivity, as

¹ Al-Otaibi, M. (2022). The substantive rules of public decency violations in the Saudi legal system. *Journal of the Faculty of Sharia and Law in Assiut*, 34(4), 242-301. <https://doi.org/10.21608/jfsu.2021.108145.1023>

individuals often fail to intervene when witnessing infractions, a phenomenon stemming from a weakened sense of responsibility toward communal welfare. Preserving public taste requires creating a supportive social environment, which is a key goal of social progress. Control of environmental elements that impact human behaviour is paramount in virtuous character development, as the environment assumes a fundamental role in moulding individuals. A nation's strength and cultural wealth are directly related to the morality of the nation; where morality collapses, all else collapses. This is aptly captured in the verse: "Morals sustain nations; once morals perish, nations do too." Regulatory institutions must therefore recognize that they are guardians of society, and as such, they should ensure that individuals engage with their environment in a socially healthy manner. This can be attained through two broad mechanisms:

1. A formal legal framework anchored in statutory deterrents.
2. An informal approach wherein regulatory officials serve as exemplars of discipline, inspiring societal adherence to standards of conduct.

Through these dual mechanisms, it becomes possible to delineate appropriate social behavior, fostering a harmonious and respectful public sphere that elevates public taste. Traditionally, Islamic teachings hold up traditions and values consistent with human nature, rejecting others that are not in conformity with it. Social relations between communities are founded upon prevailing customs and values, with Islam embracing praiseworthy traditions and rejecting detrimental ones. Public taste is socially relevant, with individuals encouraged to conform to its standards to avoid society's blame. A distinction is made between individuals of refined taste—eliciting admiration and respect—and others who are devoid of such sensibilities, becoming targets of revulsion and blame. Public taste, therefore, is a praiseworthy human trait, manifesting itself in good behavior and polite treatment of others, and eliciting praise and respect from them. Crimes against public taste, while morally objectionable but not legally defined offenses in Islamic law, incur social criticism and disapproval more than legal sanction. This serves to underscore the need to have clear and comprehensible legal codes to regulate such conduct, so that public compliance and adherence become more straightforward. Codifying such offences and prescribing penalties aligns with the principles of Islamic governance, recognising that individuals are unlikely to abstain from violations of public taste—or morality at large—without appropriate punitive measures. Without enforcement, legal directives remain ineffective. As the adage states, "He who fears no punishment behaves without restraint." The imposition of sanctions lends credibility and authority to legal norms, serving as both a deterrent and a corrective measure. Furthermore, prior knowledge of the criminalisation of specific conduct legitimises the corresponding penalties, consistent with the principle of legality in criminal law. Therefore, it is important to present regulations containing the content

of Islamic teachings as a form of preventive and repressive measures for all forms of crime and deviant behaviour. Islamic teachings are considered the substance, as they support parents in aiding children's activities and also support the government in carrying out its duties and responsibilities in social affairs². Likewise, the concept of public taste is a variable legal and social phenomenon influenced by the specificities of place and time, necessitating its framing within relative standards shaped by diverse societal and cultural circumstances. Researchers in this field have examined the relationship between social standards and legal legislation, emphasizing that the multidimensional understanding of public taste requires an in-depth study of the impact of context on the evaluation of actions, writings, and styles of dress³.

1. Research Objective

This study aims to provide insight into the Bahraini authorities' attempts to criminalise behaviour that contravenes public taste. The Kingdom of Bahrain has enacted Public Cleanliness Law No. 10 of 2019 to maintain national cleanliness, refine public sensibilities, respect people's rights, and minimise offending behaviour, thereby ensuring that personal freedoms are responsibly exercised. Nevertheless, other provisions of law that deal with public taste can be traced in Environmental Law No. 7 of 2022, Traffic Law No. 23 of 2014, and the amended Building Regulation Law No. 13 of 1977, in addition to the Penal Code. Similarly, the Saudi legislator has adopted the same approach, yet more explicitly dealing with public taste, by issuing a separate regulatory framework known as the Public Taste Regulations.

2. Research Significance

The significance of this study lies in addressing the Bahraini and Saudi legislators' criminal policy in safeguarding public taste in its sensory, auditory, and visual dimensions. There should be an organised system that enhances responsibility in society to ensure public health, security, and tranquillity, and to give full legal protection to the public environment in its various dimensions.

3. Research Methodology

The descriptive-analytical approach is employed in this study because it is the most suitable method for examining the positions of Bahraini and Saudi legislatures

² Abdussamad, Z., & Achir, N. (2020). The Islamic Taste in Laws and Regulations Establishment: Case of Gorontalo Province, Indonesia. *Law Research Review Quarterly*, 6(1), 1-8. <https://doi.org/10.15294/lrrq.v6i1.36703>

³ Al-Qahtani, M. (2020). *Criminal liability for violating the public decency law in the Kingdom of Saudi Arabia: A comparative study* [Naif Arab University for Security Sciences]. <https://repository.nauss.edu.sa/handle/123456789/66695>

regarding the concerned legislation, specifically the Public Cleanliness Law and the Public Taste Regulations.

4. Research Problem

This study highlights how the legal systems in Bahrain and Saudi Arabia deal with public taste violations and promote moral and aesthetic values in society. The existence of dispersed legal provisions related to public taste in different laws raises questions about whether such laws are fulfilling their purpose. Furthermore, the efficiency of the enforcement mechanisms is questionable, as inconsistency in enforcement and gaps in legal deterrents may undermine efforts to protect public taste. This study aims to analyse how Bahraini and Saudi Arabian legislators regulate public taste, evaluating the strengths and weaknesses of their legal systems and their societal implications.

II. The Concept of Public Decorum

"Public decorum" is a widely used term that reflects social and cultural norms varying with time and place. The fundamentals of public decorum in one society, requiring moral conduct, may not apply universally. Therefore, public decorum encompasses concepts that may differ from one individual to another and from one society to another. However, this variation does not preclude the establishment of specific standards and definitions for this term, which can serve as a unified benchmark regardless of time or place. This chapter seeks to clarify the nature of public decorum by dividing it into three sections. The first section addresses the concept of public decorum, the second focuses on the legislative purposes of criminal protection for public decorum, and the third and final section examines the Islamic legal objectives of public decorum in Sharia.

