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ABSTRACT

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This is a study of the dynamics of institutional religious change in Saudi Arabia. Its aim is to analyse the effects of institutional differentiation on the ability of official religious organizations to continue playing their public role. The theoretical framework is drawn from studies in sociology of religion which deal with religious change in the modern world.

Three main approaches have been utilized to test the hypothesis that there is a positive relationship between institutional differentiation and secularization (loss of religious influence in public life). Firstly, there is a general review of the main sociological arguments dealing with modernization and secularization. The aim is to test the applicability of these arguments to the situation in Saudi Arabia. Secondly, a comparative and historical approach is adopted to ascertain the changes that have taken place in the public role of religion over the past five decades. And thirdly, a detailed case study is presented of hay'at al-amr bi-'l-ma'ruf wa-'l-nahy 'an al-munkar (Organization for Enjoining the Acceptable and Forbidding the Reprehensible): a unique religious organization modelled after the traditional Islamic institution of hisbah, and commonly known as "Public Morality Committees".

The case study provides basic information, much of which has never been published in translation, about the hay'ah. The evidence, collected during fieldwork in Saudi Arabia, demonstrates that a traditional institution can continue playing its unique role in a changing environment with an increasing degree of institutional differentiation. The main hypothesis is not, therefore, supported by what appears to be taking place in present-day Saudi Arabia. There has been a high level of functional differentiation between the various public spheres, but not to the point where religion might have become a separate institution and lost its dominance in public life.

**Modernization and Islam in Saudi Arabia:
a Sociological Study of "Public Morality Committees"**

by

Mesaid Ibrahim al-Hedaithy
(Musā'id Ibrahīm Al-Ḥudaythī)

Thesis submitted in fulfilment of the requirements
for the Degree of Doctor of Philosophy

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University of Durham
Department of Sociology and Social Policy

October 1989



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Dedicated to all members of my family
and to the memory of my friend
Dr. Mushayṭ Ḥ. al-Nāyif

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Chapter One

General Introduction

Religion, as a social phenomenon, has been one of the most ancient and controversial aspects of human life. It also remains one of the least understood. Many believed that the modern age, with its scientific and technological advances, would take the mystery out of religion and eventually lead to its demise. The world we live in today, however, points to the fallacy of those beliefs. Religion is not showing signs of being about to disappear. In fact, it appears to be taking new forms and playing different roles in a modern world that is deeply ambivalent towards it.

The dynamics of religious decline, religious revival, new religious movements, and the problematic relationship between religion and politics have been the focus of many sociological studies in recent years. The aim has been mainly to assess the effects of the clash between religion and modernity. The whole argument has been coloured by the Western-Christian experience. There are good grounds for believing, however, that the effects of modernization on the changing place and meaning of religion in the modern world now need to be understood from non-Western, non-Christian viewpoints as well.

The religion of Islam is today one of the major religions of the world. Political events in the past ten years have brought it more and more to the attention of those trying to explain religious ideologies. It is becoming increasingly evident that religion in general and Islam in particular are exercising considerable influence on political

events at a time when many thought that the force of religion as a political ideology was almost spent. The recent turmoil in many parts of the Muslim world points to a growing tension between Islam, as a political and social system, and capitalist and socialist models of modernization and development. The outcome is far from clear, but it will have serious implications for Islam as a traditional system trying to cope with the challenges of modern life, and for Muslims as people caught up in the struggle between the demands of their faith and the necessity of coming to terms with the modern world.

My research is an effort to contribute towards the process of searching for answers to questions about the social meanings of religion. My work is also an attempt to widen the scope of the sociology of religion beyond the confines of the Western experience. Furthermore, the decision to study the role of Islam in modern Saudi Arabia has been largely determined by a combination of personal, practical and scientific reasons. My personal interest in this topic, coupled with the paucity of sociological studies of the role of religion in Saudi society, have made this topic both important and challenging to me.

A. Objectives of the Study

The Arabian Peninsula is the heart-land of Islam and the place of its birth. Current socio-political and economic developments in Saudi Arabia seem to present a unique setting for a serious clash between traditions and modernity. Indeed, the Saudi state is the product of politico-religious factors that are still in operation.

The Kingdom remains one of the few countries in the world that officially considers religious ideology to be the constitution of the land and the source of most of its laws. The importance of these factors is further strengthened by the growing significance of Saudi Arabia as a world economic power, and by its increasing contribution to international affairs. Recent socio-economic developments in the Kingdom have also begun to create a new environment that appears to be increasingly insensitive to the traditional role of religion in public life. The pressures of modern life are putting to the test the ability of religion to continue playing its prominent role in Saudi Arabia. This study is an attempt to find out how the religious establishment is responding to these pressures.

A project of this nature is potentially limitless, so we have narrowly focused our attention on one aspect of the relationship between religion and modernization in Saudi Arabia. The main focus will be on the effects of modernization on the role played by official religious organizations in public life. The arguments will be placed within the context of the general ideological, historical, political, and social factors that characterize the Saudi experience. A secondary objective will be to relate the study of Islam in Saudi Arabia to the wider field of the sociology of religion by subjecting some of its central concepts and theories to an empirical test. For it is time that the sociology of religion expanded its scope to deal with the role of Islam in modernizing societies. This study will be helpful if it leads the way to creating more interest in the clash between religious traditions and modernization in a society that seems to want to hold to the former and achieve the latter.

We shall adopt three interconnected approaches to testing the applicability of the sociological theories of secularization and modernization to the situation of modern Saudi Arabia. Firstly, there is a review of the main sociological arguments that deal with the phenomena of modernization and secularization. The major themes will be highlighted, and the limitations of the theories' applicability to the study of Islam and Saudi Arabia will be illuminated.

Secondly, a comparative and historical approach will be taken to assess the changes that have occurred in the religious situation of Saudi society over the past fifty seven years.^{1*} The comparison will be mainly between the present and the period immediately before 1932. There will be no attempt to compare modern Saudi Arabia with the "ideal" Islamic state, or to decide whether Saudi Arabia today 'truly' represents an Islamic state.² This is altogether a different topic. Our main aim here is to compare the place and role of religion in modern Saudi Arabia with the situation before the birth of the state and the process of political modernization. This is an appropriate, but not unproblematic, way to assess the effects of modernization on religion. The analysis will be mainly confined to the effects of modernization on official organizations with religious functions. The effects of modernization on the individual consciousness or on the religious involvement of groups and individuals will not, however, fall within the scope of this study.

* The Endnotes to each chapter are grouped at the end of the thesis, beginning on p.342.

Thirdly, there will be a detailed case study of one particular religious organization. The subject of the case study is the religious organization called hay'at al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar (Organization for Enjoining the Acceptable and Forbidding the Reprehensible) hereafter referred to as the hay'ah.³ Studying the evolution of this organization and its changing role in society will, it is hoped, give us the opportunity to evaluate the effects of political modernization on religion in Saudi Arabia. The case study will be preceded by a discussion of the historical developments of Islam in the Arabian Peninsula and of the religious situation today. The place of the hay'ah within the structure of government and its interaction with other government departments are important because they indicate the effects of *institutional differentiation* on the ability of religious organizations based on traditional principles to function in a modernizing society.

The above three approaches have been selected in order to elucidate the relationship between modernization and religion. Religion, in the scope of this study, will be defined very narrowly to mean: a system of beliefs and practices by which a group of people interprets and responds to what they feel is supernatural and sacred (Johnstone 1975:20). That system of beliefs and practices is the religion of Islam as defined and practised in contemporary Saudi Arabia. This study, is not, therefore, concerned with other religions or belief systems, and its findings cannot be generalized beyond the limits set here. The analysis will also be limited to the case of Saudi Arabia and the dynamics of religious change in its unique political and social environments.

The choice of this topic was influenced by the paucity of scientific studies dealing with the effects of modernization on religious institutions in Saudi Arabia and other Islamic countries.⁴ Another reason for choosing this topic is the scientific importance of understanding the effects of modernization on the religious life of a modernizing (transitional) society⁵ like Saudi Arabia. And the last reason is that it is time for the sociological analysis of a phenomenon like secularization to include the experience of Saudi Arabia. The combination of the above factors has encouraged us to discuss the problematic relevance of the western-dominated sociology of religion to religious phenomena in non-western, non-Christian countries. The apparent uniqueness of the Saudi experience has also provided us with a pretext for questioning some of the generalizations developed by sociologists of religion over the past few decades.

Statement of the Problem

The process of social change always gives rise to questions dealing with the part played by religion in that process, and with the effects of change on religion. Does religion foster or impede social change? Can religion maintain its influence in society at times of change? What are the effects of institutional differentiation on the ability of official religious institutions to function in society? Does a government's control over religious institutions and personalities mean a loss of influence? Finally, is it possible to have total institutional differentiation in an Islamic country? The research question will, therefore, be: what are the effects of political modernization on the influence of religious institutions and official religious organizations in a modernizing society?

Orientating Hypothesis

The study will be guided by one general hypothesis, the rationale for which appears in Chapter Two. It states that there is a positive relationship between political modernization and secularization in a modernizing country. A minor hypothesis will be tested in relation to the hay'ah. It states that the higher the level of institutional differentiation in a society, the lower the capacity of official religious organizations to shape public life.

Definitions of Concepts

The general hypothesis gives us three basic concepts to define. Firstly, political modernization will be defined as the process of institutional differentiation of political structure which enhances the capability – the effectiveness and efficiency of performance – of a society's political system (Coleman 1968:395). In the case of Saudi Arabia, political modernization is the process that began in the 1930s with the establishment of independent ministries to perform specific functions. The establishment of the Council of Ministers in 1953 was a major turning point in that process. It culminated in the creation of ministries and independent bodies to perform specific religious functions that had previously been performed by individuals and groups on a voluntary basis. This process of institutional differentiation in the Saudi political system is what we mean by political modernization.

The second concept, secularization, is defined as the process by which religion becomes one institution alongside other institutions and loses its overarching claim to speak for the whole of society (Dobbelaere 1981:11). The essence of the process of secularization,

for our purposes, is that religion becomes canalized into one institution in society (the church in the western experience) and that religion loses its influence in public life. We shall assess the degree of secularization in modern Saudi Arabia by examining these two changes.

The third concept is that of a modernizing country. It is defined as a country going through a process of social change which involves economic advancement, specialization of political roles, technological development and fundamental alterations in social patterns (eg. urbanization, social mobility and educational advancement) which, together, enable a society based primarily on traditional values and institutions to assume the characteristics of developed, or modern, societies (Roberts 1971:127).

B. Organization of the Study

The study consists of four parts. The first part will contain a single chapter which presents a general review of the main sociological arguments about religious change, modernization and socio-economic development. The relevant theories of secularization, modernization and development will be reviewed. Before that, an attempt will be made to define and assess the sociology of religion. The status of Islam within that discipline will be discussed, and the main weaknesses of the theories will be identified. Part I will conclude with a brief analysis of the interplay between religion and modernization, and of the distinctive features of both Islam and Saudi Arabia.

Part II will have three chapters, the first of which will contain an historical sketch of the rise and development of Islam in

the Arabian Peninsula. The meaning and major institutions of Islam will occupy the first half of the chapter. The second half will deal with the decline of Islam in central Arabia, the religious movement of Shaykh Muḥammad b. ^cAbd al-Wahhāb, and the first two Saudi states. Chapter Four will be about the development of the modern Saudi state with an emphasis on the role played by religion, and the outcome of the modernization process. Chapter Five will contain a descriptive account of the religious situation in Saudi Arabia today. The main religious institutions will be identified, and their role in society will be assessed in the light of the information available.

The case study of the hay'ah will be presented in Part III. The introduction to this part will contain a brief review of the treatment of the hay'ah in Western literature. Chapter Six will be historical in nature. It deals with the ideological basis of the hay'ah and its relationship to the Islamic institution of ḥisbah.⁶ The chapter will also deal with the historical evolution of the modern hay'ah. The structure and activities of the hay'ah today will be described in Chapter Seven. This chapter will also analyse the information collected about members of the hay'ah and its regulations and activities.

Chapter Eight will give an account of the relationship between the hay'ah and a number of government institutions. The aim is to see how the hay'ah functions as part of the structure of the state. The relationship between the hay'ah, the Saudi public, and expatriates will occupy the second half of this chapter. Chapter Nine assesses the impact of modernization on the ability of the hay'ah to continue

playing its unique role. The case study of the hay'ah will provide us with a unique example of the effects of modernization on religious organizations in the Kingdom. It is also important because it provides a wealth of accurate information about the hay'ah that has never been published outside Saudi Arabia.

The above mentioned chapters will be mainly descriptive in nature, but the single chapter of Part IV will analyse the findings and assess their significance. A test of the applicability of the theory of secularization to the situation of Islam in modern Saudi Arabia will be the main task of this final chapter. The guiding hypothesis will be tested in the light of the evidence presented in the first three parts. The chapter will conclude with a discussion of the study's limitations, and of suggestions for further research.

The appendices contain a description of the writer's experience of doing field work in Saudi Arabia as well as some important documents relating mainly to the hay'ah. Most of these documents have never been published in translation, as far as we know, and they provide an interesting insight into the structure and workings of the hay'ah.

C. Methods of Study

The study is based partly on content analysis of a large number of unpublished documents obtained during the field trip which the writer undertook in Saudi Arabia between January and June 1988. Participant observation, however, was the main method employed in order to collect information about the hay'ah. The lack of information in published materials made this the most appropriate method. Doing field work in

Saudi Arabia is an experience with its own unique problems (see Appendix B). The information collected, however limited, has made this study a pioneering work in the West when it comes to detailed information about religious institutions in Saudi Arabia.⁷ The intention is to clarify the mystery surrounding this unique organization and, where necessary, to correct the image often found in Western literature.⁸

The methods of interview and survey were used to collect data mainly for the case study. A number of interviews were conducted with officials and members of the hay'ah. The notes specify the source of information collected from interviews. Two minor surveys were conducted during the field trip to collect information about the relationship between the hay'ah and the Saudi public. Some of the findings are presented in Chapter Eight.

The utilization of these various techniques for gathering data was a matter of necessity rather than convenience. The lack of sufficient published information about the hay'ah and other religious institutions in Saudi Arabia could only be overcome by trying any useful technique. The problems associated with studying a familiar setting, taking things for granted (Burgess 1984:22), working in an environment not easily susceptible to investigative studies (see Niblock 1982:11), and not knowing what to expect all helped to make a systematic study of the members and activities of the hay'ah more difficult (see Appendix B).

The technique adopted for selecting informants during the field trip was a non-probability opportunistic sampling which involved the random selection of persons, places and events within the limits set

by officials of the hay'ah and by the researcher's judgment as to where the most useful information would come from (Burgess 1984:55).

D. Sources of Information

The information for this study came from a variety of sources. It has a mixture of historical, theoretical, comparative, and analytical approaches, but the emphasis was placed on those primary sources which were considered reliable. The limited number of primary sources made it necessary, however, to utilize many secondary sources as well.

Primary Sources

1. Official documents: Since the study deals mainly with official religious organizations that are part of the Saudi government, it was necessary to consult a large number of official documents. Official documents have been the main and, sometimes, the only source of information for a large part of the case study. Information about the structure and regulations of the hay'ah (see Appendix F), about the development of the hay'ah, and about the general state of political, economic and social developments comes mainly from sources published by the government. We are aware of the problems associated with the excessive use of official documents, but in the case of this study it was a matter of necessity rather than a matter of choice.

Part of the information collected for the case study came from official sources which are not published. Official communiques, circulars, and letters consulted by the writer during field-work give important indications of the inner workings of the hay'ah, and its relationship with other government departments. Any information

presented in the text which comes from one of these sources is followed by a note indicating the number and date of the document and its location. The use of official documents is limited to matters which are not dealt with in any other source of information.

2. Historical Documents: Information about the evolution of the hay'ah and the government decisions that have affected it were obtained from a number of historical documents. The documents are located in the Archives of King ^cAbd al-^cAzīz Dārah (research centre) and the Document Centre of ma^c had al-idārah al-^cāmah (Institute of Public Administration) in Riyadh.

3. Interviews: A total of ten informal interviews were conducted with officials and members of the hay'ah. Each interview focused on a different topic relating to the particular job of the interviewee. Whenever information obtained from an interview is cited, the source of the information will be identified in a note.

4. Participant observation: During the six months period spent in Saudi Arabia doing field-work, the writer observed and documented a number of events and activities. This was limited mainly to the case study of the hay'ah, and, to a lesser extent, to the religious situation in the Kingdom. Taking part in the activities of the hay'ah and visiting a number of government institutions, gave the writer the opportunity to observe and experience the situation at first hand.

Secondary Sources

1. Published Material: All published books and articles that deal with the topic of this thesis and that were available to the writer have been utilized. They constitute the majority of the sources and are referred to in the main text or in the notes by the author's name and the date of publication.

2. Unpublished Materials: This category contains mainly Ph.D. and Masters theses which have not been published. They are identified in the Bibliography as such.

3. Newspapers and Magazines: Part of the information about contemporary Saudi Arabia comes from newspapers and magazines. They are mainly Saudi Arabian publications, but a number of items originate from the Western media. Reference to each item is found in the notes.

E. Notes on Transliteration and Dates

The classical scheme for transliterating Arabic letters into the English language has been adopted in this study. Attempts are made to be as consistent as possible. A problem, however, arises from quoting sources that use a different scheme or did not use one at all. We considered it wrong to correct the quotes, and we hope that this will not cause confusion to the reader. The complete scheme and some important notes can be found in Appendix A. All Arabic words (but not proper nouns) have been underlined.

As for dates, the general rule is to use the Gregorian Calendar to which we refer as the Common Era (C.E.). Exceptions are made when

the Islamic or hijrah Calendar⁹ (H.) has to be employed, either because it is found in the original document or because its use gives an historical dimension to the event or the life of the person within Islamic history. Hijrah dates are given first followed by an oblique (/) and then the corresponding C.E. date. In places where the complete date is given (viz. day, month, and year), the hijrah date is given first followed by H., and the Gregorian date follows it in brackets. Dates were calculated using the tables compiled by C.S. Freeman-Grenville (1963).

P A R T I

Theoretical Bases

Chapter Two

Review of the Main Sociological Arguments

The general aim of this chapter is to provide a review of the main sociological arguments that deal with the place of religion in the modern world. Religion has been part of the human experience throughout history, and attempts to understand and describe its role in society are the subject matter of what is known today as the sociology of religion. The first and second sections of this chapter will deal with the main features of the sociology of religion, and with the meaning that it has accorded to Islam. The emphasis will be on the limitations of the sociology of religion as it relates to Islam, and on the improvements that have occurred in the past few years.

The modern age of industry, urbanization, nationalism and technology has brought new challenges to the role played by religious ideologies and institutions all over the world. The third section of this chapter will, therefore, deal with the theories of secularization. The process of secularization will be analysed in terms of its meanings in sociological literature, and in terms of its relevance to the study of Islam.

The fourth section will deal with modernization and development as processes of political, economic and social change. The major theories and the main features of modernization will be discussed with the aim of trying to understand the relationship between political modernization and secularization. The same thing will be attempted in

dealing with the process of development in general and economic development in particular as they relate to the case of Saudi Arabia.

The literature that deals with the above concepts is vast and full of contradictory views. This review, therefore, is narrowly focused and selective. The focus is on the material that is relevant to either Islam or Saudi Arabia or both. Our aim is to establish a theoretical base that will provide a framework for the main body of this thesis.

The fifth section of the chapter will contain an attempt to bring the theoretical pieces together as they relate to the interaction between religion and modernization. The distinctiveness of the Saudi case will be examined in an attempt to evaluate the usefulness of the sociology of religion, in its present form, to the understanding of the relationship between religion and modernization in the Kingdom of Saudi Arabia.

A. Sociology of Religion: General Assessment

The study of religion within sociology is as old as sociology itself. Religion, as a social phenomenon, was dealt with by the pioneers of western sociology such as Durkheim, Weber and Pareto who "were concerned with religion for sociological reasons. Religion was perceived by them as a central phenomenon of social reality, therefore, necessarily central for sociological understanding in general" (Berger and Luckmann 1969:64). The subject matter of the sociology of religion is not religion itself but the social vehicles of religion and its functional aspects within society.¹

Sociologists have found it difficult to come up with a uniform

definition for religion not only because there are so many competing ideas about what religion is, but also because religion takes different forms and shapes in different parts of the world. It is the kind of difficulty which Smith (1962) tried to overcome by preferring not to use the term 'religion' at all, and instead by dealing with the concept of religious tradition.² In our opinion, this is an extreme position. Instead, we shall adopt the definition provided by Johnstone (1975:20), which is best suited for the purpose of this study. He defined religion as "a system of beliefs and practices by which a group of people interprets and responds to what they feel is supernatural and sacred".³ This definition is general enough to describe most religions without attempting to favour any of them. It also seems appropriate to the religion of Islam, and distinguishes between, on the one hand, religion as involving the sacred and the supernatural and, on the other, ideologies (e.g. communism and scientism) which are different from religion in many aspects (Johnstone 1975:21).⁴ Not all definitions are quite so applicable to Islam.

The sociology of religion, according to Turner (1983:38), developed in response to, and was influenced by, the "social collapse of Christianity as a dominant institution in western society" in the 19th century.⁵ The early ideas which sociologists developed were very much influenced by Christian categories of analysis and by what happened to Christianity as a result of industrialization and the separation of religion from the state. They assumed that the Christian case "provided the paradigm by which all other cases might be analysed" (Wilson 1982:24). The early conceptions of religion (such as

the distinction, made by Durkheim (1969:45) between the sacred and profane) affected the way in which sociologists have dealt with, and continue to deal with, the social functions of religion.

It goes without saying that religion is a human-global phenomenon. The sociology of religion, therefore, must develop a global approach that deals with all religions in such a way as to account for their similarities and differences. Western sociologists cannot be blamed for being influenced by Christianity, simply because Christianity provided them with a religious case study by virtue of being the dominant western religion. We question the generalizations that sociologists have tended to make about religion in general, however, without attending to the differences between religious systems. It would have been better if those studies that dealt with Christianity alone had been part of a discipline that was called the sociology of Christianity rather than the sociology of religion.

The above argument implies that it is difficult to try to apply the theories developed by western sociologists of religion to the study of the religion of Islam. It is true that there are major similarities between Christianity and Islam as meaning systems, but there are also fundamental differences in their meaning, operation and function as social systems. The view that Islam is not a 'religion' but a 'socio-political system' is problematic because "it takes Christianity as a privileged model of what is to count as 'religion' in the first place" (Turner 1983:20).

The general approach to the study of religion by western sociologists is also far from being uniform. Some have expected religion to continue to contribute towards the stability of the new

industrial societies even in modified forms. Others have regarded religion as problematic and in need of being swept away before a new social order could be created. The rest, however, have refrained from reaching any conclusions and have preferred, instead, to examine the changing relationship between religion and the practical affairs of everyday life. We think that the last approach is the most useful one for our analysis of the place of religion in modern Saudi Arabia. It does not involve any value judgments, but rather it tries to explain the dynamics of the interaction between religion and the changing socio-economic environment. Our approach will deal with religious change as "a symptom of social change and as a source of change itself" (Beckford and Luckmann 1989:1).

Sociologists have also differed in their approaches to the meaning and social function of religion in human societies. The functionalist approach of Durkheim, who viewed religion as a way of creating social bonds,⁶ was different, for example, from the historical approach of Weber, who was more interested in the relationship between socio-economic experiences and different modes of religious expressions.⁷ Karl Marx was different again in regarding religion as a form of social opium that suppresses or masks the conflict of interest between antagonistic social groups. His view, that religion must be "explained away", was shared by Freud who saw religion as an "institutionalised mass neurosis" (Wilson 1982:4).⁸

The study of religion has been approached from historical, economical, psychological, anthropological as well as sociological perspectives. The sociology of religion is distinctive but does not display a uniform approach that can guide empirical studies. This

remains a major shortcoming which is compensated for only by "a narrow empirical focus on western forms of religion" (Turner 1983:3). But religion today has "acquired distinct importance in its own right as a sphere of activity where efforts are deliberately made to influence, manipulate, and control people's thoughts, feelings and actions in accordance with various religious values" (Beckford 1987a:34). There is an urgent need, then, to develop strategies that can cope with the changing role of religion in the modern world.⁹ We shall have occasion at many places in this thesis to show how a consideration of Islam in Saudi Arabia calls for modification of the Western approach to the sociology of religion.

B. Sociology of Religion and Islam

Islam has yet to occupy an appropriate place within the academic discipline of the sociology of religion. In fact, "There are hardly any major sociological studies of Islam and Islamic society ... There are no firm traditions of Islamic studies grounded in the roots of modern sociology" (Turner 1974:7). Islam has not been totally neglected, however, by western social scientists. A huge number of books and articles have been written about Islam mainly from the point of view of its beliefs and practices. It is impossible to mention all of them, but we will focus on the few that have contributed significantly to the western image of Islam.¹⁰

Islam has received considerable attention from western historians and philosophers. David Hume, for example, fitted Islam within his theory of the development of religion from polytheism to monotheism and the continuous oscillation between the two.¹¹ Hume's

theory could be helpful to our assessment of the history of normative Islam as a continuous process of decline and revival. It also goes against the views, held by many sociologists of religion, that the decline of religion (i.e. secularization) is a continuous and uniform process which will lead to the eventual disappearance of religion from human society. The more recent writings of Gibb (1953), Watt (1968), Hodgson (1974), and Hitti (1970) are prominent examples of historical approaches to understanding Islam.¹²

Max Weber was one of the first sociologists to deal with Islam as a social system. It was unfortunate, however, that Weber used his analysis of Islam mainly to prove his argument that Protestantism was the only religion suitable for the development of a capitalist economy.¹³ Weber believed that the economic stagnation of Muslim societies was due to religious values in Islam itself rather than to external factors.¹⁴ The theories of Max Weber, in relation to Islam, were influenced by Orientalism as an approach to the study of Asiatic societies.¹⁵

The study by Reuben Levy (1962) is important for providing the first detailed account of the social institutions of Islam. It is mainly a descriptive study of how Islam shapes the basic institutions of society. Rodinson (1974), by contrast, tried to come up with an assessment of the relationship between Islam and capitalism. His approach was "Marxist in orientation" (p.7) and he concluded that it was hard to "see quite simply the influence of the ideology on the socio-economic structure [of the Muslim community]" (p.186). This was an indirect response to Weber's argument, but it provided no alternative explanation of why rational capitalism did not develop in

Muslim societies.

The most important sociological studies that have offered a theoretical base for the understanding of Islam are those of Gellner (1969, 1981). Gellner brought together the political theory of Ibn Khaldun (733-808/1332-1406)¹⁶ and the historical theory of Hume in an attempt to understand the uniqueness of Islam as a political and social system. Gellner's basic claim is that Islam, as "a blueprint of a social order", provides us with an "interesting test case for theories concerning the relationship of belief and social reality". He argued that Islam, unlike Christianity, never acted as the corrosion of empires, but as the cement of their foundations. Islam is the ideology that can unify a tribal society and create a new dynasty, but always remains unattached to them. "It is thus seen that the start of Islam is re-enacted by new movements within Islam" (Gellner 1969:137).

The fact that the theory of Ibn Khaldun and Gellner's empirical application are based on the Islamic society of North Africa does not diminish their usefulness to our study of Islam in Saudi Arabia. The society of the Arabian Peninsula is also tribal in nature, and Islam has operated as the ideology uniting the tribes and establishing a dynasty (see Chapter Four). The important points in Gellner's argument which deal with Islam in its "scriptural" and "normative" state, as contrasted with "popular" Islam,¹⁷ are very much relevant to Islam in modern Saudi Arabia. This "normative" Islam of the urban, literate 'ulamā' which has a kind of independent existence and "cannot simply be equated with the practices of a society in which it occurs" (Gellner 1969:127), is exactly the kind of Islam which concerns us in this study. The conclusion reached by Gellner (1981:69) that:

old-style puritanism prevails where a traditional elite survives but is still fairly close, in time and spirit, to its own origins which had brought it to power in a fusion of religious enthusiasm and tribal aggression,

seems to be a plausible basis for our analysis of Saudi Arabia.

Accepting the arguments of Gellner that normative Islam is capable of surviving the political and social changes of the society in which it is practised, and that it "manages to make the least concessions, despite being identified with the larger community" (Gellner 1969:138), means that the secularization thesis is problematic when applied without qualification to Islam. The ability of Islam to remain independent of its socio-political environment and to "maintain its pre-industrial faith in the modern world" (Gellner 1981:4) explains the fact that Gellner considers Islam to be closest to modernity of "the three great Western monotheisms" (Gellner 1981:7).

Another important study of Islam as it relates to the modern world is that of Geertz (1968). It is an anthropological study of a comparative nature dealing with the impact of Westernization on the Moroccan and Javanese (Indonesian) societies. Part of the study deals with two young Muslims, from both societies, who came in contact with the West and attempted to reconcile their religion with the realities of modern life. They presented examples of the "mixed up" individual of the modern world who does not know what to do when his traditions begin to falter. The attitude of both individuals showed that they were attempting to retain their links with Islam while, at the same time, adopting modern (Western) ways of behaviour. Greeley (1972:69) reviewed Geertz's study and argued that religious symbols must now be

interpreted to provide a comprehensive system for life.

Gilsenan (1982) provides another important anthropological contribution to the study of Islam in the modern world. The most important part of Gilsenan's study, for our purposes, is his discussion of the fate of the ʿulamāʾ in two Islamic societies (Turkey and Morocco). It gives an example of the different roles played by the ʿulamāʾ in different political environments, and concludes that institutional differentiation tends to distinguish religion from other views of the world and may, in the long run, make it "more vulnerable to the challenges of social and cultural transformation" (Gilsenan 1982:46). This process has already started in modern Saudi Arabia. But whether or not the outcome would be similar to what has taken place in Turkey is not yet clear. We believe that it will be different because of the social and political differences between the two countries.

In yet another approach, Bryan Turner (1983) used what he called a "materialist perspective" to study the relationship between religion and social theory. Islam occupied a major part of this study alongside Judaism and Christianity. The comparisons that Turner drew between what he called "Abrahamic" faiths, and his extensive discussion of the theories of the major contributors to the sociological studies of religion make this work a model to be followed by further analysis and discussion. Turner's comparative approach and his challenge to some of the accepted methodologies of the study of religion suggest new ways in which the sociology of religion can escape its Christian limitations and become a global discipline for the study of religion as a human phenomenon. His criticism of the Orientalist

approach to the study of Islam, and his evaluation of Hume's theory (Turner 1983:21, 35) have had a direct bearing on the present study. In response to the Weberian notion that rationality is a Western-Christian characteristic¹⁸ Turner (1983:35) cites Hume's argument that Islam is "conformable to sound reason" because it is a stricter form of theism, and concludes that "In regard to rationality, therefore, Islam is favourably contrasted with Christianity".

In addition to these theoretical reasons for studying Islam, the political events of the past ten years (1979-1989) have brought Islam more to the attention of the world, and have created an added interest in the study of Islam especially as a political system. Books such as those written by R. Martin (1982), D.S. Roberts (1981, 1982), Fry and King (1980), and M. Kelly (1984) provide the Western reader with a new, more objective, account of Islam as a religion. Muslim scholars and writers such as Maududi (1969, 1983), K. Ahmad (1976), Gauhar (1978), and Abdalati (1980), to name but a few, have presented the much needed Islamic perspective on the study of Islam. This marks a new era in the study of Islam in the West and ends the monopoly held by western non-Muslim writers who have been "the chief interpreters of Islam to the West" (Peters 1982:43).

Within the specific area of social sciences, the focus has been mainly on Islam and politics. This trend was influenced mainly by the Iranian revolution and by what appears to be a movement of Islamic resurgence in the Muslim world. Piscatori (1983b, 1986), Esposito (1980, 1984), and Arjomand (1984, 1989) are among the pioneers of the study of Islam and politics in the 1980s.¹⁹ A discussion of some of their main arguments can be found later in this chapter. The

subsequent discussion of secularization, modernization and development will also contain more references to works dealing with Islam in its relationship with one of the three areas mentioned above.

As this brief review has indicated, Islam is becoming central to an increasing number of new sociological studies and publications.²⁰ But, despite these improvements, the sociological study of Islam still lacks a clear and uniform approach that can guide empirical studies. Another problem is that a lot of time and energy is spent correcting the image of Islam in the west after centuries of misrepresentation (Fry and King 1980:36). Part of the importance claimed for the present work is that it not only exposes the shortcomings of earlier studies of Islam but that it also suggests a new and less distorting perspective on religious developments in an Islamic heartland.

C. Theories of Secularization

As the world moved into a new era in the wake of the industrial and political revolutions, religion, in the Western world, began to lose its dominant grip on many societies. In countless attempts to explain religious decline, sociologists frequently had recourse to the controversial term "secularization"²¹ to explain what has happened to religion in the modern world. This concept eventually became the central theme of the sociology of religion under numerous guises and in various applications. It will not be necessary for us, in the context of this study, to review in details all the various definitions or their contradictory implications.²² We shall, instead, concentrate on assessing the usefulness of this concept to the study of the changing place of the Islamic religion in modern Saudi Arabia.

The concept of secularization, like the sociology of religion, came out of the Western experience of the clash between religion and social change. The process of secularization accelerated with the Reformation movement within Christianity, and eventually led to what Weber called the "disenchantment of the world"²³ in which "capitalism, as an economic embodiment of rationalization, produces institutional and cultural differentiation and specialization of different social spheres - politics, economics, religion, [and] morality ..., each sphere ... is autonomous and has no claim to universal relevance or communal authority" (Turner 1974:155). It is this differentiation which interests us in the phenomenon of secularization. We shall deal with it in detail later in this section.

In its most general form, secularization has been defined by Bryan Wilson (1987a:160) as: "the process in which religious consciousness, activities, and institutions lose social significance". But this classic definition is so general that it tells us almost nothing. It does not explain the beginning of the process, does not differentiate between individualistic and institutional forms of religion, and does not identify what is meant by loss of social significance. More psychological approaches are not necessarily more satisfactory. Johnstone (1975:295), for example, defined secularization as a mental process meaning: "the displacement of religious interpretations of reality which results in seeking explanations for human behaviour and other phenomena in scientific and rational terms". Again, this conceptualization leaves unanswered many questions about the causes, manifestations and consequences of secularization.

Nevertheless, refinements in conceptualization have occurred. For example, Peter Berger (1969:107) pointed to the importance of differentiating between the secularization of culture and the secularization of consciousness.²⁴ Thus began the essential approach of seeing secularization as multi-dimensional and not as a uniform process.²⁵ Dobbelaere (1981) took the approach further by suggesting that secularization has three dimensions. It can happen through a process of "laicization" which means institutional differentiation;²⁶ it can be assessed on the basis of the religious involvement of individuals; and it can take the form of religious change within religious institutions involving beliefs, morals, personnel and rituals.

The multi-dimensional approach of Dobbelaere (1981) gave secularization more specificity, and, at the same time, identified three processes that can take place independently of each other. This approach is useful because it provides us with a conceptual framework for looking at the process of laicization in particular and not at secularization in general. We can assess the degree of laicization in Saudi society without having to deal with the religious involvement of individuals or changes taking place within religious institutions. We have neither the time nor the necessary information for analyzing these two aspects of secularization in the context of this study.

Dobbelaere (1981:11) defined laicization as:

a differentiation process: institutions are developed that perform different functions and are structurally different. Religion become one institution alongside other institutions and loses its overarching claim.

This definition is useful because it identifies institutional differentiation on a functional basis. It accepts the notion that the

performance of different functions is the reason for the differentiation. There are, however, two inherent problems in the definition as it relates to the religion of Islam. Firstly, it associates religion with only one institution (it took the form of the church in the West); and secondly, it assumes that religion had an 'overarching claim' over all other institutions in society.²⁷

Social institutions, according to Dobbelaere (1981:16) not only become independent of each other, but each one "develop[s] its own rationale". Laicization is seen as an ideological differentiation and not just as a functional one. Furthermore, laicization is not "a mechanical evolutionary process, but one that depends upon the cultural context in which it unfolds and upon the persons, groups, and quasi-groups, who manifestly, but more especially latently, secularize social institutions (Dobbelaere 1984:217). The laicization process leads to the creation of social institutions with functionally rational principles. Traditional religion loses its social significance because "it is incompatible with these functionally rational principles ... [and] religious pluralism develop[s]" (ibid).

The notion that "individuals and groups are responsible for secularization: not impersonal or abstract forces like technology or education" (Fenn 1978:xii) tends to refer the process of secularization (in its institutional form) back to the intentions and actions of human actors. It is not an automatic outcome of social structural changes, but seems to be a process that can be directed and controlled. This challenges the assumptions that modernization and development in their materialistic (technological) form necessarily lead to a secularized society.²⁸

In trying to assess the changes of religious influence in Saudi society, we will look for signs of institutional differentiation on an ideological and not just functional basis. In the absence of any secularizing groups in Saudi Arabia,²⁹ we will concentrate on assessing the influences of abstract forces (modernization and development) on the ability of religious institutions to continue functioning in society. If it is found that independent institutional spheres (e.g. law, education, morality and economy) have developed their own rationale and rejected the dominance of the Islamic ideology (i.e. the sharīḥ) as the primary meaning system, then there is a case for arguing that Saudi Arabian society has been secularized. But if, on the other hand, it is found that the sharīḥ continues to be the dominant ideology in society, then we cannot conclude that secularization has taken place, regardless of the level of institutional differentiation. The dominance of religious ideology over all institutions (political, economic, and social) is the main indicator of the presence or absence of secularization. It means that the overarching claim of religion has not been rejected.

In sum, we believe that the problems associated with the concept of secularization are many. It is problematic because it assumes a continual and uniform historical process of religious decline that will lead to the eventual disappearance of religion (Hill 1973:229). Weber saw its beginning in Protestantism and Capitalism (Turner 1974:156); Meland (1966) believed that it began with the political struggle for freedom among nonconformists in 19th century England; and McGuire (1981) traced the process to the collapse of the hierarchical structuring of religious institutions. Berger (1967:127) supported

Weber's argument and thought that Protestantism served as "an historically decisive prelude to secularization".

The argument that secularization as a process had a known beginning implies that religion had previously been strong and dominant. Those who believe in the base-line approach assume that a religious "Golden Age" had existed,³⁰ and that primitive man was by nature deeply religious (Dobbelaere 1981:34). From a comparative historical perspective we know that religion, as a dominant force in society, has waxed and waned countless times in many societies. It has ruled empires, justified wars, guided civilizations, and transformed societies. There have also been times when religion has lost its significance, and its followers have faced prosecution and death.³¹ Religion has always been influenced by political and social considerations, and has therefore been the product of its own environment. If Christianity ruled over Europe in the Middle Ages and created its own Golden Age, then there is some reason to accept the base-line argument but it must be kept in mind that it was not a global base-line for the onset of secularization (Dobbelaere 1981:31).

Another problem with the concept of secularization is the contention that it is a global phenomenon which arises in all societies as soon as they start to modernize. Secularization "came to seem to many to be a necessary condition for the transformation of society" according to Gilson (1982:37). This approach does not take into account the differences between cultures and religions in different parts of the world.³² It is no longer valid, and sociologists have come to realize that the way in which secularization occurs in one society might not explain how it will occur in another.

The application of the theory of secularization is also problematic because of the lack of scales to measure the levels of institutional differentiation (see Dobbelaere 1987:17).

The secularization thesis has, nevertheless, been useful in opening the way for our attempt to understand what has happened to religion in the western world. Its global application, however, is becoming more and more questionable in the light of more evidence and changing circumstances. Hammond (1985:1) argued that new religious movements, growth of religious conservatism, and the increasing politicization of religion (eg. Iran, Lebanon and N. Ireland), all require a revision of the secularization thesis. A recent collection of studies from different parts of the world (Beckford and Luckmann 1989) challenges the "triumphalist scenario of secularization, according to which the declining significance of religion is a necessary feature of modernizing and modern society" (p.2).

There are those who believe that "religion has a future to the extent that humanity has a future" (Johnstone 1975:344), and those who recognize the fact that religion "must be reckoned with in politics" (Stackhouse 1987:410). Whether taking the form of a "civil religion" (Mcguire 1981:158), giving rise to revival movements (Hopwood 1983), or justifying revolution (e.g. Iran), religion is showing no obvious signs of disappearing in the foreseeable future.³³ The case of Saudi Arabia has special significance for all the variation of secularization theory, although it would be unwise to treat it as any form of crucial or decisive test.

Secularization and Islam

The aim of this section is to outline the special problems associated with applying the concept of secularization to the study of Islam. The nature of Islam as a "complete way of life"³⁴ makes it difficult to apply the term secularization without qualifications. We agree with Voll (1987:157) that the term secularization "can provide a basis for seeing the interaction of the political and religious within the Islamic context", only if it is "conceived as part of the broader socio-historical dynamics ... and is seen as ... repeatable process".

Viewing the secularization of Islamic society (not ideology) as a repeatable and reversible process solves the problem of dealing with revival movements. The history of Islam is filled with examples of periods of religious decline and revival movements (Hopwood 1983). Secularization has occurred (where normative Islam loses its dominance on society as was the case in 18th century Arabia), but it has always been connected with political decline (Badeau 1959:61). The re-establishment of a strong political system in some parts of the Islamic world has usually been accompanied by an increase in the dominance of religion over social institutions. At times of political decline, popular forms of Islam have tended to become the dominant force in society (Waardenburg 1978:318).

Normative Islam cannot become dominant without political support. It is the form of religion that "must be public and organized, a potential source of all collective and public concerns, influencing the social system to operate in conformity with religious principles" (Wilson 1987a:161). Only then can Islam be significant in a modern society. The notion of a complete distinction between public

and private spheres is not acceptable in normative Islam. Islam can not accept willingly "a public sphere where rational, secular concepts and principles are dominant and a private sphere where religious principles prevail ... This is a concept indigenous to Western Christian civilization" (Crécelius 1980:69). Incidentally, the distinction between a public (secular) sphere and a private (religious) sphere has not been complete even in the most modern, secular societies of the West (Beckford and Luckmann 1989:2).

The separation between church and state is the most important form of institutional differentiation between religion and other parts of society. Islam has no church (in the western sense), but it does have a number of functional institutions that cannot be separated from the state. The main Islamic institution known as the sharīʿah (Islamic Law) must be the dominant ideology of the state. Under the rule of the sharīʿah, there is room for "a kind of built in separation of powers. The legislative is distinct from the executive power, for the simple reason that legislation is in principle ready-made and in theory complete, and pertains to God alone" (Gellner 1981:42). This separation also creates an independent judiciary who "may be appointed by the ruler, [but] they apply a law which cannot be the ruler's" (ibid). The key to understanding the place of religion in Islamic society is the relationship between the political and the religious establishments.

Islamic history gives clear examples of a limited form of institutional differentiation on a functional rather than ideological level.³⁵ At times, "religious institutions and officials have been as fully a part of the state as the army and generals" (Borthwick

1979:154). At other times, a kind of dependence of the religious leadership on the rulers developed and "became the accepted norm in Islamic history" (Tibi 1980:210). That dependence does not diminish the role of the ʿulamāʾ in determining cultural and political value-orientations. Nor does it support Donald E. Smith's (1970:86) contention that "the dominance of the polity over religious beliefs, practices, and ecclesiastical structures in itself is a form of secularization". That cannot be the case in Islam as long as the polity maintains the normative beliefs and practices, and applies the sharīʿah law (see Chapter Three).

The adaptability of the sharīʿah to changing social and historical conditions, "may help to explain why Islam has 'kept' so much better than Christianity under the disintegration of traditional community structures and cultural patterns brought about by modern developments" (Kielstra 1985:13). In other words, the ability of the sharīʿah to adapt and the fact that it "contains a minimum of mythology, ritual and archaic symbolism" (ibid) create a built-in resistance to loss of dominance under different circumstances.

It is important to emphasize that we are not going to assess the process of secularization in Saudi society in religious terms. We are only dealing with institutional differentiation as it relates to the dominance of religion over social institutions. The ideological position of Islam on the relationship between politics and religion (see Chapter Three) is not the indicator by which to assess the secularization of Saudi society. It only provides us with an understanding of how the "ideal" Islamic state should be. Religion can still be dominant in states that are less than the ideal.

Secularization is not measured by the distance between the actual and the ideal. It is measured by assessing the ability of religious institutions to continue playing their role and the ability of religious ideology to continue providing meaning, legitimacy and social control.

The conclusion reached by Wilson (1987a:162) provides us with a useful, albeit Christian, model against which we can evaluate the Saudi experience. He wrote that:

as long as supernaturalist conceptions (of whatever sort) were effective in everyday life, or as long as religious institutions were sustained by the secular authorities and fulfilled functions as agencies of legitimation, official ideology, and social control, society had not yet experienced any radical modern process of secularization.

Dobbelaere (1987:13) has also recognized the problems associated with attempting to apply the secularization thesis to Islamic countries. He wrote that "we can expect secularization only in those societies in which a process of differentiation has already set in to segregate several institutional domains ... This is only partially the case in most Islamic countries." (See also Voll 1987).

D. Theories of Modernization and Development

In all its various guises, the term 'secularization' is inseparable from notions of modernization and development, although the logic of the inter-relationship between these concepts remains obscure. An important task for this study is to try to disentangle these inter-relationships by clarifying the concepts. The focus will be on economic development and on political modernization as they lead to institutional differentiation. The relationship between the two processes of economic development and political modernization will be

discussed in an attempt to arrive at a unified approach to our study of the case of Saudi Arabia.

The term modernization is a new term for an old process - the process of social change whereby traditional³⁶ or less developed societies acquire characteristics common to modern or more developed societies (Roberts 1971:127). This process used to be called Europeanization during colonial times; then the term Westernization was used until the development of Eastern countries (especially China, the Soviet Union, and Japan) necessitated the use of a more general term. There is a general agreement that the process began in the West with the scientific and industrial revolutions of the 18th and 19th centuries. This is the main reason why many theorists equate modernization with Westernization (see Lerner 1958 and Eisenstadt 1966).

The process of modernization has been defined as a process of the total transformation of a traditional, agrarian or premodern society into a society displaying the types of technology and associated social organizations that characterize the advanced, industrial, economically prosperous, and politically relatively stable nations of the modern world.³⁷ The Western nations have been the pioneers of the process, but today they are not the only models.³⁸ They continue, however, to be the dominant model and the one that most traditional societies try to imitate. Lerner (1958:VIII) claimed that modernization appears as Westernization only by an "historical coincidence", but that the West is still the only useful model for traditional societies to follow. This position has been shared by Patai (1962), and Eisenstadt (1966).

Modernization theorists have typically argued that modernization has led to an adaptation of "historically evolved institutions to the rapidly changing functions that reflect the unprecedented increase in man's knowledge permitting control over his environment" (Black 1966:7). The main social aspects of modernization, according to Black (1966), are urbanization, a high rate of literacy, nuclear family, growth of mass media, industrialization, institutional differentiation, and social mobilization. Lerner (1958) had already gone further in suggesting that modernization involves the "end of ideology whether sacred or secular ..., and creates a new type of personality, the mobile personality, who can rearrange his identity to meet the challenge of new situations in a rapidly changing world" (quoted in Turner 1974:160).³⁹

The notion that modernization is a total process that affects all sectors of society and leads to a total transformation is both problematic and interesting in the context of the present study. Our main concern is the effect of modernization on the meaning system and values of the modernizing society. Must the technological and organizational transformations be preceded or accompanied by "a state of mind - expectation of progress, propensity to growth, readiness to adapt oneself to change" (Lerner 1958:VIII)? Or can the people of a traditional society maintain their values and their cultural identity while adapting their institutions to modern functions? This is the important question to which a convincing answer is urgently required. Its relevance will become clear when we discuss the effect of modernization on religion later in this chapter.

Hodgson (1974:425) believes that as a result of the scientific

impact of modernization we all "face a steady erosion of old norms and loyalties". Berger, Berger and Kellner (1973:109) similarly argued that modernization is a process by which "specific clusters of institutions and contents of consciousness are transmitted". They believed that this would be worse in Third World countries⁴⁰ because the process of modernization "has reached them, and to a large degree still reaches them, from the outside" (Berger, Berger, and Kellner 1973:110). The point to make here is that if old norms and values can not continue to supply meaning and to withstand the pressures of social change, and cannot accept and foster developments that lead to a better way of life, then they must be abandoned. We, however, do not accept the a priori notion that modernizing countries must also become Westernized. It is essential to make a distinction between the organizational aspects of modernization and its cultural aspects. It remains to be proven that people from traditional societies have to look, think and act like Westerners in order to become modern.⁴¹

A major problem with most of the theories of modernization, then, is that they view modernization as a uniform process. Consequently, they see modern society as the total opposite of traditional society. But it is logically difficult to identify a society as either totally modern or totally traditional since the process of modernization has presumably not reached its end yet.⁴² What is modern today may be seen as traditional tomorrow and so on. Another problem is the

misleading distinction currently used between rational and traditional ways of looking at things. The implication is frequently given that the traditional is irrational or varies randomly relative to rationality. Nothing could be further from the truth (Levy 1967:193).

In fact, modern societies continue to display signs of their past in many spheres of life. Modernization does not have to take place at the expense of traditions. Tradition is also important because it "involves memory of the past and it can make sense of the present and provide a direction for the future ... If a society loses tradition and therefore loses effective memory it is left adrift without direction or purpose" (Bellah 1983:19).

The theories of modernization have been based, for the most part, on the theories of Durkheim and Max Weber.⁴³ The emphasis that Durkheim placed on *the processes of social evolution and on the fact* that societies can be studied as a functioning whole gave rise to the idea that studying the experience of Western countries would explain how traditional countries can become modern. Weber's idea that people's religious beliefs can explain whether or not they have the potential to become modern was behind the notion adopted by many modernization theorists (Daniel Lerner and R. Patai are prominent among them) that the people of traditional societies must abandon their cultural identities before they can succeed in the modernization process (see Barnett 1988:26).

Development is the other process of social and economic change that has been discussed by many social scientists, although it must be admitted that it is difficult to find a uniform distinction between modernization and development. There are those who regard modernization as the general process of social change and development as the economic component of modernization (Lerner 1968:387, and Germani 1968:343). Jacobs (1971:10) took the reverse position and said

that "modernization may be considered as an integral part of the process of development, but not necessarily vice versa." Hoogvelt (1978:61) did not see any difference between the two processes, and listed the same indicators of modernization given by Black (1966:7) as the indicators of development.⁴⁴

Regardless of these definitional difficulties, the problems associated with the theories of modernization inspired a totally different approach to the study of socio-economic change in Third World countries. Based mainly on Marxist ideas,⁴⁵ the new approach looked for external factors in studying the problems of "underdevelopment".⁴⁶ Most of those who adopted this approach became known as dependency theorists, for they argued that colonialism and imperialism made Third World countries dependent on their exploiters. This allegedly gave rise to the development of underdevelopment. The proposed solution was not to adopt Western ways of government and economics, but to redress the uneven balance between the rich and poor countries. Dependency theorists "moved the discussion of development away from individual societies taken in isolation. They proposed that each society's development problems could only be understood in relation to its place in a 'world system'" (Barnett 1988:33).

The main problem with the dependency theory is that it gave a simplistic explanation to a complicated problem. If we explain the economic problems of the Third World as the outcome of exploitation by the developed countries, then it becomes difficult to account for internal factors such as class exploitation, regional imbalances and overpopulation. The theory is useful in so far as it applies to the economic problems of most Third World countries, but it does not

account directly for the social and political aspects of development. Dependency theory pointed out the limitations of the theories of modernization, but failed to provide an entirely satisfactory alternative.

One of the main reasons for the limited usefulness of both approaches is that they attempt to provide a single explanation for a problem that involves many societies and different cultures. Each society should be viewed within the context of its historical and cultural factors. What works in the case of one country is not necessarily going to work in the case of another. There should also be a distinction between the various aspects of modernization and development. Economic development (for example, growth of GNP) is different from political development (mass participation); and the two of them are different again from social development (for example, urbanization and the growth of the nuclear family). Any one of these developments can happen independently of the other two, and each one should be studied separately.

There is no doubt that all three areas are connected, but they do not necessarily change at the same pace or at the same time. A country can have a high GNP without having full political participation, and another country can have a high level of urbanization without having either economic or political development (see Eisenstadt 1970). These distinctions have a bearing on our study of the place of Islam in the modernization and development of Saudi Arabia. For, by keeping these phenomena conceptually separate, we can investigate the processes of change without prejudging the outcome through the indiscriminate use of dense and highly general concepts.

Economic Development

In this study, the term development will be used in a limited sense to describe the economic component of modernization. Its use will be limited since the study is mainly concerned with the effect of political modernization (ie. institutional differentiation) on religious institutions. We will continue to use the term modernization to describe the overall process of political, social and economic change because "it more readily draws attention to the total nature of social change, and ... it avoids presuppositions of improvement or teleological views of the modernization process inherent in concepts of development" (Roberts 1971:127).⁴⁷

Economic development constitutes a very important component of the modernization process. "Economic development is a high priority objective of every modernizing society - the prime mover, when indeed it is not the only motivation, for modernization" (Lerner 1968:388). Lehmann (1979:26) regarded national income as a development indicator and considered that a country was developing when unemployment and poverty were declining.⁴⁸ Development is usually measured, however, by economic indicators such as gross national product and per capita income.⁴⁹ It is more difficult to achieve development than modernization in the sense that the former requires "the attainment of self-sustaining growth" (Lerner 1968:388). Many Third World countries have become modernized before achieving the real development of creating and operating an economy of self-sustaining growth.⁵⁰

The economic factor in the modernization of Saudi Arabia is very important because, unlike most modernizing countries, Saudi Arabia suddenly acquired wealth as a result of the discovery of oil in 1938

and of the huge increase in oil prices in 1973. Oil brought in a high level of national income, and this made it easier to acquire the technological aspects of modernization over a short period of time. The important question here is whether what has taken place in Saudi Arabia over the past twenty years can be considered real development or modernization without development. The Saudi government claims that it is real development that is taking place in accordance with development plans designed to achieve maximum benefits for the country and its citizens.⁵¹ Critics, however, contend that what is taking place is only a process of

copying the superficialities of culture from the advanced countries; spending was directed towards building and construction and importing up-to-date luxury products. Such 'development' is fallacious, for it has the appearance of development but lacks the substance (Osama 1987:17).

The above argument may have some validity, but it does not take account of the real developments that have taken place in areas of industry, agriculture, commerce, and technical education (see Table One in Chapter Four). The creation of a society of consumers who depend on the state for most basic needs and who rely on foreign labour to develop the economy may have been the main negative aspects of the Saudi experience. The fact that Saudi Arabia has relied mainly on one source of income (oil) may explain the urgency with which modernization has taken place over the past two decades. The important point here is to recognize the limitations of both the modernization theories and dependency theories for providing a useful framework with which to understand the Saudi case. The reasons that make Saudi Arabia a unique case will be discussed later in this chapter. We now turn to the specific process of political modernization and its implications

for institutional differentiation.

Political Modernization

The process of political modernization is very important to this study because it was the main source of institutional differentiation in Saudi Arabia. Political modernization has been defined as the process of differentiation of political structure which enhance the capability - the effectiveness and efficiency of performance - of a society's political system (Coleman 1968:395). This definition is useful for our purposes because of its focus on institutional differentiation. It seems to be the main process that indicates whether or not a country is modernizing its political structure.

A modern political system is characterized by differentiation, equality, capacity,⁵² democracy, and nation-state. Traditional polity is predominantly ascriptive, particularistic, and diffuse in nature. Modern polity, on the other hand, is achievement-oriented, universalistic, and specific (Coleman 1968:396).⁵³ This distinction raises again the problem of viewing the modernization process as a movement from the pole of traditionalism to the pole of modernity. The fact of the matter is that "traditional patterns of power and authority tend to resist fundamental change" (Bill and Leiden 1984:10). It also seems to be the case that "traditional institutions and values have an extraordinary resilience and persistence" (Coleman 1968:399).

The general process of modernization does not depend entirely on political modernization. According to Bill and Leiden (1984:25), the "processes of modernization run far ahead of advances in political

development in the Middle East". Their conclusion is that "Many traditional political systems are able to foster modernization while maintaining ongoing political patterns" (Bill and Leiden 1984:15). This seems to be exactly what is taking place in modern Saudi Arabia.⁵⁴

The Kingdom of Saudi Arabia has come a long way in adopting such modern forms of government as functional differentiation, central bureaucracy, and integration. It has also created a nation-state with a national identity and political legitimacy based on Islam. Political participation is limited to the traditional institution of the majlis,⁵⁵ but more and more people are sharing in the decision-making process (mainly through the bureaucracy). The Saudi government is not democratic in the Western sense of the word, but it has demonstrated the ability to meet all the functional requirements made of a modern political system.⁵⁶

There are no elections and no political parties in Saudi Arabia, and the King has an absolute authority limited only by the place of the Islamic sharīʿah as the constitution of the country and by the power of political groups (for example, members of the royal family, the Council of Ministers and the ʿulamāʾ) (see al-Farsy 1986, Huyette 1985, and al-Juhani 1984). But over the past ^{thirty} five years (starting with the establishment of the Council of Ministers in 1953) the Kingdom has witnessed a continuous process of what can be called institutional differentiation. Twenty national ministries and a number of general presidencies and independent departments have been created as part of the process of political modernization (see Chapter Four). This process of differentiation is the departure point for our attempt

to evaluate the influence of modernization on religious organizations in Saudi Arabia. Our contention is that the Saudi government functions like a modern political system even if it does not look like one. It has achieved a high level of institutional differentiation but not to the point where each institution creates its own independent rationale.

Saudi Arabia can still be described as a transitional society.⁵⁷ It is not yet a modern country (politically speaking), and it has modified the traditional arrangements for governing to a certain extent.⁵⁸ The political leadership has directed and controlled the pace and nature of the modernization process. The country has never been colonized,⁵⁹ and the government grew out of indigenous social and political circumstances (see Chapter Four). The political elites have acted as the modernizing elites, and they "largely determine the extent to which tradition is harnessed to modernization" (Coleman 1968:400). The whole system is based on traditional principles (of legitimacy and relationships), and it has to maintain those principles in order to survive. "Traditional societies", according to Lerner (1968:390), "can respond effectively to internally generated demands for institutional change articulated over a relatively long period, but they are typically incapable of rapid institutional changes to meet externally induced demands."

E. Religion and Modernization

The dynamics of religious change at times of rapid socio-economic development are at the centre of this thesis. The literature gives the impression that religious influence has no choice but to decline at

times of modernization. But we will briefly review some of these arguments and try to expose their limitations.

In its more general form, modernization supposedly undermines religious authority. According to Douglas (1982:8), religious decline has been attributed to four main features of modernization: science; bureaucracy; challenge to religious regulations; and human separation from nature (we no longer experience religious inspiration found in nature).⁶⁰ In the case of Middle Eastern societies, Patai's (1962:369) argument is that a new technical order brought about by modernization will inevitably lead to the creation of new moral orders modelled on the Western experience. These are the secularizing influences of modernization.

Germani (1968:362) is more specific in his claim that secularization was "an essential condition of development, religion also acquires a specific sphere, that is, it must be transformed into a specialized institution". The result would be that "religion became one institution alongside other institutions and loses its overarching claim" (Dobbelaere 1981:11). Institutional differentiation (separation of religion from political, economic and social institutions) is the method by which religion apparently loses its overarching claim. It is becoming clear today, however, that things have not developed as the early theorists of modernization anticipated. It is still not clear, for example, "whether modern conditions really favour laxity and liberalism or rigorism and centralization, in the long run. The question remains open, and need not have the same answer everywhere" (Gellner 1981:65).

Studying the process of secularization in Muslim countries is

difficult because the sociology of religion lacks a clear theoretical perspective for dealing with non-Christian societies. Theories of modernization looked for internal factors to explain secularization, while dependency theories ignored the question altogether, and concentrated on the economic aspects of development. The problem is further complicated by the growing number of what Peter Berger (1969:109) called the "carriers of secularization".⁶¹ In short, we need an approach which combines internal and external factors, and which views each society as possessing its unique combination of internal and external circumstances.

Some commentators believe that secularization takes place in most Third World countries by means of the influence of a small elite exposed to Western education (Smith 1971:2).⁶² Others believe that bureaucracy and urbanization are responsible. By contrast, Douglas (1982:9) criticized those who accused bureaucracy of having a negative effect on religious beliefs; and Arjomand (1989:110) has demonstrated that in Muslim societies urbanization has "stimulated the movements for orthodox reforms in this century".

The major question in the case of many Third World countries is whether or not religion can continue to provide ideological legitimacy for governments committed to modernization. Can we find the answer in the nature of the religion itself, in the position of the government, or in external factors? These questions are important, but they exceed the limited scope of the present study. Our findings about religious institutions in Saudi Arabia will supply only part of the material that is required to answer the general questions in the long-term. We move now to the nature of Islam as it relates to modernization, and

then to the distinctiveness of the Saudi political system in the hope of clarifying some of the prevalent confusion.

Modernization and Islam

The religion of Islam, being the dominant ideology of the Saudi political system, holds some of the keys to understanding the Saudi experience. It is a total system that does not recognize ideological separation between a public and a private sphere. It also deals with various aspects of public and private life, and cannot be confined to one independent institution. Islam, furthermore, has room for functional differentiation between institutions while maintaining its dominance through ideology rather than just through the functions of specific institutions (see Chapter Three).

An important point of departure in understanding the relationship between Islam and modernization is to recognize the static and dynamic aspects of the Islamic sharī'ah.⁶³ A distinction must be made "between the integral and essential parts of the doctrinal structure and those that are secondary and changeable" (Alatas 1972:42). This distinction has a bearing on the accusation that Islam is a backward religion which stands in the way of modernization and is "at odds with all the possibility of creative moral growth" (Hodgson 1974:418). Many Western writers (for example, Smith 1971:204 and Turner 1978:394)⁶⁴ have refuted this accusation by drawing attention to the distinction between the essential and the changeable components of Islam. The religion is, therefore, more flexible and adaptable than Hodgson recognizes.

Islam has allowed institutional differentiation to take place in

Saudi Arabia, and even seems to be benefiting from it. It apparently continues to supply legitimacy for the political order and an ideology for the state (see Chapter Five). It seems today that the threat to the dominance of Islam in Saudi Arabia is not internal, at least in the foreseeable future. Any threats are likely to come from outside the country. For example, the impact of Western education received by Saudi students abroad, the world economic system, the mass media, and foreign labour working in the country cannot be underestimated. Their effects may start on the individual level (secularization of the consciousness) and then spread to groups and institutions.

The reverse is also possible. Saudi individuals may find religion a useful way to counteract the pressures for giving up their traditional way of life and searching for a new identity. Both scenarios are beyond the scope of this study. But it is important at least to recognize the existence of other factors that might influence future developments.

Our study of the hay'ah (see Part III) will be located within the context of political modernization. The development of the hay'ah into an independent national organization, and the modernization of its structure and methods of operation will help to explain the interaction between religion and modernity in Saudi Arabia. But other features of this unusual country must be sketched before the analysis can begin.

F. The Problematic Case of Saudi Arabia

The Kingdom of Saudi Arabia is part of what is called the Third World mainly for political and geographical considerations. However, it

possesses a number of distinctive characteristics that challenge most of the generalizations of the theories of modernization and development. The aim of this section is to highlight some of these special characteristics, with particular reference to the accommodation that has been made between modernization and tradition.

Saudi Arabia remains one of the few nations whose official constitution is a religious scripture (the Qur'ān). This gives religious ideology a dominance over most public and private institutions. The homogeneity of the population on ethnic, religious, linguistic and cultural grounds is also virtually unparalleled (Looney 1982:2). Islam is the religion of the entire population,⁶⁵ and religions other than Islam are not officially recognized. Non-Muslims are certainly not allowed to practise their religion in public (see Chapter Five). Religious pluralism is virtually non-existent in Saudi Arabia.

Politically, Saudi Arabia is a monarchy with no political parties or legislative body. There is, however, a council of ministers presided over by the King who is also the prime minister (see Chapter Four). Political innovations have taken place over a long period of time (over fifty years) in response to internal conditions with limited external influences (see Huyette 1985). The Kingdom has escaped colonisation, and has never experienced the kind of political upheavals that characterize the experiences of most Third World countries. The stability of the regime over the past 57 years (the country was officially unified in 1932) is a major factor in the relative success of the modernization process within a traditional context (see al-Hamad 1985).

On the economic front, Saudi Arabia has the benefit of enormous wealth generated by oil. The modernization process was consequently easier than in most other developing countries where developments have usually been impeded by poverty or a lack of natural resources. Wealth has certainly created its own problems in Saudi society, but the benefits can be seen in many areas of life. The relatively small size of the population (estimated by an official source to be 9,118,000 in 1985)⁶⁶ is another factor that made modernization easier than in countries which suffer from overpopulation and overurbanization (e.g. India and Egypt).

The Saudi government is unique in the sense that its legitimacy is mainly based on its commitment to the Islamic religion. Being the custodian of the two holiest mosques of Islam (the sacred Mosque in Makkah and the Prophet's Mosque in al-Madīnah) made that commitment an international rather than just a domestic one. The government is careful not to appear anti-religion in any way. Religious institutions have been incorporated into the structure of the state, and many religious functions are handled by the state bureaucracy (see Chapter Five and Part III). The ʿulamāʾ (religious leaders) enjoy influence and prestige rarely found in other Islamic countries. This is due in part to the unique relationship between the Royal Family and the religious leaders of central Arabia (see Chapter Three).

