How Saudi Political Orthodoxy Was Redefined:

Challenges and Expansions of Al Saud's Authority During and After the 1991 Gulf War, 1990-1992

by

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ABSTRACT

Following the 1991 Gulf War, the ruling royal family of Saudi Arabia constrained the religious establishment by remapping the hierarchy of authority in the kingdom legally, conceptually, and historically. Ṣaddām Ḥusayn's invasion of Kuwait in 1990 constituted an unprecedented crisis in Saudi politics which contributed to the religious establishment questioning the political legitimacy of the ruling royal family, Al Saud. The elite religious establishment, or *ulamā*, publicly challenged the legitimacy of Al Saud's unchecked authority when they composed the 1991 Letter of Demands. After the war, I suggest that ruling elites set out to change the basis of their political legitimacy by redefining the religiopolitical orthodoxy which governs their relationship with the religious establishment. I propose that the 1992 Basic Law of Governance—the first positive legal charter for the Kingdom of Saudi Arabia—expands the authority of the King while offering the appearance of constraining the exercise of political authority.

In this thesis, I analyze the ways in which the text of the Letter of Demands and the Basic Law of Governance offer disparate visions of orthodox Islamic governance according to the Saudi tradition. I hypothesize that the text of the Letter of Demands, as well as the circumstances surrounding its production, involved a reassertion of authority by the elite religious establishment in religious spaces. I suggest that, in response, the Basic Law of Governance expanded the authority of the King and delivered an alternative vision of Saudi orthoprax governance.

I propose that Al Saud, according to the Basic Law, are the ultimate arbiters of legality. I contemplate some of the ways that expanding their authority was part of a larger project undertaken by the royal family after the 1991 Gulf War to redefine Saudi

religiopolitical orthodoxy. Finally, I offer a meditation on the idea that the project undertaken by Al Saud to redefine Saudi religiopolitical orthodoxy necessitated reformulating the historical narrative of the kingdom's origin and policy in the twentieth century.

I am interested in historical instances where political authorities instrumentalize cultural forms, including historical narratives and religious discourses, to legitimize their own interests, consolidate power, and maintain hegemony. A desire to contemplate this history, along with being born on a US Air Force base in Saudi Arabia, compelled me to undertake graduate study and this thesis. Graduate research in religious studies has helped me think about and understand the history and anthropology of this phenomenon, which some religious studies scholars call "epistemic violence."

In this thesis, I set out to contemplate the epistemic relationship between sociopolitical inflection and diachronic changes to Islamic concepts. In other words, how do Islamic concepts, and the practices they underlie, change over time and in response to moments of social and political crisis? This is where I imagine my work broadly contributing to Religious Studies as a field. The instrumentalization of religiocultural discourses in order to articulate new modes of state and subject formation is a vital topic of inquiry. I aspire that my work can contribute to this tertiary dialogue by showcasing one historical instance where religious concepts and historical narratives were instrumentalized to legitimize elite interests, consolidate monopolistic political power, and maintain social, political, and cultural forms of hegemony. My aim is to use these narratives about epistemic violence to trouble the power dynamics that get reproduced in Euro-North American knowledge produced about the Global South.

DEDICATION

This thesis is dedicated to my North Star, Shelby. Thank you for believing in me in a way no one else has, and for loving me in a way I didn't know was possible.

And, to former and current political prisoners in the kingdom, as well as those in exile.

Your resistance matters.

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Many faculty members were vital in shaping my thinking as a graduate student and consequently my identity as a scholar. First, I would like to thank Professor Shahla Talebi, my closest advisor and committee chair. Under her supervision, I explored recent work in the anthropology of religion which became the foundation for my understanding of the anthropology of Islam. More than that, Professor Talebi has been a mentor and guide in navigating the production of my thesis and generously helped me begin charting my path in academia.

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I am grateful to Professor Shamara Wyllie Alhassan for opening me up to critical methodologies and decolonial praxis. Professor Alhassan is a caring guide for thinking through the ways historical narratives are coopted by political powers to serve multi-faceted agenda. I thank Professor Alhassan for helping me understand the necessity of turning inward before undertaking any research question, and for her care and attention when advising my academic career. Thank you for helping me understand what it means to center the messiness.

All three members of my thesis committee, as well as Professor Gaymon Bennett, helped me to understand the epistemological affect induced by the singular, genocidal European colonial project. In this way, my graduate studies have changed not only how I see the world, but they have changed how I move through the world as well, particularly as a cis white man in the Global North.

Additionally, I extend thanks to Professor Joel Gereboff, Professor Chouki El Hamel, and Professor Christopher Jones for professional opportunities and advice. Similarly, I am grateful to the entire faculty of the Religious Studies unit for various modes of support over the last two years. I would like to thank the other members of my MA cohort, Paige Baca and Rachel Torres, for their support and friendship.

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CHAPTER 1

INTRODUCTION AND THEORY

In this thesis, I set out to contemplate the relationship between sociopolitical inflection and diachronic changes to Islamic concepts. In other words, how do Islamic concepts change over time and in response to moments of social and political crisis? Specifically, I wanted to study the discursive tradition of Islam practiced in the Kingdom of Saudi Arabia and explore possibilities of the Saudi royal family instrumentalizing religious discourses in order to legitimize their policies after the fact. I wanted to look at the flexibility of religious concepts and to try to contemplate what I (myopically) called at the time the "characteristically transmutative nature of Islam." These questions are also what anchors my thesis in the field of Religious Studies more broadly, rather than Islamic Studies more specifically. I want to have a tertiary dialogue about the ways we think about religion as a concept, Islam in the Saudi tradition being but one example. Additionally, in contemplating these questions, I aspire that my work contributes to Saudi Studies, Islamic Legal History, and the Anthropology of Islam.

Epistemic Violence: Instrumentalizing Culture

I am interested in historical instances where political authorities instrumentalize cultural forms, including historical narratives and religious discourses, to legitimize their own interests, consolidate power, and maintain hegemony. A desire to contemplate this history, along with being born on a US Air Force base in Saudi Arabia, compelled me to undertake graduate study and this thesis. Graduate research in religious studies has helped me think about and understand the history and anthropology of this phenomenon, which some religious studies scholars call "epistemic violence."

As an undergraduate, this phenomenon was introduced to me as "Orientalism" while reading Edward Said's book of the same name. In graduate school, I was introduced to other thought partners who contemplate historical and contemporary examples of epistemic violence. To clarify, when I say "epistemic violence" I am referring to the phenomenon I just called the instrumentalization of cultural and intellectual discourses by hegemonic authorities. The term is often associated with literary critic and cultural theorist, Gayatri Chakravorty Spivak,[1] as well as historian of European "modernity," Michel Foucault.[2] I align myself with them and other scholars who uncover the precarity and violence inherent to archive formation.

I hope to position my thesis within the vector of study opened up by activists-scholars who contemplate the silencing, erasing, and revising of historical narratives in order to serve the interests of political stakeholders. My models in this regard range from the foundational thinkers of Postcolonial thought, like Sylvia Wynter,[3] Charles Long,[4] and Frantz Fanon,[5] to pioneering twenty-first century scholars who have developed critical ethnographic methods for thinking about the epistemic violence perpetrated historically and in the present in order to consolidate Euro-North American cultural

[1] Gayatri Chakravorty Spivak. "Can the Subaltern Speak?" in *Colonial Discourse and Postcolonial Theory: A Reader*. Ed. Patrick Williams and Laura Chrisman (New York: Columbia University Press, 1994), 66-11.

[2] Michel Foucault. *Security, Territory, Population*. trans. Graham Burchell (Paris: St Martin's Press, 2008).

[3] Sylvia Wynter, "1492: A New World View" in *Race, Discourse, and the Origin of the Americas*, ed.s Vera Lawrence Hyatt and Rex Nettleford (Washington: Smithsonian Institution Press, 1995).

[4] Charles Long. *Significations* (Aurora, CO: Davies Group Publishers, 1995).

[5] Frantz Fanon, *The Wretched of the Earth*, trans. Richard Philcox (New York: Grove Press, 2004).

hegemony—thinkers like Michel-Rolph Trouillot,[6] Christina Sharpe,[7] Saba Mahmood,[8] and David Chidester.[9]

The purpose of this thesis is to draw attention to one instance of this kind of epistemic violence, one which has been directed at the history of the Arabian Peninsula. Specifically, my thesis examines the epistemic violence which underpins historical narratives produced by the Saudi royal family about Saudi Arabia. I am particularly interested in changes to Saudi practices which occurred during and after the 1991 Gulf War, and which impacted the historiography of the kingdom's founding and policy during the twentieth century.

Positionality and Biography

Before laying out my thesis, I will disclose my positionality in relation to my subject of study. Undertaking work which recognizes and challenges epistemic violence is messy because it involves deconstructing subjectivities. By that I mean it involves seeking out an understanding of the way someone's view of something gets distorted by the lenses they see through. Those lenses are developed and change over time, they can be stacked and deleted, and they vary from person to person. Studying epistemic violence is about identifying those lenses as well as their embodiment in cultural forms and products. This is why theoretical frameworks are important to ground studies in a vocabulary which acknowledges the messiness of knowledge production and the affect of one's own subjectivities. Later on, I will discuss the theoretical frameworks grounding

[6] Michel-Rolph Trouillot. *Silencing the Past*, 2nd ed (Boston: Beacon Press, 2012).
[7] Christina Sharpe, *In the Wake* (Durham: Duke University Press, 2016).
[8] Saba Mahmood. *Politics of Piety*, 2nd ed (Princeton: Princeton University Press, 2012).
[9] David Chidester, *Empire of Religion* (Chicago: University of Chicago Press, 2014).

my study, but first, I will discuss the influence of my own subjectivities and how I came to my topic, as both of these things have impacted my work as well as the way I approach my work.

Being a non-Muslim, white, cisgender man who was raised and lives in the US impacted my worldview as well as the way I move through the world. In my studies, I have had to unlearn Eurocentric and US-centric narratives and ways of knowing the world. I sought a better understanding of European and US empire-building processes and their impact on global history. I learned that US imperialism and the crystallization of the secular-liberal political philosophy were intentionally obscured at my public high school in a conservative suburb in the very red state of Arizona. Additionally, I was eleven years old during the September 11 Attacks and came into my political consciousness during the height of the "War on Terror." My understanding of global history was influenced by a narrative which I've now learned was shaped by white-supremacist ideological forces and the imaginary of American empire. My positionality shaped my initial understanding of global historical narratives, and my work, including this thesis, is part of my journey to unlearn an uneven view of world history, one which sees Europe as the center of knowledge and looks away from the consequences of American empire.

Additionally, my biography is what sparked my interest in Islamic practices in Saudi Arabia and led me to focus on the 1991 Gulf War. My research interests stem in part from a desire to better understand how I came to be born on a US Air Force base in Riyadh seven weeks before Saddam Hussein's 1990 invasion of Kuwait. My mother, sister and I were evacuated from the Saudi capital and my father stayed to serve as a

maintenance officer overseeing military aircraft. It is worth noting we were evacuated out by Boeing. My father worked alongside Boeing employees who offered to evacuate my family with the rest of their families and nonessential personnel. This is not my only tie to the US defense industry. Upon retiring from the US Air Force in 2000, my father went on to work for multiple US-based defense contractors in the private sector. I say this because I have been a material beneficiary of the US defense economy. However, my thesis does not focus on the US-Saudi military partnership. Although the US-Saudi relationship and the US military-industrial complex are part of the calculus in my thesis, they are not my focus. Instead, I focused on what happened in Saudi Arabia after my family was evacuated, and the ways in which the royal family's request for more US aid set off a chain of events that culminated in Saudi political orthodoxy being redefined after the resolution of the 1991 Gulf War.

Race, Gender, Anti-Queer Discourses, and Sectarianism

I should note that discussions of race, gender, and sectarianism are almost completely absent in my thesis. Although the scope of my thesis has limited me from exploring the vital role of women in Saudi dissent during the 1991 Gulf War, there is much to be said about the ways in which gendered sociopolitics affected Saudi society at that time and in the present. Additionally, I do not contemplate questions related to race in my thesis. However, I recognize that racial politics and oppression in Saudi Arabia are understudied, a point which political anthropologist and Saudi Studies scholar, Madawi Al-Rasheed, discusses in her most recent book on the kingdom, *The Son King*.[10] Racial

[10] Madawi Al-Rasheed, *The Son King* (Oxford: Oxford University Press, 2021).

discourses have undoubtedly shaped Saudi society and history however, as Robert Vitalis showed in his history of the American-founded, Saudi-based oil producer, Aramco. In *America's Kingdom*, Vitalis reports that American ideas on race, specifically anti-Black racism, gained currency in the kingdom through Aramco and its' employees beginning in the 1950s.[11] Toby Matthiessen has also studied anti-Shi'a discrimination in twentieth-century Saudi Arabia.[12]

Race, gender, anti-Queer discourses, and sectarianism are inextricably entwined with epistemic violence against narratives of global history, particularly narratives of the Global South. Racial difference, gender inequity, anti-Queer violence, and sectarian religious marginalization are all modes of subject-formation which the Saudi political authority use to legitimize their own interests, consolidate power, and maintain their hegemony. In my thesis, however, I focus on the ways in which the Saudi political authority reimagined an Islamic concept after the 1991 Gulf War in order to do the same thing: legitimize their own interests, consolidate power, and maintain their hegemony.

Theory

Before discussing my findings and contributions, I will explain the theoretical framework I position my thesis within.

Studying Islamic Discursive Tradition(s)

In contemplating orthodoxy in the Saudi tradition,[13] I approach Saudi Islamic practice as a discursive tradition. "A discursive tradition is a tradition of Muslim

[11] Robert Vitalis, *America's Kingdom* (Stanford: Stanford University Press, 2007).
[12] Toby Matthiesen, *The Other Saudis* (Cambridge: Cambridge University Press, 2015).
[13] I avoid the term "Wahhābism"—or "Ḥanbalī-Wahhābism," as Mouline prefers—because of problems in its conceptual genealogy. Ménoret argues that "Wahhābism" is a "theologically false and diplomatically overdetermined" term because it "mainly refers to Arabia's real or imaginary influence abroad." Pascal Ménoret, *The Saudi Enigma: A History* (London; New York: Zed Books, 2005), 57. See

discourse that addresses itself to conceptions of the Islamic past and future, with reference to a particular Islamic practice in the present."[14] This approach, formulated by the anthropologist, Ṭalal Asad, emphasizes that all specific Islamic discourses "relate conceptually to a past… and a future… through a present."[15] In other words, studies of the ways in which Islamic concepts and practices evolve over time must recognize and reckon with the specific conceptual architecture which those discourses operate within. Reckoning with this conceptual architecture means contextualizing the practices of a society within their own religiocultural framework. That framework embodies a specific discursive genealogy which, "because it is established, has a history."[16] In other words, by examining the presuppositions which are embedded in a society's religiocultural framework, scholars can study the religiocultural framework itself; they can examine modes of reasoning particular to and embodied by a specific tradition. This approach has applications and resonance beyond the field of Islamic Studies, which is why I locate my thesis as contributing to Religious Studies in a more general sense. Asad did, after all, title his 1993 book *Genealogies of Religion*, and he studied both Christian and Islamic sources ranging from the medieval period to the late twentieth century.

Asad developed the concept of discursive tradition to address problems they saw in the way scholars talked about Islam. Asad thought that scholars were looking to make neat comparisons between European Christianity and Islam in Southwest Asia and North Africa. Discursive tradition is a theory that helps scholars understand why we can't make

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also: Nabil Mouline, *The Clerics of Islam: Religious Authority and Political Power in Saudi Arabia*, trans. by Ethan S. Rundell (New Haven: Yale University Press, 2014), 10.

[14] Ṭalal Asad, "The Idea of an Anthropology of Islam," *Qui Parle* 17, no. 2 (2009), 20.

[15] Asad, "The Idea of an Anthropology of Islam," 20.

[16] Asad, "The Idea of an Anthropology of Islam," 20.

neat comparisons between any two religions, and, how trying to force those neat comparisons doesn't account for humans being just that, human.

At its core, discursive tradition is the idea that *how* a religious tradition is practiced over time may change, but those practices still remain a part of that tradition. The practices are still a part of that tradition because the practitioner, or the person practicing the tradition, is making a connection to those that practiced the tradition before. Also, if the practices of the next generation change, they remain connected to the origin of the religious tradition through the practitioners they inherited the practices from. Past, present, and future, are all connected; even though practices change, the tradition can stay the same.

What is Orthodoxy?

Embedded in a society's religiocultural framework, and related to but distinct from the discursive genealogy that framework embodies, is a mode of reasoning. To approach the study of an Islamic discursive tradition is to look for and attempt to understand the mode of reasoning particular to a specific tradition.[17]

One way to broach an understanding of the mode of reasoning particular to a tradition is to examine the presuppositions which gird definitions of orthodox practice.[18] According to Asad, defining orthodoxy entails "a (re)ordering [sic] of knowledge that

[17] Although my thesis focuses mostly on institutional forces and the power dynamics between religiopolitical entities, it is worth noting the ways in which everyday actions inform and shape practices according to geoculturally-specific Islamic traditions. Asef Bayat offers a convincing framework for thinking about what they term "non-movements," especially in the Global South. "Precisely because they are part and parcel of everyday life, nonmovements assume far more resiliency against repression than the conventional activisms" *Life as Politics*, 2nd ed. (Stanford: Stanford University Press, 2013), 21. See also: Samuli Schielke, "Second thoughts about the anthropology of Islam, or how to make sense of grand schemes in everyday life" *ZMO Working Papers* 2 (2010): 1-16.

[18] Asad. *Genealogies,* 210.

governs the 'correct' form of Islamic practices."[19] Definitions of orthodox practice are based upon preexisting modes of legitimation that are baked into a particular Islamic tradition. Ovamir Anjum expands on this idea, claiming that "the diversity of lived Islam" can be "organized in terms of an adequate concept" by "studying the discourses that establish or attempt and compete to establish orthodoxy in any given locality."[20] Anjum specifies the necessity of giving "special attention to the material, political-economic constraints that influence any discursive exercise."[21] Locality and realpolitik, according to Asad and Anjum, must be primary considerations when studying a particular Islamic tradition, especially when attempting an analysis of concepts and practices that change over time. Studying locality and pragmatic historical considerations provides insight to changes of Islamic concepts and practices in a community by discerning the reasoning(s) which ground a particular discursive tradition. Put another way, the reasoning embedded in a particular tradition informs the "conceptual and institutional conditions that must be attended to if discourses are to be persuasive."[22] These "conceptual and institutional conditions" Asad points to are related to but distinct from "the material, political-economic constraints that influence any discursive exercise" which Anjum underlines; the common denominator is the mode of reasoning underpinning the discourse, that reasoning is what binds practitioners of a particular tradition across time and space. Definitions of orthodoxy embody a temporally sensitive reasoning which is grounded in a particular genealogy of Islamic thought.

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[19] Asad. *Genealogies*, 210.

[20] Ovamir Anjum, "Islam as a Discursive Tradition: Ṭalal Asad and His Interlocutors." *Comparative Studies of South Asia, Africa and the Middle East* 27, no. 3 (2007): 670-671.

[21] Anjum., 671.

[22] Asad, *Genealogies*, 210.

Focusing on definitions of orthodoxy grants scholars an opportunity to glimpse the conceptual architecture which particular Islamic discourses operate within. By highlighting the reasoning which gives shape to this conceptual architecture, analyses of definitions of orthodoxy render a map upon which conceptual change can be charted. "What is involved in such changes is not a simple ad hoc acceptance of new arrangements but the attempt to redescribe norms and concepts with the aid of tradition-guided reasoning."[23] Definitions of orthodoxy, or for my purposes, redefinitions of orthodoxy, entail a reconfiguration of existing discourses. However, that reconfiguration is governed by a pre-existing reasoning specific to the discursive tradition. Thus, "the process of determining orthodoxy in moments of change and contest includes attempts at achieving discursive coherence."[24] The redefinition of orthodoxy is only "persuasive" if it makes sense with the existing discourses that are used to configure the 'new' definition. The 'new' orthodoxy will be necessarily attended by/grounded in the 'old' orthodoxy; the prevailing definition of orthodoxy must "relate conceptually to a past… and a future… through a present."[25] In an Islamic discursive tradition, concepts from the past must be redescribed if they are to uphold and align in the future with a redefinition of orthodoxy occurring in the present.

Saudi Religiopolitical Orthodoxy

By focusing on definitions of orthodoxy, I aim to identify a change to a distinctively-Saudi concept, a change which in turn signals a redefinition of Saudi religiopolitical orthodoxy. Returning to Asad's framing, the royal family of Saudi Arabia

[23] Asad, *Genealogies*, 211.
[24] Asad, *Genealogies*, 210.
[25] Asad, "The Idea of An Anthropology of Islam," 20.

reordered the "knowledge that governs the 'correct' form of a particular Islamic practice." For my thesis, I looked at the royal family's reordering of the knowledge that governed the correct form of interaction between the political authority and the religious establishment. I contemplate the ways that, after the 1991 Gulf War, the royal family redescribed their relationship with the elite *ulamā,* or religious establishment.

Defining the Religious Establishment

Ulamā translates literally to "the learned ones" in Arabic. *Ulamā* are referred to as religious scholars because they have studied to become experts in Islamic knowledge and practices. Of course, various metrics have been used to articulate what is considered sufficient knowledge of the Islamic revelation and the panoply of textual traditions which inform religious knowledge and Islamic practices in diverse Islamic traditions. Therefore, definitions of the *ulamā* are ontological. In short, the *ulamā* as a religious body is an unavoidably slippery concept in Islamic studies because everyone has a different interpretation of what constitutes the *ulamā*. Generally, however, in my view, the *ulama* influence political, social, and religious life through legal, juridical, jurisprudential, and in some cases, theological mechanisms. They play an important role in articulating what Asad calls "conceptual and institutional conditions that must be attended to if discourses are to be persuasive."

In the Saudi tradition, elite religious clerics (the bureaucratic religious arm of the state), educated local preachers (*al-duāt*), and the court judges (*qāḍī*) all occupy roles within the *ulamā*, which I gloss in English as the religious establishment, and they all attend to the conceptual and institutional conditions that make Islamic practices persuasive within the Saudi tradition. In the twentieth century Saudi kingdom, as well as

the two previous iterations of the Saudi state, the relationship between the political authority and the religious establishment made the Saudi-Islamic tradition distinct.

An unruptured political status quo was (and is) often thought of in Euro-American institutions as characteristic of the kingdom. Historically, however, Al Saud consolidated their political legitimacy through religious mechanisms and relied upon a particular understanding of religiopolitical orthodoxy. Previously in the kingdom's history, Al Saud's political legitimacy was contingent upon their relationship with the religious establishment. This is made evident by multiple events in the kingdom's twentieth-century history during which Al Saud turned to the elite, central *ulamā* to issue *fatāwā* legitimizing policy decisions *post hoc*.

Toby Jones goes so far as to call this a "grand bargain."[26] According to Jones, "in exchange for their blessing of his right to worldly power, Abd al-Aziz ibn Saud granted central Arabia's conservative clergy…the power to oversee and police the social and cultural life of those the new polity came to rule. Islam and its Wahhabi interpreters played a key role in sanctioning the legitimacy of the new regime and have done so ever since."[27] The extraction of political legitimacy from the religious establishment in the early twentieth century was key to bringing into existence a transregional kingdom under the suzerainty of the Saudi royal family, fulfilling a vision of Saudi empire with roots in the eighteenth century, when the patriarch of the soon-to-be royal family allied himself with Muḥammad ibn ʻAbd al-Wahhāb (1703-1792).

[26] Jones, *Desert Kingdom*, 8.
[27] Jones, *Desert Kingdom*, 8.

Muḥammad ibn ‘Abd al-Wahhāb wished to purify the eighteenth-century Arabian Peninsula of innovative and heretical practices and his religiopolitical vision served the interests of the future royal family because, according to Al-Rasheed, it “provided a novel impetus for political centralization [during the first Saudi state].” This cooperative, albeit uneven relationship between the royal family and their Wahhabi-referencing counterparts in the religious establishment is constitutive of the Saudi Islamic tradition all the way back to 1727.

Political Authority and the Ulamā *in Twentieth Century Saudi Arabia*

On multiple occasions during the twentieth century, the royal family extracted *fatāwā* from the religious establishment in order to address sociopolitical exigencies, and to consolidate their political legitimacy overall. *Fatāwā* are Islamic legal rulings issued by religious scholars trained in *fiqh*, Islamic jurisprudence. In Chapter 2, I discuss how, in its nascency, the state depended on the religious establishment to shore up their political legitimacy in big and little ways. On one hand, specific quagmires the royal family found themselves in were resolved by requesting resolution from the religious establishment to induce the outcome favored by the royals. On the other hand, *ulamā* across the kingdom held up the relationship between the religious establishment and political authority as the source of both groups’ legitimacy. Legitimization was a two-way street between the royal family and the *ulamā*; in other words, one hand washed the other.

To insure their political authority in perpetuity, the royal family built an institutional apparatus capable of resolving any challenge to their legitimacy. Sociologist Nabil Mouline argues that by 1972, the royal family successfully “routinized” and “institutionalized” their mechanisms for extracting religiopolitical legitimization. In

Chapters 2 and 3, I explain the ways in which thought amongst the elite religious establishment diversified in the decades leading up to the 1991 Gulf War. During the 1980s in Saudi Arabia, the royal family faced multiple challenges to their political legitimacy, and those challenges were shaped by generational, systemic, historical, pragmatic, and external circumstances which came to a head in the 1980s, mostly for geopolitical reasons. In both chapters, I examine some of the confluence of geopolitical and domestic factors that resulted in a generational conflict which divided the *ulamā*—as well as Saudi society—ideologically.

Scope of Thesis

My thesis, which can be seen as a case study or microhistory, builds on this historical foundation to suggest that the elite religious establishment challenged the royal family's political authority during the 1991 Gulf War. Subsequently, I hypothesize that the royal family expanded their authority in 1992 when they introduced comprehensive legislation which overhauled the Saudi religiopolitical order.