1. The Concept of Public Decorum

Communities across different eras and regions have preserved the sanctity and aesthetic value of decorum, which is considered a cornerstone in the literature of the art of adornment among nations. They have upheld their consideration in measurements, colours, and formalities, and have established specific traditional norms for occasions of grief and sorrow, as well as for celebrations and joys. They have designated specific attire for homes and private spaces, and other attire for formal occasions such as receiving dignitaries and honouring guests. Communities have always maintained shared values of attire and standards of decorum that respect the customs, traditions, and particularities of their societies, especially during significant occasions and revered days. These meanings, and others similar to them, explain the term "decorum," even if dictionaries do not define it in this

manner, which aligns with what people commonly understand. Therefore, when someone exemplifies these qualities, they are often described as having decorum⁴.

Linguistically, "decorum" (ذوق) is derived from the verb "ذوق" (to taste), meaning to recognise something through the tongue. It refers to the etiquette of behaviour that requires knowing what is appropriate or suitable in a given social situation. A person lacking decorum is rough in their interactions, while public decorum represents the collective human experiences through which individuals interpret their senses and perceptions. It is a trait acquired through practice and experience until one develops a sense of beauty, i.e., the ability to penetrate the depths of a work of art and establish an emotional connection between the artwork and the viewer. Aesthetic appreciation is the feeling of the aesthetic aspects in a work of art⁵. Therefore, from a linguistic perspective, "decorum" is derived from "ذوق" (to taste), and the taste of something refers to its flavour. It is said, "The taste of something is pleasant," meaning its flavour is good.

In the Quran, regarding sensory taste, Allah says: "Taste [this] – indeed, you are the mighty, the noble" (Quran, *Surah Ad-Dukhan* 44:49). This verse refers to pouring scalding water over the head of the arrogant, and the angels say to him, "Taste this punishment," which he feels. In verse 56 of the same chapter, Allah explains that believers will only experience the first death in the world, and they will be spared from the punishment of Hellfire.

In Surah An-Naba, Allah says: "They will not taste therein [any] coolness or drink except scalding water and [foul] purulence" (Quran, *Surah An-Naba'*, Verses 23-24). This means that in Hell, they will not taste anything cool to relieve them from its heat or any drink to quench their thirst, except scalding water and the pus of the people of Hell. From these verses, it is understood that the essence of decorum is "perception," perception through the senses. In the Encyclopedia of Islamic Terms (known as Kashaf Istilahat al-Funun), a quote from the commentary on Al-Mutawwal in the explanation of the introduction to At-Talkhis states: "Decorum is a perceptive faculty specialized in perceiving the subtleties of taste, the flavor and nature of things, sounds, smells, and visual perceptions through the senses. Just as decorum can be sensory, it can also be metaphorical, as when one says, 'What has befallen you of hardship, you have tasted it.' Thus, decorum can symbolize a natural inclination toward beauty, as in discussions of urban planning, streets, and public gardens. It can also symbolize an undesirable meaning that repels nature, as in the Prophet's saying (peace be upon him): 'Indeed, Allah does not love every man who is a taster, nor every woman who is a taster'". This refers to

⁴ Venus, m. A. (2020). Islamic Arab taste during the Abbasid era. *Journal of Education and Scientific Studies*, 1(16). <https://www.iraqoj.net/iasj/article/178407>

⁵ Richter, J. D. (2021). Writing with reddiquette: Networked agonism and structured deliberation in networked communities. *Computers and Composition*, 59, 102627. <https://doi.org/10.1016/j.compcom.2021.102627>

a type of spouse who, whenever they marry, quickly turn their eyes to others⁶. One would not be mistaken in saying that public decorum represents a "general judgment" on things and patterns of behavior, i.e., describing something or behavior as good or bad, right or wrong. Public decorum is shaped by human experience, culture, civilization, responsibility, and societal needs, leading to variations across different locations and eras. Public decorum, being a customary concept, can be described as public order, in which case it acquires an official, i.e., legal, status. Administrative law jurisprudence has identified the elements of public order as public security, public tranquility, public health, and public morals. If we accept the idea that public decorum and public order are synonymous, then the elements above become the elements of public decorum. To put it another way, public decorum represents the static aspect of societal life (a tableau), while public order represents the dynamic aspect—two sides of the same coin. A public park is a place for innocent or lawful enjoyment, a beautiful image protected by law, such as threatening punishment for those who urinate or litter in it. Observing this punitive rule and refraining from urinating or littering in streets, squares, or public parks is a vivid example of public decorum. If such actions occur, the law must be applied by imposing penalties or their equivalent, sending a clear message to draw people's attention to the rejection of such behaviour and the necessity of adhering to legal rules to avoid punishment, thereby protecting public decorum in the form of safeguarding public health. Thus, acting by the totality of legal rules, as expressed in the legislator's directives in the forms of commands and prohibitions, reveals social consciousness (public decorum) regarding the importance of security, health, comfort, and public morals, and how this consciousness interacts with beauty in social relationships and nature according to ordinary or customary perceptions⁷.

The Saudi Public Decorum Regulations define public decorum as: A set of behaviors and etiquettes that express the values, principles, and identity of society according to the foundations and components stipulated in the Basic Law of Governance. Thus, decorum is a term that carries within it meanings of kindness, good manners, refinement, proper conduct, and the avoidance of actions that cause embarrassment or hurt feelings, whether through words, gestures, or the like. It is one of the broadest gates of etiquette and ethics. The importance of public decorum lies in its representation of good character, which is exemplified by courteous behavior, respect for others, and adherence to ethical standards. Consequently, it serves as the foundation for refined social relationships among people. When sound decorum prevails in a society, every individual within it avoids actions or words that might offend or hurt the feelings of others, whether through speech, actions,

⁶ Jorgensen, E. R. (2021). *Values and music education*. Indiana University Press. <https://shorturl.at/ozsU5>

⁷ Grassi, P., & Cognetti, F. (2024). Role and Meaning of Public Space: Findings From the Margins of Milan. *Space and Culture*, 27(4), 580-594. <https://doi.org/10.1177/12063312231161199>

gestures, or anything contrary to sound decorum. Preserving decorum fosters affection and harmony among people, as the manner of interaction significantly influences social relationships. As it is said, "Religion is conduct." Thus, whoever treats people kindly and does not transgress against them, whether in word or deed, is a complete Muslim. Moreover, decorum refines human behaviour and actions, cultivating high morals and a refined ethical sense. A person with sound decorum is polite in speech, elegant in behaviour and appearance, and considerate in their interactions with others. This undoubtedly creates an ideal society where social relationships and genuine affection among community members are strengthened. Public decorum is a mirror of a society's morals and a sign of its advancement and civilization. It reflects the entrenchment of human values and society's commitment to social relationships. Furthermore, the progress, prosperity, and strength of nations are built on ethics and the system of values within society.