All of the above factors in combination have made Saudi Arabia a unique case among modernizing countries. Its uniqueness will become even clearer as we deal in detail with the changing place of religion in modern Saudi Arabia. But the theories of secularization, modernization, and development do not take adequately into account

most of the distinctive features of the Saudi experience. A country that seems to be trying to modernize within the framework of its traditions, appears to want to maintain the overarching claim of religious ideology, possesses great wealth, and has never been colonized, is a country that puts a severe strain on existing theories.

Conclusion

The main theme of this chapter is that the sociology of religion is in a process of transformation following recent developments in different parts of the world that challenge some accepted approaches and generalizations.

The religion of Islam has been particularly badly neglected in specific sociological studies of religion in the modern world. The trend is changing, however, and more attention is being paid to Islam today than ten years ago. This was largely in response to political developments in the Islamic world rather than to a planned change to make the sociology of religion a global discipline rather than mainly a Christian one.

Similar shortcomings have marked the major types of theory relevant to the present study. Theories of secularization, for example, fall short of providing a uniform approach to the study of religious change as a global phenomenon. They also fail to provide useful explanations for religious revival and new religious movements. Modernization theories have tended to concentrate on internal factors in attempts to assess socio-economic change, while development (dependency) theories have tended to utilize externalist accounts as

the main explanations of underdevelopment in most Third World countries. An approach that takes account of both internal and external factors is urgently needed. This would go some way towards meeting the objection that, "Our modernity has not yet been analysed in a way that explains religious decays and renewal " (Douglas 1982:5).

The religion of Islam and the Saudi political system both possess unique characteristics that challenge the current theories. These characteristics will be examined below *in an attempt to show the* major limitations of the theories which could serve as the theoretical backdrop for this study. In the light of these limitations, our study will try to specify more precisely the configuration of religious, political and economic factors which have shaped the development of certain Islamic institutions in Saudi Arabia. The question of whether this amounts to secularization, modernization or development will be a leitmotiv.

P A R T I I

Religion and State in Arabia:

Past and Present

Introduction

This part deals with the history of Islam and the state in Arabia. The aim is to provide an historical background for the place of religion in contemporary Saudi Arabia. The focus will be on the rise of Islam, its main institutions, the revival movement of Shaykh Muḥammad b. ʿAbd al-Wahhāb, the evolution of the modern Saudi state, and the religious situation in Arabia before the birth of this state and today.

This part is designed to provide sufficient information to enable us to assess the changes that have taken place in the role and influence of religion in Saudi society. Using a comparative approach we will try to trace the effects of the establishment of a central government and political modernization on the ability of religious institutions to continue playing their role in society. An attempt will also be made to trace the evolution of the modern Saudi state and the development of the various official organizations that perform religious functions.

Chapter Three deals with the early history of Islam and with its main institutions. The discussion covers the political, social, and economic aspects of Islam. The second half of the chapter is about the decline of Islam in central Arabia, and the revival movement of Shaykh Muḥammad b. ʿAbd al-Wahhāb (commonly known as Wahhabism). Chapter Four will be about the evolution of the modern Saudi state. The focus is on the role of religion in the establishment of the state, and on the process of political modernization. The development of official religious organizations will also be dealt with as part of that process. The chapter will conclude with a brief discussion about Saudi Arabia today in terms of political structure and the major

socio-economic developments in the past twenty years.

The religious situation in present-day Saudi Arabia will be the topic of Chapter Five. The focus will be on public manifestations of religion, the main religious institutions in the country, the international Islamic role of Saudi Arabia, and modernization and religious influence. The chapter concludes with a brief assessment of the unique features of religion in Saudi Arabia today. This part will provide the general background for our specific look at the history and status of one particular religious organization in Part III.

Chapter Three

Islam: Theological and Socio-Political Developments

This chapter is designed to give a brief survey of the central meanings and institutions of the religion of Islam. The focus will be on the rise of Islam and on its fundamentals as a religion and as a political system. The meaning and sources of the Islamic sharīḥ will be discussed before the relationship between religion and politics in Islamic ideology is introduced. An understanding of that general relationship is essential in the context of trying to understand that particular relationship in present-day Saudi Arabia. The following section will look at the sources of authority in the Islamic community especially the ḥulamā, and how their authority is gained and exercised.

The second part of the chapter will deal with the recent history of Islam in the Arabian peninsula. The decline of Islam as a result of the political decline of the state paved the way for the daḥwah¹ of Shaykh Muḥammad b. ḥAbd al-Wahhāb (known as the Wahhabi movement). This daḥwah marked a major turning point in the history of Islam in the Arabian Peninsula. It is also very important in understanding the place of religion in modern Saudi Arabia. The alliance that developed between Shaykh Muḥammad b. ḥAbd al-Wahhāb and the leader of the Āl Suḥūd ruling family, Muḥammad b. Suḥūd, created the politico-religious environment for the establishment, once again, of an "Islamic" state in the heart-land of Islam.

This is a sociological study of the effects of development and

modernization on religious institutions and not a study in theology. The discussion of Islam in this chapter is limited to the information that is necessary for our understanding of the history and ideology of the religion that is followed and practised in Saudi Arabia. In order to understand concepts like sharīʿah, tawḥīd, al-amr bi-ʿl-maʿrūf wa-ʿl-nahy ʿan al-munkar, and zakāh, some knowledge of their sources and development is very important. This chapter is deliberately selective in dealing with a mixture of historical, theological, and sociological aspects of Islam. The aim is to provide a general background to the main topic of the study.²

A. The Rise of Islam:

It was in the seventh century C.E. that the religion of Islam was born. The prophet Muḥammad of the Quraysh tribe proclaimed his message around the year 610 C.E. in the town of Makkah (Mecca). He had been born forty years earlier to a poor family and had lost both his parents before he reached the age of six. He grew up under the care of his uncle, and worked mainly as a merchant in the commercial environment of Makkah. At the age of forty Muḥammad declared himself as the messenger of Allāh (God) to mankind. He called the people of Makkah to give up their pagan practices and to believe in the tawḥīd (unity of God).

He preached that there was only one God, the creator and sustainer of the universe, and that the duty of man is to worship Him. Only few people believed and followed him at first. They received harsh treatment at the hands of the leaders of Makkah who saw in this message a challenge to their authority. After thirteen years of

preaching in Makkah with limited success, the Prophet and his followers made the migration (hijrah) in 622 C.E. to the town of Yathrib, north of Makkah. The people there had embraced the message of the Prophet and had accepted him as their new leader. The town was re-named al-Madīnah, meaning the city, and the first Islamic ummah (community of believers) developed there (^CAzzām 1984:23).

In al-Madīnah, the Prophet Muḥammad established the first political entity based entirely on religious principles, i.e. he established an Islamic state. He was its religious as well as its political leader. The Prophet organized the affairs of his religion and his state on the basis of what Muslims believe to be revelations from God through Jibrīl (Gabriel). Those revelations are regarded as divine and eternal, and they are collected in the Holy book of Islam, the Qur'ān (Koran).

After eight years in al-Madīnah, the Muslims became better organized and stronger. The Message spread to all parts of the Arabian Peninsula, and the tribes embraced it one after another. The Prophet organized an army, went back to Makkah and conquered it without any opposition. He destroyed all pagan idols around the Ka^Cbah,³ and proclaimed Makkah a sacred town (ḥaram) and its Mosque a holy place, to which all Muslims must face when they perform ṣalāh (prayer). The Prophet Muḥammad went back to Makkah for the last time in 632 C.E. to perform the ḥajj (pilgrimage). He delivered his farewell message to the Muslims in which he emphasized the important aspects of Islam. After completing the ḥajj, the Prophet went back to al-Madīnah where he died a few months later in 632 C.E. at the age of sixty three (^CAzzām 1984:29).

The Prophet made no provision for a successor after his death, leaving the choice to the consensus of the community based on the Qur'ānic notion of shurā (consultation).⁴ One of the first Muslims, and a very close companion of the Prophet, Abū Bakr, was selected as khalīfah (successor) to the Prophet in his political capacity as leader of the community. The Islamic state continued to expand, and before the end of the first century after the hijrah of the Prophet it had taken over both the Byzantine and Persian Empires. After the end of the rule of the first four khulafā' (caliphs) the capital of the Islamic state was moved from al-Madīnah to Damascus under the founder of the ^cUmayyad dynasty (41-132/661-750).

Islam had grown from a small state, maintained by a central leadership, to a very large entity too big to be managed by one central administration. Various powerful families and tribes embraced the new religion and "became its champions by exporting it to new territories and founding new dynasties" (Roberts 1981:31). The growth extended to China in the East and to Spain in the West, and culminated in great empires in various parts of the World that were dominated by Islam. It was an unfortunate development for the Arabian Peninsula, however, which went through a period of political and religious decline due to its isolation from the centres of power. The only exceptions were the holy cities of Makkah and al-Madīnah which benefited from their religious significance.

B.The Meaning and Institutions of Islam:

The word Islam is an Arabic noun which means submission and obedience. As a religion, it means total submission and obedience to the will and

laws of the one true God, Allāh. Muslims in general believe that Islam was not a new religion brought by the Prophet Muḥammad to the Arabs, but the same divine message brought by Nūḥ (Noah), Ibrāhīm (Abraham), Mūsā (Moses) and ʿIsā (Jesus).⁵ The Islamic message of tawḥīd (monotheism) holds that this universe was created by the one true God, and that He created human beings to know Him and to worship Him alone.⁶

According to the Qur'ān, God had chosen Islam as the dīn for mankind and as the only way to obtain success in this life and salvation in the life hereafter.⁷ The Arabic word dīn not only means religion in the restricted sense of the word, but also implies a total way of life based on the laws of God. Roberts (1981:35) has tried to explain the meaning of the word dīn as follows:

Din does not mean simply the spiritual fulfilment or enlightenment of the individual, it means all matters pertaining to a way of life. Din encompasses theology, scripture, politics, morality, law, justice and all other aspects of life relating to the thoughts or actions of men. For the Westerner, used to viewing religion as a matter of private conscience, this is the fundamental point to grasp in trying to understand Islam. It is not that religion dominates the life of a faithful Muslim, but that religion, in this comprehensive sense, is his life. (8)

Islam, therefore, neither taught nor accepts that religion is only a private relationship between God and human beings. It is a complete code of beliefs and conducts for those individuals and groups who submitted their lives to God by becoming Muslims. Watt (1968:3) wrote that Islam:

is not a private matter for individuals, touching only the periphery of their lives, but something which is both private and public, something which permeates the whole fabric of society in a way of which men are conscious. It is - all in one - theological dogma, forms of worship, political theory, and a detailed code of conduct, including even matters which the European would classify as hygiene or etiquette.

An understanding of the comprehensive meaning of Islam is essential, in the context of this study, to our grasp of Islam as a religion as well as a political, a social and an economic system. The important role that Islam plays in the life of individual Muslims and Muslim societies comes from the fact that Islam has rules and regulations for all aspects of life.

It is important to understand some of these rules and regulations before we can understand how Islam functions in society. The remainder of the first half of this chapter will deal with the major Islamic concepts and institutions.

Articles of Faith (arkān al-imān)

The first and most important belief on which a Muslim bases his faith (imān) is the belief in tawhīd. "Tawhid is a revolutionary concept and constitutes the essence of the teaching of Islam. It means that there is only One Supreme Lord of the universe. He is Omnipotent, Omnipresent and the Sustainer of the world and of mankind " (Ahmad 1976:29).

The other five articles of imān are: belief in the Angels of God; belief in the Revealed Scriptures from God to mankind through the Messengers of God; belief in the Messengers (Prophets) of God that were sent before the Prophet Muḥammad; belief in the Day of Judgment (al-yawm al-ākhir); and belief in the Divine Decree (al-qadar).⁹ Any person who believes in these articles of faith becomes a Muslim and is required to practise Islam by carrying out the Five Pillars of Islam which are obligatory for the individual Muslim, constituting the main acts of worship (ibādat) in the Islamic Religion (see al-Zarqa 1976).

The Five Pillars of Islam (arkān al-Islam)

The Five Pillars are the basic duties of the individual Muslim, male and female, towards God. They are designed to test the sincerity of a Muslim's faith by requiring him or her to demonstrate it in their actions. These pillars are:

1. Shahādah: This is the recitation of a short creed by the individual declaring his belief in God and his willingness to follow the example (sunnah) of the Prophet Muḥammad. That creed is: I bear witness that there is no god but Allāh, and that Muḥammad is the Messenger of Allāh. Once this profession of faith is said in public, the person saying it will be considered a Muslim.

2. Ṣalāh: This is prayer which is offered five times every day at designated times and following a set pattern. The Muslim is encouraged to pray with a group (jamā'ah) in the mosque (masjid), but prayer can be offered individually in the home, or anywhere else. Before praying, a Muslim is required to make the wuḍū' (ablutions) and to raise the adhān (call) to prayer. He is also required to face Makkah wherever he may be in the world.

The daily prayers are offered at fajr (dawn), zuhr (noon), ʿaṣr (afternoon), magrib^h (sunset), and ʿishā' (about two hours after sunset). On Fridays, the zuhr prayer is replaced by the jum'ah (Friday) prayer which can only be performed in congregation (jamā'ah) and is preceded by discourse (khutbah) given by the imam (the leader of the prayer). Beside these regular prayers, there are special prayers for the two annual religious festivals (ʿIds), for funerals

(janāzah), for the nights of Ramaḍān (tarāwih), and prayers to ask God for rain (istisqā'). It is also recommended for a Muslim to offer supererogatory (nawāfil) prayers at any time for extra rewards.

3. Zakāh (alms-giving): This is an annual tax of 2.5% of one's net saving from income and property. The amount is calculated after deductions for personal expenses. The amount saved must reach a certain amount and be kept for a whole year before it becomes obligatory upon the individual to pay zakāh. It is to be given directly to eight categories of people identified in the Qur'ān (9:60).

4. Ṣawm (fasting): This means abstaining from food, drink and sexual relations from dawn until sunset during the month of Ramaḍān. Muslims are also encouraged to abstain from all evil thoughts, actions and sayings with the stated purpose of learning taqwā (piety).¹⁰ Children, the elderly, the sick, expectant and nursing mothers, women in menstruation, and those on a journey of about fifty miles or more are exempted from this duty (Abbara 1987:41). Some of them, however, have to make up for it at a later date.

5. Hajj (pilgrimage): This is a duty upon every able Muslim to be performed once in a lifetime. It takes place in and around Makkah for four days starting on the ninth of the last month of the Islamic calendar (Dhūl-Hijjah). Those who cannot perform the hajj for physical or financial reasons are exempted.¹¹

The Sharīḥ

The comprehensive nature of the Laws of Islam as a complete "way of life" is best demonstrated in the concept of sharīḥ, an Arabic word which can be translated as "the path in which God wishes men to walk" (Roberts 1981:54). Sharīḥ basically is the total of all Islamic laws dealing with both public and private spheres, which apply to all Muslims and the non-Muslim citizens of an Islamic state.¹² It has been described by Weeks (1978:24) as:

so comprehensive that it has rules for nearly all human activity, personal and interpersonal. It sets forth rules for government, fighting wars, and settling disputes. It decrees who not to marry and what foods not to eat. There being no area of activity not covered by law, there is no accommodation in theory for a separate secular, as against religious, jurisdiction.

The sharīḥ derives its laws, rules and regulations from four main sources. The two major sources of the sharīḥ are:

1. The Qur'ān (lit. the "reading" or the "recitation"). This is the holy book of Islam believed by Muslims to be the word of God revealed to the Prophet Muḥammad. The revelations came down over a period of twenty-three years, and were collected in one book by the Caliph ʿUthmān in 28/650. The Qur'ān is divided into 114 chapters each of which is called a sūrah consisting of a number of ayāt (verses). It is recited by Muslims as a blessing to both reciter and hearer, and it is studied as the key to the knowledge of God and the knowledge of Islam (see Brohi 1976). Muslims are also encouraged to memorize the whole text or parts of it, and today there are Muslims who know the entire Qur'ān by heart.

From the Islamic perspective, the Qur'ān embodies the divine law and "is therefore superior to any man-made law of the past, present or

future" (al-Buraey 1985:62). The sharīʿah derives from the Qur'ān the basic divine laws of Islam dealing with all aspects of the Muslim's life. The Qur'ān also deals with historical events such as the creation of the Universe, the people who lived before the time of the Prophet Muḥammad, and the Prophets who were sent to them. It speaks about the end of this world, life after death, and man's duty towards God and towards other human beings.

2. The Sunnah (lit. 'the path' or 'the way'): The sunnah is the example of the Prophet Muḥammad which he set by his sayings, his actions or his approval during his life-time as a prophet. The role of the Prophet was to demonstrate, explain and practise the laws of the Qur'ān so that Muslims would know how to live an "Islamic" life. He not only transmitted the revealed Qur'ān, but he also interpreted and explained it.¹³

Beside the Qur'ān and the sunnah, which constituted the main sources of the sharīʿah up to the death of the Prophet Muḥammad, two other sources have become accepted by Muslims as legitimate sources from which the sharīʿah can derive new laws and regulations. This was made necessary by the appearance of problems and situations for which the Qur'ān and the sunnah have no specific instructions. The two minor sources of the sharīʿah are: ijmāʿ, consensus of the ʿulamā' regarding a question of law; and qiyās, analogy, by means of which the laws of the Qur'ān and the sunnah are applied to situations not explicitly covered by these two sources (Glassé 1989: 182, 325).

The ʿulamāʾ

The word ʿulamāʾ is a plural of ʿālim which means learned, knowledgeable or scholarly. It is used to describe the religious scholars of Islam and "embraces all who have cultivated the religious disciplines or fulfilled certain practical functions such as judgeship" (Algar 1987: 115). The ʿulamāʾ are considered the heirs of the prophets by virtue of teaching people and guarding religious laws. The Qur'ān and the sunnah have both indicated the important role of the learned and also the virtue of knowledge. Seeking knowledge is considered an act of worship, and learning the fundamentals of Islam is an obligation for every Muslim.

It was not until the 3/9th century that a distinct class of learned men identified as ʿulamāʾ crystallized. This development came about as a result of the expansion and elaboration of the various branches of religious knowledge, and the desire to codify the provisions of Islamic law. The ʿulamāʾ had to be recognized by the community as such. They worked as judges, teachers, leaders of prayers, muftīs,¹⁴ or just authors of religious books.

The ʿulamāʾ "derive their religious authority not from a religious organization or an established institution, but from the knowledge they have of the data of revelation, that is to say from their religious learning" (Waardenburg 1978:327). That knowledge does not give the ʿulamāʾ a special status or privilege in society, but rather makes them responsible for guarding the sharīʿah by making sure that it remains in its original form. As guardians of the knowledge of the sharīʿah, the ʿulamāʾ occupy a unique place in the political structure of the Islamic State. They can decide the legitimacy of the

State, and can lead the public in supporting or rejecting a particular ruler on the grounds of religious justification. The fatwā, which means "a published opinion or decision regarding religious doctrine or law made by a recognized authority" (Glassé 1989:125), is one of the major channels through which the ʿulamāʾ exercise their authority.

The relationship between the ʿulamāʾ and the political authority of the Islamic state has always been a contentious one. There are those who have argued that the ʿulamāʾ lose their authority once they become part of the structure of the state.¹⁵ We believe that this is a simplistic view influenced by the Western notion of separation between politics and religion. No such thing can be possible in a state that wants to apply the sharīʿah in public affairs. The "official" role of the ʿulamāʾ becomes essential as a result of their own religious learning, their upholding of the sharīʿah as the absolute norm and ideal, and their official status which enabled them to impose the sharīʿah without a separate organizational machinery (Waardenburg 1978:326).

The institution of ʿulamāʾ does not have any structure or organizational hierarchy (at least in Sunni Islam).¹⁶ It has taken different forms in different Islamic states and at different times. The position and power of the ʿulamāʾ are always influenced by the political environment and the attitude of the political elites towards them. The ʿulamāʾ usually do not aspire to hold political power, but they tend to influence political personalities and policies of the state. Our discussion of the particular case of the ʿulamāʾ in modern Saudi Arabia in Chapter Five will bring this point into sharper focus.¹⁷

The Madhāhib (sing. madhhab)

This is a term used to describe the four schools of fiqh (jurisprudence) that succeeded in codifying the sharī^cah. These schools were named after the four scholars who established them. The first madhhab was the Ḥanafī one founded by the imam Abū Ḥanīfah (81-150/700-769). It has the largest following among Muslims today. Imam Malik (97-179/716-795) founded the second school in al-Madīnah, which is known today as the Malikī school of Jurisprudence. The third school was founded by the imam al-Shāfi^cī (150-205/767-820), and is known as the Shāfi^ciyyah school. And the fourth madhhab was founded by the imam Aḥmad b. Ḥanbal (164-241/780-855). The last one is considered the most conservative of the four schools, and is followed mainly in Saudi Arabia and the Gulf States.

The differences between the four schools are minimal. They amount to different interpretations of basically the same principles for all decisions are based on the Qur'ān and the sunnah. These schools of jurisprudence made certain laws and regulations easier to practise by codifying them, but the individual Muslim is not obliged to follow any particular school.

C. Islam as a Socio-Economic System

Islam sought a total transformation of the structure of the Arab society of al-Madīnah immediately after the Prophet's migration to that city. "The Islamic ethics were combined with a strategy to form a new social relationship (community), institute a new set of liturgical and social action (religion) and legitimisation of community and religion through war (state) " (Askari 1978:41). The most fundamental

change took place in the notion of loyalty which had previously been based on family and tribal connections. "The social order was transformed by abolishing the blood relationship as the principle of identity, loyalty, enmity and revenge" (Askari 1978:55).

The prophet Muḥammad started the process by stressing that all believers are brothers in faith regardless of their tribal or social background. According to the sharīʿah, all human beings were created equal and are equal in the sight of God; they differ only in the degree of taqwā (piety). The principle of equality was in fact practised in a society that was used to slavery and discrimination against non-Arabs. Bilāl,¹⁸ an Abyssinian slave freed by Abū Bakr, became one of the closest companions of the Prophet and the first mū'adhdhin in al-Madīnah. Islam restricted the trade in slaves and made freeing them an act of worship (see Qutb 1976).

The sharīʿah set out detailed regulations to organize relationships between individuals and groups. The institution of marriage was given special attention with rules to specify whom a Muslim can and cannot marry. The number of wives a Muslim can have at one time was limited to four on condition that he should treat them equally.¹⁹ Divorce is allowed as a last resort but is described as the most disliked lawful act in the sight of God. Segregation between the sexes in public was made a religious duty, and is widely considered necessary for protecting public morality and preventing unlawful relationships that could destroy the fabric of society.²⁰

The community was made responsible for the welfare of its members, especially the poor and orphans. The institutions of zakāh and ṣadaqah (charity) were established to facilitate the exercise of

that responsibility. The practice of female infanticide (wa'd al-banāt), which had existed in Arabia before Islam, was condemned and forbidden.²¹ The group was also made responsible for the actions of individuals. It was prescribed as an obligation for every Muslim to engage in al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar (enjoining the acceptable and forbidding the reprehensible).²² The Qur'ān (3:110) describes Muslims as: "the best of peoples, evolved for mankind, enjoining what is right, forbidding what is wrong, and believing in God." This principle was meant to involve members of the community in the practice of enforcing the laws of God and guarding public morality. Such a principle led to the creation of the Islamic institution of ḥisbah.²³

The actions of the individual are further limited by a detailed code of lawful (ḥalāl) and unlawful (ḥarām) behaviour. Certain types of food and drinks were made unlawful in view of their harmful effects on either the body or the mind (see al-Qaradawi 1960). A number of actions and relationships were classified as crimes, and punishments were prescribed for each crime. Little distinction was made between crimes of a religious nature (e.g. eating during the day in Ramaḍān) and crimes against individuals or property. Any violation of the laws of God is considered a crime, and the state was given the authority to prosecute those who commit it. The Islamic judicial system which is based on the sharī'ah has a jurisdiction over all civil and criminal cases, and capital punishments are prescribed in the Qur'ān.²⁴

In dealing with economic matters, Islam started by establishing the idea that everything in the universe belongs to God.²⁵ "The idea of God's ownership of resources and His bestowing on man the faculties

to utilise these resources is one of the starting points of Islamic moral economy" (Askari 1978:122). Islam regulated the economic activities of Muslims through general instructions dealing with ownership, commerce, trade and loans. It, however, placed economic activity second to religious activity,²⁶ and made the individual accountable to God as to where he gets his wealth from and on what he spends it.

Private ownership is permitted, and commercial activity is encouraged. A basic norm is that an individual's work, manual or mental, is the primary means of acquiring income or wealth. Islam, on the other hand, views public resources that involve collective interests (eg. water and mines) as the property of the state and denies that they should be controlled by individuals. Distribution of wealth among members of the community is an Islamic principle with the aim of preventing the creation of a gap between the rich and the poor. "Islam lays down clearly that wealth be neither hoarded nor concentrated into few hands, but distributed among all people" (Askari 1978:130). The laws of inheritance, and the institutions of zakāh and ṣadaqah were all designed to achieve a better distribution of wealth.

Islam laid down strict prohibitions against ribā (usury), games of chance and commercial fraud,²⁷ to prevent people from acquiring wealth at the expense of the less fortunate. Islam regards wealth as only a means to living a good life and to "spend in the way of God",²⁸ and not as an end in itself. It creates a balance between the right of the individual to acquire wealth, encouraging him to share it with others, and the responsibility of the state to guard the collective interests of the group and to cater for the welfare of all

its citizens. Islam thus presents a middle way between the extremes of capitalism and communism.²⁹

D. Islam as Political System

The establishment of the first Islamic ummah (community of believers) in al-Madīnah under the leadership of the Prophet Muḥammad is regarded by Muslims as the model for the Islamic state. The ideals of a state run by the laws of God through shurā (consultation) constitute the basic principles of what can be called an "Islamic" state. The Prophet Muḥammad, through his sunnah, demonstrated how Muslims should live in a community where the sharīʿah is the supreme law that must be obeyed by all. He gave an example of a state where politics and religion are one and the same, and he became the spiritual as well as the temporal leader of the ummah.

Islam praises order and organization, and the Prophet taught the importance of leadership and the importance of obedience in maintaining social order.

The Prophet exhorts Muslims to select a leader (an amir) even if three of them were travelling together. The leader is to be listened to and obeyed, as long as there is no conflict between his directions and Islamic law (Hopwood 1983:120).

The Qur'ān (4:59) states:

O ye who believe, obey God, and obey the Apostle, and those charged with authority among you. If ye differ in anything among yourselves, refer it to God and His Apostle.

The madhhab of Ibn Ḥanbal "held the view that obedience was due to the imam whether or not he was a good man, provided that he did not require his subjects to disobey God or the Shariʿa" (Crawford 1982:233).

The sharīḥ did not give details of how the leader of the state is to be selected, and the Prophet died without appointing a successor. It was left to the Muslims to choose a leader from among them according to the circumstances at the time. "The sharīḥ", wrote Ḥazzām (1984:119);

laid down only a few basic principles pertaining to the office of the head of state. These principles include the installation of an imam, who should be of mature age and a man of wisdom, enjoy popular support ... draw on the assistance of good citizens and ... [be] an upholder of the law.

That leader does not have any 'spiritual' authority, but "is only held to create the external conditions under which the sharīḥ can be applied. The ḥulamā' only formulate the content of the sharīḥ and each believer is expected to follow its injunctions freely" (Waardenburg 1978:326).

Islam does not accept the notion of a Divine Right to rule by certain individuals. It does not really specify who should rule or what title is given to a ruler as long as the sharīḥ is made the basis of rule. The basic principles of consultation, equality, freedom and justice have all been stressed as important within the Islamic system of government. Cragg (1964:16) has described the Islamic political system as democratic in that "it proclaims that (earthly) power stands under law." Maududi (1969:134), on the other hand, describes it as "theo-democracy" which means "a divine democratic government, because under it the Muslims have been given a limited popular sovereignty under the (sovereignty) of God."

The authority of the leader is limited by the sharīḥ, and kept in balance by the natural leaders of the community referred to as ahl al-hall wa-'l-'aqq.³⁰ This group is made up of ḥulamā', senior members

of government, and individuals respected and recognized by the public as wise and as trustworthy. As for the controversial issue of the relationship between religion and state, 'Ammārah (1980:103), who tried to explain the Islamic position after the end of the prophetic period and the period of the first four caliphs, argued that Islam, according to the sharī'ah, does not accept a unity of political and religious authority. It also does not separate the two, but only creates a functional distinction between religious and political authorities with the two forces working together to implement the sharī'ah in society.

The 'ulamā' provide the ideological guidance for the state, and the umarā' (governors) use their executive powers to implement that guidance in public life. It is a delicate balance that can only be maintained when the two authorities are totally committed to the ideals of Islam. "Since the purpose of the state is to enforce the Holy Law," wrote Crawford (1982:228), "political legitimacy is correspondingly derived from the observance and implementation of God's Law and from the enforcement of the regime of godliness."³¹

E. Decline of Islam in Central Arabia

The process of decline began after the 3/9th century mainly as a result of political factors. The great expansion that the Islamic state experienced made it difficult for the central authority to control all parts of the Empire. Smaller independent states began to develop, and regions isolated from the major cities went into a long period of political and religious decline. The central part of the Arabian Peninsula was one of those areas that experienced such a

decline until the middle of the 12/18th century.

The consequences of this decline can be seen in the way the people of central Arabia practised Islam. "Belief and practice in the Peninsula had strayed from the purity of early Islam. Trees, saints' tombs, and various sacred shrines were widely venerated, if not actually worshipped, there was a general laxness in religious practice and devotion" (Kluck 1984:106). This state of affairs existed mainly among the nomads and in most towns, with the exception of a few that had some active ʿulamāʾ and a very basic form of religious education (al-ʿUthaymīn 1986:17).

It is believed that the main reasons behind the decline of Islamic practices in parts of central Arabia were both the absence of any form of systematic religious education and the lack of political systems interested in applying and protecting the sharīʿah. "A number of petty rulers controlled various towns and there was continuous inter-tribal feuding" (Hopwood 1982:25). The rulers of the towns were interested in political survival in a difficult environment, and they left religious matters in the hands of a number of prominent ʿulamāʾ who were powerless in the face of what Waardenburg (1978:318) called "popular Islam". This "popular Islam" became part of the life of the people, and was based on beliefs and practices that contradicted "normative or official Islam" which is represented by the sharīʿah.

The normative type of Islam

implies that people in certain offices can perform specific actions which are religiously binding and juridicially valid. For example, the ulama establish the conditions for a jihad and the caliph carries it out, the mufti gives responses to legal questions (fatwas) and the qadi administers justice (Waardenburg 1978:325).

The absence of "normative Islam" from central Arabia at the beginning

of the 12/18th century permitted a form of separation between religion and state. The ʿulamā' who taught religion and worked as muftīs or qādīs did their work without formal connection with the political authority in the towns. That separation and the limited influence of religious ideology on the lives of people, established the pre-conditions for what can be called a process of secularization in central Arabia. Religion lost most of its meaning and its significance, and jāhiliyyah³² (state of religious ignorance) existed among the tribes and the urban populace (Hopwood 1982:26).

It is possible to argue here that Islam, as a religion, cannot be practised in its ideal form without the existence of a political system that would create the conditions for such a total practice. Islam is a collective religion, and the "normative" form of it cannot survive without certain basic institutions to enable people to practise it and to enforce the observance of its "pillars". A judicial system to implement the civil and criminal laws, an institution of ḥisbah to enforce practices and guard public morality, a form of religious education to transfer religious knowledge from one generation to the next, and an authority to collect zakāh, they are all essential requirements for a minimum degree of religious influence in society. Those requirements cannot be maintained and cannot function effectively without the support of the state and the full participation of the ʿulamā'. The situation in central Arabia two and a half centuries ago illustrates this argument.

F. The Daʿwah of Ibn ʿAbd al-Wahhāb

The situation in central Arabia at the beginning of the 12/18th

century created the ideal environment for the most successful revival movement in the modern history of Islam. It was not the first or the last such movement in Islamic society, but it achieved a major transformation which has lasted right up to the present time in the political and religious conditions of central Arabia. That is why it is important to examine the da^cwah of Shaykh³³ Muḥammad b. ^cAbd al-Wahhāb at some length.

The writer has chosen the term da^cwah (call)³⁴ to describe the movement because that is the name by which the followers of the movement prefer to designate it (Kluck 1984:106). It is known in the West as Wahhabism, but that is an inaccurate term because it implies that Muḥammad b. ^cAbd al-Wahhāb established his own religion in central Arabia. "The term Wahhabism", wrote Wahba (1964:89);

generally used in countries outside, is almost unknown in Arabia itself. It was coined by the opponents of the movement, as a means of implying that it was a new sect instead of, as it really is, a return to the original faith preached and practised by the Prophet [Muḥammad]. (35)

It should be added that Muḥammad b. ^cAbd al-Wahhāb was Ḥanbalī in fiqh, (i.e. he followed the madhhab of Aḥmad Ibn Ḥanbal), and in theological matters adhered closely to the teaching of the famous 7/13th century Islamic theologian and reformer, also a Ḥanbalī, Ibn Taymiyyah (661-728/1263-1328).

The founder of this reforming movement, Muḥammad b. ^cAbd al-Wahhāb, was born in 1115/1703-4 in the town of al-^cUyaynah, north of Riyadh (Āl al-Shaykh 1974:21). He received his early education in the fundamentals of Islam from his father, who was the judge of the town. He subsequently travelled to seek religious education in al-Madīnah, al-Baṣrah and al-Aḥsā' for a few years, after which he

became an authority in the sciences of the sharī^h. He returned to Najd convinced that its people had strayed from the original teachings of Islam, and that the situation must be corrected. He began to teach, write books and send letters to the ‘ulamā’ of other towns asking them to join his movement (al-^Uthaymīn 1986:29-32).

In 1158/1745-6 Shaykh Muḥammad b. ^{Abd} al-Wahhāb moved to the town of al-Dar[‘]īyyah where he received the total support of its amīr, Muḥammad b. Su[‘]ūd. The two men agreed to work with each other in order to restore the original teachings of Islam and to implement the sharī^h in the town. The protection and support of the amīr enabled the shaykh to continue his efforts to bring people back to the teachings of Islam. Within a few years, the movement had spread to other towns and began to have a major impact on the life of the people of Najd. "A holy tree near the village was cut down and a woman caught in adultery was stoned in the market-place, and the Governor himself threw the first stone ... [thus] ... began a great period of revival and reformation of the religious and political life of Arabia" (Muelen 1957:32).

Muḥammad b. Su[‘]ūd had found in the movement an ideological legitimacy for his rule, and religion and politics were brought back together, in central Arabia, for the first time in centuries. The ideology of the da[‘]wah centred around the idea of tawḥīd (strict monotheism) so as to counter-balance the spread of what was regarded as shirk (polytheism) practices such as the worship of 'holy' trees and tombs.³⁶ The Shaykh preached a return to the fundamental sources of Islam, and declared war on all bida[‘] (innovations). He taught that enjoining the acceptable and forbidding the reprehensible (al-amr

bi-'l-ma^crūf wa-'l-nahy ^can al-munkar) was a religious duty incumbent upon all believers, and obtained from the amīr an agreement that it was the duty of the state to enforce that principle (al-^cUthaymīn 1986:154).

The Shaykh had realized the benefits of such an alliance. "If uncompromising monotheism were to be enforced, polytheism eliminated, jihād waged, the good [ma^crūf] ordered, the evil [munkar] forbidden, then the support of men of the sword was necessary" (Crawford 1982:228). The importance attached to the principle of enjoining the ma^crūf and forbidding the munkar by the Shaykh and his followers paved the way for the return of the role of the traditional Islamic muhtasib, and the eventual establishment of a similar organization in present-day Saudi Arabia (see Part III).

G. Restoration of the State Based on Religion

The success of the da^cwah of Shaykh Muḥammad b. ^cAbd al-Wahhāb gave the Āl Su^cūd family an ideological force that helped in the expansion of their rule to most of the Central parts of the Arabian Peninsula. Within sixty years of the beginning of the movement, all of Najd was under the sovereignty of the House of Al Su^cūd. The first Saudi state, committed to the ideology of Islam, became the main force in the Arabian Peninsula. In addition to the political success of the alliance, there were major changes on the religious front. Wahba (1964:113) described the outcome of the movement as follows:

Whatever may be said of its methods, the religious revival undoubtedly had very pronounced effects in Nejd ... It made people more attached to religion, more inclined to let it arbitrate for them in all things, more respectful towards the administration of justice, [and] more law-abiding.

The relationship that developed between the political leader (the amīr) and the religious leader (the Shaykh), and the respect they had for each other's role in society established a unique form of politico-religious structure that worked to the benefit of both sides. It was a new form of relationship between politics and religion that was unique to the Arabian Peninsula and a product of its environment. The framework for such a relationship, however, was based on the theory of the Islamic state advocated by Ibn Taymiyyah in his famous work al-Siyāsah al-Sharʿiyyah (The politics of the sharīʿah) (see Ibn Taymiyyah 1970). In the new arrangement, the Shaykh was much more than just an advisor to the amīr or an issuer of official fatwās. He played a major part in the affairs of the state by appointing judges, receiving and sending delegations, directing the policy of the state in certain areas and collecting and distributing zakāh which was the main income for the state (al-ʿUthaymīn 1986:78).

The state, on the other hand, became involved in the enforcement of religious observance and public morality for the first time since the first Islamic state in al-Madīnah. That unique relationship has continued to the present time through the descendants of both leaders. It has been rationalised, and formal organizations have been established to keep religion and politics working together in a unique and effective way (see Chapter Four).

The Shaykh died in 1206/1791-2 after having laid down the foundations of a strong revival movement that was extended by his sons and students. He wrote a number of books outlining his daʿwah, and established a following in other parts of the Islamic world. The Ottoman Empire felt threatened by the emerging state and, therefore,

sent its Viceroy in Egypt to Najd to put an end to the movement. The campaign was successful, and the capital of the Saudi state, al-Dar-^ḥīyyah, was destroyed in 1234/1818-19.

Another member of Āl Su^ḥūd re-established his family's rule in Najd in 1824. He moved the capital to Riyadh, and the second Saudi state ruled over Najd and other parts of the peninsula until 1308/1891. The ruling family of Ibn Rashid took over Najd from their base in Ḥā'il, forcing Āl Su^ḥūd to leave Riyadh for exile in Kuwait. The exile did not last for long, and in 1319/1902 Āl Su^ḥūd regained Riyadh through ^ḥAbd al-^ḥAzīz b. ^ḥAbd al-Raḥmān Āl Su^ḥūd. The third Saudi state was established, and the da^ḥwah of Muḥammad b. ^ḥAbd al-Waḥḥāb obtained another opportunity to bring Islam back to the public life of the people of the Arabian peninsula.

H. Religious Situation Before the Modern State

There is very little information available about the religious situation in the Arabian Peninsula before 1902. It is clear, however, from the few accounts given by travellers that the role of religion in public life was virtually non-existent especially among the nomads (see, for example, Wallin 1979:311 and Blunt 1985:125). Very few changes took place in regard to religious influence as a result of the movement of Ibn ^ḥAbd al-Waḥḥāb outside the main towns of Najd (see Niblock 1982a:87).

The lack of a system of education and of a central power that could enforce religious laws limited the effects of the movement among the nomads. Tribal laws and customs were mainly the laws of the land, and wars between the various tribes were common (see Iqbal 1977). In

this kind of environment, normative Islam was very weak in the central parts of the Peninsula. Religion was mainly absent from the public domain as a source of laws, morality and legitimacy. In the private domain, however, things were on the move towards a new era of revival and dominance.

During the two periods of political decline after the fall of the first two Saudi states, the principles of the da wah lived on through the efforts of some ‘ulamā’, mutāw ‘ah (volunteers) and teachers who continued their activities mainly among the townspeople. "Wahhabism", wrote Muelen (1957:36), "was not dead, [it] had been forced back into the desert whence it started. There it smouldered on, just alive and waiting for a quickening wind to kindle its smouldering ashes."

Conclusion

This chapter has given an idea of the historical importance of Islam in the Arabian Peninsula. Islam was born there, and the da‘wah of Ibn ‘Abd al-Wahhāb brought the influence of Islam back once again. The history of Islam in the Arabian Peninsula, on both occasions, had been connected strongly with politics, demonstrating the point that Islam, as a religion, cannot be separated from its political environment. The situation in central Arabia before the da‘wah was an example of how Islam can be influenced by the social environment rather than Islam itself influencing that environment. The result was a form of "popular Islam" which most Muslims regard as a deviation from the original teachings of the sharī‘ah.

Our look at the meaning and basic institutions of Islam reveals

that the religion of Islam has the capacity to be what Muslims regard as a "total way of life". There is no room for a competing way of life based on other sources or ideologies. Islam, on the other hand, accepts no division between its various aspects. It must be practised in its totality or, otherwise, the whole system would collapse and lose its influence. This is an important point that must be remembered when trying to apply theories of secularization to the case of Islam.

As for the relationship between the spiritual and the temporal, Islam tried to maintain a balance between the two. It encourages Muslims "to build for yourself in this world as if you would live forever, and build for your after-life as if you would die tomorrow. This world is but the means (maṭīyah) to the next" (ʿAzzām 1984:248). There are a number of examples in the teachings of the sharīʿah, discussed above, pointing to how Islam gives practical guidelines to how a Muslim can maintain a balance between the spiritual and temporal aspects of life.

The information given about the rise, meaning and institutions of Islam, and about the revival movement in central Arabia demonstrates why Islam has become such an important and dominant force in the lives of the people of Saudi Arabia today. It has become clear that, despite the daʿwah of Shaykh Muḥammad b. ʿAbd al-Wahhāb, religion remained very weak in public life in central Arabia. This state of affairs continued until the beginning of the 20th century. The establishment of the modern Saudi state signalled the return of religion as a dominant ideology in the public realm. How that happened will be the focus of the following chapter.



Chapter Four
The Modern Saudi State

This chapter is an account of the major political, social and economic developments in Saudi Arabia between 1902 and 1989. There is a great deal of information to be covered in this one chapter, but the writer believes that it is important to mention all major developments in order to set the stage for our consideration of the religious situation in the country at the present, and for our case study in the subsequent part. The chapter begins with some basic geographical considerations dealing with the area, the major regions and the population of Saudi Arabia. The next section will summarize the process of political unification of the country by ʿAbd al-ʿAziz Āl Suʿūd which began in 1902. Special attention will be given both to the role of religious ideology in the process of unification and to the ikhwān movement.

The modern state of Saudi Arabia became one political entity in 1932. Before that, however, the various parts of the country had been under the control of a number of ruling families. The writer will use the term Saudi Arabia to refer to the country only when talking about events that happened after 1932. The names of the four main geographical regions will also be reserved for events that happened before 1932.

The second half of the chapter will be devoted to the development of a central government and the process of political modernization. The period between 1932 and 1953 witnessed a slow

transformation of the country from four separate regions ruled individually by governors appointed by the King to a polity with a central government and a national structure. The discovery of oil and the institutionalization of religion were the two main events that would have major impacts for the future of the country and the place of religion within the structure of government. The establishment of national ministries, a system of general education, a uniformed structure for the judiciary, and a council of ministers further highlighted the intentions of the leadership to modernize the structure and functions of the central government. These developments will be examined from an historical perspective with an emphasis on what they have meant for the place of religion in society.

The last three sections will be a survey of the period between 1953 and 1985, and of the situation today. All the important political, social and economic developments during that period will be discussed briefly. Developments in the structure of government, education, urbanization, transportation, the mass media, communication, agriculture and basic industries will be discussed briefly so as to establish the transformations that the country had experienced in the past four decades. The emphasis will be on what happened to the religious organizations during that time, considering their place within the structure of government and their role in society.

A. Geographical Considerations

The area under study in this chapter (present-day Saudi Arabia) comprises roughly three quarters of the total area of the Arabian Peninsula. The size of the area is over one million square miles,

about one-third the size of the United States of America. The main four regions that make up the Kingdom of Saudi Arabia today were independent of each other until they were brought together through a process of war and diplomacy that lasted for almost thirty years. A brief sketch of the social and political differences between the regions will help in explaining the role played by those differences in future developments.

The largest of the four regions is called Najd, or 'highlands'. It is largely a sedimentary plateau in the heart of the Peninsula. Most of its area is barren desert very sparsely populated by people, the majority of whom have been nomadic tribesmen. There have been a number of towns with a settled population working mainly in farming and commerce. Each town was ruled by a family using the tribal basis of authority which depended mainly on the personality of the amīr (governor). The region was isolated from the outside world for centuries in consequence of its difficult environment and the lack of natural resources. Its importance today stems from the fact that the family of Āl Su^ḥūd comes from this region.

The Hejaz or 'barrier' is the second region both in size and importance. It lies to the West of the Peninsula with 700 miles of coastal plain along the Red Sea. This region has a special significance to all Muslims due to the existence there of the two holy cities of Makkah and al-Madīnah. The Hejaz has a highly cosmopolitan society. For centuries the Muslim Pilgrimage to the holy cities has drawn people from all over the world. Many stayed in the region permanently making the population of the Hejaz an ethnic mixture of Arabized people from all parts of the Muslim world. The region has also had a long tradition of organized central government due to the influence of the Ottoman Empire.

Figure 1

Map of Saudi Arabia showing the geographical regions and major cities.



SOURCE: Bindagji, H. (1978) Atlas of Saudi Arabia.

The third region is ^ʿAsīr, which means 'difficult'. It is a semi-mountainous region in the south western corner of the Peninsula north of North Yemen. Long (1980:98) describes the people of ^ʿAsīr as "hardworking people who still terraced hillside farms and live in villages constructed of stone". This area is the most populated region of the Peninsula, and its people have liberal social customs in comparison with the people of Najd. ^ʿAsir came under the rule of the Ottoman Empire in the 19th century, and was influenced a great deal by the da^ʿwah of Shaykh Muḥammad b. ^ʿAbd al-Wahhāb during the period in which it was under the dominance of the first Saudi state.¹

Al-Ḥasa or the Eastern Province, as it is officially known, is the fourth region. It lies beside the Arabian Gulf, and was traditionally an area of oasis farmers, fishermen and mariners. Its significance lies in the fact that it contains all the oil wells of the country. The influx of workers from all corners of the world who came to work in the oil fields has altered the social make up of this region. It shares with Najd a very similar environment and the fact that it possesses a large percentage of Bedouin estimated by Abū ^ʿAlyyah (1986:14) to be about 75% of the population early in this century.

The population of the four regions was entirely Muslim around 1900, and the majority were of Arab origin. They all spoke the Arabic language and they shared similar customs and strong tribal affiliation. The family occupied a central position in most social and economic relationships. Lipsky (1959:4) described the life of the people as "impregnated with the spirit and practices of Islam. Such universal adherence is in large measure due to the prevalence and

strength of puritan Wahabi doctrine." There are no estimates of the numbers of people who lived in the four regions at the beginning of this century. The first official census was held in 1974, and it estimated the population to be a little over seven million. An official publication of the government gives the figure of 9,118,000 in 1985.²

The large percentage of nomadic or semi-nomadic people in the country, estimated by Lipsky (1959:24) to be around 66% of the total population, may account for the difficulty of knowing the exact size of the population. The government has encouraged the sedentarization and detribalization of the nomads, but it reported that about 27% of the population were still living a migratory way of life in 1974. The percentage, however, is believed to be much smaller today.

B. Unification of the Realm 1319-1352/1902-1932

The process of unification began in 1902 when ^ʿAbd al-^ʿAzīz Āl Su^ʿūd returned with a small army from exile in Kuwait to capture the town of Riyadh and reclaim the rule of his family in the area. By 1906, ^ʿAbd al-^ʿAzīz, holding the religious title of Imam, had managed to forge a series of alliances with tribal leaders and governors of neighbouring towns, most of whom accepted his inherited right to rule. He extended his authority over most of Najd, and by 1913 extended his rule over the Eastern province (al-Ḥasa) after taking advantage of the weakness of the Turkish garrison in the area. This was achieved in part as a result of the development of a mobile force of Bedouin brought together by dedication to the religion of Islam and obedience to the Imam (ie. ^ʿAbd al-^ʿAzīz Āl Su^ʿūd).

Wahba (1964:165) reported that the Turks evacuated the eastern part of ^ᶜAsīr in 1919, and ^ᶜAbd al-^ᶜAzīz promptly annexed it. He went on to capture Ḥāil in northern Najd in 1921 thus putting an end to the rule of the al-Rashīd family in that area. This was a major victory for him because it was the al-Rashīd family who had forced his father to take exile in Kuwait after the fall of the second Saudi state in 1891. In 1921, ^ᶜAbd al-^ᶜAzīz took on the title of sultan and proclaimed himself Sultan of Najd and its Dependencies. In 1922, he annexed the rest of ^ᶜAsīr and secured his rule over three-quarters of the Arabian Peninsula.

For religious as well as political reasons, ^ᶜAbd al-^ᶜAzīz had always been interested in the Hejaz region. He knew that it would very much enhance his religious position as imam of the Muslims if he could manage to bring the two holy cities under his control. The commitment of his army, which was made up mainly of the ikhwān (see the following section), and the apparent weakness of the Shareefian family in the Hejaz gave him the opportunity to annex the Hejaz to his sultanate. The campaign began in 1924 with the capture of the town of al-Ta'if. He took over Makkah without war in 1925 because the Shareef avoided armed conflict and left the city. By the end of 1926, al-Madīnah and Jiddah came under the rule of ^ᶜAbd al-^ᶜAzīz. A year later, he declared himself King of Hejaz and Sultan of Najd and its Dependencies. He appointed his second son, Fayṣal, as his viceroy in Hejaz and began to develop an organized structure of government in the region in line with existing political and social institutions.

The two main regions, Najd and the Hejaz, remained politically separate for about seven years. The differences between the two

regions made immediate unification somewhat difficult. Furthermore, the lack of means of communications and transportation between the two regions made it easier to rule each one separately. Saleh (1975:75) wrote that the four traditional regions were ruled independently until 1953 "as a consequence of their differences in history, environment and contact with outside powers". Official unity, however, came in September of 1932 when the King, after consulting with the ʿulamāʾ, tribal leaders and his advisors, decided to rename the united regions as the Kingdom of Saudi Arabia.³ This established in principle the first and most important stage in the development of the modern Saudi state.

C. The Role of Religion

Our understanding of the process of state formation will not be complete without a detailed look at the role of religious ideology and religious personalities in that process. That role was based on the alliance between the religious and temporal authorities of central Arabia in 1745 (see Chapter Three). The ideas of Shaykh Muḥammad b. ʿAbd al-Wahhāb had lived on in the towns and villages of Najd and were strengthened by a basic system of religious education given in the mosques by the ʿulamāʾ (Niblock 1982a:87). People's respect and obedience to the ʿulamāʾ were as strong as ever, and the support of the ʿulamāʾ was vital for the efforts of King ʿAbd al-ʿAzīz to succeed. He won that support easily because he based his authority on religious foundations and he gave the ʿulamāʾ a role to play in the affairs of the new state.

The prominent ʿulamāʾ of Najd at the beginning of this century,

mainly descendants of Shaykh Muḥammad b. ʿAbd al-Wahhāb, saw in the development of the modern Saudi state a great opportunity for a continuation of the process of religious revival that had begun a century and a half previously. That revival was made possible and effective by the support of the political power of Muḥammad b. Suʿūd at that time. Another manifestation of political support from the same family was what the ʿulamāʾ of Najd were waiting for.

King ʿAbd al-ʿAzīz was himself a very religious person. He received religious education in his youth, and showed a great understanding of religion on a number of occasions. He even used to preach a short sermon on a text from the Qurʾān after the noon prayers, on a daily basis (Busch 1943:80). He always emphasized the fact that the religion of Islam is the only constitution for the new state. He used to consult the ʿulamāʾ regarding all major decisions, and even changed some of his policies when they objected to them. In 1951, he abolished the annual celebration of the anniversary of his capture of Riyadh. The religious leaders had passed a resolution that this celebration was an innovation contrary to the teachings of Islam (Wahba 1964:170).

The King understood what the ʿulamāʾ wanted, and he seemed to appreciate their sensitivity. He was much more open minded, however, when it came to change and what he saw as progress within the boundaries of religion. When the ʿulamāʾ opposed the introduction of the radio on the basis that it was an innovation, the King convinced them that it was not harmful to religion. He had someone read the Qurʾān over the radio demonstrating that this modern machine could in fact be used to advance the cause of religion in the country.

The most important role played by the ʿulamāʾ was in the area of education. Religious education was the only available form of education in central Arabia prior to 1925. This medium was utilised in the policy of settling the nomads into agricultural communities to prepare them for life as part of a modern state. The appeal of religion was found to be a strong force in convincing the nomads to give up their nomadic way of life and to settle down. This policy will be discussed in the following section.

Another important area influenced by religion was the judiciary. Tribal customs in settling disputes were to be replaced by a uniform set of religious principles drawn from the sharīʿah. The process began with the appointment of sharīʿah judges in all major towns, and in 1926 "all qadis were expected to base their legal decisions on the Hanbali rite [school of jurisprudence]" (Goldrup 1971:284). The rationalization of the judiciary based on the sharīʿah was another important area where the influence of religion was strong and consistent. The third major area of religious influence was the establishment of an organization to enforce religious observances and public morality (see Part III).

The Ikhwān Movement

Beside their influence over education, judiciary and the enforcement of public morality, the ʿulamāʾ also played a major part in the development of what became known as the ikhwān movement. The idea behind this movement came after the King and the ʿulamāʾ realized that the nomadic lifestyle of the majority of the population of Najd was an obstacle to the development of a stable form of government. The King had won the loyalty of the people of the towns, but the nomads owed

their loyalty to the leaders of their own tribes.

The movement began when King ^CAbd al-^CAzīz decided that the only possible way to control the nomads and to educate them in the fundamentals of religion was to convince them to settle down into agricultural communities in various parts of Najd. These communities were called hujar (pl. of hujrah), and the first one was established at Arṭāwiyyah in 1912, then followed another one at al-Ghaṭṭhaṭ. The total reached about sixty before the end of the movement in the early 1930s (Wahba 1964:126).⁴ These settlements were given the name hujar based on the religious concept of the Prophet Muḥammad's hijrah (departure) from Makkah to al-Madīnah in 622 C.E. The idea was that the nomads were to depart from their nomadic way of life and adopt a better one. Those who agreed to settle down were given the title of ikhwān (pl. of akh) which means brothers in faith.⁵

The movement was very successful at the beginning. Abū ^CAlyyah (1986:143) attributed that success to a number of factors. Among these were the strong appeal of religion to the Bedouin and their emotional nature which made them support any cause that they believed in. Another factor was the role of the ʿulamā' who issued a fatwā in 1916 making it a religious obligation for the nomads to settle down in the hujar. Furthermore, economic factors played a major role. The prospects of an easier way of life, the availability of water and basic tools to cultivate the land, and the supply of food and clothes from the King to the leaders of the nomads made the policy work and achieve some of its main objectives.

The role of the ʿulamā' in the success of the movement was both fundamental and decisive. They supported the King's plan, and made

sure that the nomads understood that the aim was to make them better Muslims. The leaders of the tribes that settled down were invited to live in Riyadh, and to receive an extensive course in the fundamentals of Islam. Shaykh ^cAbdullāh b. Muḥammad Āl al-Shaykh compiled a number of books on the fundamentals of Islam and strict monotheism and "saw that they were distributed to all the tribes. He organized armies of mutawa^ca who carried these tracts and treatises to the various towns and tribesmen of the area" (Goldrup 1971:237). Furthermore, scores of young religious teachers spread out among the bedouin, teaching them the word of God and the sayings (ḥadīth) of the Prophet Muḥammad (Habib 1978:47).

The results of these efforts by the ‘ulamā’ were phenomenal. The settled tribes began to compete with each other in abandoning the life of the desert. Many sold their livestock and took to farming as an alternative way of life. The ikhwān "gave themselves up to prayer and the listening to readings about the life of the Prophet" (Wahba 1964:126). They adopted a uniform dress of white robes and white turbans, and changed the basis of their loyalty from the tribal leader to the religious leader, the imam. Before the movement, "more than ninety per cent of the bedouin had never heard of religion", said the King to Colonel Dickson (quoted in Niblock 1982a:87). After years of education and practice, the transformation had taken place, and "for the first time in the long history of Islam in central Arabia, Islam had finally come to the Bedouin" (Goldrup 1971:240).

The significance of the movement went beyond making the nomads better Muslims and extended to the political role that they played in the unification of the country. It is not clear whether the King

started the movement initially with political objectives in mind or whether in fact he saw what it might lead to after it had begun. The Bedouin, who were an unpredictable social element were turned into a reliable and loyal fighting force. The ikhwān became such a force under the command of the King that "they could put 25,000 soldiers in the field although normally not more than 5000 were called up to take part in a military action" (Meulen 1957:66). They played a major part in the King's conquest of the Hejaz and other parts of the Kingdom, and they constituted "the largest and most strong military force in the Arabian Peninsula" (Abū ^cAlyyah 1986:147).

The ikhwān movement had achieved some major social and political aims, but, at the same time, it caused problems for the government. The positive consequences of the movement can be found in the changes that took place in the outlook and lifestyle of a large segment of the population of Najd. Peace between the tribes became possible, and the government was able to apply law and order among the Bedouin for the first time. Religion became the dominant ideology in their life, and religious education and jihād were major means of keeping them busy most of the time. The movement "was eventually to alter radically the social and religious life of the Bedouin and to aid in the development of a national idealism" (Goldrup 1971:138). The actual authority was taken from the tribal leaders and given to the King and government officials.

The negative consequences of the movement were limited and temporary. Paramount among these was the fact that the ikhwān began to view themselves as the only true followers of Islam. They "adopted the tenets of unitarianism with a severity that equalled the harshness of

the desert" (Goldrup 1971:24). They only received a very basic form of religious education, but they regarded it as the whole of religion. They became fanatical in their attitude and behaviour. They wanted to go on spreading what they believed to be the true form of Islam outside the Arabian Peninsula, and even raided Iraq and Jordan many times. They caused some problems in the Hejaz, and the King ordered them to go back to Najd. He realised in the mid-1920s that the movement was no longer serving the purpose for which it had been established.

Some of the leaders of the ikhwān no longer accepted King ʿAbd al-ʿAzīz as an imam, and they declared their rebellion against him. The King could wait no longer, and in 1929 the two sides met in battle at Sibilah in central Najd. The King won and "effectively curbed the movement which had run out of the control of its creators" (Niblock 1982a:88). Those ikhwān who did not take part in the rebellion formed the basis of the more organized force called the White Guard (later the National Guard). Many continued to live a settled life in the hujar, and some of the famous hujar grew into small villages and are still inhabited by the families and descendants of the original ikhwān.

The decision of the King to crush the ikhwān that rebelled against his authority was supported by the ʿulamā' who also realised that the movement had served its purpose. The ʿulamā' "sided with Ibn Saʿud [the King] and neutralized the rebels' ideological significance and, hence, their political effectiveness" (al-Hamad 1985:301). The ideological differences that arose between the King and the leaders of the ikhwān regarding relations with non-Muslims and the limits of

jihād worked for the benefit of the ‘ulamā’. "In 1929, the King announced that all matters which concerned religion - fatwās, principles, commandments and prohibitions - must in future be decided by the ‘ulamā’" (Wahba 1964:141). This was only a recognition of a practice that already existed, but it gave the ‘ulamā’ an official authority within the developing structure of government as the only people with the right to decide all the religious matters of the new state.

This official role of the ‘ulamā’ is still in force at the present time. They were no longer a marginal force whose authority was sanctioned through consultation and advice, but were recognised as officials of the government who made decisions at the national level concerning the suitability of policies and actions. Another important outcome of the disagreement between the King and some of the ikhwān leaders was that the Organization for enjoining the acceptable and forbidding the reprehensible was given the authority to deal with objectionable acts in public, something for which the ikhwān had taken responsibility before 1926 in the Hejaz (see Part III).

D. Political and Social Developments 1352-1373/1932-1953

When King ^cAbd al-^cAzīz took over the rule of the Hejaz in 1925, he realised that he must use the political structure that already existed in order to administer efficiently the affairs of the region. He appointed his second son, Fayṣal, as Viceroy in the Hejaz and established a consultative council (majlis shurā) to function as an advisory body to the Viceroy. These developments marked a great change in the King's way of governing the country. This change, however, only

affected the Hejaz and was in response to its more advanced political environment. The King reorientated the various institutions of the Hejaz so that they became compatible with the philosophy adopted by the new state. He appointed some ʿulamā' from Najd to lead the prayers in the two Holy Mosques in Makkah and al-Madīnah, appointed new Najdi judges in the major cities, and established a hay'ah centre in Makkah to carry out the duty of enjoining the acceptable and forbidding the reprehensible (see Chapter Six).

During the period between 1932 and 1953 very few political developments took place. The King continued to rule the country in a personal way through his governors in the four major regions. The revenues of the state were at the King's personal command until the 1950s when the increasing complexity of government obliged some separation of state and family finances (Buchan 1982:107). The political structure that took shape during the 1930s and 1940s was dominated by the personality of the King. The new state was to be a monarchy "in which paramount authority is in the hands of an executive who fills three traditional roles, that of tribal leader (sheikh), religious leader (imam), and King (malik)" (Lipsky 1959:5). The King, however, could not continue to involve himself in all the minor details of the decision-making process, and more people began to share that responsibility with him on a formal basis. A directorate of finance and a directorate of education were established and, gradually, a basic bureaucracy began to develop. The system of government, however, continued to rely on personalities rather than institutions, and the King drew on the advice of his close advisors and the ʿulamā' to make governmental decisions (Long 1980:104).

As the need was perceived, national ministries were created, and by 1944 there were two ministries, one for finance and the other for foreign affairs, both based in the Hejaz (Huyette 1985:59). Later that year, the Agency of Defense became the Ministry of Defense with national jurisdiction. In 1951 the Ministries of Health and Interior grew out of the Ministry of Finance. In October 1953, just a month before his death, King ^ʿAbd al-^ʿAzīz decreed the formation of the Council of Ministers, thereby marking the creation of a modern central administration. For the first time, all the ministries joined together in a single body.

But these major developments did not include any national organization with religious functions. The personalities of the ʿulamāʾ continued to fulfil these functions through education, the judiciary and the hayʾah. Religious education received some attention when in 1950 the King issued a Royal Decree establishing the Directorate General for sharīʿah Colleges and Scientific Institutes under the leadership of Shaykh Muḥammad b. Ibrāhīm Āl al-Shayky⁶ (Abū ^ʿAlyyah 1986:245). The first sharīʿah college was established in Makkah in 1949, and scientific institutes were established in Makkah, Riyadh, and al-Ṭāʾif in the late 1940s.

The discovery of oil in 1938 was a major turning point in the history of Saudi Arabia. It was not until 1945 that oil began to produce some revenues for the state following World War II. The country had previously been very poor, and the only income for the state came from the religious sources of zakāh and hajj. The new wealth, which was slight when compared to the income of the 1970s, began to have some major impacts on the new state and its people.

Thousands of foreigners, mainly from the West, came to work in the oil fields, and many Saudis experienced paid employment for the first time. The government was able to finance its public projects dealing with basic developments in education, health and agriculture. By 1953, political, economic and social developments were still very limited and never affected areas outside the two main cities at the time, Makkah and Riyadh. King ^ʿAbd al-^ʿAzīz, however, had established the basis for a united realm and a central form of government. His death in 1953 marked the end of a great era of fundamental changes in the Arabian Peninsula.

The four regions were brought together to form one political entity, sharing an ideology based on religion, for the first time in centuries. Law and order was restored between the tribes; a large percentage of the nomads had settled down; and tribal and family loyalties were supplemented by a new national identity. The legal system was rationalised, and religious beliefs and practices began to be standardised. These were fundamental changes that permanently altered the fabric of the Peninsula's society. It was a great achievement, and was only the beginning of more things to come. The patrimonial leadership of King ^ʿAbd al-^ʿAzīz, legitimized by religious values and cultural norms, and helped by skill and diplomacy, created the preconditions for further developments in all fields.

E. The Basis of a Modern State 1373-1390/1953-1970

This period of the history of the modern Saudi state began when the founder of the state died and his oldest son Su^ʿūd b. ^ʿAbd al-^ʿAzīz became the new King. The process of political modernization continued

with the official launching of the Council of Ministers in March 1954. This marked "the first step in the transition from Abd al-Aziz's informal and patrimonial style to a more formalized bureaucratic government" (Huyette 1985:65). The formalization of government, however, was not an easy task in a country that had never experienced a bureaucratic form of government. The ministries began as primitive one-man agencies and gradually acquired a basic bureaucratic structure.

The Council of Ministers did not have any real power until 1958. The constitution of the Council of Ministers of 1958 authorized the Council to issue internal rules for each of the ministries and for provincial administration (al-Farsy 1986:105). It began to acquire more authority in the development and implementation of government policies. The approval of the King, however, remained essential for the implementation of all the Council's decisions.

The early 1950s also witnessed major organizational developments on the religious level. In 1953 the second institution for higher education was established in the form of a sharī^cah college (kulliyyat al-sharī^cah) "for the purpose of meeting the demand for qualified Ulama and preachers throughout the country" (al-Farsy 1986:179). A year later the first religious organization with a national jurisdiction was created under the leadership of Shaykh Muḥammad b. Ibrāhīm Āl al-Shaykh. It was called dār al-iftā' wa-'l-ishrāf 'alā -'l-shū'ūn al-dīniyyah wa-'l-ma^cāhid (House of iftā' and Supervision of Religious Affairs and Institutes). It was responsible for issuing fatwās and the appointment of judges and imams of mosques. It was also in charge of the two courts of appeals (mahākim al-tamyīz) in Makkah and Riyadh and of all the sharī^cah courts in the country. Furthermore,

this organization became the parent organization for the Directorate of sharīʿah Colleges and Scientific Institutes that were established in 1950.