Case Study/Microhistory

In late summer of 1990, forces of the Iraqi Republic invaded the State of Kuwait. Days after the invasion, the King of Saudi Arabia, King Fahd, denounced Iraq's aggression and set a deadline which gave the Iraqi military six months to withdraw. He also called upon European and North American allies to aid the Saudis in expelling Iraqi forces. Saudi political elites and their allies thought defeating Iraq was vital to maintaining the safety and security of the Arabian Peninsula. I label this conflict the 1991 Gulf War.

After the war, the number of religious scholars who challenged the royal family's absolute authority grew. Various factions of political opposition began publicly challenging the Islamic legitimacy of the royal family's unchecked authority. These challenges were carried out in unprecedented ways between August 1990 and September 1992. In the eyes of many in the religious establishment, an Islamic government which could not mount a sufficient defense of Islam's holiest sites without the aid of Euro-Americans was not a legitimate Islamic government. Critics condemned the King's requests for aid from non-Muslims, especially since defeating Iraq required waging war against other Sunni-Arab Muslims. After coalition forces successfully "liberated Kuwait," the royal family responded to their critics in the religious establishment.

In the wake of the 1991 Gulf War, I suggest that Al Saud redescribed political concepts in accordance with a redefinition of orthodoxy. The purpose of this redefinition was to reclaim control over the religious authority without ever admitting that their legitimacy had been challenged, or that any kind of sociopolitical disruption had even occurred. Sean Foley argues that the Al Saud's ability to cover up sociopolitical inflection is the "secret to the success of Saudi Arabia in the contemporary era."[28] Foley explains this capacity as "the ability to legitimize transformation without calling it change." Looking back to the history of the kingdom's founding, Foley claims that this policy of "transformation without calling it change" was championed by the kingdom's founder, King Ibn Sa'ūd. Ibn Sa'ūd set out, according to Foley, "to alter the meaning and privileges of his society's institutions to prevent the reemergence of the factors that had

[28] Foley, 55.

led to the collapse of states in the past."[29] After Ibn Sa'ud's transformation, "institutions, principles, and social practices of the pre-1902 era largely remained in place but their relative position and power changed in response to international balances, social needs, and new technology."[30] To put this in Asad's terms, Ibn Sa'ūd redescribed the concepts underlying "institutions, principles, and social practices of the pre-1902 era" in order to produce a redefinition of orthodoxy which still aligned with the reasoning embedded in the Saudi Islamic tradition. Less than a century later, Ibn Sa'ūd's son, King Fahd, redefined orthodoxy again by redescribing the concepts underlying both the authority of the religious establishment and the political legitimacy of the Al Saud.

Sources

For this thesis, I focused mostly on two primary sources in Arabic which illustrate each groups' vision of orthoprax relations between the elite religious establishment and the ruling royal family. I analyze the ways both documents—the 1991 Letter of Demands and the 1992 Basic Law of Governance—offer disparate visions of orthodox Islamic governance according to the Saudi tradition. I analyze some of the ways the text of the Letter of Demands, as well as the circumstances surrounding its production, involved a reassertion of authority by the elite religious establishment in religious spaces. In response, the Basic Law of Governance expanded the authority of the King and delivered an alternative vision of Saudi orthoprax governance. For other Arabic primary sources, I also draw on *fatāwā* issued by *ulama* in the decades before and years after the

[29] Foley, 57.
[30] Foley, 57.

1991 Gulf War, speeches by the royal family, and petitions to the king and commentaries and expositions on those petitions.

My work is tremendously indebted to pioneering critical, English-language, Saudi studies scholarship, scholarship which was minimal before 2001 because such studies were intentionally depressed by the royal family before and after that. After the September 11 Attacks, however, the Saudis opened the country up to more researchers. This was a show of good faith after it was revealed that fifteen of the nineteen hijackers were Saudi citizens. My thesis relies primarily on four Saudi studies scholars who rode that wave of access to the kingdom in the late 2000s and early 2010s. Those four scholars are Rosie Bsheer, Toby Jones, Pascal Ménoret, and Nabil Mouline.

Additionally, those scholars acknowledge the pioneers of critical Saudi studies in the English language, who I also rely on: Mamoun Fandy, a scholar of politics and media in the Arab world, and most importantly, Madawi al-Rasheed. Al-Rasheed was not interested in the reductive rentier state theory that dominated secondary literature on Saudi Arabia in the latter decades of the twentieth century, which were written mostly by political scientists and contained minimal to no criticism of the royal family. Instead, Al-Rasheed used Arabic sources to pull back the curtain on the relationship between tribal authority and political power in the Saudi literary tradition and on the ground in the kingdom.

Al-Rasheed is joined by Bsheer, Jones, Ménoret, and others in centering a critique of the ubiquity of Rentier State Theory in Arabian Peninsula studies, especially political science scholarship. Rentier State Theory is a problematic approach to studying states where foreign governments or corporations pay ‘rent’ in order to keep the country open

for business to foreign bodies who take some of the country's wealth. Rentier theory relies on a produced notion that the peninsula was, according to Bsheer, "a place without history, politics, or people (as historical agents);" it disregards "historical specificity and political realities."[31]

This thinking underlies the work of historian of Saudi Arabia, Alexei Vassiliev. Vassiliev claims that "social conditions in central Arabia—which [were] somewhat isolated from the other more developed regions of the Middle East—did not differ greatly from the rather primitive conditions that persisted in Hijaz in the period of the nascence of Islam."[32] In other words, societies in eighteenth century Arabia "did not differ greatly" from social life as observed at the time of the Prophet in the seventh century. For Vassiliev, there is no historical, social, or otherwise noteworthy development in the Arabian Peninsula for approximately one thousand years. However, although problematic, al-Rasheed, Ménoret, and others cite parts of Vassiliev's work that broke new ground in English-language studies of Saudi history. Alternatively, al-Rasheed, Bsheer, and Jones encourage scholarship that "disputes the claim that oil's impact on politics should be mainly understood through the wealth it generates."[33] Scholarship on the Arabian Peninsula must move away from a "myopic focus on oil, religion, and security" and instead pursue the connection of Arabia—"conceptually, theoretically, and

[31] Rosie Bsheer, "W(h)ither Arabian Peninsula Studies?" in Jens Hansen and Amal Ghazal, ed.s, *The Oxford Handbook of Contemporary Middle Eastern and North African History* (Oxford: Oxford University Press, 2017), 384-405. 388, 387.

[32] Alexei Vassiliev, *The History of Saudi Arabia*. London: Saqi Books, 1998. 70.

[33] Toby C. Jones, "Thinking Globally About Arabia." *JADMAG* 1, no. 1 (Fall 2013): 5-10. 5.

methodologically—to regional and global developments from which they have long been disconnected."[34]

Vassiliev's flattening narrative is certainly not the only one in the discursive field of Saudi studies. Scholarship on the Arabian Peninsula is obfuscated by the rendering of "pre- and early modern state forms as insular, apolitical, and outside history's inexorable march."[35] Looking ahead, scholars must go about "unpacking knowledge production on the peninsula"[36] as they seek to realize narratives of the Kingdom of Saudi Arabia and the entire Arabian Peninsula that move beyond what Jones calls "an approach to understanding the world shaped by imperialism and the Cold War."[37] In order to contest the scholarly conception of the kingdom and peninsula which have dominated knowledge production since World War II, studies must actively frustrate these prevailing discourses so that the continuities and fault lines of the problematic narratives underpinning them can be bracketed, diagnosed, and analyzed—something I set out to do in this thesis.

Contribution

As I wrote at the beginning of this chapter, my thesis contributes to the fields of Saudi studies, Islamic legal history, and the anthropology of Islam. My hope is that this thesis could also contribute to the field of Islamic Studies, Critical Secular Studies, and Critical University Studies.

While my Arabic abilities limited my access to primary sources, I drew from a robust bibliography of secondary literature. However, although most of the scholars I

[34] Bsheer, "W(h)ither Arabian Peninsula Studies?," 385, 389.
[35] Bsheer, "W(h)ither Arabian Peninsula Studies?," 396.
[36] Bsheer, "W(h)ither Arabian Peninsula Studies?," 397.
[37] Jones, "Thinking Globally About Arabia," 5.

draw on are disciplinarily diverse, many are writing from Europe and North America. I cite English-language literature by Saudis, including Saudi commentaries on the Letter of Demands and the Basic Law, as well as other studies of Saudi religiopolitical philosophy and sociopolitical dissent. I plan to continue studying Arabic to grant me access to even more Arabic-language sources. However, I acknowledge that in this thesis by using Global North scholars, I am reproducing the same kind of power dynamic I am simultaneously attempting to bring attention to in this thesis.

Even when citing indigenous Saudi scholars and other scholars of diverse subjectivities from Southwest Asia and North Africa, I recognize some of these scholars are affected by the subjectivity of the Global North. Although I will also always be reckoning with the affect of my own Global North subjectivity (among many others), as I continue to study Arabic I aspire to access twentieth and twenty-first century primary and secondary sources in Modern Standard Arabic, and I will undertake philological study in order to work with and cite medieval Islamic scholars and thinkers. I want to address this scholarly power dynamic to underline the importance of the ethics of scholarly citation and the linguistic boundedness endemic in Euro-North American institutions. For now, I reflect in Chapter 5 on some of the ways my reliance on exogenous secondary sources affects my study's findings and contributions. Specifically, I will discuss the relationship between my work and epistemic violence. In other words, how am I reproducing the phenomenon I am attempting to study? Beyond this, how does the narrative of my biography transform what it is I am able to do in this thesis? These questions are part of a self-reflexive journey that I will continue on throughout my professional life. I aim to

center the ways my positionality and biography influence the intervention I want to make with this thesis and my work in general.

With that self-reflexivity in mind, I should note that applying Ṭalal Asad's methodology to study the subjugation of the Saudi religious establishment is not a new idea. In fact, Ṭalal Asad cites the postwar crisis of legitimacy in Saudi Arabia in *Genealogies of Religion*. In *Genealogies of Religion*, Asad points to the conceptual subjugation of the religious establishment as a helpful example for understanding how "tradition-guided reasoning" must be considered when approaching the study of Islamic practices. However, Asad makes his argument from the perspective of the religious establishment, whereas I have based my argument on the perspective of the political authority. Asad argues that the religious establishment followed "tradition-guided reasoning" in formulating their critique of the royal family's governance following the invasion of Kuwait. The critical discourses of the religious establishment "presuppose the concept of an orthodox Islam," and that orthodoxy dictates what is considered an appropriate mode of criticism.[38] According to Asad, criticizing King Fahd's governance during and after the Gulf War indicates that the religious establishment sought to position themselves as the ultimate authority when it came to describing the conceptual underpinnings that define orthodoxy in the Saudi Islamic tradition.[39] My discussion of those conceptual underpinnings, i.e., the Islamic concepts legitimizing the Saudi royal family's rule, will point towards more questions I would like to pose to myself, as well as

[38] Asad, *Genealogies*, 211.
[39] Asad, *Genealogies*, 210-212.

other scholars in the Global North. I aspire that my thesis contributes to a dialogue about troubling the power dynamics baked into narratives of the Global South.

Now that I have laid a critical and theoretical foundation, I will expound the specific contributions I hope my thesis offers to the fields of Saudi Studies, Islamic Legal History, and the Anthropology of Islam

In this thesis, I suggest that following the 1991 Gulf War the ruling royal family of Saudi Arabia constrained the religious establishment by remapping the hierarchy of authority in the kingdom legally, conceptually, and historically. I suggest that a redefinition of Saudi religiopolitical orthodoxy occurred with the intent to constrain the religious establishment. Specifically, I suggest that the Saudi royal family set out to redefine the orthodoxy which governs the relationship between religious elites and the political authority.

Ṣaddām Ḥusayn's invasion of Kuwait in 1990 constituted an unprecedented crisis in Saudi politics which contributed to the religious establishment questioning the political legitimacy of the ruling royal family, Al Saud.[40] The elite religious establishment, or *ulamā*, publicly challenged the legitimacy of Al Saud's unchecked authority when they composed the 1991 Letter of Demands. After the war, ruling elites set out to change the basis of their political legitimacy by redefining the religiopolitical orthodoxy which

[40] Al Saud (*Āl Sa'ūd*), or the House of Saud, is comprised of the descendants of King 'Abd al-Azīz ibn 'Abd al-Raḥman al-Fayṣal Āl Sa'ūd (d. 1953), also known as Ibn Sa'ūd, who established the Kingdom of Saudi Arabia in 1932. In my usage, Al Saud refers to the Saudi royal family as both a group of people and as an idea. Al Saud may reference both the individuals who comprise the royal family as well as the mythological entity invoked when discussing the royal family as a unit. Typically, use of the definite article, e.g., *the* Al Saud, denotes the royal family as a group of individuals who undertake concrete action. Al Saud, without the definite article, refers to the ways in which the royal family represents a discursive legacy larger than the sum of its parts. The Al Saud undertake concrete actions as individuals in a group, Al Saud represents the network of historic and symbolic signs invoked by the royal family in legitimizing their rule.

governs their relationship with the religious establishment. The 1992 Basic Law of Governance—the first positive legal charter for the Kingdom of Saudi Arabia—expands the authority of the King while offering the appearance of constraining the exercise of political authority.[41] Producing the Basic Law was part of a larger project undertaken by the ruling royal family after the 1991 Gulf War to change the basis of their political legitimacy—a change that codified the subjugation of the religious establishment to the King's supreme authority. Redefining the orthodoxy which governs the relationship between the political elite and the religious establishment required reformulating the historical narrative of the kingdom. The Al Saud recognized the elite religious establishment's challenges to their religiopolitical authority. Hence, they went from basing their political legitimacy on their historical relationship with the religious establishment to basing their political legitimacy on the supremacy of their own authority.

[41] By "positive law," I mean the legal phenomenon associated with the secular-liberal political philosophy in which laws, rights, and restrictions are articulated and enumerated as comprehensive legal code. In secular-liberal political philosophy, largely a product of the so-called Enlightenment intellectual milieu of seventeenth-century Western Europe, rationality and scientific knowledge are putatively leveraged and wielded by the state as part of the state's ever-growing project of subject formation. This intellectual project was and is tied to the economic, social, political, and racialized aspects of the singular genocidal colonial project which sprang forth from Western Europe during the second millennium. The white supremacist ideology which underpinned and animated the Enlightenment intellectual milieu as well as the genocidal colonial project is tied to a belief in objective, rational knowledge, and inherent technodeterminism in all human pursuits—i.e., all technologies wielded by (self-described white) men are necessary, and, therefore, they necessarily improve and develop over time. For Western European sources from the seventeenth and eighteenth centuries, see: Thomas Hobbes, *Leviathan* (1651); Auguste Comte, *System of Positive Polity* Vol. 4 (London: Longmans, Green and Company, 1877). For twentieth-century analyses and critiques of the singular Western European way of knowing which set-off the genocidal colonial project, see: James C. Scott, *Seeing Like a State* (Newhaven: Yale University Press, 1999); Michel Foucault, *Security, Territory, Population*, trans. Graham Burchell (Paris: St Martin's Press, 2008). For more current studies of this vital topic—dismantling the colonial epistemology which girds Euro-North American society historically and in the present—that also decenter European knowledge producers, see: Linda Tuhiwai Smith, *Decolonizing Methodologies*, 2nd edition (London: Zed Books, 2012); Oludamini Ogunnaike, *Deep Knowledge* (University Park: Pennsylvania State University Press, 2020); and An Yountae and Eleanor Craig, ed.s, *Beyond Man* (Durham: Duke University Press, 2021).

My Suggestion

Historically, as I discussed previously in this chapter, Al Saud consolidated their political legitimacy through religious mechanisms and relied upon a particular understanding of religiopolitical orthodoxy. In that understanding of Saudi political doctrine, Muḥammad ibn ʻAbd al-Wahhāb's eighteenth-century religious reforms were the engine of Al Saud's political project. In other words, Al Saud's political authority was contingent upon their alignment with and future subscription to Ibn ʻAbd al-Wahhāb's vision of orthodox governance. In this thesis, I analyze some of the ways in which the text of the Letter of Demands and the Basic Law of Governance offer disparate visions of orthodox Islamic governance according to the Saudi tradition. I will suggest that the text of the Letter of Demands, as well as the circumstances surrounding its production, involve a reassertion of authority by the elite religious establishment in religious spaces. In response, the Basic Law of Governance expands the authority of the King and delivers an alternative vision of Saudi orthodox governance. I suggest that Al Saud, according to the Basic Law, are rendered as the ultimate arbiters of legality. I will contemplate some of the ways that expanding their authority was part of a larger project undertaken by the royal family after the 1991 Gulf War to redefine Saudi religiopolitical orthodoxy. Finally, I will draw on Saudi studies historiography to illustrate some of the ways that the project undertaken by Al Saud to redefine Saudi religiopolitical orthodoxy necessitated reformulating the historical narrative of the kingdom's origin and policy in the twentieth century, a project that is still underway today.

Beyond academia, I hope my thesis can contribute to dispelling the mythos of a stagnant Saudi Arabia. My thesis points towards the formation of discourses which depict

Saudi society as suffocated by an authoritarian rentier state with no recourse or protest. Although there is much to be said about totalitarian authoritarianism as the political norm in the kingdom, focusing only on the state erases the resistance and dissidence of many social and religious actors who recognize the need for guard rails on the authority of the royal family. A narrative recurs in Islamic Studies that suggests a trend within Islamic political thought: decline from a 'golden age' of Islamic politics into intractable authoritarianism. I acknowledge that in some ways my thesis fits into those patterns because I suggest that the royal family expanded their political authority in contravention of their historical relationship with the religious establishment. However, I attempt in this thesis to emphasize the heterogeneity of religiopolitical discourses within the kingdom during the time of my inquiry. In Chapter 5, I will meditate further on the ways historical narratives in and about the kingdom get flattened in Saudi and Global North discourses, and how my thesis raises questions about the erasure of Saudis' lived reality in knowledge produced about state and subject formation in the kingdom.

In the rest of this chapter, I will synopsize some of the historical discourses entangled in the sociopolitical and religiopolitical landscapes that I subject to inquiry in this thesis.

Overview of Events: The Postwar Crisis

In August 1990, the forces of the Iraqi Republic crossed Iraq's southern border and invaded Kuwait. This act violated the geopolitical norms of Arab and Islamic solidarity and constituted a threat to the security and economy of Saudi Arabia. Resisting the occupation of Palestine by Israeli forces in the 1960s had reinforced a sense of transnational Arab kinship. To that end, many Sunni Muslim-majority states coordinated

with the Iraqi regime during the 1960s, when Israel occupied the Sinai Desert, and into the 1980s, when Ṣaddām locked the people of Iraq into a ten-year war with Shi'a-majority Iran. The same states responsible for strengthening Iraq's military now feared the armaments they helped fund. In the case of the Kingdom of Saudi Arabia, the invasion of Kuwait meant those armaments were closer than ever and Al Saud feared the very real violence and damage the Iraqi military was capable of inflicting on the kingdom.

Days after the invasion of Kuwait, King Fahd ibn 'Abd al-Azīz denounced Iraq's aggression and set a deadline which gave the Iraqi military six months to withdraw. King Fahd called for Arab solidarity against Iraq's jingoism and invited a multinational force to join the Saudi military in liberating Kuwait.[42] In that same announcement, King Fahd revealed the mobilization of US military forces already in the country and justified bringing more American soldiers and equipment into the kingdom.

The invasion of Kuwait occurred as disruptive political discourses were ascendant in Saudi society. The burgeoning "Islamist opposition" in the kingdom rejected King Fahd's justification of US troop's presence in the kingdom.[43] Local religious leaders and scholars questioned the legitimacy of the state on Islamic grounds. Islamic scholars were joined by non-religious political oppositionists in criticizing the government for bungling national security logistics to the point that US intervention was necessary, despite a massive defense expenditure by the state.[44] The 1991 Gulf War came to signify a

[42] Mordechai Abir, *Saudi Arabia: Government, Society and the Gulf Crisis* (New York: Routledge, 1993), 174 (Cited in Madawi Al-Rasheed, *A History of Saudi Arabia*, 2nd ed. Cambridge: Cambridge University Press, 2010, 159).

[43] Al-Rasheed, *History of Saudi Arabia*, 158.

[44] Al-Rasheed, *History of Saudi Arabia*, 160.

common ground upon which conservative religious factions and the putatively 'secular' blocs of civil society could build their respective critiques of the state and monarchy. Within these so-called secular blocs of civil society, political liberals and self-proclaimed modernists also called for reforming public and political life in the kingdom.[45] Although labeled 'secularists' by journalists and their conservative Saudi counterparts, many "liberal" Saudis adamantly maintained loyalty to Al Saud and fealty to Islamic law in the Saudi tradition.[46] Their critiques were aimed at the state's judicial system and the *muṭawi'īn*, a bureaucratic mechanism of the state often glossed in English-language media as 'religious police.' The two camps of disruptive politics in Saudi society both spanned socioeconomic and identity categories and were themselves multi-polar and unconsolidated. However, Al Saud's actions related to the war opened space for existing critical discourses to penetrate the whole political spectrum.

The ascent of political opposition in the kingdom during and after the invasion of Kuwait led Madawi Al-Rasheed, the most prolific non-government affiliated scholar of Saudi society and politics, to write just a few years after the war that "above all, the Gulf War precipitated a crisis of legitimacy for the ruling group."[47] The synthesis of oppositional voices set the stage for a moment of dramatic sociopolitical inflection which impacted Saudi society and affected the legitimacy of its longtime political hegemon, Al Saud. According to Rosie Bsheer, the postwar years are where "one should look to

[45] Al-Rasheed, *History of Saudi Arabia*, 163.

[46] *Al-'Arīḍat al-Madanīyyah* (Civic/Secular Petition) is a letter delivered to King Fahd in December 1991. See Abu-Hamad, 59-60, for a translation of the ten points of the petition into English (Cited in Al-Rasheed, *A History of Saudi Arabia*, 163); and Joseph A. Kéchichian, *Legal and Political Reforms in Sa'udi Arabia* (New York: Routledge, 2013), 375, for a full translation. The text makes clear the signatory's continued allegiance to the King and Al Saud as they propose top-down government reform.

[47] Al-Rasheed, "God, the King, and the Nation," 361.

understand the profound transformations that beset Saudi Arabia in the opening decades of the twenty-first century."[48] Instead of recognizing the novelty of this inflective moment for Saudi society, the Al Saud reconceived their own history; rather than redress the "socioeconomic crisis"[49] and evolve, the Al Saud "legitimized transformation without calling it change."[50]

After coalition forces drove out the Iraqi military and restored the Kuwaiti regime in late February 1991, Al Saud set out to mitigate the sociopolitical discord in the kingdom. Rather than snuff out opposition with militaristic authoritarian repression—as King Khālid and the state's American partners did during the uprising in the Eastern Provinces in 1979[51]—the state reconfigured its institutions in order to normalize a political opposition that wouldn't impede Al Saud's interests. This reconfiguring of political opposition in Saudi Arabia was an attempt to mitigate the sociopolitical discord which afflicted Al Saud in the postwar years by creating "its own if outwardly compliant internal religious opposition."[52]

A convergence of factors triggered the inflection in Saudi sociopolitical life during the postwar period and, accordingly, Al Saud responded with multiple modes of consolidating their political legitimacy. Most importantly, however, Al Saud sought to reclaim a monopoly of control over the religious authority. Throughout the kingdom's

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[48] Rosie Bsheer, *Archive Wars: The Politics of History in Saudi Arabia* (Stanford: Stanford University Press, 2020), 18.

[49] Bsheer, *Archive Wars*, 20.

[50] Sean Foley, "Legitimizing Transformation without Calling it Change: *Tajdīd*, *Iṣlāh*, and Saudi Arabia's Place in the Contemporary World," *Contemporary Review of the Middle East* 2, no. 1 (2015): 55.

[51] See Robert Vitalis, "Black Gold, White Crude: An Essay on American Exceptionalism, Hierarchy, and Hegemony in the Gulf," *Diplomatic History* 26, 2 (2002): 185–213; Toby C. Jones, "Rebellion on the Saudi Periphery: Modernity, Marginalization, and the Shi'a Uprising of 1979," *International Journal of Middle East Studies* 38 (2006): 203-33.

[52] Bsheer, *Archive Wars*, 18.

five decades of existence, Al Saud turned multiple times to the elite religious organs of Saudi society in order to legitimize their policy and international relationships.[53] An acquiescent elite religious establishment was Al Saud's primary instrument for quelling popular discord during moments of sociopolitical inflection. Hence, despite the unprecedented sociopolitical climate following the invasion of Kuwait, Al Saud sought at first to deploy a time-tested strategy: extract legitimacy from the religious authority. However, that strategy was ultimately unsuccessful in 1991.