Key aspects of public decorum include respecting others, politeness, avoiding rudeness, maintaining personal and public hygiene, speaking calmly, refraining from bullying, seeking permission before entering homes, greeting with a smile, respecting privacy, following public etiquette, dressing appropriately, and showing consideration for cultural differences⁸. Additionally, the reasons for establishing public decorum regulations can be summarized in three points:

1. Moral reasons: Good morals represent an authentic Islamic behavior that every Muslim should strive to uphold in their interactions with others, respecting their sensibilities without directly or indirectly violating them.
2. Social reasons: These involve preserving the values, customs, and traditions prevalent in society. Society typically shuns those with poor morals and praises those with good decorum for their kind manners and refined interactions.
3. Regulatory (legal) reasons: Addressing individuals who offend public decorum through their actions requires imposing deterrent measures to prevent misconduct and violations of others' sensibilities. The existence of a law regulating this deters people from transgressing against it. As the saying goes, "Whoever is immune from punishment behaves poorly." Therefore, it is necessary to enforce compliance through the power of law.

2. The Legislative Objectives of Criminal Protection of Public Taste

The role of the legislator in different societies is to provide legal protection for rights and interests deemed worthy of such protection. The legislator selects the interests that are of significant importance, warranting intervention for their safeguarding. This matter is left to the legislator's discretion based on the criminal

⁸ Funk, T. M. (2023). Rethinking Culpability and Wrongdoing (in the Criminal Law-And Everyday Life). *U. Cin. L. Rev.*, 92, 1080. <https://scholarship.law.uc.edu/uclr/vol92/iss4/12>

policy of the society. Since interests often vary and sometimes conflict, the legislator must balance these interests, ensuring that sacrificing one for another is justified. Therefore, legal protection is granted based on the importance of the interest at stake. Acts committed in violation of protective legal provisions constitute an infringement upon an interest that satisfies a material or moral human need. The legislator's objective in protecting these interests is not merely to safeguard individuals as such, but rather because they exist within a particular society. As a result, unlawful acts that undermine or threaten interests with harm are criminalised. In contrast, lawful conduct that does not compromise or endanger such interests is not subject to prohibition or criminalisation⁹. The systems governing a particular society establish its legal rules based on the values and interests of that society. These rules evolve in response to various indicators, as society follows a specific model to protect itself and its members from aggression, whether through destruction or threats. An attack on an individual's interest is also an attack on society, as it disrupts stability, security, and public tranquillity. The legislator, therefore, selects interests of special social significance, based on a philosophy of criminalisation, and provides legal protection for them through specific legal provisions. Any violation of these interests warrants criminalisation to safeguard interests that are of such importance that they merit legislative protection¹⁰. The interests targeted for protection in such offences are public, meaning that the legislator aims to shield these public interests from potential harm, necessitating the criminalisation of any hazardous conduct that might endanger them. The legislator's objective in protecting these interests is not solely for the benefit of individuals but because they exist within a society. Hence, unlawful acts that undermine or threaten these interests are criminalised, while lawful conduct that does not pose such a threat remains outside the scope of criminal law. The legislator selects socially significant interests based on the prevailing philosophy of criminalisation and extends protection through legal provisions, ensuring that any violation of these interests warrants criminalisation¹¹. The ultimate goal is to protect vital interests that justify legislative intervention. The elements of public taste that the legislator seeks to protect through the criminalisation of certain acts are fourfold:

2.1. *Public Tranquility*

Public authorities responsible for administrative enforcement must maintain peace in public streets and places during both daytime and nighttime. This is

⁹ Tarras-Wahlberg, H., & Southalan, J. (2022). Mining and indigenous rights in Sweden: what is at stake and the role for legislation. *Mineral Economics*, 35(2), 239-252. <https://doi.org/10.1007/s13563-021-00280-5>

¹⁰ Gould, J. S. (2021). The Law of Legislative Representation. *Virginia Law Review*, 107(4), 765-843. <https://www.jstor.org/stable/27135587>

¹¹ Ssenyonjo, M. (2024). Judicial Imposition of the Death Penalty and Corporal Punishment in Iran and Saudi Arabia for Unlawful Consensual Sexual Relations under Shari'a: A Human Rights Critique. *International Human Rights Law Review*, 13(2), 265-312. <https://doi.org/10.1163/22131035-13020005>

achieved by taking necessary measures to prevent individuals from being subjected to disturbances and to shield them from disruptive noise that impedes their rest. Such noise may stem from sources like children's games, bells, loudspeakers, vehicle horns, factory operations, festive celebrations, street vendors, beggars, and stray dogs¹². The preservation of public tranquility as a fundamental component of the concept of order necessitates adopting police and preventive measures to eliminate sources of noise that threaten public peace. This includes restricting the use of loudspeakers, regulating radio usage, and imposing limits on vehicle horns in designated areas. Public tranquility represents the right to quietude in public spaces, ensuring people are protected from excessive noise and disturbances that may affect their well-being. The law intervenes to maintain public order whenever such tranquillity is jeopardised.

The protection of public tranquility is based on several considerations:

1. The human right to a life free from excessive noise and disturbances is a constitutional right that the state must guarantee.
2. Noise pollution is a recognized form of environmental pollution, both scientifically and legally.
3. Individuals have a fundamental right to live in a pollution-free environment.
4. Ensuring public tranquility benefits both the state and its citizens.

