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The Struggle over Religious Edicts in Saudi Arabia

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EXECUTIVE SUMMARY: *Lacking popular legitimacy conferred by the consent of the governed, the Saudi Royal Family relies on religious legitimacy from the clerics. Yet it must also control these clerics in order to keep religion in check and ensure that the clergy continues to provide this essential legitimacy. Recently, the Saudi Royals have moved to control the issuance of fatwas (religious edicts), restricting them to those appointed by the family as members of the Council of Senior Ulama. But the proliferation of media makes such control difficult, and it remains to be seen whether or not the regime can really stem the tide of independent, and very often problematic, fatwas.*

Introduction

The recent announcement of a major US arms sale to Saudi Arabia has again brought the conservative oil kingdom into the spotlight. But Saudi Arabia is more than a story about oil and arms. The country has a fascinating history of struggle between religion and state that has gone on for more than 200 years.

On August 12, King Abdallah bin Abd al-Aziz of Saudi Arabia issued a Royal Decree banning fatwas (religious pronouncements) from anyone not authorized by the government. The edict garnered little attention in the international press, but those familiar with the course of Saudi history took notice: had the Saudi royal family, the Al Saud, finally brought Wahhabism under the complete control of the state?

Religion and State in Saudi Arabia

Saudi Arabia is the most religiously-oriented of the Islamic states. It is based on an 18th-century alliance between the Al Saud and the family of an itinerant preacher, Muhammad bin Abd al-Wahhab. It was a classic connection between temporal and religious authority, between sword and scripture.

This relationship, however, has had its ups and downs. While the general rule has been that the clerical class supported the decisions of the ruling family, not everything is rubber stamped. Intense bargaining between the men of religion and the men of state has often preceded modernization steps.

While modern states have centralized, Saudi Arabia's tribalistic values prevail. For over 100 years, the Al Saud have struggled – successfully, to a large extent – to centralize the government against the decentralizing ethos that characterized Arabia's tribal society. A combination of religion, charisma, military prowess and, eventually, oil revenues has helped centralize the government. But pockets of resistance remain, the clerics being one of these pockets.

Historically, the relationship between clerics and the Al Saud has been one of give and take. For example, in response to acquiescence to modernization in areas such as women's education, the government gave in to the clerics and allowed them substantial free reign within the education system.

A huge clerical apparatus was established in order to provide hundreds of thousands of jobs for the clerics and their supporters. For example, Islamic propagation overseas was handed over to the clerics; much of the funding for such activities, it may be noted, found its way to Islamic terrorism. In exchange, the clerics were expected to give religious approval to government actions, primarily in the field of education and the justice system, both of which developed to a great extent outside of Shari'a law. Most of the religious establishment was thus co-opted.

However, just because the state appoints an official clerical class that provides approbation to the government does not mean that all clerics accept this situation. There have always been Wahhabi clerics who moved outside of establishment circles and rejected the compromises made by the government's clerics. They represent the tribalistic ethos – the rejection of centralization. And of course, there are also clerics who move in both circles.

While at one time the issuance of unofficial *fatwas* by such dissenting clerics might have gone unnoticed, the proliferation of new media channels such as satellite TV and the Internet has provided an easy platform for anyone to make declarations about anything. Any cleric in Saudi Arabia who considers himself worth his clerical salt has a website to carry his public pronouncements.

The government knows it has a problem on its hands. In October 2007, the General Presidency for Scientific Research and Religious Edicts set up a website to broadcast official fatwas in the wake of several fatwas urging Saudis to fight the government or join al-Qaida in Iraq.

King Abdallah's Edict

King Abdallah has also been outraged by fatwas condemning gender mixing and the newly established – and eponymous – King Abdallah University of Science and Technology. For instance, Sheikh Abd al-Rahman al-Barrak, a well-known extremist who does not hold an official position, issued a fatwa decrying gender mixing. He said: "Whoever allows this mixing allows forbidden things, and whoever allows them is an infidel and this means defection from Islam. Either he retracts or he must be killed, because he disavows Islam and does not observe Islamic law." Several senior clerics, including the General Mufti, Sheikh Abd al-Aziz Al Shaykh, argued against the ultra conservative affirmations.

In June, the General Mufti announced on al-Majd TV that unqualified persons issuing fatwas would be stopped, and in early August demanded that all fatwas be referred to the Ministry of Religious Affairs or the General Presidency for Scientific Research and Religious Edicts.

The General Mufti, who headed the country's religious establishment, was trying to bring all fatwa givers under the official Wahhabi-Saudi tent. On August 12, 2010, King Abdallah did just that, in an extensive Royal Decree.

The text of the decree is instructive, for it is all about asserting the state's monopoly over religion. Couched as a missive to the General Mufti, Abdallah wrote that independent fatwa givers were impersonating scholars for the sake of personal advancement, and in doing so harmed the public interest. He stated that this was an era of institutions that regulated worldly affairs, including religion. He continued:

> The State, praise God, since its founding, on the basis of Islam, has established Shari'a organizations with powers known to all, and has performed its obligations in this respect. However, we see that there are those who have belittled this role, encroach upon the powers of the institutions, and bypass the laws of the state.... This is something that has to be dealt with firmly, and restored to the right path. These people have to be made to understand the great role undertaken by our Shari'a institutions, and have to be taught not to insult these institutions.... What these people do is an implicit call to weaken the status of these institutions, and an attempt to rise at the expense of the reputation of the institutions and the reputation of the Shari'a qualified scholars that manage these institutions. Our institutions ought to be aware of this, and to deprive anyone who dares to violate their Shari'a and organizations domain, and harm their members, who are the scholars and protectors of Shari'a, of the opportunity to do so.

Abdallah closed by instructing the General Mufti to

> ...restrict the issuing of fatwas to members of the Senior Ulama Council, and to inform us who is capable and to report to us about whoever you consider to be qualified and completely capable to undertake the issuing of fatwas in order to allow them to do so in our selection of the chairmanship and membership of the Senior Ulema Council, the Standing Committee of Religious Research and Fatwa, and those whom we permit to issue fatwas…. Anyone who violates this arrangement exposes himself to accountability and deterrent Sharia punishment.

Conclusion

Will the government actually enforce its decree? It is still too early to tell, but the daily radio program "Fatwas on Air" has been cancelled. When the Saudi Panda supermarket chain announced that it would begin to employ female cashiers on a pilot basis in one of its Jeddah branches, Sheikh Yusuf al-Ahmad called on television for a boycott of Panda. The Office of the General Mufti took him to task, ordering him to halt the issuing of unauthorized fatwas. It was later reported that he had agreed not to issue fatwas without the General Mufti's approval, although his fatwa had its intended effect and forced the chain to fire its female cashiers.

In a surprise move on November 2, the General Mufti himself issued a fatwa forbidding women to work as cashiers in stores. It appears that at least in this case, despite King Abdallah's liberalizing tendencies, the conservatives had won the day.

Without popular legitimacy conferred by the consent of the governed, the Saudi Royal Family can rely only on religious legitimacy. It must control religion in order to keep it in check and make sure that it continues to provide this essential legitimacy. Fatwas must therefore be confined to those appointed by the family as members of the Council of Senior Ulama. But the proliferation of media has made this more difficult, and it remains to be seen whether or not the regime can really stem the tide of independent fatwas.

The King's decree amounts to a rousing affirmation of the state over independent religious initiatives. But it symbolizes a dilemma that is not likely to be resolved soon.

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