During the summer of 1991, the elite religious establishment—institutionalized as the Council of Senior *Ulamā*—was resubordinated and took up rehabilitating the Al Saud's political legitimacy in Saudi society. In June 1991, Shaykh 'Abd al-Azīz ibn Bāz, a transnationally renowned religious leader and scholar, condemned a petition sent to King Fahd.[54] Weeks earlier, Ibn Bāz had not only signed that same petition, but he himself delivered it to the king.[55] The petition, titled the "Letter of Demands" (*Khiṭāb al-Maṭālib*), demanded the reconvening of a formal Consultative Council (*Majlis al-Shūrā*) as a means of curbing public corruption. This body had a history in the early days of the kingdom and the concept is derived from preexisting discourses in the Saudi religiopolitical tradition. Members of the Consultative Council would be drawn from the most religiously "competent candidates without any kind of exception or distinction."[56]Additionally, the Letter of Demands, signed by other eminent religious leaders from across the country, called for a comprehensive reform of the state system

[53] Mouline, 10-11.
[54] Aba-Namay, 302.
[55] Kéchichian, 54.
[56] Aba-Namay 301. *Khiṭāb al-Maṭālib* is translated in Abu-Hamad, 61-62; and Kéchichian, 387.

and a recentering of Islamic practices in all sectors of Saudi society and politics.[57] A few weeks later, it appears that Ibn Bāz condemned the same petition he himself signed in the spring of 1991. In the *fatwa* condemning the Letter of Demands, Ibn Bāz clarified that although the creation and issuance of such a petition to the ruler (*walī al-amr*) is an acceptable practice according to the Saudi Islamic tradition, the petition in question should have been drafted and delivered out of sight from the public.[58] Calls for reform from religious elites were ineffective because they were under-leveraged and out-maneuvered by the Al Saud. My suggestion is that Al Saud reasserted their authority over the religious establishment in order to control the narrative about what was happening in the kingdom during and after the war. It was in the best interest of Al Saud to minimize the social tension and repackage the emergent critical discourses in the kingdom as preexisting or latent, rather than novel.[59]

The Al Saud needed to ground the recontextualization of critical discourses in the discursive genealogy of the Saudi Islamic tradition. The solution to Al Saud's legitimacy problem during and after the war had to cohere with historical conceptions of orthodox religiopolitical practices; it had to make sense of Al Saud's reliance on the Wahhābi religious establishment for legitimacy. In order to preserve their political legitimacy, Al Saud could not outright breach Islamic orthodoxy. But, the religious establishment's definition of Saudi religiopolitical orthodoxy did not accommodate the kind of authority Al Saud saw necessary to maintain their political hegemony after the war. My study

[57] Aba-Namay, 301.
[58] Aba-Namay, 52. Asad, *Genealogies*, 224.
[59] I will address how the Al Saud went about resubordinating elite *ulamā* such as Ibn Bāz in Chapter 3.

proposes that Al Saud needed to go beyond expanding their authority and codifying the subjugation of the religious establishment. I suggest that after the war and in service of their political legitimacy Al Saud set about redefining Saudi Islamic orthodoxy.

CHAPTER 2

A HISTORY OF THE *ULAMĀ* IN THE SAUDI TRADITION

During the 1980s in Saudi Arabia, religious leaders of many stripes opened up space in the social discourse for questioning the political legitimacy of Al Saud. Those recent cleavages in the sociopolitical landscape became craters when Ṣaddām Ḥusayn invaded Kuwait in late summer of 1990. Subsequently, King Fahd requested aid from Euro-North American allies to defeat Iraqi forces swiftly and decisively. The King sought to end the threat posed to Saudis' safety and security by Ṣaddām's aggressive actions in Kuwait. But King Fahd's request for aid disrupted political life in Saudi Arabia in unprecedented ways. Religious scholars and leaders publicly challenged the legitimacy of Al Saud's unchecked authority. They condemned the Al Saud's requests for aid from non-Muslims, particularly in waging war against other Muslims. In the eyes of many in the religious establishment, an Islamic government which could not mount a sufficient defense of Islam's holiest sites without the aid of Euro-North Americans was not a legitimate government. In response, ruling elites set about changing the basis of their political legitimacy.

Ultimately, following the defeat and ejection of Iraqi forces, the *ulamā*'s vision of orthodox relations between the royal family and the religious establishment no longer satisfied Al Saud. So, as I will discuss in Chapter 3, Al Saud set about redescribing that relationship, thereby attempting a redefinition of what is considered orthodox practice in the Saudi tradition, which, in turn, necessitated a novel understanding of the kingdom's formation and history, a phenomenon I will contemplate in Chapter 4. In this chapter, I will explain the ways in which thought amongst the elite religious establishment

diversified in the decades leading up to the 1991 Gulf War. Specifically, I am interested in the development of challenges to Al Saud's political legitimacy, and how those challenges were shaped by generational, systemic, historical, pragmatic, and external circumstances which came to a head in the 1980s, mostly for geopolitical reasons.

By analyzing the religious establishment's attacks on Al Saud's political legitimacy, I aim to make sense of the religious establishments' claim to legal and conceptual authority in determining Saudi Islamic orthodoxy. In order to illuminate the religious establishment's objections to the absolute authority of Al Saud in 1990, I will offer an abridged history of the *ulamā* within the Saudi discursive tradition before the invasion of Kuwait. My aim is to chart the *ulamā* to map some of the messiness which characterized Saudi religiopolitical thought and the sociopolitical upheaval that occurred in the kingdom between 1990 and 1992. In the following pages, I will use limited primary and diligent secondary sources to contemplate the fluidity and heterogeneity of Saudi political thought, with special attention paid to four eras of my own historical bracketing: 1) from the formation of the first Saudi state (1727) to the return of Riyadh to Al Saud's suzerainty (1902); 2) from the capture of Riyadh to the formation of the contemporary state, the Kingdom of Saudi Arabia, in 1932; 3) from the formation of the Kingdom to 1979, when internal and external events required Al Saud to consolidate their political legitimacy through various institutional mechanisms; and 4) from 1979 to the invasion of Kuwait in August 1990.

Extracting Legitimacy

Since the "unification" of the Kingdom of Saudi Arabia in 1932, Al Saud have turned to the religious establishment many times to consolidate their political legitimacy.

This relationship has been symbiotic to some extent.[60] Elite *ulamā* who granted Islamic legitimacy to Al Saud's conduct and reign saw themselves competing in the upper echelons of religious and state institutions. On the other hand, religious thinkers who voiced the criticisms Al Saud sought to silence were made redundant and removed from power, imprisoned, or exiled. Al Saud have historically enlisted the *ulamā* in boosting their political legitimacy on Islamic grounds. Before providing examples of how the relationship between Al Saud and the religious establishment has played out in the twentieth century, I offer a brief/abridged history of the relationship between religious authority and political power in the Saudi tradition.

Mutually Assured Legitimacy, 1727-1902

The first and second iterations of the Saudi state, established in 1727 and 1894, respectively, were built upon the political alliance of Muḥammad ibn Sa'ud al-Muqrin (d. 1765) and Muḥammad ibn 'Abd al-Wahhāb (d. 1792). Ibn 'Abd al-Wahhāb wished to purify the eighteenth-century Arabian Peninsula of innovative and heretical practices, and Ibn Sa'ud al-Muqrin, emir of the central Arabian settlement, Al-Dir'iyya, desired to expand his influence and largesse.

Al-Dir'iyya, like the kingdom's current capital, Riyadh, is located in the Najd region, a strip of plateau oases between the littoral towns of the Arab-Iranian Gulf[61] and

[60] Mouline, 202.

[61] The labeling of the body of water located between Saudi Arabia and Iran is a contested issue in both regions, in their diasporas, and in global news media. Rather than pick one usage or the other and attempt to properly and methodically address the politics tied to the terms—the "Persian Gulf" and the "Arabian Gulf"—I label this body the Arab-Iranian Gulf. Throughout this thesis, I attempt to use geographic referents to describe a location rather than the constructed geocultural assemblages which were produced concomitantly with the colonial epistemology and calcified during the mid-twentieth century turn to area studies. Some of the specious geocultural assemblages I particularly avoid are "Western [as in 'world' or 'civilization'], "Middle East," and "the Levant."

the Hijaz mountains of western Arabia. Ibn ‘Abd al-Wahhāb is best described as an ambulatory preacher who took asylum in Al-Dir’iyya after the local emir of his hometown exiled him. In Al-‘Uyayna, the preachers’ messaging agitated elite *ulamā*. The *ulamā* lobbied the Banu Khalid tribal confederation, who pressured the emir of Al-‘Uyayna, Uthman ibn Mu’ammar, to expel Ibn ‘Abd al-Wahhāb in 1744.[62] Nabil Mouline argues that Ibn ‘Abd al-Wahhāb chose Al-Dir’iyya for three reasons. First, multiple generations in Ibn Sa’ud al-Muqrin’s family subscribed to Ibn ‘Abd al-Wahhāb’s message. Second, Ibn Sa’ud al-Muqrin had no familial or economic relations with the enemies Ibn ‘Abd al-Wahhāb gained due to the radical nature of his puritanical message. And third, Al-Dir’iyya was fortified and defensible.[63]

Environmental as well as geopolitical factors complemented the theological intervention which Ibn ‘Abd al-Wahhāb had been preaching throughout Najd. In other words, the same ideas that made him enemies and led to exile from his hometown elevated him to power and prestige in Al-Dir’iyya. According to Al-Rasheed, the aridness of the region meant that the people of Dir’iyya, like most in Najd, depended on trade in order to supplement their agricultural output and feed the population.[64] Ibn ‘Abd al-Wahhab’s vision “provided a novel impetus for political centralization. Expansion by conquest was the only mechanism that would permit the emirate to rise above the limited confines of a specific settlement. With the importance of jihad in Wahhabi teachings, conquests of new territories became possible.”[65] This combination of factors boosted the

[62] Mouline, 58.
[63] Mouline, 58-59.
[64] Al-Rasheed, *History of Saudi Arabia*, 14, 33. Ménoret, *Saudi Enigma*, 47-48. Vassiliev, 33-34.
[65] Al-Rasheed, *History of Saudi Arabia*, 17.

regional status of Al-Dir'iyya, making it the seat from which Muhammad ibn 'Abd al-Wahhāb would spread his vision of Islamic orthodoxy and orthopraxy across eighteenth-century Arabia. However, Al-Rasheed makes clear that, without Ibn 'Abd al-Wahhāb, "it is highly unlikely that Dir'iyyah and its leadership would have assumed much political significance."[66] Both Ibn 'Abd al-Wahhāb and Ibn Sa'ud al-Muqrin found strength in each other's weaknesses. Their partnership allowed them to disrupt the hegemony of tribal confederations in Najd and mobilize followers throughout central Arabia.[67]

In 1932, King 'Abd al-Azīz ibn 'Abd al-Raḥman al-Fayṣal Āl Sa'ūd (d. 1953), also known as Ibn Sa'ūd, invoked the legacy of Ibn 'Abd al-Wahhāb's partnership with his great, great, great grandfather, Ibn Sa'ud al-Muqrin, when naming his domain the Kingdom of Saudi Arabia. Ibn Sa'ud increased the size of the territory he controlled and expanded the authority of the state.[68] Al-Rasheed notes that, similar to Ibn Sa'ud al-Muqrin, the founder of the first Saudi state, Ibn 'Abd al-Wahhāb's religiopolitical philosophy provided King Ibn Sa'ud with "a conceptual framework crucial for the consolidation of his rule" in the early twentieth century.[69] Al-Rasheed takes this one step further, claiming that Ibn Sa'ud "was granted legitimacy as long as he championed the cause of the religious specialists." The religious specialists Al-Rasheed refers to are *muṭawwa'a* (pl.: *muṭawi'īn*). I agree with the distinction Al-Rasheed makes here between the *muṭawi'īn* and the religious clerics or scholars of the religious establishment, the *ulamā*. Rather than an elite institution overseeing all things Islamic in the kingdom in

[66] Al-Rasheed, *History of Saudi Arabia*, 17.
[67] Al-Rasheed, *History of Saudi Arabia*, 20.
[68] Al-Rasheed, *History of Saudi Arabia*, 45.
[69] Al-Rasheed, *History of Saudi Arabia*, 49.

order to legitimize Al Saud's political practices—like the Council of Senior *Ulamā* would come to be later in the twentieth century—the *muṭawi'īn* functioned under Ibn Sa'ud as the religious arm of his empire-building project.

After capturing Riyadh in 1902, religious specialists made the *bay'ah* to Ibn Sa'ud. The *bay'ah* is an oath of allegiance with distinctive meaning and history in Islam.

> According to Islamic Sunni law and tradition, the *bayʿa* was considered a contractual agreement which constituted mutual obligations for both parties: on the one hand, there was the will of the electors ("the offer") and, on the other, the will of the elected person ("the acceptance"). Those who performed the *bayʿa*, and consequently the rest of the community, were bound by this contract, which included duties and privileges for both sides. The binding effect was personal and lifelong. The duties put upon the subjects included obedience and submission to the ruler and giving assistance in every eventuality to the limit of human capacity. The ruler's main duties were to apply the law (sharīʿa) and defend the Islamic territories and their inhabitants. In addition, it was incumbent upon him to wage *jihād* and run state affairs.[70]

The oath has particular value in the Saudi Islamic tradition and Al Saud still practice this custom in the kingdom.[71] Contemporary Saudi practices related to *bay'ah* are consistent with early Islamic practice.[72] Although other Muslim-majority countries practice some form of *bay'ah*, Podeh argues that the Saudi's practice of *bay'ah* is the most consistent with early Islamic practice, which Podeh attributes to the nature of Ibn 'Abd al-Wahhāb's religiopolitical vision and to the Saudi experience with European colonization. In Saudi Arabia, the concept of *bay'ah* has not been superimposed by secular-liberal political

[70] Elie Podeh, "The Bay'a: Modern Political Uses of Islamic Ritual in the Arab World." *Welt des Islams* 50, no. 1 (2010): 122.

[71] Practices related to *bay'ah* have been updated throughout Saudi history. The 1992 Basic Law of Governance institutionalized the practice, and the *Bay'ah* Commission, established in 2006, is a government body tasked with ensuring that political succession is determined in accordance with the Saudi Islamic tradition.

[72] Podeh, 148.

philosophy, as occurred in many other postcolonial states in Southwest Asia and North Africa. Additionally, Podeh suggests that, historically, the practice may have been used by Al Saud "to fend off any criticism of Sunni-Arab religious schools against their Wahhābī-Ḥanbalī doctrine."[73] On the other hand, Al-Rasheed argues that Ibn Sa'ud required *muṭawwa'a* to make the *bay'ah* because "it rendered political dissent a religious sin rather than merely a political position."[74] Regardless of his intentions in 1902, by demanding the oath of allegiance from religious specialists and political elite, Ibn Sa'ud enlisted the religious specialists in his political project. That project culminated in the so-called 'unification' of the kingdom in 1932.[75]

After Ibn Sa'ud conquered the western region of the Arabian Peninsula, the Hijaz, and expelled the Hashemite ruler, King Alī ibn al-Ḥusayn (d. 1935), in 1925, the future-king needed to win the backing of the religious establishment in not only Riyadh, but also Mecca and Medina, and he needed to accomplish this without giving up support from the British government.[76] To achieve that precarious balancing act, Ibn Sa'ud turned to the *muṭawi'īn.* The *muṭawi'īn* set about preaching to all classes and tribes of Muslims in the peninsula.[77] Through rudimentary religious education curriculum,[78] *muṭawi'īn* persuaded

[73] Podeh, 148.
[74] Madawi Al-Rasheed, *The Song King* (Oxford: University Press, 2021), 145.
[75] Al-Rasheed, *History of Saudi Arabia*, 56.
[76] Al-Rasheed, *History of Saudi Arabia*, 48.
[77] Al-Rasheed, *History of Saudi Arabia*, 55.
[78] According to Al-Rasheed, it is "likely that the *mutawwa'a* were confined to teaching the Qur'an and *'ibada* ["worship"], in which they had a distinct specialization …They were religious teachers with a sacred knowledge. Among other things, they taught people how to perform ablution without water, to pray without literacy, to recite the Qur'an without understanding, to practice true Islam without innovations, to bury the dead without marking their graves, and to worship God without mediators. The list was long indeed. In addition to launching a regime of 'discipline', they were also, as the self-appointed guardians of true Islam, concerned with 'punishment'. These ritual specialists became the nucleus of the Committee for the Propagation of Virtue and Prohibition of Vice." Al-Rasheed, *History of Saudi Arabia*, 49.

the people of Najd to support the parochial religiopolitical vision which the Al Saud had instrumentalized since the eighteenth century. Ibn Sa'ud provided materially for the religious specialists who were loyal to him and boosted the prestige of *muṭawwa'a* in their community.[79] Using religious education, and invoking the Qur'anic injunction to 'command right and forbid wrong,' "the *muṭawwa'a* ensured the submission of most of the population that came under the authority of Ibn Sa'ud between 1902 and 1932."[80] During the kingdom's formation, Al Saud—Ibn Sa'ud specifically—did not extract legitimacy for their political conquests from religious authorities *post hoc*. Instead, they fostered legitimacy and strengthened their support by creating a pipeline to the people and disseminating an advantageous vision of what the religiopolitical order should be. Ibn Sa'ud instrumentalized the *muṭawi'īn* and drew on Islamic concepts like *bay'ah* to edify his gradually expanding state-building project in order to reach a point where conquering Arabia and forming a transregional state was possible. My suggestion here is that the religiopolitical system which catalyzed the first Saudi state was also the engine of Ibn Sa'ud's twentieth-century political project.

Similar to the people of Baghdad resisting al-Ma'mūn's imposition of Mu'tazila doctrine during the ninth century in the event known as the *miḥnah*, denizens of the peninsula advocated a more traditionalistic religiopolitical vision between 1902 and 1932. Non-elite religious leaders were able to pressure elite religious and political actors into precipitating a new understanding of orthodox religiopolitical practice, according to a particular Islamic discursive genealogy. In Abbāssid Baghdad, Aḥmad ibn Ḥanbal was

[79] Al-Rasheed, *History of Saudi Arabia*, 54-54.
[80] Al-Rasheed, *History of Saudi Arabia*, 56.

lionized for his steadfast assertion that the Qur'ān is uncreated and has always existed, thus paving the way for a reversal of al-Ma'mūn's doctrinal reform eighteen years later.[81] In the urban centers of early twentieth-century Najd and Hijaz, Ibn Sa'ud was valorized for the religious purification of the soon-to-be kingdom, thus granting him the power to rid the future capital and Islamic holy sites of problematic religious leaders: the corrupt *ulamā*, who Al Saud claimed were the origin of heretical innovations which plagued Muslims in Arabia.

By 1932, Ibn 'Abd al-Wahhāb's religiopolitical vision precipitated/gave way to a distinctly Saudi prescription for religiopolitical orthodoxy. In this model, the people were mobilized into the religious mission and aligned with a pious religiopolitical reformer, thus drawing the religious establishment into supporting Ibn Sa'ud's claim to political hegemony over most of the Arabian Peninsula. Marshalling the *muṭawi'īn* gave Ibn Sa'ud the socioreligious capital necessary to extract political legitimacy from the elite ulamā, and to do so on religious grounds and in alignment with existing Saudi Islamic practices. This is the phenomenon I mentioned in Chapter 1 and which Toby Jones labels the "grand bargain."[82]

[81] For more on the *miḥnah*, its historical antecedents, and the events' overall significance and impact in the history of Islam, see: Ibn al-Jawzi, *Manaqib Ahmad ibn Hanbal*, trans. by Michael Cooperson as *The Life of Ibn Hanbal* (New York: New York University Press, 2016). See also: Christopher Melchert, *Ahmad ibn Hanbal* (Oxford: Oneworld Publications, 2006); Nimrod Hurvitz, *The Formation of Hanbalism* (London: Routledge, 2002); Michael Cooperson, *Classical Arabic Biography* (Cambridge: Cambridge University Press, 2004); Wael Hallaq, "From Regional to Personal Schools of Law? A Reevaluation," *Islamic Law and Society*, 8/1 (2001): 1–26. For a critical discussion of conceiving the Hanbali *madhhab* as "politically quietist," see: Khaled Abou El Fadl, *Rebellion and Violence in Islamic Law* (Cambridge: Cambridge Univ. Press, 2001), cited in Han Hsien Liew, "Ibn al-Jawzī and the Cursing of Yazīd b. Mu'āwiya: A Debate on Rebellion and Legitimate Rulership," *Journal of the American Oriental Society* 139, no. 3 (2019): 631-645, 632.

[82] Jones, *Desert Kingdom*, 8.

Legitimacy via Fatāwā, 1902-1932

Providing legitimacy to Al Saud by issuing *fatāwā* is an important part of the Saudi *ulamā*'s function. *Fatāwā* are Islamic legal rulings issued by religious scholars trained in *fiqh*, Islamic jurisprudence. Muslims seek out *ulamā* for answers to religious questions and for clarification about how to aptly perform orthodox Islamic practices.[83] As the historical examples I discuss below will intimate, Al Saud extracted *fatāwā* from the religious establishment in order to address sociopolitical exigencies, and to consolidate their political legitimacy overall.

When Ibn Sa'ud united the kingdom into one polity in 1932, a state apparatus already existed. However, "because the Saudis brutalized Arabia's denizens and used force to compel their submission, the result was the establishment of a weak polity vulnerable to various pressures."[84] In Chapter 1, I alluded that the state depended on the religious establishment during its nascency to shore up their political legitimacy in big and little ways. I return to that idea in this section and will expound my discussion of the historical relationship between the political authority and elite religious establishment in the Saudi Islamic tradition.

Other scholars have suggested that since 1932 the *ulamā* have followed the expressed wishes of the Saudi state during exigent moments of social, political, and

[83] Agrama delivers a fascinating anthropological discussion of the ethical dimensions of the *fatwa* and complications in studying its disparate practice throughout the Islamic world and over time. Agrama argues that "assumptions have facilitated an image of the fatwa as creatively straddling a constant divide between a settled doctrinal past and a future of incessant novelty, as the primary agent of doctrinal change, of adapting and reforming Islamic tradition to fit modern times. This, in turn, has led to an emphasis on fatwas as doctrinal imperatives, disembodied from the specific modes of engagement that structure their living authority." Hussein Ali Agrama, "Ethics, Tradition, Authority: Toward an Anthropology of the Fatwa," *American Ethnologist* 37, no. 1 (2010): 2–18.

[84] Jones, *Desert Kingdom*, 7.

technological inflection or development. “Generally speaking,” Mamoun Fandy writes, “the traditional ‘ulamā support state policy, both internal and external.”[85] Historically, the religious establishment has worked in concert with Al Saud in the kingdom’s centers of social and political power. Mouline lays out nicely the nature of “the symbiotic relationship between the political power and the religious authority” and “why it must be scrupulously respected by the ulamā.”[86] In his book, *The Clerics of Islam*, Mouline deploys a sociological approach to historical knowledge production and builds upon a systematic study of the Islamic discursive genealogy connecting Aḥmad ibn Ḥanbal and Ibn Bāz.[87] Drawing on approximately 100 interviews with elite *ulamā* between 2005 and 2010, and paying attention to print and digital media sources and the significance of media in Saudi religious life, Mouline undertakes “to analyze the manner in which the ulamā reacted to the issues of their times and, more particularly, how they assessed and attempted to formulate ideological and organizational responses to sociopolitical disruption and the emergence of new phenomenon.”[88] Mouline offers a unique framework for thinking about the Saudi religious establishment’s role in consolidating political legitimacy. Mouline calls this framework “the three O’s: orthodoxy, orthopraxy, and the political order.”[89] Working within this frame, Mouline argues that “in the Hanbali-Wahhabi conception, the role of the ulamā is to support the political authorities and manage the official market of salvational goods in accordance with the three O’s

[85] Fandy, 37.
[86] Mouline, 202.
[87] Mouline 16.
[88] Mouline, 14.
[89] Mouline, 14.

[orthodoxy, orthopraxy, and (political) order]."[90] In Mouline's conception of the Saudi *ulamā*, which is the product on diachronic textual and sociological study covering three centuries, the *ulamā*'s responsibility to support the political authority necessitates managing definitions of orthodox practice.

Mouline's conception supports my argument that, historically, Al Saud depended on extracting legitimacy from the elite religious establishment. However, later in this chapter, I will nuance my relationship with Mouline's work and contemplate the convergences and divergences between our approaches to studying changes in Saudi religiopolitical concepts. For now, it is important to note that the religious establishment played a significant role in defining religiopolitical orthodoxy from the beginning of the kingdom, and the *ulamā* fulfilled their role by issuing *fatāwā*.

The "Grand Bargain," 1932-1979

So far in this chapter, I have undertaken a discussion of some of the ways extracting political legitimacy via *fatwa* can be considered a recurring phenomenon in twentieth-century Saudi history. During the kingdom's nascency, Ibn Sa'ud turned to the *ulamā* to bolster his legitimacy in 1927 and again in 1928 during the *ikhwan* rebellion.[91] The same fighting force who conquered Arabia under Ibn Sa'ud's command challenged the soon-to-be King, necessitating an intervention by the *ulamā* of Riyadh. The religious establishment gathered in Riyadh—at Ibn Sa'ud's direction—in order to refute the criticisms of the *ikhwan* line by line, *fatwa* by *fatwa*.[92]

[90] Mouline, 201. See also: Abir, 185; Al-Rasheed, *History of Saudi Arabia*, 65; Fandy, 37, 49, 241; Jones, *Desert Kingdom*, 8; Ménoret, *Saudi Enigma*, 111, 124.

[91] Ménoret, *Saudi Enigma*, 111. Al-Rasheed, *History of Saudi Arabia*, 67. See also: Brinkley Messick, *The Calligraphic State* (Berkeley: University of California Press, 1993).

[92] Al-Rasheed, *History of Saudi Arabia*, 64.

In the 1950s, Al Saud feared the ascent of Pan-Arab, socialist discourses coming out of Nasser's Egypt.[93] By the 1960s, King Fayṣal (r. 1964-1975) repositioned himself as a transnational leader of the *ummah*, or the global Muslim community. Fayṣal recast development and "modernization"—which his ousted brother, King Sa'ud (r. 1953-1964), had championed after World War II—as desirable, but in need of Islamic legitimacy. Mouline notes that the elite religious establishment "responded to the major structural challenges experienced by Saudi Arabia and the rest of the Muslim world in the 1950s and 1960s by taking the initiative to construct modern institutions."[94] Through those institutions, King Fayṣal sought religious legitimation for his policies regarding female education, television broadcasting, and foreign laborers.[95] This is why Al-Rasheed claims that "under Fayṣal's patronage and part of his bureaucratic reforms, the Sa'udi *'ulamā* were formally co-opted…He made them part of the state and endeavoured to reward the most moderate among them, who were willing to endorse his reforms in return for concessions."[96] In 1972, Fayṣal convened the Council of Senior *Ulamā*, effectively institutionalizing the elite *ulamā* as the religious arm of the state apparatus. The Al Saud ensconced loyal *ulamā* in important positions with national scope and oversight. Fearful of demand for a positive legal code, which they probably imagined would limit their authority, Al Saud extracted a *fatwa* from the newly formed Council of Senior *Ulamā*. That *fatwa* forbade codification of *fiqh* because "codifying norms deduced from sharia and compelling judges to scrupulously apply such a system, far from being the best way

[93] Al-Rasheed, *History of Saudi Arabia*, 119. Ménoret, *Saudi Enigma*, 111.