2.2. *Public Security*

Public security generally refers to the assurance of personal and financial safety from crimes and other dangers, whether natural or human-induced. The Quran, in Surah Quraysh, links security from hunger with security from fear: "Let them worship the Lord of this House, who has fed them, [saving them] from hunger and made them safe from fear." Without security, life cannot function properly. Security differs from safety in that security is a general state maintained by public authorities through crime prevention, health measures, economic development, and education, enabling individuals to overcome life's difficulties. While security is an objective condition observable by all, safety is a subjective perception that varies among individuals. The legislator is tasked with protecting public security by criminalising acts that threaten it¹³.

2.3. *Public Health*

Public health protection involves safeguarding citizens from dangers that could harm their health, such as epidemics, contagious diseases, pollution, industrial

¹² Zayats, D., Serohina, N., Bashtannyk, O., Akimova, L., Akimov, O., & Mazalov, A. (2024). Economic aspects of public administration and local Government in the context of ensuring national security. <http://dx.doi.org/10.46852/0424-2513.3.2024.23>

¹³ Meerts, C. (2021). Security: concepts and definitions. In *Encyclopedia of security and emergency management* (pp. 865-867). Springer. https://doi.org/10.1007/978-3-319-70488-3_94

emissions, and waste disposal. These risks necessitate preventive measures to control their spread or mitigate their effects. Effective collaboration between administrative bodies is crucial to preserving public health, which is an essential human and social requirement. Societies strive to achieve this goal through preventive and therapeutic means, ensuring that all individuals enjoy adequate health protection. Public health measures include disease prevention, sanitation, waste management, and pollution control. Environmental pollution in any of its forms—land, water, or air—poses a significant threat to human health, necessitating strict measures to combat it¹⁴. Improving public health, improving the level of community health status, and preserving the health of the population are among the major priorities assigned by the Government¹⁵. Furthermore, “Environmental problems for all human societies and official and international bodies, due to the negative effects that environmental problems cause on the deterioration of public health and the spread of many diseases, as they cause the problem of environmental pollution, radioactive pollution, water and food pollution, and many other types of pollution”.

2.4. *Public Morality*

Public morality, within certain limits, falls under the objectives of administrative enforcement. French administrative jurisprudence has debated the scope of public order, with some scholars limiting it to tangible, material order, while others argue for the inclusion of moral order. The French Council of State has recently expanded the interpretation of public order to encompass not only material order but also moral order. Public morals, which is the minimum values that, if not adhered to, lead to the collapse of the moral order in society, and consequently to the collapse of the material system in the state¹⁶. It has upheld bans on publications and films that depict crimes, scandals, and obscene content, justifying such restrictions because moral disturbances lead to material disruptions threatening public security and tranquility¹⁷.

Public taste, as an extension of public order, involves tangible external expressions rather than mere subjective moral concerns. The law and administrative authorities intervene only to uphold fundamental social values

¹⁴ DeSalvo, K., Hughes, B., Bassett, M., Benjamin, G., Fraser, M., Galea, S., & Gracia, J. N. (2021). Public health COVID-19 impact assessment: lessons learned and compelling needs. *NAM perspectives*, 2021, 10.31478/202104c. <https://doi.org/10.31478/202104c>

¹⁵ AbdulRaheem, Y. (2023). Unveiling the significance and challenges of integrating prevention levels in healthcare practice. *Journal of primary care & community health*, 14, 21501319231186500. <https://doi.org/10.1177/21501319231186500>

¹⁶ Sitompul, A., & Hasibuan, P. (2021). The Morality of Law Enforcement Agencies (Police, Prosecutor's Office, KPK) in Money Laundering With the Origin of the Corruption. *European Science Review*(9-10), 55-63. <https://doi.org/10.29013/ESR-21-9.10-55-63>

¹⁷ Moritz, J. (2021). Bahrain's transnational Arab Spring: repression, oil and human rights activism. *International Affairs*, 97(4), 965-983. <https://doi.org/10.1093/ia/iaab088>

whose violation would disrupt public order. The concept of public morality as an extension of public order has been reinforced through administrative measures aimed at preserving societal values, provided that such measures address tangible acts rather than abstract moral principles¹⁸. Hence, the legislator's primary objective in enacting criminal protection for public taste is to safeguard human senses from offensive sights, disturbing noises, unpleasant odors, harmful textures, and adverse tastes. The human senses were bestowed for beneficial use, and individuals have the right to experience aesthetically pleasing environments, free from pollution, noise, and other sensory disturbances. Public order measures should encompass environmental aesthetics, auditory comfort, olfactory purity, and overall public health. As such, maintaining public taste is a societal necessity, reinforcing the principle that public decency is an essential aspect of daily life and a matter of legal and social significance.

3. The Legal Purposes of Public Decorum in Islamic Sharia

Islam came to regulate, manage, and elevate life. It represents a complete way of life, and ethics are a fundamental characteristic of Islam. Indeed, one of the core missions of the Prophet Muhammad's (peace be upon him) message was to perfect and complete moral conduct. Ethics constitute a cornerstone in the life of individuals and communities, serving as an essential human necessity for the well-being of societies. Without ethics, humans become like wolves preying on one another, making it impossible to establish a sound social life. Decorum is an integral part of a Muslim's ethics. In Islam, decorum is a symbol of the religion and a call to all that is good, beautiful, and robust in human relationships. Through decorum, souls find comfort, love and tranquility increase, and the burdens and sorrows of the afflicted and those with troubled hearts are alleviated. Decorum resolves complex problems, enabling people to win over others' hearts. Through decorum, envy, hatred, and malice are eradicated among Muslims, and souls find peace, experiencing only beauty, happiness, and tangible solidarity among people. Allah says: "*And indeed, you are of a great moral character.*" (Qur'an 68:4). Thus, decorum in Islam is a symbol of the religion and the true motivator for solid ethics, calling for all that is good, beautiful, and robust in human relationships. Through it, souls find comfort, love and tranquility increase, and people attain pure hearts. Through decorum, envy, hatred, and malice are absent among Muslims, and souls find peace, experiencing only beauty, happiness, and tangible solidarity among people. Therefore, decorum, according to Sharia standards, can be defined as a moral value based on legitimate textual foundations or what falls under them

¹⁸ Yesilkagit, K., Bauer, M., Peters, B. G., & Pierre, J. (2024). The Guardian State: Strengthening the public service against democratic backsliding. *Public Administration Review*, 84(3), 414-425. <https://doi.org/10.1111/puar.13808>

without contradiction. Public social decorum is an issue of moral value that encompasses matters justified by shared motives and elements tied to legal evidence to regulate human relationships in society. Jurists strive to achieve a society based on decorum, as it leads to the moderation that Allah approves.