The years between 1958 and 1964 witnessed a struggle for power between King Suḥūd and Crown Prince Fayṣal. King Suḥūd was allegedly perceived by members of the Royal Family and the ʿulamāʾ as unfit to rule the country. These individuals who occupied the traditional position of ahl al-ḥall wa-ʿl-ʿaqq⁷ gathered together and decided to grant Crown Prince Fayṣal all the powers usually exercised by the King. The decision was based on a fatwā issued by twelve senior ʿulamāʾ and a statement signed by sixty eight members of the Royal Family.⁸ King Suḥūd accepted the decision of the ʿulamāʾ and members of the Royal Family and gave up his executive authorities to Crown Prince Fayṣal who was eventually proclaimed King in 1964 (see Holden and Johns 1981:198).

The role played by the senior ʿulamāʾ in solving the political crisis of the early 1960s was another prime example of the important role of the ʿulamāʾ in the politics of Saudi Arabia. The fact that they sided with Crown Prince Fayṣal and issued a fatwā giving him the authorities of a king showed that even the highest political decisions were based on religious opinion. The fatwā declared that the decision was taken "in conformity with the laws aimed at safeguarding the general interest" (Wahba 1964:179). The religious concept of 'the common good' (al-maṣlahah al-ʿāmmah) was the justification for the interference by the ʿulamāʾ and the decision which they took.

During the crisis period, Prince Fayṣal was in charge of the government as the president of the Council of Ministers. In 1960 he decided to open public schools for girls. It was a brave decision on

the part of Fayṣal which was met by limited opposition. Fayṣal may have anticipated the opposition, and that was thought to be the reason behind his decision to keep girls' schools separate from boys' schools. He also won the approval of the 'ulamā' by placing the new schools under their supervision, rather than giving the Ministry of Education responsibility for their management.

The introduction of public education for girls was an example of the government's intention to proceed with social programmes within the boundaries of traditions. The Islamic religion encourages education for males as well as females, yet at the same time it places great emphasis on the separation between the sexes. The way in which public education for girls was introduced in Saudi Arabia showed that it was possible for the government to modernize the society while maintaining religious prohibitions in certain areas.

In 1962, Crown Prince Fayṣal expanded the Council of Ministers by adding three more ministries, bringing the total to twelve ministries. The new Cabinet reflected the new place given to religious affairs on the ministerial level. The newly established Ministry of Pilgrimage and Religious Endowments (al-ḥajj wa-'l-awqāf) was the first ministry responsible for what can be classified as religious affairs. It also gave religious establishments a place in the national structure of government. The second important development was the appointment of the first western-educated Saudi, Aḥmad zakī Yamānī,⁹ as the Minister of Petroleum and Minerals. "Thus, Fayṣal's new Cabinet balanced the traditional and emergent political groups" (Huyette 1985:71).

When Fayṣal became King in 1964 he retained the position of the president of the Council of Ministers (ra'īs majlis al-wuzarā') which

"thus eliminated the inherent conflict between the King, as head of state, and the President of the Council of Ministers, as head of government" (Huyette 1985:74). This development gave the Council of Ministers more powers, and it became the only arena of political activity on the national level.

The King also issued a ten-point programme in which he outlined his policies for the development of the country. He gave religion a prime consideration in his policy starting with a reference to the "need to maintain Islamic values", and declaring that "it has become imperative for us to give greater attention to jurisprudence and for our jurists and ʿulamā' to play a positive and effective part in the discussion of important matters of State". He went on to promise the creation of a Supreme Judicial Council "to look into the matters referred to it by the state", and to create a Ministry of Justice to supervise the administrative affairs of the Judiciary. The programme went on to emphasize the duty of the government towards the spread and protection of Islam, and the need to "reform the Committees of Public Morality [the hay'ah] in accordance with the sharīʿah and Islam's lofty goals, for which they [the committees] were originally created" (quoted in De Gaury 1966:148).

The implementation of the King's programme started in 1965 with the establishment of the High Judicial Institute (al-maʿhad al - ʿālī li-ʿl-qaḍā') for the purpose of graduating qualified sharīʿah judges. The period of study is three years, after which a student receives a Master's degree in judicial affairs and jurisprudence" (al-Farsy 1986:179). The institute was the first institution in the country to give a post-graduate degree. It was a continuation of the process of

establishing higher religious education in the Kingdom which had started with the establishment of the faculty of sharī^h in Makkah in 1949.

The establishment of a ministry of justice and a judicial council did not take place until 1970. To implement the government's commitment to "spread the call (da^hwah) of Islam", as the programme stated, an Islamic university was established in al-Madīnah with an emphasis on educating students from Muslim countries in the fundamentals of the sharī^h and in the methods of da^hwah. The reform of the Public Morality Committees (the hay'āt) culminated in making them subject to the rules and regulations which applied to the civil service as well (see Chapter Six).

King Fayṣal took an important decision to introduce television into the country in 1965. The oil company, ARAMCO, had introduced its own television station in the Eastern Province in 1957, and that probably prepared sections of the population for this new development. The government presented television as a medium that could be used for educational purposes to help with basic literacy and health training (Boyd 1982:128). It was placed under the control of the Ministry of Information, and broadcasting did not cover the whole country until the mid-1970s. "Each telecasting day starts with a koran reading. Evening prayer calls are heard over a slide or short film of the famous mosque in Mecca" (Boyd 1982:135). These factors reduced the opposition of the ʿulamā' to television, helped by the fact that "King Faisal promised religious leaders ... that television would be used as an important means of disseminating religious doctrine". Furthermore, "the first programme to be video-taped [was] a regular question-

and-answer programme on religious subjects [by] a distinguished ʿālim, Shaykh ʿAli-Ṭanṭawī" (Boyd 1982:135). That programme was still as popular as ever in 1989.

By the late 1960s, King Fayṣal was continuing with his ambitious programmes to modernize the structure of government and to develop socio-economic resources. The King had recognized the need to reform the administration of government in accordance with modern methods. Most government employees who staffed the growing bureaucracy lacked basic education and the essential skills to do their work. The solution to this problem was found in the creation of a government agency responsible for administrative reforms in the Kingdom. The Institute of Public Administration was founded by Royal Decree in 1961. It was to use educational methods and training programmes in order to "raise the degree of efficiency among the government's employees" (al-Farsy 1986:130).

The King went on to enlarge the civil service attracting technicians, teachers and economists from the Arab states to fill the shortage in skilled labour. As more Saudis returned from abroad with higher degrees, they were enticed into the state bureaucracy to fill high-level administrative positions. The King also took major steps to reform the bureaucracy, "inviting foreign consultants to recommend changes in the administrative system" (Huyette 1985:73). The outcome of these policies and the perceived need to establish priorities for the country's development played major roles in the formation of the Central Planning Organization in 1968. It was given the task of creating development plans for the country, and it became the Ministry of Planning in 1975.

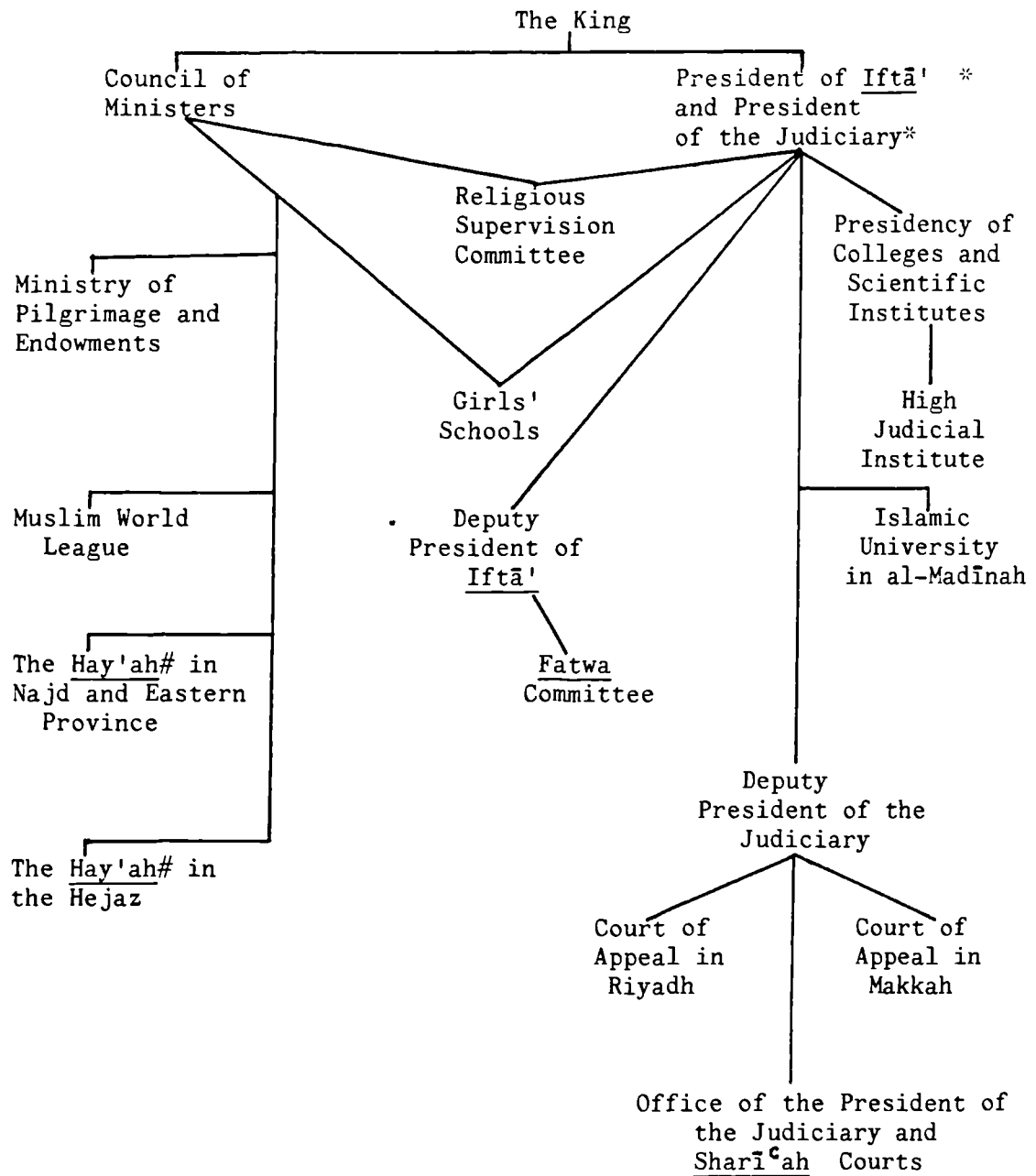
The event with the most serious implications for the place of religious institutions as part of the structure of government was the death of Shaykh Muḥammad b. Ibrāhīm Āl al-Shaykh in 1969. He was a very powerful figure in the public life of Saudi Arabia. He occupied a number of important positions and was considered the highest religious authority in the country (see Figure 2). It is obvious that the strong personality of Shaykh Muḥammad b. Ibrāhīm was, in part, responsible for the wide authority that he enjoyed for many years. His death, however, signalled the end of the era when an individual's strong personality could serve as the basis of religious powers and, at the same time, it also marked the emergence of institutions that would come to rely on procedures and regulations rather than on families or individuals.

The judiciary and religious education lacked a clearly defined structure and relationship with the rest of the government until the establishment of the Ministry of Justice and the Imam Muḥammad b. Su^cūd Islamic University. The changes that occurred in the structure of religious organizations plus the development plans dominated the 1970s and set the stage for important changes that will be discussed in the following section.

The period between 1953 and 1970 witnessed important developments especially at the political level. The changes were slow and cautious and they maintained a similar pattern to the developments that had taken place before 1953. The traditional foundations of the state survived this period without any major challenge. The King and the ʿulamā' continued to be the dominant forces in the country, but they began to share power with the increasing number of young and

FIGURE 2

THE RELIGIOUS ESTABLISHMENT IN SAUDI ARABIA BEFORE 1970



* Shaykh Muḥammad b. Ibrāhīm Āl al-Shaykh.

Referred to in the sources as Public Morality Committees.

Sources: Compiled by the writer based on charts in De Gaury (1966:177), al-Awaji (1971:282), and al-Mazyed (1972:49).

educated Saudis who graduated from the newly-established colleges and who came back from abroad with higher degrees. The religious establishment was on its way to becoming more specialized and more differentiated. The emphasis on planning, higher education and a more rational bureaucratic machine set the stage for the socio-economic developments that dominated the 1970s.

F. The Transformation Years 1390-1405/1970-1985

This era of major changes began with the implementation of the first Five-Years Development Plan. This plan was designed to set priorities and to direct the government's policy for social and economic developments. It came as a result of the realization by the King and government officials that "development and progress are not overnight creations, rather they are the result of sound, long-range planning" (al-Farsy 1986:149). The stated objectives of the plan were "to maintain religious and moral values, and to raise the living standard and welfare of the people, while providing for material security and maintaining economic and social stability."¹⁰ The emphasis was on building the infrastructure of the country to make development possible, as well as on reducing the country's dependence on oil as the only source of national income.

Major projects were started to improve roads and telecommunications in order to bring the country's various regions into closer contact with each other. A public investment fund was established to finance investments in production projects, vocational training and progress in social services like health care. Social security and social centres for orphans and handicapped persons were

given major priorities (al-Farsy 1986:149). Projects to develop the country's water resources using desalinization facilities and the building of dams culminated in the construction of twenty-four water supply systems throughout the Kingdom. In the area of transportation, a total of twenty new projects were authorized to complete over 1400 kilometers of new roads by the second year of the plan.

A number of other projects and programmes dealing with various areas of social and economic developments were approved by the government. The plan was not without problems caused by the lack of manpower and the inability of the bureaucratic structure to deal with such major developments in a short period of time. The huge increase in oil prices in 1973 made financing the plan much easier, and helped in completing most of the projects on time. The achievements were great in a number of areas, but the most significant outcome was the planning experience gained by the Central Planning Organization.

No major political developments took place during the first half of the 1970s. More administrative powers were given to the Council of Ministers to enable it to implement the development plans. This was a reflection of the fact that the country's economy was dominated by the public sector because the huge oil revenues go directly to the government. In the early 1970s, over 90% of the country's gross national product was oil-related, and the government was in charge of all the revenue which increased from \$212 million in 1952 to about \$30.7 billion in 1976.¹¹ The second development plan which started in 1975 reflected the huge increase in the wealth of the country. The government allocated \$140.9 billion to new developments. The plan put much emphasis on educational and training programmes in order to meet

the shortages in the skilled labour force. Another fundamental guideline was the construction of large factories in the two new industrial cities of Jubayl and Yanbu^c. The second plan continued the projects that were started during the first plan, and achieved major developments in communications, industry, agriculture, education and social services.

The 1970s began with major developments in the area of religious institutions. The death of Shaykh Muḥammad b. Ibrāhīm Āl al-Shaykh in 1969 gave the government the opportunity to fulfil the promises made by the King to create a central administrative body for the judiciary and a supreme judicial council. A royal decree created the Ministry of Justice under a distinguished ʿālim who had been a judge.¹² A supreme Judicial Council (majlis al-qaḍā' al-aʿlā) was also established consisting of twenty senior judges under the leadership of the Minister of Justice. The authority to issue official fatwās was given to the president of the newly-formed Presidency for the Administrations of Scientific Research, iftā', daʿwah and Guidance (ri'āsat idārāt al-buhūth al-ʿilmiyyah wa-'l-iftā' wa-'l-daʿwah wa-'l-irshād) hereafter referred to as Presidency of iftā'. Shaykh Ibrāhīm b. Muḥammad Āl al-Shaykh,¹³ became the first president of the Presidency of iftā' in 1971 (al-Muḥaydib and al-Nāṣir 1986:14).

"The creation of the new ministry [of justice] ", according to Huyette (1985:76), "brought about the all-important area of Islamic jurisprudence within the framework of the Cabinet, and it began to codify and administer shari'ah law on a countrywide basis." This was an important development for the place of religion in the structure of the Saudi government. The judicial system in the country is based

totally on religious principles, and the creation of a ministry was a serious test for the ability of the traditional nature of the Saudi judiciary to make the important transition to a central and bureaucratic structure. Major steps had preceded this development, but it was still considered necessary for the whole system to function more efficiently on a national level.

As for religious education, the next major development came in 1974 with the establishment of the Imam Muḥammad b. Su^cūd Islamic University. All the sharī^cah colleges and scientific institutes around the country were made part of its structure. In turn, the university was incorporated into the structure of the Ministry of Higher Education that had been established late in 1975. The institutions of religious education became part of this single university which was also expanded to offer first degrees in the social sciences, communications and foreign languages. Students obtaining first degrees in religious topics were required to take courses in other subjects which were studied from an Islamic perspective. Subjects like Islamic Economics and Islamic History were introduced to give students the opportunity to use religion as the basis of knowledge and to close what is seen as a gap that is created in the western educational system between religion and science.

King Fayṣal died in 1975 and his brother Khālīd replaced him. Khālīd began his reign with an expansion in the structure of government. Six new ministries were created with a number of independent agencies to manage the huge projects introduced by the second development plan. A ministry of planning was established to replace the Central Planning Organization. The shortage in housing

necessitated the creation of a Ministry of Public Works and Housing. Ministries for Higher Education, Municipal and Rural Affairs, Industry and Electricity, and Telegraphs, Posts and Telephones were the other four ministries created. The total number of ministries rose to twenty, and the new ministries reflected the importance that the government placed on modernizing the country.

On the religious front, the Presidency of iftā' was expanded and given the status of a general presidency. Shaykh ^cAbd al-^cAzīz b. Bāz¹⁴ became its new president, and, therefore, the principal religious authority in the country. The all important Commission of Senior 'ulamā' (hay'at kibār al-^culamā') became part of the structure of the Presidency of iftā' under the chairmanship of its president. The other important development was the establishment of the General Presidency for the Organization of Enjoining the Acceptable and Forbidding the Reprehensible in 1976 (see Part III).

After the expansion of 1976, the Council of Ministers took total charge of the development programmes. The powers of the council were only limited by the power of the King who presided over most of its weekly meetings in his capacity as Prime Minister. By now, the Council has emerged as the only body in the Kingdom with executive and legislative powers.

The composition of its members reflects the ability of the leadership to accommodate individuals representing each of the three main power groups in the country today. Prominent members of the Royal Family control positions dealing with security and foreign affairs. The traditionally educated (including some of the 'ulamā') remain in charge of the judiciary, ḥajj and awqāf, education and finance. The

western-educated technocrats have taken charge of ministries dealing with economic and social developments such as planning, industry, petroleum and agriculture. The mixture of traditionally educated and western educated ministers has given the government the ability to issue and implement policies that reflect modernization within the framework of a traditional political culture. It can also be seen as another indication of how the government of Saudi Arabia has tried to make use of modern technology to develop the country without having to give up its traditional foundations (see al-Hamad 1985).

The seizure of the Great Mosque of Makkah in 1979 constituted a serious test of the government's ability to function as the guardian of the Holy Mosques. A group of religious extremists occupied the Mosque for two weeks claiming that the expected mahdī had come.¹⁵ The government was faced with the dilemma of how to end the rebellion without violating the sanctity of the Holy Mosque. It was a national crisis that warranted quick action, but religious considerations forced the government to deal carefully with the situation. The ʿulamā' had to be consulted on the matter, and thirty of the senior ʿulamā' issued a fatwā clarifying the legal points involved in clearing the Mosque by force.¹⁶ The political role of the ʿulamā' had been demonstrated yet once more. Kechichian (1986:66) summed up the importance of that role when he argued that the ʿulamā' "demonstrated a keen awareness of how best to adapt to an explosive situation by [calling] upon the authorities to place the interests of the entire community above those of an exclusively religious nature."

The religious aspect of the incident was very limited. It was based on the claim made by the militants that the mahdī had come to

restore religion among the Muslims. The 'ulamā' were quick to negate that claim and, therefore, prevented the movement from gaining any public support. The incident had also strengthened the role of the government as protector of the Holy Mosque. The government gained the support of the 'ulamā', the population and the majority of the governments of Muslim countries in putting an end to the crisis. That support for the religious legitimacy of the state came at a time when it made a strong impact. It came at the end of a decade that had witnessed huge development programmes, and it indicated that the place of religion in the priorities of the Saudi government was still as important as it had been over the previous six decades.

The third development plan came into effect in 1980. The plan set itself three fundamental objectives: structural change in the economy by permitting maximum investment in agriculture, industry and mining; increased participation of the private sector and the expansion of social services; and increased economic and administrative efficiency. The third plan emerged as a rational development of the previous two plans, and showed that the government had gained useful experience from implementing them. About 782.7 billion riyals* were allocated as a 'civilian expenditure' of the plan to strengthen the social and economic developments (al-Farsy 1986:158-160).

In 1982 King Khālid died and Crown Prince Fahd became the new king. The immediate and peaceful transfer of power suggested that the

* One US dollar = 3.75 riyals.

foundations of the political system of the Kingdom had achieved stability. No further expansion in the structure of the government took place. The development programmes continued as planned, and the boom of the second half of the 1970s began to slow down. By 1985 the revenues of the government had decreased in line with the fall in oil prices and the fall in the market-demand for oil. After reaching a peak of 328.6 billion riyals in 1980, oil revenues in 1985 amounted to only a little more than one third of this figure. But the country has had fifteen years of impressive growth in the non-oil gross domestic product. That growth has been estimated at 10.6% as a compound annual rate of growth.¹⁷

Major infrastructural projects were completed in the areas of transportation, communications, industry and agriculture. Education on all levels has gone through a period of impressive growth. Foreign trade and the growth in GDP both demonstrate the huge increases in the wealth of the country between 1970 and 1985 (see Table 1). Developments in a number of areas show that the country has gone through a period of rapid growth and transformation. Table 1 gives examples of some of the major indicators of socio-economic developments over a fifteen year period. The transformation took place over a relatively short period of time, and apparently with limited negative implications for either the political or the social structures of society.

In 1985, the Fourth-Development Plan was started. The emphasis of the fourth plan (1985-1990) is on the development of productive citizen workers to maintain the achievements that have been made, and to reduce dependence on foreign labour. AL-Farsy (1986:172) reported

Table 1

Indicators of Socio-Economic Developments
in Saudi Arabia, 1970 and 1985

	<u>1970</u>	<u>1985</u>
Estimated population	5,859,000 ¹	9,118,000
No. of Government Ministries	13	20
Government Budget	13,200.0 MR ²	200,000.0 MR
GDP	17.4 BR ³	339.2 BR
Foreign Trade - Exports	8,952.9 MR	99,535.8 MR
- Imports	2,804.0 MR	85,563.6 MR
No. of Universities	3	7
No. of Students in Higher Education	7,000	94,000
No. of Schools	3,107	15,268
No. of Students in Pre-University Education	547,000	2,000,000
No. of Hospitals	74	177
No. of Hospital Beds	9,039	30,707
No. of Physicians	1,172	14,335
Length of paved Roads (kilometers)	8,000	30,000
No. of Students in Adult Education Programmes (erradication of illiteracy)	35,231	141,792
No. of Students in Vocational Training Centres	578	10,527
No. of Pilgrims	1,042,000	1,601,000
No. of Hotel Rooms	4,522	22,129
No. of factories in operation	207	1,804
Wheat Production (tons)	26,000	2,000,000
No. of Vehicles in the Country	144,768	4,144,245
No. of Telephone Lines	76,600	1,219,852

1. United Nations Estimate (Johany et.al. 1986)

2. Million Riyals

3. Billion Riyals

Source: Compiled by the Writer from a number of sources.

that 17% (18,501 million riyals) of expenditure on social and cultural development sectors were allocated to what he called "Judicial and Religious Sectors". The first two objectives of the fourth plan are specified by the Council of Ministers as follows: To safeguard Islamic values ... duly observing, disseminating and confirming Allah's Shari'ah; and to defend the faith and the nation (al-Farsy 1986:163); this is a further example of the government's commitment to the religious principles of Islam, a commitment which appears to remain firm after years of rapid socio-economic developments and modernization.

G. Saudi Arabia Today

After our historical sketch of the process of development through which the country has passed over the past eight decades, we will look briefly at what has been achieved. The process of development and modernization is far from complete, but this section will assess how far the modernization of Saudi Arabia has proceeded.

Major achievements have been made in the political sphere. The political structure was transformed from a fragmented set of local governors under the personal command of the King to a central bureaucratic structure. The King has retained much of his power, but the day-to-day administration of the country became the task of the growing bureaucracy. The bureaucracy has become more organized and more rational, but the influences of the social environment on it are still evident.¹⁸ "The creation of a government bureaucracy has not greatly diminished the personalization of government decision-making however. Rather it has rechanneled the traditional personalized system

through more modern bureaucratic institutions" (Long 1980:104). In any case, family connections and traditional loyalties still play a part in the appointment of top civil servants. This factor is decreasing all the time, however, and the actual ability of the individual to do the job is becoming the most important criterion in an increasing number of appointments.

The Council of Ministers can be seen as a prime example of the political development in the past thirty five years. It has emerged with the approval of, and under the influence of the monarchy, and it has played a major part in the development of the country both socially and economically. The Council enabled the King to remain in charge of all developments, because of the power he possesses to approve all decisions taken by the Council. That arrangement has made it possible for a "highly traditional, tribally-oriented, patriarchal Muslim elite ... to retain almost completely undiminished control over the progress and process of change" (Wenner 1975:181). That form of control, which persists today, is one of the major factors that have enabled the government to modernize the country within the limits of tradition. Another important factor is the wealth of the country which has made it possible to meet the demands of both the traditional and the emergent groups. Both groups were brought together to co-operate in the development of a modern and stable form of government (see Niblock 1982a).

The central government is made up of the King, the Council of Ministers, and the various ministries, general presidencies and independent departments. There are no elections and no political parties and most government officials are appointed by the King. The

Council of Ministers combines both executive and legislative powers. The judiciary is semi-independent, but is becoming more limited to dealing with aspects of the law that are based on the sharī^cah (see Chapter Five). The Kingdom has no written constitution, and the official position is that the Islamic sharī^cah is the constitution of the country (Lackner 1978:74).

On the local level, the Kingdom is divided into fourteen major amārāt (regions). Each amarāh is headed by a governor who is regarded as the representative of the King. Each region is further divided into smaller amārāt in cities, towns and villages. The complete network of amārāt is part of the structure of the Ministry of the Interior. Governors of the major regions hold ministerial status and enjoy a limited degree of power and autonomy from the central government. The personality of the governor, however, is sometimes more important than the actual formal structure of government (Rudolph 1984:214). Regional amārāt work in coordination with regional branches of most ministries. This has decreased the degree of centralization, and has given each region the necessary structure to run its own affairs (see al-Salūm 1988).

The structure of the Saudi government continues to function using traditional methods of governing. The relationship between the King and the governors on the one hand and the notables of the country (tribal and religious leaders) on the other remains very important to the ability of the government to implement policies, introduce changes, and solve disputes. Securing the loyalty and support of tribal leaders was the first step in achieving the loyalty of the majority of the people. Tribal leaders continue to enjoy a degree of

authority in their own tribes, and they perform the informal task of delivering, to the officials of the government, demands and grievances on behalf of the people they represent.

The traditional institution of majlis¹⁹ demonstrates best the persistence of traditions despite the growth in modern forms of governing through bureaucratic organizations. The majlis is a personal way of establishing direct contact between officials of the government and the populace. The bureaucracy made this institution lose some of its significance, but it continues to function as a unique way of dealing with segments of the population not used to bureaucratic procedures. Officials of the government find it useful because it keeps them in touch with public opinion, and ensures the personal loyalty of most prominent members of society (see Rudolph 1984:214).

Urbanization has been one area of impressive change associated with a high level of social mobility. In 1980, the Ministry of Planning reported that about 42% of the total population resided in cities of 10,000 or more: an increase of 22% since 1970.²⁰ By 1986, about 3,460,000 were living in the three major cities (Riyadh, Jiddah and Makkah).²¹

Socially, Saudi Arabia managed to achieve substantial progress in welfare programmes while maintaining most of the basis of social relations. Tribal and family connections, the extended family, polygamy, arranged marriages, and segregation between the sexes are still present and strong. Social welfare has been provided through programmes for social security and local centres for orphans, the handicapped, the aged and delinquents throughout the Kingdom. Social

security payments, for example, rose from 42 million riyals in 1970 to 2200 million riyals in 1984.²² Economically, the Kingdom today still depends on oil as one of the main sources of income. "The dominance of oil in the country's foreign exchange earnings, government revenue, and as a source of growth of the national income, is the most obvious characteristic of the economic system" (el-Mallakh 1982:27). Some progress has been made, however, in the government's attempt to decrease the country's dependence on oil. Having constituted about 90% of the country's income in the early 1970s, oil revenue in 1986 accounted for only 42.46 billion riyals out of a total revenue of 76.45 billion riyals (less than 48%).²³ The Gross Domestic Product on average "has grown at the dramatically rapid rate of 20.3% per annum between 1964 and 1978" (el-Mallakh 1982:28). GDP rose sharply from 17.4 billion Riyals in 1970 to 524.7 billion riyals in 1982.²⁴ That growth has slowed down to about 4% per annum for the second half of the 1980s. Industry, finance and agriculture are said to contribute about 30.5% of that growth (al-Farsy 1986:174).

Economic growth has made it possible for the government to increase the standard of living of its citizens and to contribute large sums of money to aid developments in other Islamic and Third World countries. Al-Farsy (1986:200) reported that the Saudi Fund for Development, established in 1974, was financing twenty-three projects in fourteen different countries in Asia and Africa with a budget of over two billion riyals in 1983 alone. Saudi Arabia has also signed loan agreements with a number of countries totalling more than one and a half billion riyals that same year.²⁵ Internally, "the average citizen has been enjoying a better standard of living as shown by the

growth of real per capita consumption at an annual rate of 8%" (el-Mallakh 1982:35). Sirageldin et.al. (1984:5) reported that "average real earnings rose 71% during the second half of the 1970s" (see also Kavoussi 1983:65). There are no taxes, the major food commodities are subsidised, and education and health care are free for citizens as well as for expatriates.

Farming has long been the main occupation for many of the people of Saudi Arabia especially in the Eastern and Southern regions. It was limited to basic crops for purely local consumption. The lack of water made farming grow slowly, but today all of that has changed. The availability of water through desalinization plants and dams, and government loans and subsidies, have made Saudi Arabia an exporter of agricultural products for the first time in its history. "Trade statistics tend to affirm that Saudi Arabia is now self-sufficient in wheat, eggs and dates. In fact it has a small exportable surplus in all three commodities, with sale and donations of wheat abroad now exceeding 2 million tons/year."²⁶

Today, there are 2022 producing-factories in the Kingdom with a total capital of 86.3 billion riyals. Electricity has reached 90% of the population, with a total capacity of 18,000 megawatts in 1987 as compared to only 418 megawatts in 1970.²⁷ The country has two television channels (one in English), six radio programmes (three are devoted to religious broadcasting), and eight national newspapers.²⁸

There is no doubt that the country has made substantial progress, socially and economically. People are enjoying a high standard of living comparable with that of advanced countries, and the benefits of development have reached most sections of society. The

small size of the population and the great wealth acquired by the country have made the transformation possible in such a short period of time. The important questions in the context of this study concern the implications of these rapid socio-economic developments for the religious traditions of the country: what changes have taken place in the commitment of the state to religion? And what have been the consequences of social change for the religious commitment of the individual Saudi Arabian? This study will attempt to give an answer to the first question. The second question, however, calls for more specialized studies.

The modernization of Saudi Arabia was not without its own problems. The escalation of the process in the second half of the 1970s exposed the difficulties associated with rapid socio-economic developments. Inflation, a shortage of housing due to a high level of social mobility, dependence on foreign labour, and increase in consumerism due to huge increases in per capita income (estimated by Sirageldin et. al. [1984:5] to be about 71%), were some of the short-term consequences of the process.²⁹ The long term consequences remain to be seen.

It is possible perhaps to maintain that the government retained control over the modernization process and even planned for it using the five-year development plans. Thus it can be argued, the government was able to limit what are seen as the negative consequences of rapid modernization. The ironic thing was the ability of the government to foster a high level of socio-economic developments with a limited degree of political modernization.³⁰ The apparent success of the government in modernizing the country within the bounds of tradition

may also account for the fact that the influence of secularization generally associated with modernization and institutional differentiation has been somewhat limited.

Conclusion

It can be concluded from the evidence presented in this chapter that religion has been integral to the process of uniting the various parts of the Arabian peninsula under one central government. This was achieved for the first time since the decline of the first Islamic state in al-Madīnah following the moving of the capital to Damascus. Religious ideology provided, once again, the effective means by which the various tribes of Arabia could be brought under the command of one leader.

Religious ideology also helped in changing the lifestyle of a large segment of the Bedouin of central Arabia. The importance of religion continued to manifest itself through a number of developments. The official stand of the government, the role played by the ʿulamā', and making religious institutions part of the structure of the state all point to the fact that religion would continue to be a dominant force in public life even at times of rapid modernization.

The modernization process took place under the aegis of the government who regarded it as a national goal and who planned for it. It was a slow process on the political front, and only accelerated on the socio-economic front in the second half of the 1970s. The political system today appears to be coping well with socio-economic changes and with the demands of emergent groups. Modernization has had

its own benefits and its own problems. What is unique about the modernization of Saudi Arabia, however, is the fact that the process originated internally and was in response to the perceived needs of the country. All groups participated in it, and "fractionalization along theological, political, and intellectual lines has been relatively less [sic] than in other countries" (Ochsenwald 1981:272).

Chapter Five
The Religious Situation Today

Religion in Saudi Arabia continues to have great influence on the policies of the state as well as on the life of the individual. The Kingdom is identified with Islam more than is any other country in the world. The aim of this chapter is to discuss the place of religion in Saudi society, and the role of the state in making Islam the dominant ideology in its internal and external policies. The religious situation today has been the outcome of a long process of developments and policies of rationalization on the part of the government. These developments and policies, along with the historical factors involved, have been discussed in the previous two chapters.

This chapter starts with the public manifestations of religion in areas such as the constitution, the flag, and public morality. The first section also briefly considers religion in everyday life with an emphasis on the daily prayers, the month of Ramaḍān, religion in the media, and various social occasions regulated by the sharīʿah. The bulk of the chapter, however, will deal with the main religious institutions in the Kingdom and with the government agencies that have a religious basis or religious functions.

The second half of this chapter will deal with the role of Saudi Arabia in promoting Islam in other parts of the world.¹ Following these descriptive sections, we will attempt to evaluate the changes that have taken place as a result of modernization and development. A consideration of the place and influence of religious institutions in

Saudi society today as compared to the situation before 1970 will give an idea of the size and direction of any change. The chapter will conclude with a brief discussion of the distinctiveness of the Saudi experience in comparison with the experiences of some other Islamic countries.

This chapter is designed to provide a general picture of the religious situation in Saudi Arabia today, and not to deal with any particular institution in detail. The aim is to set the stage for our case study in the following part, and to provide basic information that will help us evaluate the changes that have taken place over the past two decades. The emphasis will be on the role of the government and its official agencies. The changes that have taken place in the religious commitment of groups and individuals are beyond the scope of this work. It is also impossible to discuss here the private establishments and voluntary organizations that have religious functions.

The greatest difficulty encountered in writing this chapter involved the classification of certain government organizations as religious in a country where religion is part of almost everything. The distinction has always been difficult, and the classification used in this chapter is based on the writer's own judgment. There are organizations and institutions that have clear religious functions (eg. mosques and the hajj), and there are organizations that are more difficult to classify as religious mainly because they have other functions that have no ostensibly religious basis (eg. the Ministry of Finance and National Economy which is responsible for collecting zakāh from companies and businesses). I shall, therefore, structure the

following section in terms of the major institutions of religion in Saudi Arabia rather than in terms of particular organizations with religious functions.

A. Public Manifestations of Religion

Wherever one looks, there are strong indications of the role of religion in public life of Saudi society. From the constitution of the country to the way people greet each other,² Islam plays a prominent role. The influence cannot be exaggerated, but the problem will always be how to distinguish between pure religious influences and social customs that have "taken on, in many minds, the indivisibility of divine Law" (Buchan 1982:107). Another problematic distinction is between officially stated policies and actual practice. There are a number of discrepancies between the two, but they should not concern us here (Kay 1982:180). Our aim is not to evaluate the religious nature of what the Saudis see as religious, but merely to describe it as such.

The Kingdom of Saudi Arabia has no written constitution. The official policy since the unification of the country has always been that the Islamic sharīʿah is the only constitution and "the supreme sovereign to be obeyed by all, including the King himself" (Buchan 1982:107).³ The Flag of the Kingdom has written on it, in Arabic script, the Islamic creed "there is no god but Allāh, and Muḥammad is the messenger of Allāh". The official calendar is the Islamic one, that is, the lunar calendar which begins with the hijrah of the Prophet Muḥammad in 622 C.E. The use of this calendar has been made necessary because it marks the Muslim religious festivals such as the

month of Ramaḍān and the Pilgrimage. The beginning of each month is still decided using the traditional method of moon sighting by the naked eye following the instructions of the sharīʿah. There are developments, however, in the direction of using modern methods for sighting and calculations.⁴

The most apparent influence of religion can be found in the areas of religious practices and public morality.⁵ The loud call to prayers five times every day is a constant reminder of the importance of this religious duty. Government offices, shops, businesses, and even television broadcasting come to a halt for a few minutes when it is time to pray. Prayer in Saudi Arabia takes precedence over other activities in a fashion not found in any other Islamic country. Social occasions, business hours, and even football matches are scheduled around the times of prayer.⁶

Another area of profound influence is the public role of women. Women still go veiled in public, and the official policy is one of segregation between the sexes in government offices,⁷ universities, schools, restaurants and public transport.⁸ Women are not allowed to drive or to travel without an accompanying male relative (maḥram). There is a strong trend towards the establishment of separate businesses and shopping centres that are exclusively for women. One national company has even announced that it is going to establish a factory that employs women only.⁹

There are no public theatres, cinemas or social clubs. The sale of alcoholic beverages and pork meat is illegal. Strict compliance with Islamic social norms is required from citizens and expatriates alike. During the month of Ramaḍān, all restaurants and food-outlets

close during the day. Non-Muslims are requested not to eat, drink or smoke in public "to respect the feelings of Muslims", and any violation is subject to punishment.¹⁰

The daily broadcasting of television and radio stations opens and closes with a recitation from the Holy Qur'ān. Three of the six radio broadcasting services are devoted to religious programmes.¹¹ Both television stations broadcast religious programmes averaging in each case about 25% of the daily broadcast which increases to 37.5% on Fridays and religious occasions (e.g. Ramaḍān) (al-Hamad 1985:309).¹²

The national airline, Saudia, starts each flight with a broadcast of the travelling prayers that the Prophet Muḥammad used to say when he travelled (Alireza 1987:453). Most national newspapers devote one or more pages to religious topics, discussions, and questions directed to the ʿulamā' from members of the public concerning social and economic matters.¹³

The design of the average Saudi home also reflects the influence of religion on social relations and modes of interaction. Each home has two separate entrances and two separate living rooms to keep guests of both sexes, even relatives, separate from each other. This practice still continues today, although an increasing number of young couples choose to live separate from their parents: something that very rarely happened twenty five years ago. The regulating of marriage¹⁴ and divorce is based on the sharīʿah, and ceremonies for birth, circumcision, marriage, and death are all practised in accordance with the teachings of Islam.

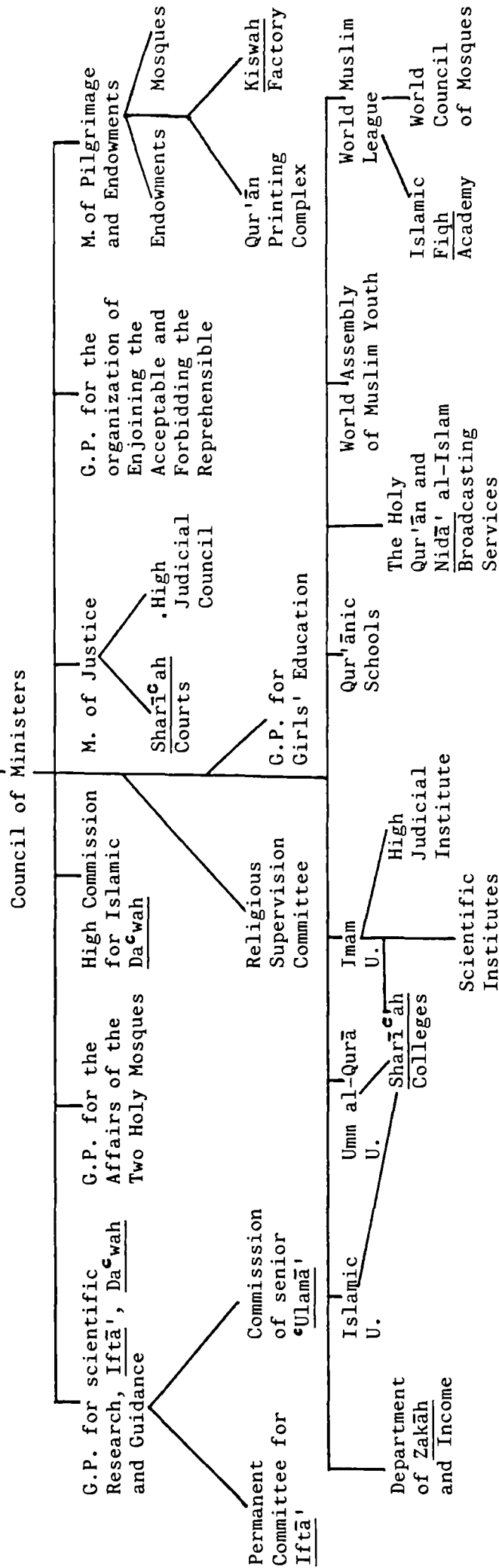
The institution of marriage in Saudi Arabia reflects the overlap of religious and civilian authorities in dealing with a number of

social institutions. The marriage ceremony has to be performed by a religious specialist known as ma'thūn al-ankīḥah who is usually licensed by the Ministry of Justice through the local sharī^cah court. The marriage certificate is issued by the person who performs the ceremony and then has to be approved by the local judge, and kept in record at the court of law. The ma'thūn al-ankīḥah is considered a part-time employee of the government. His main occupation is usually religious in nature (e.g. judge, teacher, or an imam of a local mosque).

B. The Main Religious Institutions

The Islamic religion has an influence on public life through political, social and economic channels. A number of specific institutions were developed at the time of the Prophet Muhammad to facilitate religious practices; others came into being over the centuries, and many are of recent origin.¹⁵ The common denominator between all of them is their religious justification or function. The religious institutions that will be described in this section are concepts, personalities, places, or modes of interaction (see Figure 3). The religious significance of each one is enough to warrant labelling them as religious institutions.

Custodian of the Two Holy Mosques (The King)



M. = Ministry G.P. = General Presidency U. = University

Sources: Compiled by the writer based on information collected during the field-trip, May 1958.

Imam of the Muslims (imam al-muslimīn)

This is one of the main institutions with a religious basis. It is a position occupied by the King and it makes him the highest religious authority in the country. It used to be the official title of the Saudi rulers until King ^cAbd al-^cAzīz adopted the title of King in the 1920s. The King, as imam al-muslimīn, has the power to declare jihād, appoint judges upon the recommendation of the High Judicial Council, give permission for the istisqā' prayer to be held,¹⁶ and approve court decisions in cases that require capital punishment. "The highest legal official is the King who serves as imam" (Long 1980:102). The King appoints members of the Commission of Senior ʿulamā', and top officials of religious organizations (eg. the minister of justice and the president of iftā').

Custodian of the Two Holy Mosques (khādim al-ḥaramayn al-sharīfayn)

This is both a title of the King and a responsibility of the state. The location of Islam's two most sacred mosques (i.e. the sacred mosque in Makkah and the Prophet's mosque in al-Madīnah) in Saudi Arabia has given the government both a source of legitimacy and a unique place among Islamic countries.

In October 1986, King Fahd officially adopted the title of "custodian of the two Holy Mosques" in place of "His Majesty".¹⁷ The King, along with the ministers concerned, move their offices to Makkah during the annual Pilgrimage to receive delegates from other Islamic countries, attend the annual conference held on that occasion, and supervise the activities of over two million Muslims who perform the hajj every year. Before the hajj begins, the King usually performs the

ceremonial washing of the ka^cbah prior to the annual change of the kiswah.¹⁸

It is ironic that about fifty years ago the annual Pilgrimage was the main source of income for the government through taxes paid by pilgrims. Today, however, the two holy mosques and the areas and services that are part of the hajj will cost the government an estimated 8,743 million riyals between 1985-1990.¹⁹ Despite the large sums of money that the government spends each year to host the hajj, the Saudis "retain feelings of pride and a special religious purpose through their role" (Ochsenwald 1981:279). The Saudi authorities have always regarded the successful administration of the pilgrimage as their main responsibility, and they recognize that as an important factor in maintaining a leading position among Islamic countries. The availability of great wealth has helped the Saudis to honour this responsibility without major difficulties.

The General Presidency for the Affairs of the Sacred Mosque and the Prophet's Mosque (al-ri'āṣah al-^cāmah li-shū'ūn al-masjid al-ḥarām wa-'l-masjid al-nabawī) is responsible for the administration of the two mosques. It has a president with the rank of a minister of state, and it employs a number of imams, mūa'dhdhins, guides, and maintenance staff for the two mosques. There are also special police centres in each mosque for security purposes.

The Holy Qur'ān

As the main source of Laws and as the constitution of the country, the Qur'ān is assigned a special place in Saudi Arabia. It is taught in schools, and competitions to memorize and recite it are held every

year inside and outside the country.²⁰ Qur'ānic schools are part of the educational establishment, and the government provides financial support to voluntary organizations known as jama'āt taḥfīẓ al-Qur'ān (societies for the memorization of the Qur'ān). It is estimated that about 100,000 students attend these part-time schools.²¹

In 1986 the government established the King Fahd complex for printing the holy Qur'ān which has been described as "one of the biggest printing complexes in the world".²² The cost of the buildings and equipment was about 1,000 million riyals. The complex employs 13,200 people, and has the capacity to produce 8 million copies of the Qur'ān every year.²³ It has printed over 27 million copies in the past four years of which 23.5 million copies have been distributed free, inside and outside the Kingdom.²⁴ It also produces translations in a number of languages and cassette tapes of Qur'ānic recitations.

In a step that was described as a policy to encourage the study and memorization of the Qur'ān, the King issued a decree in early 1988 authorizing public security officials to halve the prison sentence of any prisoner who memorizes the Qur'ān. It was reported afterwards that each prison had established its own Qur'ānic school to help those who wanted to take advantage of this unique offer.²⁵

The ʿulamā'

The ʿulamā' in modern Saudi Arabia still retain their traditional position and role.²⁶ It is not possible, however, to give a precise number of those who can be classified as ʿulamā' in view of the elusive nature of this religious institution. We will, therefore, limit our discussion to the senior ʿulamā' who are members of one of

the three main official bodies that will be identified later in this section, and to the changing composition of the ʿulamā' due to the availability of religious education.

The ʿulamā' of Saudi Arabia have played an important part in Saudi political and social life and continue to do so. "No social or political change can take place without the consent of the religious establishment" (al-Hamad 1985:302). Their great influence on the judiciary, education and the enforcement of public morality has been maintained if not even strengthened in the past two decades. Bligh (1985:42) identified these three areas of public life as the main "religious institutions" in the Kingdom. It is important to add here the institutions of iftā' and daʿwah as two other areas where the senior ʿulamā' enjoy authority and control.

The three main official bodies that constitute major platforms for the public role of the senior ʿulamā' are: the Commission of Senior ʿulamā' (hay'at kibār al-ʿulamā'), the High Judicial Council (majlis al-qaḍā' al-aʿlā), and the Permanent Committee for iftā' (al-lajnah al-dā'imah li-l-iftā'). The first one was established in 1971 as "a permanent forum ... to serve the King in his future need for religious authorization and approval" (Bligh 1985:39). This body consists of twelve members of the most senior ʿulamā' in the Kingdom,²⁷ and is considered the highest religious body in the land. It is responsible mainly for issuing official fatwās for the government upon the request of the King.²⁸

The High Judicial Council is part of the structure of the Ministry of Justice. Its main functions are judicial in nature, and the Council is staffed by senior judges.²⁹ The Permanent Committee for

iftā' is part of the presidency of iftā'. It deals with requests for fatwās from the public. Some of the ʿulamā' are members of two or even all three of these religious bodies.

The make-up of the senior ʿulamā' has undergone few changes in the past twenty years. Prior to the creation of the Commission of Senior ʿulamā' in 1971, the senior ʿulamā' were "ten to fifteen religious judges unofficially headed by the Grand Mufti" (Bligh 1985:38). Today the number is much larger and the expansion of higher religious education will further enlarge the size of the ʿulamā' and, presumably, their influence on public life. Their main task will continue to be to "act as guardians against the intrusion of alien values and practices, seeking to preserve the purity of Islam and play a restraining role in the Kingdom's social life" (Huyette 1985:117).

The relationship between the ʿulamā' and the royal family continues on the same level ever since the creation of the state. The mutual respect and cooperation, based on the alliance of 1158/1745-6, between the King and the ʿulamā' "helps to guarantee the political and ideological structures ... as being Islamic, as having legitimacy" (Gilsenan 1982:31). The question of legitimacy based on Islam is very important for the Saudi state, and the ʿulamā' have a vital part to play in making that legitimacy possible. This factor will ensure that the power of the ʿulamā' will persist as long as religion is the dominant ideology of the state. The power and influence which the senior ʿulamā' enjoy in Saudi Arabia today reflect the influence of the political and social environment on their role in society. The role of the ʿulamā' has differed from one Islamic society to another, and even from time to time in the same society. There have been a

number of studies about the ʿulamāʾ in various parts of the Islamic world. The collection of studies edited by N. Keddie (1972) and the study by Gilsenan (1982) provide good examples of how the ʿulamāʾ influence and become influenced by their political and social environments.

In addition to the senior ʿulamāʾ in Saudi Arabia, there are thousands of Saudis who fulfill a number of religious functions and who can be classified as junior or middle-ranking ʿulamāʾ. They work as judges, teachers, preachers, imams, guides, enforcers of religious observances and public morality (members of the hayʾah). Alternatively they may possess religious knowledge but work in secular occupations (e.g. as doctors or engineers). These people constitute a part of the religious establishment in Saudi Arabia, and they work in different ways to maintain the religious influence on public life. Their role should not be under-estimated because they are increasing in number as more and more graduates of religious universities join their ranks every year.

However, the increasing number of graduates from religious colleges might eventually create problems. The limited number of religious occupations those people can work in could create a kind of unemployment unless there is a balance between supply and demand. The number of influential ʿulamāʾ will always remain small, but it is possible that the existence of an increasing number of people qualified to fill senior positions will decrease the prestige of these positions in the future. More research is needed to better understand the impact of this process on the quality of the ʿulamāʾ of the future.

The Judiciary

The judicial system in Saudi Arabia³⁰ is based totally on the Islamic sharī^cah. It is made up of a system of sharī^cah courts that deal with all criminal and civil cases. The draft law of the judicial authority states that: "judges shall be independent and there shall be no power over them in exercising their judicial functions except the power of the shari ah, and no one shall interfere with the judiciary" (quoted by al-Rasheed 1973:37).

Judges receive their religious education and training in a number of sharī^cah colleges. Some receive higher education in the High Judicial Institute in Riyadh. The government has adopted the Ḥanbalī madhhab (see Chapter Three) as the basis of all legal decisions allegedly in an attempt to unify court decisions and to standardize the judicial system (al-Farsy 1986:75).

The Ministry of Justice is the central body which administers all courts in the country. The Ministry deals mainly with bureaucratic procedures, while the appointment of judges is done by the King upon the recommendations of the High Judicial Council. Major decisions are reviewed by one of the two courts of appeal (maḥākīm al-tamyīz), and have to be approved by a royal decree.

Saudi Arabia today is one of the few Islamic countries that still apply the ḥudūd (capital punishments) prescribed in the sharī^cah.³¹ Minor crimes, civil disputes and moral crimes are all dealt with in accordance with the injunctions of the sharī^cah.³²

The Fourth-Development Plan discusses the establishment of specialized juvenile, conjugal and traffic courts to lighten the

burden of general sharī^cah courts. There are already commercial courts and labour courts, and more changes are on the way. "Female graduates of the sharī^cah colleges will be trained to work in juvenile and conjugal courts", according to the Fourth Plan.³³ Assurances are always given that all courts will continue to apply the sharī^cah, and the implication of the planned changes cannot be assessed at this time. It should be noted, however, that graduates from sharī^cah colleges still work in all types of courts in the Kingdom.

Mosques

The Masjid (place of worship) is one of the oldest Islamic institutions. Its importance stems from being the centre of religious activities and social interaction in neighbourhoods and small communities. Muslims are encouraged to perform their daily prayers in the mosque for extra spiritual rewards, but prayer can be performed anywhere else. The mosque does not have the same organizational structure as a church, but is only a place reserved for prayer. Each mosque usually has a designated imam to lead prayers and a mū'adhhdhin to announce the time of prayer, but those functions can be performed by any qualified member of the group attending the prayer.

In Saudi Arabia today all mosques, with the exception of the two holy mosques, are under the supervision of the Ministry of Pilgrimage and Endowments. The Kingdom had an estimated 20,376 mosques of various sizes in 1986, the majority of which had been built by the government (see Table 2).

Table 2
Number of Mosques in Saudi Arabia

Year	1974			1987		
Built by	Government	Private	Total	Government	Private	Total
No. of Mosques	6144	4689	10833	12268	6310	20376

Source: Based on official documents obtained from the Ministry of Pilgrimage and Endowments, May 1988.

The government employs 20,357 imams, 20,810 mū'adhdhins, and 11,723 servants to work in the mosques, with an annual expenditure of 894 million riyals on salaries.³⁴ Most of these officials are employed on a part-time basis, in addition to their regular jobs. The government also supplies mosques with carpets and loud speakers, and the larger mosques usually have separate sections for women. The control exercised by the Saudi government over mosques is very similar to what M. Berger (1971:10) found in Egypt. In Saudi Arabia, however, all imams of mosques are employees of the state, and are subject to government rules and regulation. The variety of functionaries who work in mosques in Egypt do not exist in Saudi Arabia.

Iftā'

This institution, which is basically a method of answering questions of a religious nature, has developed into an organized and popular form of value-rationalization by the ʿulamā'. The General Presidency for the Administrations of Scientific Research, iftā', daʿwah and Guidance is the official organization responsible for the affairs of iftā'.³⁵ It has a permanent committee for iftā' made up of a number of

ʿulamāʾ, and it gives permission for any ʿālim who wants to issue fatwās outside the jurisdiction of the committee, provided that he is qualified to do so.

The ʿulamāʾ give fatwās through the media,³⁶ through one of the centres of iftāʾ around the country, or through personal contact with people. A new and convenient method of contact is the telephone, and the telephone numbers of the homes of some prominent ʿulamāʾ are displayed in mosques and published in some newspapers on a regular basis.³⁷ The telephone has proven to be useful in a religious sense although some ʿulamāʾ objected to its introduction into the country about sixty years ago. Iftāʾ is increasingly used as a method in the rationalization of religious values, and in solving some social problems. Most people usually seek the advice of the ʿulamāʾ and follow it without hesitation.

Fatwā has also been an important method in influencing certain policies of the state. We discussed in Chapter Four how the ʿulamāʾ played a major part in some political decisions by using the method of issuing official fatwās. Today, the Commission of Senior ʿulamāʾ is the body that issues fatwās for the government. In 1987, the commission issued a fatwā signed by twelve senior ʿulamāʾ ruling that the government had the authority to execute those found guilty of smuggling or selling illegal drugs.³⁸ A similar fatwā was issued in 1988 which "prescribed the death penalty for anyone proved guilty of sabotage or hijacking ... The need for the ulema edict was presumably based on the fact that sabotage can be classified as a "modern" crime ... [This fatwa] sheds an interesting insight into the relationship between the clergy [sic] and government."³⁹

Da^cwah and Guidance

The institution of da^cwah (see Chapter Three) is another method of spreading and strengthening the Islamic way of life. It is closely connected to the activities of irshād (guidance) which is intended to show Muslims the right way of practising their religion. Both institutions are part of the structure of the Presidency of iftā'. The Directorate of da^cwah and irshād has 15 centres inside the Kingdom and 17 offices around the world (al-Muhyaidib and al-Nasir 1986:16).

The activities of da^cwah and irshād are mainly carried out by means of books, pamphlets, lectures, and media programmes. Experts in da^cwah are sent to all parts of the country to give lectures, hold seminars and answer queries. Others are sent to Muslim minorities in other countries to do similar things and to lead prayers. The Directorate also works with new converts to Islam inside the country. Two specialized journals⁴⁰ are published by the presidency, and all religious books are reviewed before being allowed to be published or to enter the country. The presidency also supervises religious programmes on television, radio and newspapers, and manages the Saudi Library in Riyadh which is a public library specializing in religious publications.⁴¹ The activities of the various organizations that deal with da^cwah are supervised by the High Commission for Islamic da^cwah (al-hay'ah al-^culyā li-l-da^cwah al-islāmiyyah) which is under the Chairmanship of the Minister of Defence (al-Muhyaidib and al-Nāṣir 1986:9).

Religious Education

Education in Saudi Arabia is influenced by religion in many ways. Religious education used to be the only education in the country, and the first institutions for higher education were the sharī^h colleges. Today, however, a form of differentiation has developed between religious and general education. But the differentiation is not complete because religion is still a major part of the curriculum of general education;

religious courses are taught at the high school level and are accorded high status. At the university level, reasonable religious courses are taught along with other secular courses in all years, and are required of all students (al-Farsy 1986:192)

There are a number of specialized institutions for religious education. The Qur'ānic schools (madāris tahfīz al-Qur'ān) are part of the structure of the Ministry of Education with an emphasis on religious subjects. There are also the scientific institutes (ma^hāhid ^hilmiyyah) which are the equivalent of secondary school and are part of the structure of Imam Muḥammad b. Su^hūd Islamic University. Five institutes have also been established in other countries.⁴²

Three of the Kingdom's seven universities are devoted to religious instruction. These are Imam Muḥammad b. Su^hūd Islamic University in Riyadh, the Islamic University in al-Madīnah, and Umm-al-Qurā University in Makkah. The number of students in all three accounts for roughly 25% of the total university enrollment.⁴³ The faculties include sharī^h colleges, theology, Islamic da^hwah, Arabic

language and social sciences. These universities supply the judges, imams, muftīs, teachers and preachers for service throughout the country and in other parts of the Islamic World.

Zakāh Collection

As a religious duty, zakāh (see Chapter Three) is to be paid voluntarily by individuals and businesses. It is, however, the responsibility of the state to make sure that zakāh reaches those who need it most. The state also has the right to collect zakāh and to use it for social expenditures in the areas specified by the sharī'ah.

The Department for zakāh and Income (maṣlahat al-zakāh wa'-l-dakhl) was incorporated into the structure of the Ministry of Finance and National Economy to facilitate the collection of zakāh from companies and businesses (al-Farsy 1986:32).

Endowments

The Ministry of Pilgrimage and Endowments (awqāf) is responsible for the management and investments of religious endowments. Awqāf is an old Islamic institution whereby wealthy individuals give property to the state to be used for pious works, or for the public good (Glasse 1989:417).

In the Kingdom today, awqāf include buildings, pieces of land, or arbiṭah (hospices for the poor). Awqāf in Saudi Arabia are worth hundreds of millions of riyals and constitute a major part of the income of the Ministry of Pilgrimage and Endowments which it spends on the building and maintenance of mosques and hospices.⁴⁴

C. The International Islamic Role of Saudi Arabia

As the custodian of the two holy mosques of Islam, Saudi Arabia has a special role in the Muslim World which it tries to perform by various means. The foreign policy of the Kingdom reflects this special position and "has been aimed at promoting Islamic values, and decreasing tension between Muslim states" (Ochsenwald 1981:275). The Kingdom has no diplomatic relations with Communist countries, and has been active in supporting what it sees as the legitimate struggles of the Palestinians against Israel and of the Afghan mujāhidīn against the Soviet Union. Economically, the Kingdom offers financial aid to a number of Islamic countries, and its "aid programs show a clear distinction between God-fearing and Godless states" (Long 1980:105).⁴⁵ The Kingdom is also an active member of the Organization of Islamic Conference which is the equivalent of a United Nations for Islamic states.

On the religious front, the Kingdom has been active through a number of organizations which it helped establish and which it continues to support. The largest of these is the World Muslim League (rabiṭat al-ʿālam al-islāmī), established in 1961. It is located in Makkah and relies on the Saudi government for financial support. The League has representatives from all Muslim countries and Islamic minorities, and works to "spread the message of Islam, explain its fundamentals and protect its followers and their interests all over the world".⁴⁶

The League has a number of offices in different parts of the world, and works with local mosques in non-Islamic countries through the World Council for Mosques (al-majlis al-ʿālamī li-l-masājid). It helps build mosques, supplies imams, organizes seminars and camps, and

trains individuals to carry out the tasks of da^ḥwah and guidance.

The Islamic fiqh⁴⁷ Academy (majma^ḥ al-fiqh al-islāmī) is another organ that is part of the structure of the League. It has a large number of ḥulamā' members from different Islamic countries who meet regularly to discuss religious issues and try to provide "the Islamic world with effective jurisprudential solutions in all affairs of life based on the Holy Qur'^{ān} and the Prophet's traditions."⁴⁸

In 1972, the Kingdom sponsored the creation of the World Assembly of Muslim Youth (WAMY). It is defined as "an independent body and a forum for coordinating the efforts of the Muslim Youth under Muslim youth and students organizations throughout the world."⁴⁹ The offices of WAMY are located in Riyadh, and its finances come from the annual grant given by the Saudi government. Its activities include the hosting of annual conferences and the publication of religious books (al-Yassini 1985:73).

The Kingdom has also tried to influence religious developments in other countries by the establishment of the Islamic University for international students. The University, established in 1961, has six faculties and 3,000 students belonging to 92 nationalities.⁵⁰ Its constitution specifies that 85% of students must be from countries other than Saudi Arabia, and those who graduate are encouraged to go back to their home-country and utilize their knowledge in helping their people become "better" Muslims. The aim of the University is to "spread the Islamic spirit, belief and message" (Huyette 1985:116). The government has also given direct grants in excess of 1,510,161,215 riyals for the building of mosques and Islamic centres in over 78 countries.⁵¹

D. Modernization and Religious Influence

It would be difficult for any observer not to agree with Kluck (1984:110) that "despite the dramatic changes in some sectors [sic] in the 1970s, religious practice and opinion remain firmly conservative." There are indications that the government of Saudi Arabia is becoming more committed to its Islamic ideology and role in recent years, as we have seen in the above discussions. The effects of modernization on the religious commitment of the average Saudi are not clear, however. In the absence of relevant information on this topic, we will concentrate on the role played by the government. The basic question in this respect deals with the influence of religious ideology and practices on public life.

There has been a gradual increase over the years in the number of official institutions having religious functions (see Figure 3), and religious activities have become one of the major areas of expenditure for the government. The reasons for these developments cannot be attributed solely to political reasons or questions of legitimacy or prestige because the process is not limited to one specific period but has continued since the creation of the modern state in 1932. Gellner (1981:67) has warned against attributing the dominance of Islam in some countries to purely economic factors. He wrote that:

The puritan version of Islam has enjoyed a considerable revival and vogue, in conjunction with quite diverse forms of modernizing policy ... It would be quite wrong to explain this success in terms of whatever oil-financed subsidy it may receive.

It is possible that the availability of money and the political events of the late 1970s (ie. the Iranian revolution and the Makkah mosque incident) have made the government more aware of the importance

of stressing its role as an Islamic government in order to maintain legitimacy. This argument, however, becomes weaker as soon as we acknowledge the consistency of the government's commitment over the past sixty years. The importance of the sharīḥ, the official stand against the separation of religion and state, the role of the King and the ʿulamāʾ, the influence of religion over education and the judiciary, and concern over public morality have all persisted and even expanded. It would be reasonable, based on the evidence presented in this chapter, therefore, to argue that religion has more influence on public life today than it had twenty five years ago.⁵²

Modernization has made it possible for religious education and religious programmes on television and radio to reach remote areas of the Kingdom that had been out of reach a few years ago. The education of women has been possible without giving up the requirement for segregation of the sexes. The religious establishment has benefited from the modernization programmes, and has proved able to function alongside modern-bureaucratic organizations. This, according to Hudson (1980:15), has been the case in more than one Islamic country. "Rural people in the Middle East", he argued,

are undoubtedly more conscious of and educated about their faith than ever before, owing to the modernization of the countryside. The very instruments of Western technology which some scholars thought would hasten the decline of Islamic consciousness have surely strengthened it.

The implications of bureaucratic developments for the religious establishment have been discussed by a number of writers who seem to doubt the ability of the ʿulamāʾ and their organizations to adapt to, and survive, the changes. Al-Awaji (1971:122), for example, claimed that "the development of a complex bureaucracy whose routines and

operations are very alien to the orientation of the ulama has practically marked a serious, though gradual, beginning of the curtailment of the ulama's sphere of influence." It is clear that eighteen years later, the ʿulamā's influence has in fact increased rather than decreased.