[94] Mouline continues: "The ulamā's main preoccupation was to maintain the centrality of their discourse in the social space." Mouline, 261.

[95] Al-Rasheed, *History of Saudi Arabia*, 120.

[96] Al-Rasheed, *History of Saudi Arabia*, 120.

to reform the Saudi judicial system, would for the following reasons produce undesirable consequences."[97] Throughout the 1960s and 1970s, Al Saud consolidated their religious credibility in this way in order to maintain political legitimacy domestically amid a chaotic geopolitical moment globally, e.g., the crystallization of the global Cold War, Israeli aggression in the Sinai Desert, the first boom and then bust of petro-captial revenue.

To bolster their Islamic legitimacy at home, and to insure their political authority in perpetuity, Al Saud built an institutional apparatus capable of resolving any challenge to their legitimacy. By 1972, the Al Saud routinized and institutionalized their mechanisms for extracting religiopolitical legitimation.[98] All of this proved useful in 1979, when challenges to Al Saud's legitimacy appeared on both sides of the peninsula.

Legitimacy During Crisis, 1979

On the eastern side of the Gulf, in Iran, January 1978 saw the outbreak of widespread domestic opposition to the rule of Mohammad Reza Pahlavi, the Shah ("king"). In broad and reductive strokes (due to pragmatic constraints on my project), Iranians resisted the Shah's oppressive and brutalist mechanisms to 'secularize'/'modernize'/'Westernize' their Shi'a-majority society. The Shah's opposition succeeded in deposing Pahlavi in January 1979, leading to the dissolution of the Iranian monarchy/state and culminating in the return of the Ayatollah Ruhollah Khomeini, the leader-in-exile of the Shah's religious opposition. Ayatollah Khomeini declared a revolutionary government in order to actualize his own religiopolitical vision,

[97] Mouline, 165.
[98] Mouline, 119-145.

Velâyat-e Faqih ("guardianship of the jurist"). Under this system, a corporation of Islamic jurists determine state policy in all arenas and in accordance with orthodox practices of the Twelver Shi'a tradition.

The 1979 revolution in Iran was one among multiple external threats to Al Saud's religiopolitical legitimacy. The high temperature of the geopolitical situation in the East Mediterranean during the 1970s had yet to cool down. The 1978 Camp David Accords were lauded in Europe and North America and resulted in Nobel Peace Prizes for both parties. However, some Arabs, within and without of Palestine, became disgruntled with Anwar al-Sādāt's unilateral decision-making on behalf of all Arabs, just as many Saudis were frustrated by Al Saud's support of the royalists in the Yemeni Civil War of the 1960s.[99] Many in Saudi Arabia agreed with the Pan-Arab ideology which animated Egyptian geopolitical policy in the 1950s. By the 1970s, Saudis were questioning why Al Saud would support a Pan-Arab and Pan-Islamic policy in Palestine on one hand, and on the other, obstruct an Arab republican movement taking place across the kingdom's southwestern border. Indeed, Al Saud faced external threats to their legitimacy from both sides of the Arabian Peninsula, Egypt in the West, and Iran in the East. In 1979, pressure from those external threats precipitated the boldest internal assault on Al Saud's political legitimacy in the history of the kingdom.

[99] In October 1962, al-Rasheed reports that three Saudi pilots, who were tasked with delivering aid to royalists in order to put down the political rebellion unfolding in Yemen, defected to Egypt. The pilots were protesting Al Saud's support of the *Mutawkkilīyah* monarchy. Gamāl 'Abd al-Naṣir, the President of Egypt, supported the revolutionary republicans in a conflict al-Rasheed calls "a proxy battle between Saudi Arabia and Egypt." Al-Rasheed, *History of Saudi Arabia*, 113.

In November 1979, during *ḥajj*, the annual season when millions of Muslims visit Mecca in order to perform a vital practice as Muslims,[100] two Saudi men led an armed takeover of the *al-Masjid al-Ḥarām* ("the forbidden mosque," a.k.a., the Grand Mosque of Mecca). Juhaymān al- 'Utaybī (d. 1980), and Muhammad 'Abd Allāh al-Qaḥṭānī (d. 1979), together with a few hundred loyal men, sieged the iconic mosque for 15 days. The armed protestors criticized the corruption and illegitimacy of Al Saud on Islamic grounds.[101] By situating their critique within the Saudi discursive tradition, and by invoking the religiopolitical vision of Ibn 'Abd al-Wahhāb—the political system which hastened the first Saudi state in 1727—al-'Utaybī and al-Qaḥṭānī put blame for the kingdom's declining circumstances squarely on the Al Saud.[102]

That same month, November 1979, Shi'a near the eastern oil-drilling towns of Dammam, al-Khobar, and Dhahran, resisted the marginalization of Shi'a in the kingdom in a dramatic way. Toby Jones labels the incident as an uprising and has reported extensively on the event, its causes, its aftermath, and its coverup.[103]

> In the normally sleepy village of Qatif, perched on the Persian Gulf shore, Shia demonstrators burned the British bank as well as the offices of Saudi Arabian Airlines. They destroyed state-owned vehicles, attacked police, raided the national coast guard office in the village of al-Awamiyya, seized weapons from soldiers, and even occupied the old city in downtown Qatif,

[100] *Ḥajj* is the annual season when Muslims from around the world visit the *ka'bah*, one of Islam's most sacred sites. As directed by the Prophet Muhammad, it is incumbent upon all Muslims who are able to journey at least once in their life to Mecca to perform *ḥajj*.

[101] Al-Rasheed, *History of Saudi Arabia*, 139. See also: Bsheer, *Archive Wars*, 13-14; Jones, *Desert Kingdom*, 215-222; Abir, 183.

[102] Al-Rasheed, *History of Saudi Arabia*, 139.

[103] Jones, *Desert Kingdom*, 176. See also: Robert Vitalis, *America's Kingdom* (Stanford: Stanford University Press, 2007). Both Jones and Vitalis document the 1979 Shi'a Uprising as a monumental event in Saudi history, and a moment which is central to understanding the ways in which the US-Saudi relationship shaped the kingdom's sociopolitical policy. Memories of 1979 still haunted Al Saud a decade later in 1990, when King Fahd requested intervention from Euro-North American allies.

> from which they held off the Saudi military for days. So deep did Shia enmity toward the Saudi state run that one group of rebels even burned a toy store owned by a government official.[104]

Jones recognizes the plurality of the uprising's genesis. Celebration of *Āshūrā'*, a sacred day for Shi'a to commemorate the martyrdom of Ḥusayn set off the uprising. But, both Jones and Al-Rasheed note that the uprising was a spark that lit many powder kegs.[105] Jones argues that "at the heart of the uprising was a wrenching sense of rancor over the deplorable social and economic conditions that predominated in their communities."[106] The marginalization and oppression of Shi'a practitioners has a long history as part of the Ḥanbali discursive tradition in general, and the Saudi discursive tradition in particular.[107] Additionally, Robert Vitalis has shown that racial tensions and the exploitation of workers at the US-managed Aramco sites played a significant role during the uprising.[108] The 1979 Shi'a Uprising in the Eastern Province changed the landscape of Saudi sociopolitics by reimagining possibilities for voicing dissent.[109] A challenge of the kind presented by the Shi'a Uprising was inconceivable in the kingdom before 1970.

Al Saud watched wearily as popular support grew throughout the Arab-Islamic world for a shift away from the political *status quo* of the early twentieth century.[110] By

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[104] Jones, *Desert Kingdom*, 180.

[105] Al-Rasheed, *History of Saudi Arabia*, 141-142.

[106] Jones, *Desert Kingdom*, 182.

[107] Michael Cook and Jon Hoover both repeatedly emphasize the anti-Shī'a prejudice baked into the Hanbali tradition. Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2011), 116-127; Jon Hoover, "Hanbali Theology" in *The Oxford Handbook of Islamic Theology*, ed. Sabine Schmidtke (Oxford: Oxford University Press, 2016), 625-646. For a more contemporary but comprehensive treatment of Shī'a communities and practices in the Kingdom of Saudi Arabia, see: Toby Matthiesen, *The Other Saudis* (Cambridge: Cambridge University Press, 2015).

[108] Robert Vitalis, "Black Gold, White Crude: An Essay on American Exceptionalism, Hierarchy, and Hegemony in the Gulf," *Diplomatic History* 26, 2 (2002): 185–213.

[109] Jones, *Desert Kingdom*, 184. "Oil helped shape an entirely new political movement, turning a historically quiescent Shia community into an ideological force, one that equated Saudi authority and oil as forms of imperial power."

[110] Al-Rasheed, *History of Saudi Arabia*, 143.

1979, opposition wasn't just ringing the front door, the call was coming from inside the house. To sum up, Al Saud faced challenges to their vision of a legitimate Arab-Islamic polity from every side; from Iran in the east, from Pan-Arab political ideologues in the west and south, and in the north, encroachment by the state of Israel upon historically Arab lands in the East Mediterranean. Naturally, during this moment of interlocking crises and geopolitical inflection, Al Saud turned to the religious establishment for resolution.

The elite *ulamā*, now institutionalized as the Council of Senior *Ulamā*, undertook a two-pronged approach to resolving the challenges against Al Saud's authority and legitimacy in 1979: first, they insulated Al Saud from attempts to undermine their political legitimacy on Islamic jurisprudential grounds; second, they furnished legitimacy for Al Saud's authoritarian responses to the unrest. Al Saud needed a boost in religious credibility from the religious establishment because they faced juridical questions about their legitimacy. According to a dissenting minority of religious scholars, Al Saud's inability to safeguard one of the most revered sites in Islam tacitly demonstrated their illegitimacy; that a military intervention was necessary at all was evidence of Al Saud's negligence and corruption when it came to protecting the *ka'bah*. Through individual and collective *fatāwā* in Saudi media, the religious establishment validated the military operation that Al Saud put in place to end the seizure of the Grand Mosque of Mecca.[111] In fact, the elite *ulamā* "dramatized the 1979 event in order to better galvanize the Muslim imaginary." By inflating the danger and seditiousness of al-'Utaybī and al-

[111] Mouline, 238.

Qaḥṭānī's occupation, the religious establishment sought to consolidate the legitimacy of Al Saud's response. I suggest it is possible that the *ulamā* beefed up their presentation of the actual threat to the kingdom's political order so that any response by the Al Saud that ended the incident was necessarily justified.[112] I postulate that same logic served Al Saud's interests in quelling the Shi'a Uprising on the eastern border. As I have discussed above, that boost of legitimacy was already much needed at a time when geopolitical pressures were bearing down on Al Saud in every direction.

Fragmentation of the Ulamā, 1979-1990

The convergence of challenges to Al Saud's legitimacy are evident in the schism that began within the *ulamā* around and after the disruptive events of 1979. In the 1980s, two factions appeared within the elite religious establishment: the majority of one faction were deep-rooted *ulamā* who rose to power during the oil boom and development push between 1950 and 1960. The majority of the other faction were younger scholars trained by Pan-Arab ideologues during a period when development stalled due to falling oil prices in the 1970s.[113] Elite *ulamā*—or, as I gloss them in English, members of the elite religious establishment—could be located in both camps: the older generation of scholars, and the new generation.[114]

By "elite religious establishment," I refer to institutional *ulamā,* mostly located in Riyadh, <u>*as well as*</u> oppositionist *ulamā,* who, while speaking from the political and

[112] Mouline, 238. Ménoret, *Saudi Enigma,* 111. Fandy, 37.

[113] Abir, 183. Jones, *Desert Kingdom,* 220.

[114] In my usage, the definite article, e.g., "the *ulamā*," denotes the collective body of elite religious scholars who function as a monopolized religious establishment in Saudi society. Mouline uses "corporation" to express this same denotation. However, typically when I do not use the definite article, e.g., "*ulamā* gathered in Riyadh," I am using "*ulamā*" as the plural of "ālim," i.e., a singular religious scholar. In this sentence, "*ulamā*" denotes the latter meaning, and "religious establishment" denotes the former.

geographic margins of the kingdom, nevertheless spoke to national and transnational audiences. By "elite religious establishment," I do not mean the *muṭawi'īn*—called religious specialists by Al-Rasheed, and often termed "religious police" in European and North American discourses. And later, I will explore differences between elite religious scholars and local *al-du'āt*[115]—which I, like Mouline, gloss as "preachers"—within both the institutional and oppositional factions.[116] Additionally, I will identify another division within the opposition between 'Islamists' on one side and 'Liberals'/'Secularists' on the other. That division can be seen within the elite religious establishment opposition, as well as within the institutional elite establishment. Furthermore, within all of these groups, there are both loyalists and critics. But, even amongst critics there is disparity: some remain loyal to the Saudi system in general, and Al Saud in particular, and others critique and condemn the Al Saud themselves, specifically their vision of orthodox Islamic governance. Some divisions are the result of systemic processes, like the division between elite *ulamā* and local *al-du'āt*, and others are generational, like the division between the politically quiescent scholars who were trained before the 1950s and the impassioned and emboldened graduates of Saudi Islamic universities in the late 1960s. For purposes of my argument, and in order to develop an understanding of changes within the Saudi religious space in the 1980s, I will parse the fragmentation of the religious establishment by organizing the elite *ulamā* into two categories: the older generation, and the newer generation.

[115] Sing.: *dā'*.
[116] Mouline, 247.

The 'Quietists' vs. the 'Islamist' "Neo-Fundamentalists"

The schism between the older and newer generations of Saudi *ulamā* unfolded in the 1980s but originated in the 1960s. As discussed briefly above, during the 1960s, King Fayṣal (r. 1964-1975) found himself competing with Egypt's populist leader, President Gamal Abdel Nasser, to be the transnational leader of the Pan-Arab movement. The ideology of the Pan-Arab movement crystallized during the 1952 Egyptian Revolution. Nasser drew global attention in 1956 for fending off European and Israeli aggression in the Sinai Desert. Arabs, Muslims, and colonized peoples across the Global South celebrated the defeat of the British and French and commended Nasser for nationalizing the Suez Canal. Nasser left the former colonists with egg on their faces, sand in their eyes, and a sense of global humiliation.[117]

Meanwhile, across the Red Sea in the kingdom, Fayṣal marshalled support to seize political power from his brother, King Sa'ūd ibn 'Abd al-'Azīz (r. 1953-1964, d. 1969). Sa'ūd became King following the death of his father, King Ibn Sa'ūd, in 1953. Simultaneously, Fayṣal became Crown Prince. As Crown Prince, Fayṣal answered directly to his brother and secured his place as next in the order of succession. However, Crown Prince Fayṣal and King Sa'ūd belonged to separate factions within the Al Saud and advocated disparate approaches to foreign policy. King Sa'ūd focusing on working with Nasser to stop the British from regaining influence in the region and disregarded the

[117] By using the term "colonist," I invoke Frantz Fanon's articulation of the term. According to Fanon, "the colonist and the colonized are old acquittances. And consequently, the colonist is right when he says he 'knows' them. It is the colonist who *fabricated* and *continues to fabricate* the colonized subject. The colonist derives his validity. i.e., his wealth, from the colonial system." Frantz Fanon, *The Wretched of the Earth*, trans. Richard Philcox (New York: Grove Press, 2004), 2-10. For a twenty-first century critique of wealth-accumulation as the ultimate, normative goal in neoliberal, Euro-North American societies, see: Achille Mbembe, *Critique of Black Reason*, trans. Laurent Dubois (Durham: Duke University Press, 2017), 2-5.

needs of the Saudi population. Following World War II, the British gave control over former mandate territories to the Hashemites, installing monarchs to act in effect as political proxies in Jordan and Iraq. Sa'ūd saw the consolidation of Hashemite power and their growing regional influence as the gravest threat to Al Saud's political stability. Fayṣal, on the other hand, anticipated that Nasser's popularity and the promulgation of Pan-Arab policy were a greater threat. In response, Faysal positioned himself as a pious reformer and an alternative to Sa'ūd, who he claimed had been corrupted by foreign influence and opulent consumer goods. Simultaneously, Fayṣal supported the import of Euro-North American infrastructure technologies into the kingdom.[118] Like Ibn Sa'ūd, Fayṣal found a way to have his cake and eat it too. Fayṣal appealed to conservative notions of Islamic legitimacy while simultaneously reimagining the built environment of the kingdom and the role of the state in it.[119] Just as his father balanced a political mandate for a puritanical religious society with a desire for aid from the British and the US, King Fayṣal balanced a geopolitical mandate for religious credibility with a vision for a "modernized" Saudi Arabia.

As a society, Saudi Arabia was doubling down on traditionalism while being inundated with radical technological innovation. This tension played out in the everyday lives of Saudis. When oil prices dropped in the 1970s, the poorest communities in the kingdom suffered while the Al Saud, according to Abir, "continued to exploit their

[118] Al-Rasheed, *History of Saudi Arabia*, 119.

[119] Jones, *Desert Kingdom*, 221. "Although the effort to reinvent itself was partly an effort to strengthen the royal family's political bona fides, it was also part of a process in which the government reinvented the nature of its relationship to its subjects as well as the principles according to which Saudi citizenship would be determined."

positions for their own enrichment."[120] Meanwhile, the religious establishment, particularly elite *ulamā* in Riyadh, worked closely with King Fayṣal to legitimize his development agenda wholesale. Not only had the elite religious establishment issued *fatāwā* which gave legitimacy to then-Crown Prince Fayṣal's usurpation of power from his brother, elite *ulamā* issued a list of *fatāwā* legitimizing King Fayṣal's progressive policies throughout the 1970s.[121] At the same time, King Fayṣal's government was taking in members of the Muslim Brotherhood and putting them to work in Islamic universities. Nasser disallowed the Muslim Brotherhood in Egypt, following an attempt on his life in 1954. King Fayṣal saw this as an opportunity to damage Nasser and shore up his Islamic legitimacy even further.[122] Hence, my suggestion that Al Saud laid the foundations for the *ulamā*'s schism in the 1980s.

As I have already mentioned and as other Saudi scholars have noted recurrently, the division of the *ulamā* occurred largely along a generational line:[123] on one side, the older generation—many of whom ascended to elite status via prestigious positions during King Ibn Sa'ūd's reign—rejected the Muslim Brotherhood's religiopolitical ideals. These conservative *ulamā* favored a system in which a centralized political power is complimented by a quietest religious establishment who influence policy, but only do so behind closed doors. On the other side, the newer generation learned about Sayyid Quṭb's (d. 1966) vision of an ideal Islamic polity with global suzerainty. Saudi students were taught the Muslim Brotherhood's religiopolitical thought by religious scholars who King

[120] Abir, 183.
[121] Al-Rasheed, *History of Saudi Arabia*, 120.
[122] Al-Rasheed, *History of Saudi Arabia*, 139.
[123] Ménoret, *Saudi Enigma*, 112, 127, 213. Al-Rasheed, *History of Saudi Arabia*, 149, 228. Abir, 180, 187. Mouline, 245, 247. Vassiliev, 465.

Fayṣal brought over from Egypt. In addition to snubbing Nasser by giving Nasser's political rivals asylum and a platform, the King needed them to staff the many universities and schools that were built in the kingdom during the 1950s and 1960s.[124] All of these were part of the confluence of geopolitical and domestic factors, including a surging population and rising unemployment, that set the stage for a generational conflict which divided the *ulamā* as well as Saudi society ideologically.[125]

The Older Generation

Abir also explains the division of the elite Saudi *ulamā* as a generational phenomenon. According to Abir, the older generation where "extremist, narrow-minded, establishment ulamā."[126] Abir associates the older generation with "powerful establishment *ulamā*,"[127] the "uncouth" *ulamā* who "joined the Ikhwan rebellion in the 1920s and others who opposed modernization under Faysal."[128] These *ulamā* worked their way into the mainstream of the religious establishment and blurred the lines between Islamic piety and fealty to Al Saud. The older generation *ulamā* Abir references concretized the dynamic that Jones calls the "grand bargain" between Al Saud and the elite religious establishment: the scholars are given positions in the institutional organs of the state and exercise authority in religious spaces, and in exchange, they give Al Saud legitimacy *post hoc*, seemingly on demand, by issuing *fatāwā.*

Mouline offers a more generous reading of the older generation's position. According to Mouline, "in order to manage more or less violent crises, distinguish itself

[124] Al-Rasheed, 227.
[125] Al-Rasheed, 150, 227.
[126] Abir, 181.
[127] Abir, 180.
[128] Abir, 181.

from protesters, and ensure that the order necessary for the observance of the prescription of sharia is maintained, the religious establishment has found itself obliged to adopt a clear position on certain political and theologico-juridical questions."[129] In other words, when Al Saud wants to take a new position, the religious establishment provides a justification on Islamic grounds. Even if superimposing another ruling, every *fatwa* is articulated in a way that validates the practice within the Saudi tradition.[130] Mouline attributes this flexibility and transactionality to the *ulamā*'s "ethic of responsibility." It should be noted that Mouline's study focused on the Grand Council of *Ulamā* and focused specifically on a group which I identify as only one category of *ālim*. Where Mouline makes a distinction between *ulamā* and non-*ulamā*, I make a distinction between the elite institutional *ulamā*—the older generation—and non-elite, reformist *ulamā* influenced by so-called Islamists—the newer generation. Although there is heterogeneity among both groups, according to Mouline, it is the elite institutional *ulamā*'s duty to preserve orthodoxy, orthopraxy, and political order to "ensure that the order necessary for the observance of the prescription of sharia is maintained."[131] In this study, I am more interested in the diversity of the Saudi *ulamā* during the late twentieth century and how that diversity precipitated a challenge to the sociopolitical order, prompting a response from Al Saud in 1992, i.e., the Basic Law of Governance. Mouline is more interested in the conditions of access to the elite circle of the religious establishment. For these reasons I recognize that my approach differs from Mouline's. I aspire that my approach to

[129] Mouline, 235.

[130] In Chapter 3, I comment on Foley's argument in relation to this phenomenon. Foley argues that Al Saud have championed "the ability to legitimize transformation without calling it change." Foley, 55.

[131] Mouline, 235.

contemplating the *ulamā* in the Saudi tradition is more comprehensive and wider than Mouline's. However, I wish to stress that I recognize these differences between my work and Mouline's as methodological, and not substantive, and I remain indebted to Mouline for his diligent and important work. But I wonder how Mouline's conception of the *ulamā* could be more expansive and inclusive. A more comprehensive approach, such as the one I gesture towards in this section, might open up scholars' understanding of transregional discourses and their formations into and across the kingdom. What are some of the ways that wealth, sociopolitical position, and locality affect the thinking of members of the religious establishment? How are those subjectivities expressed in policy decisions and what is their impact on Saudis occupying the margins of social, political, and economic life? How are the same power dynamics which insulate the elite and oppress the marginalized being reproduced in studies trying to bring attention to those power dynamics? Studying the economy of regional, economic, and social subjectivities within the elite religious establishment in Saudi Arabia might widen the scope and impact of knowledge produced. I am suggesting that Saudi studies scholars look beyond forms of religiopolitical authority articulated by a central power, a current of though produced by the generation of Global North scholars with post-September 11 access to the kingdom, e.g., Jones, Bsheer, Okruhlik. Building on their current work in this space, Mouline and other Global North scholars could provide invaluable contribution to the scholarship in this field by continuing to think about and research these questions.

For my purposes, what is important is that Mouline supports my claim that a schism occurred along generational lines during the 1980s, with roots in the 1960s. However, I conceive the elite religious establishment in broader terms than Mouline's

methodology suggests. In my conception of the *ulamā*, I label all scholars within the religious establishment as *ulamā* categorically, regardless of whether or not they occupy clerical positions or fulfill clerical religious duties within the state's institutionalized religious apparatus. Mouline makes a distinction between the elite religious establishment, the *ulamā*, and local preachers, *al-duāt*.[132] Although I recognize this distinction, I go further and suggest that *al-du'āt* are also part of the religious establishment, despite their lack of clerical duties in some cases.

In the Saudi tradition, elite religious clerics, educated local preachers, and the judicial authority (*qāḍī*) all occupy roles within the *ulamā*, which I gloss in English as the religious establishment. As I discussed in Chapter 1, the *ulamā* as a religious body is an unavoidably slippery concept in Islamic studies. However, my comprehensive conception of the *ulamā* is vital to understanding my rendering of the topography of the Saudi *ulamā* at the time of the Iraqi invasion of Kuwait and King Fahd inviting US aid.

The Newer Generation

Mouline terms the newer generation "Islamists."[133] I also recognize the group Mouline references here as distinct, however I suggest that 'Islamist' and *Salafiyyah* political philosophies penetrated both the elite and local levels of the older as well as the newer generations of the religious establishment. There were indeed elite *ulamā* in the older generation who had contact with and perhaps even supported the Islamists' mission as it was understood in the kingdom during the 1980s. According to Mouline, the newer

[132] Mouline, 247.