Allah says: “*Take what is given freely, enjoin what is good, and turn away from the ignorant*” (Qur'an 7:199).

The phrase “*enjoin what is good*” refers to every good trait that is approved by reason and brings peace to the soul. For this reason, many rulings are based on regulated customs.

Allah also says: “*You are the best nation produced for mankind. You enjoin what is right, forbid what is wrong, and believe in Allah*” (Qur'an 3:110).

The terms “*what is right*” and “*what is wrong*” are general and comprehensive. This verse indicates that the excellence of this nation will continue until the Day of Judgment, and it is commanded to uphold all that is right and to forbid all that is wrong, whether explicitly mentioned or not.

The Prophet Muhammad (peace be upon him) said: “*You will meet your brothers, so improve your attire and prepare your mounts so that you appear as a mark of distinction among people.*

Indeed, Allah does not like obscenity or immodesty”. This hadith demonstrates the importance of maintaining decorum in appearance and behaviour when meeting others, emphasising the significance of attire and presentation to achieve a distinguished and commendable presence. One of the manifestations of public decorum is the achievement of psychological security through moral values. The Prophet Muhammad (peace be upon him) employed various methods, including his words, actions, and Quranic teachings, to instil Islamic values in Muslims, nurture them, and ensure their growth. He did not rely on a single method for all situations but chose the most appropriate approach for each context, sometimes employing multiple methods in a single situation as needed. Emulating the Prophet (peace be upon him) is one of the most important ways to learn these values. An individual may struggle with a sense of security due to various reasons, such as the failure to fulfil personal needs, inability to achieve self-actualisation, lack of self-confidence, feelings of social inadequacy, social anxiety, stress, fear of failure, inability to enjoy life, and improper socialisation methods. Psychological security encompasses physical, social, emotional, and mental aspects of an individual's personality. It is positively correlated with social security and mental health, representing freedom from fear and a state of reassurance about one's health and future, as well as confidence in others and one's social standing¹⁹. Psychological security for an

¹⁹ Lazorko, O., Koval, S., Olena, H., Shkrabiuk, V., Kulesha-Liubinets, M., & Bihun, N. (2021). Psychological Security of the Individual as a Functional Component of Professional Activity. *BRAIN. Broad Research in Artificial Intelligence and Neuroscience*, 12(4), 455-473. <https://doi.org/10.18662/brain/12.4/259>

individual is not limited to a single aspect of their personality; rather, it encompasses physical, social, emotional, and mental dimensions. Psychological security, social security, and mental health are positively correlated. Psychological security refers to an individual's freedom from fear, attainment of reassurance regarding their health and future, and a sense of confidence in others and their social status²⁰. For example, the environment in which a person lives, including their surroundings, is closely linked to their life and well-being. Therefore, Islamic teachings and legislation emphasise the importance of maintaining cleanliness, purity, and the removal of anything harmful from these spaces. Islam prohibits polluting public spaces with waste, filth, or foul odours and encourages organisation, cleanliness, and aesthetic beauty to ensure comfort and safety. Public spaces where people frequently gather, such as homes, places of worship, educational institutions, workplaces, markets, streets, public parks, forums, public squares, event venues, and transportation hubs, require special attention to health and safety. Streets, for instance, are pathways used by people for travel and leisure, where they may walk, sit, or wait for transportation. Islamic Sharia emphasises the importance of maintaining the health and safety of streets, ensuring the removal of obstacles, and protecting pedestrians. The Prophet (peace be upon him) stated that removing harm from the road is a branch of faith, as it reflects a characteristic of belief.

In a hadith narrated by Muslim, Abu Huraira (may Allah be pleased with him) reported that the Prophet (peace be upon him) said: “*Faith has over seventy branches, the highest of which is the declaration of ‘There is no god but Allah,’ and the lowest is removing harm from the road. Modesty is also a branch of faith.*”.

Harm refers to anything that causes injury, such as stones, thorns, or similar obstacles. Air pollution and climate change have a significant impact on human health and well-being and contribute to the onset and aggravation of allergic rhinitis and asthma among other chronic respiratory diseases²¹. Jurists have established rulings on liability for those who cause harm by placing obstacles in public pathways. For example, if a person places a stone on a public road and someone trips over it, resulting in death, the person who placed the stone is liable for the blood money (diyah) and must also perform expiation (kaffarah). This ruling also applies to those who install barriers or speed bumps without proper notification, making them liable for any harm caused to unsuspecting individuals. Since violations of public decorum are actions contrary to ethics, and Islamic Sharia does

²⁰ Gu, W., Chen, X., Zhang, R., & Zhang, W. (2021). The effect of emotional leadership and job security on employees' mental health. *Social Behavior and Personality: an international journal*, 49(12), 1-13. <https://doi.org/10.2224/sbp.10801>

²¹ Eguiluz-Gracia, I., Mathioudakis, A. G., Bartel, S., Vijverberg, S. J., Fuentes, E., Comberiati, P., Cai, Y. S., Tomazic, P. V., Diamant, Z., & Vestbo, J. (2020). The need for clean air: the way air pollution and climate change affect allergic rhinitis and asthma. *Allergy*, 75(9), 2170-2184. <https://doi.org/10.1111/all.14177>

not prescribe specific penalties for such actions as they are not considered criminal offenses, the perpetrators are often met with disapproval, blame, and disdain. This has necessitated the establishment of clear and well-defined legal frameworks to facilitate understanding, adherence, and compliance by the public. This includes criminalizing such actions and imposing penalties on violators, as people are unlikely to refrain from actions contrary to decorum and ethics without appropriate consequences. Without punishment, commands and prohibitions would be meaningless. As the saying goes, "*Whoever is immune from punishment behaves poorly.*" Punishment gives commands and prohibitions their respected and understood meaning, serving as a deterrent before the act and a corrective measure afterward. Prior knowledge of the criminalization of an action lends legitimacy to its punishment, a principle known in criminal law as the legality of crimes and punishments²².