Kluck (1984:113) also went on in the same way to argue that "the conservative ulama frequently felt threatened by the technocrats and bureaucrats". There are two problems with the above arguments. Firstly, the authors have taken an approach that lays emphasis on the conflict between what are regarded as the forces of traditionalism (mainly the ʿulamā') and the forces of modernism (Western-educated bureaucrats). Niblock (1982a:75) has rightly warned against such an approach which "does not take into account the extent to which the old and the new are interlinked, with both 'forces' serving common purposes". Secondly, the traditional forces cannot be viewed as distinct and outside the modernization process. They have played an important role in establishing and controlling the pace and direction of change. The ʿulamā', and other traditionally educated Saudis also created and directed the first organs of the central bureaucracy.

The traditional forces in Saudi Arabia were among the first groups to receive education and official employment, and a large segment of government employees has also benefited from traditional education. The Western-educated Saudis are limited in numbers, and they cannot be assumed to be anti-traditionalist just because they have obtained secular education in the West. Ochsenwald (1981:278) has argued against such an assumption:

It is perhaps incorrect to assume that Saudi students abroad necessarily become more secular minded than their

cohorts in Saudi schools ... also, the old stereotype that engineers, physicians, and others of the new middle class are more secular in their values than the traditional middle class of ulama and merchants can no longer be automatically assumed to be true.

Huyette (1985:79), more specifically, showed that "Saudi technical experts have manifested an ability to apply modern methods to promote the general welfare without foresaking traditional value." She went on to question the validity of the assumption that secular education necessarily fosters secular values.⁵³

It is not our aim here to try to resolve the above question. What we can do, however, is to argue that at least in the case of Saudi Arabia the evidence of a confrontation between the forces of traditionalism and the forces of modernism is by no means conclusive. Moreover, it is even difficult to draw a clear distinction between the two forces in terms of education alone. Those classified as traditionalists have in fact played an important part in the modernization and development of the country. A number of 'ulamā' preside over several large bureaucratic organizations, and they have proven to be successful administrators.⁵⁴ Religious organizations have expanded their structures and their activities without showing signs of becoming weaker or disorganized as a result of becoming bureaucratic. Every year hundreds of religiously educated Saudis graduate from universities and become part of the bureaucracy implementing modernization programmes alongside their "secularly" educated colleagues.

The argument advanced by Mortimer (1982), al-Yassini (1985), Bligh (1985), and al-Awaji (1971) that the religious establishment tends to lose power when incorporated into the state machinery has also proven to be weak in the light of the findings of this study.

What is meant by the religious establishment in their arguments is the ʿulamāʾ themselves. Al-Yassini (1985:59), for example, wrote that because of institutional differentiation between religion and state, "the ulama lost many of their traditional functions and became a pressure group limited to exerting influence over the government's activities and policies but never acting as an autonomous centre of power."

The problem with the above argument is that it does not specify the traditional functions that the Saudi ʿulamāʾ allegedly lost because of political modernization. We could not identify any area of public life which the ʿulamāʾ used to control before modernization but over which they have lost control at the present time. What happened was, in fact, functional differentiation. This process is indispensable to the development of a modern state. It is the kind of differentiation that has been part of the Islamic state for centuries,⁵⁵ and which has nothing to do with what Kechichian (1986:54) called "the functional authority of the sharīʿah."

It is the place of the sharīʿah and its influence in society which determines the influence of religion on public life. Functional differentiation, in itself, cannot decrease the influence of religion if the sharīʿah continues to be the dominant ideology of the state and the culture. In Saudi Arabia today the government has managed to maintain the dominance of the sharīʿah despite the major institutional differentiations that have taken place since the early 1950s. Kechichian (1986:54) has concluded that the unique relationship between the ʿulamāʾ and the state authorities in Saudi Arabia "has survived centuries of testing and still seems to function in our

times."

Before the creation of the modern Saudi state, the ʿulamāʾ had very limited influence on public life, and very few functions. Today, they enjoy the support of the political authorities and play an important part in the affairs of state. It is important, however, to make a distinction between, on the one hand, the role of the ʿulamāʾ as guardians of the sharīʿah, legitimizers of political power, and rationalizers of religious beliefs and practices, and, on the other, their role as employees of the state. The traditional role which they play by virtue of their religious knowledge cannot be controlled or changed by the political environment in which they live. "The sacred tradition [for which the ʿulamāʾ are responsible], could never simply be taken over by the state through the control of a compliant or dependent body of scholar-lawyers" (Gilsenan 1982:33).

The ʿulamāʾ have always been responsible for the sacred tradition even at times of political decline or non-Islamic rule.⁵⁶ This responsibility becomes easier to fulfil when the political authorities give the ʿulamāʾ the support they require in order to perform their role as guardians of the sharīʿah. The functions that the ʿulamāʾ fulfil within the structure of the state as public servants usually strengthen that role rather than contradict it. Working as judges, teachers, muftīs, imams, and muhtasibs gives the ʿulamāʾ effective means to accomplish their main task. Both the degree of proximity to the political authorities, and the level of institutional differentiation usually have limited influence on the ability of the ʿulamāʾ to maintain their position as guardians of the sharīʿah, arbiters of social conduct, and models for ideal Islamic behaviour.

E. Islam in Saudi Arabia in Comparative Perspective

The uniqueness of Saudi Arabia as an Islamic state must not be allowed to obscure the fact that there are more than forty countries with a majority Muslim population. Other Islamic countries have experienced (and many are still experiencing) the same problems that Saudi Arabia face today. A brief comparison of the religious situation in three Islamic countries, however, will help illuminate the fact that each case is unique in one way or another. The political, social, and economic environments influence and are influenced by the place and role of religion in each particular society. There are various ways of making the comparison, but we will concentrate here on the official role of the 'ulamā' in each country and their relationship with the political authorities. The countries were chosen because of the availability of studies dealing with the position of the 'ulamā' in each one.

Firstly, Turkey represents an extreme case when compared to Saudi Arabia. It is also a unique case which highlights the importance of the political attitude to religion and its influence on public life. The policy which Gilsenan (1982:46) called "official secularization", has been followed by the Turkish government since 1924 and has expunged the official role of religion in Turkish public life. Religion became to the ruling elite "an irrelevant irritant at the state level, a sign of backwardness to be superseded by reason and science" (Gilsenan 1982:43). According to Turkey's new ideology (Turkish nationalism), the aim was to abandon the traditions of the country in order to become part of Europe. In response, popular forms of Islam developed and filled the vacuum created by the absence of

official religion.

In Saudi Arabia, by contrast, the political elite never "believed that the West had reached a higher stage of civilization and that the world of Islam must follow it" (Mortimer 1982:174). Unlike the Turkish elite, the Saudis remain convinced of the ability of Islam to provide a viable social and moral system for society even at times of social and economic development.

Secondly, popular forms of Islam became weaker in Morocco as a result of modernization in the twentieth century, and "the ^ʿUlema became more influential as the central government grew slowly stronger" (Gilsenan 1982:50). This is very similar to what happened in Saudi Arabia after the development of the central government, and it supports our argument that the ʿulamāʾ tend to gain power rather than lose it when official Islam is dominant and when the ʿulamāʾ become part of the structure of the state.⁵⁷

Thirdly, the ʿulamāʾ's opposition to modernization in Egypt cost them their public influence according to Crecelius (1972:208). The ʿulamāʾ "became completely isolated from the modernizing segment of society and their traditional views were almost totally rejected."⁵⁸ In contrast, the Saudi ʿulamāʾ have managed to influence the process of modernization without having to delay it or stand in its way. The difference can be partly understood in terms of the unique relationship between the political and religious elites in Saudi Arabia, and the fact that "both the Saudi Arabian population and the political elite identify with Islam, which helps to bind together the elite and the population on ideological and cultural levels" (al-Hamad

1985:310). Another important factor might have been the flexibility that the ʿulamāʾ adopted to social change as followers of the Ḥanbalī madhhab.⁵⁹

Colonialism is another factor which has shaped modernization in important respects. The influence of colonial powers on the politics of many Islamic countries probably helped to create the official separation between religion and the state which we observe in many of them today. The rule of the ʿulamāʾ under colonialism became limited to the area of religious practices, and popular forms of Islam (mainly Ṣufism) gained more influence over the lives of the general population.

The distinctiveness of Saudi Arabia is further enhanced by the unique relationship between the Royal Family and the prominent ʿulamāʾ in the country. The political elites continue to appreciate the need for religious ideology as a source of legitimacy and national unity, and they deal with the religious establishment in accordance with that perceived need. Furthermore, the official policy of the government has always been consistent in dealing with the question of other religions in Saudi Arabia. Non-Islamic religions are not allowed to have public places of worship, and their followers are not allowed to practise their religion publicly.⁶⁰ Religious pluralism is virtually absent in Saudi Arabia. Popular forms of Islam (e.g. Ṣufism) do not exist in the country to any measurable degree as a result of the official stand against them which is enforced by the teaching of the ʿulamāʾ.

Conclusion

The limited aim of the foregoing description of the religious situation in modern Saudi Arabia was to give a general account of the main religious institutions of Saudi Arabia as preparation for our attempt to understand the influence of modernization on the religious life of the country. It is clear that religion continues to dominate public life, and that the commitment of the state to religion shows no sign of weakening despite years of rapid socio-economic developments.

The role of the ʿulamāʾ remains at least as important and as powerful as it has ever been over the past six decades. Institutional differentiation has given the ʿulamāʾ more organizations to control and through which to function, but contrary to widespread arguments and expectations, the ʿulamāʾ continue to play a major role in the politics and social life of the country.

The systematization of religious education, practices and enforcements through the state bureaucracy has resulted in the growth of religious influence in public life. The fact that religious functions can be integrated into modern bureaucracy is evidence that calls in question the possibility of applying most current theories of secularization to the case of Saudi Arabia. The success of religious organizations in functioning as part of the modern bureaucratic structure of the Saudi state supports the argument that modernization does not necessarily weaken the influence of religion on public life in all societies. The case of Saudi Arabia supports the contention that there is a need for a new approach that would take into account the unique features of the Saudi experience.

The distinctiveness of the Saudi experience in terms of unique

political, social, and economic conditions raises the difficulty of trying to apply the theories of secularization. It also strengthens the view that each society is unique; that religions are different; and that religions are inseparable from their own environments. Generalizations about the process of secularization tend to overlook important factors inherent in the experience of each society. It is hoped that we have succeeded in illuminating the distinctiveness of the Saudi experience, and that our case study in the following part will further highlight the ability of religious institutions both to adapt to, and to survive, the difficult process of modernization.

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P A R T I I I

A case study of Hay'at al-Amr bi-'l-Ma^crūf wa-'l-Nahy ^c an al-Munkar
(Organization for Enjoining the Acceptable and Forbidding the
Reprehensible)

Introduction

This part is a detailed case study of the unique religious institution called officially hay'at al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar (Organization for Enjoining the Acceptable and Forbidding the Reprehensible), and known commonly as "Public Morality Committees". Instead of using the complete name, the term hay'ah¹ (pl. hay'at) will be used in this study to refer to this organization.

The hay'ah has been referred to in literature published in the West as "public morality committees" (Niblock 1982a:75), as "religious police" (Piscatori 1983b:69), and as "the matawain" (Mackey 1987:68). The full Arabic title has also been translated variously in accordance with the general meanings of the concepts which are part of the name.² It is important to realize that this study and all of those sources are talking about the same institution: the official organization which is responsible for the enforcement of religious observances and public morality in Saudi Arabia.

The Importance of the Case of the Hay'ah

The hay'ah has been chosen for this case study for a number of important reasons:

1. The hay'ah presents us with a classic case of an institution based on religious principles (the Qur'ānic notion of enjoining the acceptable and forbidding the reprehensible as a religious obligation),³ and performing religious functions. It is uniquely Islamic in its ideological basis and the role it plays in society. The

hay'ah is a modern version of the traditional institution of hisbah, and its existence today demonstrates the possibility of adapting a traditional institution to modern circumstances.

2. The hay'ah is one of the oldest religious organizations in modern Saudi Arabia. It represents a good example of the effects of modernization on a religious (traditional) institution.

3. The hay'ah is unique to Saudi Arabia. No other Islamic country today has an official organization that performs the same functions.

4. The hay'ah has not yet been studied scientifically in Western literature.⁴ Little information is known about it outside Saudi Arabia, and it has been given a bad and mostly inaccurate image in most of the sources that discuss it (see review of the literature below).

5. An understanding of the present situation of the hay'ah, and the changes it has gone through will, it is hoped, give us some indications of the effects of modernization on official religious organizations in Saudi Arabia. It might also help us assess the secularizing influence of modernization on an Islamic society (see Chapter Two).

This case study is divided into four chapters. Chapter Six is historical in nature. It traces the historical evolution of the modern hay'ah back to the rise of Islam where its ideological bases are found. This is followed by a brief discussion of the Islamic institution of hisbah, its historical evolution in general and in the Arabian Peninsula in particular. The second half of the chapter deals with the historical evolution of the modern hay'ah in different parts of the modern Kingdom of Saudi Arabia.

Chapters Seven and Eight are mainly descriptive. Chapter Seven deals with the hay'ah today in terms of structure, regulations, members, and activities. Chapter Eight deals with the relationship between the hay'ah and other government and public institutions in present-day Saudi Arabia. The last chapter, Chapter Nine, contains the analytical part of this case study. It deals with the effects of modernization on the hay'ah's influence and ability to play its role in society. This chapter also discusses the significance of the case study to the broader theoretical questions raised in the thesis. It prepares the ground for the complete analysis in Chapter Ten.

The case study of the hay'ah is based on information collected by the writer during six-months field-work in Saudi Arabia (between January and June 1988). The information was obtained through participant observation in the activities of the hay'ah, through office work in two local centres in the city of Riyadh, through interviews with officials and members of the organization, and through a content analysis of a number of historical and official documents. The study is mainly descriptive, and many basic details are given because they are not known outside Saudi Arabia. Some of the important documents have been translated into English and included in the Appendices. The problems associated with the field-work have limited the scope of this study (see Appendix B).

This case study is only part of the complete topic of the thesis. Its aim is to provide a narrowly focused, empirical example of the effects of modernization on a religious institution. It is intended to complement the discussion of broader theoretical issues relating to secularization.

Before we proceed with the case study, a selective review of the literature, published in the West, that has dealt with the hay'ah in one way or another will be provided. The review will show how little is known about the hay'ah in the West, thereby enhancing the need for a study of this kind.

The Hay'ah in Western Literature

This review of the literature will be limited to books and articles, published in the West,⁵ that deal with the hay'ah as an official organization that functions today as part of the Saudi government.⁶

An extensive search has yielded little. No complete work has been found that deals with the hay'ah in great detail. Goldrup (1971:409) gives historical information about the development of the hay'ah in the Hejaz. His information seems to be accurate, but he did not go beyond 1932.⁷ Al-Yassini (1985:68) gives the most updated information about the modern hay'ah. In a three-page section of his book, Religion and State in the Kingdom of Saudi Arabia,⁸ al-Yassini briefly traces the historical evolution of the hay'ah, and talks about its present status. He concludes that the hay'ah today is "relegated to a status subservient to that of the state bureaucracy" (p.70), that King ^cAbd al-^cAzīz created it only to "consolidate his authority", and that today the government has "incorporated this institution into the civil service and stripped it of effective power" (p.70).

The main criticism of al-Yassini's conclusions is that they seem to be based on impressions rather than facts. He seems to have based his arguments on what happened to the hay'ah in 1930 (when the

government incorporated the hay'ah into the police force in the Hejaz). That is certainly not the case today, and this study will give a more accurate description of the position of the hay'ah today based on direct observations.

Another picture of the hay'ah is presented by Mackey (1987:68). This one is also inaccurate and seems to represent a journalistic rather than a scientific approach. Mackey refers to the hay'ah as the matawain.⁹ She relates some stories of encounters with members of the hay'ah, but has a weak sense of their organization and their exact role in society. She wrote that the government "has little control over [the hay'ah's] membership or its actions", and that the hay'ah "has tremendous power" (p.69). She also confused the hay'ah with other religious organizations when she asked how much "the matawain garner from government coffers for salaries, mosque construction, purchase of Korans, educational functions and so on" (p.70). The hay'ah, in fact, has nothing to do with mosque construction, and has no formal educational functions at all.¹⁰

Between the two extremes, presented by al-Yassini (1985) and Mackey (1987), the hay'ah has received little coverage in Western literature. Holden and Johns (1981:87) traced the historical development of the hay'ah, but ended up confusing it with the ikhwān (see Chapter Three). The two institutions had little in common, and there are no historical proofs that the early members of the hay'ah were actually part of the ikhwān organization.¹¹ Holden and Johns (1981:261) went on to argue that Saudis who want to modernize the country "resent the activities of these baton-wielding zealots." That is a possibility, but such a statement is not supported by empirical

data.

Ochsenwald (1981:275) views the existence of the hay'ah as a sign of the government's support "for the strict enforcement of Wahhabi doctrines on social behavior". Kluck (1984:112), Piscatori (1983b:69), and Rugh (1973) have referred to the hay'ah as "religious police". This is a popular term to describe the hay'ah, but it is not accurate. The hay'ah is similar to the police because of the type of activities it carries out. It is, however, a completely civilian organization which only employs policemen (from the Ministry of the Interior) to help in its activities.¹²

In an earlier study, Rugh (1973:19) wrote that "the growth of the new middle class [in Saudi Arabia] ... probably was one factor in the decline of the hay'ah's power during the past two decades." A similar argument was made by Edens (1974:62) who wrote that "the government has curtailed the influence of the mutawwa's through reform of the Public Morality Committees". Both arguments may have been based on the decision taken by King Fayṣal (ruled 1384-1395/1964-1975) to incorporate members of the hay'ah into the civil service.¹³ That decision gave the government more control over the hay'ah, but the evidence today shows that the influence of the hay'ah has not been completely curtailed, as was alleged in the early 1970s.

A more accurate image of the hay'ah was presented by Niblock (1982a:75) who introduced the hay'ah into his discussion of the "forces of traditionalism" in Saudi Arabia. He said that the job of the hay'ah is to impose social mores advocated by the ʿulamā', and that the power of the ʿulamā' to "regulate public conduct through the hay'at" was a sign of the significant authority that they still

enjoyed in Saudi society. A number of other writers have mentioned the hay'ah briefly as part of their discussions of Saudi Arabia, but the limited scope of their analyses makes it unnecessary to consider them here.¹⁴

This brief review of literature indicates how little and how inaccurate, in some respects, is the information available in the West about the hay'ah. The intention of this study is to provide a sounder and more detailed picture of the hay'ah, based on direct observations.

Chapter Six

The Traditional Hisbah and the Modern Hay'ah: Bases and Historical Evolution

This chapter is comparative and historical in nature. It is an attempt to trace back the origins of the institution of the hay'ah as a religious organization. It is widely accepted that the modern hay'ah is very similar to the traditional Islamic institution of hisbah. The similarity comes from the ideological basis used to justify the role played by the two organizations.

The first section of this chapter will deal with that ideological basis. Section two will be a discussion of the meaning of hisbah and its development followed by a brief account of its historical evolution in different parts of the Islamic world. The fourth section will be about the revival of hisbah in the Arabian Peninsula following the da'wah of Muḥammad b. ʿAbd al-Wahhāb (see Chapter Three). The evolution of the hay'ah in the modern Saudi state will be dealt with in the last section of this chapter. It is going to be divided into three sub-sections dealing with the evolution of the hay'ah in Najd, the evolution of the hay'ah in the Hejaz, and the hay'ah after 1976 respectively. The reasons for this division will be discussed in due course.

A. The Ideological Basis

After the establishment of the first Islamic state in al-Madīnah around the year 622 C.E., the Prophet of Islam, who was also the

political leader of the state, felt that it was necessary to reshape the institutions of society that were in conflict with the teachings of the new religion. The first task was to build an ummah (community of believers) whose members are drawn together by loyalty to the new religion rather than loyalty to race or tribe. The Prophet Muḥammad succeeded in establishing a community of believers in al-Madīnah during the ten years period he lived there. The foundations for a new civilization to be ruled by religion were in place by the time he died in 632 C.E. (see ^cAzzām 1984).

The Prophet Muḥammad taught and implemented the Principle that Islam is a total way of life dealing with the religious, political, economic and social affairs of both the individual and the community (see Chapter Three). Part of that totality was the notion of collective responsibility for the establishment of a practical and comprehensive social order. The guidelines for establishing such an order can be found in the Islamic sharī^cah. The word sharī^cah literally means 'a clear pathway' (see Chapter Three). As a concept it is used to describe:

The detailed code of conduct or the canons comprising ways and modes of worship, standards of morals and life, laws that allow and prescribe, that judge between right and wrong (Maududi 1983:108).

The judgment between right and wrong makes the sharī^cah the comprehensive ideological base for the Islamic institution of ḥisbah.¹ This unique religious institution that existed as part of the Islamic state during most of its history was the model upon which the modern hay'ah² was established. The similarities between the two organizations in terms of ideology and practices make it beneficial to

discuss in details the institution of hisbah. The comparison between the two institutions will assist us in our attempt to try to understand the effects of modernization on a traditional institution. But before we proceed with our discussion of hisbah, it is important to understand the religious concept of al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar (enjoining the acceptable and forbidding the reprehensible) on which the institution of hisbah was based. That concept is regarded by Muslims as a very important tool for the realization of an Islamic social system. It is also a religious obligation that every Muslim, male and female, must understand and practise.

The Islamic sharī'ah places a lot of emphasis on the human behaviour in public as well as in private. The Islamic code of conduct is characterized by total obedience and compliance with the commands and prohibitions of the sharī'ah. Every believer, from the head of the Islamic state to the ordinary citizen, is obliged to live in accordance with the injunctions of the sharī'ah. This was seen as the only way for the ideal Islamic state to exist and to survive.

In the sharī'ah all human beliefs, acts and relations fall under one of the two major categories of ma'rūf (good, right and acceptable) and munkar (evil, wrong and reprehensible). One of the basic teachings of the sharī'ah is that all members of the community must work together to enjoin what is ma'rūf and to forbid what is munkar. The Qur'ān states (9:71):

The believers, men and women, are protectors, one of another: they enjoin what is just, and forbid what is evil. (3)

The Prophet Muḥammad was reported to have said in a ḥadīth that:

Whoever of you sees an evil action, let him change it with his hand; and if he is not able to do so, then with his tongue; and if he is not able, then with his heart and that is the weakest of faith (cited in An-Nawawi 1977:110).

Al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar is, therefore, regarded by the sharī'ah as a religious obligation upon every Muslim, male or female, each one according to his/her ability (Williams 1961:125). The mission of the Prophet Muḥammad has been described in the Qur'ān (7:157) as a mission to teach believers what is acceptable and to forbid them what is reprehensible.

The state itself is also regarded as an agent for the implementation of the sharī'ah in general and of that obligation in particular. Ibn Taymiyyah (661-728/1263-1328), who was one of the most influential Muslim scholars of his age, wrote in his famous work AL-Hisbah fī-'l-Islam⁴ that: "All Islamic authorities have the sole aim of ordaining what is proper and forbidding the improper" (Ibn Taymiyyah 1983:23). Ansar (1984:130) reinforced the argument of Ibn Taymiyyah by saying that all departments of the state should be created with a view to performing the principle of al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar. He said that the state will not be an Islamic state until all its departments work together to implement that task in society.

The argument here is whether the task is the sole responsibility of the state authorities or the responsibility of every member of the community regardless of his position. The Qur'ānic injunction quoted above gives the impression that it is an obligation upon all believers. Muslim scholars, however, have tried to explain the verse in light of the fact that not all believers will be able to engage in

al-amr bi-'l-ma^c ruf wa-'l-nahy^c an al-munkar. That is why some scholars believe that there is a need for an authority to carry out the task. Others agree, but they divide the task into three major categories. There is an aspect of enjoining the acceptable and forbidding the reprehensible which needs force (e.g. fighting crime), and that should be the responsibility of the state. There is an aspect, however, that can best be achieved through preaching, education and advice. That is the job of the 'ulamā' (scholars) in the community.

The third aspect involves members of the public who can take part in the activity, each one according to his ability. They can stop a wrong action by hand on a limited scale. If the person is not able then he should use his tongue (to advise against the action or to inform the authorities). And if the person cannot use his tongue, then the last resort is to use the heart.⁵ It is believed by Muslim scholars that these methods in combination can rid the society of most of the wrong beliefs and actions (Ansar 1984:232, 242). The ideal situation is where everyone in society plays his part in achieving that aim. The evidence, however, shows that this ideal is easier said than done. Until all members of the Islamic community work as part of that grand scheme, then there will be no substitute for the state to do most of the task.

This fact was recognized from the start, and the Qur'ān has specified that a group of individuals should come together to carry on the task. The Qur'ān (3:104) states that:

Let there arise out of you a band of people, inviting to all that is good, enjoining what is right, and forbidding what is wrong: they are the ones to attain felicity.

This band of people can consist of any able individuals in the community who are willing to work for the sake of God as part of their religious obligation. The job of enjoining what is acceptable and forbidding what is reprehensible comes under the category of farḍ (obligatory) actions which are incumbent upon all able members of the community. It becomes mandūb (recommended) for the rest when certain individuals perform the task. But the task becomes an "individual responsibility for the able person when no-one else undertakes it" (Ibn Taymiyyah 1983:23).

B. The Institution of Ḥisbah

These ideological notions set the stage for the birth of the unique Islamic institution known as the ḥisbah. It was part of the Prophet Muḥammad's plan to institutionalize the preservation of the Islamic code of behaviour. The first step in that direction was the teaching that the task of al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar is not just an obligation upon able individuals but also a prime duty of the state.

Hisbah is regarded as one of the oldest institutions of the Islamic state. The idea for it came out of the perceived need to implement the religious duty of enjoining what is acceptable and forbidding what is reprehensible in regard to two major areas in society. The first one concerns the practice of religious duties by the public (e.g. prayer, fasting etc.), and the other one concerns the observation of the behaviour of individuals in public places and especially in the market place. There are also other areas in which

those who work for the hisbah can play important roles. Their main task, therefore, was seen as the enforcement of public morality as defined by the sharīḥ.

There are a number of definitions for the institution of hisbah. The one that Murshad (1972:16) used was found to be both clear and comprehensive. He defined the institution of hisbah as:

An administrative surveillance by a branch of the state through an appointed Walī (officer), who observes behaviours of individuals to make sure that these behaviours are in accordance with the rules and injunctions of the sharīḥ, using the methods of enjoining what is acceptable and forbidding what is reprehensible.

That appointed officer became known as the muhtasib: a person who invites others to do good and forbids them from doing evil in the hope of getting a reward in the hereafter. The religious notion of reward in the hereafter and its grounding in the religious concept of al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar make the institution of hisbah basically a religious institution even though it involves some social and economic functions, as we will see later. Other justifications for hisbah come from the view held by Muslims that working as a muhtasib is part of obeying the commandments of the sharīḥ, and that a major part of the task of a muhtasib involves the enforcement of religious obligations among the people. The Islamic notion of establishing a social order based on the teachings of the sharīḥ led to the creation of this unique institution. The actions of the Prophet Muḥammad in that regard gave his followers clear indications of how the institution of hisbah is to function in society.

The job of those who work for the hisbah is called ihtisāb. It is different from al-amr bi-'l-ma'rūf wa-'l-nahy 'an al-munkar in several

aspects. The later is a much more general term dealing with all the functions of the Islamic state including hisbah itself. It also deals with the behaviour of individuals in public as well as in private. It is also a religious duty upon able members of the community which must always be carried out according to ability whether a formal organization of hisbah exists or not. Ihtisāb, on the other hand, is an organized activity with specific functions in society. Anyone who works as part of it must be appointed by the chief muhtasib who is appointed by the head of state (al-Arīfī 1987:15).

Doing the job voluntarily or working for the state is one of the basic differences between walī (officer) and muṭawī^c (volunteer). The latter is a term used to describe the ordinary citizen who carries out some of the functions of a muhtasib on his own. He usually does it as a religious obligation seeking the reward for it from Allāh (God). A walī has more authority and also more responsibilities than the muṭawī^c. He has the authority to arrest, interrogate, punish those found guilty, answer complaints, and employ others to help him. Furthermore, he is responsible for looking for reprehensible actions and those who commit them, and he is paid by the state for his work. The muṭawī^c, on the other hand, has none of this authority, and he is encouraged to do the job of ihtisāb whenever he is able to help the muhtasib, at the same time keeping in mind his limited authority (Murshad 1972:59-60).

The duties of the muhtasib cover a wide range of areas dealing with religious, economic and social activities. They include arranging for the common people to perform the five daily prayers at their proper time. He has the authority to punish those who do not pray in

the mosque without an accepted excuse. Among his classical duties were the supervision of imams who lead public prayers and the mū'adhdhins who announce the call to the prayers. The muhtasib also supervises the propriety of interaction between the sexes in public places. His most important duty involved the control of activities in the sūq (market place). This became necessary because the first Islamic community in al-Madīnah was mainly a commercial community engaged in importing and selling goods from surrounding countries.

The Prophet Muḥammad wanted to initiate a systematic surveillance over buyers and sellers in order to bring their activities in line with the precepts of the sharī^cah. He taught against the taking of ribā (interest) on loans, against fraud in dealings, adulteration of food items, the sale of illicit items like wine, and against keeping things in order to sell them later at higher prices. This was done by the Prophet Muḥammad, and encouraged by the sharī^cah as part of the Islamic view that the state is responsible for the protection of its citizens. This, of course, is not unique to the Islamic state, but what is special about it is the fact that it is regarded as a religious obligation. The muhtasib was also responsible for the provision of the general amenities of life such as the supply of clean water, proper arrangements for traffic, and the other needs of the community (Ansar 1984:133).

No one could claim that these duties were specified by the two major sources of the sharī^cah, but they became part of the duties of the muhtasib because there was a perceived need for these things to be done. The muhtasib was the officer of the state given the authority to perform these various tasks. The traditional muhtasib, then, was

characterized by the integration of his moral and economic and social tasks. In fact, no specific limits were set on the things that the muhtasib was responsible for. The division between his duties and those of other state officials like the qādī (judge) and the chief of the shurṭah (police) was not strictly defined. The differences lay, in certain matters, less in their intrinsic nature than in the method by which they used to function: the qādī judged matters concerning which there had been a complaint, and he held an inquiry to decide the outcome of the case; the shurṭah took care of offences and crimes which demanded police action; the muhtasib, on the other hand, was concerned with obvious and immediate violations. The latter did not hold an inquiry and did not wait for someone to complain, but he used to settle the case on the spot sometimes with the help of the shurṭah (Cahen and Talbi 1971:487).

The way in which the muhtasib carried out some of his duties depended very much on his own personal character. There were a number of steps that a muhtasib could take in order to enjoin good behaviour or to prevent bad behaviour. His options ranged from simple advice, reprimand or rebuke to obstruction by force, threat, flogging, imprisonment and expulsion from the town. He, however, was not competent to inflict the death penalty (Ibn Taymiyyah 1983:26). This last point was another one of the differences between the muhtasib and the qādī. These differences were the result of functional divisions rather than ideological distinctions. The sharī'ah did not deal with the differences in responsibility between the various state departments. The differences in the functions of the various authorities seemed to be the result of a perceived need to categorize

the responsibilities so that a viable social order based on Islam could be established and maintained.

The basic organization of hisbah depended on the existence of the state to give it legitimacy and authority. It was not necessary, at the time of the Prophet, for a separate institution to be formed to do the job of ihtisāb, but the need for one was believed to increase with the growth of the state.⁶ In fact, the muhtasib was not able to function in isolation from other state departments. It was essential that there was close collaboration between the muhtasib, the qādī and the shurṭah. Indeed, there are cases where two of these offices became the responsibility of the same person. At other times, the muhtasib was a specialist, subordinate to the qādī (Cahen and Talbi 1977:488).

Treating all human actions in the light of their effect on the realization of an Islamic social order is a very important aspect of the Islamic sharīʿah. Once a person becomes a Muslim, he or she must abide by the rules of the sharīʿah even regarding matters considered as personal such as prayer, fasting or dressing modestly in public. This is all part of the Islamic view that a society is an entity which can be affected as a whole by the actions of individuals. If individuals are left to live according to the way they want rather than according to the way prescribed by the sharīʿah then society will no longer be an Islamic society. The collective good is regarded as more important than the choice of the individual.

The institution of hisbah in the community was rooted in the above notion of the collective good. Making sure that individuals are living in accordance with the teachings of the sharīʿah is one of the prime responsibilities of the Islamic state. The Medieval Muslim

scholar, Ibn Khaldun (733-808/1332-1406), wrote in his famous work The Muqaddimah (1984:225)⁷ that "a righteous person should be appointed muhtasib to keep a vigilant eye on the attitude, beliefs and acts of the populace".

The Islamic sharīʿah places great emphasis on the relationship between beliefs and behaviour. The two must conform with each other in all spheres of life. Committing a crime against an individual or property, or being guilty of fraud in the market place are considered not just as crimes but also examples of weak faith which resulted in the failure to abide by the injunctions of the Islamic law. This has established an integration between faith and socio-economic behaviour. It means that social and economic ethics in Islam are important aspects of faith and not just secular requirements of the state. That view also provides a self-propelling mechanism for enforcement of these rules by influencing human motivation. But enforcement is not confined to that. The institution of hisbah ensured the effective enforcement of these rules if and when faith and individual motivation failed to do so. The above notions demonstrate the difficulty of separating the private from the public spheres in an Islamic society, and help explain the problems associated with trying to apply the theories of secularization to societies dominated by the Islamic way of life.

Historical Evolution

Most of those who have written about the institution of hisbah argue that it goes back to the time of the Prophet Muhammad.⁸ They see the

appointment of two persons, by the Prophet, to observe the activities of merchants in the markets of Makkah and al-Madīnah as clear examples of his intention to make ḥisbah part of the organization of the Islamic state. They also regard the actions of the Prophet Muḥammad during his regular inspections of the market place, as further examples of the originality of ḥisbah as an Islamic institution (Murshad 1972, al-^cArīfī 1987, and Ghazāl 1984).

Great emphasis was placed by those writers on the above points in response to the contention by some Orientalists that the institution of ḥisbah was modelled after the Roman office of agoranomos. Others have argued that it was based on the office of the Byzantinian prefect. Their arguments were based on what they saw as the similarity between the functions of muhtasib, agoranomos and prefect. Also they pointed to the similarities between the economic functions of the three offices concerning the inspection of markets. The first writer to advocate that ḥisbah was not an Islamic institution was Gaudefroy-Demombynes in an article in 1939.⁹ In 1948 Schacht wrote an article in which he repeated the same idea and observed that the Greek and Islamic market inspectors had similar names and similar functions. Crone (1987) reviewed the arguments of Gaudefroy-Demombynes and Schacht and added that the term muhtasib was taken by the Muslims from the Jewish traditions (Crone 1987:107⁽¹⁰⁸⁾). But Foster (1970:143) was not convinced by the arguments of Gaudefroy-Demombynes, Schacht and others. He reviewed their arguments and concluded that:

It is clear that historically it is meaningless and probably inaccurate to say that the ḥisbah was 'derived' from the agoranomia ... [the two] were words applied at different times to an office that dealt with many of the same functions but with widely different bases of authority and roles in different administrative systems.

The arguments between the two sides will not be resolved easily, and it is not our intention to try to resolve it in the context of this study. But regardless of the similarities between the terms used to describe each institution, it is at least clear that the functions of the institution of hisbah were fundamentally different from those of the other institutions.

The hisbah was an institution based on religious principles, and the scope of its activities was much wider than just inspection of the market place. Al-^ḥArīfī (1987) emphasized this point as part of his argument that the hisbah was an original Islamic concept and institution. The idea of hisbah, he argued, was based on the Qurā'nic injunction of al-amr bi-'l-ma^ḥ ruf wa-'l-nahy^ḥ an al-munkar as was demonstrated by the actions of the Prophet Muḥammad. He also pointed to the fact that the muhtasib had a much wider scope of activities than either the agoranomos or the prefect. He added that the institution of hisbah took its basic shape during the time of the Prophet Muḥammad many decades before the Muslims came in direct contact with the established Roman and Byzantine institutions. And finally he emphasized the fact that the name of the institution was derived from the Arabic word ihtisāb which means 'seeking reward' (al-^ḥArīfī 1987:21-22).

It is possible that the Muslims found some form of inspection of markets in the cities that they had conquered from the Romans, and that they incorporated it in the already established institution of hisbah. Nevertheless, Cahen and Talbi (1971:487) argue that "there exists no record of the agoranomos in the Greek inscriptions for three hundred years before the Arab conquest". The distinguishing

characteristics of the hisbah as an Islamic institution are the religious principles that made it an integral part of the Islamic state. Another source of its uniqueness is its involvement in the enforcement of beliefs and acts of worship. But no-one has claimed that this was part of the activities of either the agoranomos or the prefect.

We now turn back to considering the development that the institution of hisbah has undergone since the time of the Prophet Muḥammad. During his lifetime, the Prophet used to perform the functions of iḥtisāb in al-Madīnah. Ibn Taymiyyah reported a story which many regard as an example of the Prophet Muḥammad's iḥtisāb activities. The story relates that the Prophet was once in the market place in al-Madīnah where he came upon a stack of food that was for sale but seemed to be in a bad condition. The Prophet inserted his hand in the stack, and his fingers reached something moist. "What is this, food-merchant?" he asked. "It has been affected by the weather, messenger of God," was the reply. The Prophet retorted: "Then why not put it on top of the stack so that people can see it? He who defrauds us is not one of us" (quoted by Ibn Taymiyyah 1983:30).

Subsequently when the Prophet Muḥammad became busy with other duties, he appointed Sa^cīd b. al-^cĀṣ as muḥtasib in the city of Makkah, and ^cUmar b. al-Khaṭṭāb in al-Madīnah. The main tasks of those first two muḥtasibs was to observe the commercial activities in the market place. The appointment of official muḥtasibs by the Prophet is viewed by many Muslim scholars as an indication that the institution of hisbah is to be part of every Islamic state based on the sharī^cah. The appointment of muḥtasibs was one of the few major political

appointments made by the Prophet Muḥammad. The other positions involved the governorship of towns and cities, the collection of the zakāh, and the command of troops. The other major functions of authority used to be discharged by the Prophet himself.

After the death of the prophet Muḥammad in 632 C.E., the four caliphs who succeeded him continued to run the affairs of the state as he had done. They carried out the duties of muhtasib themselves, and appointed muhtasibs in major cities to work alongside their governors and to help them establish an Islamic social order in all parts of the expanding state. This continued until the second Abbasid caliph Abū Ja^cfar (ruled 136-158/754-775) established a separate department of hisbah under the control of a full-time muhtasib (Murhsad 1972:30). The institution continued to expand as the state itself expanded, and took on more complex functions. As more regions came under the control of the central government, the institution of hisbah expanded and helped to bring the social and economic institutions of the newly conquered territories into line with the teachings of the sharī^cah.

The institution was eventually taken by Muslims to the Western provinces of North Africa and Spain. Similarly, the office of muhtasib became part of the state during the Muslim rule of Iran and parts of India. The institution was very weak in India, however, because the majority of the population consisted of non-Muslims. But hisbah continued to play a very important role in the Muslim rule over Iran and "did not finally disappear until the 19th century" (Lambton 1971:490). The Fatimids (297-567/909-1171) and Ayyubids (564-658/1169-1260), who ruled Egypt and Syria kept the institution very active. The Ottomans called it aghasi and played a major part in the maintenance

of ḥisbah with limited functions until the abolition of the caliphate in 1924. It is known, for example, that the Ottomans introduced iḥtisāb regulations at the beginning of the sixteenth century as part of the wider regulations for the administration of provinces, the Kanunames (Mantran 1971:489).

Historians of Islam agree that the institution of ḥisbah remained part of most Islamic states, though it had been called by different names in various regions. In some cases it was part of the judicial system, and in other places, the shurṭah (Police) and the ḥisbah were headed by the same officer. At certain times, the institution went through periods of weakness as a result of the political situation. But it never disappeared altogether from the political scene except in part of the Arabian Peninsula, as will be seen later.

Despite the different terms used and the changing sphere of influence during particular periods of Islamic history, the fundamental notion behind ḥisbah never changed. It was always regarded as part of the institutions of the Islamic state, and it remained active in two major spheres dealing with the enforcement of religious obligations and the regulation of economic activities in the market place. The muḥtasib, however, became more and more associated with the regulation of the sūq which, at certain times, took on greater importance than his other duties. The decline of Islam in the last few centuries has caused the institution of ḥisbah to become very weak and ineffective. The office, however, has continued to exist in parts of the Ottoman Empire until the beginning of the twentieth century, and in Morocco until the present time performing purely economic functions (Chazāl 1984:138).

Developments in the Arabian Peninsula

After this brief discussion of hisbah throughout the history of the Islamic state, we now turn to our immediate concern which is with hisbah in the major part of the Arabian Peninsula known today as the Kingdom of Saudi Arabia. Because the office of hisbah had always been part of the organization of the Islamic state, its existence in certain parts of the Islamic Empire was determined by the local political situation.

This can be seen very clearly in the case of the Arabian Peninsula which went through a long period of political decline because of its geographical isolation from the central government. The process of decline began with the moving of the capital of the Islamic state from al-Madīnah to Damascus and later to Baghdad. Another factor was the division of the Empire into a number of political units each with its own government. Except for the two holy cities of Makkah and al-Madīnah, the rest of the Arabian Peninsula was isolated from major political activities in other parts of the empire (see Chapter Three). No historical evidence is to be found that would give any indication of the existence of hisbah in its organized form in the central parts of the Peninsula known as Najd. There are indications, however, that the functions of hisbah were nevertheless carried out by volunteers in the towns (Rugh 1973:19).

Political institutions in most parts of the Arabian Peninsula never went through major modifications as they had done in the rest of the Islamic state. Governors were appointed by the central government to keep law and order and to collect zakāh, and they continued to

govern using the methods employed by tribal chiefs for centuries (Iqbal 1977:1). Moreover, no major urban centres developed other than Makkah and al-Madīnah, and, consequently, there were no commercial centres that would require the organized activities of the muhtasib.¹⁰ This state of affairs continued until the middle of the eighteenth century when things began to change as a result of the revival movement of Muḥammad b. ʿAbd al-Wahhāb (see Chapter Three).

The political decline of the Islamic state in central Arabia had resulted in a great decline in the influence of religion in the lives of the people. Also the absence of any form of education and any form of social control based on religious principles resulted in Najd becoming "fruitful ground for superstition and heresy" (Wahba 1964:87).

The daʿwah of Muḥammad b. ʿAbd al-Wahhāb, and the support and protection that he received from the Āl-Suʿūd family enabled him to preach a return to the original teachings of the sharīʿah with a great emphasis on the concept of tawḥīd (the unity of God), and the virtues of al-amr bi-ʿl-maʿrūf wa-ʿl-nahy ʿan al-munkar. His actions were interpreted as demonstrations of his role as a muhtasib alongside his duties as a judge and a teacher (Murshad 1972:191). Muḥammad Ibn Suʿūd gave him the authority to do whatever he considered necessary for the restoration of religion to its original form at the time of the Prophet Muḥammad. This authority enabled him to enforce his teachings, and within a few years religion was once again the dominant force in all spheres of life in certain parts of central Arabia.

It would be wrong to claim that a separate institution of hisbah came into existence at that time, but the activities of Shaykh

Muḥammad b. ʿAbd al-Wahhāb were regarded as indications that the traditional office of the muḥtasib had been restored as one of the institutions of the state in central Arabia for the first time in many centuries.

C. Evolution of the Modern Hay'ah

A major turning point in the history of the Arabian Peninsula was the return of ʿAbd al-ʿAzīz Āl Suʿūd from exile to establish the third Saudi state in central Arabia (see Chapter Four). Among the people who welcomed him and appreciated his return were members of the family of Āl al-Shaykh. This large and influential family derived its unique name from the title of its most famous ancestor, Shaykh Muḥammad b. ʿAbd al-Wahhāb. His descendants became known as Āl al-Shaykh meaning the family of the Shaykh, and they played an important role in the revival of Islam in central Arabia. Many of its members found in religion both a career and a source of influence. They continued the process of revival that was started by their ancestor, and they gained popular respect for the religious positions they held.

There were two main reasons why the power and importance of the family were further enhanced by the return of King ʿAbd al-ʿAzīz. Firstly, the two families had been connected by a number of marriages since the alliance of 1745. King ʿAbd al-ʿAzīz demonstrated this connection when he took his second wife from the family of Āl al-Shaykh.¹¹ The second factor was the commitment on the part of the King to establishing an Islamic state based on the sharīʿah as restored by Ibn ʿAbd al-Wahhāb. History, in fact, had repeated itself.

The alliance of 1745 was the foundation upon which the new relationship between the two families was based. It had worked for the benefit of both sides on the first occasion, and it was only logical that it would do so again.

The combination of these factors gave the leading members of the Āl al-Shaykh family a powerful position in the emerging state. They took advantage of that position to revive their traditional role as teachers and enforcers of religious principles among the population. This was a role which they had never completely lost but they merely lacked the political support of the state at certain times when the Saudi state lost its power in central Arabia (see Crawford 1982). But as soon as that power was regained, the way was cleared for religion to play a very active role in the affairs of the new state.

The activities that the leading members of Āl al-Shaykh family undertook in Riyadh to enforce religious principles among the population, with the approval of the King, paved the way for the creation of the unique institution which is the subject of this study. The leading members of Āl al-Shaykh family must be given the credit for the establishment of the hay'ah as part of the structure of the modern Saudi state.

The relationship between the family and the institution grew stronger with time and has continued until today. In fact, the process of evolution which the hay'ah went through since 1902 has been controlled and directed, to a large extent, by members of Āl al-Shaykh family. This unique relationship will become clearer as we discuss the historical evolution of the modern hay'ah. The important factor,

however, is the implication of that relationship for the institution itself and for its role in Saudi society.

As soon as political stability had been achieved by King [°]Abd al-[°]Azīz in Riyadh, a prominent member of the [°]Al al-Shaykh family (also named [°]Abd al-[°]Azīz) began the process of ihtisab. The political climate, which was marked by the commitment of the King to the establishment of an Islamic state based on the sharī[°]ah, gave Shaykh [°]Abd al-[°]Azīz b. [°]Abd al-Laṭīf the needed atmosphere in which he could begin the enforcement of religious teachings and observances among the population. The stage was set for a dramatic increase in the influence of religion on the lives of the people of the Arabian state after several decades of political instability and relative religious laxity.

The Hay'ah in Najd

It is believed that around the year 1319/1902, while the King was busy consolidating his power in Najd, Shaykh [°]Abd al-[°]Azīz began to carry out the functions of the traditional muhtasib in the city of Riyadh. Murshad (1972:194) reported that he used to observe the behaviour of the population to make sure that no munkars were committed in public. Anyone found guilty of missing a public prayer in the mosque, shaving his beard or smoking cigarettes was summoned by the Shaykh and punished according to the transgression that he had committed. The Shaykh also re-introduced the practice of having the names of people called out after each prayer in order to find out who was absent so they could be questioned afterwards.¹²

Shaykh ^ʿAbd al-^ʿAzīz used to do these things with the help of members of his family and the imams of local mosques. The job was done voluntarily and on a part time basis. The King supported the efforts of the Shaykh by appointing a number of assistants who would be under the command of the Shaykh himself. They worked in an informal setting, using the house of the Shaykh as their main office. Their activities were determined, to a large extent, by what was going on in public rather than by a standard working routine. Their task was limited at first due to the small size of the city of Riyadh and the absence of foreigners. Anyone who committed a munkar was likely to be recognised immediately and dealt with swiftly. People understood what was required of them and they tried to conform if only to avoid punishment and public condemnation. Goldrup (1971:212) quoted the historian al-Rayhani who visited Riyadh at that time as saying that:

No one even dares to miss, except for a reason of sickness, one of the five daily prayers in the masjid [mosque]. And as for tobacco, the culprit, when he is discovered smoking is summarily dealt with.

These activities and the King's official support for them paved the way for the birth of the current institution of the hay'ah. The task of enforcing religious teachings came to be carried out not only by members of ^ʿĀl al-Shaykh family and the maṭāw^ʿah (volunteers) who helped them but also by the King and other prominent ʿulamā' who took part in the activities using various methods. Religious and literary instruction was constantly given in the homes of the various ʿulamā' mainly for the benefit of the maṭāw^ʿah who were responsible for the religious instruction of the Bedouin (Goldrup 1971:212). The King, on the other hand, played his part by issuing communiqués to the public that used to be read in mosques. This method was adopted because there

was no other form of mass communication in Najd at the beginning of the century.¹³ One important document that was issued by the King, but unfortunately has no date, talked about the intention of the King to create committees to enforce religious teaching in all towns and villages.¹⁴

The duties of the committees, as outlined by the King in the above document, are considered the first official regulations that directed the activities of the newly formed hay'ah in the central part of the country. What is more, the declaration by the King about his intentions to establish public morality committees in all parts of the country was seen as a sign of his intention to incorporate the hay'ah into the state machinery (al-Yassini 1985:68).

This was confirmed when, after the death of Shaykh ^cAbd al-^cAzīz in 1925, the King issued a royal order appointing Shaykh ^cUmar b. Ḥasan Āl al-Shaykh as the new president of the hay'ah in Najd. Another royal order a few years later extended the Shaykh's authority over the newly formed committees in the towns of the eastern and northern regions of the peninsula (Murshad 1972:196).

The new president brought more organisation into the working of the hay'ah. A permanent office was established in Riyadh where volunteers and nuwāb (fieldworkers) could gather to do their work. Shaykh ^cUmar was in charge of the activities in which he played a leading part. The budget of the organisation used to be given to him directly from the King, and he had total authority to use it as he saw fit. He used to employ assistants and to determine their positions and salaries. There were no written rules for guiding the activities of the institution, and, like other government institutions at that time,

a limited form of an organizational structure began to take shape.

With the political expansion of the new state, the activities and numbers of hay'āt in Najd also expanded. New hay'āt were established in most of the major towns, and a number of centres opened in the main neighbourhoods of the city of Riyadh (al-Yassini 1985:68).¹⁵ The policy to settle Bedouins in agricultural communities and to subject them to an extensive course of religious education (see Chapter Four) helped the hay'ah in finding volunteers who were willing to work as muhtasibs in their own communities. Their activities often covered a wide range of areas similar to those carried out by the traditional muhtasib.

The hay'at in the central, eastern and northern regions of the country continued under the leadership of Shaykh^cUmar with no major change in structure or activities. The number of centres grew over the years due to population growth, the increase in responsibilities that came with the discovery of oil in 1938 and the dramatic increase in the number of foreigners in the country, especially in the eastern province. The exact number of centres at that time cannot be ascertained or even estimated since no reliable information is available, nor are there any official documents because administrative skills were weak at that time. It was not until the early 1960s that any form of administrative structure took shape when, for the first time, the hay'ah in Najd became subject to the general rules and regulations that govern the kingdom's civil service.¹⁶

A form of organisational network took shape very slowly, but the exact duties of the enforcers remained undefined due to the lack of any detailed regulations. The recruitment, promotion and dismissal

policies were decided by the general president or his top assistants. Murshad (1972) reported that the hay'ah in the central part of the country, which remained totally separate from the one in Hejaz until 1976, had a very effective and organised method of operation. He wrote that shifts worked during the day and most of the night patrolling streets and public places. He also reported that there were observers going around from one centre to another to make sure that each centre was performing its duties, and that the hay'ah had its own prison for holding the offenders caught by its members (Murshad 1975:196-197).

The extent and the variety of the hay'ah's activities continued to grow all the time, even though, many of its activities were delegated to a number of ministries that had been established in the 1950s, as we shall discuss in the following chapters. The growth in size was a result of the ever increasing realization that it was necessary to meet the requirements of enforcing public morality in the expanding cities and towns. The urbanization process that began with the development of an oil industry in the eastern province, and the growing bureaucracy associated with newly created ministries and public agencies in addition to the establishment of a regular army and a national guard, have meant an increase in the movement of people from towns and villages to the burgeoning cities looking for jobs in one of these three major areas of employment (see Chapter Four).

The above was an outline of the evolution of the hay'ah in the central part of the country. The decision to separate the discussion into two parts dealing with the evolution of the institution in the two main geographical parts of the kingdom was taken for a number of reasons. The two parts (Najd and the Hejaz) were regarded as separate

political entities until the final unification of the two in 1932. Another reason is that the two hay'āt went through totally different processes of evolution as a result of their different political and social environments, And the most obvious reason is that the two hay'āt were considered two separate departments of government, each with its own president and its own budget until the two were united in 1976. After discussing the evolution of the hay'ah in the Hejaz, we shall look at the major changes that have taken place since 1976.

The Hay'ah in the Hejaz

The evolution of the hay'ah in the Hejaz was a much more complicated process than in Najd. This was due, to a large extent, to the political environment in the Hejaz at the time when King ^ḥAbd ^ḥal-Azīz took over its already established form of administration in 1924. The Hejaz had a system of government that was at a more sophisticated stage of development than the system found in the central part of the country.

This was due to the fact that the Hejaz was in constant contact with the outside world, especially with the government of the Ottoman Empire which gave the Hejaz special attention because it contained the two holy cities of Makkah and al-Madīnah. Moreover the annual pilgrimage by Muslims to Makkah kept the region open for people and ideas that came from all parts of the Muslim world. This meant that the government in the Hejaz had to organize itself in a way that would enable it to meet the unique requirements of thousands of pilgrims every year. All of this resulted in a political environment in the

Hejaz that was similar to modern forms of government in countries like Egypt and the Ottoman Empire. There was an established police department, a form of health service, a directorate of education, and, most important, a municipality that carried out some of the functions of the classical muhtasib (Waheem 1982:110).¹⁷ Najd, on the other hand, had none of these important institutions prior to 1920.

When King ʿAbd al-ʿAzīz took over the Hejaz in 1924 he kept the political structure of the region as it was before. The only appointments he made at first were the governor of Makkah and a judge. The judge, Shaykh Ibn Bulayhid, who had come with the King from Najd saw the need for a committee similar to the one in Riyadh to enforce the practice of religious duties by the people of Makkah. He wrote a letter to the King asking his approval for the establishment of a hay'ah made up of three of the ʿulamā' under the leadership of Shaykh AL-Shaybī to "observe the behaviour of people and to approve what is in line with the sharīʿah and to forbid what is against it.... and to encourage people to perform the five daily prayers in congregation" (Murshad 1972:197). The King wrote to his son Fayṣal, who was his Viceroy in the Hejaz, informing him of his approval of the request made by the Judge and nominating another fourteen new members to work in the new committee. The committee was given the same name as the one in Riyadh, viz. hay'at al-amr bi-'l-maʿrūf wa-'l-nahy ʿan al-munkar.

The existence of other organised institutions in Makkah, made it necessary for the new institution to organize itself quickly so that it would be able to function in relation to the other institutions. A president, a vice president and a secretary were appointed, and a school building was used as an office. Regulations were needed to

define the role of the new organisation in relation to the other institutions especially the police department. The judge, who was also the highest religious authority in Makkah at that time asked a distinguished scholar named al-Bayṭār to write an article explaining to the public and to members of the hay'ah its responsibilities and how it should function in society.¹⁸

Another hay'ah was established in al-Madīnah in 1926 under the supervision of its judge Shaykh ʿAbdullāh b. Ḥasan Āl al-Shaykh who was the brother of Shaykh ʿUmar b. Ḥasan the president of the hay'ah in Riyadh. It was through this person that the hay'ah in the Hejaz came under the leadership of members of the Āl al-Shaykh family after a few years under the control of other ʿulamāʾ. During this brief period, the hay'āt in Makkah and al-Madīnah operated under the symbolic guidance of the judges in these cities. A unique working relationship between the hay'ah and the sharīʿah courts was the result of the important roles played by the chief judges in Makkah and al-Madīnah in the establishment of the two hay'āt. That relationship did not last a very long time because, as we shall see later, the hay'āt came under the dominance of the police department.

In 1927 the King appointed a new president and a number of new members to the hay'ah in Makkah. New regulations were issued later that year announcing the appointment of what were called "honorary members" who would decide how members of the hay'ah should perform their duties and deal with new problems. The new regulations also divided the city of Makkah into a number of sections, each one under the supervision of certain members of the hay'ah. Members were also given the authority to supervise the enactment by the police, of

sentences imposed by the sharī^cah courts (Murshad 1975:201).

A major change took place in 1929. The newly formed Consultative Council¹⁹ decided that it would be better for the hay'āt in all of the major cities of the Hejaz to be incorporated into the police departments. New regulations were issued by the Consultative Council outlining the establishment of a hay'ah in each of the police departments in the five major cities in the western province. They also specified the number of members to be working in each department, and limited their role to supervising the policemen in their job as enforcers of religious observances and public morality.²⁰

The members of the hay'ah, who were civilians with some religious knowledge, were also given the authority to interrogate offenders inside the police department, and to decide the punishment that would be exacted by the police for minor offences. This new arrangement did not apparently get the approval of the ʿulamā', but they had to accept it because it had been approved by the King. It was confined to the hay'āt in the Hejaz, and threatened the existence of the hay'ah as a unique and independent institution.

The step that was taken by the Consultative Council with the approval of the King reflects the difficulty of trying to accommodate a new institution into an already established system of government. It also reflects the views of members of the Council who felt that the police department was capable of doing the job of the hay'ah with some form of supervision by the ʿulamā' and the maṭāwā^cah. It is not clear how successful the arrangement was because of the lack of any information regarding the activities of members of the hay'ah during that period. The fact that the arrangement lasted for only seven years

also makes it difficult to draw any reliable conclusions from it. One thing was clear and that was the objection of the prominent ʿulamāʾ to the changes, and their concern that the hay'ah would lose its unique role if it remained part of the police department.

The response of the ʿulamāʾ came in 1936 when the head of the judiciary in the Hejaz, Shaykh ʿAbdullāh b. Ḥasan Āl al-Shaykh, interfered in the matter. He issued a new regulation in which he declared that the hay'ah in the Hejaz will become part of the Judicial Presidency rather than the police department (Murshad 1972:205). As a result of this new regulation, the hay'ah in the Hejaz went back to the same position that it had occupied before becoming part of the police department. The hay'ah in the Hejaz remained part of the judicial presidency for about sixteen years, after which it became a totally independent institution.

The Crown Prince issued a decree in 1952 stating that the hay'ah in the Hejaz was to become an "independent institution connected to the office of the Viceroy in the Hejaz."²¹ The decree also appointed Shaykh ʿAbd al-Malik b. Ibrāhīm Āl al-Shaykh as a general president for all the hay'āt in the western province. The Crown Prince also issued new regulations to "replace all previous regulations for the hay'ah." These regulations also specified the duties of members of the hay'ah and their relationship with the police department.²² It gave the hay'ah in the Hajaz a position similar to the one that it occupied in the central region in terms of its independence and its relationship with other institutions. The ironic thing here is that it took the hay'ah in the Hejaz about twenty five years to reach the stage that the hay'ah in Najd had reached only a few years after its

establishment. What is also interesting is the fact that it was a member of Āl al-Shaykh family, the president of the judiciary in the Hejaz, who worked for the independence of the hay'ah in that region (see Murshad 1972:205).

The independence of the hay'ah in the Hejaz, the new power that it was given by the decree of the Crown Prince, the appointment of ʿAbd al-Malik b. Ibrāhīm ĀL al-Shaykh as its president, and making it part of the civil service in the early 1960s,²³ brought the two hay'āt in Najd and the Hejaz to a similar status in the structure of government. The jurisdiction of the hay'ah presidency in the Hejaz was expanded in the early 1960s to cover the newly established hay'ah in the southern region of the Kingdom.²⁴ This also paved the way for the government eventually to bring the two separate hay'āt into one single organisation. This was not done immediately, however, and it is not clear why the two hay'āt continued to function as separate organisations until 1976.

The Hay'ah after 1976

As part of the political expansion of the government which resulted in the establishment of six new ministries and other departments in 1976 (see Chapter Four), a royal decree was issued announcing that the two presidencies of the hay'āt in Najd and the Hejaz were to be merged in one general presidency located in the capital city of Riyadh (see Appendix D). The name of the new organization was chosen to be Al-ri' āsah al-ʿāmmah Li-hay'at al-amr bi-'l-maʿrūf wa-'l-nahy ʿan al-munkar (The General Presidency for the Organization of Enjoining the

Acceptable and Forbidding the Reprehensible).

Another royal decree was issued at the same time appointing Shaykh ^cAbd al-^cAziz b. ^cAbdullāh b. Ḥasan Āl al-Shaykh as a general president for all the hay'āt in Saudi Arabia. He was given the rank of a minister of state but was not made a member of the Council of Ministers. The new changes made the hay'ah a national institution with direct access to the President of the Council of Ministers (the King). They also gave it a new position in the structure of government by bringing it into line with other important institutions with the status of a general presidency. It is, for instance, higher in position than the Directorate of Police, which is part of the Ministry of the Interior.

This indicates the evolution of the hay'ah from a small department that was almost taken over by the police department in the Hejaz to an important institution deserving the rank of a general presidency on a par with the National Guard, Girls' Education and Youth Welfare, among others. This also shows that the hay'ah has grown bigger and stronger at a time when most observers thought that political modernization and rapid socio-economic developments would mean the end of a traditional institution such as the hay'ah. It was in the mid 1970s when the huge programmes of economic and social development were taking place in the wake of the huge increase in oil revenues after the 1973 embargo, that the hay'ah took on the new status of an independent national institution. The implications of these factors will be further discussed in the following three chapters.

For reasons which remain obscure, a new general president was

appointed by a royal decree a few months later. The new general president, who still holds that position today, is Shaykh ^CAbd al-^CAzīz b. Muḥammad Āl al-Shaykh. He will be discussed further in the section dealing with the members of the hay'ah in the following chapter. In 1980, a royal decree was issued with new regulations defining, in general terms, the new status and responsibilities of the hay'ah in all parts of the kingdom (see Appendix E). It also specified that further by-laws must be issued by the General President of the hay'ah in consultation with the Minister of the Interior specifying in detail the functions of the institution and its relationships with other government departments (see Appendix F). The By-laws were issued in 1986 based on an agreement between the General President and the Minister of the Interior (see Appendix G).

Conclusion

The evidence presented in this chapter points to a number of important conclusions. The most important one is the fact that the modern hay'ah is a religious organization based on religious foundations. It is based on the Islamic notion of the collective responsibility of the state and its citizens to enjoin the acceptable and forbid the reprehensible in the community.

The traditional institution of hisbah and the modern hay'ah are very similar, and yet they are very different. They are similar in ideology and role in society, but different in terms of organization and jurisdiction. The hay'ah is organized along modern bureaucratic lines, and shares the activities of the traditional hisbah with a

number of government departments referred to by Ghazāl (1984:146) as deputies of the muhtasib (see Chapter Nine).

The institution of hisbah has been part of the Islamic state for most of its history. Its strength and weakness was the result of local political conditions. It declined in most parts of the Arabian Peninsula until the da^cwah of Shaykh Muḥammad b. ^cAbd al-Wahhāb in the middle of the Eighteenth Century C.E.

The evolution of the modern hay'ah in Saudi Arabia was a long process that began with the birth of the state in 1902. Developments went through different stages and were influenced by different factors in Najd and the Hejaz. The experience of the hay'ah in the Hejaz demonstrates the difficulty of introducing this kind of institution in an already established system of government.

The hay'ah appears to have managed to survive the processes of institutional differentiation of the 1950s and 1960s, and of socio-economic developments of the 1970s to become a national organization in 1976. The history of the modern hay'ah is very much connected to the history of the modern Saudi state. Its growth and expanding responsibility seem to show that the commitment to religion on the part of the state has not been considerably weakened as a result of modernization. The following two chapters will describe the hay'ah today and how it functions as part of the government. Chapter Nine will be an attempt to analyse the effects of modernization on the ability of the hay'ah to continue playing its unique role in Saudi society.

Chapter Seven

The Hay'ah Today

This chapter is about the hay'ah at the time of writing this thesis. It is going to deal with the hay'ah in terms of its organizational structure, regulations, members and activities. Most of the information in this chapter has been collected from official sources at the hay'ah during the field-trip. All the information collected was conveyed or written in the Arabic language, and the translation was done by the writer.

This chapter will be basically a descriptive chapter in which information will only be given in order to give an accurate picture of the current situation of the hay'ah. The analytical part and the significance of the information to our study will be dealt with in Chapter Nine, and the conclusion drawn from our case study in relation to the general topic of this thesis can be found in Chapter Ten in which the findings of the whole study will be discussed.

This chapter, in the meantime, will be divided into four main sections. The first section deals with the structure of the hay'ah on the national, regional and local levels. The second section deals with the current regulations of the hay'ah and compares it with previous regulations. Members working for the hay'ah will be dealt with in the third section. The last section is about the different types of activities carried out by members of the hay'ah. The information about the regional and local levels is based on those located in the city of

Riyadh. The limited time for field-work made it difficult to visit other parts of the country. There are, however, no major variations in the structure of branches or local centres, and in the types of activities carried out.

A. Structure of the Hay'ah

The institution of the hay'ah in Saudi Arabia is made up of a general presidency in Riyadh with seven regional branches and local centres in most cities, towns and villages in the Kingdom. For present purposes, the organizational structure will be divided into three major levels to make it possible to describe and understand each level in relationship to the other two.

These levels are, first, the national level which is represented by the general presidency in the capital city of Riyadh. The next level is the regional one which is represented by branches of the general presidency in the major regions of the Kingdom. Each regional branch is composed of a number of local centres in the cities, towns and villages of that particular region. A map of the Kingdom showing the location of the regional branches and organizational charts of the three levels will help bring all this information into perspective.