[133] For more on 'Islamism' in the kingdom, see: Stephane Lacroix, *Awakening Islam*, trans. George Holoch (Cambridge: Harvard University Press, 2011); Henri Lauzière, "The Construction of *Salafiyya*" *International Journal of Middle East Studies* 42 (2010): 369-389.

generation "reproached" the older generation "with restricting themselves to religious questions; in the Islamist' view, the clerics of Islam had to take an interest in all aspects of life, particularly in political ones."[134] Mouline continues:

> In keeping with a modern and highly politicized conception of Islam, they demanded that the members of the establishment transform themselves into political actors, an impossible prospect because it is foreign to the ulamā's habitus and contrary to one of the corporation's foundations: observance of the symbiotic relationship with the House of Saud. The Islamists were well aware of this: in reality their aim was to demolish the corporation's ideological authority while promoting that of their own ulamā, who they claimed were capable of reconciling religious knowledge with an understanding of modern reality.[135]

In other words, the newer generation sought to redefine the religious establishment's relationship with Al Saud.[136] The younger generation *ulamā* offered an alternative to the institutional *ulamā*'s vision of religiopolitical orthodoxy. And so, "the moment had come to leave the narrow confines to which they had been assigned and interfere in [political] affairs."[137]

Ménoret echoes Mouline's point that the younger generation were directly challenging the older generation's *modus operandi*, i.e., Jones' "grand bargain." "It was on the basis of society's own system of references that the Islamists intended to renew

[134] Mouline, 245.
[135] Mouline, 245.
[136] Again, while Mouline's findings support my suggestion that a generational division occurred, their study examined the conditions of institutional access and therefore, in their study, discussions of marginal and oppositional voices are secondary and the thoughts of mainstream, institutional *ulamā* are understandably centered. I am curious to explore in the future the conditions of access to transregional audiences as a way of including peripheral actors in the scope of a similar study. I am interested in studying peripheral actors who nevertheless exercise differential power and therefore can be considered elite.
[137] Mouline, 245.

Saudi society and politics, and this creative preservation enabled them to *take up the flame of modernity* [sic] that the state had abandoned since the mid-1970s."[138]

Abir describes the younger "non-conformist" generation as "far more politically knowledgeable than their forerunners."[139] According to Abir, the newer generation's religiopolitical views, collectively, shifted farther left. Some went so far left they entered into a category Abir labels "extremist fundamentalism."[140] This group is distinct from but overlaps with the Islamists discussed by Mouline and Ménoret. Abir offers the insurgents from the 1979 Grand Mosque Seizure as an example. Abir blames the older generation for radicalizing their students to the point that they "turned to jihadist messianism and rebelled in Mecca in 1979."[141] In fact, Abir draws a line connecting the leaders of the Grand Mosque Seizure, Juhaymān al-'Utaybī (d. 1980) and Muhammad 'Abd Allāh al-Qaḥṭānī (d. 1979), with Shaykh 'Abd al-Azīz ibn Bāz, the *de facto* leader of the elite religious establishment during the invasion of Kuwait. Abir reports that al-'Utaybī was a student of Ibn Bāz at one point and was a conduit for Ibn Bāz's messaging to al-Qaḥṭānī and his disciples. By 1990, the younger generation of the religious establishment "were no longer willing to accept their mentors' hypocrisy concerning the regime, the excesses of members of the royal house and injustice in the kingdom."[142] Abir's analysis supports my claim that a divide emerged between the newer and older generation, and the newer generation of "non-conformist" *ulamā*, as Abir labels them, outright challenged the religiopolitical *status quo* in the kingdom. Abir also highlights the novelty of the newer

[138] Ménoret, *Saudi Enigma*, 127.
[139] Abir, 181, 183.
[140] Abir, 183.
[141] Abir, 183.
[142] Abir, 187.

generation's goals in the 1980s. Abir claims that the rise of "non-conformist" religious thought leaders "within the ranks of orthodoxy is an outstanding phenomenon in Saudi Arabia."[143] The vocabulary which Abir and I articulate in discussing the *ulamā* offers more clarity than Mouline's or Ménoret's. By focusing on one group and labeling them "Islamists," Mouline and Ménoret dismiss the heterogeneity and complexity of responses by elite *ulamā* across the kingdom. By organizing *ulamā* into a newer and older generation, my analysis, like Abir's, emphasizes the differences between an "extremist, narrow-minded," conservative view of the relationship between the religious establishment and Al Saud, and a disruptive, "non-conformist" view of that relationship.

Now that I have contoured my discussion of the social, political, and religious challenges Al Saud faced in the 1980s, I will next zoom in on some of the key *ulamā* in both the older and newer generation. I will use these examples to nuance my analysis of the fragmentation of the *ulamā* and uncover the messy heterogeneity of Saudi religiopolitical thought during and in response to the "crisis of legitimacy" which the 1991 Gulf War entailed.

[143] Abir, 181.

CHAPTER 3

THE 1991 GULF WAR AND THE "CRISIS OF LEGITIMACY"

Shaykh 'Abd al-Azīz ibn Bāz was the paragon of an elite, older generation, institutional and supremely loyal Saudi *'ālim*.[144] Ibn Bāz built his credibility with the Saudi population by issuing a string of newsworthy *fatwa* and other jurisprudential writings. Mouline claims that "his charisma and symbolic power have made him the most famous contemporary Hanbali-Wahhabi dignitary."[145] In my view, Ibn Bāz played a key part in attempts by Al Saud to insulate Saudi society from Pan-Arab discourses coming in from Egypt and he helped legitimize Al Saud's push to 'modernize' the kingdom after World War II.[146] Throughout the 1960s and 1970s, Ibn Bāz "was able to rise to the very summit of the corporation solely on the basis of his theological knowledge, moral integrity, popularity, and services to the monarchy."[147] Ibn Bāz established/created a network of relationships with *ulamā* in the kingdom's religious hubs and transregional literary circles. Not only did the Shaykh teach students who became prominent in the state apparatus, allegedly, he used his influence to put his allies in positions of influence.[148] Al Saud turned to Ibn Bāz to issue a *fatwa* legitimizing their authoritarian

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[144] Mouline notes that Ibn Bāz's profile is exceptional because he was "a *khadiri* (a nontribal sedentary, implying lower status in the local social hierarchy) from a kindred of midlevel religious personnel…Given his *khadiri* origin, Ibn Baz had no ties of kinship or clientelism with the ruling house and was associated with the interest of no lineage." Mouline, 178. Mouline goes on to argue that Al Saud feared the potential influence of Ibn Bāz because he was "socially unmoored," unlike many elite, institutional *ulamā* before him who were tied to the Al Āl-Shaykh and thus had a historical relationship of loyalty to Al Saud. Mouline claims Al Saud responded to the latent "danger" of Ibn Bāz's influence by promoting him to more and more prestigious and prominent positions.

[145] Mouline, 180.

[146] Mouline, 126, 140.

[147] Mouline, 180. In my understanding, Mouline's use of "moral integrity" refers to external presumptions about his conduct and moral righteousness. As I have noted above, Ibn Bāz was a transnationally renowned figure; assumed moral scrupulousness was a key part of the reputation Ibn Bāz had cultivated since the 1940s.

[148] Mouline, 199.

response to the 1979 Grand Mosque Seizure.[149] In that instance, my reading is that Ibn Bāz gave Al Saud *carte blanche* to end the incident.

By 1990, Ibn Bāz was the face and the voice of the elite religious establishment in the kingdom. This is why Mouline offers Ibn Bāz's August 1990 *fatwa* as the seminal example of what Mouline terms the "routinization of the Hanbali-Wahhabi tradition."[150] I postulate that Ibn Bāz occupied a special role in the institutionalization of the religious establishment's relationship with the Al Saud because he calcified the mold created by his predecessor, Muḥammad ibn 'Ibrāhīm āl-Shaykh (d. 1969), and King Faysal (d. 1975).[151] It is important to note that this arrangement was well tested before 1990 because it hints that Al Saud believed they had a plan in place to protect their political legitimacy from the kind of challenges they encountered between August 1990 and July 1991. Al Saud thought the tried-and-true religiopolitical orthodoxy which served them and their forefathers would prevail. However, when they failed to quash the challenges to their way of extracting legitimacy from the elite religious establishment, they set out to redefine the orthodoxy governing their relationship with *ulamā* such as Ibn Bāz.

Emboldened Critics

Ibn Bāz issued a *fatwa*[152] in August 1990, almost immediately after the invasion of Kuwait. The *fatwa* legitimized the presence of non-Muslim soldiers in the kingdom as

[149] Mouline, 238.
[150] Mouline, 244.
[151] Mouline, 199.
[152] Agrama explores the ways in which the *fatwa*, as an Islamic practice, is "both ethical and authoritative…Because fatwas are responses to questions about how to live rightly, they are very clearly necessarily part of an ethical practice. While it is well known that fatwas are a primary means of exercising Islamic authority, their authority has not been systematically explored. A consideration of the fatwa may help prompt a rethinking of authority and ethical agency in ways other than the conventional understandings allow." 3-4.

an acceptable mode a deterring foreign aggression.[153] The *fatwa* complemented a speech delivered by King Fahd on August 9, 1990, approximately a week after the invasion. In the speech, the King denounced the Iraqi invasion, justified the US military presence in the kingdom, invited a multinational force to join the military effort to defend Kuwait, and announced a withdrawal deadline for the Iraqi military. King Fahd gave Ṣaddām Ḥusayn until January 17, 1991, to peacefully withdraw. In January 1991, Ibn Bāz issued another *fatwa*, this time legitimizing Al Saud's armed response to Iraq's invasion of Kuwait.[154] In the *fatwa*, Ibn Bāz grants Islamic legitimacy to the military effort by authorizing *jihad* ("struggle") against "the state of Iraq" (*dawlat al-ʻirāq*) in response to "Iraqi aggression against the state of Kuwait" (*ʻudwān al-ʻirāq ʻalā dawlat al-kuwayt*). The *fatwa* permits seeking aid from forces "from among the Muslims *and others*" (*min al-muslimīn wa-ghayrahim*). Furthermore, Ibn Bāz claims that it is the "duty/obligation" (*fālwājib*) of all Muslims "to deny this evil" (*hadhā al-munkar*) and "to advocate for [*yunāṣurū*] the oppressed state [Kuwait]." In this second *fatwa*, Ibn Bāz, speaking as head of the Council of Senior *Ulamā*, not only condoned accepting aid from non-Muslims, but he also made it morally incumbent upon Al Saud and all Saudis to deploy whatever means necessary to expel the threat to the kingdom and the sacred sites contained therein.

Ibn Bāz's *fatwa* authorizing *jihad* and permitting non-Muslim help are at the core of what al-Rasheed calls the "crisis of legitimacy" among Al Saud following the 1991 Gulf War. The need to bring in support from the US "led to serious questioning of the

[153] "Should all Muslims stand with the Kingdom and fight this unjust oppressor?," General Presidency for Scholarly Research and Ifta: Riyadh, August 1990.

[154] "Muslims' duty toward Iraq's aggression against the state of Kuwait," General Presidency for Scholarly Research and Ifta: Riyadh, January 1991.

right of a government to rule after having mismanaged the economy and overspent on an inefficient defense system."[155] Consequently, "Saudi society responded…by launching a series of opposition opinions that undermined the legitimacy of the government at a time when this legitimacy was most needed."[156] Generally, Saudis were not upset by the mere presence of non-Muslims, but they were upset that the government needed help securing the kingdom despite Al Saud's massive defense expenditure. Ménoret sums this sentiment up nicely. According to Ménoret, calls for military support from Euro-North American allies "seemed unworthy of the enlightened rule that the Sauds claimed to exercise."[157] However, criticism was not directed solely at the state. Abir points to the widespread "dissatisfaction with the regime" that was prevalent in the kingdom, as well as with the older generation's leadership, "which almost automatically legitimized every act of the Sauds and benefited from their largess."[158] The elite institutional *ulamā* justified their transactional validation of Al Saud's conduct as a 'lesser of two evils' situation; the presence of non-Muslim soldiers was better than risking defeat by Ṣaddām.[159]

The "crisis of legitimacy" cast a shadow over the entire Saudi religiopolitical system, not just Al Saud. In this chapter, I will elaborate more on a few of the ways the religious establishment aspired to challenge Al Saud's political legitimacy during and in the aftermath of the 1991 Gulf War. I will identify elite religious thinkers whose ideas circulated in the kingdom before, during, and after the 1991 Gulf War, and tie those

[155] Al-Rasheed, *History of Saudi Arabia,* 159.
[156] Al-Rasheed, *History of Saudi Arabia,* 166.
[157] Ménoret, *Saudi Enigma,* 122.
[158] Abir, 181.
[159] Abir, 185.

examples to the topography of the *ulamā* which I offered in the previous chapter. Finally, by conducting a close reading of the Letter of Demands, I attempt to describe the particular vision of religiopolitical orthodoxy offered by the elite religious establishment after the invasion of Kuwait. The Letter of Demands summarizes the elite religious establishment's vision of what should be considered orthodox governance, according to the Saudi Islamic tradition, and when it comes to the relationship between the ruling royal family and the *ulamā*. Deploying textual and narrative approaches to analyze the Letter of Demands, I will contemplate the ways that the authors of the Letter call for the *Sharī'ah* to be recentered in virtually all aspects of public life in the kingdom. The Letter imagines an orthoprax government in which the elite religious establishment are the ultimate arbiters of legality because, in the ideal Islamic polity, authority is tied to and determined by expertise. The Letter uses suggestive language to make indirect critiques of Al Saud's practices and conduct. Put simply, they offer examples of what could be better. And what could be better, according to the Letter's authors, is (re)empowering the elite religious establishment so that they can guide the kingdom alongside Al Saud. I propose that the Letter's authors wished to lead Saudi society through a series of economic reforms which would return the kingdom to orthoprax governance according to the Saudi tradition.[160]

[160] It is worth noting as I articulate this claim that I remain aware of problems that arise in studies of Islam which think about any geoculturally-specific Islamic tradition as singular. Challenges, heterogeneity, and messiness are endemic to discussions of religious practice and praxis as analytical categories. My references to "the Saudi tradition" should always be understood within Asad's framing of approaching Islam as a discursive tradition, i.e., studies should foremost consider locality and pragmatic historical considerations. See also: Brinkley Messick, *The Calligraphic State* (Berkeley: University of California Press, 1993).

Like the 1979 Shi'a Uprising in the Eastern Province, Al Saud's response to the invasion of Kuwait was a spark that lit many powder kegs. According to Al-Rasheed, "the Gulf War only intensified what had already been fermenting in Saudi society,"[161] as "the causes of the Islamist opposition predated the Gulf War, but the war itself was a catalyst that the opposition used to voice their general discontent with the government over important issues."[162] For this same reason, Fandy calls the war a "watershed in Saudi politics, or at least in the changing political language that enveloped the polity."[163] In Ménoret's view, the 1991 Gulf War and "the violent trauma it inflicted on Saudi society provided the Islamists with the opportunity to make their entrance onto the stage of politics itself." [164] Ibn Bāz's January 1991 *fatwa,* which legitimized Al Saud's appeals for military support, was "the signal for revolt" among the newer generation. To better understand why Ibn Bāz's role in the schism between the newer and older generations is so important, I will examine Ibn Bāz's history with Al Saud in general, and the part he played in redefining religiopolitical orthodoxy in the kingdom after the war.

By autumn of 1990 in the kingdom, the division of the older generation and the newer generation which began a decade earlier became more apparent. The tension between these two factions of the elite *ulamā* boiled over after Ibn Bāz's August *fatwa* legitimizing the presence of US troops as a deterrent against Iraqi aggression towards the kingdom. The newer generation claimed that Ibn Bāz's transactional legitimization of Al Saud's request for aid was a deviation from the religiopolitical orthodoxy governing the

[161] Al-Rasheed, *History of Saudi Arabia,* 161.
[162] Al-Rasheed, *History of Saudi Arabia,* 158.
[163] Fandy, 48-49.
[164] Ménoret, *Saudi Enigma,* 121.

relationship between Al Saud and the elite religious establishment. Mouline writes the 'Islamists' among the newer generation based their ideas about religiopolitical orthodoxy "on a synthesis of the Hanbali-Wahhabi exclusivism of the nineteenth century, anti-imperialist positions, and the conspiracy theories of the Muslim brotherhood." According to Mouline, the newer generation, especially Islamists, "were shocked by the initiatives of the political power and the religious authority" in response to the invasion of Kuwait.[165] In turn, the newer generation began voicing their opinion that the elite religious establishment's legitimization of non-Muslim aid to defend the Islamic homeland and secure the two most sacred sites in Islam against a Muslim adversary violated their understanding of the religiopolitical orthodoxy which animated the Saudi tradition for two centuries. According to Ménoret, "this marked a veritable revolution, since debates previously held in private were now being aired in public spaces."[166] Ibn Bāz's August *fatwa* was the exigency which brought unprecedented political debate into Saudi society.[167]

Although the cleavage between the newer and older generations started before it was brought into the public eye in 1990, the novel form of public discourse and debate revealed another split within the newer generation: the 'Islamists' and the "Liberals"/'Secularists.' Fandy notes that "although the voices of opposition became more pronounced during the Gulf War, the debate between the Islamists and the liberals in Saudi society had been fermenting since 1987 around the issue of modernity and

[165] Mouline, 245.
[166] Ménoret, *Saudi Enigma*, 123.
[167] Al-Rasheed, *History of Saudi Arabia*, 171.

Islam."[168] By January 1991, "labels such as 'secularists and Islamists' became part of the political vocabulary of most Sa'udis."[169] Abir thinks about the newer generation in three groups and situates them in a spectrum.[170] The first group, on the far right of the spectrum, are the institutionally-aligned but "timid, 'non-conformist' junior ulamā." On the far left of the spectrum, the second group is made up of "the 'soft' middleclass and liberal intelligentsia," i.e., the "Liberals"/'Secularists.'[171] In between the first two groups, sits the third group: which Abir terms "neo-fundamentalists." These "militant popular, largely Najdi, theologians…did not hesitate to publicly challenge the regime's policy and even its legitimacy and dwelt as well on sociopolitical subjects that were considered taboo, as far as the ulamā were concerned, after the 1920s."[172]

I agree with Abir's framing, even as I resist the praxis of reducing intellectual genealogies to '-isms' and '-ists.' The elite members of the newer generation of the religious establishment generally fit into these three categories: institutionally aligned, 'Islamist,' and "Liberal"/ 'Secularist.' To conclude, I will offer examples of *ulamā* in all three categories in order to conclude my rendering of the topography of the elite Saudi religious establishment and introduce the period which Al-Rasheed calls the "age of petitions."[173] After I locate the document's most renown signatories in the topography of

[168] Fandy, 48.
[169] Al-Rasheed, 166.
[170] Abir, 181.
[171] The complex identities of thinkers in this group demonstrate the slipperiness of the *ulamā* as an ontological religious concept. Although thinkers in this category do not fit the mold of an institutional *'ālim* imagined in most Islamic studies discourses, I am suggesting that they are reclaiming duties that are the purview of the religious establishment and which institutional elites were neglecting, in their view.
[172] Abir, 181.
[173] Al-Rasheed, *History of Saudi Arabia*, 163.

the *ulamā* which I have charted, I will analyze the *Letter of Demands* in order to contemplate the vision of religiopolitical orthodoxy contained therein.

'Islamists' vs. "Liberal"/ 'Secularists'

As discussed above, the rise of Saudi "Islamism" in the 1980s occurred after a generation of religious scholars graduated from Islamic universities and schools where their mentors—who I have identified as both the "extremist" wing of the older generation of the elite religious institution *as well as* the Muslim Brothers taking asylum for persecution in Egypt—taught them about the primacy of the Saudi system, a primacy that is drawn from the relationship between the religious establishment and political authority, and educated them about the religiopolitical thought of Sayyid Quṭb. This generation came of age and began affecting Saudi socioreligious life at the same time that a generation of bureaucrats, engineers, writers, diplomats, and other intellectuals were returning to the kingdom after graduating from universities in Europe and North America.[174] The newer generation of religious establishment internalized the hardline discourses instilled in them by the older generation of the elite religious establishment, then they looked around and saw "the cultural 'schizophrenia' of the bourgeoisie and the regime, the impossible attempt (much commented on in the European media) to combine Western references with an Islamic cultural and ideological framework."[175] Both groups were latent threats to Al Saud's political legitimacy before the 1991 Gulf War. Although these two groups did not work outright synergistically, they played off each other and exchanged ideas, at times even overlapping. Ultimately, the 'Islamists' and 'Secularists'

[174] Al-Rasheed, *History of Saudi Arabia*, 149. Jones, *Desert Kingdom*, 63.
[175] Ménoret, *Saudi Enigma*, 119.

used each other to sharpen their critiques of the monarchy and to situate those critiques and their religiopolitical ideals within the Saudi tradition.

The 'Islamists' identified and began aiming critiques at their civic counterparts who were trained in Euro-North American universities. According to the 'Islamists,' the 'Secularists' were going about "modernization" and technological development all wrong. 'Islamists' argued that 'Secularists' were actually importing secular-liberal political philosophy and its attendant way of life, which is constitutively un-Islamic, or *kāfir* ("disbelief"). In 1987, Shaykh 'Āw'aḍ al-Qarnī published *Al-Ḥadāthah fī Mīzān al-'Islām* ("Modernity by the Yardstick of Islam").[176] In the book, Al-Qarnī (b. 1957) accuses "'modernist' intellectuals of compromising with a state whose priority was no longer modernization." Ménoret reports that al-Qarnī builds on Sa'd al-Ghāmidī's (b. 1967) study of Saudi "modernists" and warns "the public of an ideological seizure of power (in the press and the literary scene) by a minority of Western-trained intellectuals who had been co-opted by the government."[177] In this way, the modernist movement became a cudgel for the 'Islamists' to indirectly critique the corruption displayed by elite members of Al Saud. By August 1990, "Islamism" in Saudi Arabia was a "movement of cultural preservation and political opposition"[178] which directly challenged "the 'Western-style' modernization that had given the Riyadh regime most of its legitimacy until the 1960s."[179] However, there was overlap between these two groups between August 1990 and January 1991.

[176] Cited in Ménoret, *Saudi Enigma*, 111. The translation of the title is Ménoret's.
[177] Ménoret, *Saudi Enigma,* 112.
[178] Ménoret, *Saudi Enigma,* 119.
[179] Ménoret, *Saudi Enigma,* 112.

In December 1990, a manuscript began circulating within a transregional network of 'secularist' intellectuals in the kingdom. The document later came to be known as "the 'secular' petition," but it is titled *Al-'Arīḍah al-Madinīat* ("the civic petition") and was signed and shaped by Muḥammad Sa'īd Ṭayib (b. 1939), Muḥammad 'Abdhu Yamānī (d. 2010), and 'Abd Allah Mannā' (d. 2021), as well as other elite intellectuals, most of whom studied in Europe and North America.[180] The 'secular' petition calls for political reform, more representation, and overall, more political participation for all categories of citizens within Saudi society. Al-Rasheed points out, however, that it is a "misrepresentation" to call the petition's signatories "secularist."[181] Al-Rasheed blames "both Western reporters and Sa'udi Islamists" for propagating the label "secular petition." In fact, the 'secular' petition, like the *Letter of Demands*, as I will suggest later, declares continued loyalty to the Al Saud as well as the Saudi religiopolitical system. Abir observes that the petition "does not dare mention a fundamental law (constitution) that will curb the authority of the ruler and the ulamā or challenge the position of the shari'a as the kingdom's fundamental law."[182] Rather, the petition enumerates points of dissatisfaction with the ways in which political practices in the kingdom are being carried out. The petition focused on problems in the judiciary and systemic issues within the *muṭawi'īn,* which had been institutionalized in 1976 as the General Presidency of the Committee for the Promotion of Virtue and the Prohibition of Vice.[183]

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[180] "*Makhāḍ Daūlat wa-Mujtama'* [Labors of the State and Society] (Story of the Civic Petition)." Jeddah, 2010.

[181] Al-Rasheed, *History of Saudi Arabia,* 164.

[182] Abir, 189.

[183] Mouline, 212. The Committee existed in some bureaucratic form since the 1920s and became part of the state apparatus in 1937. In 1976, four years after the formation of the Council of Senior *Ulamā,* King Khalid consolidated the Committee's regional bureaucracy into a more centralized body. In 2016,

Despite the loyalist tone and positioning of the petition, and the fact that many of the ideas therein would be repeated in the *Letter of Demands* in May 1991, the 'Islamists' continued to attack the "Westernizing" influence of the "secularists." The 'Islamists' were not the only ones seeking credibility by criticizing "modernists," Al Saud also cashed in. Fandy observes that "nonreligious dissent is thus even easier for the Saud family to discredit than legitimate political criticism."[184] And so, by January 1991, "the split between 'liberal' and Islamist' intellectuals was now complete, and Saudi dailies lined up with those advocating one or the other cause."[185]

In the following pages, I will explain the final distinction I recognize within the composition of the elite Saudi *ulamā* at the outbreak of the 1991 Gulf War. Concurrently, I will introduce two 'Islamist' scholars who I offer as final examples in charting the topography of the elite religious establishment. By doing so, my purpose has been to illustrate the multiplicity of discourses which challenged Al Saud's political legitimacy in the lead up to and aftermath of the 1991 Gulf War.

Loyal Al-Ḥawālī vs. Critical Al-'Awdah

In Saudi Studies since the 1991 Gulf War, the two most-discussed religiopolitical oppositionists are Safar Al-Ḥawālī (b. 1950) and Salmān Al-'Awdah (b. 1956). These *ulamā* held transregional influence and disseminated their messages via networks for taped sermons and religious publications. Saudi Studies scholars are right to focus on and group these two scholars together, and for three reasons: First, their messages reached a

Crown Prince Muḥammad ibn Salmān Āl Sa'ūd moved to curb the Committee's powers. On this, see Madawi Al-Rasheed, *The Son King* (Oxford: Oxford University Press, 2021), 80, 86, 134.

[184] Fandy, 242.

[185] Ménoret, *Saudi Enigma*, 112.

scope and scale of audience within the kingdom which would not have been possible without the aid of nascent telecommunications technology, nor without the opening up of space in the political landscape for criticizing the religiopolitical *status quo* after King Fahd's request for non-Muslim aid against Iraq. The formation of religious networks to distribute taped *khuṭbah* ("sermons"), recorded speeches, and other writings; the attention which foreign journalists and domestic and foreign broadcast media brought onto political opposition in the kingdom; and the exigency of the invasion of Kuwait all contributed to Al-Ḥawālī and Al-'Awdah reaching unprecedented audiences and hence, being overrepresented in Saudi Studies literature.