III. The Foundations of Criminal Protection for Public Decorum

Having explored the nature and concept of public decorum in the first chapter, it is now necessary to clarify the legislative foundations that establish criminal protection for it. This will be the focus of the second chapter, which is divided into three sections. The first section addresses the relationship between public decorum and public tranquility, the second examines the connection between public decorum and public cleanliness, and the third discusses the relationship between public decorum and aesthetic appearance.

1. *Public Decorum and Public Tranquility*

Environment, through natural and urban landscapes, is an innate and obvious factor in shaping individual and collective aesthetic taste by having an impact on one's stance and specified criteria on the elements of beauty. It forms a taste for one colour over another, for example, calming blues in natural landscapes, while forming a different set of values for meaning, connotation, and truths based on cultural influences. Such a value system assists in shaping one's perception and definition of symmetry, elegance, beauty, and originality, which further constitute another element of forming aesthetic values. Aristotle encapsulated this theory by bridging the gap between life and art, stating that artists draw their awareness from life to reflect the truths and beauty of nature. Environment, being everything perceived by human senses, including the sounds of nature and the texture of landscapes, is the external factor that influences artists and, therefore, is reflected in their work. Noise is one of the environmental pollution aspects that individuals often encounter in the environment. The problem of noise has been exacerbated in

²² Herring, J. (2021). *Criminal law: The basics*. Routledge. <https://doi.org/10.4324/9781003118831>

modern times due to urbanization and technological advancement in highly populated cities²³. Noise pollution has become a characteristic of modern existence and a cause of unhappiness for a vast majority of people, either at home, in the workplace, or crowded public areas. Humans are presently faced with an environmental phenomenon that threatens their well-being, recently termed "noise pollution." It is one of many types of environmental pollution, characterised by its harmful effect on human physical and mental health, other living organisms, and even non-living objects. The issue has been magnified over time, particularly in highly populated areas such as locations in the proximity of highways, industrial zones, principal roads, transportation terminals, and construction sites. This has raised physical and mental health problems for many. The term "noise" defines unwanted sound that leads to physiological and psychological harm to living things over short or long periods. Noise consists of sensory stimuli that humans perceive as inputs to their bodily systems. Loud sounds significantly impact human life and, consequently, mental health. The dangers of noise extend beyond annoyance and disturbance, potentially causing damage to the ears and leading to hearing loss. It also affects the nervous system, irritating brain cells and negatively impacting various bodily functions, such as increased heart rate and digestive contractions, which can lead to chronic conditions like hypertension, elevated blood sugar levels, heart disease, and stroke. - Several types of noise pollution have been identified, including:

1. **Transportation Noise:** Caused by vehicles, such as:

- Road and street noise from wheel movement, primarily from cars, trucks, and motorcycles during engine operation, gear changes, braking, tire friction, or horn use.

- Railway noise (trains).

- Aircraft noise, which particularly affects those living near airports. Although aircraft have become quieter, the increase in their numbers has necessitated more airports, exacerbating noise pollution, especially at night when people seek quiet.

2. **Social Noise:** This type of noise tops the list and originates from various sources, such as personal or religious celebrations.

3. **Industrial Noise:** Generated by factories or workplaces. The intensity varies depending on the industry—pharmaceutical factories, for example, produce much less noise than metalworking factories. Proximity to residential areas also affects the impact of industrial noise, which directly harms factory workers and nearby residents.

Protecting public tranquility from noise is a crucial legal protection within the

²³ Hemmat, W., Hesam, A. M., & Atifnigar, H. (2023). Exploring noise pollution, causes, effects, and mitigation strategies: a review paper. *European Journal of Theoretical and Applied Sciences*, 1(5), 995-1005. [https://doi.org/10.59324/ejtas.2023.1\(5\).86](https://doi.org/10.59324/ejtas.2023.1(5).86)

realm of public order. Public tranquility is a key objective of administrative regulation, and authorities strive to safeguard it through preventive and remedial measures. Administrative protection is both preventive and corrective, as authorities do not merely respond to harm after it occurs but also take proactive steps to prevent or mitigate damage. Given that noise is a significant and dangerous environmental pollutant that threatens both the environment and human health, maintaining environmental balance and safeguarding public tranquility from noise is essential. Criminal legislators intervene to criminalise actions that contribute to or exacerbate noise pollution, empowering judicial and investigative authorities to take appropriate measures against offenders if administrative measures fail to prevent such actions. This underscores the importance of legal enforcement through criminalisation and punishment. For instance, Saudi legislators have addressed this issue in the Public Decorum Regulations by penalising various violations, such as playing loud music in residential areas without prior approval

"The act is punished with a fine of 500 Riyals if committed for the first time, and 1000 Riyals if committed for the second time", playing music during prayer times or the call to prayer *"The act is punished with a fine of 1000 Riyals if committed for the first time, and 2000 Riyals if committed for the second time"*, lighting fires in public parks and spaces outside designated areas *"The act is punished with a fine of 100 Riyals if committed for the first time, and 200 Riyals if committed for the second time"*, and using harmful lighting like lasers in public spaces, which may harm or frighten individuals or endanger them *"The act is punished with a fine of 100 Riyals if committed for the first time, and 200 Riyals if committed for the second time."* Similarly, Bahraini legislators, while not explicitly addressing these actions in the Public Cleanliness Law, have incorporated relevant provisions in other laws. Article 43 of the Environmental Law No. 7 of 2022 states: "All individuals and projects must, when engaging in production, service, or other activities—especially when operating machinery, equipment, vehicles, or using alarms and loudspeakers—adhere to permissible noise levels and durations as determined by the Council." Additionally, Article 39, Paragraphs 12 and 17 of the Traffic Law No. 23 of 2014 penalize: "12. Using alarms in violation of established regulations. 17. Operating a vehicle on public roads that emits disturbing noises, excessive smoke, foul odors, or spills flammable, harmful, or road-damaging materials, or drops objects that endanger or harm road users."