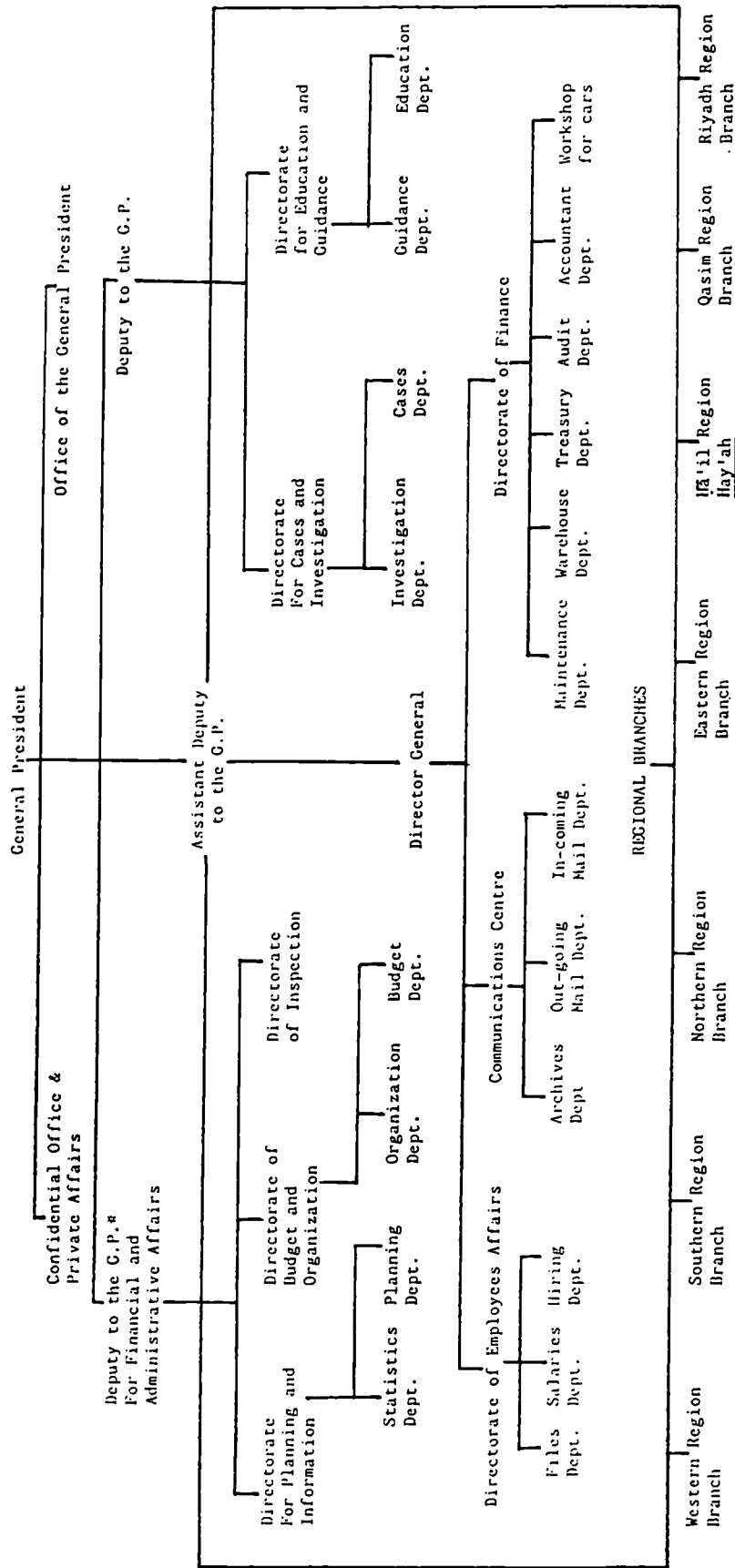
The Hay'ah on the National Level

After the unification of the two presidencies of the hay'āt in 1976, the only body that represents the hay'ah on the national level today is the general presidency in Riyadh. It is the administrative centre that directs and controls all the local centres in the Kingdom through its seven regional branches. The top official of the hay'ah is the general president. He is assisted by two deputies who hold the rank of a deputy-minister. One of those deputies is a general deputy who has two general directorates connected to him. They are the directorate for education and guidance (al-taw⁶ 'iyah wa-'l-tawjīh) and the directorate for cases and investigation (al-qaḍāiyā wa-'l-tahqīq).

The other deputy is called the deputy for financial and administrative affairs. He has three directorates connected to him. They are the directorate of inspection, the directorate of budget and organization and the directorate for planning and information. Each of these directorates is further divided into two departments. There is also an assistant deputy to the general president and a director general for administration. The director general has two directorates and a centre under his command. They are the finance directorate which is divided into six departments, the directorate of employee affairs which is divided into three departments and a communication centre which is also divided into three departments (see Figure 4).

The task of the general presidency is purely an administrative one. It rarely involves itself in the field work undertaken by local centres. The only part it plays in the actual activity of the hay'ah is through the directorate for cases and investigation which sometimes happens to take part in the actual investigation of major

Figure 4

An Organizational Chart for the General Presidency of the Hay'ah in Saudi Arabia

* General President

Source: Based on an official chart given to the writer by The Deputy for Financial and Administrative Affairs of the General Presidency of the Hay'ah, March 1988. Writer's translation.

cases that the local centres cannot handle. The rest of the departments handle the financial and administrative affairs of employees, regional branches and local centres.

The hay'ah has grown into a complex bureaucratic organization which forced itself to delegate about twelve per cent of its most valuable and experienced members to purely administrative tasks with only very limited involvement in the actual activity of the hay'ah in the field. This is one of the major changes that came as a result of the modernization process that the hay'ah has undergone in the last twelve years. This change has meant that the leaders of the hay'ah became involved more and more with office work rather than work in the field where they are mostly needed.

The writer was told by some of those who were working for the hay'ah long before it became a general presidency in 1976 that the former president of the hay'ah in Najd, Shaykh ^cUmar b. Hasan (d. 1975), used to take part in the field-work along with other members of the hay'ah. They said that his presence in the field was very helpful in bringing credibility to the activity of the hay'ah and moral support to its field-workers. He also used to inspect the units of the hay'ah in the field to make sure that they were doing their job.¹ This situation has changed, and most of the top officials of the hay'ah are now so busy with running its administrative affairs that they have no time to go out into the field. It is not easy to conclude whether this has had any negative effects on the working of the hay'ah. What is known for sure is that this change was necessary in the wake of the bureaucratic growth that the hay'ah has experienced since 1976.

The general presidency is divided into three major sections. Two

of them are headed by the two deputies, and the third is headed by the assistant deputy (see Figure 4). Only one of those sections is directly connected with the work in the field through the two directorates of education and guidance, and cases and investigation. The job of the directorate of education and guidance is to educate and guide the members of the hay'ah, who work in the field, as to the best ways they can achieve their task of enforcing religious observances and public morality. They also concentrate on the point that members of the hay'ah should set a good example to the public in their personal behaviour. The education department (qism al-taw^ʿiyah) is also responsible for educating the public through organizing lectures in mosques and through publishing a series of books dealing with various religious and social topics. These books are distributed free to the public and they are believed to be a good method of helping the hay'ah to adapt modern methods like the publishing of books in its attempt to continue being an active institution in Saudi society.

An official of the hay'ah, The General Supervisor of the Riyadh Region, has said, in a published interview, that the hay'ah has plans to use the mass media of communication in delivering its message to all sectors of the society.² There is however, no evidence that this aim has been achieved. None of these activities, of course, will replace the main activity of the hay'ah, which is working in the field, but it is believed to be a helping factor in educating and seeking the support of the public. This directorate also works with the imams and mū'adhdhins of local mosques in educating them and in seeking their help to work with their congregations in performing the duty of al-amr bi-'l-ma^ʿrūf wa-'l-nahy^ʿan al-munkar. Among its annual

activities is taking part, alongside other government institutions, in the education and guidance of pilgrims who come to perform the annual pilgrimage in Makkah. It helps them in performing the rituals of hajj in accordance with the way prescribed by the sharī'ah.

The General Directorate for Cases and Investigation, on the other hand, is responsible for the investigation of cases in which the hay'ah is strongly involved. It also works with other government institutions in committees usually set up to investigate and decide major cases that involve moral offences which come under the jurisdiction of the hay'ah (see al-Ḥawshānī 1984:31-35). In addition, it also works with other institutions in studying some of the new social phenomena that are considered problematic in an effort to understand their causes and to come up with reasonable solutions. Each one of the regional branches has its own department for investigation. The one in the general presidency supervises and co-ordinates the activities of all of them.

These two important directorates were established in 1981 as part of the implementation of the new regulations. They arose as a result of the hay'ah's drive towards using modern techniques in achieving its task of enforcing public morality. More emphasis is now being placed on the importance of education and the use of books and the media in reaching the public with the message of the hay'ah.³ The past seven years have witnessed a lot of improvements in the working of these two directorates, but al-Wahbī (1982:133) believes that they still have a long way to go before becoming wholly effective in performing the tasks for which they were established. Their main problem, according to al-Wahbī, lies in the lack of qualified staff to

do the job.

There is nothing which deserves a special mention about the remaining departments of the general presidency. These departments were established for doing purely administrative and financial work. They are similar to the departments found in all other government institutions, and thus the writer feels that it is not necessary to go into the detail about how they work nor to discuss the tasks they perform. Figure Four gives a clear idea about the names and tasks of the remaining departments.

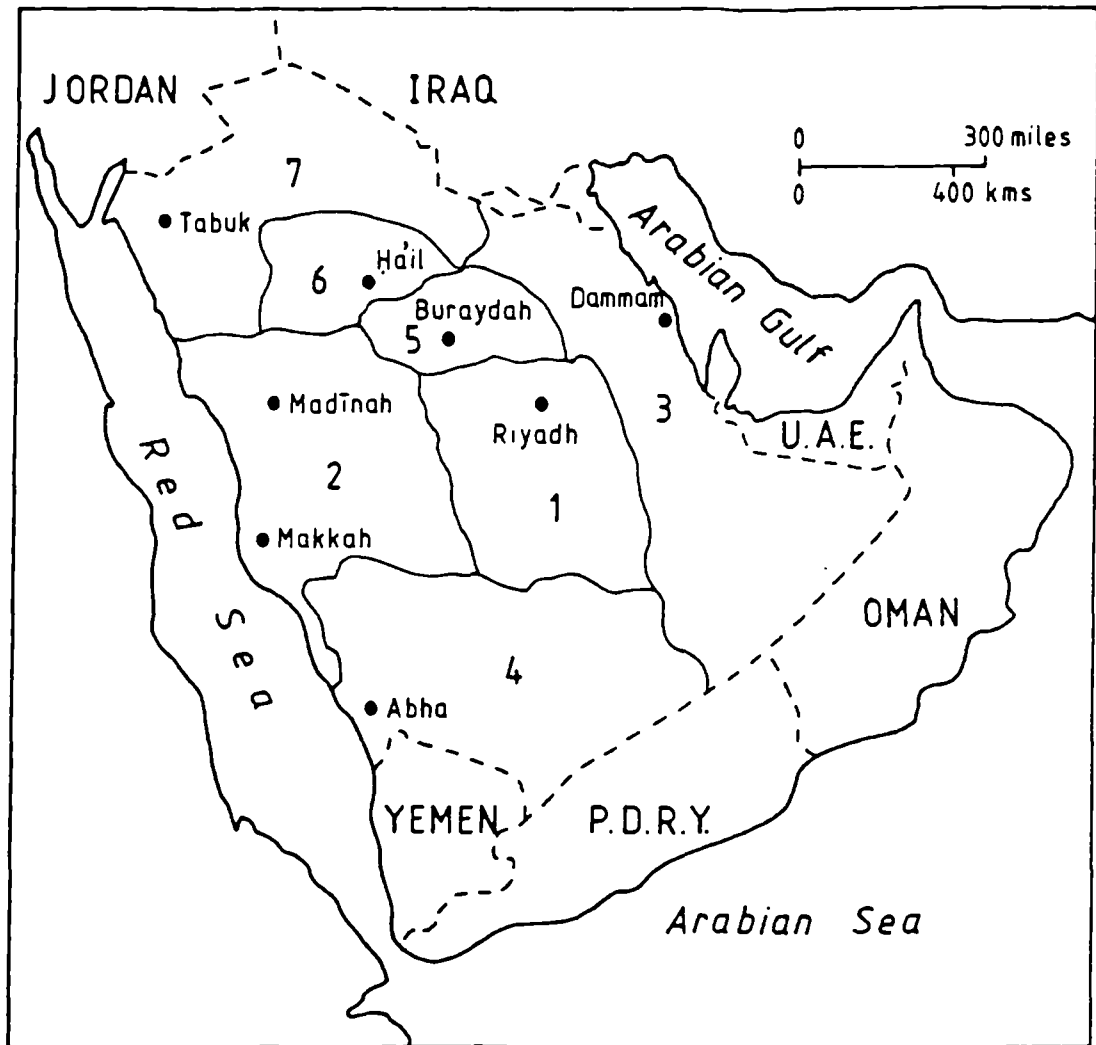
The Hay'ah on the Regional Level

The establishment of regional branches in the main geographical regions of the country is something that is not unique to the hay'ah. Most ministries and general presidencies in the Kingdom have regional branches. It has been found to be a useful method for the decentralization of authority in a large country like Saudi Arabia. It would have been difficult for one central office to keep in touch with local centres in distant parts of the country. The hay'ah has seven regional branches in the major regions of the Kingdom (see Figure 5). All the regional branches are very similar in structure and in authority. Each one is headed by a general supervisor (mushrif ^{ʿām}) who holds the rank of an assistant-deputy minister. Only one of these branches, the one in Ḥā'il region, differs from the form of a regional branch in being smaller than the others.

Each general supervisor is assisted by a deputy. The supervisor is the connecting authority between the general presidency and local centres. In each one of the major cities that have branches, there is also a city hay'ah as part of the structure of the branch. This seems to result in the existence of two offices with similar tasks in each

Figure 5

The seven regional branches of the Hay'ah in Saudi Arabia.



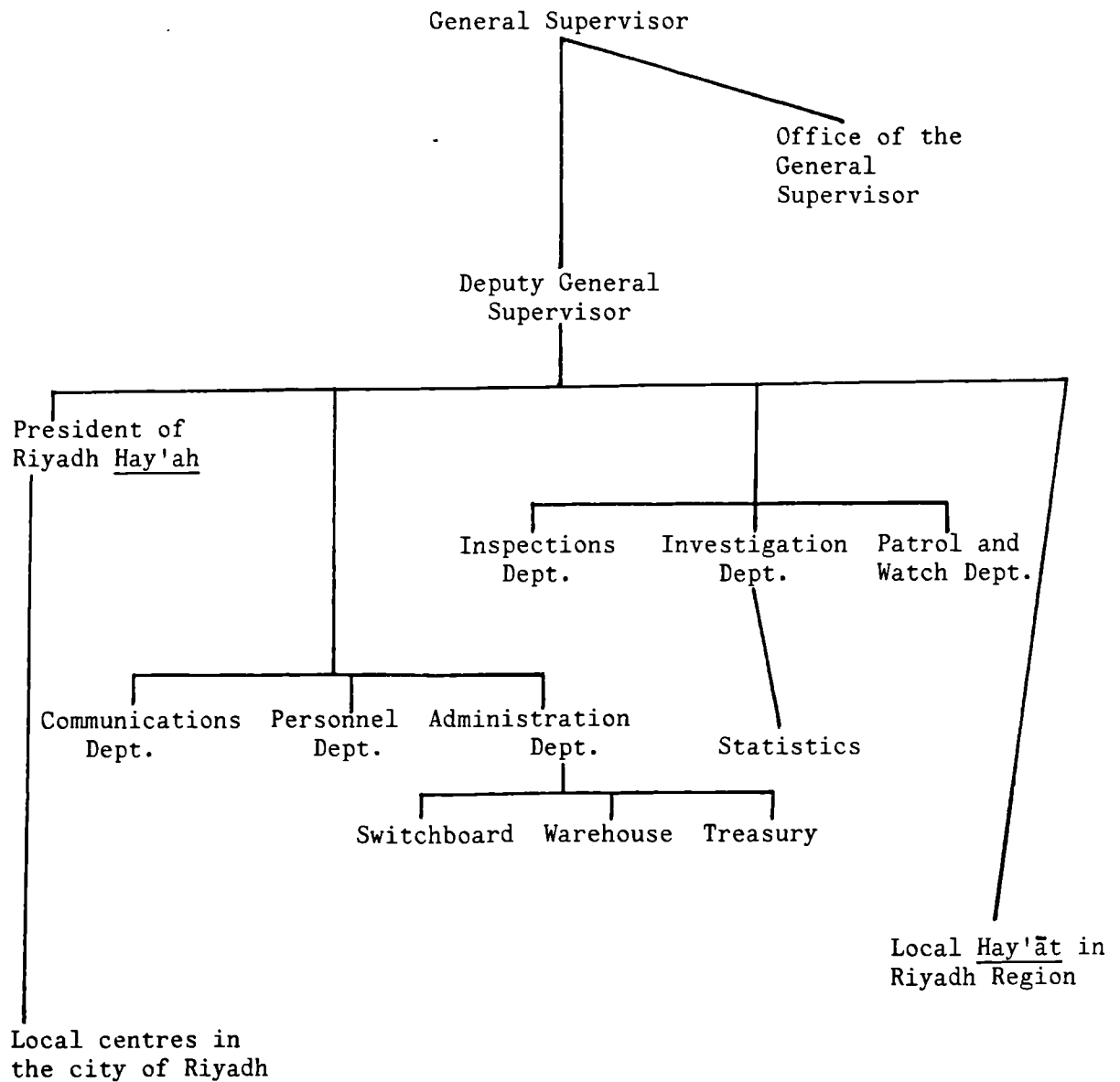
1. Riyadh Region 2. Western Region 3. Eastern Region
 4. Southern Region 5. Qaṣīm Region 6. Ḥā'il Region
 7. Northern Region

of the regional branches: the office of the general supervisor and the office of the president of the hay'ah of the city in which the branch is located. This has probably created more bureaucratic organs than the hay'ah really needs on the regional level. The only difference between the two is that the supervisor is in charge of the activities of the city hay'āt and the local centres in the region, whereas the president of the city hay'ah has authority only over the local centres in that particular city.

To clarify the above point, let us look at the regional branch in the Riyadh region. The general supervisor in this branch has authority over thirteen hay'āt in the cities and towns of the Riyadh region including the city hay'ah of the city of Riyadh itself. The president of the Riyadh hay'ah, on the other hand, only has authority over the thirty five local centres inside the city of Riyadh. Each local centre is located in a major neighbourhood of the city in which it carries out its field activities.

The organizational structure of all regional branches is based on that of the Riyadh regional branch. As can be seen in Figure Six, the regional branch is divided into two major sections. The first one contains the departments of personnel, communications and administration. These departments are involved with financial and administrative affairs, and like the ones in the general presidency, hold no special significance for the particular tasks carried out by the field-workers of the hay'ah. The second section is also divided into three main departments. They are the departments of inspection (taftīsh), investigation (tahqīq), and that of patrol and watch (dawriyyāt wa-murāqabah) (see Figure 6).

Figure 6

An Organizational chart of the Riyadh Regional Branch of the Hay'ah

Source: based on official information collected by the writer, March 1988. Writer's translation.

The inspection department looks after the employees in the branch and in local centres, and makes sure that everyone is doing his job and that there are no problems faced by employees in their work. The investigation department deals with cases at the local level. Cases are usually transferred from local centres to be investigated and decided by this department. The patrol and watch department is responsible for the observation of local centres and field workers to make sure that they are doing their job efficiently. They usually visit local centres without prior notice so as to get a reliable picture of the activity of each centre. They also go into the field to inspect field units and to assist them whenever they need assistance.

The regional branches are involved more than the general presidency in the field work by virtue of directing the activities of local centres, but, like the general presidency, the officials working in the regional branches do not take part in the field activities. Their job is mainly administrative and it involves dealing with all of the financial and administrative affairs of local centres.

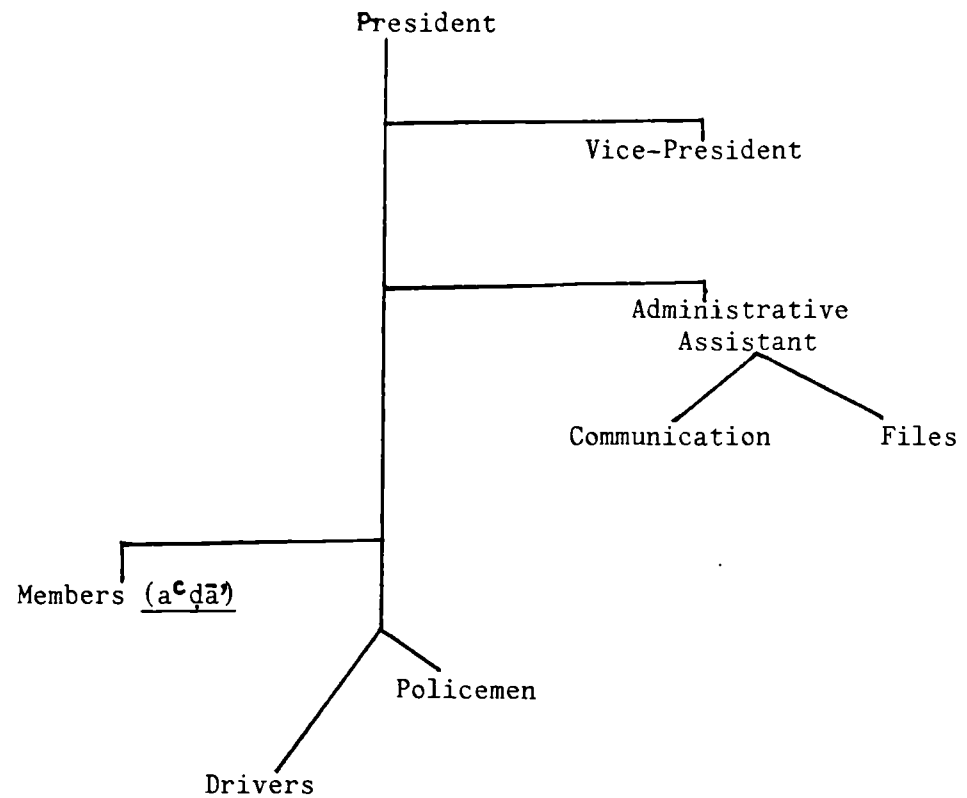
The Hay'ah on the Local Level

In addition to the seven regional branches of the general presidency, there are 409 local centres in Saudi Arabia. The size of these local centres varies from one centre to another. There are local centres in cities (known as city hay'āt), towns and villages, and there are local centres inside most of the major cities. The current By-Laws, issued in 1986, divide the local centres into four different levels: A-centres in large cities, B-centres in medium-size cities, C-centres in small cities, and D-centres in villages (Article Ninety of the By-Laws, Appendix G).

All these local centres are very similar in their structure and activities. They represent the hay'ah on the local level and they carry out field work. The information collected about local centres was based on the writer's actual participation in the formal operations of two local centres in the city of Riyadh in the first half of 1988 (see Appendix B).

The structure of a typical local centre (see Figure 7) contains a president, a vice-president, an administrative employee (secretary) who handles the paperwork, a number of paid members (a^cdā'), a number of policemen and one or two drivers. The centre usually functions as one unit with no departmental divisions. Its main task is to send out units, usually three or four members with one or two policemen, into the field to carry out the actual work of the hay'ah. Everyone working in the centre takes part in the field activities. But the president of the centre and the secretary usually remain in the centre during the official working hours to meet people who come on official business. The official working hours of local centres are between 9:30am and 12:30pm for the morning session and between 4:00pm and 9:00pm for the evening session. Occasionally, the field work requires that some of the members stay in the centre for extra hours in order to finish working on cases that cannot wait until the following day.

The presidents of local centres are usually appointed from among the members of the centre. Education is an important criterion in that process, and a university degree in a religious topic is usually the main requirement. Experience and the ability to lead are also important factors in the selection of a president for a particular

Figure 7**An Organizational Chart of a Typical Local Centre of the Hay'ah**

Source: based on observations made by the writer in March 1988, and on information collected while working in two local centres in the city of Riyadh. Writer's translation.

centre (al-Wahbī 1982:140). The members constitute the majority of the employees at any one centre. Their number in each centre is regulated by the size of the centre which, in turn, is determined by the size of the area for which the centre is responsible. The members also do most of the practical work of a local centre. They patrol streets and public places on foot and use official cars. They arrest, with the help of policemen working for the hay'ah, anyone found guilty of committing a munkar. They also investigate minor cases, accompany offenders to and from the police department and attend trials at sharī'ah courts as witnesses against offenders.

Each local centre has a secretary or administration assistant to take care of the paper work involved in its daily work. He communicates with the city hay'ah or the regional branch, with other government institutions, and with other local centres. He also prepares cases to be transferred to the police department or to the office of the local governor (amīr). Copies of each case is kept in special files divided according to the type of case. Some suspects have to be sent to a laboratory at a hospital to determine whether or not they are drunk or have been taking illegal drugs, and some paper work is involved in that process. These are some examples of the work done by the secretary of a local centre. It is very similar to the paper work involved in the working of any bureaucratic organization that has to keep records of its activities and to communicate with other organizations.

The car plays a major part in the field activity of any local centre. Each centre has a number of official cars used by the members in patrolling streets and moving from one place to another. The

activities of each local centre are carried out within the boundaries of a defined area of the city. That area is usually the neighbourhood in which the centre is located. Local centres are located in small houses which are rented by the hay'ah from individuals. The building is used as an office and as a place for interrogation. It also has one room for the detention of offenders until the investigation of their case is complete.

It is clear from the information collected that the hay'ah has grown considerably bigger since 1976. The number of local centres has grown from 298 centres in 1976 to the current number of 409 centres all over the Kingdom. The number of official cars has also grown from 133 cars in 1976 to 338 cars in 1988. Furthermore, the budget of the hay'ah has increased from a total of 18,819,000 Saudi riyals in 1970 for the two presidencies at that time, to a total of 68,695,000 Saudi riyals in 1976, then to the current total of 163,137,000 Saudi riyals for the 1988 budget.⁴

B. Regulations

The emphasis in this section will be put on the current regulations identifying the authority and activities of the hay'ah. Firstly, we will discuss the current statute (nizām) that was issued by a Royal Decree in 1400/1980 outlining the independence of the hay'ah, its structure and its responsibilities. Article Nineteen of the nizām gave the General President of the hay'ah the authority to "issue By-Laws for the implementation of this statute in consultation with the Minister of the Interior" (Appendix F). The By-Laws were issued in

1406/1986 and they will be discussed in the second part of this section. After that, an attempt will be made to compare the current nizām and By-Laws with the various regulations issued before the unification of the two hay'āt in 1976. The aim is to try to discover any major changes in the status or the authority of the hay'ah since the first detailed regulations were issued in 1927.

The Current Nizām

This nizām was issued in 1980 by a Royal Decree and a resolution from the Council of Ministers. A translation of that Royal Decree and the resolution of the Council of Ministers can be found in Appendix E. A complete translation of the nizām can also be found in Appendix F. Here, we will point out the important points in the nizām and try to explain the major changes that have taken place as a result of its implementation.

The most important point in the nizām is found in Article One which says that "the General Presidency of the Organization for Enjoining the Acceptable and Forbidding the Reprehensible is an independent body, directly affiliated to the Head of the Council of Ministers" (i.e. the King). It also states that the General President of the hay'ah "has the rank of a minister" (Article Two). This is important because it indicates that the hay'ah is recognized by the government as a major organization that deserves to be run by an official with the rank of a minister of state.

The nizām goes on to allow for the establishment of a branch of the General Presidency in all the major provinces of the Kingdom (Article Three). It gives the General President the authority to form

committees (local centres) that will carry-out the tasks of the hay'ah on the regional and local levels. It gives those committees the authority to "investigate cases" and "determine the penalty in each". Their authority allows for "disciplinary measures which can be a pledge signed by the culprit, a reprimand, flogging up to a maximum of fifteen cane lashes, or imprisonment up to a maximum of three days". The flogging and imprisonment, however, can only be done after the approval of the local governor (see al-Wahbī 1983:114). If the governor does not approve for any reason, then the case is transferred to a court of law.

The hay'ah is given the authority to execute the decision of the court in cases that are transferred by it. In decreeing this, the nizām took away from the hay'ah the power to discipline anyone without the approval of the amīr (governor). From the cases that writer reviewed during field work, it appears that the approval of the governor was obtained most of the time. The only complaint that officials of the hay'ah had was that this procedure always took a number of days to complete, and this meant delaying the completion of cases that were usually of a minor character.⁵

Section Two of the nizām gives the General President "the ultimate authority over all the hay'āt in the Kingdom" (Article Five). He is also given the authority to "ask the governor of a province to refer certain cases to a court of Islamic Law" (Article Six). The third section deals in general terms with the appointment of people to work for the hay'ah with "proper academic qualifications" that are not specified. It also places all the employees of the hay'ah under the regulations of the General Bureau of the Civil Service in dealing with

promotions and disciplinary actions. The duties of the hay'ah in towns and villages are dealt with in Section Four. It is also the basis for the definition of munkars that the hay'ah is responsible for, and the methods for dealing with them on "God's Book (The Qur'ān) and the sunnah (way)...set out by the Prophet (Muḥammad) in the way he lived and behaved" (Article Ten).

The hay'ah was given the authority to apprehend and interrogate people who commit unlawful actions, to censure prohibited materials that may influence public morality and to take charge of investigating all related cases. No details were given of how this can be done, but the nizām went on to conclude that "the General President of the hay'ah is to issue By-Laws for the implementation of this statute in consultation with the Minister of the Interior" (Article Twenty). Those By-Laws were issued in 1406/1986 and they are the subject of the following section.

The By-Laws of the current Nizām

In May 1986, the first detailed By-Laws for the hay'ah were issued in conjunction with an agreement between the General President of the hay'ah and the Minister of the Interior. It is a very long and detailed description of the authorities and the activities of the hay'ah in relation to other government institutions, especially the police. The involvement of the Minister of the Interior in developing these By-Laws was believed to be necessary to allow for a practical working relationship between the hay'ah and the police.

The General Directorate for Public Security which is the central organ for all the law-enforcement agencies in the Kingdom is part of

the Ministry of the Interior. Both organizations took part in developing the By-Laws for the hay'ah so as to avoid any overlap of responsibilities between the hay'ah and the police. The fact that a large number of policemen work for the hay'ah is another important factor that necessitated close co-operation between the two institutions (see Chapter Eight).

It will not be possible to discuss the By-Laws in detail here because of their length. We shall, however, discuss the important points in them. For a complete translation of the entire document please see Appendix G. The document begins with a preamble explaining why the By-Laws were issued and what the hay'ah hopes they will achieve. Section one deals with the duties of the hay'ah, most important of which is "guiding and advising people to observe the religious duties prescribed by Islamic Law and make them carry out these duties" (Article One). This point emphasizes the uniqueness of the hay'ah as a religious institution responsible for the enforcement of religious practices among the population.

The hay'ah appears to have the backing of the government in doing this task, and this illustrates the strong backing of religion by the state in Saudi Arabia. The hay'ah is given the authority (Article One - B) to make sure that prayer is performed in mosques and to urge people to hasten in answering its call. Doing that is one of the major activities of the local centres of the hay'ah (see the section about activities in this chapter). All public places are to be closed at the times of prayers, and the hay'ah is responsible for the enforcement of that. A number of acts are identified by the By-Laws as forbidden, and the hay'ah must make sure that these acts are not committed in public (Article One - C).

Section Two of the By-Laws concerns the methods of search and investigation. The authority and responsibility of the hay'ah in doing those things are very similar to those held by the police. The main difference lies in the types of cases for which each is responsible. Article One lists all the acts that fall under the jurisdiction of the hay'ah. How to deal with impounded materials is explained in Section Three. Section Four deals with punishment, detention and precautionary arrest. It also deals in great detail with the detention and interrogation of women. This is a sensitive area for the hay'ah because they have no women employees to deal with female suspects (see al-Wahbī 1983:150). This has been problematic in the past, but the By-Laws appear to attempt to solve the problem by making the hay'ah transfer women offenders to detention houses for women (which is part of the prison system in the Kingdom) immediately after interrogation is completed (see Appendix G).

Section Five deals with the numbers and the rank of policemen working for the hay'ah on all levels. This is determined by agreement between the General President of the hay'ah and the Director General of Public Security.⁶ The last section gives the General President of the hay'ah the authority to "interpret the contents of these By-Laws, cancel articles and add new ones" (Article Ninety Six).

The issuance of these By-Laws was very important for the members of the hay'ah. It clarified many points and cleared the confusion that marked the activities of the organization and its relationship with the police prior to 1986. It also marked a very important step in the direction of making the hay'ah a better organized and more effective institution. There is no doubt that the current nizām and its By-Laws

have limited the authority of the hay'ah to a certain degree, but no one expects the hay'ah to maintain an unlimited and undefined authority when its responsibilities and its resources are very limited in comparison with those of the police departments. The hay'ah has specific functions to fulfil in society, and the nizām and its By-Laws allow it to fulfil those functions using the appropriate methods. Knowing what is expected of it and how to do its job are essential requirements for any effective organization. The nizām and its By-Laws were meant to help the hay'ah meet that requirement.

Comparing the Old and the New Regulations

In order to understand the changes that political modernization has had on the institution of the hay'ah, we must take a look at the major changes in its official regulations since it was established at the beginning of this century. There are seven different regulations to be compared, five of which dealt only with the hay'ah in the Hejaz region prior to 1976. The comparison will be limited to four major spheres: the tasks of the hay'ah, its authority, its official status, and its structure.

The oldest document considered to be an official statute for the hay'ah was a communiqué issued by King ^CAbd al-^CAzīz some time between 1910 and 1920, announcing the establishment of the hay'ah (see Appendix C).⁷ It specified a number of tasks that the hay'ah was responsible for, but did not say anything about the structure of the hay'ah or how it was supposed to function. These details were left to the discretion of the leaders of the hay'ah who were accountable to the King. The lack of most other government institutions in the

central part of the country prior to 1920 gave the hay'ah an important role to play especially in the city of Riyadh. It was responsible for the collection of zakāh, endowments and standards of trading in the market place. All of these responsibilities have since been delegated to other government institutions (see Chapter Nine). This basic statute was the only one dealing with the hay'ah in the central part of the Kingdom until the current statute was issued in 1980.

The hay'ah in the Hejaz experienced major changes both in authority and in structure. Five different regulations were issued for it between 1927 and 1980. The first document considered by Murshad (1975:199) as a regulation for the hay'ah in the Hejaz came in the form of an article written by a scholar named al-Bayṭār. It was written, according to Murshad, upon a request made by the judge of Makkah, Shaykh Ibn Bulayhid, who established the first hay'ah in the Hejaz (see Chapter Six). This document was meant to define the responsibilities of the hay'ah and its method of operation. It listed a number of actions concerning behaviour for which the hay'ah was responsible and gave it the authority to "prevent anyone from committing those acts in public...and punish those who do not repent" (al-Bayṭār 1927:2).

The second official set of regulations for the hay'ah in the Hejaz were issued by the Viceroy in 1927. It dealt more specifically with the structure of the hay'ah and announced the establishment of four more hay'āt in the major cities of the region. Five spheres were outlined as things for which the hay'ah was responsible. They were the enforcement of religious observances, especially prayer, the search for illegal activities in public places and private homes, preventing

people from committing munkars of all types, preventing people from saying bad things and harming each other, and finally, encouraging people to care for animals.⁸ The last point was unique to this regulation and it is today part of the responsibility of municipalities. This regulation was the first to call for the appointment of a number of policemen in each one of the hay'āt to help the members do their job, and it was in force for only two years.

In 1929, the newly formed Consultative Council issued new regulations making the hay'ah part of the police department.⁹ It limited the authority of its members to that of observing policemen to make sure that they carried out the task of enforcing religious observances and public morality. The hay'ah in the Hejaz lost its independence as a result. The regulations listed seventeen acts which were considered forbidden and policemen were given the responsibility, under the supervision of members of the hay'ah, to combat those acts and to arrest anyone who committed them.

Seven years later, the president of the judiciary in the Hejaz issued new regulations placing the hay'ah under his jurisdiction.¹⁰ The hay'ah was given the same status that it enjoyed before 1929 but was placed under the official control of the judicial presidency in the Hejaz. The structure and responsibilities of the hay'ah in the regulation were very similar to those found in the 1927 regulations. The fifth official regulations for the hay'ah in the Hejaz were issued by the Crown Prince in 1952. They gave the hay'ah a semi-independent status while maintaining its connection with the judicial presidency. This replaced all previous regulations and extended the jurisdiction of the hay'ah in the Hejaz over the newly formed hay'āt in the

southern region of the Kingdom. The hay'ah was given the status of a regional presidency, and a president was appointed and connected directly with the office of the Viceroy.¹¹

The last regulations, which are those in effect today, were issued in 1980 for all the hay'āt in the Kingdom (Appendix F). Further By-Laws were issued in 1986 (Appendix G). Both documents were discussed at the beginning of this section. Table Three shows how they differ from the previous regulations in structure, authority and responsibility. A more detailed comparison is not thought to be necessary in the context of this study. It will also present only half the picture because most of the regulations dealt solely with the hay'ah in one region of the country (the Hejaz).

A careful look at Table Three gives a general idea of the major changes that the regulations of the hay'ah have undergone since 1927, especially in the Hejaz region. The structure in both regions grew from a local centre in the two major cities (Makkah and Riyadh) to a general presidency on the national level. This is an impressive achievement and a clear demonstration that the hay'ah has emerged from the modernization period much larger and much stronger. The administrative status of the hay'ah in both regions started as an independent institution. The one in the Hejaz became part of the police department between 1929 and 1936. After that, it came under the supervision of the presidency of the judiciary in the Hejaz due to the effort of the Chief Judge in the Hejaz who was a prominent member of ĀL al-shaykh family. The regulation issued in 1952 gave the hay'ah an independent status as a regional presidency, and in 1976, the two hay'āt were united in one independent general presidency.

Table 3

A Comparison between the Old and Current Regulations of the Hay'ah

Year and authority	Structure	Status	Responsibilities	Authorities	Limitations	Area Covered
? King ʿAbd al-ʿAzīz	A Local Centre	Independent	1 - Enforcement of Prayer attendance 2 - Collection of zakah 3 - Commercial activity 4 - Endowments	Not defined	None	Najd only
1927 Shaykh al-Bayṭār	A Local Centre	Independent	1 - Enforcement of Prayer attendance 2 - Prevention of munkars 3 - Bad social customs 4 - Commercial activity	Necessary financial and disciplinary punishments	None	Hejaz only
1927 The Viceroy	Regional Directorate	Independent	1 - Enforcement of prayer attendance 2 - Search for illegal activities 3 - Prevention of munkars 4 - Prevention of cruelty to animals	Ten lashes, or detention for up to three days	None	Hejaz only
1929 The Consultative Council	Part of the police Department	Part of the Police Department	1 - Observing the work carried out by policemen 2 - Supervising interrogations	None	Yes	Hejaz only
1936 President of the Judiciary	Regional Directorate	under the supervision of the Judiciary	Same as in the regulations issued by the Viceroy in 1927 minus No. 4	Ten lashes, or detention for up to three days	None	Hejaz only
1952 The Crown Prince	Regional Presidency	Independent	1 - Enforcement of religious obligations 2 - Forbidding all munkars 3 - Observing imported goods at custom points	Detention for up to one month, or a maximum of 30 cane lashes	None	Hejaz and the Southern Region
1980 The King	General Presidency	Independent	(See Article 1 of the current by-laws, Appendix G)	(see Article 4-B of the statute, Appendix F)	Yes	All the hay'āt in the Kingdom

The responsibilities of the hay'ah have not gone through any major changes over the years. Its involvement in the enforcement of religious observances, fighting against reprehensible acts and enforcing public morality can be found in all regulations. The old regulations used general terms to refer to the responsibilities of the hay'ah, and this has resulted in confusion and problems of implementation. There are a number of acts for which the hay'ah was responsible, but they were delegated to other government institutions. Dealing with endowments, zakāh, and observing imported goods at custom points are major examples. The 1986 By-Laws are a great improvement over the previous regulations. They give the first detailed list of the exact responsibilities of the hay'ah and how members should carry out their tasks (Appendix G). This is another sign that the hay'ah is becoming more efficient and better organized.

The hay'ah's power to punish offenders since the first known regulation has ranged from undefined to the use of necessary measures, to ten cane lashes or detention for three days. It grew under the 1952 regulation to detention for up to one month or thirty cane lashes. Its power is limited under the current statute to detention for up to three days or a maximum of up to fifteen cane lashes. This can only be done after the approval of the local governor is granted. This imposes some restriction on the authority of the hay'ah but probably was seen by the government as a necessary measure to make sure that local officials of the hay'ah did not abuse their authority, as had been the case in the past.

This restriction, however, is not unique to the hay'ah. The police as well as the other law-enforcement agencies lack the

authority to discipline or punish any individual unless approved by the governor or decided by a court of law. The restrictions placed on the authority of the local officials of the hay'ah make it possible to standardize methods of dealing with offenders and of deciding their punishments by allowing only governors and judges to make the relevant decisions.

C. Members

This section will be a descriptive account of the people who control, and who work for, the hay'ah. Their numbers, ranks, positions, qualifications and backgrounds will be examined on the basis of available information. It was very difficult to obtain much personal information, simply because in a country like Saudi Arabia, most people do not accept questions about things that they regard as private. A questionnaire was distributed among members working in some of the local centres in Riyadh which asked questions about age, education, income, the number of years they had been working for the hay'ah and several other questions. Only two people responded out of a total of one hundred. This was one of the major disappointments of the field work. The writer hopes, however, that the information obtained through observation and other sources will give some useful information about the people who work for the hay'ah.

Starting at the top of the organization, we will begin with the General President of the hay'ah. As was mentioned before, The General President is Shaykh ^cAbd al-^cAzīz b. Muḥammad Āl al-Shaykh. He was born in 1919 in Riyadh, completed graduate education in Islamic

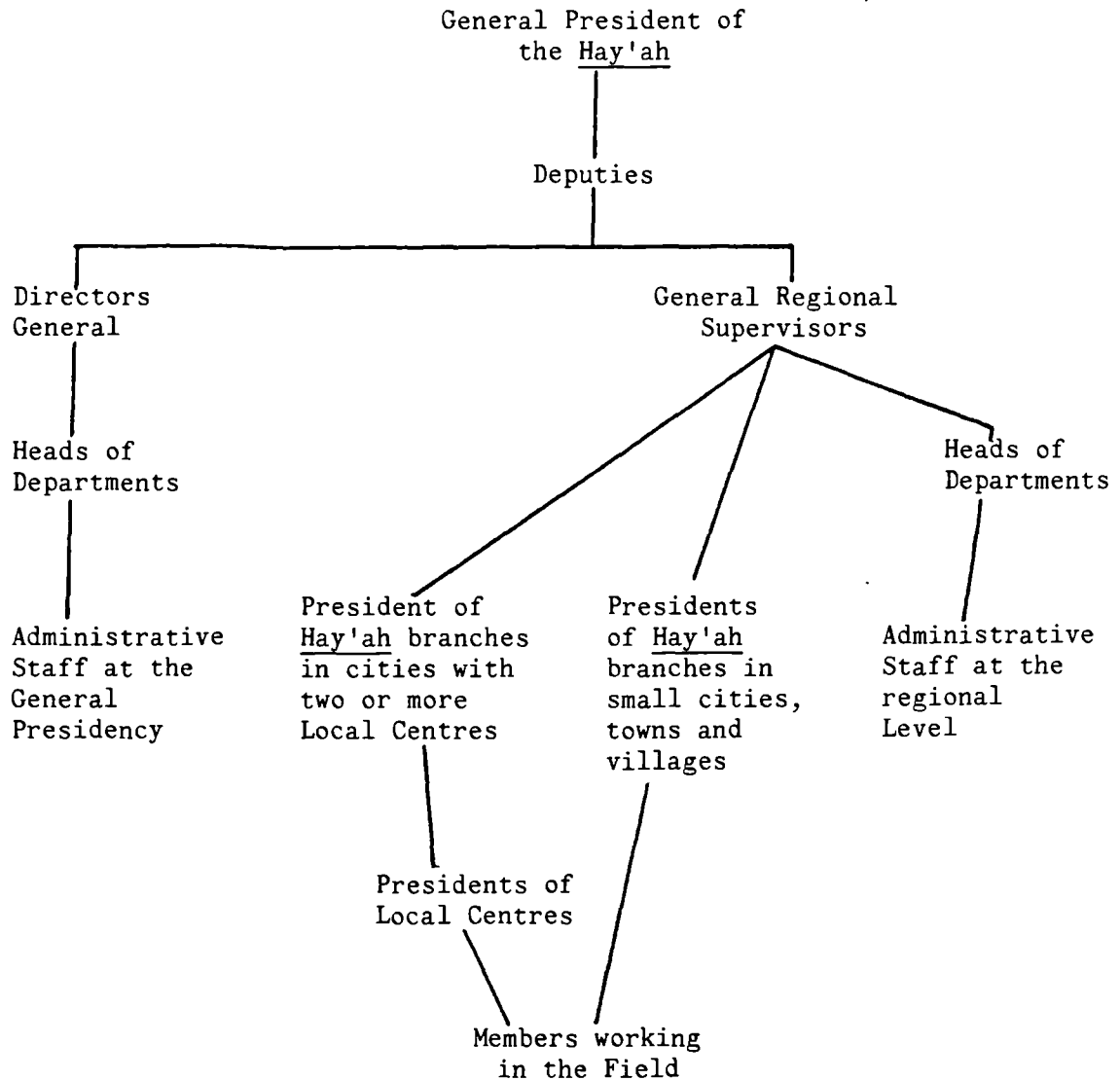
Studies and went on to become the Chancellor of the Imam Muḥammad b. Su^ḥūd Islamic University in Riyadh. He was appointed a General President of the hay'ah in 1976.¹² He is the author of a number of books and articles about Islamic topics. One of his books deals with the work of the hay'ah and its role in society.¹³ He is one of the prominent members of the Āl al-Shaykh family at the present time, and deserves most of the credit for the growth and re-organization that the hay'ah has undergone in the past twelve years.

Next in line come the two deputies to the General President who are also members of Āl al-Shaykh family. The Deputy for Financial and Administrative Affairs is Shaykh ^ḥAbd al-^ḥAzīz b. ^ḥAbd al-Malik Āl al-Shaykh. He is in his early fifties and has worked for a long time as an assistant to his father who was the president of the hay'ah in the Hejaz between 1952 and 1976. The writer has been unable to obtain details concerning his education. The other deputy is Shaykh ^ḥAbd al-Raḥmān b. Aḥmed Āl al-Shaykh. He is a young man in his late twenties and handles most of the work of the General President during the latter's absence. There is one deputy assistant and one director general who are also members of Āl al-Shaykh family. No specific information is available about them because the author was not able to meet them during the field trip, and there are no sources available that would give this kind of information.

The general supervisors of the regional branches come next in the chain of command (see Figure 8). Three of them hold the rank of a deputy assistant minister which is equal to the fourteenth rank of the Saudi civil service cadre. These three supervisors are the supervisor of the Western regional branch, supervisor of the Riyadh regional

Figure 8

**The Structural Hierarchy of the Hay'ah in Saudi Arabia
(Chain of Command)**



Source: Based on information collected by the writer, March 1988.
Writer's translation.

branch, and the supervisor of the Eastern regional branch. The other four supervisors hold the twelfth rank of the cadre. One of these general supervisors who was found to be an influential figure in the hay'ah is Shaykh Ibrāhīm al-Ghayth who is the general supervisor of the hay'ah's branch in the Riyadh region. He was born in 1944 in Riyadh and graduated from the sharī'ah College in Riyadh in 1968. He worked as the president of the sūq (market) local centre of the hay'ah, and in 1978 he became the first general supervisor of the Riyadh regional branch. He is very active in the field of giving public lectures about religious topics (al-Ḥawshānī 1984:31).

Next in the line of top administrative positions come the heads of directorates, departments and offices. The remaining positions are divided between twenty five positions ranging from inspectors to an architect (see Table 4). These administrative posts make up one category of employees known as the administrative positions (wazā'if idāriyyah). They constitute about 12 per cent of the total work force of the hay'ah. They are distributed between the general presidency, regional branches and local centres all over the country, but the majority is thought to be working in the general presidency in Riyadh. The total number of administrative positions is 414 including the general president.

The second category of positions is known as religious positions (wazā'if dīniyyah). The number of members who hold religious positions is 1086. This category covers members who mainly work in the field. It is not perfectly clear why they have been given the label 'religious', but the writer thinks that it might have to do with the qualifications suitable for holding their positions, which are mainly a basic

Table 4

Types and Numbers of Jobs within the Administrative
Structure of The Hay'ah

		A - Administrative Positions (<u>waḡā'if idāriyyah</u>)										Total
Job Title	No of Employees	G.P. & Deputy	General Supervisor	Director General & Assistant	Office Manager and Directorate Inspector	Auditor and Secretary	Head of Department and Activity Supervisor	Warehouse Manager & Purchase Officer	Treasurer and Accountant	Writer and Typist	Mechanic and Architect	
		4	5	29	18	23	26	13	59	224	13	414
		B- Religious Positions (<u>waḡā'if dīniyyah</u>)										
Job Title	No of Employees	Hay'ah President and vice - President	Investigator	Murshid (Guide)	Centre President	Legal and Cases Researcher					ḡudū (member)	
		146	23	11	116	11					779	1086
		C - Positions outside the Cadre (<u>waḡā'if mustakhdamīn</u>)										
Job Title	No of Employees	ḡudū (member)	Farrāsh (servant)	Murāsil (Internal Postman)	Driver	Mechanic	Other Positions					
		2198	122	73	55	2	7					2457
												Grand Total 3957

* General President

Source: Based on official tables obtained from the General Presidency of the Hay'ah, March 1988. Writer's translation.

religious education. It is also a way of differentiating between employees who hold administrative positions without any involvement in the field- work and the rest of the employees whose main task is working in the field. The religious positions rank from a local hay'ah president to an ʿuḍū (member). It includes investigators, guides, researchers and presidents of local centres (see Table 4).

The third and final category covers employees who are outside the Civil Service cadre because they lack the requisite educational qualifications. The majority of the employees working for the hay'ah fall under this category. There is a total of 2457 employees holding positions ranging from ʿuḍū to a number of drivers, servant and postmen. There is a special cadre for these positions known as cadre al-mustakhdamīn with three ranks starting with rank number thirty three and ending with rank number thirty one.

The posts in this category are a mixture of religious positions and support staff (e.g. postmen, drivers and servants). The majority of this group however, are a ʿḍā' (members) with very limited educational qualifications. There are 2198 members outside the cadre, the majority of whom are older members who started working for the hay'ah long before any formal education existed in the country. The total number of people employed by the hay'ah today is 3957. This is in comparison to 2990 employees in 1970.¹⁴ That total number, however, does not include policemen, part-time employees or volunteers.

One of the major problems faced by the hay'ah today is how to deal with the large number of old and unqualified members. Al-Wahbī (1982:140) discussed this problem and how it affected the work of the hay'ah. He said that the older members are neither qualified nor

physically able to carry out the demanding work in the field. There is no detailed information about the exact number or average age of the older members. From conversations with various officials and members as well as from observations, the writer got the impression that this is becoming a serious problem for the hay'ah. The aim of the officials is to try to replace the older members with more-qualified younger persons.

This has proved to be difficult according to al-Ḥawshānī (1984:167), mainly for two reasons. The first one is the unwillingness of most of the older members to take early retirement because this job constitutes the only income for the majority of them. The second reason is that young people with university degrees do not see working for the hay'ah as good employment because of the difficult and sensitive nature of the work. Much is needed to be done by the hay'ah in terms of presenting a better image of itself to young people and offering some kind of fringe benefits to attract young Saudi's with university education. More jobs also have to be created in the budget to take on extra employees rather than just waiting for positions to become vacant.

The General President has said in a published interview that there are serious attempts to attract more qualified employees in consultation with the Civil Service Bureau.¹⁵ The plan seems to be working slowly, and today fifteen out of the thirty five presidents of local centres in the city of Riyadh are younger members with university degrees.¹⁶ This is a good improvement considering the facts that only a small percentage of the population hold university degrees and that the oldest university in the country has been in existence for only thirty years.

As for the employees who have no proper education, there are attempts to educate them using short-term courses designed for that purpose. The officials of the hay'ah have made an agreement with the Institute of Public Administration to enroll administrative employees in its programmes designed to improve the skills of government employees in a number of fields. Every year, a number of employees working for the hay'ah take time off from work to enroll in these programmes. The writer has met with some of those who have completed the programme, and they seem to have benefited a great deal from it.

For the benefit of employees holding religious positions, mainly a^ḥdā', another agreement was made with the Imam Muḥammad b. Su^ḥūd Islamic University to organize special training schemes through the branches of the university in different parts of the country. The aim of these schemes is to instruct members with limited or no education as to how they should carry out their tasks in the field. Two of these schemes were completed last year in the Qaṣīm and the Southern regions. Both lasted for three weeks, and fifty four members took part in the one held in the Qaṣīm branch. The members were instructed by the regular faculty of the university, mainly in religious topics ranging from the basics of how to carry out al-amr bi-'l-ma^ḥrūf wa-'l-nahy^ḥ an al-munkar in accordance with the sharī^ḥah, to the fundamentals of ḥisbah, public relations and social change in Saudi society.¹⁷

The hay'ah does not have any specific policies for recruiting new members. The current nizām says that all new positions must be filled "with people with proper academic qualifications" (Article Seven of the nizām - Appendix F). It does not, however, specify what

academic qualifications are accepted. Al-Ḥawshānī (1984:166) wrote that the hay'ah is in the course of implementing a plan which insists that the appointment of the presidents of local centres is from among members with a university degree from one of the sharī'ah colleges in the Kingdom. The General President has also said in a published interview that the hay'ah welcomes new members with secondary school qualifications.¹⁸ The problem, however, seems to be the limited number of new positions created every year to take on new and more qualified members. The writer was told by the Deputy for Financial and Administrative Affairs that many requests by young people with qualifications to join the hay'ah are turned down simply for the lack of vacant positions in the budget.¹⁹

In addition to the official members who work for the hay'ah on a full-time basis, there are two other groups that have taken part in the activities of the hay'ah in the field. The first group is part-time employees who usually work during the evening sessions after their regular work or studies. The size of this group is not known to the writer, but it seemed to be very small and to consist usually of people doing technical jobs like typing or translation. One of the young members of al-^cUlayya centre was a part-time employee whose job was observing the public functions in local hotels. This is a job that requires work during the evening when most activities in that area take place.

The other group that used to work for the hay'ah are what is known as al-mutā'awinūn (volunteers). This group consisted mainly of young men who wanted to volunteer their time in helping the hay'ah to

fulfil what they regarded as a religious obligation. They worked without payment mainly during evening sessions, and they used to gather in local centres and go out into the field with the regular members under the supervision of the president of the centre. Their involvement, however, began to cause serious problems for officials of the hay'ah because their growing numbers made it difficult for the local officials to keep them under control.

Not being officially accountable for their behaviour made a few of them take advantage of the opportunity to have the backing and the facilities of the hay'ah either to try to impose their extreme views on members of the public or to take the law into their own hands. Various attempts to organize their involvement failed because the group kept changing members all the time, and in 1986, the General President issued an order preventing volunteers from taking part in the official activities of the hay'ah. The Deputy to the General President told the writer that this was a necessary step to protect the public image of the hay'ah, even though the help offered by most volunteers was both needed and appreciated. He also said that the only assistance they now accept is in the form of information about any violations that fall under the jurisdiction of the hay'ah.²⁰

The official members of the hay'ah (i.e. full-time employees) are given special identification cards which they must carry with them at all times. They are instructed to show these cards to anyone with whom they come in contact in the course of their official duties. Giving the official members of the hay'ah cards with their photographs on was one step towards overcoming the problem experienced by members of the public in not being able to differentiate between men actually

working for the hay'ah, and those who were simply volunteers. The problem, however, was not totally solved because official members wear civilian clothes while doing their official job. Some kind of a uniform would help the public identify and deal rightfully with the a-ḡā' of the hay'ah.

D. Activities

The main activity of the hay'ah is working in the field to enforce religious observances and public morality. The prime method used to achieve this task is for the local centres to send out groups of a-ḡā', accompanied by policemen, to patrol streets and public places at certain times. There are various attempts to use other methods like the publication of books, the organization of public lectures, and the use of the mass media in order to help the hay'ah play its role in society. The main activity, however, remains the actual work done in the field. This has proven to be the only effective method for an "enforcement" institution like the hay'ah. There are different types of activities, and this section will be divided in accordance with those types as observed by the writer during the field trip.

Daily Activities

The most regular activity carried out by the local centres of the hay'ah is also the activity with which the hay'ah is mostly identified. It revolves around the times of the regular prayers offered by Muslims five times every day (see Chapter Three). Prayer is a very important part of the Islamic religion and one of the tasks of

the hay'ah, like the traditional hisbah, is to enforce the practice of prayer by the public. No shops are to be open, and no business is allowed to work during the prayer times.

When it is time for Prayer, members go out in the official cars of the hay'ah and, using the loud speakers placed on top of each car, call on people to go to the nearest mosque for prayers. They also ask the shops and businesses that have not already closed to do so. This has become a major part of the daily routine of the hay'ah and a normal part of the daily scene in Saudi Arabia.

Enforcement creates few problems when it comes to the five daily prayers. Most people seem to accept the reality of the situation and the stoppage of all businesses and public activities during prayer times is considered a normal part of the daily life. Shops and businesses usually close down as soon as the call to prayer is announced from the loud speakers on top of every mosque. Most do not wait for members of the hay'ah to come around and repeat the call because they do not want to risk being accused of doing business during prayer time. The latter is an offence that involves the risk of having the business closed for a number of days, if repeated, something all businesses naturally try to avoid.

The writer accompanied members of the hay'ah many times during their daily activity. Nothing much was done in terms of enforcement because people seemed to know what was required of them and they complied without any hesitation. The hay'ah is recognised as a representative of the state with powers to arrest and to punish, and no one wanted to risk a confrontation with one of its members. There are, of course, a few incidents when a shop or a business does not

close on time or someone is found staying inside his shop or business while locking the front door. This is not allowed, and the person is usually given up to three written warnings not to repeat the offence. The fourth time calls for his arrest and detention for twenty four hours, and after that his case is transferred to a sharīʿah court to take a decision which is usually closure of the premises for a number of days or a fine or both.

The activity of the hay'ah revolves mostly around the zuhr, maghrib and ʿishā' prayers. The ʿaṣr prayer, like the fajr prayer, comes at a time when there is little activity in public because the afternoon in Saudi Arabia (between 2:00 pm and 4:00 pm) is a time of rest when people usually have their ghadā' (lunch), the main meal of the day, and they have a siesta right after it. This practice may have been influenced by the climate in the Kingdom. This leaves three daily prayers for the hay'ah to work at when public activity in shopping centres and businesses is in full swing. The working hours of local centres were designed around the times of the remaining prayers. The morning session ends with the noon prayer, and the evening session starts about one hour before the sunset prayer and ends one and a half hours after the evening prayer.

The time before the three prayers and after the evening prayer is spent by members of the hay'ah in doing the other important task which is the enforcement of public morality. They go into shopping centres, parks, hotels, hospitals, businesses, restaurants and any place where the public goes in order to observe the activities of people and to prevent anyone from committing an act that is considered munkar (reprehensible). For a complete list of all the acts considered

munkar and which fall under the responsibility of the hay'ah, see Article One of the current By-Laws, Appendix G.

Occasional Activities

This type of activity involves the occasional inspection of certain public places by members of the hay'ah. It does not follow any regular schedule, but is left mainly to the choice of the centre's president. It involves sending a group of members once in a while to inspect certain shops and businesses.

Some of those places inspected regularly are places that make dresses for women (khayyātūn) to make sure that they follow the regulations set out by municipalities governing their arrangements and working methods. Because these places are staffed by men, women are not allowed to go inside the shops. Business is done through a small window at the front of the shop to prevent any physical contact between the two parties (see al-Wahbī 1983:121). There are specific instructions against male tailors taking the measurements of women customers and against having any fitting rooms inside the place. These shops are also required not to keep any dress-catalogues containing indecent pictures.²¹ The licence for a dress-making shop is not usually renewed until the place is inspected and approved by the local centre of the hay'ah.

Other places inspected regularly are shops that sell and rent video tapes. It is the responsibility of members of the hay'ah to make sure that they do not sell or rent tapes that contain pornographic material or anything that is incompatible with religion. This job is mainly the responsibility of the Ministry of Information which gives

clearance to tapes before they enter the country, but the By-Laws of the hay'ah gave it the authority to share some of the responsibility. Members also inspect restaurants to see that they have separate entrances and sections for families.²² Music-shops are not allowed to play loud music and are subject to many other restrictions that we will not be able to list here. The random activities of the local centres were designed to inspect shops and businesses looking for these and similar violations that are considered contrary to public morality.

Any activity that members of the hay'ah consider as munkar falls under their responsibility even if other government institutions such as the police or the intelligence agencies are also responsible for it. The current By-Laws were an attempt to define and limit their responsibility, but the officials of the hay'ah feel that all the law-enforcement agencies must work together for the benefit of society as a whole.²³

A member of the hay'ah is usually sent to observe parties, weddings and exhibitions held in hotels or conference halls to make sure that no violations take place, especially the intermingling between men and women in public. Hotels and halls are required to inform the hay'ah three days prior to any public activity of the time and nature of the activity so that they can send a member to observe and report any violations to the president of the centre. This regulation was issued by the Ministry of Commerce based on a request made by the General President of the hay'ah.²⁴

A similar activity involves shopping centres during the peak shopping period at weekends. The weekend in Saudi Arabia is Thursday

and Friday of each week. Thursday and Friday night are busy times for members of the hay'ah because shopping centres are filled with shoppers. Members from different local centres usually come together to patrol large shopping centres in the city in order to enforce public morality. Some members have time off during weekends, but those who work get paid for extra time. Each centre is required to keep part of its force on duty during weekends.

Annual Activities

The hay'ah is also involved in three major annual occasions in Saudi Arabia. The first one is the holy month of Ramaḍān. During this month, Muslims are required to perform ṣiyām (fasting) during the hours of daylight (see Chapter Three). The task of the hay'ah is to enforce the Islamic rule that no one eats or drinks in public during the fasting period. The hay'ah makes sure that no restaurants or bakery shops are open to serve food during the daytime. Shopping activities usually switch to night time during Ramaḍān, and the task of the hay'ah increases as a result. Thus, the working hours of local centres increase at night so as to meet the requirement of observing shops and businesses that often stay open until 2 o'clock in the morning. The amārah (office of the governor) usually instructs its akhwiya' (guards) to work with the hay'ah during the night time in Ramaḍān, assistance that is appreciated by officials of the hay'ah.²⁵

The second annual activity in which the hay'ah takes part is the hajj. The part that the hay'ah plays during the Pilgrimage is educational rather than having to do with enforcement. Some of the top officials of the hay'ah along with a number of educated members gather

in Makkah during the hajj period to work with other religious institutions in educating the pilgrims about the correct way of performing the Pilgrimage. They give lectures, hold seminars, answer inquiries and distribute leaflets in different languages which show those who make the Pilgrimage for the first time how it should be performed. They also encourage pilgrims to perform prayers in congregation (jamā'ah).²⁶

It was not possible for the writer to take part in this particular activity because the hajj did not occur during the six months spent in Saudi Arabia doing the field work. The above information was obtained from the secretary of al-^cUlayya centre who has taken part in this activity many times.

The last major annual activity is a new occasion which is not religious in nature. This is al-Jenāderiah Cultural Festival organised annually by the National Guard (al-ḥaras al-waṭinī). The first of these festivals was held in 1985. It takes the form of a typical Saudi village built outside Riyadh. It contains exhibitions of traditional arts and crafts. Camel racing and traditional dancing (arḍah) are regular features of the festival. It usually lasts for two weeks with a number of days reserved for women only. The involvement of the hay'ah occurs during the days reserved for women. The National Guard gave the hay'ah the responsibility of keeping order in the festival ground during that time. They make sure that no men enter during the days for women, that women are dressed modestly (covering the hair and most of the body) and that no music or photography goes on inside.²⁷ The hay'ah also plays a similar role during other public occasions that call for their presence and their unique involvement.

The last section of this chapter has been an attempt to give the reader an idea of the kind of activities in which the hay'ah is involved in Saudi society. It is, however, not a complete account of all the things that the hay'ah usually takes part in. The problem with trying to provide such an account lies in the fact that the hay'ah deals with many major and minor problems which cannot all be listed here. The writer has seen cases where members of the hay'ah have dealt with individuals who practise magic, a number of witch doctors, gamblers, beggars, individuals caught drinking alcohol,²⁸ homosexuals, drug addicts, adulterers and many other minor cases.

In short, the hay'ah tries to deal with any act or belief that is defined as forbidden under the Islamic sharī'ah, in one way or another. At times they handle it themselves and at other times, they notify the authority responsible for it. No society is free from social problems, and Saudi society is no exception. What is unique about Saudi Arabia is the fact that many activities that are considered normal by western standards are considered wrong and harmful in Saudi Arabia. As long as the government of Saudi Arabia adheres to the principles of the sharī'ah and applies it to public life, then the hay'ah will always find plenty to do.

Conclusion

The information given in this chapter was intended to present, as far as possible, an accurate account of the hay'ah today. The information is based on official sources and documents, and on first-hand experience by the writer.