Second, both scholars were of the newer generation of the elite religious establishment, those who were trained in the 1970s by scholars of the older generation, including in the case of Al-Ḥawālī, by Ibn Bāz himself. However, both were affected by Sayyid Quṭb's religiopolitical thought. Both scholars echoed critiques of "secularism" popularized by Muslim Brotherhood thinkers throughout the twentieth century, and both saw the kingdom as their home and wished to enact internal reform so that the denizens of Saudi Arabia could live a fully actualized *shar'īah* according to the Saudi tradition.[186]

Third, both scholars faced arrest and imprisonment in relation to and independent from their leadership roles in the Committee for the Defense of Legitimate rights, or CLDR (*Lajnat al-Difā' 'an al-Ḥuqūq al-Shar'iah*).

[186] I use the term "denizen" instead of "citizen" here and elsewhere in order to connote the impact of transnational discourses on all residents of the kingdom, not just citizens. Additionally, this term better reflects the political messaging of Qutb because the discursive processes entailed in citizen formation are non-indigenous to the Islamic tradition and are epistemologically tied to the "Enlightenment" intellectual milieu.

Although scholars are right to group together Al-Ḥawālī and Al-‘Awdah for these three reasons, I am interested in exploring their divergences and discontinuities. A key divergence between Al-Ḥawālī’s and Al-‘Awdah’s religiopolitical messages is that Al-Ḥawālī is critical of the Saudi system and its corruption by imperial and neocolonial interests but remains loyal to the centrality of Al Saud in Arabia’s future. Al-‘Awdah, on the other hand, criticizes the Al Saud directly and specifically. Fandy also notes this distinction in *Saudi Arabia and the Politics of Dissent*. In the book, Fandy analyzes the sermons and writings of both scholars and finds that “unlike Hawali, al-‘Auda is aggressive in his criticism of both the ‘ulamā and members of the royal family.”[187] Al-‘Awdah is “nonetheless a Saudi nationalist at heart.”[188] Fandy also notes that Al-Ḥawālī’s message is “unlike many Islamists’” because his “speeches and writings include the larger Islamic world.”[189] Meanwhile, Al-‘Awdah’s message is unlike other “Islamists’” because he “pushes a line of racial superiority, unprecedented in Saudi revivalist thought, claiming that the people of Saudi Arabia are strong in physique and mental abilities because of environmental conditions.”[190] Lastly, Al-Ḥawālī’s “criticism focuses on the secular Arab states, particularly their Western-influenced constitutions and legal systems.”[191] For Al-Ḥawālī, “the Western/American core culture is central to any serious critique of the Saudi State, because what concerns him is not the problems of the Saudi state itself.”[192] That is not to say that Al-Ḥawālī is uncritical of the state or Al Saud, on

[187] Fandy, 231.
[188] Fandy, 100.
[189] Fandy, 112.
[190] Fandy, 101.
[191] Fandy, 63.
[192] Fandy, 62.

the contrary, Al-Ḥawālī argues that "the first war should be against the infidels inside, and then we will be strong enough to face our external enemy."[193] Fandy clarifies that "by the 'infidels inside,' Hawali means the liberals and the leftists of the Arab and Muslim world."[194] Al-'Awdah once again, maintains a different view. He "condemns Western culture as morally corrupt and backward, but Western style of governance is, in his eyes, closer to Islam than the current autocratic governments of the Arab world."[195]

In sum, there are a variety of reasons why grouping Al-Ḥawālī and Al-'Awdah into an analytical category is both misleading and useful at the same time. Together, they exemplify another binary which demonstrates the heterogeneity of religiopolitical thought amongst the elite Saudi religious establishment on the eve of the 1991 Gulf War. On one side of the binary: elite, 'Islamist'-aligned, *ulamā* of the newer generation who are steadfastly loyal to Al Saud but critical of the Saudi system as it was in 1991, like Al-Ḥawālī. On the other side: elite, 'Islamist'-aligned, ulamā of the newer generation who are critical of Al Saud, like Al-'Awdah, *in addition* to joining *ulamā* like Al-Ḥawālī to blame the decentering of the religious establishment as what ailed the Saudi political system in the leadup to the invasion of Kuwait. Al-Ḥawālī and Al-'Awdah both critique the Saudi system, but Al-Ḥawālī identifies Al Saud as necessary to the Saudi system and appears devoutly loyal. Al-'Awdah, on the other hand. Criticizes Al Saud's conduct and blames the contemporary Al Saud for deviating from the religiopolitical vision which animated their forefathers' empire and state building projects.

[193] Cited in Fandy, 65. Translation is Fandy's.
[194] Fandy, 65.
[195] Fandy, 105.

Now that I have summarized the wide-ranging field of thought reflected by the elite *ulamā,* I will analyze a document which involves the full cast of characters I have outlined: the Letter of Demands (*Khiṭāb al-Maṭālib*). My aim in doing so is to illustrate the ways in which this document can be understood as a comprehensive conceptual product of the newer generation of the elite religious establishment, just as the Basic Law of Governance—which I analyze in detail in the next chapter—is a comprehensive conceptual product of Al Saud. Simultaneously, the narrative of the document's production, reception by King Fahd, and its aftermath, underline that Al Saud insulated themselves from fallout caused by the Letter by transacting with the older generation. And, more interestingly, that narrative speaks to why Al Saud sought to redefine the orthodoxy governing their relationship with the religious establishment in March 1992. I suggest that it was because they were ultimately unable to contain that fallout by the autumn of 1991.

The Letter of Demands (*Khiṭāb al-Maṭālib*)

The Letter of Demands summarizes the elite religious establishment's vision of what should be considered orthodox practice, according to the Saudi Islamic tradition, and when it comes to the relationship between the ruling royal family and the *ulamā*. In ten points of two to three sentences each, the Letter reasserts the importance of religious consultation and guidance and explains the vitality of that consultation and guidance to the Saudi political tradition. According to the document's authors, the *Sharī'ah* should be at the center of all policy decisions, all policy decisions should be consultative, and economic reform is the key to re-establishing orthoprax governance in the kingdom according to the Saudi tradition. The Letter, although grounded in a religious and legal

vernacular, uses suggestive language to make backdoor and indirect critiques of Al Saud and invokes libertarian ideals of individual sovereignty and human rights. By saying what orthodox governance should look like, the Letter's authors are suggesting that the way it is now is not the way it should be. And what it should be, according to the authors, is a religiopolitical system in which authority is tied to and determined by expertise, whether that expertise is political, economic, or religious (judicial, legal, or jurisprudential).

In sum, I am suggesting that the authors render the situation in the kingdom at the time of the Letter's drafting as a deviation from the original Saudi religiopolitical system, the system which ascended in the twentieth century thanks in part to its relationship with/coopting of the elite religious establishment. In my rendering, the elite religious establishment was telling Al Saud they were being/feeling left out, and that was why the kingdom was facing the predicament it did during the invasion of Kuwait. It was the authors' stated intention to notify Al Saud of how bad things had gotten, so that the situation could be rectified and the kingdom could be returned to its former *status quo*, i.e., returned to orthoprax governance under an orthodox Saudi religiopolitical system.

The Text

First and foremost, the Letter demands recentering *Sharī'ah* in virtually all arenas of public life. All twelve demands make reference to Islam, either directly or indirectly, and three points include the word "*Sharī'ah.*" The Letter begins by calling for the establishment of a "separate" (*mustaqill*) and "completely independent" (*istaqālan tāman*) *Majlis al-Shūrā* ("Consultative Council") to "decide on internal and external

issues."[196] Then, the authors call for reexamination and reconsideration of "all political, economic, and state administrative regulations according to the provisions of Islamic Law (*Sharī'a*)."[197] Demand #6, the longest of the twelve demands, calls for "establishing justice" (*iqamat al-'adli*) by redistributing public wealth to all categories of Saudi citizens, "preserving the state's resources from waste and exploitation," and "cleansing" (*taṭhīr*) banking institutions of the un-Islamic practice of usury (*al-ribā*).[198] The news media (*al-'ilām*) should be "rebuilt" (*i'ādat binā'*) in order to "serve Islam and express the ethics of society."[199] The authors of the Letter demand that "foreign policy" (*as-siyāsat al-khārijiyyah*) be rearticulated to "safeguard the nation's interests from alliances contrary to the law (*lil-Shara'*)."[200] Additionally, foreign policy should "adopt Muslim issues" (*tabnī qaḍāyā al-muslimīn*) and "correct the status of embassies (*al-sifārāt*) by conveying/transferring [Saudi Arabia's] Islamic character (*al-ṣibghah lil-'islāmiyyah*)" in/to the embassies' host countries. "Religious and preaching institutions" (*al-m'usasāt al-daynayat wa-al-da'waīat*) must be "developed" (*taṭawīr*) and "supported by material and human resources."[201] Finally, "judicial institutions" (*al-m'usasāt al-qaḍā'īah*)—which are part of the religious establishment in the Saudi tradition (along with the *ulamā* and *al-du'āt*)—must be unified but independent and provide equal protection to all.[202]

In order to make clear that the *Sharī'ah* should be at the center of all policy decisions, the document's authors enumerate areas where the states practices are falling

[196] Letter of Demands, Demand #1.
[197] Letter of Demands, Demand #2. This language is mirrored in the Basic Law, Article 48.
[198] Letter of Demands, Demand #6.
[199] Letter of Demands, Demand #8.
[200] Letter of Demands, Demand #9.
[201] Letter of Demands, Demand #10.
[202] Letter of Demands, Demand #11.

short and need to be reformulated so that they are in accordance with the religiopolitical prescriptions of the Saudi tradition. For the Letter's authors, nearly every state institution needs to reexamine their policies and reconsider their practices and then grade themselves according to an Islamic rubric. Orthodox governance in Saudi society requires strengthening the religious regulatory apparatus, the authors argue. That is why the Letter's authors recommend that all policy decisions should be consultative, and the fact that policy decisions have not been made consultatively is the reason why state institutions have lost their Islamic credibility. Even as they enumerate their grievances on religious grounds, the authors are articulating their grievances in a way that tacitly suggests that they, the elite *ulamā*, have always played a necessary consultative role in the kingdom's governance.

The Letter of Demands lays out the religious pain points in Saudi sociopolitical praxis and explains why a lack of religiopolitical consultation is the core of the state's problems. It is telling that the first words of the list of demands are "establish a consultative council" (*'inshā' majlis al-shūrā*). Consultation is necessary in order to satisfy Demand #2: reexamine and reconsider all political, economic, and administrative policies of the state in order that they satisfy the "provisions of Islamic Law" (*Sharī'ah*). Demand #3 also requires consultation. It asserts that "officials and representatives of the state" should exhibit upright behavior (*an tatawāfar astiqamāmat al-sulūk*)[203] and possess "experience, specialization, sincerity, and integrity."[204] The Letter calls on the state to "prevent the exploitation of influence, whatever its source."[205] Demand #3 requires

[203] Letter of Demands, Demand #3. "أن تتوافر...استقامة السلوك..."
[204] Letter of Demands, Demand #3.
[205] Letter of Demands, Demand #4.

consultation because the religious establishment, as the ultimate arbiters of Islamic legality, can determine what constitutes proper conduct, i.e. upright behavior. Additionally, the elite *ulamā* can determine what types of experience and specialty are necessary in religious spaces which in Saudi society are nearly all public spaces.

The authors make clear that some kind of regulatory apparatus must play a part in preventing the abuse of influence, "whatever its source."[206] The religious wing of that regulatory apparatus should contribute to or lead "cleansing"[207] the state institutions,[208] including the information media,[209], the judiciary,[210] and foreign affairs body, according to religiopolitical guidelines that are specific to the Saudi tradition. According to the authors, consultation is at the core of orthopraxy governance in the Saudi tradition. By bringing the expertise of the learned elite of the religious establishment to bear in virtually every area of governance and public life, the Letter's authors argue that Saudi society can mend and ascend after the calamitous failure which the 1991 Gulf War signified for Al Saud. The Letter might be read to possess a simple theme: consultation is the key to everything that ailed the kingdom at the time of the Letter's drafting.

The Letter's authors seem to suggest economic reform as the best path to restitution. By positioning economic malaise as the primary indictment of the state, I am suggesting that the authors are pointing a finger at Al Saud and blaming their financial practices for the social trauma inflicted by and during the war. The authors also appear to use this type of indirect critique to position themselves on the side of the people. To that

[206] Letter of Demands, Demand #4.
[207] Letter of Demands, Demand #5.
[208] Letter of Demands, Demand #6.
[209] Letter of Demands, Demand #8.
[210] Letter of Demands, Demand #11.

same end, they invoke ideals about individual sovereignty often used in libertarian discourses, such as "justice and equality" (*al-'adli wa-al-musāwāh*), concepts which are often discussed in premodern and contemporary Islamic theojuridical sources.[211] Just as a consultative council will root out financial corruption by regulating the state,[212] consultation with the religious establishment will ensure that idyllic egalitarianism shapes public policy.[213] The Letter's authors imagine an improved future for all Saudis. To unlock that future, the kingdom as a whole must return to the fundamental religiopolitical practices which shaped Saudi tradition and history. I hypothesize that the authors are pointing out everything that's wrong in Saudi society by saying what needs fixing. Intrinsic to their argument is the idea that Al Saud are the reason things need fixing in Saudi society. In my reading, the Letter's authors position themselves as the gateway to reforming Saudi society and rehabilitating Al Saud; as a rule, sociopolitical change in the kingdom must flow from or through the religious establishment. Put another way, in the ideal religiopolitical system according to the Saudi tradition, authority is tied to and determined by expertise, whether that expertise is political, economic, or religious (judicial, legal, or jurisprudential). For the Letter's authors, their expertise delivers them authority in all these arenas. In fact, in this conception it is their duty and Al Saud's duty to ensure the pursuit of orthodox governance in the kingdom. This is the essence of the orthodoxy governing the religious between Al Saud and the elite religious establishment, and this is the central theme of the religiopolitical system described in the Letter of Demands.

[211] Letter of Demands, Demand #4, 5.
[212] Letter of Demands, Demand #2.
[213] Letter of Demands, Demand #4.

Although it is only twelve points, the authors of the Letter of Demands erect and contour a particular vision of religiopolitical orthodoxy in the kingdom, and in doing so, criticize Al Saud without ever mentioning them. In order to develop a better understanding of what was at stake for the Letter's authors, and to bring attention to Al Saud's attempts to redirect the religious establishment's criticisms, next I will return to a narrative approach. A narrative approach is the best way for me to describe the impact of the Letter of Demands, and to illustrate the tension felt on both sides between Al Saud and the older and newer generations of the elite *ulamā*.

I will acknowledge again that gender has been totally absent in the Letter and in my thesis so far. Although the scope of my thesis has limited me from exploring the vital role of women in Saudi dissent during the 1991 Gulf War, as I mentioned in Chapter 1, there is much to be said about the ways in which gendered sociopolitics informed the production and reception of the Letter of Demands.[214] No women are known to have been part of the document's drafting, and none appear as signatories. Women in Saudi Arabia have a history of resisting and they continue to form and shape the Saudi sociopolitical

[214] For studies of women and gender in Saudi Arabia, see Amélie Le Renard, "'Only for Women:' Women, the State, and Reform in Saudi Arabia." *The Middle East Journal* 62, no. 4 (2008): 610–629; Amélie Le Renard "Engendering Consumerism in the Saudi Capital: A Study of Young Women's Practices in Shopping Malls," in Bernard Haykel, Thomas Hegghammer, and Stéphane Lacroix, eds., *Saudi Arabia in Transition* (Cambridge: Cambridge University Press, 2015); Madawi Al-Rasheed, *A Most Masculine State* (Cambridge: Cambridge University Press, 2013); Mark C. Thompson, *Being Young, Male and Saudi* (Cambridge: Cambridge University Press, 2019). For more about the historical and contemporary modes of resistance actualized by marginalized groups, see: Mamoun Fandy, "CyberResistance: Saudi Opposition Between Globalization and Localization." *Comparative Studies in Society and History* 41, no. 1 (1999): 124-147; Pascal Ménoret, "Development, Planning, and Urban Unrest in Saudi Arabia." *The Muslim World* 101, no. 2 (2011): 269-285; Pascal Ménoret, *Graveyard of Clerics* (Stanford: Stanford University Press, 2020); Madawi Al-Rasheed, "The Long Drive to Prison: The Struggles of Saudi Women Activists." *Journal of Middle East Women's Studies* 15, no. 2 (2019): 247-250; Amélie Le Renard, "Covering Women's Rights, Silencing Suppression: Western News Media and Saudi Female Activists." *Journal of Middle East Women's Studies* 15, no. 2 (2019): 251–255.

landscape in a variety of ways.[215] In the next section, I will briefly explore one example in which Saudi women actualized a novel mode of resistance. The 1990 Women's Driving Demonstration exemplifies women's very public contribution to the transregional sociopolitical discourse in the kingdom. Although they are not centered in this thesis, Saudi women played an important role in challenging Al Saud's authority during the Gulf War "crisis," while also challenging the authority of the religious establishment at all levels.

The Narrative

In this section, I explore some of the reasons why the narrative of the Letter of Demands' production, reception by King Fahd, and its aftermath, underline that Al Saud insulated themselves from fallout caused by the Letter by transacting with the older generation. The story of the Letter of Demands speaks to why Al Saud sought to redefine religiopolitical orthodoxy in the kingdom. Al Saud sought to redefine orthodox religiopolitical practice because they were unable to contain the blowback caused by the "crisis of legitimacy" which began in August 1990 and unfolded throughout 1991.

After Ibn Bāz orchestrated the issuance of a *fatwa* which legitimized the presence of non-Muslim troops to deter Iraqi aggression in August of 1990, Saudi society in general, and the elite religious establishment in particular, were fervently responding to the inflection in public life. In November 1990, just three months after the invasion of Kuwait, a group of women staged a demonstration in Riyadh. Al-Rasheed reports that "forty-five women belonging to the educated elite violated the ban on female driving

[215] Madawi Al-Rasheed, *The Son King*, 237-270.

when they drove their cars into the centre of Riyadh."[216] They were promptly arrested by *muṭawi'īn*, interrogated, and some women, upon their release, faced consequences related to their employment.[217] The demonstration represented, al-Rasheed writes, "a manifestation of the rising hopes of a section of Sa'udi society that saw the Gulf War as an opportunity to press the government for reform."[218] The change in the political tide was felt across Saudi society. Preachers and religious thought leaders with transnational and local audiences were leading debates in public spaces and formulating their critical responses to Al Saud's conduct. Of course, debate and contention have always existed within every circle and sector of Saudi life, but prior to outbreak of the 1991 Gulf War to do so in public was uncouth and unorthodox, and in the ideal Islamic polity, which Al Saud claims to have founded, was considered unnecessary. Just as we saw in the Letter of Demands, in the eyes of Al Saud's critics the need to voice these criticisms at all is indicative that Al Saud let down all Saudis. The Women's Driving Demonstration signals that all corners of Saudi society recognized this, which, in turn, was recognized by the elite *ulamā* of both the newer and older generations. What is important here is that this widespread upheaval which occurred throughout Saudi society was another exigency to which the elite religious establishment, as well as Al Saud, were forced to respond.[219]

The 'secular' petition came to light in December 1990, shortly after the Women's Driving Demonstration. The petition never made it all the way to King Fahd, and Abir

[216] Al-Rasheed, *History of Saudi Arabia*, 161.
[217] Al-Rasheed, *History of Saudi Arabia*, 161.
[218] Al-Rasheed, *History of Saudi Arabia*, 161.
[219] Abu-Hamad, 12. On November 9, 1990, just three days after the Women's Driving Demonstration, King Fahd announced approval of the formation of a Consultative Council. This did not crystallize until the issuance of the Basic Law of Governance in 1992.

reports that the authors eventually scurried to cover-up the network of fax machines which the petition passed through.[220] In January 1991, just before the January 17 deadline for Iraq to withdraw, Ibn Bāz issued another *fatwa*, this time authorizing *jihad* against the Iraqi invaders *and* permitting non-Muslim help in that endeavor. Where the August *fatwa* legitimized the presence of non-Muslim troops as a deterrent, the January *fatwa* legitimized aid from non-Muslims in defending Saudis, securing the Islamic holy sites, and waging war against other Arab-Muslims who would harm Saudis if not for the non-Muslim help. For Al Saud's critics, the necessity of the January *fatwa* proved that Al Saud were continuing to fumble their response to Ṣaddām's invasion. Although Al Saud defused the uproar caused by the Women's Driving Demonstration in November and the 'secular' petition in December, the challenges to their political legitimacy were still growing.

By early February, the Letter of Demands, which echoed points raised in the 'secular' petition, began circulating.[221] While American and European troops coordinated the "liberation of Kuwait"[222] from the kingdom's air bases, elite *ulamā* of both generations, 'Islamists' as well as "secularists," read and offered amendments on the document that would come to be the Letter of Demands. Abu-Hamad notes that Ibn Bāz himself offered a critical amendment to the Letter's first demand. Per a footnote on the original document delivered to King Fahd, Ibn Bāz added the phrase "per the provisions

[220] Abir, 189.

[221] Abir, 189. Kéchichian, 63.

[222] Bush, George H.W. "War in the Gulf: The President; Transcript of the Comments by Bush on the Air Strikes against the Iraqis." *The New York Times*. 17 January 1991. "Our goal is not the conquest of Iraq. It is the liberation of Kuwait. It is my hope that somehow the Iraqi people can. Even now, convince their dictator that he must lay down his arms, leave Kuwait and let Iraq itself rejoin the family of peace loving nations."

of Islamic Law" (*'alā aḥkām al-sharī'at al-'islāmiyyah*).[223] However, Ibn Bāz agreed that a Consultative Council is necessary. Therefore, in order to rehabilitate the Saudi religiopolitical system and recover orthoprax governance in the Saudi tradition, Ibn Bāz saw fit to enlist the King's help in fixing the problems which brought about this turbulent state in the polity. One of Nabil Mouline's interlocutors reported during an interview that "the Islamists approached Ibn Baz" in order to legitimate their petition to the king, the Letter of Demands.[224] Mouline's source offers new insights into this exchange. Mouline's interlocutors claims that Ibn Bāz gave "the Islamists…his support after being informed that the *naṣīḥah* ["advice"] would never be made public and that "liberals" (regarded as contemptible secularists) had already presented a non-Islamic petition to the king," the 'secular' petition.[225] Ibn Bāz's signature on the petition "had an immediate effect. The leading Hanbali-Wahhabi figures signed it, sometimes without even having examined its content, so great was their confidence in Ibn Baz."[226] I raise the possibility that Ibn Bāz's involvement alone legitimized the Letter of Demands. Despite a petition of that kind being unprecedented in the kingdom's history, Ibn Bāz's approval seems to have defined the consensus of the elite religious establishment for both generations. However, what happens after Ibn Bāz's signs the Letter is more unclear. The narrative becomes murky and perhaps opaque.

[223] It is unclear to me whether this phrase was inserted into Demand #1, or Demand #2. Abu-Hamad's translation, published by Human Rights Watch, places this phrase in Demand #1. However, two other digital archival transcripts I sourced do not include this phrase in Demand #1, but it is the final clause in Demand #2.

[224] Mouline 246. Mouline cites this as: "Author interview with one of the protagonists in this encounter, April 2009." 307.

[225] Mouline 246.

[226] Mouline, 246.

Archival materials confirm the following: Between March and May 1991, the Letter of Demands amassed fifty-two signatures, including Al-Ḥawālī's and Al-'Awdah's. On May 18, 1991, Ibn Bāz himself delivered the Letter of Demands to King Fahd. Seventeen days after submitting the Letter of Demands, Ibn Bāz publicly changed course regarding the Letter of Demands. By June 3, 1991, Ibn Bāz lead the Committee of Senior *Ulamā* in condemning the Letter of Demands. The *fatwa* claimed that a petition to the *walī al-amr* ("ruler," lit.: "commanding guardian") should not be publicized.[227] According to Mouline, "Though they realized that they had been manipulated by the Islamists, the ulamā were in no position to challenge the petition's content as doing so would risk diminishing their ideological authority. With support of the monarchy, they therefore decided to criticize their rivals' method."[228] The *fatwa* argued that "the only possible aim of publicizing this advice was to sow ill-feeling, provoke hatred, and stir up the crowd—in short, to produce *fitna* ["strife"]."[229] In November 1991, Ibn Bāz was appointed to *al-Lajnah al-Khumāsiyyah* ("The Committee of Five"), a committee created by Al Saud to investigate and deter the Islamists' influence in the kingdom.[230] Ibn Bāz and the other institutionally-aligned *ulamā* of the older generation

> stepped up their public interventions, loudly and clearly asserting their status as the only genuine representative of religious knowledge necessary for reaching truthy and salvation…These statements reflect a desire on the part of the representatives of the Hanbali-Wahhabi tradition to defend the central place occupied by their discourse in the process of mediating between humanity and God.[231]

[227] Abu-Namay, 302.
[228] Mouline, 246.
[229] Mouline, 246.
[230] Mouline, 247.
[231] Mouline, 246-247.

Mouline suggests that, despite signing the Letter, Ibn Bāz condemned the document, then appears to have doubled-down by classifying the milieu which produced the document as seditious and dangerous.