2. Between Public Taste and Public Hygiene

Public hygiene is an expression used in various ways. Still, it can be understood as a structured approach to enable individuals to take necessary measures to prevent diseases related to water contamination and sanitation. It represents the health condition that individuals aspire to achieve in both their private and public lives. Maintaining Public hygiene within residential neighbourhoods and main roads is crucial as it represents a collective responsibility to preserve the aesthetic,

environmental, and cultural appearance of various areas and cities. Instilling hygiene habits in the younger generation is essential and should be nurtured and maintained from an early age. Active public participation is crucial as, without it, the efforts made by relevant authorities in countries will be in vain. Daily, we witness individuals discarding various types of waste from their cars or as pedestrians without the slightest concern that such unsightly actions distort the general appearance of streets or residential areas²⁴. Despite the criminalisation of many actions contrary to public hygiene practices and the imposition of penalties, the phenomenon of unsanitary actions persists. This highlights the role of individuals in environmental preservation, as their efforts are no less important than those of the responsible authorities. Public hygiene should be ingrained as a way of life, and every guardian or head of household should prioritise maintaining the cleanliness of their city and its streets, just as they do with their home.

Public health and public hygiene are closely intertwined, with the promotion of public health being closely linked to public hygiene. Promoting public hygiene is more focused than promoting health, as it aims to reduce disease rates, ultimately preventing illnesses and deaths resulting from poor public hygiene practices. For example, good public hygiene practices are promoted when people can consume safe water, use adequate amounts for personal and household hygiene, and safely dispose of their solid and liquid waste. Therefore, promoting hygiene is a systematic, planned approach aimed at enabling individuals to act in ways that ensure a positive impact of water, sanitation, and hygiene facilities and services on health. This approach also boosts participation, accountability, and monitoring by underscoring the significance of active listening, dialogue, and discussion. Household hygiene, food safety, and personal hygiene are complementary elements of sanitation and are linked to health education concerns and broader community concerns. Emphasising the importance of clear and specific participatory programs that promote hygiene on the ground is essential for the effectiveness of water and sanitation activities. The Bahraini legislator has demonstrated significant interest in public hygiene by enacting a specific law, known as the Public Hygiene Law, under Law No. 10 of 2019. This law prohibits the disposal, abandonment, sorting, or treatment of any waste specified in the law in non-designated areas “Article 2 of the Public Cleanliness Law”. It also penalizes spitting on the ground, discarding chewed materials, relieving oneself, and leaving trash or cigarette butts in non-designated areas. Additionally, it prohibits washing cars or vehicles in a manner that causes water to flow onto streets, pathways, or alleys “Article 3 of the Public Cleanliness Law”. Article 6 obligates property owners and occupants to maintain

²⁴ Ghabayen, F., ALBashtawy, M., Abdelkader, R. H., Jarrah, S., Eshah, N., Abdalrahim, A., Saifan, A., Alkhawaldeh, A., Rayan, A., & Ayed, A. (2023). Knowledge and Compliance With Standard Precautions Among Nurses. *SAGE open nursing*, 9, 23779608231189966. <https://doi.org/10.1177/23779608231189966>

the cleanliness of the courtyards, passages, and airshafts of these properties, and mandates the relevant municipality to enforce this obligation. Article 7 specifically prohibits leaving abandoned vehicles, scrap metal, and junk on streets and sidewalks, imposing fines ranging from 50 to 300 dinars for such actions. The law also equates the penalties for natural and legal persons if violations are committed in their name and for their benefit. Article 13 In cases of repeat offences, the court may order the closure of the premises where the violation occurred for up to 30 days.

The Saudi legislator, on the other hand, has prohibited certain actions that harm public hygiene, such as spitting and disposing of waste in non-designated areas, imposing fines of 500 riyals for the first offence and 1,000 riyals for repeat offences. It also imposes fines ranging from 100 to 200 riyals on those who fail to remove pet waste. This is the natural person criminally responsible for their conduct, meaning their liability arises when their behavior results in harm or endangers the environment. Other natural persons may also participate in committing the material elements of environmental crimes, whether through agreement and understanding among them (a moral link) or without it. In such cases, the criminal responsibility of each is determined based on their contribution to the material elements, provided they lead to the prohibited criminal outcome. If it is impossible to determine the contribution of each person to the outcome, all individuals involved are considered criminally responsible for the actions. In this context, French jurisprudence has criminalised the actions of four factories that discharged harmful substances into a river, regardless of whether the pollution was caused by one of them. These harmful or hygiene-violating actions are categorised as endangerment crimes, which do not necessitate proving a specific outcome to establish criminal liability. The accountability for environmental crimes, whether as a principal offender or an accomplice, is not contingent on proving actual material harm. It is adequate to demonstrate that the behaviour in question posed a risk to public hygiene and, by extension, the environment. In essence, the perpetrator incurs criminal liability based on the prohibited behaviour without the requirement to demonstrate actual harm to public hygiene elements; the mere commission of the prohibited behaviour is sufficient to establish liability.

3. Public Taste and Aesthetic Appearance

The environment, through natural landscapes and urban cityscapes, is an integral and apparent factor in shaping individual and collective aesthetic taste by influencing one's perspective and defined standards on the elements of beauty. It forms a taste for certain colours over others, for example, calming blues in natural landscapes, while forming a distinct system of values for meanings, connotations, and truths based on cultural influences. This system of values assists in shaping