Most of the discussion dealt with basic information about the

structure, regulations, members and activities of this unique organization. This was thought to be necessary because of the lack of such information in published sources. It is clear that the hay'ah has grown considerably bigger in the past fifteen years. There have recently been serious attempts to improve its performance by issuing detailed regulations, by training members, and providing better equipment and facilities. The hay'ah, nevertheless, still suffers from problems that require immediate solutions in order for it to continue playing its role in society in an effective way.²⁹

Chapter Eight

The Hay'ah in Relation to Other Institutions

The hay'ah is an organization which is part of the structure of the Saudi government. This position makes it necessary for the hay'ah to work in cooperation with most of the other government institutions in order to be able to carry out its tasks in an effective way. Some aspects of the relationship between the hay'ah and a number of government institutions will be looked at in the first two sections of this chapter. The first section will be devoted to the close and sensitive working relationship between the hay'ah and the police forces in the country. A brief consideration will also be given to the relationship between the hay'ah and the narcotics control administration.

The second section will deal with the hay'ah and some of the other major government institutions. The office of the governor and courts of law will be the most important institutions to come under scrutiny in this category. The third section will be concerned with the lack of a formal relationship between the hay'ah and the media. The fourth section will be a general discussion of the hay'ah's image, and how it is viewed by some of the Saudi citizens who come into regular contact with its members. The fifth section will discuss the way the hay'ah deals with expatriates living in the country. Specific questions will be asked about the ways in which non-Muslims and diplomats are dealt with.

The information given in this chapter is based mainly on

observations and interviews done by the writer in the course of field-work. The topics are dealt with in a relatively brief and summary way so that all the different categories can be covered in the limited space available here. Each one of these topics deserves a separate research project in itself, but in the context of this study it will be possible only to take a general look at the place of the hay'ah in the structure of the government, and in its relationship with various groups in Saudi Arabian society.

A. The Hay'ah and Law Enforcement Agencies

The importance of the relationship between the hay'ah and law-enforcement agencies arises from the similarities between their methods of operation and their responsibilities. Before discussing that, it would help if we try to clarify what is meant by law-enforcement agencies. According to Rajehi (1981:80), the law-enforcement agencies in Saudi Arabia are the forces defined by Royal Decree no. 30, dated 14.4.1384 H (23.8.1964) as "the armed forces responsible for keeping the peace, order and public security in land and sea, especially preventing crime ..., protecting lives, property and morality." These forces make up the internal security forces which are part of the structure of the Ministry of the Interior. Its components are: Public security (al-amn al-^cām); civil defence (al-difā^c al-madanī); general investigation (al-mabāḥith al-^cāmah); coast guard (silāḥ al-ḥudūd); narcotics control (mukāfahat al-mukhadirāt); and the special forces unit (al-quāt al-khāṣah)..

The hay'ah is not considered part of the law-enforcement agencies because it is an independent organization and is not considered an

"armed force". Furthermore, the hay'ah is not regarded as responsible for law-enforcement and public security per se but rather responsible for religious observance and public morality. It is also interesting to see that the protection of morality is considered part of the responsibilities of the internal security forces, according to the Royal Decree quoted above. The writer has found it both difficult and problematic to draw a clear distinction between the responsibilities of the hay'ah and those of the law-enforcement agencies. It is difficult because some responsibilities are shared by both organisations (e.g. fighting against the consumption of intoxicating drinks and pornography). It is also problematic because in a country like Saudi Arabia both law and morality are based on the same principles drawn from the Islamic sharī'ah. It is not easy to distinguish between acts that are considered immoral because they are forbidden by religion and acts that are considered illegal because they are against the law. The sharī'ah, in fact, places unlawful acts (jarā'im) under the general category of reprehensible acts (munkarāt). The only difference lies in the punishment prescribed for each act. The punishment varies directly with the degree of harm that it causes.

Officials of the hay'ah have tried to overcome this problem by defining the specific acts for which the hay'ah is responsible without regard for the legal and moral questions. The current By-Laws establish a list of fifteen points covering all acts and violations that fall under the jurisdiction of the hay'ah. These acts are identified as religious abominations (munkarāt shar'īyyah), and in two spheres of that category members of the hay'ah were instructed to work in cooperation with "other concerned parties" (Article One of the

By-Laws - Appendix G). This is understood to mean the police forces.

The notion that the hay'ah is responsible for enforcing action against religious abominations further strengthens its unique status in the Saudi society. It could imply, however, that the so called law-enforcement agencies are concerned with what can be called secular responsibilities. This may seem to be a realistic conclusion based on the distinctions between the duties of the two institutions, but it still raises a few questions when one considers the fact that all laws that control the activities of the law-enforcement agencies are also based on religious principles. "All religious and secular conducts, without exception, fall under the prescriptions of Shariah Law " (Souryal 1987:432). Religion remains the dominant force that controls definitions of, and ways of dealing with, crimes and what are considered immoral acts in Saudi society.

The nature of the activities of the hay'ah creates a close and unique relationship with law-enforcement agencies in general and with the police forces in particular. Its relationship with the other law-enforcement agencies is limited except for the Narcotic Control Administration.

The remainder of this section will be a survey of the relationship between the hay'ah on the one hand, and the police and the narcotics control on the other. The relationship between the hay'ah and the police goes back to the first detailed regulations issued for the hay'ah in the Hejaz in 1927. It has gone through periods of cooperation as well as of conflict. An example of the latter is when the police took-over the structure of the hay'ah in 1929 (see Chapter Six). Regardless of the problems, the relationship

between the two institutions has always been important and seems to be in the interest of the hay'ah.

The official relationship goes back to 1927 when the police department in Makkah was asked to supply the hay'ah with policemen to work with members of the hay'ah in the field. This was seen as a necessary measure because the civilians who worked for the hay'ah as members were not trained or qualified to handle the police work involved in their activity. Members are not allowed to carry arms and they are encouraged not to involve themselves in situations that they cannot handle such as arresting or chasing offenders. These jobs are done by the policemen who work in the local centres of the hay'ah under the command of the president of the centre. They are required to obey him in "a manner that does not violate police service regulations" (Article Ninety One of the By-Laws - Appendix G).

The policemen who work for the hay'ah are part of the public security forces (the police). They are recruited, trained and employed by the police. They hold police ranks, wear police uniforms while on duty, and carry with them arms and handcuffs. A special police centre in every major city called shurṭat al-hay'āt wa-'l-mahākim al-shar'īyyah (Police centre for the hay'āt and the shar'īah courts) is responsible for supplying the hay'ah with the required policemen. Their numbers and ranks are determined by an agreement between the General President of the hay'ah and the General Director of Public Security. The hay'āt police centres have special detention rooms for holding suspects and offenders who are still under interrogation by the hay'ah. These rooms are used as temporary prisons for the hay'ah, and offenders are kept in them for up to seventy two hours. After

that, the offender is either released or transferred to a general prison.

The police forces in Saudi Arabia are much larger and more organized than the hay'ah. There was a total force of 72,121 policemen in the country in 1980 (Rajehi 1981:98). The hay'ah, on the other hand, has only 3957 members (see Table 4). Policemen are required to complete a special three years education and training programme at King Fahd Security College before joining the force, while members of the hay'ah have no special training. The police force has modern well-equipped buildings, and the latest methods of instant communications between centres and field units. The hay'ah still lacks some of these important measures which it needs in order to fully meet its unique responsibilities.

The differences between the hay'ah and the police can be seen in perspective if one considers the important differences in responsibilities between the two organizations. The police play a more directly important role in terms of social control and keeping law and order. The hay'ah, on the other hand, is responsible for a limited number of tasks in society which are unique because of their religious connection. It requires a special kind of person with special qualities to carry out these tasks. Members of the hay'ah are considered to be better qualified to enforce religious observances and public morality than are policemen. The role played by policemen working for the hay'ah is limited to situations where there is a need to arrest someone or to keep him in custody. They accompany the members for that purpose alone, and do not usually get involved in the regular work carried out by members of the hay'ah.

The working relationship between the hay'ah and the police involves constant contact, especially on the local level. This happens in situations where a local centre of the hay'ah is in need of special assistance, or when it wants to transfer a case to the police, or when an offender is to be taken to a general prison. There are two responsibilities that are shared by the hay'ah and the police department. One of these is dealing with the manufacturing, promoting, or drinking of intoxicating drinks. The other one has to do with displays or sales of pictures, books, video or audio recordings which are indecent or which contradict the Islamic faith. The destruction of any impounded materials from these categories is done by a joint committee from the hay'ah and the local police centre (al-Ḥawshānī 1984:35).

The writer has witnessed a number of cases where members of the hay'ah have dealt with violations or crimes that do not fall under their jurisdiction as defined by the current statute or its By-Laws. During their regular activity, members of the hay'ah sometimes encounter situations where a crime has happened or is about to happen. They usually try to stop the crime or to arrest those who have committed it. After that, the case is transferred to the police who continue with their regular procedures. This has also happened a number of times with regard to the use or the sale of narcotics. These cases are transferred to the Administration of Narcotics Control rather than to the police. The help of the hay'ah has been acknowledged and appreciated by the Director of the General Administration of Narcotics Control.¹ The regional branch of the hay'ah in Riyadh was given an official plaque in appreciation for its help in a number of cases in 1987.²

The police, on the other hand, have occasionally played a major part in dealing with cases that are considered the sole responsibility of the hay'ah. A case in point is when Al-^cUlayya police centre arrested a number of shopkeepers found doing business during prayer time at a number of shopping centres. The cases were then immediately transferred to the hay'ah centre for the completion of the regular procedures.³ Al-Riyāḍ newspaper also reported that the police arrested twenty one persons in the city of Riyadh found eating in public during the holy month of Ramaḍān 1408 (1988).⁴

From the above examples, it is clear that the cooperation between the hay'ah and the police is determined, more by what they come in contact with during their regular activities than by what their regulations stipulate. Each institution has its own responsibilities, but at certain times each party has to act in the interest of the other. This kind of cooperation is something that is encouraged by officials of the government and by leaders of the organizations concerned.⁵

The writer was not able to assess whether or not there is a high level of tension between the hay'ah and the police. No signs of conflict were detected during field-work, and a request to interview the General Director of Public Security was turned down for unknown reasons. A lot of emphasis was placed on the need for cooperation between the two organizations. Whether or not that cooperation imposes any constraints on the hay'ah can only be determined by more specific studies.

B. The Hay'ah and other Government Institutions

It is only appropriate to start this section with a look at the relationship between the hay'ah and the unique institution known as al-amārah (office of the amīr [governor]). Al-amārah is at the centre of the administrative structure of local government in Saudi Arabia (see Chapter Four).

The amārah plays a central role in the official business of the other government institutions on its level, for its main role is to co-ordinate their activities (see al-Salūm 1988:5). This co-ordination involves the activity of the hay'ah as well as that of other institutions. Besides responsibility for co-ordination, the amīr also has a kind of authority over the heads of all government institutions including the hay'ah. This system, does not apply, however, to the General Presidency of the hay'ah which is connected directly to the Head of the Council of Ministers and which works in co-ordination with the Ministry of the Interior on the national level.

The relationship between the hay'ah and the amārah on the regional and local levels is one of almost daily contact. It involves mostly paper-work associated with the transfer of cases or with requests for the amīr's authorization of punishment in the form of lashes or imprisonment. Any case that the hay'ah wishes to transfer to a court of Islamic law must go through the local amārah which, in turn, sends it to the court. The case usually goes from the local centre of the hay'ah to the regional branch or to the city hay'ah and from there it is transferred to the amārah. (Article Sixty One of the By-laws - Appendix G).

The amārah must always be notified of any arrests made by

members of the hay'ah, and of the outcome of cases investigated, especially cases involving foreign nationals.⁶ In situations where the local officials of the hay'ah find it difficult to decide what to do, then the advice of the governor is sought, and his decision is final. The role played by the amārah raises the difficult question of how independent the hay'ah is in the light of these restrictions. However, not only the hay'ah, but all other government institutions on the regional and local levels fall under the authority of the amārah.

We now turn to the relationship between the hay'ah and sharī'ah courts. In major cases where officials of the hay'ah cannot decide the punishment, or in cases where the amīr refuses to allow the hay'ah to punish the offender, the hay'ah has the option of transferring them to a sharī'ah court. The decision of the court is final, and the hay'ah has the authority to apply all punishments except for prison sentences. Any offender sentenced to prison is usually sent to the general prison through a police centre. When an offender admits his guilt in major cases, then he must be taken to a judge to register his confession. Copies of court rulings are usually sent to the hay'ah centre (see Āl al-Shaykh 1981:62). Furthermore, members of the hay'ah are regularly invited to take part in trials of offenders whom they have caught in order to act as witnesses against those who deny the charges.⁷

The process of transferring cases from the hay'ah to the court through the amārah usually takes days to complete due to bureaucratic procedures at each stage. It would be much easier for all parties if each regional hay'ah was provided with a resident judge who could deal with minor cases that fall under the jurisdiction of the hay'ah and

who could make decisions concerning them. This idea was suggested by al-Wahbī (1982:155) who saw in it a way of dealing with cases in a prompt manner that would save the effort and time of members of the hay'ah, and would also save the time of offenders who usually spend a number of days in detention awaiting trial.

The hay'ah has contacts and working relationship with a number of other government institutions. We will briefly discuss and give examples of some of these relationships. One such relationship is found with the Ministry of Pilgrimage and Endowments (wazārat^a al-ḥajj wa-'l-awqāf) which is responsible for the imams and mū'adhdhinūn of all mosques in the country. The hay'ah has cooperated with this ministry in seeking the essential support of imams for its activities. It has also striven to unify the times of the call to prayers and the actual beginning of prayers (iqāmat al-ṣalāh) in all mosques. This was necessary because of the fact that shops and businesses must close down when it is time for prayer, and it was essential to have all of them closed at the same time so that members of the hay'ah can observe and enforce it. The hay'ah has also asked the Ministry of Pilgrimage and Endowments to notify the imams of all mosques that it is necessary to close the mosques and its toilets at night time in order to prevent them being used for any criminal or immoral activity.⁸

Municipalities in Saudi Arabia are part of the structure of the Ministry of Municipal and Rural Affairs (wazārat^a al-shuwūn al-baladiyyah wa-'l-qarawiyyah). These municipalities have taken over some of the major duties that used to be carried out by the classical muhtasib. One of the main areas of cooperation between the hay'ah and municipalities centres on the issuance of commercial licences for

shops and businesses. Some of the businesses that fall under special regulations because of the nature of their work are not given licences unless inspected and approved by the hay'ah. Tailors of women's clothes, video shops and restaurants are the main businesses that fall into this category. The role of the hay'ah is to make sure that they follow the special regulations for limiting the possibilities of moral violations. Another area of cooperation concerns the names and trade marks of businesses. The hay'ah consider the use of foreign names and the display of signs that have pictures or statues of living beings on them as violations that must be corrected. It notifies municipalities of these violations but rarely takes part in the actual enforcement. The Ministry of Municipal and Rural Affairs has also issued strict regulations which require all shopping centres, supermarkets, hotels, banks, airport lounges, and large companies to have their own mosques so that people can find a place to pray when it is time for prayer. This regulation was recommended by the hay'ah, and is enforced by it.⁹

The hay'ah also works with the Ministry of Commerce (wazārt al-tijārah) in combatting commercial fraud in goods and services as well as the import of merchandise which is considered objectionable. Statues, stuffed animals, gold chains that have the emblems of other religions, products that contain pork meat or lard, and intoxicating drinks are some examples of merchandise that is not allowed into the country.¹⁰ These are all examples of the role played by the hay'ah in relation to some of the major government institutions. Limitations of space prevent the discussion from being extended further, but it should already be clear that there is extensive cooperation between the hay'ah and other government institutions.

C. The Hay'ah and the Media

The relationship between the hay'ah and the media in Saudi Arabia is indirect and unofficial. The hay'ah has no direct influence over what the media broadcast or print, nor has it authority to censor anything before it becomes public. The role played by the hay'ah takes in the form of reacting to items that have already been published or broadcasted. There is a special committee in the Ministry of Information responsible for regulating material presented to the public through the media, especially television. There are also regulations issued by the Ministry of Information outlining what the media cannot publish or broadcast. Most of these limitations are based on religious grounds such as the restrictions against Saudi women appearing on television, or the publication of pictures of women in magazines and newspapers. There are also restrictions against advertisements for cigarettes, alcoholic drinks, and a number of other matters.

The relationship between the hay'ah and the media is very limited. There appear to be no established channels of communication, and no official working relationship. The hay'ah, however, tries to play an indirect role in the enforcement of the regulations that control the activities of the media. When members of the hay'ah find something being published or broadcast which they consider contrary to the teachings of the sharī'ah, they inform officials of the hay'ah who, in turn, notify the Ministry of Information that they consider that a munkar has been committed (see al-Ḥawshānī 1984:120).

Beside the domestic media, there is an influx of material from outside the country which, therefore, needs much more careful scrutiny

than the domestic media in the matter of censorship. Newspapers, magazines, books, video and audio tapes come from different countries and in different languages. The Ministry of Information has offices in all major airports and seaports to review these materials before they enter the country. Officials make sure that items and pictures that contradict the teachings of the sharī'ah or the policy of the state are either removed or not given clearance. This task is a difficult one because of the large number of items that arrive in the country every day. This difficulty usually results in some items escaping the detection of these committees and thus entering the country. The hay'ah is usually the agency which tries to deal with the problem. Members of the hay'ah inspect places that sell or rent these imported items, and if they find anything which they consider a munkar, they usually inform the Ministry of Information about it, and ask that the item be removed or destroyed.¹¹

The obvious violations are dealt with quickly by both sides, but the main problem is that the hay'ah and the Ministry of Information do not always agree on what constitutes a munkar. The hay'ah tends to be much more strict in its definition, and that is why its members frequently find something to complain about. The Ministry of Information, on the other hand, tries to accommodate to the demands of a section of the population and to certain foreigners living in the country who want some kind of entertainment. There are no theatres or movie houses in the country, and video tapes have become a popular medium of entertainment. The hay'ah recognizes the fact that the media, especially the imported ones, are a dangerous way of bringing into the country things that the sharī'ah does not approve of. It seems, however, to trust the job done by the committees of the

Ministry of Information. The task of the hay'ah is also to deal with items that have been smuggled into the country or which have been made illegally inside the Kingdom.¹²

Another aspect of the relationship between the hay'ah and the media concerns the way in which the Saudi press report the activities of the hay'ah. Officials of the hay'ah have complained a number of times about what they regard as a lack of reporting of their activities by the press.¹³ A full survey of newspapers and magazines to find out the extent of this problem could not be carried out within the limitations on the present study, but a limited survey of one major newspaper, al-Riyāḍ, carried out by the writer over a two-year period, gave the impression that the hay'ah had received fair coverage in the pages devoted to domestic affairs. In 1987 and 1988 there were four interviews with officials of the hay'ah, four news items, and four articles about the hay'ah itself.¹⁴ This amount of coverage seems to be roughly in line with that which most other government institutions receive. Al-Yamāmah magazine also published three articles about the activities of the hay'ah which were based on interviews with top officials of the organization.¹⁵

D. The Hay'ah and the Public

The nature of the activities carried out by the hay'ah brings it into contact with most segments of Saudi society. In this section, the writer will discuss the relationship between the hay'ah and the Saudi public. The emphasis will be mainly on how Saudi citizens view the hay'ah. The evidence is based on a small survey conducted by the writer using a sample of fifty one persons interviewed in the city of

Riyadh. After that, a brief discussion will deal with the way the hay'ah is viewed by specific groups chosen either because they experience closer contact with members of the hay'ah or because they create special problems for it. Offenders caught by the hay'ah, shopkeepers, and women are the three groups that will be considered.

After issuing the current statute in 1980, officials of the hay'ah began a serious struggle to improve the image of the organization in public. This was necessary after years of a strained relationship between the hay'ah and some segments of society resulting from the actions of some unqualified members of the hay'ah or the involvement of volunteers, especially at the end of the 1970s (see Āl al-Shaykh 1981:59). The situation was further complicated by the lack of clear regulations to guide the activities of members of the hay'ah. Educating the older members, recruiting younger and more qualified ones, and preventing volunteers from working with the hay'ah have been major steps taken over the past few years to improve the performance of the hay'ah, and thus to improve its public image. The By-Laws issued in 1986 were another major step in that direction. These changes appear to be working, and the writer feels that the public have become more supportive of the hay'ah and its role in society. This conclusion was drawn mainly from the answers of the respondents involved in the survey that will be discussed later in this section. It is further supported by the experiences of those members of the hay'ah who talked to the writer.

A number of officials of the hay'ah have publically expressed the feeling that the public is becoming more understanding and supportive of the role of the hay'ah.¹⁶ It is believed, by those officials, that

the public has begun to recognize the importance of the role played by the hay'ah in limiting what are seen as the negative effects of the rapid social change that the country is experiencing. These views are also supported by the increasing number of citizens who report moral violations to the hay'ah. These reports are becoming one of the major methods for helping the hay'ah to keep in touch with what is going on in society. The writer has seen and met with a number of citizens who came to the local centres of the hay'ah to report immoral activities or violations. Others also use the telephone to inform the hay'ah of what they regard as reprehensible acts or behaviour. The calls are treated confidentially, and this type of information has led to the discovery, for example, of a small factory for making intoxicant drinks, the activities of male prostitutes, and a small store that sells intoxicant drinks in shampoo bottles among other things.¹⁷

Another major problem concerning the image of the hay'ah is that it has been associated only with the enforcement of prayer attendance, and the closing down of businesses at prayer time. Officials of the hay'ah, in a number of published interviews, have complained about this by saying that the hay'ah is dealing with many other problems in society but that the public does not seem to know about those aspects of its work. Some of them put the blame for this on the national press for not reporting the important contributions of the hay'ah in areas other than religious observances. Others feel that the hay'ah is being associated with the enforcement of prayer attendance because it is the only activity that members of the hay'ah are actually seen to be doing a number of times every day.

The General President of the hay'ah said in an interview that

the enforcement of religious observances is a very important task and one of the prime responsibilities of the hay'ah, but, he added, it is not the only task for which the hay'ah is responsible.¹⁸ The General Supervisor of the Riyadh Branch said in another interview that the hay'ah works with law-enforcement agencies to fight crimes and the growing problem of illegal drugs.¹⁹ The emphasis placed on this point was meant to show that the hay'ah is involved in tackling important and serious issues in society. The officials do not want the hay'ah to be perceived as an organization that does not contribute much to society. Being viewed as an institution that only calls on people to attend prayers, something which is done mainly by the mū'adhdhinūn who broadcast the call to prayers from mosques, might undermine the credibility of the hay'ah in the eyes of the Saudi public.

The limited survey carried out by the writer during field-work seems to confirm the view that the hay'ah is identified mostly with its regular activity of enforcing prayer attendance and the closure of shops and businesses. The survey was done using the interview method with a sample of fifty one Saudi citizens from the city of Riyadh during the period between January-June 1988. This sample is very small and cannot be regarded as a truly representative sample. The aim was to get a general sense of how the hay'ah is viewed by some Saudi citizens, and to find out whether or not there was a problem regarding its public image. Each respondent was asked four basic questions: what he knew about the hay'ah, whether he had been in a situation involving direct contact with members of the hay'ah, what he thought about the importance of the role played by the hay'ah in society, and what criticisms or suggestions he had for the hay'ah.

The respondents were all males ranging in age between twenty two and fifty three years. They were interviewed by the writer who randomly picked individuals working in three government institutions, two companies, two police stations, and students from two colleges in King Saud University. All of these organizations were also picked randomly. Twenty five of the respondents were government employees, ten were policemen, five were private sector employees, and twelve were university students.

The results of the survey can be summarized in the following points:

1. Only seventeen of the respondents have what can be called an accurate image of what the hay'ah is actually doing in society. The majority (twenty eight) associated it only with enforcement of prayer attendance, which confirms the view held by officials of the hay'ah. Four of the remaining six respondents held a negative image of the hay'ah, and two declined to answer this question.
2. As for being involved in direct contact with members of the hay'ah, eighteen respondents said that they had been through such an experience. Three said that they were asked to go to prayer; four said that members of the hay'ah had arrested them for having long hair which was cut by a barber in the presence of one of the members;²⁰ one said that he was arrested and accused of harassing women; and the other ten gave different minor reasons that brought them in contact with the hay'ah. Seven respondents said that they had been involved in situations where the hay'ah was dealing with a friend or a relative. The remainder (twenty six) said they had never been in direct contact with members of the hay'ah.

3. In response to the third question about the importance of the role played by the hay'ah in society, seventeen thought that it was very important; twenty eight said that the role was important, but that it was not performed properly and that a few things needed to be either changed or improved; four said that it was not important at all, and two gave no response.
4. The criticism and suggestions question elicited a variety of responses from the respondents. Only three said that they had nothing to say in this respect. The majority (twenty four) thought that the hay'ah must improve the education of its members and recruit qualified members who are able to do the job. Twelve said that the hay'ah should adopt wise methods to make people respond positively to it rather than using force and threats. Another twenty two respondents said that the hay'ah needs to use modern methods and increase its activities to meet the increasing problems in society in a more efficient way. Six thought that the hay'ah should treat non-Muslims in a special way. Ten said that it should use the media in doing part of its job. Two said that it should employ women to deal with places that are only for women, and with women-related problems. And four said that it would be better if the hay'ah established small centres in all shopping areas and public places so that they could be present when needed. Some respondents gave more than one answer to this last question.

This survey was extremely limited in several respects, but the results indicate that the hay'ah is correct to think that it needs to improve its image and to let the public know that it plays a major role in society that goes beyond just the enforcement of prayer

observance. More detailed and scientific surveys are needed to generate conclusions that can be generalized.

We turn now to the specific question of how the hay'ah is viewed by shopkeepers in the city of Riyadh. This group was selected because they came in daily contact with members of the hay'ah by virtue of their job. The writer held interviews with sixteen shopkeepers in different shopping centres in Riyadh during the first half of 1988. The number was small because most of those approached declined to take part in the survey. Some of those who declined were busy at the time, and others simply said that they had nothing to say about the hay'ah. The majority of shopkeepers in Saudi Arabia are foreign nationals, and one can understand why they were reluctant to express their views about the hay'ah. Even those who responded seemed to be very cautious about what they had to say. These factors, in addition to the small size of the sample, limit the value of this survey. It only provides some illustrations of the relationship between the hay'ah and the shopkeepers as the latter group appears to see it.

Only three of the respondents were Saudi nationals, the others came from a number of foreign countries. The questions were designed to find out the number of times that shopkeepers see members of the hay'ah doing their official duties every week; how important was the role played by the hay'ah; whether they would close down at prayer times if it were not for the presence of the hay'ah; and whether or not their closure affects their business. The answers can be summed up as follows: all sixteen said that the role played by the hay'ah is important and necessary and that it should continue; eight said that they see members of the hay'ah every day; five said that they see them

about two or three times a week, and three said that they see them only about once a week. The majority (fifteen) said that they would close down their businesses even if members of the hay'ah were not present, and that this practice is a regular part of their daily routine which had no effect on business because customers know that they have to leave shops when the adhān for prayer is called.

Only one shopkeeper said that his business is adversely affected when he closes down for prayer because customers, especially non-Muslims, leave and usually do not come back after prayer. He also said that he would not close if it were not for the hay'ah. This survey is also very small, and unrepresentative. No doubt most respondents, especially the non-Saudis, were diplomatic in their answers because they suspected that the writer was working for the hay'ah despite assurances to the contrary. But the findings about the visibility of the hay'ah's public activities are at least consistent with the account given in the previous chapter of the organization's modus operandi.

The third group interviewed by the writer consisted of a number of Saudis detained by al-Suwaydī centre during the one month period he worked at that centre. They were interviewed individually in one of the offices in the centre. The aim of these interviews was to find out how offenders felt about the hay'ah, about the way they had been treated, and how they had been caught and for what reason. The interviews were conducted with seven offenders ranging in age between twenty three and forty five. Five of them were caught either drinking, making or selling illegal drinks. The other two were involved with the use of narcotics. Six were caught at home when members of the hay'ah came to them after apparently being alerted by an informant. One of

them was caught in his car after being chased by members of the hay'ah in their official car. Four complained about what they called harsh treatment and the use of unnecessary force during the arrest, and three said that they had been treated reasonably because they did not resist arrest.

Two respondents complained about not knowing that they had been arrested by members of the hay'ah because of their civilian clothes, and said that even the policemen accompanying them had been wearing civilian clothes. The wearing of plain clothes is done, apparently, so as not to attract attention when trying to arrest someone. Three offenders said that members of the hay'ah were not trained or qualified to deal with these types of crimes, and that it should be left to law-enforcement agencies (the police and narcotics control). They said that the hay'ah should be involved with educating the public about the harmful effects of alcohol and narcotics, and should lecture and counsel those who are caught by the law-enforcement agencies, but should not be involved in the enforcement itself.

The last group that warrants special attention in this section is women. No surveys were conducted because of the difficulties that would be involved in a male researcher carrying out such a task. A certain amount of information, however, was gained by the writer when he was working with members of the hay'ah. The main problem is that the hay'ah has no female members to deal with female offenders. Members of the hay'ah find it difficult to arrest women offenders or suspects because of the religious restrictions on the contact between unrelated males and females. They are also not allowed to interrogate women without the presence of a male relative, or to keep them in custody at the centre (see al-Ḥawshānī 1984:97). The By-Laws maintain

that women over thirty years old should be transferred to one of the women's prisons. Younger women go to one of the special institutions called the Institutions for Girls' Welfare as soon as they are arrested (see the By-Laws - Appendix G).

Another problem for the hay'ah is enforcing public morality in places set aside for women only. There are an increasing number of shopping centres, banks, clinics and businesses that are run by women and only for women. This is a trend that seems to meet the special requirements of women, and to give them freedom to work and do business in a society that stresses the complete segregation between the sexes. The trend has the apparent support of the government and the religious establishment, but it is going to bring to the surface the problems of enforcing law and morality in those places. Neither the police nor the hay'ah employ women today even for these special tasks. This will become more necessary in the future, but it is not going to be easy as long as the requirement of segregation has to be met.

E. The Hay'ah and Foreigners

The economic development of Saudi Arabia, which was accelerated in 1970 with the implementation of the first 'five years development plan', has brought with it a new factor that seems to have caused problems for both the Saudi government and Saudi society. This factor is the large number of foreigners who were invited to the country to help in the development plans as experts and as labourers.

The exact number of foreigners living in Saudi Arabia is not published by the government on a regular basis. There are, however, a

number of contradictory estimates ranging from 2,450,000 given by Sirageldin et. al. (1984:32) to five million given by Souryal (1987:434). Huyette (1985:34) estimates that they total "roughly 3 million in 1983". The precise number of foreigners living in Saudi Arabia is not important in the context of this study. It is also not easy to determine because of the high mobility of the labour force, with numbers changing all the time. The number of expatriates, however, is large enough to require special attention by the government and to cause unique problems.

The Saudi government has considered the presence of foreigners in huge numbers as "a necessary evil so as to fulfil their planned objectives". It had tried with some success to keep them "relatively restricted and isolated and have little contact with the Saudi community or other expatriates" (Huyette 1985:34-35). This was easier when expatriates came under specific contracts with large companies to do a certain job and then leave the country. The situation was complicated when they entered all spheres of life - household servants, chauffeurs, shopkeepers, taxi drivers, construction workers, and even farmers are some of the positions that foreigners increasingly occupy. They entered almost every home, every shop, and every business. Their presence in public, and their impact upon it, eventually went beyond the control of the government and its relevant institutions. "Expatriates", wrote Sirageldin et. al. (1984:22), "make up a large and increasing portion of the employed workforce: from about 27% in 1970, they have expanded to about 53% in 1980." The percentage today is not known, by the writer, but the general opinion is that the numbers have decreased somewhat due to the end of major

projects and the slow-down in economic growth caused by the declining oil prices of the mid-1980s.

Foreigners living in Saudi Arabia constitute a problematic factor not only because of their large numbers, but mainly because of their cultural and religious differences. The country had previously been virtually closed to the outside world, except for the pilgrims who came for a limited time to visit the holy cities of Makkah and al-Madīnah and to perform the hajj. It had never experienced any colonization by an alien culture, and it had managed to maintain the relative homogeneousness of its population. The discussion in this section will not go deeply into the economic, political or social implications of the presence of foreigners in Saudi Arabia. These are complicated issues, and the limitations of this study do not permit such an excursus. The discussion, therefore, will be limited to the way in which the hay'ah deals with foreigners living in Saudi Arabia. It will be divided into three small sections dealing respectively with foreigners in general, non-Muslims, and diplomats.

The main task of the hay'ah appears to be to maintain the influence of religion on the public scene in Saudi Arabia. In this regard, all people living in the country are subject to the same rules and restrictions whether they be citizens or expatriates. Everyone is required to adhere to the basic rules which stipulate that no public activity is to take place during prayer time, no one is to eat, drink or smoke in public during Ramaḍān, modest dress must be worn in public, and that intoxicant drinks and narcotics must not be used, made or traded. There are also other restrictions which will not be listed here for lack of space. The main point is that Saudis as well

as foreigners, regardless of their religious affiliation, are all subjected in the same way to these restrictions. The only difference is in the punishment that offenders from both groups receive. Foreigners always risk being deported by the authorities when convicted of a crime or a moral violation.²¹

Imposing these restrictions is not only the task of the hay'ah, but is also the declared policy of the state. The Ministry of the Interior issues regular reminders to expatriates, through companies, businesses and foreign missions, which stress that everyone is required to abide by the rules and regulations that govern personal behaviour and public morality in Saudi Arabia.²² The restrictions applied to women, however, seem to create problems for both female expatriates and the enforcement agencies. Women are not allowed to drive automobiles, or to ride taxis without being accompanied by a male relative. Huyette (1985:35) wrote that expatriate women "resent their immobility, aggravated by the restrictions on their activities and dress dictated by local customs."

The experience of the writer, during field-work, was that foreign women constituted one of the major problem areas faced by members of the hay'ah in carrying out their job in public places. All women are required to cover their hair in public, but some foreign women find it difficult to meet such a requirement, and they try to show their discontent when they have the opportunity. The writer accompanied members of the hay'ah on their regular activity in shopping centres in the city of Riyadh. Asking foreign women to cover their hair was one of the most frequent activities during that activity. This was done in a polite way and from a distance, but some

women acted as if they had heard nothing. If the woman is accompanied by a man, he is usually stopped and told that it is not allowed for the woman accompanying him to go in public without proper dress. The enforcement, however, is limited to warning and advice, and no woman was arrested for that alone. It is considered a common problem, and one that cannot be enforced easily.

Another problem arises from the large number of single foreign women who go to work in Saudi Arabia as nurses for hospitals and as stewardesses for the national airline. They live as groups in hotels or hospital compounds, and the activities of some of them are considered both immoral and illegal. What they do is usually to go out to restaurants or shopping centres with male friends who are not related to them either by marriage or blood. It is forbidden, according to the sharīʿah, for a woman to be alone in the company of a man who is neither her husband nor a relative. The problem with enforcing this restriction is that no one can tell whether the couple who are sitting in a restaurant or walking in the street are related or not. It is not logical to stop every couple and ask for identifications, and so only a few are caught committing such a violation. A number of foreign women have been expelled from the country for being caught in the company of unrelated males.²³

The enforcement of modest dress in public applies to men as well. A man is not allowed to go out in public wearing shorts. The area between the navel and the knee is considered ʿaūrah²⁴ in a man, according to the sharīʿah, and must be covered. A number of foreigners have been stopped while jogging in the streets of Riyadh because they were wearing shorts, and they were told either to wear long shorts or

to jog in a place where they cannot be seen by the general public. Another problem is the wearing of tight clothes or clothes that attract attention, long hair for men - which is considered munkar, or wearing gold chains or earrings especially ones that display religious objects like the cross or the Star of David (Article 9-C of the current By-Laws - Appendix G).

Religion is a major factor in dealing with non-Muslim foreigners. This group creates another set of unique problems for the hay'ah in particular. It is felt that non-Muslims should not be subjected to restrictions that apply to religious observances, and that a way should be found to accommodate their need to practise their own particular religion. This dual responsibility has created a dilemma for officials of the Saudi government. They do not wish to appear intolerant of other religions but, at the same time, they cannot allow uncontrolled freedom of religion in public life in a country that draws its strength from the belief that Islam is the only true religion. No easy answers have been found for this problem, and the government has had no choice but to apply what are thought to be necessary restrictions.

Non-Muslims are not entirely exempted from the enforcement of religious observances in public. Of course, they are not required to attend prayers or to fast during Ramaḍān, but they cannot do business during prayer times or eat or drink in public during the daytime in Ramaḍān. They must also dress modestly in public, and adhere to the restrictions applied to intoxicant drinks, illegal drugs, pork meat and things that are enjoined on Saudi citizens and other foreigners as well.

The other major restriction that applies only to non-Muslims has to do with the practice of their own religious beliefs in public. The official policy of the government is that this is not allowed in any way or form. Religious groups cannot build a public place of worship or hold any organized religious meetings in public. It is the task of the hay'ah to enforce that policy, and they see it as a necessary measure for the protection of the unique place of Islam in society. This could also explain the absence of any new or different religious movement in the country.

The celebration of any religious festival or occasion other than Islamic ones is also prohibited. Christmas is one such occasion that falls under this prohibition.²⁵ The hay'ah undertakes special activities during the Christmas season to make sure that it is not celebrated in public. Hotels, restaurants, hospitals, and company compounds are the prime places that are inspected for any violations. The restrictions apply only to any public manifestations of such celebrations. Individuals and families may, however, celebrate in the privacy of their own homes. The prohibition against celebrating religious occasions also applies to some celebrations by Muslim groups which the religious leaders consider contrary to the teachings of Islam. Celebrating the birthday of the Prophet Muḥammad (al-mawlid), which is officially considered a bad innovation (bid'ah), and the day of ʿāshurā'²⁶ are examples of festivals that are forbidden in Saudi Arabia.

Diplomats are the last group to be discussed in this section. This group is made up of all foreigners who have diplomatic immunity by virtue of their profession. The hay'ah, as well as the law-

enforcement agencies, have been given special instructions as to how to deal with members of the diplomatic corps. These instructions were issued in 1984 by the governor of Riyadh.²⁷ It was done in anticipation of the removal of foreign embassies from Jeddah to Riyadh which took place in 1985. The instructions mentioned the Vienna agreement on diplomatic immunities and privileges that was concluded in 1961, and ratified by the government in 1980.²⁸

The authorities of enforcement agencies have been limited when dealing with diplomats. Diplomats are not to be arrested, searched or detained for any reason. If an individual with diplomatic immunity is suspected of committing a major crime or a serious moral violation, the Ministry of Foreign Affairs must be contacted for instructions concerning the proper measures to be taken. These restrictions have created problems for members of the hay'ah, because they could not easily identify people with diplomatic immunity when carrying out their official duties. Diplomats, however, are instructed to show their diplomatic identity cards to members of the hay'ah when approached for any reason. The problem was eased by the fact that all diplomatic missions have been located in a new neighbourhood built especially for this purpose. This may limit their interaction with the public, and could make the task of the hay'ah a little easier.

Conclusion

The evidence presented in this chapter clarifies how the hay'ah functions in relation to other institutions in Saudi Arabia. It has managed to establish itself within the network of official organizations that deal with law and order, and has demonstrated the

ability to adapt itself to changing circumstances.

The hay'ah seems to be still suffering from a negative public image after years of trying to survive the transformation that took place in the country in the second half of the 1970s. It found itself dealing with novel kinds of problems brought about by urbanization and the large numbers of foreigners in the country. Adjustments were made, and it seems that the hay'ah is slowly meeting the challenge helped by other government institutions and policies adopted by the state.

The problems associated with enforcing religious restrictions in a society that is becoming increasingly more open to external influences are becoming more acute. Dealing with the large number of Muslims from other countries now residents in Saudi Arabia whose customs might be quite different from those of the Saudis, as well as with the non-Muslims presents a particular dilemma for the government and its agencies. The problem of how to balance the emergence of Saudi Arabia as a modern country with the maintenance, at the same time, of a strict code of public behaviour based on Islam is becoming one of the main issues in the country. The role played by the hay'ah today is at the centre of this dilemma. The future of such a role will be influenced, to a large extent, by the policies adopted by the government with regard to the ongoing search for reasonable ways to make traditional requirements compatible with "a modern way of life".

Chapter Nine
Modernization and the Hay'ah

The aim of this chapter is to analyse the data given in the previous three chapters in an attempt to understand the effects of modernization on the hay'ah. A careful look at the changes through which the structure and activities of the hay'ah have gone over the past six decades might enable us to draw some useful conclusions regarding the influences that political modernization and socio-economic developments have had on a religious organization. The attempt to understand those influences will also contribute to the more general task of trying to test the hypothesis at the centre of this study. Furthermore, it can help us in our attempt to ascertain the effects of modernization on the place of religion in Saudi society. Any major changes found in that role can be regarded as signs either of a trend toward secularization, or, on the other hand, of a trend towards a greater influence of religion in society.

The discussion in this chapter will be limited, empirically, to the case study of the hay'ah. It presents the analytical part and the conclusion of the case study. Before going into detailed analysis, however, it would be helpful to point out the dual nature of the process of modernization as it relates to the hay'ah. Firstly, there is the general modernization of the whole structure of government which has resulted in what is called "institutional differentiation" (see Chapter Two). And secondly, there is the modernization of the hay'ah itself which seems to have been planned and gradual. The latter

use of the term refers to the changes that have taken place in administrative structures, methods of operations and types of activities over the past thirteen years (starting in 1976 when the hay'ah become a general presidency).

Most of the changes that have affected the hay'ah seem to be the outcome of a number of political, social, and economic factors. Decisions made by the government, institutional differentiation, social and economic changes (e.g. urbanization and influx of foreigners), and the general politico-religious environment have all contributed to changes in the hay'ah. Changes in structure, activities, and methods of operations have, therefore, been both the result of planning and the outcome of external factors. It is difficult to distinguish between "Planned" changes and "forced" changes. Both will be treated as part of a single process.

This chapter is divided into four sections. The first section deals with the implications of modernization for the structure, activities, and regulations of the hay'ah. The second section contains a brief look at the effects of bureaucracy on the ability of the hay'ah to play its role. The important question of the implications of institutional differentiation for the influence and role of the hay'ah is dealt with in the third section. The last section is about the general problems that the hay'ah faces today, and the prospects for its future. The discussions are based on the information presented in chapters six, seven, and eight. Observations made by the writer during field-work are the main source of most of that information.

A. Implications of Modernization for the Hay'ah

Implications for Structure

As we stated in Chapter Seven, the structure of the hay'ah has gone through continuous growth in the past few decades. It has gone from a local centre in Riyadh in 1903, to a national organization with seven regional branches and 409 local centres all over the Kingdom. This growth reflects the growing size and complexity of the structure of the government itself, and has been influenced by it. The fact that the hay'ah was divided into two separate organizations before 1976, and that it was mainly a field agency entailed a slower growth compared to other government organizations. The establishment of a national organization in 1976 began the process of organized growth which is to be seen today (see Chapter Seven).

A problematic aspect of the structural growth has been the necessity of delegating about 12% of the most qualified members to administrative positions. Leaders no longer take part in field-activity because they are too busy with administrative tasks. This situation has resulted in a kind of division of labour within the hay'ah. There are today administrative positions, religious positions, and positions outside the cadre (see Table 4). It is interesting that part of the jobs, within the structure of the hay'ah, are officially referred to as religious positions (wazā'if dīniyyah) in an organization that is religious in nature. It is not possible to determine whether or not this distinction implies a form of internal secularization. There is a need for a comparative approach to study the differences in qualifications, tasks, and ways of thinking between those who hold religious positions and those who hold administrative positions.

The structural growth of the hay'ah was, in part, the result of the growth of areas of responsibility that came under its jurisdiction. The expansion into parts of the Kingdom that had previously had no hay'ah centres resulted in a huge increase in the number of local centres. The size of the country made it necessary for the hay'ah to open regional branches in the major regions of Saudi Arabia (see Figure 5). The result appears to be an improved network of administrative apparatus on the national, regional, and local levels. The important question here is: what are the effects of this growth on the ability of the hay'ah to play its role in society?

A simple answer to the above question would be that an increase in local centres means more influence. But is this the case? If we take the number of a^ḥḍā' (members) who actually do field work (2977) and divide it by the number of local centres (409), we will find that the average number of members for each centre is about seven. Considering the fact that some local centres have more than twenty members (eg. al-Suwayḍī centre in Riyadh), it is possible that many local centres do not have enough members to carry out their tasks. The expansion in the number of local centres was not accompanied by a corresponding increase in the number of employees. Structural growth has limited the number of members working in the field, and has placed those members in too many local centres.¹

Further implications for the structure of the hay'ah can be seen in the establishment of a clear chain of command on the national level (see Figure 8). The creation of two new directorates for education and guidance and for cases and investigation in 1981 is an indication of the hay'ah's intention to modernize its methods of operation. Those

departments remain understaffed, however, and unable to function properly because of the lack of qualified staff (al-Ḥawshānī 1984: 163).

The modernization of the hay'ah does have its positive points. Giving the hay'ah an independent status within the structure of government has been a major step towards more freedom to play its role in society. The new nizām (statute) and its by-laws have clarified many areas of confusion, and have given officials of the hay'ah a much needed point of departure in planning further structural growth. The centralization of authority, and the systematization of methods of operation based on clear rules and regulations can all lead to a more effective performance and a more rational approach to carrying out tasks. The full implications of modernization for the structure of the hay'ah are not all clear yet because the process is far from over. Changes are still taking place, and attempts to predict the future can only lead to further confusion.

There is talk of further expansion and of a special cadre to improve the performance of the hay'ah.² Training of members, and the implementations of the new by-laws may help the hay'ah improve its image and become more effective. The problems associated with the large number of old members may not be solved so easily. There is obviously an urgent need for qualified staff to run the bureaucratic machine of the organization. There is also a perceived need to come up with ways of dealing with women, non-Muslims living in the country, and diplomats. The structural growth of the hay'ah has been limited when compared to the growing areas of public life that demand attention from it.

Implications for Activity

As for its activities, the hay'ah has experienced periods of change and confusion. It went for years without detailed regulations identifying the exact responsibilities of the members and how to carry them out. This fact made it easier for the hay'ah to deal with too many activities, and to give up few without serious implications. The changes in the nature of activities were the result of political modernization, socio-economic developments, and changes in the definitions of some munkars (reprehensible acts) by officials of the hay'ah.

The General President of the hay'ah has acknowledged that the modern way of life has imposed things on Saudi society which are not part of its way of life and which "we used to consider munkars and to punish fifty years ago" (Āl al-Shaykh 1981:31). He did not specify the kind of things he meant, but there are a number of acts that the hay'ah has been forced to tolerate. As the country became more open to outside influences, and as members of the hay'ah were no longer free to define their responsibilities, some changes took place in the definition of munkars. Smoking or selling cigarettes, shaving the beard, listening to music, and photography were all regarded as munkars about thirty five years ago (especially in Najd) (Edens 1974:62). People used to be arrested and punished for engaging in one of those activities. Today, however, those munkars are no longer considered punishable violations, and the new By-Laws do not include them in its list of reprehensible acts for which the hay'ah is responsible. The ironic thing is that most ‘ulamā’ still regard smoking, music, photography, and beard shaving as reprehensible acts

forbidden by the sharī^cah. The emphasis is now, however, on advising people not to commit these acts, rather than on forcing people to avoid them.

It is not clear why and how the hay'ah today tolerates munkars which are still regarded as objectionable by most of the ʿulamā'. Can it be attributed to the realities of modern life, the position of officials of the hay'ah, or to the inability of the hay'ah to enforce the rules against those acts? It is not easy to come up with an answer mainly because the changes have taken place over a long period of time. The official position of the government allowing the import of tobacco, and permitting the playing of music on radio and television may account for part of the answer. The important questions to ask here are: can that change be seen as a loss of influence on the part of the religious establishment, and as a sign of a trend toward secularization? How far is the hay'ah willing to tolerate the new realities brought about by the continuing process of modernization? And does the hay'ah in fact have any choice in the matter?

The current niẓām of the hay'ah defines its duties in general terms. It states in Article Nine that one of the most important duties of the hay'ah is to "censure abomination in a way that prevents commission of things which are unlawful and prohibited by Islamic Law" (see Appendix F). The problem may, therefore, lie in the definition of things which are unlawful by Islamic law. The ability of the hay'ah to enforce official regulations is limited by a lack of clear definitions of all the things which are prohibited by Islamic law. Smoking tobacco and listening to music are among the things against which prohibition is not entirely clear. Photography, on the other hand, is a necessity

of modern life without which no country can modernize. The position of the General President of the hay'ah in regard to photography demonstrates the lack of clear consensus (ijmā') among the 'ulamā' about the position of the sharī'ah in regard to certain acts that are part of modern life.³

In attempting to find answers to the questions raised above, we must take into account social and political factors. An important factor may have been the isolation in which central Arabia lived for centuries (see Chapter Three). Most things that came from the outside world, and were regarded as harmful in one way or another, were objected to on religious grounds even though religion had little to do with the matter.⁴ An example is the 'ulamā''s objection to the introduction of wireless communication into the Kingdom. The famous stand taken by King 'Abd al-'Azīz against the 'ulamā' demonstrated that fear of the unknown rather than religious justifications has been the reason behind the cautious approach of most of the 'ulamā' to the realities of modern life.⁵

The compromises made by the 'ulamā' have been necessary in making modernization possible. These compromises have been limited to areas dealing with the technological aspects of social change. Religious beliefs and practices have not been part of the compromises, and they remain today in line with what are regarded as the "true" teachings of Islam. Implications for religious influence have also been limited because most of the things to which the 'ulamā' objected sixty years ago are used today to augment religious influence in society.⁶

Modernization has also brought about new realities that further expanded the activities of the hay'ah. The growth in the size of

cities, social mobility, and the large number of foreigners living in the country have all contributed to changes in the way of life. Socio-economic developments have meant that an increasing number of places can be defined as public. Shopping centres, hotels, restaurants, company premises, public parks, banks, video-shops, and many other locations are all the outcome of the modernization process. The hay'ah became responsible for the enforcement of religious observances and public morality in these and other public places. It found itself dealing with new realities which, therefore, required new methods and new approaches.

The enforcement of segregation between the sexes in parks, hotels and restaurants is a daunting task especially when a large percentage of those who frequent these places are foreigners. Forcing shops to close for prayer in a shopping centre that has tens of shops is another problematic task. These are only examples to show that the hay'ah's capacity to carry out its activities is coming under greater strain as the country becomes more modern. The hay'ah has tried, with a degree of success, to adapt to the changing realities, but the situation is becoming more difficult.⁷ Without more support from the government (stricter rules, more qualified staff, and better equipment), and without more co-operation from other government organizations, the hay'ah might end up fighting a losing battle.

Implications for Regulations

One of the major problems that affected the hay'ah for a long time was the lack of clear and detailed regulations. The old regulations only gave general definitions of the hay'ah and its responsibilities (see

Table 3). The growth in the structure and activities of the hay'ah was mainly a response to the initiatives of its leaders. The definition of munkars, and the enforcement of regulations against them were governed by precedent and by haphazard procedures rather than by rational calculations. This problem was not unique to the hay'ah, but was part of the whole business of government. The eventual transition from rule by personalities to rule through bureaucratic structures resulted in a period of confusion. This confusion has still not been completely resolved in modern Saudi Arabia, and the mixture of traditional and rational types of authority will persist for years to come.

The new nizām, issued in 1980, and its by-laws, issued in 1986, have been major steps in the direction of a more modern hay'ah. The clear and specific instructions dealing with the responsibilities of the hay'ah and with the ways to carry them out demonstrate the positive implications of modernization for the hay'ah's regulations. A degree of rationality has been brought about with the new nizām, and this will probably limit the chances for conflicts and confusion. It is not fully clear, however, how the hay'ah will benefit from the new regulations because the by-laws were only issued three years ago. More time is needed before we can judge the ability of the hay'ah to adapt to the new regulations.

B. The Hay'ah and Bureaucracy

One of the clearest influences of modernization on the hay'ah can be seen in the growth of its bureaucratic machine. The hay'ah has developed over the years from a local centre with all its members working in the field to a national organization with the divisions and

levels of authority associated with most modern organizations (see Chapter Seven).

The bureaucratic growth of the hay'ah developed in line with the bureaucratic growth of the whole government. The Saudi bureaucracy went through the normal stages of establishment, growth, and modernization (see al-Sadhan 1980). Like all new structures in an environment that was not ready for it, however, the Saudi bureaucracy "suffered from the concentration of power at the top and incompetence at the lower levels" (Huyette 1985:105). The situation is improving slowly, but the Saudi state bureaucracy today still suffers from most of the problems associated with the transformation of a traditional bureaucracy into a rational one.⁸

The adoption of bureaucratic forms of government by the Saudi leadership was the outcome of "the need for centralized administration serving large populations" (Wrong 1970:33). When the hay'ah became a national organization in 1976 it had to organize in line with other government institutions. The growth in the number of members and local centres made it necessary for some of the hay'ah's employees to deal with purely administrative tasks. The interaction with other government organizations, and the need to keep records of its activities further expanded its administrative apparatus.

The hay'ah today is a bureaucratic organization in the sense that it is organized along the lines of what Weber called "bureaucratic officialdom" which is characterized by fixed official jurisdictional areas, levels of graded authority, written documents, and general rules (Gerth and Mills 1958:196). There are still traditional aspects in the hay'ah's bureaucracy in areas dealing with

recruitment and promotion.⁹ This also reflects a trend that is still found in most government departments. Strong tribal and family ties are still to be broken by the growing bureaucracy.

The effects of bureaucratic growth on the structure and activities of the hay'ah have been mixed. It organized and systematized most activities, but, at the same time, it complicated some short and simple procedures. Some officials of the hay'ah acknowledged the problems created by the growth in bureaucracy which, in the words of one official, tend to "turn work into a dead and an ineffective procedure".¹⁰ It is in the nature of bureaucracy to "complicate simple procedures and take longer time to do the job" (Wrong 1970:34).

The hay'ah is mainly a field agency whose main tasks can only be carried out through field work. The requirement that even minor activities must be officially documented by members of the hay'ah makes their job even more difficult. It is no longer acceptable for members to deal with even minor cases without some form of paper work. Official forms have been prepared to be used in keeping records of all types of activity. Copies of cases and arrests are kept in files, and similar copies are usually sent to regional branches of the hay'ah and to offices of governors. These things were not done in a systematic way prior to 1976, the earliest date at which the writer was able to get hold of relevant official documents. It is also clear that the employees responsible for paper work in most local centres lack the basic qualifications for this job.¹¹ This is further complicated by the existence of a large number of illiterate members who cannot deal with paper work.

Bureaucratic procedures have helped the hay'ah function vis-à-vis other government departments. Communications on different levels would not have been possible between them without a bureaucratic structure in place. The negative aspect has been that minor jobs now take more time and more energy to complete. The old ways of dealing with people on the spot may have been effective measures for an enforcement agency, but they no longer work in a modernizing society. Having to bring people to the centre, interrogate them, write down everything that took place, and wait for permission from the amārah (office of the governor) to punish offenders leaves no room for haphazard judgements. It might also make the work of the hay'ah slow and ineffective at times when activities are expanding and novel problems are arising. What all of this means for the influence of the hay'ah and its ability to continue playing its role is not yet fully clear. Judging by the observations made by the writer during field-work, the bureaucratic structure of the hay'ah has limited the ability of members to carry out their tasks in an effective way. It has also made it difficult to deal with minor violations simply because most of the members no longer believe that it is worth the effort.¹²

C. Institutional Differentiation and the Hay'ah

The process of political modernization and expansion in the structure of government in the 1950s and 1960s resulted in the establishment of ministries and independent organizations (see Chapter Four). This was a normal outcome of the modernization process and a necessary one for a modernizing state. There was a perceived need to divide the

responsibilities of the state among independent departments that could perform different functions in an efficient manner. The differentiation was similar to that found in most modern countries, but it retained some traditional characteristics at the highest levels (the monarchy).

The establishment of more ministries continued until 1975 (see al-Farsy 1986:106). The growth was dictated, to a large extent, by the requirements of a modernizing society facing more tasks to be taken care of, and more problems to deal with. It was not the case that more ministries came to share the same old duties, but rather that more ministries were created to deal with new duties for which Saudi society had had no need before the 1930s (e.g. ministries of oil; industry and electricity; telegraphs, posts and telephones; higher education; planning; and public works and housing). Running the affairs of a modern state requires more agencies and better organization than running the affairs of small towns and semi-nomadic populations whose main occupations were raising animals, farming, and commerce. The leader of the town or the tribe used, with the help of few individuals, to run the affairs of his subjects and to perform most public duties (Daghistani 1983:27).

The hay'ah, which developed in that kind of environment, had very little to do at the beginning of this century. The main tasks were enforcement of religious observances, collection of zakāh, endowments, public morality, and inspection of commerce to prevent fraud (see Appendix C). These tasks were very similar to the ones previously carried out by the traditional muhtasib. They were a function of the local socio-economic environment, and variations

always occurred from time to time, and from place to place.

As the country became a state with a large territory and a growing population, the hay'ah was no longer able to fulfil all of its duties. Institutional differentiation was the appropriate way to meet the demands of a modernizing society. Duties were divided between a growing number of institutions, and the hay'ah lost some of its duties but gained new ones. Collection of zakāh became the responsibility of the Ministry of Finance and National Economy; endowments fell under the jurisdiction of the Ministry of Pilgrimage and Endowments; and the organization of commercial activities was shared by the Ministries of Commerce and Municipal and Rural Affairs.

Al-Yassini's (1985:70) argument that the hay'ah lost some of its duties to the Ministries of Health, Justice and Agriculture is very weak because the hay'ah was never involved with any of the tasks that those ministries perform today. If he means by the duties that were traditionally undertaken by the enforcers, i.e. those duties that the classical muhtasib used to perform, then that is a different argument. The modern hay'ah is very different from the traditional hisbah in many respects. The two share the same ideological bases, but the modern hay'ah has a very limited jurisdiction when compared to the hisbah (see al-^cArifī 1987:15).

The comparison between the two organizations is fruitless. The hisbah used to function in a simpler social environment than the one we live in today. The tasks that the classical muhtasib used to perform cannot be performed by a single organization at the present time. Al-Ḥawshānī (1984:36) recognized this fact when he argued that the necessities of modern life require specialization and

differentiation. He supported his argument with a quote from Ibn Taymiyyah's famous work Al-Hisbah fī al-Islam who wrote that "there are no limits [to specialization] in the sharī'ah" (p.8).

There are few writers (Murshad 1972:208 and al-Wahbī 1983:174, for example) who argue that the hay'ah should be organized on the lines of the hisbah to deal with all the tasks that the classical muhtasib used to deal with. This is an unrealistic demand because it would mean that the hay'ah would expand to take over the tasks of a number of ministries. That is not possible in a modernizing society with an increasingly complex socio-economic environment. The notion that an institution such as the classical hisbah can be re-established to meet the demands of a modern society is simplistic and out of date.

The experience of modern countries shows that specialized and differentiated institutions are the best way to achieve the benefits of modern life. Differentiation can be functional without entailing ideological or cultural differentiation (secularization). There is no reason why the different institutions in Saudi Arabia that perform the duties of the classical muhtasib should be seen as modern forms of the traditional hisbah. It does not matter whether it is called hisbah or ministry of commerce as long as the aim is to regulate commercial activities in accordance with the sharī'ah.

Murshad (1972:219-222), and al-Wahbī (1983:174) both regard the current institutional differentiation in Saudi Arabia as a form of separation between religion and state. They see the problem not in the institutions themselves but in the kind of people who work for them. They both argue that the muhtasib is better suited to carrying out the

tasks because he works from religious motivations and performs his duties for the "sake of God". The modern government employees, on the other hand, work for the sake of regulations, and their motivations are connected with salaries and promotions. Murshad (1972:219) also argues that modern regulations only deal with the material aspects of regulating human behaviour, while divine regulations (drawn from the sharīʿah) deal with the spiritual side of behaviour, remind people of their duty to God and warn against punishment in the hereafter.

The notion that the modern employee of government no longer views his job as a religious obligation but rather as a way of acquiring income, is in need of empirical support. Receiving salary from the state and working under specific regulations does not necessarily lead to the creation of purely secular employees. Members of the hay'ah today receive salaries and follow regulations, but they still perform religious tasks sanctioned by the sharīʿah. Indeed, the Islamic state is responsible for the implementation and protection of the sharīʿah. Paying its employees to do the job and establishing clear guidelines to direct them can presumably enhance their performance and achieve better results.

Connected to the above argument is al-Yassini's (1985:70) argument that because "the process of creating a modern administrative structure succeeded, the mutawī'a institution [the hay'ah] was no longer needed ... Ibn Saʿūd incorporated this institution into the civil service and stripped it of effective power." If the hay'ah was no longer needed, then why is it still active today? And does making the hay'ah part of the civil service mean that it was stripped of effective power? The evidence presented in this study shows that the

arguments of al-Yassini have no strong foundations. The growth of the structure of the hay'ah was part of the process of creating a modern administrative structure, and its incorporation into the civil service enabled it to continue functioning vis-à-vis other government institutions.

The fact that the hay'ah has survived the period of rapid institutional differentiation and socio-economic developments points to two important considerations. Firstly, the hay'ah continues to be needed by the government, because there are things for it to do; and, secondly, it continues to have power as part of the civil service. The argument of al-Yassini plus similar arguments by al-Awaji (1971:122) and Kluck (1984:113) are all based on the notions that religious institutions cannot function as part of a modern structure of government (characterized by bureaucratic organization) because of their traditional nature and ways of doing things. These authors also believe that religious institutions would function better if they remained separate from the state.

The above arguments display a bias against religious institutions and seem to be influenced by the Western notion that separation between religion and the state is desirable. We have seen that the nature of the Islamic state does not allow for a complete separation (see Chapter Three), and we believe that there is nothing intrinsic in religious institutions that would disqualify them from functioning as part of a modern government. The cases of the hay'ah, the Ministry of Justice, the Presidency of iftā', and Imam Muḥammad b. Su^cūd Islamic University in modern Saudi Arabia all point to the fallacy of the above arguments.

We now turn back to the effects of institutional differentiation on the influence and role of the hay'ah. The hay'ah has gone through periods of resurgence and decline in relation to political and social factors. This has depended on the personality of the hay'ah's leader, and on the support that it received from the King at certain times. Buchan (1982:108) and Murshad (1972:208), for example, both claim that the hay'ah enjoyed a kind of resurgence during the 1950s due to the support of King Su^cūd (ruled 1373-1384/1953-1964). The hay'ah also experienced a period of growing influence in the early 1980s following the incident at the Sacred Mosque in Makkah in 1979 (Kluck 1984:112).

It is important to point out here that institutional differentiation did not have serious negative implications for the hay'ah. What happened was that the hay'ah lost some of its duties to other government institutions, but gained more responsibility in dealing with an increasing jurisdiction covering special duties. It never completely lost its power and influence; and it managed to adapt to the changing circumstances. Being part of the structure of the state gave the hay'ah more formal power and more means to carry out its tasks. The official and financial backing by the government is nowadays essential for the survival of the hay'ah.

The hay'ah would never have been able to function as an enforcement agency outside the structure of government. But it has managed to create a distinct role for itself in society (the enforcement of religious observances and public morality). Institutional differentiation has given the hay'ah a realistic set of responsibilities which are compatible with the means at its disposal. It has forced the hay'ah to organize itself, define its areas of

operations and co-operate with other institutions for the perceived benefits of society.

We conclude here that the process of institutional differentiation in modern Saudi Arabia did not result in a complete loss of power or influence by the hay'ah in particular or by the religious establishment in general (see Niblock 1982a:92). There have been changes, modifications, and redefinition of areas of jurisdictions for all government institutions. The differentiation seems to be functional in so far as it enables the government meets its responsibilities and to carry out its duties. The process has not yet reached the point where each institution creates its own rationale and where religion loses its overarching claim (Dobbelaere 1981:16).

D. The Hay'ah Today: Problems and Prospects

The institution of the hay'ah has provided us with a good case study of the effects of modernization on a religious institution. We have been able to answer few questions, but we have also ended up with more questions than when we started. Some reflections on the state of the hay'ah today might help us point to some important conclusions, and useful suggestions for further research.

The hay'ah today is struggling for survival in an increasingly unreceptive environment. It suffers from the lack of sufficient and adequately qualified staff to meet its growing responsibilities. The changing socio-economic environment also continues to present new challenges, and the survival of the hay'ah depends, to a large extent, on its ability to meet those challenges. We will not go into the details of the specific problems facing the hay'ah nor will we suggest

solutions.¹³ We will simply concentrate on the wider question of what the experience of the hay'ah means for the place of religion in modern Saudi Arabia.

The development of the hay'ah was influenced by a perceived need to rule the modern Saudi state in accordance with the Islamic sharī'ah. That basic condition still obtains today, but in a changing environment. If the hay'ah succeeds in modernizing its structure and methods of operation, can its basic task continue to be compatible with an increasingly modern way of life? Trying to function today without qualified members and without sufficient means may only further damage the public image of the hay'ah. There is an urgent need for major modifications in the nature of the hay'ah and in its relationships with other government and public institutions (see Chapter Eight).

Officials of the hay'ah seem to be aware of what is needed. There is today more emphasis on education and guidance to supplement the enforcement activities. But can the hay'ah act as both educator and enforcer especially when the Presidency of iftā' is better equipped to deal with religious guidance and da'wah activities?¹⁴ Does more emphasis on education and guidance mean less emphasis on enforcement? And, if so, what would that mean for the future of the hay'ah and its unique role?

The hay'ah today has the potential to continue expanding its activities and its structure if the new nizām and its by-laws are implemented correctly. This task lies with officials of the hay'ah, and depends on their ability to utilize the present support of the government for the benefit of their institution. They must provide

clear proof that their organization still has a place in a modern society. The establishment of clear definitions of what the hay'ah regards as munkars, a better working relationship with other government institutions and the media, and an improvement in its public image are essential requirements for a more modern hay'ah.