Al Saud's displeasure with the Letter of Demands may have influenced Ibn Bāz to retract his support. Further archival research could uncover more clues to elucidate changes in Ibn Bāz's thinking between signing the Letter and condemning his cosignatories. But, what is interesting here is Ibn Bāz's condemnation of the newer generation of elite, Islamist-aligned *ulamā* who varied in their willingness and approaches to criticizing Al Saud and/or the Saudi system, e.g., Al-Ḥawālī and Al-'Awdah. In one reading of Saudi studies historiography, Al Saud turned to Ibn Bāz to erase the challenges to their political legitimacy and undo the harm caused by the Letter of Demands reaching public eyes. I connect this reading back to an idea I discussed in Chapter 2 regarding the extraction of political legitimacy in the Saudi Islamic tradition. I postulated that Al Saud relied on the elite religious establishment to legitimize their political authority, sometimes transactionally, when they faced duress from Saudi society. In the summer of 1991, I suspect that Al Saud counted on the religiopolitical institutions they formed in the second half of the twentieth-century to insure their political hegemony, insulate the fallout caused by challenges to political authority, and ultimately, to produce a religiopolitical system where whatever Al Saud does is legitimate on Islamic grounds *because* Al Saud did it.[232] Just as new exigencies justified contravening orthodox

[232] This concept is similar to a phenomenon in US Constitutional Law called "unitary executive" theory. See: Stephen Skowronek, "The Conservative Insurgency and Presidential Power" *Harvard Law Review* 122, no. 8 (June 2009): 2070-2103; John A. Dearborn, "The Historical Presidency: The Foundations of the Modern Presidency: Presidential Representation, the Unitary Executive Theory, and the Reorganization Act of 1939," *Presidential Studies Quarterly* 49, no. 1 (2019): 185–203.

relations with non-Muslim military allies, if the Al Saud thought it was the right course of action, that course of action is necessarily legitimate according to the discursive genealogy underpinning the Saudi tradition. Al Saud's response to the Letter of Demands could have relied on the same mode of legitimization I hypothesized in my previous analysis of the kingdom's mid-twentieth century history: the extraction political legitimacy via *fatwa* to address sociopolitical inflection *post hoc*. However, due to my lack of access to more primary sources, for linguistic and pragmatic reasons, I cannot make any definitive claims about the question of why Ibn Bāz seems to have reversed course regarding the Letter of Demands after signing it. In fact, even with generous archival access and expert Arabic skills it is possible that this question is answerable. I hope in mine and other future research projects to see more discussion about the possibility of answering this question through archival, or—more likely—oral historical sources.

By the autumn of 1991, a year after the invasion of Kuwait, Al Saud were deploying a two-pronged approach to redressing the crisis of political legitimacy entailed by the 1991 Gulf War. On the one hand, they leaned on the older generation of elite institutionally-aligned *ulamā* to legitimize their prior conduct; in other words, their historical mode of religiopolitical legitimization. On the other hand, Al Saud were realizing that the instruments of legitimization, which had served them well so far in the kingdom's history, might not be as fruitful in the kingdom's future.

Conclusion

In this chapter, I have homed in on some of the key *ulamā* in both the older and newer generation. I used those examples to shape my analysis of the fragmentation of the

ulamā and uncover the wide field of religiopolitical thought amongst the elite *ulamā* during and in response to the "crisis of legitimacy" which the 1991 Gulf War entailed. I analyzed both the text of the Letter of Demands as well as the narrative of the document's production, reception by King Fahd, and its aftermath. I illustrated that the authors of the Letter of Demands call for the *Sharī'ah* to be recentered in virtually all aspects of public life in the kingdom. The Letter positions the elite religious establishment as the ultimate arbiters of legality because in the ideal Islamic polity authority is tied to and determined by expertise. The Letter is grounded in a religious and legal vernacular but uses suggestive language to make backdoor and indirect critiques of Al Saud. The Letter critiques Al Saud's practices and conduct by offering examples of what could be better. And what could be better, according to the Letter's authors, is (re)empowering the elite religious establishment so that they can guide the kingdom alongside Al Saud and take Saudi society through a series of economic reforms which will return the kingdom to orthoprax governance according to the Saudi tradition.

By unfurling the narrative of the Letter of Demand's production, I explored possibilities that Al Saud insulated themselves from fallout caused by the Letter by transacting with the older generation. And, more interestingly, I contemplated potential reasons why Al Saud sought to redefine the orthodoxy governing their relationship with the religious establishment when they issued the Basic Law of Governance in March 1992. Ultimately, I suggest that by the autumn of 1991, Al Saud were unable to contain that fallout caused by the crisis of political legitimacy. Hence, Al Saud had to change up their strategy; Al Saud seem to have produced new modes of legitimizing their political authority and confronting the myriad challenges their rule faced, internally and

externally. In the next chapter, I will jump ahead to March 1992 and the issuance of the Basic Law of Governance. I will contemplate the vision of religiopolitical orthodoxy laid out in the document in order to investigate the idea that Al Saud recognized the challenges to their political authority by both generations of the elite religious establishment. I propose that Al Saud produced the Basic Law to superimpose a novel definition of orthodox governance in the kingdom, a definition which expanded the political authority of Al Saud while appearing to diffuse political authority by edifying the regulatory apparatus of the state.

CHAPTER 4

EXPANDING THE AUTHORITY OF THE KING IN THE BASIC LAW OF GOVERNANCE

In this chapter, I undertake an analysis of the absolute authority which the Basic Law grants Al Saud. I analyze the text of the Basic Law of Governance (*al-Niẓām al-Asāsī al-Ḥukm*) and suggest that the text codifies Al Saud's expanded authority and constrains the authority of the religious elite in the political arena. The Basic Law was one of three legal documents produced by the Al Saud to sideline the religious establishment legally and conceptually. Despite appearing to constrain the government as a whole on the surface, including the Al Saud, in my reading the text of the Basic Law delivers more authority to the King. I postulate that the Basic Law appears to constrain the exercise of authority by institutionalizing oversight, offering protections for the individual, and restricting the government. However, my textual analysis suggests that the Basic Law legitimizes the Al Saud's absolute authority by positioning the King's office as the supreme oversight body. In my reading, the Basic Law codifies the supremacy of the royal order and provides loopholes for Al Saud to circumvent the legal pronouncements that appear superficially to diffuse authority.

The general and granular authorities of Al Saud are laid out clearly in the Basic Law and the legal system provides virtually no checks on the exercise of Al Saud's authority. One of the first things the text of the Basic Law does is guarantee the Al Saud's monopoly on "governance" (*al-ḥukm*). Article 5 states that "the governance is with the sons of the founding King, ʻAbd al-Azīz ibn ʻAbd al-Raḥman al-Fayṣal Āl Saʼūd [Ibn

Sa'ūd], and the sons of their sons."[233] Article 5 also outlines the mode of succession. The King appoints the Crown Prince, who is defined as the King's successor, and may relieve him by royal order. Likewise, the King may issue a royal order to "delegate some powers to the Crown Prince," but he is not obligated to do so.[234] The Basic Law makes clear that all things political in the kingdom flow from Al Saud and insures Al Saud's political monopoly.

Although there are virtually no restrictions on the authority of the King, the Basic Law grounds the practices of the King in the Saudi Islamic tradition. Article 7 states that "governance in the Kingdom of Saudi Arabia derives from the Book of God Almighty and the Sunnah of His Messenger, they two are the governors of this law and all laws of the state." The mission of governance in Saudi Arabia is to actualize the religiopolitical system commanded by a particular interpretation of Islamic revelation, an interpretation which is considered necessarily authoritative.[235] The King's role in this mission is detailed in Article 55: "The King undertakes legitimate governance of the people according to Islamic judgements. The King supervises the application of Islamic law (s*harī'a*), supervises the laws and governance of the people by the state, and supervises

[233] "Basic Law of Governance (*Al-Niẓām al-Asāsī al-Ḥukm* [Fundamental System of Governance])," Legal text (Arabic), Kingdom of Saudi Arabia, 1992; https://beta.shariasource.com/documents/4222 (Accessed Oct 2022 via SHARIAsource). Initially published in the official newspaper of the Kingdom, *Ūmm al-Qurā*, on March 1, 1992. All translations are mine, unless stated otherwise.

[234] "Basic Law," Article 65. See also: Rashed Aba-Namay, "The Recent Constitutional Reforms in Saudi Arabia," *International and Comparative Law Quarterly* 42, no. 2 (April 1993): 314; Mansoor Jassem Alshamsi, *Islam and Political Reform in Saudi Arabia: The Quest for Political Change and Reform* (New York: Routledge, 2011), 8.

[235] Muhammad Al-Atawneh, "Is Saudi Arabia a Theocracy? Religion and Governance in Contemporary Saudi Arabia," *Middle Eastern Studies* 45, no. 5 (Sept. 2009), 724-725. "For the Wahhabis [sic] of all generations, Islam is not only a religion, it is a comprehensive system for governing everything public, social and political, and Islamic law is a complete moral code that prescribe for every eventuality, including governance."

the protection of the country and its defense." This is the closest thing to an enumeration of obligations and restrictions incumbent upon Al Saud's governance.

The Basic Law contains only one other theoretical restriction upon the Al Saud's governance, and it is related to punishment. Article 38 mandates that punishment for crimes must be "based upon a legitimate text or a legal text." This policy regarding criminal punishment represents the one actual limit on the authority of the King because policy must be derived from legal texts and precedents which cannot be overridden by royal order. Article 38 is different from all other restrictions on the King or the state because it does not include a loophole clause which gives the King an 'out' of an enumerated legal prescription. Nearly all other articles dealing with restrictions on power and legal protections for the individual include these loophole clauses. The loophole clauses give the King legal cover to circumvent those articles by issuing a royal order.

Loophole Clauses and the Supremacy of the Royal Order

The supremacy of royal orders is the main theme of the Basic Law. The entire Basic Law is a royal order issued by the King "based on what the public interest requires."[236] In the longest section of the Basic Law, Section 6: "Authorities of the State," scattered references to the King lay out the supremacy of the royal order (*amr malikī*). Most importantly in this regard, Article 70 states that the royal order is the only mechanism for modifying or issuing legal systems.[237] Even though Section 6 begins by establishing the judicial, executive (implementational), and regulatory authorities,[238] Article 70 guarantees the King's monopoly of authority to draft and amend laws.

[236] "Basic Law," Introduction.
[237] Aba-Namay, 303.
[238] "Basic Law," Article 44.

Additionally, Article 44, which establishes the three authorities, also establishes that "the King is the reference (*marji'*) for these authorities." In other words, all things that the "legal system makes evident" (*yubayin al-niẓām*) are decided solely by the King. The ability to make those determinations is what gives the Al Saud loopholes through which they can circumvent legal prescriptions.

Loophole clauses position the royal order as a mechanism to evade the putative restrictions on the governance of Al Saud. I call them loopholes, rather than overrides or vetoes because they are not forthright in the text of the law. Indeed, different variations of the same clause are tacked on to articles throughout the Basic Law, all of which give the King legal authority to issue a royal order which contravenes or even nullifies the efficacy of the article. For example, Article 37 guarantees the "sanctity" (*ḥurmah*) of the house or "dwelling" (*maskan*). However, Article 37 also authorizes the "search" (*taftīsh*) of dwellings "in cases that the legal system makes evident." On the surface, Article 37 appears to be a restriction on the government and a protection for the individual, but the loophole clause allows the King to circumvent this legal prescription.

The sanctity of the dwelling is not the only thing seemingly protected in the Basic Law which in reality can be violated without cause at the King's discretion. Section 5: "Rights and Duties," lists restrictions on the state's ability to monitor telecommunications and postal messages as well as protections against unlawful arrest or imprisonment.[239] However, the same articles that describe those legal prescriptions feature loophole clauses which give the King sole and ultimate authority to circumvent them. Telephone,

[239] "Basic Law," Article 36, 40.

telegraph, and postal correspondence may be confiscated, delayed, seen, or listened to "in cases that the legal system makes evident." Additionally, one's actions may be restricted, and one may be arrested or imprisoned "in accordance with the provisions of the legal system."[240] The Basic Law states a legal pronouncement then provides a legal path for the King to circumvent said legal pronouncement. As I will demonstrate in greater detail below, because the King is rendered as the ultimate legal reference in all matters these restrictions are weakened. The few protections and restrictions prescribed in the Basic Law are identified and then functionally negated by loophole clauses.

The loophole clauses give the King the authority to circumvent restrictions and protections, thereby expanding the authority of Al Saud, but loophole clauses are not the King's only means of circumventing legal restrictions and protections detailed in the Basic Law. Article 62 says that in the event of a "danger" which "threatens" the safety, unity, or security of "the people and the kingdom's interests… then, the King may take quick action to ensure the danger is confronted." The King has the authority, per Article 61, to make determinations regarding emergencies, mobilization, and war, and "the system makes evident judgements about this." Together, these two articles award the King full discretion in determining what entails a "danger" that "threatens" the "interests" of the kingdom. The King determines those "interests" as well as what "quick action" is necessary to "ensure the danger is confronted." Article 62 gives the King *carte blanche* in dealing with and determining what constitutes a threat. Also, although Article 82 states that the effect of the Basic Law in the kingdom may not be disrupted "in any way or

[240] "Basic Law," Article 36, 40.

event," it does so with caveats. Article 82 allows for disruption of the "rule of judgments" if to do so would contravene the Qur'ān or Sunnah. Also, the effect of the Basic Law may be suspended "temporarily in wartime or during the declaration of a state of emergency."[241] Of course, Article 82 stipulates that all of this proceeds "in the manner made evident by the system," i.e., in the manner determined by the King.[242] A network of loophole clauses put the King at the zenith of authority in all arenas of government. The Al Saud are rendered as the ultimate arbiters of legality.

Relationship to Other Government Bodies

The King's absolute authority is spelled out throughout the Basic Law. Restrictions upon the exercise of the Al Saud's authority and protections for individual citizens are negated by loophole clauses and the supremacy of the royal order. These are the ultimate and supreme source of the King's practical authorities that are laid out in the text of the Basic Law. However, the Basic Law also establishes and explains the functions and authorities assigned to various government bodies, both new and preexisting. Although the Basic Law details mechanisms for oversight and outlines the concerns of each government body, the text also grants the Al Saud's absolute authority in the ways in which the Law describes the relationships between the King and other government bodies. Regardless of their guidelines or purview, per the Basic Law all government bodies are under the jurisdiction of the King and are subjected to his authority.

[241] "Basic Law," Article 82.

[242] Abdulaziz H. Al-Fahad. "Ornamental Constitutionalism: The Saudi Basic Law of Governance," *Yale Journal of International Law* 30, no. 2 (Summer 2005): 385.

As discussed above, Article 44 establishes the judicial, executive (implementational), and regulatory authorities and situates the King as "the reference for these authorities." Additionally, the Basic Law forms the Supreme Judicial Council as well as the Consultative Council. It codifies the respective purviews of the Council of Ministers and the Council of Senior *Ulamā*, both preexisting government institutions. The Basic Law also explicitly mentions the Department of Scientific Research and *al-Iftā'*, which is the institutional body that issues *fatāwā*, Islamic legal rulings.[243] All of these official government bodies, however, are subjected to the authority of the King in some way or another.

The judiciary receives a significant amount of attention in the Basic Law. The judiciary is purported to be "an independent authority, and there is no authority above the judges in their judgements, except the authority of Islamic law (*sharī'a*)."[244] The right to litigation is guaranteed[245] and the courts are tasked with adjudicating all disputes and crimes[246] in their jurisdictions[247] by applying the provisions of Islamic law (*sharī'a*).[248] Nevertheless, Article 44 makes the King the legal "reference" for the judicial authority. Therefore, the King has the legal authority to reformulate judicial policy. Per Article 44, the King is the *de facto* authority on judicial orthodoxy; Al Saud are the authorizing body of not only their political legitimacy, but all legitimacy based in Islamic discourses.[249] To

[243] Article 53 also establishes the formation and jurisdiction of the *Diwan*, translated officially by the state as "the Board of Grievances."

[244] "Basic Law," Article 46.

[245] "Basic Law," Article 47.

[246] "Basic Law," Article 49.

[247] "Basic Law," Article 51.

[248] "Basic Law," Article 48.

[249] Intisar Rabb, "The Least Religious Branch? Judicial Review and the New Islamic Constitutionalism," *UCLA Journal of International Legal and Foreign Affairs* 17 (2013): 108. Rabb examines judicial review under the new constitution of Egypt and argues that traditionally, "questions of

that end, Article 50 awards the King the authority to deputize (*yanūbu*) whomever he wills to "concern" themselves "with the execution/implementation of judicial judgements." Additionally, Article 52 identifies the royal order as the sole mechanism for appointing and terminating judges. It specifies that those appointments and terminations are to be "based on a proposal from the Supreme Judicial Council." However, yet again what seems like a check on the King's authority is spurious and hollow. The King has no legal obligation to proceed with the Council's proposal and the Council has no recourse if their proposal is not put into action.

Article 48 contains a curious phrase which opens some space for the courts to counter the King's freshly constituted monopoly on religiopolitical legitimation. Per Article 48, the courts are to abide by "what is indicated in the Book [Qur'ān] and the Sunnah, and the laws ordered by the ruler which do not oppose the Book and the Sunnah." This phrasing leaves open the possibility of the courts making a determination that a law ordered by the ruler *does* oppose the religious establishment's understanding of the Sunnah according to the Saudi Islamic tradition. Curiously, the official translation of the Basic Law—made available on the website of the Saudi Embassy in the US—translates Article 48 differently. The official translation connotes a positivistic understanding of "laws which are decreed by the ruler," citing that the laws should be "in agreement with the Holy Qur'ān and Sunna."[250] This differs from my literal translation

legitimacy" were answered by Muslim jurists instead of central or state authority. "Today, these jurists continue to be key stakeholders in modern Muslim societies; in the popular perception, *sharī'a* remains important to a majority of the population and jurists continue to enjoy a measure of epistemic authority and technical competence over questions of Islamic law."

[250] "Basic Law of Governance." Legal text (English). The Embassy of the Kingdom of Saudi Arabia. https://www.saudiembassy.net/basic-law-governance (Accessed Oct 2022).

that the laws should "not oppose the Book and Sunnah." The official translation assumes whatever the ruler decrees will agree with the Saudi tradition of Islamic orthodoxy, however, the Arabic text leaves space for a determination to be made about the orthodoxy of the ruler's laws.[251]

Although the meaning expressed in the official translation is more likely to align with actual policy, the negation in the Arabic text could represent the religious establishment clawing back some of legitimating authority which the Al Saud seized during and after the Gulf War. Even though the entire text is a royal order and represents the King's word, the Basic Law passed through committees which gave the religious establishment opportunity to review the text.[252] The phrasing in question might be a fingerprint left by the religious establishment on the document. This question is most likely unanswerable, however. Unless personal archival documents which speak to this are discovered, or a scholar who sat on the committee which reviewed the Basic Law volunteers the information, it is unlikely that we will learn if the religious establishment left their own small loophole clause in the Basic Law. In theory, Article 48 could allow the religious establishment to claim oversight over the King by defining his orders as outside the orthodoxy of the Saudi Islamic tradition. This is one theoretical exception to the absolute authority of the King. However, as we have seen above, loophole clauses and the supremacy of the royal order give the Al Saud plenty of latitude when it comes to curtailing legal pronouncements that on the surface offer protections and restrictions. To better understand how the Basic Law produces the appearance of constraint upon the

[251] Ṭalal Asad, *Genealogies of Religion* (Baltimore: Johns Hopkins University Press, 1993), 217.
[252] Aba-Namay, 303.

government but still gives absolute authority to the Al Saud, next, I explore the ways in which oversight is described and institutionalized in the Basic Law.

Codifying Oversight

The Basic Law lays out mechanisms for government oversight, but the oversight bodies report to the King and are subjected to his authority. Section 8: "Oversight Body," is the shortest of the Basic Law's nine sections with only two articles—the longest section, Section 6: "Authorities of the State," has twenty-eight articles. Article 80 commands that "oversight of government agencies takes place and ensures good administrative performance and application of the law." Article 80 specifies that "financial and administrative irregularities" are to be investigated and requires that a report about these irregularities (*mukhālafāt*) be "submitted" to the Prime Minister annually. Article 56 states unequivocally that "the King is the Prime Minister." Again, the article sets up what appears to be a constraint upon the authority of the King by commanding oversight of governance, but a loophole clause positions the Al Saud at the acme of the oversight apparatus. Without being mentioned in the text of the article, the King exercises absolute authority over the mechanisms for government oversight. Not only does the King receive the report about financial irregularities, per Article 80 the "legal system makes evident" the "reference" for the Oversight Body, i.e., according to Article 44 "the King is the reference." A legal web insulates the Al Saud from oversight and simultaneously codifies the King as the supreme legal authority.

The Council of Ministers is essentially another venue for the King to exercise his authority. According to the Basic Law, the King is the Prime Minister (*ra'īs majlis al-wuzarā'*), which entails chairing the Council of Ministers (*majlis al-wuzarā'*) in

procedural matters, and the members of the Council aid the King "in performing his duties (*adā' mahāmih*)."[253] The King may "dissolve the Council of Ministers and recompose it,"[254] and appoint and excuse Deputy Prime Ministers,[255] Ministers, Deputy Ministers, and "those of excellent rank (*al-martabāt al-mumtāzah*)."[256] Those same parties are all also "considered jointly responsible before the King for the application of Islamic law (s*harī'a*), the legal systems, and the general policy of the state."[257] Additionally, the King may call a joint session of the Council of Ministers and the Consultative Council and "invite whomever he sees fit…to discuss what he sees fit."[258] Virtually all aspects of the Council of Ministers are subjected to the authority and oversight of the King.

The Basic Law mentions by name one of its companion documents, the Law of the Council of Ministers. However, the Law of the Council of Ministers is mentioned solely because the Basic Law specifies that the legal instruments for "amending the Law of the Council of Ministers and its jurisdiction" are spelled out in the Basic Law, not in the Law of the Council of Ministers.[259] In other words, royal orders can affect the Law of the Council of Ministers but the Council of Ministers cannot affect the supremacy of the royal order over the Council of Ministers. Yet again, a loophole clause gives the King supreme authority over an institution which purports to diffuse authority and encourage oversight.

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[253] "Basic Law," Article 56.
[254] "Basic Law," Article 57.
[255] "Basic Law," Article 57.
[256] "Basic Law," Article 58.
[257] "Basic Law," Article 57.
[258] "Basic Law," Article 69.
[259] "Basic Law," Article 56.

The Basic Law also references just once the Law of the Consultative Council. However, the Consultative Council (*majlis al-shūrā)* is established in the text of the Basic Law.[260] Similar to the Council of Ministers, the Basic Law spells out the King's authority over the methods used by the Consultative Council to carry out the tasks in their jurisdiction.[261] The King may also dissolve and reconfigure the Consultative Council whenever he sees fit. [262] The Basic Law makes clear that the King has absolute authority over the newly formed Consultative Council. The Basic Law delivers the Consultative Council, but as Aba-Namay noted in 1993, "its assigned power appears negligible" since its members are not elected and because the King has ultimate authority in all matters which are assigned to the Consultative Council's jurisdiction. The formation of the Consultative Council was viewed as a symbolic recognition of the demands of the religious establishment and Saudi society at large.[263]

The formation of the Consultative Council was not intended to reallocate the authority of the King or diffuse political power. Instead, the Consultative Council was a mechanism for the Al Saud to decrease the influence of the Council of Ministers in addition to seizing authority from the religious establishment. Decreasing the influence of the Council of Ministers and seizing authority from the religious establishment expanded the authority of Al Saud. With this in mind, the Consultative Council should be understood as another tool for the King to avoid oversight and limits on his authority, and

[260] "Basic Law," Article 68.
[261] "Basic Law," Article 68.
[262] "Basic Law," Article 68.
[263] Al-Rasheed, *History of Saudi Arabia*, 167.

not as an invitation to increase the involvement of Saudi society in the political arena, even if that was one outcome.[264]

Aziz Abu-Hamad went so far as to title their report on the Basic Law for Human Rights Watch "Empty Reforms." The title is drawn from a quote by Shaykh Ḥassan Mūsā al-Ṣaffār, a Saudi religious scholar and an advocate for the minority Shī'a population in the kingdom. According to Al-Ṣaffār, the Basic Law and its companion texts are "empty of any real content…These laws do not promise any political reform and do not entail any change in the system of government. They merely put the reality of the system in writing and give it the appearance of constitutional legitimacy."[265] To Al-Ṣaffār and other critics, the Basic Law's purpose was to make explicit that the Al Saud do not and will not share authority in the kingdom. Dissidents such as Al-Ṣaffār feared that legal systems, parliamentary procedure, and bureaucratic mechanisms could not abridge the supremacy of the Al Saud in the political and virtually all other arenas.

Al-Ṣaffār's quote echoes Madawi Al-Rasheed's argument that the significance of the Basic Law "stems from the fact that it is meant to make explicit what has always been implicit in Saudi politics."[266] The absolute political supremacy of Al Saud was sacrosanct long before 1992, however, this dominance was limited by the religiopolitical framework it operated within, hence the previous need by the Al Saud to extract legitimacy from the religious establishment. Al Saud needed the religious establishment to anchor their practices "in an Islamic tradition that… enhances the legitimacy of the king," but they

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[264] Abā-Namay, 317.

[265] *Al-Jazeera al-Arabia*, March 1992, p. 29. Cited in Aziz Abu-Ḥamad, *Empty Reforms: Saudi Arabia's New Basic Laws* (New York: Human Rights Watch, 1992), 37n32.

[266] Madawi Al-Rasheed, "God, the King and the Nation: Political Rhetoric in Saudi Arabia in the 1990s," *Middle East Journal* 50, no. 3 (Summer 1996): 363.

were not interested in sharing absolute authority with the bodies they extracted legitimation from historically, namely: the elite religious establishment.[267]

[267]Al-Rasheed, "God, the King and the Nation, 369.

CHAPTER 5

REFORMULATING THE HISTORICAL NARRATIVE OF THE KINGDOM

In previous chapters, I suggested that the Basic Law helped redefine the orthodoxy which governed the relationship between the Al Saud and the religious establishment. In my view, the Basic Law represents one element in a comprehensive strategy to consolidate the political legitimacy of Al Saud by reconceiving the purview of the religious establishment in the political arena. My analysis of the Letter of Demands pointed towards the multivalent challenges to Al Saud's political legitimacy occurring by the summer of 1991. My analysis of the text of Basic Law suggests that the Al Saud recognized the aspiration of the religious establishment to challenge the Al Saud's political legitimacy on Islamic grounds and in alignment with the intellectual genealogy which signifies the Saudi Islamic tradition. I hypothesize that Al Saud produced the Basic Law as part of a larger project to expand their authority, and that larger project was a direct response to the religious establishments desire to claim authority over determining Saudi Islamic orthodoxy. In this conception, the Al Saud used the Basic Law to guarantee their absolute authority legally and conceptually; the Al Saud went from basing their political legitimacy on their relationship with the religious establishment to basing their political legitimacy on the supremacy of their own authority. To change the basis of their political legitimacy, Al Saud redefined what is considered orthodox practice according to the Saudi tradition.