one's perception and definition of symmetry, elegance, beauty, and originality, which further constitute another element of forming aesthetic values. Aristotle encapsulated this theory by bridging the gap between art and life, claiming that artists take their awareness from life to depict the truths and beauty of nature. The environment, being everything perceived by human senses, including the sounds of nature and the texture of landscapes, constitutes the external influence that impacts artists and is therefore depicted in their work. It comprises social settings like communities, geographical elements such as mountains, and natural settings like forests and rivers. In its natural sense, the environment includes all surrounding elements such as buildings, gardens, and landscapes²⁵. Aesthetic appreciation of nature is a shared human trait and an intrinsic skill ingrained in the core of cognitive faculties. The relationship with nature should not be one of dominance but rather a way of life—a harmonious interaction with an entity that existed before humanity and will persist beyond it. This perspective aligns with environmental aesthetics, a relatively recent philosophical aesthetic discipline that emerged within analytic aesthetics in the final third of the twentieth century. It arose as a reaction to traditional aesthetics focused on analytical imitation in art philosophy, seeking instead to explore the aesthetic appreciation of natural environments. This inquiry extends beyond environmental aesthetics to encompass the aesthetics of daily life²⁶. Urban aesthetics, intertwined with the cityscape, represents humanity's imposition on nature, as cities epitomise human constructs opposing natural landscapes. Human intervention in nature initially aimed at securing shelter for safety, giving rise to the architectural arts. Environmental architecture, which considers surrounding environmental conditions, constitutes a vital aspect of environmental aesthetics. With technological advancements and increased global communication, employment opportunities and improved living conditions no longer solely drive populations to urban areas; factors like connectivity and access to information also play significant roles²⁷. Growing awareness of environmental impacts on inhabitants has significantly influenced the pursuit of new locations, even temporarily, to escape urban pollution, which adversely affects residents' health and overall well-being, leading to increased respiratory illnesses and mental health concerns. Consequently, the concept of sustainable environmental architecture, or green architecture, has emerged. This architectural approach primarily relies on natural construction materials like bamboo, reclaimed wood, and recycled metal that harmonize with the surrounding environment, ensuring no harmful effects on occupants' health. Additionally, it emphasizes designs that cater to diverse

²⁵ Zheng, X., Guo, S., & Heath, T. (2023). Directing reused industrial heritage to public taste: The case of 1933 Old Millfun, Shanghai. *Sustainability*, 15(18), 13728. <https://doi.org/10.3390/su151813728>

²⁶ Brady, E., & Prior, J. (2020). Environmental aesthetics: A synthetic review. *People and Nature*, 2(2), 254-266. <https://doi.org/10.1002/pan3.10089>

²⁷ Barbeau, E., Blanchard, E., Qişin, L., & Almeida, V. S. (2022). Queer Fragmentation and Trans Urban Aesthetics from Cyberpunk to Cottagecore. *Glocalism*(1). <https://doi.org/10.12893/gjcp.2022.1.4>

demographic needs, including the elderly, youth, women, children, and individuals with disabilities. This architectural philosophy aligns with the requirements and preferences of its users²⁸.

A complementary aspect of urban beauty, which contributes to aesthetic appreciation, involves waste management. Proper handling of waste prevents the defacement of aesthetic values that should be visually and olfactorily pleasing while engaging the intellect. Legislative frameworks have been established to safeguard aesthetic principles through specific urban and construction standards mandated by administrative and municipal authorities. These regulations extend to waste disposal management, ensuring that urban aesthetics remain preserved through consistent architectural harmony. Public aesthetic order encompasses the seamless integration of buildings, streets, and roads within a unified architectural style adhering to urban planning regulations. It represents one of the modern objectives of administrative regulatory authorities, who are responsible for issuing construction permits, conducting aesthetic inspections, and ensuring compliance with aesthetic guidelines to uphold public aesthetic order. The concept of public aesthetic order is closely linked to environmental public order. Some legal scholars even merge the two under the term "environmental aesthetic public order," emphasizing the need to protect urban beauty from human-inflicted environmental degradation, particularly in light of industrial advancements. The extensive environmental and aesthetic pollution resulting from industrial progress, such as air pollution from factories and visual degradation from industrial structures, justifies administrative authorities' intervention to safeguard the aesthetic appeal of cities and their natural surroundings²⁹. Another significant aspect of aesthetic taste pertains to clothing. Since aesthetic taste constitutes a fundamental element of attire appreciation across cultures, societies throughout history have upheld this virtue with great reverence. They have maintained specific traditions concerning attire's size, color, and design, distinguishing garments for mourning and joyous occasions, domestic wear, and attire designated for receiving dignitaries and esteemed guests. Societies have consistently preserved shared values regarding clothing, ensuring that aesthetic standards align with local customs, traditions, and etiquette in various events and celebrated days.

IV. Conclusion

Upon completing this study, titled "Criminal Protection of Public Taste in

²⁸ Galmarini, B., Costa, P., & Chiesi, L. (2022). Natural building materials and social representations in informal settlements: how perceptions of bamboo interfere with sustainable, affordable, and quality housing. *Sustainability*, 14(19), 12252. <https://doi.org/10.3390/su141912252>

²⁹ Bandola-Gill, J., Grek, S., & Ronzani, M. (2021). Beyond winners and losers: Ranking visualizations as alignment devices in global public policy. In *Worlds of rankings* (pp. 27-52). Emerald Publishing Limited. <https://doi.org/10.1108/S0733-558X20210000074027>

Bahraini and Saudi Legislation," several findings and recommendations have been reached:

1. *Findings*

1. The Saudi legislator acted prudently by enacting a specialised public taste regulation that delineates specific offences and corresponding penalties. This initiative represents a modern and commendable approach to a long-standing concept that instils a sense of responsibility—public taste.
2. Public taste varies according to time and place. While it is inherently a customary notion, it may be regarded as public order, thereby acquiring an official legal status.
3. The legislative objective behind criminalizing actions that infringe upon public taste aims to protect four fundamental elements: public tranquility, public decency, public health, and public security.
4. The primary goal of legislating criminal protection for public taste is to shield human senses from offensive visual, auditory, olfactory, tactile, and gustatory disturbances. The Creator endowed these senses for their intended beneficial use.
5. Noise pollution constitutes an environmental pollutant to which individuals are frequently exposed. In contemporary society, noise pollution has evolved into a significant environmental hazard threatening human well-being.
6. The environment plays a pivotal role in shaping both individual and collective aesthetic taste, influencing personal and societal perceptions of beauty.
7. Legislative measures have been implemented to uphold aesthetic values through regulated urban planning and waste management. Public aesthetic order is achieved through architectural cohesion and compliance with urban development laws.

2. *Recommendations*

1. The Bahraini legislator is encouraged to enact an independent public taste law, similar to Saudi legislation, to serve as a legally binding document outlining offenses that compromise public taste.
2. Saudi and Bahraini legislators are advised to consolidate public taste-related offenses into a unified legal framework to prevent legislative fragmentation and ensure comprehensive regulation.

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