The tendency to deal with more than it can handle (eg. narcotics)¹⁵ and the inability to establish clear guidelines and methods for dealing with women,¹⁶ non-Muslims and expatriates are among the major problems that face the hay'ah today. Slow bureaucratic procedures and underqualified members and administrative staff further complicate those problems. It seems that the threats to the influence of the hay'ah lie within its own procedures and personnel rather than within the process of institutional differentiation.

The historical connection between the hay'ah and the Āl al-Shaykh family is another important factor that might influence the future of the organization. Prominent members of this influential family established the hay'ah and have acted as its leaders for most of its history (see Chapter Six). The three top officials of the hay'ah today are members of this family. The important question here is: what will happen to the hay'ah in connection with the declining numbers of influential members of Āl al-Shaykh family within the religious establishment (see Bligh 1985)? Is the future of the two connected? Or is it possible that a new generation of religiously educated members of the family¹⁷ or other ‘ulamā’ from outside the family can take over the leadership when the need arises? No definite answers can be given at the present time.

The past thirteen years have demonstrated that the hay'ah has

played a major part in facing the challenges to the dominance of religion presented by rapid modernization. Saudi society today still displays the very strong influence of religion in public life. Closing down for prayer, segregation between the sexes, prohibition against intoxicating drinks and pornography, veiling of women in public, closing down of video-arcades,¹⁸ and the lack of public theatres are major examples of areas where the hay'ah has played a major role. The success of the hay'ah in enforcing these and other prohibitions would not have been possible without the official support of the government which had adopted the policies dealing with these matters.¹⁹

The hay'ah reflects the unique politico-religious environment in Saudi Arabia. Its ability to grow and continue functioning is connected to the commitment to Islam on the part of the state. As long as that commitment continues, then a further growth in the structure of the organization is likely. The hay'ah's involvement with the religious concept of enjoining the acceptable and forbidding the reprehensible has never changed or been challenged. Even the variations in the agency's activities have always fallen within the boundaries of that general concept. The hay'ah's role has always been to guard the place of religion in public life. That role becomes increasingly more apparent as more challenges to religious influence develop.

What can be seen as the positive implication of the process of institutional differentiation is the large number of religious institutions in Saudi Arabia today (see Figure 3). The hay'ah is not alone in trying to meet the challenges to the overarching claim of religion. Increases in religious education, especially at university

level, and the use of the media for religious purposes (ie. religious programmes and broadcast of prayers and adhān on a regular basis) have also helped the hay'ah in dealing with a population that seems to be more aware of its religious obligations.

The most important factor has been the government's policy apparently to systematize religious practices in all parts of the country. Another factor is the restrictions applied by the government on the practice of religions other than Islam in public. Both factors have made the job of the hay'ah somewhat easier. The absence of religious pluralism and the policy of adopting Islam as the official religion of the state were both necessary prerequisites for making the role of the hay'ah appear both possible and meaningful.

It is not possible for an institution like the hay'ah to function in a pluralistic society that has more than one set of religious beliefs and practices. It would be an impossible task to enforce religious observances among a population that observes different religions (unless one of the religions is followed by a clear majority). The hay'ah was able to develop and grow in Saudi society because the sociopolitical environment was suitable for it. This might be one of the reasons why a similar institution to the hay'ah does not exist in most other Islamic countries, for few of them have a comparably low degree of religious diversity.

The hay'ah has been a unique feature of the modern experience of Saudi Arabia. What is going to happen to it in the future is likely to be determined by equally unique factors for which no current sociological theories can account. This case study has shown that trying to apply the current theories of secularization to the case of

the hay'ah does not give satisfying answers. It is also important to remember that the case of the hay'ah only gives us partial indications as to the effects of modernization on religion in modern Saudi Arabia. The following chapter deals with the wider implications of this case study for the major questions that we have tried to answer in this thesis.

Conclusion

The foregoing discussion has demonstrated the difficulty of drawing clear conclusions from our case study of the hay'ah. We saw that modernization has had mixed implications for the organization's role and influence. No clear trend emerged which can point to what will happen in the future.

The uniqueness of the hay'ah and the factors that seem to affect it make generalizations hazardous. They also make the theories of secularization, in their present form, questionable. Institutional differentiation did not have the serious negative implications for the hay'ah that might have been expected. The agency continued to grow and to function in spite of differentiation. The public role of the hay'ah is also an indication that religion in Saudi Arabia has not yet lost its overarching claim over public life.

The case study of the hay'ah has not been detailed and complete enough to provide unambiguous answers to all the questions about modernization and religious change. The fact that the hay'ah is still going through a period of transformation and adjustments, and that the writer was not able to get hold of more information contributed to the limitations of this case study. The case study, however, has provided

new insights into the dynamics of this unique institution, and has challenged some received ideas. It has also tried to give sufficient reasons for a new critical assessment of the theories of secularization as they apply to a non-Western, non-Christian society and its institutions.

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PART IV

Summary, Analysis and Conclusions

Chapter Ten

Discussion of the Findings

The aim of this chapter is to bring the pieces of the study together and at the same time to draw some conclusions. A summary of the main questions and arguments developed throughout the thesis will be followed by a summary of the findings about the two hypotheses presented in Chapter One. The second section will identify the limitations of the present study and the reasons for them. The chapter will conclude with a number of suggestions for further studies.

A. The Main Findings

The information presented in the previous nine chapters has clarified some points but has also raised new questions. We cannot claim that we have arrived at clear and definite answers to our questions. We have good reasons to believe, however, that the study has served its main purposes and contributed somewhat to our attempt to understand a complicated phenomenon like religion and its place in the modern world.

We began the study with a brief review of the main sociological arguments about modernization and religious change. Theories of secularization occupied a major part of our discussions due to their immediate relevance to the topic of this thesis. The emphasis was on the usefulness of those theories when studying a country like Saudi Arabia. It became clear at the outset that theories of secularization are more useful, if at all, in understanding the experiences of

Western, Christian societies rather than Islamic societies.¹ Many sociologists of religion, however, are beginning to question the usefulness of those theories even in understanding religious change in the Western world of today.²

The distinctiveness of Saudi Arabia further complicates the problem of trying to use the theories in their present form. The unique, historical, political, and cultural factors that influence the place of religion in present-day Saudi Arabia call for a special attention that must take these factors into account (see Salame' 1987:323). This brought into focus the problems associated with regarding secularization as a global phenomenon that is part of the modernization process. It also highlights the need for a methodical approach that would treat each case, where necessary, as unique and different from others, based on that case's unique historical and cultural circumstances.

Our strategy for testing the applicability of the theories of modernization and secularization to Saudi Arabia utilized three different approaches. Firstly, we reviewed the main sociological arguments, emphasizing their usefulness and their limitations. Secondly, we adopted an historical approach to assess the changes that have taken place in the role played by religion in Saudi Arabia since the unification of the country in 1932 and the beginning of political modernization. And thirdly, we presented a detailed case study of one religious organization, hay'at al-amr bi-'l-ma' ruf wa-'l-nahy 'an al-munkar (Organization for Enjoining the Acceptable and Forbidding the Reprehensible), in order to determine the effects of modernization on the ability of this organization to continue playing its religious

role in Saudi society.

The concept of modernization was used in a narrow sense to refer to the process of institutional differentiation which enhances the capability - the effectiveness and efficiency of performance - of a society's political system (Coleman 1968:395).

Secularization, on the other hand, was defined as the process by which religion becomes just another institution alongside other institutions and thus loses its overarching claim to speak for the whole of society (Dobbelaere 1981:11). Secularization, as used in the study, is only concerned with the process of institutional differentiation. It has nothing to do with the ideology of secularism,³ and does not deal with religious change within religious institutions nor with the changing involvement of individuals in religious activities.⁴

The study's fundamental question was: what are the effects of political modernization on the influence of religious organizations in a modernizing society? The two hypotheses associated with that question were, firstly, that there is a positive relationship between political modernization and secularization in a modernizing country; and, secondly, that the higher the level of institutional differentiation in a society, the lower the capacity of official religious organizations to shape public life. The degree of secularization in modern Saudi Arabia was, therefore, to be assessed by examining whether or not religion has been canalized into a separate institution, and whether or not religion has lost its influence in public life.

This study is not the first to deal with the above questions,

but we maintain that it is distinctive and innovative for adopting a detailed, methodical approach in order to arrive at reliable answers. The lack of agreement among the various writers who have dealt with religion in Saudi Arabia demonstrates both the difficulty of the topic, and also the desirability of a unified theoretical approach to guide future studies. A brief summary of the major approaches to the study of religion in Saudi Arabia might help put our findings in perspective.

The relationship between religion and politics in modern Saudi Arabia has been approached in three ways.⁵ The first one stems from a school of thought that tends to see the religious establishment as part of, and not a challenge to, the regime. The advocates of this approach are Long (1980), Niblock (1982), Quandt (1981), al-Hamad (1985), and Kechichian (1986). This approach seems to be most appropriate to understanding the place of religion in Saudi Arabia. Indeed, our conclusions appear to confirm the usefulness of this approach which seems to explain why religion in Saudi Arabia has not been weakened significantly despite rapid socio-economic change.

The second approach is the one followed by Bligh (1985) and Heller and Safran (1985). It is based mainly on a conflict approach and is concerned primarily with the "effects of modernization on replacing the sources of traditional opposition to the regime (tribal, religious, geographic) with a frustrated middle class created by the state and denied a political role" (Salamé 1987:322). The problem with this approach is that it places too much emphasis on a conflict between the regime and the most powerful groups in society for which there is actually little or no evidence (see Ochsenwald 1981:272).

The third approach views the Saudi government as modernizing at the expense of the religious elements in society. The main examples of this approach are the studies by Kluck (1984), and al-Yassini (1985). The problem with this approach is that it assumes that the religious establishment in pre-modern Saudi Arabia (before 1932) was powerful, organized and dominant in society. That in fact was not the case, and religion was very weak (in the public sphere) before the birth of the modern state (see Chapter Three). No religious organizations existed (apart from a basic form of education), and most ʿulamāʾ, judges, and imams used to perform religious services for the public on a voluntary basis. Al-Yassini's conclusion that "... the ulama lost many of their traditional functions and became a pressure group ..." (al-Yassini 1985:59), lacks objective proof. The ʿulamāʾ continue to act as judges, muftīs, teachers, imams, enforcers of public morality, and preachers. These were basically their traditional functions. The state only organized and systematized the roles of the ʿulamāʾ, and that does not necessarily mean loss of influence. On the contrary, it could mean more influence for the religious establishment as a result of the backing and support that it received from the state (see Quandt 1981:89).

In contrast to the approaches and findings of the above studies Part II of this thesis presents the evidence of the effects of modernization on the influence of the religious establishment. The unique historical circumstances that shaped the relationship between religion and politics in Saudi Arabia might help to explain the strong commitment to religion on the part of the state. The fact that Islam arose in the Arabian Peninsula, and that the two holy mosques in

Makkah and al-Madīnah are today part of Saudi Arabia has given the government an added responsibility for religion. It is a question of an international Islamic legitimacy and prestige, and cannot be determined by internal political considerations alone.

A very important factor in the Saudi experience has clearly been the religion of Islam itself. The adaptability of Islam to changing social and economic circumstances has proven very useful for the Saudi government's attempts to modernize and to continue using religion for legitimation. The willingness of the government and of the ʿulamāʾ to adapt aspects of Islamic law to the changing circumstances by complementing the sharīʿah with new pieces of legislation and new institutions has been part of the government's strategy for keeping pace with social and economic developments (Piscatori 1983b:63). The conclusion reached by Piscatori (1986:126) that "nothing intrinsic to Islam prevents the development process from taking place" supports the claim that Islam is compatible with modern circumstances (Gellner 1981:7). The fact that Islam is able to provide legitimacy for the state, laws for social institutions, and an ideology for international relations, and the fact that Islam has not been a hindrance to modernization and development may explain why the Saudi government has not found it necessary to laicize its public institutions.

Chapter Four showed that the government had managed to modernize its political structure without undermining the traditional bases of the whole social system.⁶ The readiness to develop major organizations for religious purpose, and to incorporate them into the state machinery signified the intentions of the government to try to function as an 'Islamic' state (by, for example, applying sharīʿah

rules in dealing with civil and criminal disputes, collecting the zakāh, and administering the affairs of mosques, awqāfs and the Pilgrimage). The integration of religious functions into state bureaucracy has apparently resulted in making religious practices more systematic and in bringing them more in line with what the 'ulamā' regard as the 'true' teachings of Islam.

The discussions in Chapter Five, on the other hand, give clear indications of the continuous dominance of religion in public life in Saudi Arabia. The growing number of organizations that perform religious functions, and the vast amounts of money which the government spends apparently in order to strengthen Islam inside and outside the country do not go to prove that religion is losing its influence in Saudi Arabia. Economic wealth has been seen as one of the major reasons that allowed Saudi Arabia, as well as some other oil-rich states, "to create Islamic welfare states, to impose shariah proscriptions ... and to give financial and political support to conservative movements throughout the Islamic world" (Creceius 1980:68).

The evidence presented as part of the case study in Part III shows that a religious organization can continue playing its role despite institutional differentiation. It is true that the hay'ah lost some of its previous functions to other government institutions but, nevertheless, it continues to function in spite of that. Modernization has created new conditions and, therefore, the hay'ah found new things to do (see Chapter Nine). What is suggested here is that the changes that the hay'ah experienced cannot be interpreted as a loss of influence for the religious establishment. The differentiation seems

to be a functional response to the demands of a modernizing society.

After this brief review of what our study has presented as evidence, we turn back now to testing the hypothesis. In the light of the problems associated with the theories discussed in Chapter Two, and in the light of evidence presented in parts II and III, we can conclude the following:

1. The sociology of religion, in its present form, is not ideally equipped to deal with the socio-religious experience of modern Saudi Arabia.⁷
2. Theories of modernization and secularization can provide useful starting points in the study of the effects of rapid social change on religion. However, they usually fail to take into account the unique historical, economic, political, and social factors that make the Saudi experience different from that of other countries.
3. In the light of the clarifications of concepts attempted in Chapter Two, and by focusing on the two main components of the theory of secularization (viz. that religion becomes one separate institution and loses its influence in public life), we conclude that secularization, in the form specified above, has not yet occurred to any measurable degree in modern Saudi Arabia. There are strong indications that religion continues to dominate a number of important social institutions (in particular the judiciary, education, and the enforcement of public morality), and continues to expand its influence through official organizations (presidency of iftā' and da^c wah, the hay'ah, ministry of pilgrimage and awqāf, the media, department of zakāh, and religious universities and institutes). Religion in Saudi

Arabia has not yet lost its influence in public life and has not been limited to one separate institution.

Our contention that secularization, as defined by the dominant theories, has not taken place in Saudi Arabia is analogous to B. Wilson's (1987a:162) depiction of Christianity in pre-modern times (quoted above on p.51). This is only an analogy, however. There is no implication that Islam is necessarily going to follow the pattern of Christianity's development.⁸ In this respect, our findings do not confirm Tibi's (1980:222) hypothesized connection between industrialization and the secularization of Islamic countries.

The main hypothesis, which states that there is a positive relationship between institutional differentiation and loss of religious influence in public life, is not supported by the general findings of this study. Institutional differentiation has in fact taken place in Saudi Arabia, but not to the point where religion has become a totally separate institution and lost all its influence to speak for the whole of society.⁹ What has taken place appears to be a functional differentiation which has not yet produced ideological effects detrimental to Islam.¹⁰

4. The case study of the hay'ah provides some support for the second hypothesis, which states that the higher the level of institutional differentiation, the lower the capacity of official religious organizations to shape public life. The evidence suggests that the hay'ah is less capable today of shaping public life than it was before 1960. It has lost some of its functions to

other government institutions, but has continued to deal with increasing responsibilities of its own. The hay'ah is, however, only one example which cannot be generalized to cover other religious institutions in the country. Each institution (for example, the judiciary, religious education, pilgrimage and endowments, and iftā' and da^cwah) may have experienced a slightly different process of development and change.

5. It could be argued here that state formation, rationalization (of state activities), and modernization have given rise to a trend towards an increase in public religious observances. Education, the mass-media, and the enforcement of religious observance by the state have apparently made religion more available to people in all walks of life. This in turn may have resulted in more influence for religious organizations in public life during a time of rapid modernization.
6. The Saudi experience provides examples both of the possibility of integrating religious functions into modern bureaucracy, using modern technology to monitor religious observance and the performance of religious functions, as well as of the possibility of incorporating modern education into religious structures without destroying them.
7. Islam in Saudi Arabia is the ideology and the main source of legitimacy for the political system. Thus, the threat to its dominance will not apparently come from the political system

itself. If secularization is going to take place in Saudi Arabia, then we believe that its source will not be institutional differentiation alone. Factors such as Western capitalism and the world economic system, the emergence of middle-classes (especially western-educated Saudis), and the apparently increasing degree of secularization of consciousness among a growing number of young Saudis (due to increasing contact with the outside world through education, the media, and travel) may feed into the future secularization of Saudi Arabia.

The secularization of institutions is very much connected to the secularization of individuals (what Peter Berger (1969:107) called the secularization of consciousness). Religion is believed in, followed, and practised by individuals. If individuals feel that religion no longer has much meaning to them, and if, as a result, their involvement in religious activities declines, then religion will lose its influence in public life even though it continues to be supported and enforced by the state. Furthermore, the secularization of institutions is not an automatic outcome of modernization, but rather it takes place as a result of the actions of groups and individuals (Fenn 1978:xii). The technological aspects of modernization and institutional differentiation on a functional level do not necessarily lead to a secular society.

Having said all of the above, we continue to stress the problems associated with arriving at such conclusions. We realize the difficulty of studying religion in Saudi Arabia because of its inter-connection with other things. Furthermore, we recognize the

difficulty of trying to measure processes such as modernization and secularization. The theories do not provide instruments for making measurements, and the processes themselves are continuously changing the very social environment that we are trying to study. There is an urgent need to develop better methods that will enable us to measure those processes and to assess their relationship to each other (see Dobbelaere 1987).

B. Limitations of the Study

We have tried to relate the topic of this study to the wider concerns of the sociology of religion while recognizing the difficulty of doing so. The concepts remain slippery despite our attempts to clarify their meanings by defining them narrowly. The problems are intrinsic in the sociology of religion itself due partly to its historical connections with the experience of western-Christian societies.

This particular study is focused on the religion of Islam and the Saudi experience. The findings cannot be directly generalized to religions other than Islam, or to countries other than Saudi Arabia. The study is further limited by focusing on only one religious organization in Saudi Arabia. That was necessary in order to provide an empirical focus for research, but we must be careful when it comes to assessing general religious change in modern Saudi Arabia. The hay'ah is only one case among many.

The focus on the process of political modernization (institutional differentiation) and not on modernization in general (in its broader social and economic aspects) may have been necessary for a study of this kind, but it may also have prevented us from

seeing other factors that influence the process of secularization. Another limitation has been the necessity of relying on official sources for most of the information about Saudi Arabia. The problems associated with field research (see Appendix B) may have further restricted the amount of information collected from fieldwork. The last limitation comes from the fact that the study dealt with a process that is far from complete. Saudi Arabia continues to modernize at a rapid pace, and things continue to change as we write this thesis.

C. Suggestions for Future Research

This study has attempted to deal with a very complicated phenomenon. It is only a beginning, and there is scope for much more research in this area. This study can nevertheless be seen as the first step in the direction of establishing alternatives to the current approaches to the study of religious change in Islamic societies.¹¹

In addition to general research on the subject of the relationship between Islam and modernization, we suggest that sociologists should continue to look for the most useful theoretical approach to the study of religious change in Islamic societies. The current sociological theories provide useful starting points and the necessary material for comparative purposes, but they ought to be modified somewhat to allow for the unique features of Islam and the culture of the various Muslim countries. The interface between a traditional religion and a modern state bureaucracy would be an ideal topic for future research. Secondly, current theories are rarely supported by techniques for measuring the process of modernization and

secularization in a quantitative form. An urgent priority is to devise appropriate techniques which are sensitive to the distinctiveness of Islam.

Thirdly, the religion of Islam is becoming the subject of much scholarly attention. An important area of sociological research regarding Islam concerns the compatibility of Islam, as a socio-political system, with the realities of modern life. It is unclear, for example, to what extent Islam can continue to function in a technologically modern society without having to give up some of its basic requirements. A related topic deals, fourthly, with the effects of the world economic system and of the globalization of certain political and social issues on the ability of Muslims throughout the world to live in accordance with Islam.

In the specific case of Saudi Arabia, fifthly, more research is required on the effects of rapid social change on the religious traditions of the country. It is possible that changes in the judicial system (e.g. the introduction of specialized courts) and in the area of education (incorporating religious and general education) may seriously challenge Islam as a public force in Saudi society. There is a strong need for more research into the degree and direction of these changes. More specifically still, the question arises of how the integration of religious and secular education will affect the quality of the 'ulamā' of the future.

We should not forget that religious organizations other than the hay'ah have gone through different processes of development and growth. But the impact of modernization on the ability of these organizations to continue playing their public role in society is not

yet clear. Our sixth point is that more research in this area will provide further insights into the effects of modernization on religion in Saudi Arabia. Finally, an interesting area of research is the impact of rapid social change on the people of Saudi Arabia. In particular, we need to know much more about the impact of general education, the mass media, travelling abroad for education and for tourism, and the existence of a large number of foreigners in the country on the religiosity of individual Saudi Arabians.

This list of priorities and topics for further research is potentially endless. We have tried to indicate only those topics which follow on directly from the research on which this thesis is based. It is our hope that the present work will provide a foundation on which other scholars can build.

E N D N O T E S

Chapter One

1. This is the period between the official unification of the Kingdom of Saudi Arabia in 1932 and today. This period was chosen because it represents the era of sociopolitical change that began with the birth of Saudi Arabia as an independent nation-state.
2. The "ideal" Islamic state has been the subject of numerous writings and controversial debates. There is a wide agreement, however, that the state established by the Prophet Muḥammad in al-Madīnah in 622 C.E. represents the ideal model that all Muslim states must follow. See, for example, Maududi (1960, 1976), Askari (1978), ^cAmmarah (1980), and al-Mehdi (1978).
3. This unique religious organization is referred to in most of the literature dealing with Saudi Arabia as 'public morality committees' (see, for example, Niblock (1982a:75), al-Yassini (1985:70), and Mortimer (1982:175). We have chosen to use this name (i.e. Public Morality Committees) in the title of this thesis only because we believe that it is easier to recognize by most readers interested in Saudi Arabia. It is more widely known and commonly used, even in official government publications, to refer to the organization. We have here given the complete official name of the organization (the name has various translations - see the introduction to Part III of this thesis), and it will be referred to throughout the thesis as the hay'ah. The complete name will only be given where necessary. See also endnote no.1 in the introduction to Part III.
4. By Islamic countries, we mean those independent states whose population, or the majority of the population, is Muslim by faith. Al-Buraey (1985:55) gives a list of 46 countries where Muslims constitute a majority of the population. Crecelius (1980:49) has recognized the lack of studies which have dealt with the realities of socioeconomic change on the religious institutions in Muslim countries.
5. A transitional society is a society which although not fully modernized contains nevertheless aspects of modernity; it is also not traditional, yet it contains aspects of traditionality. It is a society that appears to be moving from the polarity of tradition to the polarity of modernity (al-Hamad 1985:15). Roberts (1971:215) defines tradition as "some institution, symbol, myth or other cultural element which is passed on from generation to generation in a community." In Saudi Arabia, the Islamic religion has shaped and defined most of the country's traditions. A few, however, are the product of the tribal environment and its associated values and customs.
6. For the meaning and evolution of the ḥisbah see Chapter Six.

7. There have been various attempts to describe the religious situation in Saudi Arabia, but most lack a detailed analysis and scientific approach. The study by al-Yassini (1985) has been the most comprehensive so far. A number of writers: Piscatori (1980 and 1983b), Edens (1974), Long (1980), Buchan (1982), Mortimer (1982), Hiro (1988), Humphreys (1979) and Salame' (1987) have dealt with the relationship between politics and Islam in Saudi Arabia. The topic of religious revival has been dealt with by Wenner (1980), Ochsenwald (1981), and Hopwood (1982). The status and role of the Saudi 'ulamā' is the subject of two studies: Kechichian (1986), and Bligh (1985). Other published studies that deal generally with religion in Saudi Arabia are Kluck (1984), al-Yassini (1982), Rentz (1966), Hobday (1978), Lipsky (1959), Holden and Johns (1981), Wenner (1975), and Souryal (1987).
8. A review of the literature that has dealt specifically with the hay'ah or has just mentioned it, is provided in the introduction to Part III of this thesis.
9. The hijrah calendar (H.) is the official Islamic calendar which starts with the hijrah (migration) of the Prophet Muḥammad from Makkah to al-Madīnah in 622 C.E. It is the official calendar used in Saudi Arabia, and most official documents are dated accordingly. The Islamic year is eleven days shorter than the Gregorian year, and the beginning of the year moves back eleven days every year in relation to the Gregorian year. The year 1989 corresponds to 1409-1410 of the Islamic era.

Chapter Two

1. The sociology of religion, according to most theorists, does not deal with the ultimate reality of religious claims to truth. It only recognizes that religion does take the form of human institutions, and that it is these human forms which are the subject of the sociology of religion. Pareto claimed that "Religions will only be considered externally in as much as they are social facts, and entirely apart from their intrinsic merits" (quoted in Hill 1973:36).
2. Smith (1962) defined religious tradition as the "cumulative repository of the past religious experiences and expressions of a people" (quoted in Johnstone 1975:14). For an Islamic viewpoint dealing with the problems of defining religion, see Alatas (1977).
3. This definition is very similar to the classical definition of Durkheim (1969:46). The main difference, however, is the functional approach of Durkheim which resulted in making him believe that religious systems have a functional role which is uniting its adherents into one single moral community. See Beckford (1981) for a criticism of the functionalist approach to the study of religion.

4. For a discussion about major definitions of religion and their limitations, see McGuire (1981:9-10), and Turner (1983:242). Berger and Luckmann (1969:69) argued for the expansion of the scope of the sociology of religion to become a central part of the sociology of knowledge dealing with "legitimizing systems" whether religious or pseudo-religious. See Beckford (1987a) for an assessment of the views of Berger and Luckmann.
5. For further discussions about the early developments of the sociology of religion, see Johnstone (1975:9), and Hill (1973:19).
6. See the discussions of Cuzzort and King (1980:54), and Beckford (1987b) about the views of Durkheim.
7. This approach led Weber to develop his famous theory of the relationship between Protestantism and Capitalism. See Weber (1948), and Eisenstadt (1968).
8. For Freud's views on religion, see his book The Future of an Illusion (London: Standard Edn, 1953).
9. The phenomena of religious revival in the Muslim world (Danner 1980, Dekmejian 1980, and Hopwood 1983), and new religious movements in the West (Beckford 1977, 1986) require more analytical studies that would explain not just how but why these movements continue to happen in a time of supposed religious decline due to modernization and development.
10. For an extensive review of how Islam was presented by western writers between 1100 and 1960 with a bibliography, see Daniel (1980). See also Imran (1979) for an Islamic viewpoint.
11. See Turner (1983:35) for an argument about Hume's theory as it relates to Islam. See also Gellner (1969:128).
12. For historical studies written by Muslims, see ^cAzzām (1984), Ibn Ishaq (1964), and Haykal (1968).
13. For the views of Weber, see his book The Sociology of Religion, translated by Ephraim Fischhoff (1965). See also Turner (1974) for an assessment and criticism of Weber's thesis as it relates to Islam.
14. Turner (1978:383) referred to Weber's approach as an "internalist theory" which provides explanations for economic growth or stagnation in terms of personal beliefs, family structure, patterns of inheritance and so on rather than in terms of the global context of the society within the international division of labour (externalist theory).
15. Orientalism has been defined by Waardenburg (1985:29) as "scholarly studies which through their analytical procedures undermine the norms and values, the originality and essence of

Islam." It developed as a natural outcome of the negative views of Islam that dominated Europe after the crusades and continued up to the middle of the twentieth century. See D. Waines (1976), Turner (1978, 1983), and Said (1978) for discussions and criticisms of the Orientalist approach to the study of Islam.

16. For a brief account of Ibn Khaldun's life, see the introduction to the translation of his famous work al-Muqaddimah by Franz Rosenthal (1967). Gellner (1981) gives a detailed review of Ibn Khaldun's sociological theory and contrasts it with the works of both Durkheim and Weber.
17. By normative Islam we mean the form of Islam which is based on what the Prophet Muḥammad instituted as Islamic religion, and which is today known as the sharīʿah (see Chapter Three). Normative Islam is connected with the Islamic state, and is sanctioned and protected by the ʿulamāʾ (religious scholars). It implies that people in certain offices can perform specific actions which are binding in Islamic Law (e.g. judges). Popular Islam, on the other hand, means the forms of beliefs and practices that develop out of local conditions when normative Islam loses its influence on society. Sufism is an example of popular Islam (Waardenburg 1978). See also Gellner (1969).
18. "By rationalization Weber meant the process by which explicit, abstract, intellectual rules and procedures are increasingly substituted for sentiment, tradition, and rule of thumb in all spheres of activity" (Wrong 1970:26). See also Brubaker (1984).
19. For an Islamic perspective on the relationship between religion and politics, see Ibn Taymiyyah (1970), Maududi (1960), Askari (1978), and Hassan (1981).
20. See, for example, Beckford and Luckmann (1989), and B. Turner (1983).
21. The term secularization refers to "a process of decline in religious activities, beliefs, ways of thinking, and institutions that occurs primarily in association with ... other process of social structural change" (Wilson 1987a:159). It must be differentiated from the term secularism which is "an ideology; its proponents consciously denounce all forms of supernaturalism and the agencies devoted to it, advocating non-religious or anti-religious principles as the basis for personal morality and social organization" (ibid). Our concern in this study will be with the process of secularization and not with the ideology of secularism. See Glasner (1977:46, 56) for a further discussion of the differences between the two terms. See also Khalīl (1983), Gauhar (1978), and al-Ḥawālī (1984) for the Islamic position relating to the ideology of secularism (ʿalmāniyyah). One of the major problems associated with the use of the term secularization in this study is the fact that it has no equivalent in the Arabic language. The term ʿalmāniyyah, which is used by most Muslim writers (see, for example,

al-Ḥawālī [1984] and Khalīl [1983]) to describe separation between state and religion, means the ideology of secularism and not the process of secularization.

22. For the historical development of the use of the term see Shiner (1967:207). Wilson (1982:148), Hill (1973:228), and Dobbelaere (1981) provide useful discussions of the various meanings and applications associated with the concept of secularization.
23. McGuire (1981:243) defined the concept of "disenchantment of the world" as: "the process by which things held in awe or reverence are stripped of their special qualities and become 'ordinary'." Weber noted three phases in the development of secularization, namely disenchantment, fragmentation, and conflict between partial world-views (Turner 1974:154).
24. See Berger, Berger, and Kellner (1973) for an assessment of the influence of modernization on consciousness.
25. Berger (1969) defined the secularization of culture as "the process by which sectors of society and culture are removed from the domination of religious institutions and symbols." The secularization of consciousness, on the other hand, means: "the production of an increasing number of individuals who look upon the world and their own lives without the benefit of religious interpretations". Turner (1974:156) referred to Berger's distinction as objective (institutional) and subjective (human) secularization.
26. In a later paper, Dobbelaere (1984) decided to abandon the term laicization and return to use secularization in its place. He argued that the term laicization was confusing, and that he would refer to the three processes identified in 1981 as "secularization in general". We believe that laicization is still useful simply because it identifies a specific process regardless of its linguistic meaning. The definition given to it later in the chapter should make it clear and justify its continued use. In the context of this study, the terms secularization, laicization, and institutional differentiation will be used to refer to three aspects of a single process: differentiation between institutional spheres in a given society.
27. Durkheim believed that "religion used to pervade everything; everything social is religious; the two words are synonymous" (quoted in Dobbelaere 1981:16). It is possible that the 'overarching claim' of religion over society originated in Durkheim's argument. That might have been the case in primitive societies (Durkheim drew most of his conclusions from studying the aboriginal tribes in Australia) (Johnstone 1975:143), but not in societies where Islam arose and still dominates. The social institutions that existed in Arabia before Islam (tribe, family, marriage, slavery ... etc) continued to exist with minor modification by Islam (eg. limiting the number of wives a man can have at one time to four). None of those institutions was considered religious or was given a sacred character.

28. This point will be discussed further in the section dealing with the relationship between religion and modernization later in this chapter.
29. This means individuals or groups who want to secularize society using the ideology of secularism.
30. See Hill (1973:232) for a criticism of the golden age thesis. Greeley (1972:5) wrote that "Primitive societies have their share of atheists or agnostics every bit as much as does modern society". See also M. Douglas (1982).
31. A case in point is what happened to the Prophet of Islam and his followers during the first ten years of his mission in Makkah (see Chapter Three).
32. Berger (1969:108) believed that secularization is a global phenomenon that "has now become worldwide in the course of westernization and modernization". See Tamaru (1987) for an argument against the application of the theory of secularization to non-Western countries and especially to Japan. See also Voll (1987), and B. Wilson (1987b).
33. See Greeley (1972) for a lengthy argument about what he called the 'persistence of religion' in the modern world.
34. For a discussion about the rise and meaning of Islam, see Chapter Three.
35. See Hermassi (1978:456) for an argument that the realities of Muslim societies have always necessitated what he called "a de facto secularization and a dissociation between state and society, politics and culture ..."
36. By traditional societies is meant those "societies that continue to place preponderant emphasis on tradition as the source of their political values". Tradition, on the other hand is "some institution, symbol, myth or other cultural element which is passed on from generation to generation in a community, and which is regarded by some members of that community as being valuable" (Roberts 1971:215).
37. This definition was adapted by Shaker (1972:25) from Moore (1963:89). It has been modified here to fit our need to view modernization in its technological aspects as different from westernization in its cultural aspects. Alatas (1972:24) has argued for distinguishing between the two terms. "It is true", he wrote, "that the basic ingredients of modernization are derived from the West, nevertheless it is possible to consider them as autonomous cultural elements which are subject to diffusion without necessarily being accompanied by western culture. If they are, the reasons are to be sought elsewhere rather than in the intrinsic nature of the process of modernization."

38. Other models are the Soviet Union, China, Cuba, Yugoslavia, Australia, and Japan (even though Japan has followed the western model, its experience is unique for cultural reasons).
39. Turner (1974:161-164) went on to criticize Lerner for ignoring non-Western types of modernization and for basing his conclusions on the experience of Turkey which is different in that the process of westernization "was imposed by political decree rather than emerging necessarily and automatically from economic change."
40. Roberts (1971:214) defines Third World as: "a term applied to the developing countries, particularly those not associated formally with the American or Communist alliance systems, and which includes many former colonies of European empires. The term draws attention to the economic difficulties of these states, and their non-committed attitude towards the eastern and western power blocks."
41. This has been argued by Lerner (1968:392) and Patai (1962:370). Lerner contended that modernization "must involve indigenous people in behavioural transformations so manifold and profound that a new and coherent way of life comes into operation." See Turner (1974:160) for a criticism of Lerner's position; and see also Lehmann (1979:82).
42. Andersen, Seibert and Wagner (1987:5) wrote that we "have to look long and hard to find a society that is statically traditional or statically modern. All societies are, and have always been, constantly changing."
43. Barnett (1988:26) argues that modernization theories display elements of Evolutionism, Functionalism and Positivism by virtue of making the following common claims:
 1. Development takes place from within a society.
 2. Development follows the same patterns in all societies.
 3. The end result of development is prosperity and political stability.
 4. The scientific study of history and society (positivism) will enable us to identify patterns of development from the experiences of developed countries.
44. See Osama (1987:7) for an argument about the comprehensive nature of the process of development which he defines as "an integrated process concerned with all societal activities aimed at achieving human welfare."
45. Theorists who adopted this new approach utilized Marxist thought to explain development or the lack of it in the light of the interaction and conflict between rich and poor countries, and the role played by Colonialism in that interaction (see Barnett 1988:40).
46. Underdevelopment is viewed here not only as a stage before development, but also as a state of development in the opposite direction of poverty and stagnation. See Hoogvelt (1978:81).

47. See also Barnett (1988:173).
48. Lehmann (1979:26) also acknowledges that it is possible to have a negative correlation between economic growth and development; economic growth could mean growing unemployment and increasing inequality.
49. A new index called the Physical Quality of Life Index (PQLI) is being increasingly used to measure development. It uses the indicators of life expectancy, infant mortality and literacy rate to decide whether a country is developed or not. Saudi Arabia, which ranked fourth out of 23 Third World countries using GNP in 1981, ranked eighteenth among the same countries when PQLI was used (Bill and Leiden 1984:20). See also Barnett (1988:180) for the problems associated with the use of PQLI.
50. See Jacobs Modernization without Development (1971). In the case of Saudi Arabia, see Osama (1987) and McLachlan (1986).
51. See al-Farsy (1986), Looney (1982), and Khuthaila (1984). See also Chapter Four.
52. The term capacity was defined by Coleman (1968:397) as the "constantly increasing adaptive and creative potentialities possessed by man for the manipulation of his environment."
53. This set of distinctions was inspired by Talcott Parsons to differentiate between traditional and modern societies. See Martindale (1981:475).
54. For detailed studies of the ability of the Saudi government to foster modernization while maintaining a traditional political system, see Shaker (1972), Huyette (1985), and al-Hamad (1985).
55. The word majlis means council and guest room. As an institution it originates in the way political leaders (tribal chiefs and governors) used to receive their subjects in a majlis to hear their complaints, seek their advice and maintain their allegiance. In modern Saudi Arabia, this institution is still part of the daily business of government. The King, the Crown Prince and regional governors set time aside every day to receive citizens in their majlises. Influential groups and individuals (tribal chiefs and the 'ulamā') still use this method to influence major decisions and transmit major demands. The effectiveness of the majlis has been affected by bureaucratic growth, but it remains a quick way of doing some government business based on personal contact between the rulers and the ruled. See The Times, 29.7.1986, and The New York Times International, 29.4.1989. See also Rudolph (1984:214), and al-Yamamah (1015), 8.3.1988.
56. Bill and Leiden (1984:12) have argued that "the forces of modernization, by providing political elites [even the traditional ones] with more sophisticated techniques of control, can enhance their capacity to meet demands and to provide security."

57. For the meaning of transitional society, see endnote no.5 in Chapter One.
58. The limited political participation has not affected the ability of the government to meet new demands and to cater for the perceived needs of new groups (middle-class professionals, for example) who have been incorporated into the state bureaucracy. Germani (1968:358) said that it was difficult to decide whether political participation constitutes a necessary condition for political development or whether it is an inevitable consequence of it.
59. The Ottoman empire indirectly ruled over parts of the country, but it was through local governors and with limited institutional modifications. See Ochsenwald (1984).
60. M. Douglas (1982) provides a good argument in response to those who see a strong connection between modernization and religious decline. She does not share those views, and does not believe that the technological aspects of modernization are to be blamed for religious decline in the modern world.
61. These are: western civilization carried in political ideologies (communism and nationalism); the modern world economic process; the mass media; modern transportation and tourism; and the advances in science and technology.
62. This was true in a number of countries. Turkey and Tunisia are cases in point.
63. See al-Buraey (1985:7-16). For discussions about Islam and modernism, see Qutb (1979) and Jameelah (1977).
64. Turner (1978:394) wrote that "Islamic beliefs and legal codes did not hinder enterprise and that Islam possessed a rational core of values and attitudes." See also Khurshid Ahmad (1978), and Chapra (1976).
65. About 95% of Saudis are Sunni Muslims. There is also a Shi^Cite minority (estimated by Kluck [1984:113] to be between 250,000 and 400,000) mainly in the Eastern Province.
66. Kingdom of Saudi Arabia, Ministry of Planning. Achievements of the Development Plans (1970/1985) (Riyadh:n.d.).

Chapter Three

1. The word da^Cwah is difficult to translate into the English language. Literally it means 'call' or calling to something. As a religious concept it describes the missionary work involved in calling Muslims to practise their religion or calling non-Muslims to embrace the religion of Islam (see Piscatori 1986). The da^Cwah of Shaykh Muhammad b. ^CAbd al-Wahhāb was an

organized movement mainly to restore religion among the Muslims of central Arabia. A distinction should be made between this term and the term adhān which is also commonly translated as 'call'. The latter term, however, means calling people to attend prayer in the mosque by the mū'adhhdhin (muezzin). See Glassé (1989).

2. There is a huge collection of books published in the West about the history and institutions of Islam. For detailed information about the early history of Islam, see Ibn Ishaq (1964), ^CAzzām (1984), Gibb (1953), D. Roberts (1981), Haykal (1968), and Siddiqui (1969). For the ideology and institutions of Islam, see Hamidullah (1959), Nasr (1966), Watt (1968), D. Roberts (1982), K. Ahmad (1976), Maududi (1983), and Kelly (1984).
3. Ka^Cbah is the name of a large cubic stone structure which stands in the centre of the Great Mosque of Makkah. Muslims believe that it was built by the Prophet Ibrāhīm (Abraham). It is considered the holiest shrine of Islam. Muslims are required to go round it seven times when they perform hajj (pilgrimage).
4. See, for example, The Qur'ān (3:159; 42:38). The first number, in reference to the Qur'ān, refers to the number of the surah (chapter of the Qur'ān), and the second number refers to the ayah (verse of the chapter). The translation used is that of A. Yusuf Ali, The Holy Qur'ān: Text, Translation and Commentary.
5. The Qur'ān (2:136) states: "Say ye: we believe in God, and the revelation given to us, and to Abraham, Isma^Cil, Issac, Jacob, and the Tribes, and that given to Moses and Jesus, and that given to (all) Prophets from their Lord: we make no difference between one and another of them: and we bow to God (in Islam)." See also Maududi (1983:30).
6. The Qur'ān (51:56) states: "I have only created Jinns and men, that they may serve Me."
7. See, for example, The Qur'ān (3:85).
8. See Maududi (1983:108) for further distinction between dīn and sharī^Cah.
9. Al-qadar means a divine decree or predistination in which Muslims believe as one of the articles of faith. See Abbara (1987:99).
10. See the Qur'ān (2:183-185).
11. See the Qur'ān (3:97; 2:197).
12. For more information about the sharī^Cah, see Murad (1981), Ramadan (1970) and Maududi (1983).
13. Each individual item of the sunnah which gives a saying or describes an action by the Prophet is referred to as a ḥadith.

14. The term muftīs refers to those ‘ulamā’ who issue fatwās (religious rulings) regarding matters that have no clear rulings in either the Qur’ān or the sunnah.
15. See, for example, Algar (1987), and Bligh (1985).
16. Sunni Islam is the adjective from sunnah (traditions of the Prophet). It is used to describe the majority of Muslims (over 90%) who follow the sunnah of the Prophet Muḥammad. Glasse (1989:381) has referred to Sunni Muslims as 'the Orthodox' of Islam. Those who are not Sunnis include the Shi‘ites (mainly in Iran) and a number of smaller sects that have very small following.
17. For discussions about the ‘ulamā’ in different parts of the Islamic world, see Keddie (1972), Gilsenan (1982), and Algar (1987).
18. See Craig (1977).
19. See, for example, The Qur’ān (4:3).
20. See, for example, The Qur’ān (24:30-31).
21. See The Qur’ān (6:140; 17:31; 81:8-9).
22. For more discussions about the importance of this principle, see Chapter Six.
23. For the meaning and history of ḥisbah, see Chapter Six.
24. Islam as a social system has been the subject of a number of publications. Prominent among these are R. Levy (1962), Abdalati (1980), Askari (1978), Qutb (1953), and Ansari (1973).
25. See, for example, The Qur’ān (20:6).
26. See, for example, The Qur’ān (62:9-11).
27. See, for example, The Qur’ān (2:275, 278; 83:1-3).
28. See, for example, The Qur’ān (2:274; 24:33; 57:7).
29. For more information about the Islamic economic system, see Chapra (1970, 1976).
30. Ahl al-ḥall wa-‘l-‘aqq (lit. those who loosen and bind) is a traditional term describing the people in the community who have real political or economic power. They usually influence political decisions in the community and limit the authority of the ruler.
31. The relationship between politics and religion in Islam, and the nature of the Islamic state has received a lot of attention in the past few years in scholarly writings. See, for example, Maududi (1960), Kurdi (1984). Esposito (1980, 1984), Piscatori

(1983b, 1986), Mortimer (1982), Husain (1983), Ibn Taymiyyah (1970), and Arjomand (1984, 1989).

32. The term jāhiliyyah is used to describe the state of affairs in Arabia before Islam. It means a state of religious ignorance and laxity. Many observers regard the situation in the Arabian peninsula before the da^cwah of Ibn ^cAbd al-Wahhāb as similar to the jāhiliyyah of Arabia before Islam.
33. The Arabic word Shaykh (sheikh) literally means one who bears the marks of old age. It is used as a title of respect for the ^culamā' and tribal leaders. The descendants of Muḥammad b. ^cAbd al-Wahhāb are known as Āl al-Shaykh meaning the family of the Shaykh.
34. See endnote no.1 above.
35. For the official Saudi position as to the use of term Wahhabism, see al-Yamāmah magazine (1034), 14.12.1988, (Riyadh); and al-Farsy (1986:36).
36. One of the most famous books written by Shaykh Muḥammad b. ^cAbd al-Wahhāb was Kitāb al-Tawḥīd (book of monotheism) in which he outlined the importance of this principle as the basis of the religion of Islam (see al-^cUthaymīn 1986:82).

Chapter Four

1. For the effects of the da^cwah of Shaykh Muḥammad b. ^cAbd al-Wahhāb on the people of the Southern region, see Abū Dāhish (1985).
2. Kingdom of Saudi Arabia, Ministry of Planning, Achievements of the Development Plans (1970/1985) (Riyadh: n.d.), p.1.
3. Royal Decree No.2716 dated 18.9.1932 published in the official Gazette Umm al-Qurā (406), 23.9.1932. For more detailed accounts of the process of unification, see Wahba (1964), Assah (1969), and al-Mana (1980).
4. Meulen (1957:66) puts the number of settlements at two hundred.
5. Based on the Qur'ānic verse (3:103): "And remember with gratitude God's favour on you; for ye were enemies and He joined your hearts in love, so that by His Grace, ye became brethren." See Habib (1978), and Goldrup (1971) for detailed historical accounts of the ikhwān movement.
6. Shaykh Muḥammad b. Ibrāhīm Āl al-Shaykh, was born in Riyadh in 1311 H. (around 1893-4). His father was a judge in Riyadh, and he taught his son the fundamentals of religion. He memorized the Qur'ān before the age of ten, and studied under a number of prominent scholars. He worked as a judge and a teacher for many years, and was made president of colleges and religious institutes in 1950. In 1954 he became the president of iftā',

and in 1958 a president of the Islamic University in al-Madīnah, president of the Muslim World League, president of the Judicial Council, and president of al-Da^cwah publication establishment. Most of these positions were honorary, and his main job was iftā' and teaching. His fatwas are collected in a ten-volume publication, and he died in 1969. He is usually referred to as the Muftī, but that was not an official title (al-Muḥaydib and al-Nāṣir 1986:12). The Scientific Institutes is a literal translation of the name al-ma^cāhid al-^cilmiyyah which was given to secondary schools concerned with religious education.

7. A term used to describe the people with real power in the community. In Saudi Arabia today, senior members of the royal family, the ḥulamā' and some tribal chiefs are referred to as ahl al-ḥall wa'l-^caqd (Huyette 1985:3). See also endnote no.30 in Chapter Three.
8. For the text of the fatwā and the decision of members of the royal family, see Wahba (1964:176-180).
9. Aḥmad Zakī Yamānī acquired legal training at Cairo University, and went to the United States to finish two masters degrees in international law from Harvard and New York University respectively. He served as Minister of Petroleum and Minerals between 1962 and 1986.
10. Kingdom of Saudi Arabia, Central Planning Organization, Report of the Central Planning Organization 1974 (Jiddah: Banawī Printers, 1974), p.17.
11. Kingdom of Saudi Arabia, Saudi Arabian monetary Agency, Annual Report 1977 (Riyadh: 1977), p.2.
12. He was Shaykh Muḥammad al-Ḥarkān, see Who's Who in Saudi Arabia (1976-77) (London: Europa Publication, 1977), p.66.
13. He is the son of Shaykh Muḥammad b. Ibrāhīm Āl al-Shaykh (endnote no.6 above). He was born in Riyadh in 1344 H. (1925-6), and was among the first graduates from the sharī^cah College in Riyadh in 1956. He worked with his father as a Deputy President of iftā' for most of the 1960s. He was appointed as President of Iftā' in 1971 in place of his father who died in 1969. In 1975 he was made Minister of Justice and President of the Supreme Judicial Council, positions which he occupied until May 1989. (See al-Muḥaydib and al-Nāṣir 1986:14).
14. Shaykh ^cAbd al-^cAzīz Ibn Bāz was born in the year 1330 H. (1911-12). He studied the Qur'^{ān} and the fundamentals of Islam under a number of ḥulamā' in Riyadh. In 1937 he became a judge in the town of al-Kharj, and in 1951 he took up a position as a teacher in the sharī^cah College in Riyadh (1951-1960). In 1961 he became the first Vice-Chancellor of the Islamic University in al-Madīnah until 1970 when he was made president of the University. He was appointed as the general president of the Presidency of iftā' in 1975, a position which he still occupies today. He is a member of the Commission of Senior ḥulamā', President of the Islamic fiqh Academy, President of the

International Islamic Council of Mosques, and president of the Permanent Committee for iftā', beside some other honorary positions. He has written a number of books on religious topics, and has been blind for most of his life (al-Muhaydib and al-Nāṣir 1986:14). See also, Who's Who in Saudi Arabia (1976-77) (London: Europa Publication, 1977), p.38.

15. The Mahdī (lit. 'the guided one') is "a figure that some Muslims believe will appear at the end of time to restore righteousness" (The Concise Encyclopaedia of Islam, p.246). For the details of the incident, see Kechichian (1986).
16. For the text of the fatwā, see Kechichian (1986:66).
17. Kingdom of Saudi Arabia, Saudi Arabian Monetary Agency, Annual Report 1985 (Riyadh: 1985).
18. The term tribal bureaucracy has been used to describe the traditional bureaucracy in some Middle Eastern countries where the structure of government still relies on traditional methods and relations. See Osama (1987:58) for more discussions.
19. See endnote no.55 in Chapter Two.
20. Kingdom of Saudi Arabia, Ministry of Planning, Third Development Plan 1980-1985 (Riyadh:1980), p.56.
21. The Economist Intelligence Unit, Saudi Arabia - Country Profile, 1988-89 (London: 1988), p.2.
22. Al-Riyāḍ newspaper (7583), 28.3.1989.
23. The Economist Intelligence Unit, Saudi Arabia - Country Report, No.1 1989 (London: 1989).
24. Kingdom of Saudi Arabia, Ministry of Planning, Achievements of the Development Plans (1970-1985) (Riyadh: n.d.), p.4.
25. Saudi Arabia ranked sixth among the biggest contributors to the International Monetary Fund (IMF). It contributed about \$4.0 billion as of June 30, 1989 according to Time magazine, 31.7.1989, p.32. See also Lackner (1978:130).
26. The Economist Intelligence Unit, Saudi Arabia - Country Report No.1 1989 (London: 1989), p.11.
27. Al-Riyāḍ newspaper (7583), 28.3.1989, p.15.
28. Kingdom of Saudi Arabia, Ministry of Information, Saudi Arabia between Yesterday and Today (Riyadh: n.d.), p.30.
29. See, for example, A. Ahmed (1988:153), Kay (1982:180), Hobday (1978), Lackner (1978), and Kavoussi (1983) for what they regard as the negative aspects of the modernization of Saudi Arabia. See also McLachlan (1986).
30. See, for example, Shaker (1972), Long (1980), al-Hamad (1985), and Huyette (1985).

Chapter Five

1. For a detailed account of the influence of Islam on Saudi foreign policy, see Piscatori (1983a).
2. The popular greeting in Saudi Arabia is al-salām ʿalayakum (peace be upon you), the use of which has been recommended by the sharīʿah.
3. This position was adopted officially by King ʿAbd al-ʿAzīz in the 1920s and continues in operation to the present time. See al-Farsy (1986:96), and al-Juhanī (1984:93).
4. See The Economist Intelligence Unit, Saudi Arabia - Country Profile, No.4, 1988, (London: 1988).
5. For information about the enforcement of religious observance and public morality, see Chapter Seven.
6. See Yamānī (1987:83) for a description of the effect of the daily prayers on the Saudis' perception of time.
7. Royal Decree No.2966/M dated 19.9.1404 H.(18.6.1984) made it illegal for government offices and businesses to employ women in areas that bring them into direct contact with male employees.
8. The buses of the Public Transport Company have a separate section for women.
9. Newsweek: 46, 18.11.1985. For the changing role of Saudi women, see Kay (1982:177), and Alireza (1987).
10. From the official regulations issued annually by the Ministry of the Interior. See Saudi Gazette: 3, 6.4.1989.
11. These are Nidā' al-Islam broadcasting service from Makkah, the Holy Qur'ān broadcasting service from Riyadh, and the "orientated programmes which are based on the Kingdom's commitment towards the Islamic world" (Ministry of Information, Saudi Arabia between Yesterday and Today), p.30.
12. See also Boyd (1982:119-143).
13. See, for example, Ochsenwald's (1981:280) review of one Saudi newspaper, al-Madīnah, which "reflects the current nature of Islam in Saudi Arabia in a number of ways."
14. The custom for men to marry more than one wife is still widespread in the Kingdom especially in the central part (Najd). There are, however, no estimates of the size or changes that have occurred in this practice over the past two decades.

15. An example of modern organizations with religious functions are the international organizations for da^ḥwah and Islamic activities such as the World Muslim League and World Assembly of Muslim Youth. Both organizations are discussed later in this chapter.
16. See the section dealing with prayer in Chapter Three. See also Saudi Gazette: 3, 21.2.1989.
17. The Times: 10, 25.11.1986.
18. Kiswah is the name of the black cloth which covers the holy Ka^ḥbah. The kiswah is changed every year. The Saudi government has established a factory in Makkah for making the kiswah, and the cost of the kiswah is estimated at about 17 million riyals every year (Ministry of Pilgrimage and Endowments, The Accomplishments of The Ministry of Pilgrimage and Endowments - Facts and Figures 1407/1986. Riyadh: 1986, p.20).
19. Ministry of Planning, Fourth Development Plan - 1985-1990. (Riyadh: 1985), p.366.
20. Arab News, 17.4.1988; and al-Yamāmah (1036): 12, 19.5.1409 H. (28.12.1988).
21. Ukāz newspaper, 14.4.1989.
22. Ministry of Pilgrimage and Endowments: Op.Cit., p.12.
23. Ibid, p.13. See also al-Riyāḍ newspaper, 5.11.1988.
24. Al-Riyāḍ newspaper, 17.3.1989.
25. Al-Riyāḍ newspaper, 18.3.1988.
26. On the role of the Saudi ḥulamā' in the politics of the country see, for example, Bligh (1985), Kechichian (1986), al-Yassini (1982), and Piscatori (1980).
27. For the names of the twelve senior ḥulamā' who are members of the Commission of Senior ḥulamā', see al-Yamāmah magazine (949): 14, 3.8.1407 H. (3.4.1987). Kechichian (1986:68) has also published the names of the thirty senior ḥulamā' who signed the fatwā of 1979 which gave the government the green light to use force in ending the occupation of the Holy Mosque of Makkah.
28. See the section on iftā' later in this chapter.
29. One of the main functions of this Council is to make recommendations for new judges to be appointed by the King.
30. For studies that deal with the Saudi judicial system, see al-Rasheed (1973), Solaim (1971), Basha (1979), and Souryal (1987).

31. Capital Punishments are carried out in public and are reported by the media. See, for example, Saudi Gazette: 4, 25. 2.1989, and 18.3.1989.
32. See Sam Souryal (1987), and Basha (1979).
33. Ministry of Planning, Fourth Development Plan 1985-1990 (Riyadh: 1985), p.364.
34. Based on official documents obtained by the writer from the Ministry of Pilgrimage and Endowments.
35. For information about the structure and activities of this presidency, see al-Muḥaydib and al-Nāṣir (1986), and al-Yassini (1985:70-72).
36. There are a number of popular programmes on television and radio through which the ʿulamā' receive questions from the public and answer them. See, for example, Boyd (1982:135).
37. A recent list was found in al-Riyād newspaper: 8, 3.5.1989.
38. Al-Yamāmah magazine (949), 3.8.1407 H. (3.4.1987).
39. The Economist Intelligence Unit, Saudi Arabia - Country Profile, No.4 1988 (London: 1988). For more discussions about the relationship between the ʿulamā' and the government, see Kechichian (1986), Bligh (1985), al-Yassini (1985), Piscatori (1983b), and Ochsenwald (1981).
40. These are the Journal for Islamic Research (Majalat al-Buḥūth al-Islāmiyyah) and the Journal for Islamic Awareness (Majalat al-Tawʿiyyah al-Islāmiyyah).
41. General Presidency for Scientific Research, Iftā', Daʿwah and Guidance, Department of Public Relations, The Development of the General Presidency (Riyadh: n.d.).
42. In Ras al-Khaymah (UAE), Indonesia, Japan, Mauritania and Djibouti (Imam Muḥammad b. Suʿūd Islamic University, Dalīl Jāmiʿat al-Imam - 1407 [Guide to the Imam University, 1987] (Riyadh: 1987), p.6).
43. Ministry of Higher Education, Al-Taʿlīm al-ʿAlī fī-l-Mamlakah al-ʿArabiyyah al-Suʿūdiyyah (Higher Education in the Kingdom of Saudi Arabia), 3rd annual report, 1985.
44. Ministry of Pilgrimage and Endowments; op.cit., p.8-12.
45. See also al-Farsy (1986), and Piscatori (1983a).
46. World Muslim League, Rabiʿat al-ʿĀlum al-Islāmī: ʿIshrūn ʿĀm ʿAlā Ṭarīq al-Daʿwah wa-l-Jihād (World Muslim League: Twenty Years on the Road of Daʿwah and Struggle) (Makkah: 1981), p.4.

47. Fiqh means jurisprudence: "The Science which deals with the observance of rituals, the principles of the five pillars, and social legislation" (Glassé 1989: 126).
48. Saudi Gazette, 21.2.1989.
49. World Assembly of Muslim Youth. WAMY: Formation, Development and Basic Documents. (Riyadh: n.d.).
50. Ministry of Information. Saudi Arabia Between Yesterday and Today (Riyadh: n.d.), p.81.
51. Ministry of Pilgrimage and Endowments, op.cit., p.16. And al-Riyāḍ, 26.1.1989.
52. This conclusion has been supported by Ochsenwald (1981:284).
53. See also Kay (1982).
54. Examples are the Minister of Justice, the General President of iftā', and the Chancellor of the Imam University.
55. See Lapidus (1975) for a discussion of the historical separation between religious and political functions in the Islamic state.
56. See Crawford (1982).
57. For further discussions of the Moroccan ʿulamā', see Burke III (1972), and Brown (1972).
58. See Marsot (1972) for discussions about the Egyptian ʿulamā' in the 18th and 19th centuries.
59. See Lapidus (1975:383).
60. See the discussions about the enforcement of this Policy by the Public Morality Committees in Chapter Eight.

Introduction to Part III

1. The Arabic word hay'ah means committee, commission or organization. It is defined in al-Muʿjam-al-Wasīṭ as "a group of individuals performing a specific task" (vol.2, p.1012). The term organization has been used for hay'ah, because the hay'ah today is a national organization for which the term committee is not sufficient. It is possible to describe one of the local centres as a committee, but not the whole structure of the hay'ah. The term hay'ah is officially used in the singular form to describe the organization. The regional level is known as branches and the local level as centres. There is nothing unique about the term hay'ah. It is widely used in Saudi Arabia to describe government departments and independent bodies (e.g. hay'at kibār al-ʿulamā': commission of senior ʿulamā'; and hay'at

al-muwāṣafāt wa'l-maḡāyīs: committee for specifications and measurements). It is thought to be used for the hay'ah to give it a modern appearance. Some writers, however, (Murshad 1972, Ghazāl 1984, al-Wahbī 1983, and al-^cArīfī 1987) still use the name of the traditional institution of ḥisbah to refer to the hay'ah, and muḥtasibs to refer to those who work for it.

2. Al-Yassini (1985:70) translated the name as "committees for commanding the good and forbidding evil"; Huyette (1985:121) as "committee for the preservation of virtue and prevention of vice"; Holden and Johns (1981:87) as "the society for the encouragement of good and the prevention of evil"; and Ochsenwald (1981:275) as "the organization for the enforcing of good and the forbidding of evil." All of these translations give the approximate meaning of the Arabic name which is difficult to translate exactly.
3. See, for example, the Qur'ān (3:104, 9:71, and 7:157).
4. In Saudi Arabia, however, the hay'ah has been the subject of a number of studies (mainly Masters theses). The studies by Murshad (1972), Ghazāl (1984), al-Wahbī (1983), al-^cArīfī (1987), al-Ḥawshānī (1984), and al-Sayf (1987) represents a growing body of studies about the hay'ah in Saudi Arabia. Most of these studies deal more with the traditional ḥisbah than with the modern hay'ah, and they are mainly descriptive in nature.
5. The review also covers an unpublished Ph.D. thesis (i.e. Goldrup, 1971).
6. Works that deal with the Islamic concept of enjoining the acceptable and forbidding the reprehensible, or with the traditional institution of ḥisbah will not be included in this review. Some of those works have been used as references for parts of this study, and they are listed in the Bibliography.
7. One problem with the information presented by Goldrup (1971:403) is his association of the activities of the hay'ah in the Hejaz in the late 1920s with the Islamic institution of jihād. Jihād can only be against non-Muslims, and the activities of commanding good and forbidding evil in an Islamic society is different from jihād in its specific meaning which is war.
8. For a review of al-Yassini's book, see William Ochsenwald's review in the Middle East Journal, vol.40, pp.343-344, 1986.
9. The term maṭāwa^cah means volunteers or those who obey. It is commonly used to describe those who volunteer their time for religious duties (eg. leading prayer or teaching). Glassé (1989:291) defines the term as "those who enforce obedience" and used it to refer to "a peculiar institution of vigilants who enforce the performance of prayer and may even inflict beating for moral laxity." The term maṭāwa^cah is no longer an accurate term to describe members of the hay'ah, because they are no

longer volunteers. They are paid employees of the state and part of the civil service. Furthermore, this term can only describe individuals not institutions. Members of the hay'ah are referred to officially as a^cdā' (pl. of ʿudū) which means members.

10. See Chapter Five for information about mosques construction and religious education in Saudi Arabia.
11. See Murshad (1972:198) for the names of the first members of the hay'ah in Makkah. The majority (ten out of fourteen) were from the People of Makkah and had nothing to do with the ikhwān.
12. See the discussions about the relationship between the hay'ah and the police in Chapter Eight.
13. See the historical evolution of the modern hay'ah in Chapter Six.
14. See, for example, Long (1980:99), Iqbal (1977:246), Lipsky (1959:5), Habib (1978:119), Alireza (1987:433), Hiro (1988:123), Mortimer (1982:175), and Wenner (1975:181).

Chapter Six

1. See section B of this chapter.
2. See the Introduction to Part Three.
3. The translation of the Qur'ān used here is that of A. Yusuf Ali The Holy Qur'ān: Text, Translation and Commentary (Brentwood, Maryland: Amana Corporation, 1983).
4. This classical work has been translated by Muhtar Holland under the title Public Duties in Islam - The Institution of the Hisba (London: The Islamic Foundation, 1983).
5. Forbidding a reprehensible act by the heart means to hate the individual who insists on doing the wrong deed and to have no relationship with him whatsoever. This is designed to create public pressure against wrongdoers, and to isolate those who do not conform to the group's norms.
6. In fact, the terms hisbah and muhtasib were not used during the lifetime of the Prophet Muḥammad, but were introduced decades later during the Abbasid dynasty (132-656/794-1258). See the section about the historical evolution of the hisbah in Chapter Six.
7. This book has been translated by Franz Rosenthal under the same Arabic title, The Muqaddimah (Princeton University Press, 1967).
8. See, for example, Ibn Taymiyyah (1983), al-^cAmri (1984), and Murshad (1972).
9. This article is cited by Patricia Crone in Roman, Provincial and Islamic Law - The Origin of the Islamic Patronate (Cambridge University Press, 1987).

