CHAPTER ONE

MUFTĪS AND FATWĀS IN SAUDI ARABIA: BACKGROUND

In Saudi Arabia, the issuance of fatwās (iftāʾ) is linked to the historical alliance of 1744 between Shaykh Muḥammad Ibn ʿAbd al-Wahhāb (d. 1792), the founder of the Wahhābī movement, and Muḥammad Ibn Saʿūd (d. 1765), the forefather of the Saudi dynasty. Based on this alliance, Ibn Saʿūd became the political leader (Amīr), while Ibn ʿAbd al-Wahhāb became the supreme religious authority (Imām): the spiritual leader, chief judge, grand muftī and official administrator of religious affairs under the rule of Ibn Saʿūd (r. 1744–1765) and his son ʿAbd al-ʿAzīz (r. 1765–1803).1

Ibn ʿAbd al-Wahhāb was born in 1703 in the small town of al-ʿUayna in the eastern Arabian Peninsula to a family of prominent religious scholars, expert in the realms of iftāʾ and judgeship (qadāʾ) in the Najd region. Both his father, ʿAbd al-Wahhāb, and his grandfather, Shaykh Sulaymān, were well-known senior qādīs and muftīs in their day; their fatwās constituted an important legal corpus for the Najdī people at that time. Ibn ʿAbd al-Wahhāb spent his formative years with his father, studying Qurʾān, ḥadīth tradition, legal theory, Islamic jurisprudence and theology, as well as the opinions of the prevalent, local Hanbali school of law. He was, therefore, well prepared to follow in his family’s footsteps of legal scholarship and to practice as both a muftī and a qādī.2

Although the chronicles do not specifically name these roles, nor do they describe the entire scope of his authority and responsibility under the newly-formed Saudi State, Ibn ʿAbd al-Wahhāb and his fatwās played a fundamental role in the formation of the socio-cultural norms of early Saudi-Wahhābī society. The Najdī chronicler Ibn Bishr

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1 This Saudi/Wahhābī alliance has been treated by numerous studies and from various perspectives. See, for example, Commins, Wahhabi mission; Delong-Bas, Wahhabi Islam; al-Rasheed, History; Rentz, Birth; idem, “Wahhabism”; Winder, Saudi Arabia; Crawford, “Civil war”; al-ʿUthaymīn, Ibn ʿAbd al-Wahhāb.

noted, for example, that Ibn ‘Abd al-Wahhāb’s authority was as influence as that of the Amīr: “…the opinions and statements made by Muḥammad Ibn Saʿūd and his son, ‘Abd al-ʿAzīz, were based on the Shaykh’s statements and thinking.” His fatwās were not only a means of interpreting the legal sources, but also formed a legal source, in and of themselves. He issued fatwās on various subjects in response to questions posed both by political institutions and by individuals, including some qādīs. These fatwās served as a flexible mechanism reinforcing the relationship between religion and politics, thus, constituting one of the most important legal sources of the first Saudi State (1745–1818), often enforced by the Committee for Commanding Right and Forbidding Wrong (Hay’at al-Amr bil Maʿrūf wal-Nahi ‘an al-Munkar) or, as it is called by the Wahhābīs, Muṭawwiʿa [henceforth, Muṭawwiʿa], appointed by the Shaykh himself. Any member of the community who did not fulfill his/her religious obligations, or who violated the principles of the Sharīʿa as interpreted by the Wahhābīs, was harshly punished.

The Amīr-Imām partnership (also well-known as ‘the Ulamā’-Umarā’ Pact) has remained intact between the Saudi royal family and the Ibn ‘Abd al-Wahhāb dynasty for over two hundred years, despite all the geo-political and socio-cultural challenges. For example, some early Saudi military activities, undertaken in order to consolidate the State and to accumulate power, were not supported by Ibn ‘Abd al-Wahhāb. In a recent study focusing on the classical Wahhābī doctrine of jihād, Natana Delong-Bas, noted, for example, that Ibn ‘Abd al-Wahhāb’s teachings and writings on jihād, his tendency to withdraw from Ibn Saud’s company during jihād engagements and his ulti-

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3 Ibn Bishr, ‘Unwān, 15; Ibn Ghannām, Tārīkh, 89. Both Husayn Ibn Ghannām and ‘Uthmān Ibn Bishr were considered the most important chroniclers of early Wahhābī scholars. Their accounts contain the most biographical information and are the most accurate. They provide a wealth of information about early Wahhābī scholarly activities and describe how the Wahhābīs viewed and presented themselves in the early stages of their movement. Other sources are accounts written by western travelers to Arabia, and monographs by Wahhābī scholars, and finally polemical works written by Ibn ‘Abd al-Wahhāb’s opponents, such as Ahmad Ibn Zaynī Dahlān. More on classical Wahhābīs in: Ibn Isā, ‘Iqd; al-Bassām, Khizānat; Abū ‘Aliyya, Dirāsa; al-Qādī, Rawdat; al-‘Umarī, ‘Ulamā; Ibn Ḥamdān, Tarājim.

4 See for example Ibn Ghannām, Tārīkh, 397–480.

5 Cook, Commanding right, 167; Edens, “Anatomy,” 7.

6 Dāhir, Da’wa, 165.

7 Delong-Bas, Wahhabi Islam, 35.