My suggestion is that in response to the crisis of legitimacy during the Gulf War, the Al Saud sought to forgo the need to extract political legitimacy from the religious

establishment. By redescribing the basis of their political legitimacy, the Al Saud could unsettle a previous understanding of Saudi religiopolitical doctrine. I build upon existing studies by Jones, Bsheer, and Ménoret which support the idea that the historical narrative of the kingdom had to be reformulated because, historically, the Al Saud's political legitimacy was based on their relationship with the religious establishment. Therefore, redefining religiopolitical orthodoxy necessitated the production of a historical narrative of the kingdom that accommodated the new definition. But how did the Al Saud go about articulating their novel definition of religiopolitical political orthodoxy? In this chapter, I will analyze some of the ways the Al Saud's redefined understanding of Saudi religiopolitical orthodoxy contravened the previous understanding of Islamic orthodoxy in the kingdom.

So far textual analysis has grounded my study of the ways in which the Basic Law of Governance expands the authority of the King. Historiographical analysis will now ground my study of the ways in which expanding their authority was part of a larger project undertaken by Al Saud after the 1991 Gulf War to redefine what is considered orthodox political practice according to the Saudi tradition. Concomitant with expanding their authority and redefining orthodoxy, I suggest that the Al Saud revised Saudi historical narratives about the kingdom's 'unification' and state formation to favor a vision of the kingdom's history which decenters the religious establishment in the past and present.[268]

[268] Al-Rasheed, *History of Saudi Arabia*, 209. "The unification process is projected as reclaiming the historical right of the Al Sa'ud [sic] to rule over territories that had belonged to their ancestors since the eighteenth century. It is important to note that 'unification' rather than 'conquest' is used to describe the military campaigns in Arabia after the capture of Riyadh by Ibn Sa'ud in 1902."

Changing the Basis of Al Saud's Political Legitimacy

In previous pages I have explained my thinking about why Al Saud seized authority from the religious establishment following the 1991 Gulf War. By recontextualizing the critical discourses that gained attention and momentum during and after the war, I conjecture that the Al Saud sought to render the history of the kingdom in a new way. This novel formulation of the kingdom's history could consolidate the political legitimacy of Al Saud by amending the role of the religious establishment and cementing the totalizing authority of Al Saud. Modes of religious legitimation were avoided in favor of centering Al Saud in the origin story of the kingdom. In other words, "the story of Arabia became the story of Al Saud alone."[269] I will conclude my study by briefly expositing and analyzing the reformulation of the kingdom's history which attended Al Saud's redefinition of orthodoxy, and which historian Rosie Bsheer describes as the shift from "religious time" to "historical time."

The Al Saud constructed a new national identity as a way of legitimizing the transformation of the orthodoxy governing their relationship with the religious establishment. To construct a new national identity, Al Saud produced a historical narrative of the kingdom that rested "largely on Al Saud's patrilineal genealogy, incorporating the country's symbolic and material history into that of Al Saud."[270] Rosie Bsheer's book, *Archive Wars*, investigates the ways in which reformulating the historical narrative involved interventions in the state's archive formation and urban redevelopment.[271] Al Saud formulated a historical narrative and then fabricated a material

[269] Bsheer, *Archive Wars*, 19.
[270] Bsheer, *Archive Wars*, 19.
[271] Bsheer, *Archive Wars*, 20.

basis for that history. This reformulated historical narrative produced by Al Saud was at the center of Al Saud's mission after the war to change the basis of their political legitimacy. In other words, "novel practices of making and memorializing space and time became essential for reproducing state sovereignty and legitimacy, at a time of socioeconomic crisis."[272] The Al Saud expanded their authority so that they no longer had to extract political legitimacy from the religious establishment, the customary practice since the formation of the kingdom in 1932. Al Saud switched from "religious time" to "historical time" by formulating a history of the kingdom that presumed the absolute authority of Al Saud.

The Prewar 'Religious' Narrative

In the eighteenth-century, Muḥammad ibn Sa'ud al-Muqrin (d. 1765), the founder of the First Saudi State (1727-1765), formed an alliance with Muḥammad ibn 'Abd al-Wahhāb (d. 1792), a religious leader preaching a radically conservative formulation of Islamic practices throughout the Arabian Peninsula.[273] Ibn 'Abd al-Wahhāb's legacy reaches far beyond the Arabian Peninsula. Ibn 'Abd Al-Wahhāb's texts—along with the thought of Ibn Taymiyyah (d. 1328)—are well known for having influenced militant groups and organizations who cite both Islamic scholars while advocating for a radical vision of political Islam.[274] However, anthropologist Pascal Ménoret argues that Ibn 'Abd al-Wahhāb's religiopolitical vision did more than "merely [provide] the future Al Sauds

[272] Bsheer, *Archive Wars*, 20.

[273] Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2011), 166. Marshall Hodgson, *The Venture of Islam* Vol. 3 (Chicago: University of Chicago Press, 1974), 160. Alexei Vassiliev, *The History of Saudi Arabia* (London: Saqi Books, 1998), 78.

[274] Thomas Hegghammer, "'Classical' and 'Global' Jihadism in Saudi Arabia," in *Saudi Arabia in Transition*, ed.s Bernard Haykel, Thomas Hegghammer, Stéphane Lacroix (Cambridge: Cambridge University Press, 2015), 210-211.

('those from the Sa'ud family') with religious legitimacy."[275] Rather, Ménoret explains Ibn 'Abd al-Wahhāb's vision of orthodox Islamic governance as "a reform movement that produced a revolution."[276] According to Ménoret, what set Ibn 'Abd al-Wahhāb apart historically was that he "had achieved divine unity in thought and guarded it against any polytheist or idolatrous attack."[277] Religious reformation went hand-in-hand with a pragmatic political project: establishing "the rule of one family over all other families in the Peninsula."[278]

During the formation of the First Saudi State in the eighteenth century, Al Saud instrumentalized Ibn 'Abd al-Wahhāb's vision of religiopolitical orthodoxy to accomplish "social unification and political-economic centralization."[279] This explains the prior religious basis for Al Saud's political legitimacy and confirms that historically, Al Saud's political legitimacy relied upon a particular understanding of Islamic orthodoxy. In that understanding of Saudi Islamic orthodoxy, Ibn 'Abd al-Wahhāb's religiopolitical reforms were the spark that animated Al Saud's political project. Ménoret reveals that, historically, Al Saud's political authority was contingent upon their alignment with and future subscription to Ibn 'Abd al-Wahhāb's vision of orthodox governance. Returning to Asad's framing, Ibn 'Abd al-Wahhāb's vision of orthodox governance is the conception of an Islamic past which is the ultimate reference for Saudi Islamic practice in the present. What is considered orthodox practice in the present,

[275] Ménoret, *Saudi Enigma*, 51.
[276] Ménoret, *Saudi Enigma*, 51.
[277] Ménoret, *Saudi Enigma*, 51.
[278] Ménoret, *Saudi Enigma*, 51.
[279] Ménoret, *Saudi Enigma*, 51.

according to the Saudi tradition, must flow from an understanding of what was considered orthodox practice in the past.

Shifting to 'Historical' Time

After the Gulf War, Al Saud set out to redefine Saudi Islamic orthodoxy by revising the historical memory of the kingdom's formation. Al-Rasheed neatly breaks down what changed in Al Saud's postwar rendering of orthodox governance which attended the reformulation of the kingdom's history. Instead of being the source of the kingdom's political formation and prosperity, the alliance between Muḥammad ibn 'Abd al-Wahhāb and Muḥammad ibn Sa'ūd Al-Muqrin gets rendered in speeches by the Al Saud and in textbooks as a demonstration of strategic brilliance on the part of Al Saud. [280] Within this reformulated narrative, Al Saud are "the principal dispenser not solely of past and present 'happiness,' but also of future harmony."[281] Wahhābi discourses are viewed as constraints upon the mission of Al Saud, rather than a necessary source of legitimacy. Al Saud moved away from religious modes of legitimation because "to use Islam to legitimize a political system, is to invite opposition groups to debate the degree to which Islam has been incorporated into politics."[282] Put another way, to rely on the religious establishment for political legitimation meant to cede authority in the political arena to the elite religious establishment, thereby limiting the political authority of Al Saud. The reformulated historical narrative centers the Al Saud at the expense of the authority exercised by the religious establishment historically.

[280] Al-Rasheed, "God, the King, and the Nation" 369. Rosie Bsheer, "A Counter-Revolutionary State: Popular Movements and the Making of Saudi Arabia," *Past & Present* 238, no. 1 (2018): 236. Al-Rasheed, *History of Saudi Arabia*, 183.

[281] Al-Rasheed, "God, the King, and the Nation" 367.

[282] Al-Rasheed, "God, the King, and the Nation" 367.

The shift from "religious time" to "historical time" that occurred after the Gulf War was more than a "transformation" of Saudi *institutions* "without calling it change," as Foley theorized regarding the kingdom's early-twentieth century history. Instead, the shift was a transformation of Saudi *orthodoxy* without calling it change. By recontextualizing the ways in which the religious establishment was allowed to critique the monarchy, the Al Saud were able to "relegate the role of religious forces to the footnotes of state formation."[283] This conceptual shift and historical reformulation represents a reimagining of the kingdom's identity. Reformulating the historical narrative of the kingdom altered Saudi religiopolitical ontologies by introducing a novel sense of national identity. Al-Rasheed argues that Al Saud's "Centennial Celebrations" in 1999 were meant to reformulate the historical narrative of the kingdom's unification and resignify Ibn Sa'ūd in that narrative.

> The official narrative is contradictory in the way it condemns people's identifications with genealogies while it fixes its own as a historical truth in social *memory*. It demands from its citizens a kind of historical amnesia *vis-à-vis* their own genealogies, while subjecting them to a celebration of its own line of descent, a journey which always begins with Ibn Sa'ūd, the founder. The centennial celebrations can be read as a text whose main objective was to delineate the genealogy of the state at a time when this seemed to be doubtful and could even be subjected to competing interpretations.[284]

The state identified another basis for political legitimation and set out to formulate a way of explaining that this new basis had always been the source of Al Saud's political legitimacy. Al Saud "replaced" its "prior religious foundations" with "a secular national mythology built around the selective history of the Al Saud."[285] By recontextualizing the ways in which religious elites were allowed to critique the monarchy, thereby regaining

[283] Bsheer, *Archive Wars*, 19.
[284] Al-Rasheed, *History of Saudi Arabia,* 207.
[285] Bsheer, *Archive Wars*, 20.

control over the religious establishment, the Al Saud appealed to a particular conception of the history of the Arabian Peninsula.[286] Al Saud conceived the history of the peninsula in a new way by disregarding that the legitimacy of Al Saud's earlier governance was contingent upon an understanding of orthodoxy produced by a particular discursive genealogy. Appealing to that conception opened up possibilities for the Al Saud to consolidate their political legitimacy. Not only did Al Saud gain more control over the religious establishment, but they also redefined the orthodoxy that governed the religious elite in the same process.

[286] Asad, *Genealogies*, 224.

CHAPTER 6

CONCLUSION

The 1991 Gulf War entailed a crisis of legitimacy for Al Saud because it exacerbated preexisting sociopolitical discord in the kingdom. After the war, the Al Saud constrained the religious establishment by remapping the hierarchy of authority legally, conceptually, and historically. The texts of the Letter of Demands and the Basic Law of Governance offer disparate visions of orthodox Islamic governance according to the Saudi tradition. In this thesis, I used a narrative approach as well as primary and secondary sources to explain each groups respective motivation in producing their document, and the foreign and domestic factors which made articulating their position exigent for each group. I aspire that my discursive analysis helps insights into Al Saud's larger project to consolidate their political legitimacy after the 1991 Gulf War. I hope other scholars will take this work further and explore the ways that, in order to claw back political legitimacy from critics and allies alike, Al Saud reconceived the relationship between the elite religious establishment and political authority in the kingdom, and the orthodoxy governing that relationship according to the Saudi tradition.

Following the defeat and ejection of Iraqi forces in 1991, I propose that the *ulamā*'s vision of orthodox relations between the royal family and the religious establishment no longer satisfied Al Saud. Therefore, Al Saud set about redescribing that relationship, thereby redefining what is considered orthodox practice in the Saudi tradition, which, in turn, necessitated a novel understanding of the kingdom's formation and history. Also, I hypothesized that the heterogeneity of thought amongst the elite religious establishment in the decades leading up to the 1991 Gulf War were shaped by

generational, systemic, historical, pragmatic, and external circumstances which came to a head in the 1980s, mostly for geopolitical reasons. All these factors were part of Al Saud's calculus when deciding to produce the Basic Law of Governance, beginning in the summer of 1991. This thesis suggests that the heterogeneity of religiopolitical thought in the Saudi Islamic tradition, as well as the circumstances surrounding the production of the Basic Law, are understudied and overshadowed in Arabian Peninsula Studies. Further, I have built on existing critical, English-language secondary scholarship to identify a possible overlap between these two epistemic phenomena. This thesis raises questions about the discursive linkages that exist between the Saudi royal family's consolidation of political legitimacy after the 1991 Gulf War, and the affect of that project on the production of historical narratives and on state and subject formation processes in the Kingdom of Saudi Arabia today.

Redescribing Relationships, Redefining Orthodoxy

By analyzing the religious establishment's attacks on Al Saud's political legitimacy, I aimed to make sense of the religious establishments' claim to legal and conceptual authority in determining Saudi Islamic orthodoxy. I offered an abridged history of the *ulamā* within the Saudi discursive tradition in the twentieth century before the invasion of Kuwait in order to found and contextualize my analysis of the religious establishment's objections to Al Saud's claims to absolute authority in 1990. I rendered the topography of the *ulamā* in 1990 in order to map out the messiness which characterized Saudi religiopolitical thought and to emphasize the impact of the sociopolitical upheaval that occurred in the kingdom between 1990 and 1992.

During a discussion of the precipitation of the crisis entailed by the 1991 Gulf War, I explained some of the ways in which the religious establishment aspired to challenge Al Saud's political legitimacy during and in the aftermath of the 1991 Gulf War. I identified elite religious thought leaders whose ideas circulated in the kingdom before, during, and after the 1991 Gulf War, and I tied those examples to the topography of the *ulamā* that I rendered previously. I organized my discussion of key *ulamā* into two categories: the older generation and the newer generation. I contemplated categorical divisions within the newer generation—'Islamist' and 'Liberal'/"Secularist," loyal or critical of Al Saud—and used those binaries to refine my analysis of the fragmentation of the Saudi *ulamā* during the 1980s. My purpose here was to illustrate the multilateral challenges to Al Saud's political legitimacy between August 1990 and March 1992.

Deploying textual and narrative approaches to analyze the Letter of Demands, I demonstrated that the authors of the Letter call for the *Sharī'ah* to be recentered in virtually all aspects of public life in the kingdom. Through a series of imagined economic reforms, the Letter's authors sought to reinstate the kingdom's former prosperity by returning to orthoprax governance according to the Saudi tradition.

The religiopolitical mission proposed to Al Saud by the elite *ulamā* in the Letter of Demands requires a reassertion of authority by the elite religious establishment in religious spaces. I contemplated the Letter as a comprehensive conceptual product of the newer generation of the elite religious establishment, just as I subjected the Basic Law of Governance to analysis as a comprehensive conceptual product of Al Saud. The Letter of Demands summarizes the elite religious establishment's vision of what should be considered orthodox practice when it comes to the relationship between Al Saud and the

elite *ulamā*. Simultaneously, the narrative of the document's production, reception by King Fahd, and its aftermath, underlines that Al Saud insulated themselves from fallout caused by the Letter by transacting with the older generation. That narrative supports my idea that Al Saud sought to redefine the orthodoxy governing their relationship with the religious establishment because they were unable to contain that sociopolitical fallout in response to the 1919 Gulf War. The authors render the situation at that time as a deviation from the original Saudi religiopolitical system, the system which ascended in the twentieth century thanks in part to its relationship with/cooptioning of the elite religious establishment.

After the Gulf War, Al Saud manufactured a national identity based on a narrative of the history of Arabia that minimizes the partnership between Al Saud and the elite *ulamā* and papers over the religious establishment's role in legitimizing Al Saud's rule. The shift from 'religious time' to 'historical time' that occurred after the Gulf War was a transformation of Saudi *orthodoxy* without calling it change. The Al Saud constructed a new national identity as a way of legitimizing the transformation of the orthodoxy governing their relationship with the religious establishment. The reformulated historical narrative centers the Al Saud at the expense of the authority exercised by the religious establishment historically.

Autocritical Reflections

The history of the Kingdom of Saudi Arabia is a complicated narrative and a thorny object of inquiry. Throughout the last half of the twentieth century a confluence of multi-valent, multi-polar, transnational factors contoured historical narratives about the

kingdom and directed the production of knowledge about it.[287] Jones, Bsheer, and Okruhlik, and others have written about the ways in which knowledge produced about the Kingdom in the late-twentieth century under the area studies university model reproduced Cold War geopolitics.[288] The purpose of this thesis is to draw attention to the epistemic violence enacted upon the history of Arabia, specifically, the epistemic violence which underpins historical narratives produced by Al Saud about Saudi Arabia. However, in doing so it is necessary for me to be conscientious about the ways my own work reproduces the phenomenon that Jones, etc., subject to critical scrutiny and expose as malignant towards narratives of the Global South. To assist me in continuing my discussion of the ways my positionality and biography limit me in telling this story, I will revisit Ṭalal Asad's approach to studying Islam as a discursive tradition. Specifically, I will use a story Asad tells about his own mother to think about those limitations, and to gesture towards other questions related to epistemic violence as a historical phenomenon and as something that is playing out in the everyday lives of denizens of the Global North and Global South, global denizens of all positionalities and biographies.

As I wrote in detail in Chapter 1, in contemplating orthodoxy in the Saudi tradition I approach Saudi Islamic practices as part of a geoculturally-specific discursive tradition, i.e., the approach theorized by Ṭalal Asad. As I have discussed previously, according to Asad what is considered orthoprax in the Saudi tradition at present must necessarily flow from an understanding of what was considered orthoprax in the past.

[287] Gwenn Okruhlik, "Citizenship and Belonging in the Arabian Peninsula." *International Journal of Middle East Studies* 52, no. 4 (2020): 719. See also: Toby C. Jones, *Desert Kingdom*.

[288] Toby C. Jones, "Thinking Globally About Arabia." (2013). Rosie Bsheer, "W(h)ither Arabian Peninsula Studies?" (2017), 384-405.

For Asad, a religious tradition "consists essentially of discourses [meaning, streams or thought or debate within a community or society] that seek to instruct practitioners regarding the correct form and purpose of a given practice that, precisely because it is established, has a history."[289] Here, Asad means that the present is connected to the moment in the past when a practice became a part of the religious tradition. The present is *also* connected to the future because a practitioner in the present can "modify" or "abandon[]" how a practice will be performed in the future, while keeping the same connection to the past. In other words, practices change, but the tradition can stay the same.[290] Asad writes that "how the past is related to present practices, that will be crucial for tradition, not the apparent repetition of an old form." Asad emphasizes the importance of "the practitioner's conceptions of what is *apt performance*." By this, Asad means that when a practitioner performs a traditional religious practice, determining the accuracy or legitimacy of that practice according to a rubric from the past is less important; what is more important—when talking about the evolution of traditional religious practices—is how the practitioner defines the accuracy of their performance, and what meaning they tie to that practice.

Asad was inspired to think about religion in this way by observing his mother's religious practices. His mother, a Muslim, practiced Islam in such a way that she did not concern herself with how others perceived "the *real* meaning of what she did."[291] Of his mother, Asad says, "Her prayers, recitations, and fasting were intended neither for other people to decode nor for enhancing her own experience; they were addressed to her

[289] Ṭalal Asad, "The Idea of an Anthropology of Islam," 20.
[290] Asad, "The Idea of an Anthropology of Islam," 20.
[291] Asad "Autobiographical Reflections on Anthropology and Religion," 4.

God."[292] So, scholars must keep in mind that what proper performance looks like to a religious practitioner today in a very local context can be wildly different than what proper performance looked like in the past. Asad also tells scholars to consider how and why practices evolved—what are the reasons for practices evolving?[293] Those reasons may be material, or political, or simply because the practitioner wasn't feeling well or fully themselves that day. This is where thinking about Asad's mother and "apt performance" are helpful. Because what is considered "apt performance" is variable from person to person, and for those people it may vary even from one day to the next, what is considered "apt performance" for religious tradition is fluid across time, place, and from one individual to the next. This phenomenon is not unique to Islam and can be seen in many other (if not all) religious traditions. Asad is asking scholars to balance a religious practitioner's coherence to how practices have been done before with the practitioner's ability to interpret or negotiate how the practice should or can be done now. Asad's approach helps us to understand how religious practices evolve and change over time.

To connect back to the scope of this thesis, studies of the ways in which social and political concepts evolve over time in Saudi Arabia must recognize and reckon with the conceptual architecture which Saudi discourses operate within. For my purposes, reckoning with this conceptual architecture has meant viewing the historical and conceptual products of Al Saud through a critical lens, as well as contextualizing the practices of the monarchy within the Saudi Islamic tradition. This thesis approaches the

[292] Asad, "Autobiographical Reflections on Anthropology and Religion," 4.
[293] Anjum, "Islam as a Discursive Tradition: Ṭalal Asad and His Interlocutors," 671.

1992 Basic Law of Governance as one of those conceptual and historical products of Al Saud, specifically.

In this thesis, I sought to analyze two visions of "apt performance" of religiopolitical practice according to the Saudi Islamic tradition. The actors who produced those two distinct visions of the ideal Saudi Islamic polity were expressing their ideas about fixed definitions of what determines the aptness of certain political practices which are part of the Saudi Islamic tradition. Put another way, both groups contend that their respective vision flows from the religiopolitical philosophy which animated all three iterations of the Saudi state, and that the competing vision offered by the other group is an ontological permutation of the legitimate Saudi religiopolitical doctrine. In broad, reductive strokes, both groups drew on the same sources to support their respective claim that their particular vision of religiopolitical orthodoxy reflects legitimately "apt performance" in the Saudi tradition. In this way, their debate about Saudi ontologies was epistemological, rather than simply logical. I am suggesting that the two parties weren't just debating the validity of Saudi ontologies by articulating a vision of apt performance of a particular practice, they were debating the conceptual vocabulary which determined the terms of the conversation. Here is where epistemic violence comes in to play in my narrative of the postwar crisis.

This thesis points towards possibilities that Al Saud realized that their previous ontological understanding of the conceptual relationship between themselves and the elite religious establishment no longer served their sociopolitical agenda. I have suggested that the royal family recognized that their conception of that relationship was no longer tenable. In my narrative, the Al Saud wanted something from the *ulamā*, realized the

ulamā could not deliver it, and so they attempted to circumvent the religious establishment, which, I have suggested, had been one of their historical modes of political legitimization. That project had to be mobilized on both material and epistemic planes. When the *ulamā* sought to debate Al Saud by relying upon those historical modes of legitimization, which both parties previously cosigned, I am suggesting that the Al Saud rearticulated those modes of legitimization by reconceiving what is considered apt performance in the Saudi Islamic tradition. They reconceived what is considered apt performance of the relationship between the political authority and elite religious establishment. I recognize this shift as occurring on an epistemic plane, rather than an ontological plane, because it necessitated a rearticulation of Saudi national identity and a reconception of what it meant to be Saudi. In other words, I am suggesting that the royal family actualized a new way of Saudis knowing themselves and their history; they devised a *tabula rasa* upon which they could reinvent themselves and imagined a state that would deliver greater ease in instrumentalizing Saudi cultural discourses while strengthening and reasserting violent modes of subject and state formation.

Future Research Directions

'The Kingdom,' like 'The Gulf,' has been "constructed, in both image and concrete."[294] Looking ahead, I am curious to investigate the various types of these construction projects which unfolded in Saudi Arabia between 1979 and 1992, and beyond that, between 1992 and the 2001 September 11 Attacks. I am curious to continue investigating the complexities at play when the state reimagined the kingdom's twentieth-

[294] Sheila Carapico, "*Arabia Incognita*: An Invitation to Arabian Peninsula Studies" in *Counter-Narratives*, ed.s Madawi Al-Rasheed and Robert Vitalis (New York: Palgrave, 2004), 23.

century history by highlighting the overlaps and divergences between Euro-North American epistemic norms, epistemic norms articulated by Al Saud, and the episteme in which everyday Saudi citizens know themselves, their government, and their history. I want to study the competition between ways of knowing the Kingdom as well as the competing understandings of what it means to be Saudi.

This is where I imagine my work broadly contributing to Religious Studies as a field. The instrumentalization of religiocultural discourses in order to articulate new modes of state and subject formation is a vital topic of inquiry. I aspire that my work can contribute to this tertiary dialogue by showcasing one historical instance where religious concepts and historical narratives were instrumentalized to legitimize elite interests, consolidate monopolistic political power, and maintain social, political, and cultural forms of hegemony. My aim is to use these narratives about epistemic violence to trouble the power dynamics that get reproduced in Euro-North American knowledge produced about the Global South. In this way, I am writing for other scholars in the Global North. I wonder how we might go about unpacking the stacked conceptual vocabularies which are operating today and are constitutive of geoculturally distinct discursive traditions across the globe. Talking about these vocabularies and deconstructing the subjectivities underlying them is messy, tedious, tendentious labor. However, in my view, contemporary epistemic institutions in the Global North must focus on this type of tertiary dialogue and frustrate problematic frameworks which gird knowledge produced about the Global South in the past and present.

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