10. For discussions about hisbah in the Hejaz before the birth of the modern Saudi state, see Ochsenwald (1984).
11. She was the daughter of Shaykh ^CAbdullāh b. Ḥasan, and the mother of King Fayṣal who ruled from 1964 until his death in 1975 (Lees 1980:36).
12. Philby (1928:49) related a story of a nā'ib (a policeman or a hay'ah volunteer) and a mū'adhdhin who visited an individual at his house to question him about why he had not been to the mosque for the dawn prayer. See also Ghazāl (1984:141).
13. A number of these documents are kept in the Archives of King ^CAbd al-^CAzīz Dārah (research centre) in Riyadh. Examples are documents number 143, 192, 216, 659, 661, 1067 in the collection of the Dārah. Most of these documents contain a wealth of advice about the importance of religion and the need for everyone to play his part in the enforcement of religious teachings.
14. This is document number 192 in the Dārah's collection. A translation of parts of this document is in Appendix C.
15. Sometimes the opening of a new hay'ah was done in response to a request made by the people. An example is found in document number 887 in the collection of King ^CAbd al-^CAzīz Dārah. This document is a letter from the King to one of his governors instructing him to appoint nūwāb to carry out the duties of al-amr bi-'l-ma'rūf wa'l-nahy 'an al-munkar in the town of Marāt (in Najd) because "a group of citizens from the town have mentioned to us that their town does not have nūwāb in it."
16. Incorporating the hay'ah into the civil service was apparently done as a result of King Fayṣal's programme for modernizing the structure of the state. In 1962, Fayṣal issued a ten-point programme in which he declared his intentions "to reform the Committees of Public Morality in accordance with the Shari^Ca and Islam's lofty goals, for which they were originally created, and in such a way as to extirpate to the greatest extent evil motives from the hearts of people" (quoted in Gerald De Gaury 1966:149). See also Murshad (1972:196).
17. Ochsenwald (1984:7) has reported that the muhtasib in the Hejaz up to 1908 was appointed by the amīr to "inspect the markets for fraud ... and helped set the price of bread, meat, and clarified butter." This made the hisbah in the Hejaz different from the hay'ah in some respects.
18. This article was published in the official newspaper Umm al-Qurā, issue no.113, 8.8.1345H (11.2.1927). See also Goldrup (1971:407), and Murshad (1972:200). it is also discussed in the section dealing with regulations in Chapter Seven.
19. See Chapter Four.
20. See the section about regulations in Chapter Seven.

21. Decree number 5388 dated 10.2.1372H (30.10.1952). A copy was obtained by the writer from the Deputy to the General President of the hay'ah for Financial and Administrative Affairs.
22. These regulations were issued from the office of the Crown Prince, Su^ḥūd b. ^ḥAbd al-^ḥAzīz, carrying the number 5345 and were dated 10.2.1372H (30.10.1952). A copy was also obtained from the Deputy to the General President of the hay'ah. See the section dealing with regulations in Chapter Seven.
23. See endnote 16 above.
24. For discussions about the developments of the hay'ah in the southern region of Saudi Arabia, see al-Bishrī (1983:144), and Abū Dāhish (1985).

Chapter Seven

1. The sources of this information are an old member at al-^ḥUlayya centre who has been working for the hay'ah for more than thirty five years. An interview was conducted with him on 16.1.88. The second source is a policeman at al-Suwaydī centre who had worked with Shaykh ^ḥUmar b. Ḥasan for many years. An interview was conducted with him on 23.2.88.
2. The interview was published in Al-Yamāmah magazine (Riyadh)(813): 5,4.11.1404 H. (2.8.1984).
3. This point was emphasized by the deputy to the general president of the hay'ah, Shaykh ^ḥAbdulrahman b. Aḥmad, in an interview with Al-Riyāḍ newspaper (7064), 26.10.1987.
4. These statistics were obtained by the writer from the office of the deputy for financial and administrative affairs of the general presidency of the hay'ah. A list of the official documents that provide these information is listed under the section "unpublished official documents" in the Bibliography.
5. From an interview with the president of al-Suwaydī centre in Riyadh, 16.12.1988.
6. The General Director of Public Security is also a prominent member of Al al-Shaykh Family (see Kechichian 1986:62). For more information about the relationship between the hay'ah and the police, see Chapter Eight and Section Five of the By-Laws (Appendix G).
7. This document has no date but an expert working in the documents' department of King ^ḥAbd al-^ḥAzīz Dārah (research centre) in Riyadh told the writer that he believed that it was written sometime between 1910 and 1920. This makes it the oldest regulation for the hay'ah.

8. See document No. 1381 (2) of the collection of the Documents' Centre of the Institute of Public Administration, Riyadh, Saudi Arabia.
9. Consultative Council resolution No.363 on 26.7.1349 H. (17.12.1930). The document is in the collection of the Documents' Centre of the Institute of Public Administration in Riyadh.
10. See document No. 84/1/25 on 15.1.1356 H. (28.3.1937). It is in the Documents' Centre of the Institute of Public Administration in Riyadh. For more information see the section about the evolution of the modern hay'ah in the Hejaz.
11. A copy of this regulation was obtained by the writer from the Deputy to the General President of the hay'ah for Financial and Administrative Affairs. This regulation was made official by Crown Prince Decree No. 5388 on 10.2.1372 H (30.10.1952).
12. For more detailed information about the General President of the hay'ah, see Who's who in Saudi Arabia 1976-77 (London: Europa publications, 1977), pp.21-22.
13. This book is called AJ-amr bi-'l-Ma^crūf wa-'l-nahy ^can al-Munkar bayn al-Mādī wa-'l-hādīr (enjoining the acceptable and forbidding the reprehensible between the past and the present), and is published by Imam Muḥammad b. Su^cūd Islamic University, Riyadh:1981.
14. The current statistics were obtained from the department of budget and organization of the general presidency of the hay'ah. The 1970 information was obtained from the annual report about the national budget published by the Ministry of Finance and National Economy, The State Budget for the Fiscal Year 1389-1390H (1969-1970) Riyadh, 1970.
15. This interview was published in al-Riyāḍ newspaper (7238): 4, 17.4.1988.
16. This information was told to the writer by the head of the office of the general supervisor of the Riyadh regional branch. The exact number of members with a university degree working in other parts of the country could not be easily found.
17. See al-Riyāḍ newspaper (7500): 4, 4.1. 1989 and (7465): 4, 30.11.1988.
18. Al-Riyāḍ newspaper (7238): 4, 17.4.1988.
19. From an interview conducted by the writer with the Deputy for Financial and Administrative Affairs in his office at the General Presidency of the hay'ah on 6.2.1988.
20. Ibid.

21. See circular number 434/4 dated 21.1.1406H (6.10.1985) sent from the hay'ah regional branch in Riyadh to al-^cUlayya Centre. See also Al-Riyāḍ newspaper (7295):4, 29.10.1408H (16.6.1988).
22. See circular number 259/2/5 on 19.9.1400H (2.8.1980) sent from the General President to the President of Riyadh hay'ah instructing him to work with the police department in making sure that all restaurants have separate areas for families and women customers.
23. This point was repeatedly emphasized by officials of the hay'ah in an interview conducted with four of them by Al-Yamāmah magazine (Riyadh) (813):3, 4.11.1404H (2.8.1984).
24. See circular number 13 dated 8.1.1406H (23.9.1985), sent from al-^cUlayya centre to all the hotels in the area.
25. See, for example, letter number 4113/1 dated 25.7. 1405H (19.4.1985) from the Governor of Riyadh to the General Supervisor of the Riyadh branch of the hay'ah. See also Āl al-Shaykh (1981:73).
26. Al-Riyāḍ newspaper (7335): 6, 10.12.1408H (26.7.1988).
27. Based on an agreement between the General President of the hay'ah and the Deputy of the National Guard. Circular number 183/1/5 dated 9.8.1408H (29.3.1988), in the files of al-Suwayyḍī centre.
28. See "Saudis expel more drinking women", The Times: 1, 4.11.1986. See also al-Wahbī (1983:122-129).
29. For more discussions about some of the problems that the hay'ah faces today, see Āl al-Shaykh (1981:52, 59), al-Hawshānī (1984:97, 166, 189), and al-Wahbī (1983:133-150).

Chapter Eight

1. From an interview conducted by the writer with the Director of the General Administration of Narcotics Control in his office in Riyadh, 6.7.1408H (23.2.1988).
2. This plaque is displayed in the office of the General Supervisor of the Riyadh branch of the hay'ah.
3. See case number 725 SH/999 on 10.3.1407H (13.11.1986), in the file dealing with prayer cases in al-^cUlayya centre.
4. Al-Riyāḍ newspaper (7276), 25.5.1988.
5. See, for example, circular number 4505/4 on 14.8. 1405H (5.5.1985) sent from the President of Riyadh hay'ah to the president of al-^cUlayya centre instructing him to cooperate fully with law-enforcement agencies. Also circular number 9152 on 15.12.1406H (31.8.1986) sent from the Governor of Riyadh

instructing all relevant institutions to cooperate together in fighting evil phenomena in society.

6. See letter number 2252/90/4 on 18.4.1408H (10.12.1987) from Riyadh hay'ah to al-^cUlayya centre.
7. Letter number 123/M/H on 5.2.1408H (29.10.1987) sent from the public prosecution office of the General Administration of Narcotics Control to the president of al-Suwaydī centre asking him to send four members to act as witnesses against a defendant accused of selling narcotics. The four members had taken part in his arrest.
8. Officials of the Ministry of Pilgrimage and Endowments responded by sending circular number 12507/8/d on 22.7.1407H (28.3.1987) to all imams of mosques instructing them to close down mosques and washing areas after the evening prayer. A copy of this circular was sent to the local centres of the hay'ah.
9. See circular number 355/2 on 16.1.1407H (21.9.1986) based on a letter from the Minister of Municipal and Rural Affairs which requires all shopping centres to have their own mosques. Also letter number 1673/2 from the president of the Riyadh hay'ah to the president of al-^cUlayya centre instructing him to enforce the new regulations issued by the Governor of Riyadh which requires all banks to prepare an area for prayer inside their branches.
10. Other examples of merchandise removed by the hay'ah are prayer rugs with the sign of the cross on them, notebooks with an indecent picture of a woman on it, Valentine and Christmas cards, and a medical dictionary with pictures of naked human beings. These cases were in the files of al-^cUlayya centre. See also Mackey (1987:13-15).
11. An example is letter number 24/Th/H on 7.5.1408H (28.12.1987) from the General President of the hay'ah to the Minister of Information asking him to withdraw from shops a number of magazines that contained indecent pictures. The letter is in the files of al-^cUlayya centre.
12. For example, case number 6722/4 on 19.11.1407H (16.7.1987) in the files of al-^cUlayya centre involves the arrest of four foreigners found running a business of renting pornographic movies from their house. The arrest was made by members from al-^cUlayya centre, and the case was transferred to the sharī'ah court.
13. From an interview conducted by the writer with the Deputy General Supervisor of the Riyadh branch in his office. See also al-Yamāmah magazine (813):5, 2.8.1984.
14. These interviews were published in al-Riyād newspaper, 21.8.1987, 26.10.1987, 17.4.1988, and 8.10.1988. The articles were published on 11.1.1987, 26.2.1987, 28.1.1988, and 23.7.1988. The news items were published on 4.1.1988, 28.1.1988, 13.6.1988, and 30.11.1988.
15. See al-Yamāmah magazine (813): 3, 2.8.1984; (1054):42, 3.5.1989; and (1056): 52, 24.5.1989.

16. See the interview with the General President of the Hay'ah, al-Riyād newspaper (7238): 4, 17.4.1988, and the interview with the Deputy General President, al-Riyād newspaper (7064):4, 26.10.1987.
17. Examples are case number 2959/4 on 19.5.1407H (20.1.1987) dealing with the discovery of a small factory for making intoxicant drinks; case number 2221/4 on 14.4.1407H (17.12.1986) dealing with two male prostitutes; and case number 2306/4 on 19.4.1407H (22.12.1986) dealing with the sale of narcotics. All these cases are in the files of al-Suwaydī centre classified according to the type of crime.
18. From interviews published by al-Riyād newspaper (7238): 4, 17.4.1988; and al-Yamāmah magazine (1056): 52, 24.5.1989.
19. See al-Yamāmah magazine (813):3, 2.8.1984.
20. This practice used to be very common in the 1970s. It was regarded as a munkar because members of the hay'ah believed that young people did it to imitate western pop stars. The phenomenon and the enforcement have largely disappeared since the early 1980s.
21. See The Times:1, 4.11.1986.
22. See Arab News newspaper: 2, 20.4.1988.
23. See The Times: 8, 7.11.1986.
24. ^ʿAūrah (lit., that which is to be hidden) "denotes those parts of the body which Islam requires to be covered in front of others, whether of the same or opposite sex" (al-Qaradawi 1960:154).
25. See Paul Vallely "Saudis ban expatriate Christmas festivals", The Times: 24, 4.1.1985. See also Makey (1987:92-97).
26. ^ʿĀshurā' is the name of the tenth day of the first month of the Islamic year, Muharram. It is celebrated by the Shi^cites as an anniversary of the murder of Imam Husayn, the son of the fourth Caliph ^ʿAli. See The Concise Encyclopedia of Islam (London: Stacey International, 1989), p.52.
27. See letter number AD8255/S dated 29.12.1404H (24.9.1984) sent from the Governor of Riyadh to the General Supervisor of the hay'ah's branch in the Riyadh region. The hay'ah in turn issued specific instructions to its members on how to deal with diplomats. See "Ta^clīmāt al-Ta^cāmul ma^ca a^cdā' al-Bi^cṭṭah al-Diplmāsiyyah" (instructions on how to deal with members of the diplomatic corps) issued by the office of the General President of the hay'ah in 1984.
28. The Vienna Agreement for Diplomatic Immunities and Privileges was ratified by the Kingdom based on Royal Decree number M/38 dated 21.11.1400H (30.9.1980), and the Council of Minister's resolution number 193 dated 13.11.1400H (22.9.1980).

Chapter Nine

1. The city of Riyadh has thirty six hay'ah centres compared to only eleven police centres. Al-Hawshānī (1984:182) discusses the problems associated with having too many centres and proposes a plan for compressing the existing centres into eleven major ones which would make it easier to find qualified presidents to run those centres. See also al-Wahbī (1982:159).
2. The Fourth Development Plan (1985-1990) has made it clear that "it has been considered necessary to expand activities of the enforcers of public morality and establish centres in parts of the Kingdom where services did not exist" (Ministry of Planning, Fourth Development Plan 1405-1410/1985-1990, Riyadh, 1985, p.362). The plan allocates 79 million riyals for expansion of services by the hay'ah during the plan's period (ibid, p.366). The hay'ah is moving its headquarters this year into a larger building in the centre of Riyadh which used to be occupied by the sharī'ah College, and part of the building of the new central mosque in Riyadh is reserved for a hay'ah centre which will be the first local centre to be built by the government (all existing local centres are located in rented houses) (see al-Jazīrah 18.7.1408H (6.3.1988), p.6). The president of iftā', Shaykh Ibn Bāz, has said in a lecture he delivered in Riyadh in March 1988, attended by the writer, that the government is planning to issue a new special cadre for the hay'ah which, in his words, will help improve its performance.
3. The General President of the hay'ah takes a moderate stand by regarding photography as a necessity which is not harmful to religion and is, therefore, permissible (Āl al-Shaykh 1981:32). For the general Islamic rules in dealing with smoking, beard shaving, photography, and music, see al-Qaradawi (1969:79, 94, 116, and 300), and for the stand of the Permanent Committee for iftā' in Saudi Arabia see Fatāwā Majalat al-Da'wah, pp.58, 232, 250, and 294.
4. See Huyette (1985:38).
5. See Wahba (1964) for information about the positions of the King and the prominent 'ulamā' in regard to the introduction of technology into the country.
6. Examples are religious programmes on radio and television (see Boyd 1982), and the use of the telephone as a medium between the 'ulamā' and members of the public who seek fatwās on religious matters.
7. The hay'ah has helped in making the government adopt clear policies that require, for example, separate sections for families in restaurants, separate sections for women in public transportation (buses), and that all shops and business close down at times of prayer.

8. See al-Awaji (1971), and Osama (1987:58).
9. Members of Āl al-Shaykh family have a monopoly on most of the top positions of the organization.
10. From an interview with the Deputy to the General President, June 1988.
11. See al-Ḥawshānī (1984:187).
12. The writer got this impression from working with members of the hay'ah in the field during field-work.
13. Al-Wahbī (1982) and al-Ḥawshānī (1984) have both discussed some of the practical problems that make the task of the hay'ah more difficult, and they give solutions and policy recommendations. Both have worked for the hay'ah, and they speak from experience.
14. See al-Muhaydib and al-Nāṣir (1986).
15. In an interview with al-Yamāmah, (1056) 19.10.1409H (24.5.1989), the General President of the hay'ah said that dealing with the problem of narcotics is a responsibility of the hay'ah even if there is another government department (The General Administration of Narcotics Control which is part of the Ministry of the Interior) that is better equipped to deal with the problem. This is one area where responsibilities overlap, and which the hay'ah is not equipped to deal with.
16. See al Ḥawshānī (1984:97).
17. The Assistant-Deputy to the General President and the Director of the Confidential Office of the General President are both young members of the family (in their twenties).
18. The hay'ah played a major role in the decision of the government to close down video (amusement) arcades in the country in 1983 (al-Ḥawshānī 1984:129).
19. Most of the policies were issued by the Ministry of the Interior. It also publishes rules and regulations dealing with acceptable behaviour in public, and especially with expatriates in the Kingdom. See Āl al-Shaykh (1981:73), al-Wahbī (1983:100) and al-Sharq al-Awsaṭ newspaper, 7.3.1403H (23.12.1982).

Chapter Ten

1. For the problems associated with theories of secularization as they apply to Islamic societies, see Voll (1987), Tibi (1980), and B. Wilson (1987b).
2. See, for example, Greeley (1972), M. Douglas (1982), Hammond (1985), and Beckford and Luckmann (1989).

3. For the distinction between secularism and secularization, see endnote no.21 in Chapter Two.
4. The three processes of institutional differentiation, religious change and religious involvement are the three dimensions of the general process of secularization according to Dobbelaere (1981). This study is only concerned with the first dimension (ie. institutional differentiation).
5. The classification used here is based on the one developed by Salamé (1987).
6. See the studies by al-Hamad (1985), and Huyette (1985). See also Kluck (1984:203).
7. The Saudi case is not unique in this regard. See, for example, Tamaru (1987) for a discussion of the problems associated with trying to apply the current theories of secularization to religious change in Japanese society.
8. See Dobbelaere (1987:13).
9. A very important problem here is the fact that we have no technique to measure the level of institutional differentiation and compare it with what has taken place in a modern society (see Dobbelaere 1987:17).
10. See Ochsenswald (1981:272).
11. There is today a growing trend in universities in Egypt and Saudi Arabia towards the establishment of an academic discipline called "the sociology of Islam". A number of books have been written in this area. See, for example, al-Khurayjī (1982), ^cAbd al-Bāqī (1984), and al-Samālūtī (1985).

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A P P E N D I C E S

.

Appendix A

Scheme of Transliteration of Arabic

Scheme of Transliteration of Arabic

,	ع	z	ظ
a	ا	c	ع
b	ب	gh	غ
t	ت	f	ف
th	ث	q	ق
j	ج	k	ك
ḥ	ح	l	ل
kh	خ	m	م
d	د	n	ن
dh	ذ	w	و
r	ر	h	ه
z	ز	y	ي
s	س	ū	و
sh	ش	ī	ي
ṣ	ص	aw	و
ḍ	ض	ay	ي
ṭ	ط		

The system employed follows that of the occasional academic publication Arabian Studies produced by the Middle East Centre, University of Cambridge, except for the letter ʿayn (ع) which will be transliterated as a small c above the line (ع), to differentiate it clearly from the hamzah ('). In the case of most Arabic words, the precise transliteration form has been preferred even though an Anglicized form exists (e.g. ʿulamā' and mū'adhḥin have been used in preference to ulema and muezzin). A few exceptions, however, have been made: for instance, imam (instead of imām).

Proper names with a standard English spelling (e.g. Riyadh and Islam) will be spelled that way with the exception of Makkah (Mecca) and al-Madīnah (Medina). When a noun in the genitive is appended to an undefined noun ending in a tā' marbūṭah, the latter is transliterated by 't', otherwise it is 'h'. Thus hay'ah will appear invariably as hay'at in the title of the organisation, hay'at al-amr bi-l-ma'rūf ... etc.

Appendix B

Doing Field Research in Saudi Arabia

The aims of this Appendix are to discuss briefly the writer's experience of doing field-work in Saudi Arabia and to reflect on the problems encountered, in order to give an idea of the common difficulties associated with field research in a society that is yet to appreciate the importance of social science research. The expansion of university education in the Kingdom has improved the situation in the past few years, but cultural resistance to social research remains strong especially in dealing with personal affairs. The problem has been recognized by some of the people who have tried to study Saudi society (see Niblock 1982:11).

The report will not be a chronicle of events, but will focus on a small selection of methodological concerns. The field-work was carried out in the city of Riyadh between January and June 1988. The aim of the field trip was to collect as much information as possible about hay'at al-amr bi-'l-ma^c ruf wa-'l-nahy^c an al-munkar (organization for enjoining the acceptable and forbidding the reprehensible): a unique religious organization responsible for the enforcement of religious observances and public morality, and commonly known as "Public Morality Committees".

Planning for Field-Work

It was recognized from the beginning that the hay'ah had never been studied outside Saudi Arabia. Very little was known about its structure, leadership, regulations, members, and activities. It was felt necessary to collect as much basic information as possible about these aspects before one could focus on one particular area. Not having a clear idea of what to expect, it was decided to follow the advice of Douglas that "researchers should keep their options open at the start of a project; and flexibility should be maintained" (quoted in Burgess 1984:145). I decided therefore to allow my strategy to develop during the progress of field-work.

Gaining Access

The first step taken in preparation for the field-work was trying to gain access to the organization. It was only logical to start at the top of the organization approaching the person who has the power to

grant access (see Burgess 1984:48). The formal letter addressed to the General President of the hay'ah explaining the purpose of the study and requesting permission to observe the activities of a local centre of the hay'ah was answered positively after a delay of two months. The General President wrote on my original letter to his Deputy instructing him to allow me to work in al-^cUlayya local centre in Riyadh as a muwazzaf idārī (administrative employee) where I would have the opportunity to conduct my research.

The approval of the General President was crucial for my plans. It only gave me access to the organization, however, but not to the information I was looking for. I discovered after working for a few days in al-^cUlayya centre, that "entree is a continuous process of establishing and developing relationships, not only with a chief host but with a variety of less powerful persons" (Schutzman and Strauss 1973:22). It was necessary to continue to try to gain access to information on all three levels of the organization (national, regional and local). But this is not easy in a society that is still mainly structured by networks of kinship and patronage.

Problems of Confidentiality

The hay'ah is an enforcement agency, much of whose work involves the arrest and interrogation of offenders. Officials of the organization feel responsible for protecting the identity of individuals who are detained by its members. Both the Deputy General-President and the Regional Supervisor of the Riyadh Branch told me, the first day I began work, that I would not be allowed to see cases that contained names of people who had been arrested. I tried to assure them that I was not looking for names, and that the study would not benefit from revealing the identity of individuals. The ban, however, against seeing case-files, made it difficult for me to observe all aspects of the office work of the organization, and limited the amount of information collected.

Access to Information

The amount of information I was able to collect was further limited by a number of other factors. Firstly, not all the official documents

that I requested from the General Presidency and the Riyadh Branch were made available. Secondly, my personal observation of field activities was constrained by the fact that I was not able to go into the field unless I was invited by the centre's president. Thirdly, I did not remain with the same group for sufficient time to be able to attempt any methodical study of field activities in a controlled fashion. Moreover, the files which I reviewed in the local centres were poorly kept and organized due to the lack of qualified staff (see al-Ḥawshānī 1984:187).

Dual Role of Worker and Researcher

I still do not know why officials of the hay'ah treated me like an employee of the organization. Access to the two local centres was gained by official letters from the Riyadh Branch to the local centres instructing their presidents to allow me to participate in activities of the centres as an administrative employee. I believe that this made it easier for me to be accepted by the people working in the centres, who regarded me as a fellow employee. It created problems, however, when it came to collecting information. Some of the members thought that I was doing the study for the General Presidency. It is possible that, as a result, some of the members may have been inhibited by my presence, and that may have influenced their behaviour during the activities in which I was involved. But a study by covert participation would have been unacceptable.

Furthermore, it became difficult to remain detached from some of the work that I was asked to do (e.g. paper-work or translation during the interrogation of the few offenders who only spoke English). On occasion, I could no longer retain my neutral position as an observer or take notes of what was going on. This problem is not uncommon in situations where a fieldworker is also acting as an employee in an organization. It was aggravated in my case by the nature of some of the work that I had to do.

Working in a Familiar Environment

Being familiar with the surroundings may have resulted in my overlooking "situations that at first sight appear all too familiar"

(Burgess 1984:24). I tried to assume the role of an outsider, but in the nature of things it is impossible to know how successful I was in doing so. Creating personal friendships with a number of the people with whom I worked and also becoming involved with the work I was trying to observe, may have further complicated the problem.

Cultural Resistance to Social Science Research

Saudi society is emerging from a long period of cultural isolation and limited educational tradition. Most people still do not understand the importance of investigative research. Surveys dealing with personal issues (e.g. age, income, opinions regarding social issues, and religious practices) have a very limited chance of success. I tried to conduct a survey about the people working for the hay'ah, but without success. Only two questionnaires were returned out of one hundred distributed among members working in local centres.

The aim of the survey was to elicit information about the age and educational and social backgrounds of the members, the reasons that made them decide to work for the hay'ah, and problems associated with their work. The questionnaires could only be distributed through the presidents of local centres and were supposed to be collected by them to be returned to me. This arrangement may have contributed to the failure of the survey. Less serious problems were encountered while conducting two other minor surveys to discover what kind of relationship exists between the hay'ah and members of the public (see Chapter Eight). Yet, the people who were interviewed appeared to be very cautious about answering even simple questions concerning the hay'ah.

The above were some examples of the problems encountered by the writer during field-work. In spite of these problems, a wealth of information was collected about the hay'ah and the religious situation in Saudi Arabia. It is possible that the attitude of the ordinary person towards research will improve in the next few years in line with the expansion of higher education and the dawning realization of the importance of social science research.

Appendix C

A translation of parts of a communiqué issued by King ^ʿAbd al-^ʿAzīz [̄]Al-Su^ʿūd. It has no date, but is thought to have been written between 1910 and 1920. It is considered the first official regulations for the hay'ah. This document was obtained by the writer from King ^ʿAbd al-^ʿAzīz Dārah (research centre) in Riyadh. It is document Number 192 in the Dārah's collection.

From ^ʿAbd al-^ʿAzīz b. ^ʿAbd al-Raḥmān to everyone who sees it from among the Muslims ... Peace be to you, ... We intend to clarify for you what had been agreed between us and the ʿulamāʾ. Based on that agreement, we have decided to establish hayʾāt in all towns to enjoin what is acceptable and to forbid what is reprehensible. Most important among their tasks is to enforce the attendance, by the people, at the five daily prayers in congregation. Also to encourage people to learn the basics of their religion, and to keep an eye on those who commit munkars. After that comes the matter of zakāh, and trading between people to see that it is clear of usury, cheating and transgression.

Endowments must be dealt with in accordance with the sharīʿah. As for the zakāh, the hayʾah must make sure that people are paying it. They should ask those who say that they have paid it to tell to whom they have paid it, and the ones who have done that have done their duty and may Allāh reward them for it. If it appears to them that someone has not paid his zakāh, then they should collect it in accordance with the ways of the sharīʿah. Then they should distribute it among the poor of the Muslims ... After that they should look at the ways of selling and buying, and should make sure that people do not use ribā (usury) in their tradings.

If they find any contract that contradicts the sharīʿah, then they must render it void and discipline those who took part in it. They are also to discipline anyone who is caught cheating or who does not give people their rights in terms of measurements or weights. After that they should look at awqāf (endowments) ..., to make sure that they are dealt with in the right way according to the sharīʿah This is only an advice which Allāh has made obligatory upon us. Our aim is to bring good things to the people and to fight away evil.

Appendix D

A translation of the Royal Decree issued in 1396/1976 establishing the hay'ah as a general presidency.

Ref: M/64
 Date: 1.9.1396 H
 (26.8.1976)

With the help of God, the most sublime,

We, Khālīd b. ʿAbd ʿAl-ʿAzīz Āl-Suʿūd, King of Saudi Arabia,
 having reviewed articles 19 and 25 of the Council of Ministers Statute
 issued by Royal Decree No.38 of 22.10.1377H (11.5.1958),
 And having also reviewed Council of Ministers Decree No.1394 of
 28.8.1396H (24.8.1976),
 We Decree the following:

First, the unification of the Organizations for Enjoining the
 Acceptable and Forbidding the Reprehensible in one Organization with
 one budget and under the leadership of one president appointed by a
 Royal Decree.

Second, the budgets of the two current Organizations must come
 together as one budget, and the name of the Organization shall be
al-ri'āṣah al-ʿāmmah li-hay'at al-amr bi-'l-maʿrūf wa-'l-nahy ʿan al-
munkar (The General Presidency of the Organization for Enjoining the
 Acceptable and Forbidding the Reprehensible).

Third, the Deputy Premier and The Minister of Finance and National
 Economy have to put this Decree of ours into effect.

The Royal signature: Khālīd

Appendix E

A translation of the Royal Decree and the Resolution of the Council of Ministers Issuing the current Statute of the hay'ah.

Ref: M/37

Date: 26.10.1400H

(6.9.1980)

With the Help of God, the Most Sublime,
We, Khālīd b. Abd ^cAl-^cAzīz Āl-Su^cūd, King of Saudi Arabia,
Having reviewed Article 19 of the Council of Ministers Statute issued
by Royal Decree No.38 of 22.10.1377H (11.5.1958), and having also
reviewed Council of Ministers Decree No.161 of 16.9.1400H (28.8.1980),
We decree the following: First, we ratify the Statute for the
Organization for Enjoining the Acceptable and Forbidding the
Reprehensible as set in the document enclosed herewith. Second, the
Deputy Premier and Cabinet Ministers have to put this decree of ours
into effect, each in as much as it concerns him.

The Royal Signature: Khālīd

Decree No.161 of 16.9.1400H (28.8.1980)

The Council of Ministers, having reviewed the papers enclosed
herewith, including the letter of His Highness the Minister of the
Interior No.1/7596 of 28.8.1398H (2.8.1978), to which the report of
the Committee formed to review the Draft Statute of the General
Presidency of the Organization for Enjoining the Acceptable and
Forbidding the Reprehensible is attached, with the final draft of the
said Statute made by the Committee, and,
Having reviewed the said Draft Statute itself, decrees the following:
First, the Statute of the Organization for Enjoining the Acceptable
and Forbidding the Reprehensible, in the form attached herewith, is
hereby ratified. Second, a draft Royal Decree, in the form attached
herewith, has been made. This has been set down for the said purpose.

Second Deputy Premier

Appendix F

A translation of the current niḡām (statute) of the hay'ah issued in 1400/1980.

STATUTE of THE ORGANIZATION FOR ENJOINING THE ACCEPTABLE
AND FORBIDDING THE REPREHENSIBLE

Section One

Setting up a General Presidency for
the Organizations For Enjoining the Acceptable, and Related Matters

Article 1: The General Presidency of the Organization for Enjoining the Acceptable and Forbidding the Reprehensible is an independent body, directly affiliated to the Head of the Council of Ministers (ie. the King). Subordinate to it are all the Organizations already in existence at the time this Statute goes into effect or formed afterwards.

Article 2: The General President of the Organization has the rank of a Minister, and his appointment and relief of duty are by Royal Decree. Under him are two deputies who are appointed, to the fifteenth level, and are relieved of duty by Decree from the Council of Ministers. Sufficient numbers of inspectors, investigators, a^c dā' (members), personnel, and employees are employed by the General Presidency.

Article 3: In every Province, a Branch of the hay'ah is set up. It is formed by an Order of the General President which names a General Supervisor and an assistant who assists the General Supervisor and acts for him in his absence or when the position becomes vacant. Sufficient numbers of members, personnel, administrative staff and employees are employed by the Branch, and a sufficient number of Centres are formed in every city and every village.

Article 4: The General President has the prerogative to form committees, whose members are chosen from the members of the hay'ah and legal investigators for the following purposes:

- A. Investigating cases and unlawful violations related to cases that are referred to Islamic Law Courts.
- B. Handling moral violations and accusations and determining the penalty in each, which can be a pledge signed by the culprit, a reprimand, flogging as a disciplinary measure up to a maximum of fifteen whip lashes, or imprisonment to a maximum of three days.

C. Province supervisors and heads of centres supervise the disciplinary measures described in B, after the respective governor sanctions the flogging or imprisonment penalty. If the governor sanctions the penalty, the case is referred back to the hay'ah to execute the penalty. If, however, he decides the case should be settled in court, it is referred to court. When a judge pronounces a verdict, the case is referred back to the hay'ah for execution.

Section Two

The Authorities of the General President

Article 5: The General President of the hay'ah is the immediate chief and the ultimate authority of all such organizations. He is immediately subordinate to the Premiere and enjoys the same authority that a cabinet minister enjoys within his ministry.

Article 6: The General President of the hay'ah has the prerogative to ask the governor of a province to refer to a court of Islamic Law any case he believes to belong there.

Section Three

Appointment, Promotion, and Disciplinary Action Against Members and Personnel of the Hay'ah

Article 7: The positions of presidents, members, inspectors, investigators, heads of religious departments, supervisors, and assistants are filled - with people with proper academic qualification, who have good reputation and are known to have led lives without any blemishes - in accordance with the Bill of Implementation issued by the General President in consultation with the President of the General Bureau of Civil Service.

Article 8: Without violation of the regulations of Civil Service, the service of the employees of the hay'ah terminates when either of the following takes place:

- A. When a worker is found guilty in a case that ruins his reputation and dignity.

B. When there are strong suspicions affecting his reputation and dignity.

Section Four

The Duties of the Hay'ah in Towns and Villages

Article 9: One of the most important duties of the hay'ah is to guide and advise people to observe the religious duties prescribed by Islamic Law and to make them carry out these duties, as well as to censure abomination in a way that prevents commission of things which are unlawful and prohibited by Islamic Law, and observance of bad traditions or abominable innovations. For these purposes, the hay'ah may take the measures and impose the penalties listed in this statute.

Article 10: The hay'ah must carry out the duty of enjoining the acceptable and forbidding the reprehensible with utmost strictness and determination on the basis of the definition of duties, taboos, and the methods to denounce the latter given in God's Book and the sunnah (way) of His Prophet, peace and blessings be upon him, and through the example set by the Prophet Muhammad in his life style, and later by the Prudent Caliphs and leading reformers. The hay'ah should follow a kindly approach with people, with the aim of fulfilling the objectives of Islamic Law in the effort to reform them.

Article 11: The hay'ah has the authority to apprehend and interrogate people who commit unlawful actions, are accused of doing so, or are negligent of the obligations set by Islamic Law. A representative of the concerned governor's office takes part in the interrogation of serious cases which are to be defined and agreed upon by the Minister of the Interior and the General President of the hay'ah.

Article 12: The hay'ah has the right to censor prohibited materials that may influence the tenets of faith, behaviour, or public morality, in collaboration with concerned party and in accordance with relevant orders and instructions. The By-Law defines the method in which the hay'ah takes part in such censorship.

Article 13: Centres of the hay'ah should send any person apprehended for something that calls for punishment to the Head Office of the hay'ah to which they belong for further interrogation.

Article 14: A representative of the hay'ah should take part in the investigation of cases that are related to the hay'ah's jurisdiction and are apprehended by police authorities or the amārah. When a sentence is pronounced in a case related to the hay'ah's jurisdiction, such a representative should take part in executing the punishment.

Article 15: The hay'ah takes charge of investigating all cases related to its jurisdiction. When there is a need to reinvestigate a case, the hay'ah should be kept informed. A representative of the respective governor's office should take part in the investigation.

Article 16: Courts of Islamic Law must inform the hay'ah of the verdicts pronounced in cases that fall under the jurisdiction of the Organization in order to follow up the execution of such verdicts.

Article 17: The hay'ah should be provided with sufficient numbers of policemen. The measures and procedures that guarantee that such policemen carry out their duties in the best possible manner are to be determined and agreed upon by the Minister of the Interior and the General President of the hay'ah.

Article 18: The various public and private institutions must cooperate with the hay'ah in accordance with this Statute.

Article 19: The General president of the hay'ah is to issue by-laws for the implementation of this Statute in consultation with the Minister of the Interior.

Article 20: This Statute cancels any stipulations contradictory to its clauses.

Article 21: This Statute goes into effect as from the date of its publication in the Official Gazette.

Appendix G

A translation of the By-Laws of hay'at al-amr bi-'l-ma^crūf wa-'l-nahy^c
an al-munkar (Organization for Enjoining the Acceptable and
Forbidding the Reprehensible) issued in 1406/1986.

IN THE NAME OF GOD THE COMPASSIONATE, THE MERCIFUL

Kingdom of Saudi Arabia,

The General Presidency of the Organization for Enjoining the Acceptable and Forbidding the Reprehensible, Office of the President

The By-law Organizing the Activities of the Organization
for Enjoining the Acceptable and Forbidding the Reprehensible

Preamble

Praise be to God and God's Peace and Blessings be upon the Best of His Creatures, our Prophet Muḥammad and upon his kin and Companions.

Royal Decree No.M/37 was issued on 26.10.1400H (6.9.1980) ratifying Cabinet Decree No.161 of 16.9.1400H (28.8.1980), which enclosed the Statute for the Organization for Enjoining the Acceptable and Forbidding the Reprehensible.

Since Article 19 of the said Statute authorizes the General President of the hay'ah together with His Highness the Minister of the Interior, to issue by-laws for implementing the Statute, and since the by-law has already been agreed upon as in the letter of His Highness the Minister of the Interior No.16/53048 of 4.8.1406H (13 April 1986) and the letter of His Excellency the General President of the Hay'ah No.201/1/S of 3.9.1406H (11.5.1986), which stipulates the drafting of an organizational by-law for implementing the Statute, to make clear to the concerned party of the hay'ah staff responsible for this implementation what may not be clear to it, and to make plans and lay down firm principles to be followed when implementing the Statute and its by-law as to the duties of the hay'ah and things concerning tackling, arrest, search, investigation, the way to handle impounded materials, immediate disciplinary chastisement, temporary custody, detention as a precautionary measure, the detention of women, juveniles and girls, and organizing the relationship between the hay'ah and the police - this detailed by-law has been drafted in a way that makes clear to workers at the hay'ah and to concerned parties how the hay'ah's Statute and by-law are to be implemented.

Section One
Duties of the Hay'ah

Article 1: Members of the Organization for Enjoining the Acceptable and Forbidding the Reprehensible have to carry out the duties of the Organization as defined by Article 9 of the Organization's Statute issued by Royal Decree No. M/27 of 26.10.1400H (6.9.1980), the most important of which are guiding and advising people to observe the religious duties prescribed by Islamic Law, and make them carry out these duties, as well as forbidding the reprehensible in a way that prevents commission of things which are unlawful and prohibited by Islamic Law and observance of bad traditions or abominable innovations. This can be done by observing the following:

- A. People must be urged to hold tight to the pillars of the True Religion, which include Prayer, zakāh (alms-giving), Fasting, and hajj (Pilgrimage), and to distinguish themselves by its precious standards of behaviour. They must also be called upon to perform virtuous actions set as duties by Islamic Law, such as being truthful and faithful, keeping one's promise, yielding deposits in trust, being kind to one's parents, keeping in contact with one's relatives, observing the rights of one's neighbours, being charitable with the poor and needy, and helping the disabled and the weak. People should be reminded of the account they have to face on Doomsday, so that whoever does good, he does it for himself, and whoever does wrong, has to bear the consequences, and guidance and direct advice should be offered to any person who shows signs (of negligence) or is accused of it.

- B. Since prayer is the pillar of religion members of the hay'ah are required to make sure that it is performed in mosques at the times set for it in Islamic Law, and to urge people to hasten in answering its call. The members should also make sure that stores are closed and no sales take place at prayer time. When it is proved that someone has been slack in performing prayers, he is asked to sign a pledge (to refrain from being negligent), advice and guidance are offered to him, and then he is released. This is done the first and the second time, but if a person does the same

thing a third time, he is released under bail, and the written approval of the Governor is sought to detain that person for twenty-four hours, which is done by the hay'ah when the Governor approves. When further negligence of prayer is proved against the same person, he is released under bail, and his case is referred to the Governor's office, to be referred in turn to a Court of Islamic Law.

C. Public shopping areas, roads, parks, and other public places are watched to make sure that none of the following acts, which are forbidden in Islamic Law, is committed:

1. Intermingling and smartening up which are prohibited in Islamic Law. Intermingling means men and women mixing together in a way that would clearly lead to evil. Smartening up means the exposition of charms, either by making up, exhibitionism, or tight clothes.
2. The imitation of the members of one sex by members of the other either in clothes or in appearance.
3. Male molestation of women, whether verbal or in action.
4. Publicly using indecent or obscene utterances.
5. Turning on a radio, television set, tape recorder, or something similar near a mosque or in a way that disturbs people while praying.
6. Slaughter houses should be observed to make sure that slaughtering follows the Islamic method.
7. Public displays by non-Muslims of their beliefs, the rituals of their faith, or non-respect for the rites and rulings of Islam.
8. Displays or sales of pictures, books, or video or audio recordings which are indecent or which contradict the Islamic faith. In this, the hay'ah collaborates with other concerned parties.
9. Displays of three-dimensional representations, pornographic pictures, or the emblems of other non-Islamic religions, such as the Cross, the Star of David, the pictures of Buddha, or similar things. Pornographic pictures are those which reveal the parts of the male or female body which should be covered, as well as pictures which represent a man and a woman in exciting situations, such as embracing, kissing and so on.

10. The manufacturing, promoting, or drinking of intoxicating drinks. In this, the hay'ah collaborates with other concerned parties.
11. The causes which lead to despicable acts (such as adultery, sodomy, and gambling), or the operation of houses or other places where abominations or despicable acts are performed.
12. Evident innovations, such as showing veneration for certain occasions or places, other than those specified by Islamic Law, or the celebrations of innovative, non-Islamic feasts and occasions.
13. Acts of Magic, charlatanism, and quackery used to cheat people out of their money.
14. Using deficient weights and measurements.
15. Show rooms and women's dressmaking shops should be watched to make sure that current and future instructions regulating work in these places are observed and that workers in these places do not commit any violation.

Section Two

Tackling, Arrest, Search, and Investigation

Chapter One: Tackling and Arrest

Article 2: The hay'ah members should tackle all the Abominations defined in Section One of this By-law and arrest the people who commit them. They should also tackle any offence to Islamic Law witnessed with the offender red-handed, as when it is witnessed while it is being committed, or as soon as the victim shouts or the public cry and run after the offender right after he has committed the offence, or when the offender is caught with some of the weapons, implements, or tools used in committing the offence, or things he has acquired through committing it, in his possession, or when there is material evidence that he has committed, or was accessory to, the offence.

Article 3: If the crime or sin witnessed with the offender red-handed is not one of the abominations listed in Section One of this By-law, the concerned authority should be given notice, in order to investigate, and impounded materials and arrested persons are handed

to such authority through an official report. (Examples of such cases are those of drugs traffic, commercial fraud, and moral cases which involve a major crime, such as murder, serious injury, or something of the sort).

Article 4: It is within the hay'ah's jurisdiction to receive information concerning the abominations listed in Section One of this By-law. It has to examine and investigate this information in ways that violate neither Islamic Law nor public morality and cause no prejudice to the freedom and rights of individuals. All aspects of the investigation and collection of information made and their outcome should be recorded in an official report which is forwarded to the concerned interrogation authority.

Article 5: When investigating and making inquiries, members of the hay'ah should hear the testimony of the person offering the information and of witnesses, and write that down in the record made for that piece of information.

Article 6: All information received by the hay'ah is to be entered in a special record which includes a summary of the content of any piece of information. Writing down the record is done according to the conditions and guidelines set in the way to use the information record.

Article 7: Any items of information received by the hay'ah which do not involve any of the abominations listed in Section One of this By-law are to be referred to the concerned authorities for investigation. Members of the hay'ah should by no means take any measures to investigate such information. All they have to do is to register it in the record of information before referring it to the concerned party through an official memorandum.

Article 8: No suspect should be arrested unless there is evidence that his conviction is highly probable.

Article 9: After the information is registered and the accusation is confirmed, the President commissions a sufficient force of members and

policemen (proportionate to the crime and the estimated number of offenders) to arrest the people involved and bring them to the hay'ah centre.

Article 10: The party under whose jurisdiction the arrest takes place detains the offenders and makes a list of impounded materials relevant to the crime. The lists should mention the nature and quantity, weight, or number of the impounded materials, which are placed in safe receptacles if they fit in. If not, they are placed in a storehouse as soon as a list is made. If the impounded materials cannot easily be moved, they are placed in a room in the raided house after a separate list is made for them, and the raiders have the room locked and sealed with red wax.

Article 11: After the raid is made and the offenders are apprehended, searched and detained, a comprehensive report is made and signed by all those who take part in the raid and search, and all things involved in the offence are written down, such as:

- A. the names and the number of offenders and of the persons present at the scene of the offence and the exact location where each of them has been found;
- B. the things involved in, or used in committing the offence, with their types and quantities specified;
- C. the number of persons who run away at the time the raid is made, and the name and address of each of them (if known), and his physical description, identifying marks if any, age, and type of clothes; and
- D. the quantity of cash or its equivalent which the offenders have or which is found at the scene of the offence at the time of the search.

Article 12: Those who make the arrest should sign the reports of arrest, which are officially stamped and sent (together with the offenders and impounded materials), after those procedures are completed, to the department at the organization responsible for investigation through a separate, official memorandum.

Article 13: In cases where the offenders are suspected of possessing weapons, help of the police of the respective area should be sought to arrest them.

Article 14: All cases of arrest should be entered in a record made for that purpose at the hay'ah centre to which the member enforcing the arrest belongs. The record should include the time at which detention begins, its reason, and the time at which it ends. Information is entered into the record in accordance with the instructions attached to the record of incidents.

Article 15: In case the arrested have suffered injuries or received wounds, the person responsible for the arrest should send them without delay to a hospital to receive immediate treatment. A medical report of their health condition should be requested. After medical treatment, they may be interrogated. If there is a need for them to be hospitalized, the hospital police should be informed to keep them in custody and guard their rooms so they may not escape during the period of treatment. When they recover, they should be taken back to the hay'ah offices to resume the interrogation.

Article 16: If a civil servant or a person in the military service is arrested, having been caught red-handed, the department to which he belongs should at once be informed of his arrest, the charge against him, and the approximate period he needs to be detained for interrogation.

Article 17: If a case being investigated by the hay'ah calls at a later stage of the investigation for the detention or imprisonment of an employee of the educational system, a summons is made in the form of an official, confidential letter addressed to the school headmaster. If the suspect is a student, the official request for him to be turned in should be addressed to both his guardian and the headmaster of the school he goes to. If it is confirmed that the school employee or the student has not been attending school, police authorities are asked to arrest him.

Article 18: When a suspect runs away before or after he is arrested, and the hay'ah fails to locate him, the assistance of police authorities should be requested, after giving them his name and description if possible. The same thing applies when a person becomes suspect as a result of an investigation and the hay'ah cannot locate him.

Chapter Two: Search

Article 19: An arrested person should be searched with the purpose of removing from his possession anything he may use to resist or to hurt himself or someone else, and to impound everything that is relevant to the religious abomination he is accused of committing. If during the search things are found which constitute another crime, they should be impounded and safely kept, and the relevant authority should be informed. If a person is suspected, before he is arrested, of holding a weapon, the police are asked to assist in the arrest.

Article 20: Women are searched by two trustworthy and honest women after they are asked to make the Islamic Oath to be honest and truthful.

Article 21: An authorized member of the hay'ah has the right to search houses and other places when tackling one of the religious abominations listed in Section One of this By-law and to arrest the person who has committed it.

Article 22: House searches are allowed only in the cases stipulated in the regulations, orders, decisions, and instructions concerning procedures in criminal cases, and must follow the procedure stipulated therein, particularly the stipulations of Chapter Seventeen of the General Security Statute. The following must be observed:

- A. Unless the written consent of the head of the household is obtained and his approval is given, or an urgent call for help is made from inside the residence which calls for expediency, or in cases of demolition, drowning, fire, or an assailant entering the house - no search is allowed unless permission is granted by the relevant authority (the General President, Regional Supervisor, or President of the Centre) and the search is done in the presence of the suspect, the head of the household, one of his relatives or of those connected with him, or the ʿumdah (mayor) of the neighbourhood. In towns where there are no neighbourhood mayors, two prominent residents of the neighbourhood are sufficient.

B. House searches should be made in the daytime. No house should be entered at night unless the crime is witnessed and the criminal is red-handed or circumstances call for expediency for fear that one of the items of evidence may be lost or the persons that are wanted may escape.

Article 23: If women are found in the searched house who are not involved in any way in the case, then the person in charge of the search must enable them to leave the house in a way that will not influence the outcome of the search or procedures of the investigation.

Article 24: All persons found in the house during the search must be placed under the necessary guard until the search is completed. If there are strong suspicions that any of them is hiding something that is being searched for, then it is permissible to search him.

Chapter Three: Investigation

Article 25: The hay'ah investigates all cases involving the religious abominations listed in Section One of this By-law.

Article 26: In the cases mentioned in Section One of this By-law which require to be handled jointly by more than one authority, the hay'ah takes part through a representative representing it at the party which handles the investigation.

Article 27: If concerned authorities decide that a case handled by the hay'ah should be reinvestigated, it is the hay'ah that should take care of that, provided that a representative of the amārah (office of the governor) takes part in the reinvestigation.

Article 28: When the need arises, a representative of the hay'ah may take part in the preliminary investigation of religious abomination listed in Section One of this By-law which are apprehended by police authorities or by the amārah.

Article 29: Except for cases of red-handed offences, when the abomination is witnessed while it is being committed, the investigation of things listed in Section One should be handled by specialists at the hay'ah in accordance with the stipulations of the By-law. In cities where the hay'ah has more than one centre, the investigation must be conducted in the Head Office. The centres have to turn over the reports of impoundment, arrest, and search, together with the people arrested and materials impounded, to the Head Centre as soon as the procedures of impoundment and arrest are concluded, provided that this would not lead to the loss of evidence that helps in proving the guilt of a person. Another condition is that the case should be investigated within the boundaries of the Province.

Article 30: When he begins an investigation, an investigator should make sure of the following:

- A. The interrogated person's name (surname, father's name, grandfather's name and family name), the number of his identity card, the place and time at which it has been issued, his marital status and his age should be written down. The same applies to witnesses. If any of these is non-Saudi, he should be asked about his nationality and the number, date and place of issuance of his passport, travel document, or any other document that proves his identity and the legitimacy of his residence in the Kingdom, and the name and address of his sponsor.
- B. A suspect should not be hand-cuffed while he is interrogated. The investigator should order any cuffs to be removed during interrogation. Full precaution should be taken to guard the suspect and prevent his escape while he is interrogated.
- C. Suspects should be kept apart at the time of investigation. Each should give his testimony separately. The same thing applies to witnesses. If there is a discrepancy in the statements of suspects and witnesses, the investigator should confront them with each other and discuss the discrepancy with them until he arrives at the truth.

Article 31: The pages and lines of investigation pads should be filled in the right order without any scratching, insertion, or space skipping. The sequence of writing down in the pads should be the same as the sequence of events and procedures written, the same way they are conducted, witnessed, or happened. Every procedure should be recorded as soon as it takes place or is conducted.

Article 32: At the opening of every report of investigation, the following should be mentioned:

- (1) the hour, day, date, and place at which it (the investigation) begins and is conducted;
- (2) the full name, rank, and position of the investigator(s);
- (3) the thing on the basis of which the investigation is conducted or any procedure is taken; and
- (4) a summary of the charge and its source, such as the information or communication received or the apprehension of a suspect red-handed;
- (5) at the end of every report, there should also be a mention of the hour, day, and date of its conclusion; the reason that caused it to be discontinued; and the time set for its resumption.

Article 33: Investigation reports should include everything that is related to the person and identity of the informer, unless it is in the interest (of confidentiality) not to reveal it. Investigation reports should also include details of the information received, everything related to the person it involves, the statements and actions attributed to him, the inquiries made, their outcome, the things seen or heard, and everything that has called for the procedures of impoundment, arrest, and search.

Article 34: Investigation reports should include a carefully detailed description of how the procedures of impoundment, arrest, and search have been taken, how places have been inspected, what clues and persons have been discovered, and the marks found on them and injuries they have suffered. The following should particularly be taken into consideration.

- A. The materials impounded should be described, whether impounded through search or separately. The nature, characteristics, condition of impounded things should be mentioned, together with everything that defines their number, measurement(s), or weight. The methods used in impounding them, their place or condition at the time of impoundment, the person with whom they are impounded, and his decision or the decision of whoever acts for him concerning them should be pointed out.
- B. The persons who are arrested or are found at the site of the abomination or the place searched, and their condition at the time (such as being drunk or something else), the marks on and injuries to their bodies discovered, the marks or traces found on their clothes, the measures taken to keep and examine these marks, the actions and statements each of them makes, and the things found with each of them and related to the investigated offence or constituting, by their mere possession, another offence should all be listed.
- C. The traces and marks discovered by examining the scene of the crime or any other location should be written down, together with a list of any experts whose assistance has been sought, the agencies they represent, and the content of the technical reports they have made.
- D. The samples taken from the impounded materials should be placed in safe receptacles and forwarded to specialized technical concerns to be examined or tested, and the technical reports made by these concerns should be written down.
- E. A list should be made of the persons who have witnessed the abomination or some of the actions constituting it, or those who are present when it is tackled and when the suspects are arrested, or when some of the instruments used in committing it or the things obtained by committing it are impounded. The testimony of these witnesses should be recorded in detail and as

given, without any change in the wording. All the procedure for interrogating them and discussing their statements with them should be written down.

Article 35: In addition to the things specified in previous Articles, the reports of investigation should include the statement of any suspect in detail, as it is made by him, with the exact wording he uses. All aspects of his defence should be written down. At any time, a suspect is entitled to make his defence in all its aspects. It is preferable to have the answers written in the suspect's own handwriting, if he can write, and to have him sign whenever erasure or a change is made in his statement.

Article 36: If the statements made by a suspect include a confession of committing a religious abomination of those listed in Section One of this By-law, which is a major crime (such as a crime with a specified penalty in Islamic Law, the raiding of houses for wicked purposes, rape, molestation of someone's honour, sodomy, the making or drinking of intoxicants, or dealing with them or offering them to others), he should immediately be turned over to a judge of Islamic Law to have his confession certified. If the admitted crime is not one of the religious abominations listed in Section One of this By-law, the suspect should be turned over to the relevant authority for investigation.

Article 37: Every report of investigation should be signed by the investigator(s) conducting it or sharing in the procedures of tackling, arrest, search, or inspection. Experts who take part in inspecting, keeping, and examining traces or marks, or who examine impounded materials and take samples thereof, should sign the reports covering that. Witnesses should sign the reports containing their statements and their interrogation. A suspect should sign the reports containing his statements and confessions. When necessary, a print of the right thumb serves as a signature.

Article 38: When a government employee, whether a civilian or

military, is indicted only after a period of time has passed allowing him to attend his job at his office, his superiors are in this case contacted to turn him in to the party in charge of investigation at the hay'ah. A copy of the request should be forwarded to the Board of Inspection and Investigation. When the investigation is completed, the Board of Inspection and Investigation and the department where the employee works are each provided with a summary of the subject, indicting the situation concerning the employee, whether he is still under investigation or has been freed because of his innocence. If the Board of Inspection and Investigation asks, in an exceptional case, for an abstract of the investigation premises, to take appropriate measures concerning the employee, before he is tried before a court of Islamic Law, the party in charge of investigation at the Organization has to supply the requested abstract.

Article 39: When there is a need to call a civil servant for testimony in a case investigated by the hay'ah, he should be summoned by an official memorandum addressed to him at the department where he works, allowing him sufficient time to arrive and specifying his name and the hour and day at which he should report and the place where he should report.

Article 40: If a case that falls under the jurisdiction of the hay'ah occurs inside a school, the hay'ah's investigators should not arrive at the school in a way that draws the attention of students and employees, so that the reputation of the school, its employees, and its students may not be tarnished and the trust in it as a centre of learning may not be shaken. When there is a need for policemen to accompany the investigating committee, they should not arrive at the school in their uniforms. The interrogation of students should be done in a very casual manner that would drive fear out of their hearts.

Article 41: If it is confirmed that a student is involved in a case investigated by the hay'ah and he is not arrested red-handed, at

the proper moment, he should be summoned for interrogation only through the school, the Department of Education in the Province, or the student's guardian, either in writing or on the telephone if possible. If it is confirmed that the student is not attending school and playing truant, his arrest by security forces is requested.

Article 42: The ʿawrāt (parts of the body that should be covered) of women and boys should not be exposed for the purpose of proving an act of adultery or sodomy, unless it is in the interest of Islamic Law, as determined by a judge, to do so, or the case is initiated by a written petition from the women's guardian demanding compensation to be paid by the criminal. In either case the girl is sent to a hospital to be medically examined in accordance with the Circular of the Minister of Health No.355/5497/57 of 10.8.1399H (5.7.1979), which is based on the circular of His Eminence the Muftī No.3551/1 of 10.9.1380H (25.2.1961) and fatwā (religious ruling) No.3343/1 of 17.11.1386H (26.2.1967).

Section Three Impounded Materials

Article 43: Impounded materials that have no relation to the abomination involved in a particular case and which do not help the investigation should be immediately handed to the person with whom they are found or who is their rightful owner.

Article 44: If the impounded materials involved in a case are cash, jewelry, or valuables, they have to be deposited, until the case is settled, with the party undertaking the investigation, after the jewelry or valuables are placed in proper, safe receptacles. This should be written down in the investigation report.

Article 45: Whenever possible, impounded materials, other than cash, should be placed in a safe receptacle that matches their size and nature. A receptacle should be sealed, in red wax, with the seal of the party undertaking the investigation. On the outside of the receptacle, a statement should be written defining the thing inside it, the number of the case, the name of the person with whom the material has been found, and the date, place and reason of its

impoundment. The person in charge should sign this statement, and this should be written down in the investigation report.

Article 46: The person with whom the materials are found is entitled to receive a statement listing the impounded materials, signed by the person in charge, and this should be written down in the investigation report.

Article 47: When it is evident that the impounded materials are likely to be spoiled or when the expenses of their maintenance are high and are out of proportion with their value, they are sold, after the consent of their owner or whoever has the right to keep them is obtained. Their value is deposited with the party in charge of the investigation until the case is settled. If the consent of their owner or whoever has the right to keep them cannot be obtained, they are sold after permission is given by a judge of Islamic Law.

Article 48: The materials which the party in charge of the investigation decides to impound continue to be seized as long as they are needed in the investigation or for settling the case. When there is an argument over that, the governor has the authority to settle it.

Article 49: When a case is settled and there is no decision to confiscate the impounded materials, and no concerned party orders their confiscation, they are given back to the person with whom they are found or who has the right to keep them.

Article 50: A safe of a reasonable size is provided to each Centre of the hay'ah for keeping light-weight impounded materials related to cases such as drugs, prohibited tablets, jewelry, and cash. At the offices of every organization which undertakes investigations, a room with impenetrable doors and windows is prepared to serve as a storehouse for keeping other impounded materials and all the vessels, equipment, and other things which are related to cases.

Article 51: Keeping things in the safe and the storehouse should be done by the President of the local hay'ah or by the investigator, in accordance with the following procedures;

- A. Information should be written down in accordance with Articles 10, 11, 44, and 45 of this By-law.
- B. A memorandum, with an original and an unchangeable copy, should be made and signed by the receiver, the person from whom the materials are received, the President of the hay'ah, and the person concerned, in which information as to size, weight, and description is written down. The original of the memorandum is attached to the papers of the case investigated, and the unchangeable copy is kept in the Records with the person in charge at the hay'ah.
- C. The person in charge of impounded materials keeps a record of them, which follows a special model, and it is used according to the instructions on its back cover.

Article 52: Impounded materials are taken out of the safe or the storehouse to be given back to their owners, destroyed, or kept in the treasury, in the following cases:

- A. When the investigator or the person in charge at the hay'ah is satisfied that the materials have nothing to do with the crime and that they belong to people who are not involved in the case.
- B. When it is established that the suspect's possession of the materials (if they are cash or its equivalent) poses no hazard to the investigation.
- C. When a verdict by an Islamic Court stipulates that they should be destroyed or handed back.
- D. When an order is made by the amīr to that effect.

Article 53: The person in charge at the hay'ah issues an official, numbered and dated memorandum which mentions the order made for handling back or destroying the materials, and the justification and the party responsible for its issuance. An order with an original and an unchangeable copy is made to get the materials out, signed by the

person who receives them, the investigator and the President of the hay'ah if the decision is to hand them back. If it is to destroy them, the order is signed by the hay'ah's representative at the destruction committee. A copy of the report of the destruction is attached to the memorandum.

Section Four

Immediate Disciplinary Punishment, Temporary Detention, and Precautionary Arrest

Chapter One: On Imposing Immediate Disciplinary Punishment

Article 54: As soon as an incident is tackled, or the person(s) committing it arrested, the arrested people and the impounded materials should be referred, through a report of the incident and the arrest, to the party responsible for carrying out the investigation.

Article 55: The party in charge of the investigation should interrogate the arrested person(s) and listen to all aspects of his defence within twenty-four hours of the arrest.

Article 56: When the party who handles the investigation is satisfied that the incident does not involve a sin or an offence that calls for harsher punishment, he should decide to free the arrested person either under bail or by merely taking his address, depending on the case. The papers are then referred to the relevant authority, either to approve the decision of the investigation party or to give whatever instruction it finds appropriate. When it is established that the incident does not involve a religious abomination of the type handled by the hay'ah as in Section One of the By-law, or if it is a religious abomination that follows a special system which defines a particular authority to investigate it or to impose punishment for it, the case should be referred to the relevant authority.

Article 57: In every hay'ah, a committee composed of the president of the hay'ah, or the head of a centre, and two members is set up to decide the immediate penalties listed in Article 4 of the hay'ah's Statute.

Article 58: If the incident is a simple moral case or a case of accusation, the party in charge of investigation should refer it at once to the committee that handles such cases and that is mentioned in the previous Article.

Article 59: The committee mentioned above should immediately look into the case and take the decision considered appropriate according to the stipulations of the Statute and of this By-law.

Article 60: If the committee finds the defendant not guilty, he should be freed at once.

Article 61: If the committee decides to discipline the offender by whipping to a maximum of fifteen lashes or by imprisonment to a maximum of three days, the papers are immediately referred to the town's amīr to ratify the committee's decision. The decision is implemented only after it is ratified by the town's amīr. An offender should receive only one of the two penalties mentioned above.

Article 62: Upon receiving the papers, a town amīr should immediately make a decision which

- (a) ratifies the committee's whipping or imprisonment sentence, returning the papers to the committee immediately, so that the decision is executed at once and the arrested person is then freed;
- (b) refers the papers to a court of Islamic Law to take a decision and then refers them back to the hay'ah to implement that decision; or
- (c) refers the papers to the relevant authority to continue the investigation.

Chapter Two: On Temporary Detention

Article 63: When it is not possible, in the cases and the accusations referred to above, to complete the investigation within twenty four hours of the arrest of the person involved, the party in charge of the investigation may issue an order for his temporary detention for a period that does not exceed three days following his arrest. The order

is entered in writing in the investigation report. The President of the hay'ah is notified, and supplied a copy, of the order to enter it in the special record of the arrested for investigation at the hay'ah Centre.

Article 64: Unless the religious abomination is a major crime, the arrested person should be

- (a) referred at once to a court of Islamic Law to decide upon his case, and
- (b) released under bail (made in person), on the condition that he has a permanent and known residence within the Kingdom, if it is necessary to carry the investigation on for more than three days after his arrest.

Chapter Three: On Precautionary Arrest

Article 65: If the investigation is not completed within the period mentioned in the previous Article, the investigator should take the steps needed for precautionary arrest described in the following Articles:

Article 66: Unless the abomination is a major crime (such as rape; molestation of a person's honour; sodomy; adultery; the manufacturing of, dealing with, offering, or trading intoxicants; dealing in usury, etc.), before the end of temporary detention, the following steps should be taken:

- A. The arrested person should be indicted and a memorandum should be addressed to the relevant authority for his precautionary arrest. He should be sent to a detention house or general prison, and the governor of the area and the President of the hay'ah should be notified.
- B. The papers should be referred to the office of the amīr as soon as the investigations are completed. The Memorandum of Arrest mentioned in item A should not be issued unless there is sufficient evidence that calls for the precautionary arrest of the detained person, as follows:

- (1) He should be caught red-handed in the manner described in Article 2 of this By-law;
- (2) he should confess, by his free will as recognized in Islamic Law, that he has committed the crime;
- (3) evidence accepted by Islamic Law or reasonable evidence should indicate that he is most probably guilty;
- (4) his being loose poses a threat to his life or the lives of others or an offence to public security, or causes commotion or disorder among people; or
- (5) he has no permanent and known residence in the Kingdom, or it is feared that he may escape or may influence the investigation procedures.

Article 67: The Memorandum of Precautionary Arrest referred to in the previous Article is effective for a period of no more than twenty one days starting on the date of the arrest of the person against whom it is issued.

Article 68: If the investigation cannot be completed within the twenty one days mentioned above, the investigating party should, at least three days before the end of that period, report a summary of the case, the evidence obtained from the arrested person which has called for his precautionary arrest, the incomplete aspects of the investigation, the reasons that have made it difficult to complete them, and the period estimated by the investigating party as needed to complete the investigation. This report should be accompanied with a request for permission to continue the detention of the arrested for the estimated period, provided that it does not exceed thirty days from the date on which the twenty-one days period, which is covered by the first memorandum of arrest, ends.

Article 69: The report mentioned in the previous Article should be made to the governor of the province or any mayor of one of the towns of the province authorized by the governor.

Article 70: The detention house or prison where the detained person is kept should be notified of the date and number of the report addressed

to the amārah (office of the governor) requesting a continuation of his detention.

Article 71: The precautionary arrest of the suspect continues, and the investigating party goes on with its investigation, until instructions arrive from the amārah, at which time these instructions are followed. The investigating party should notify the detention house or prison where the person under precautionary arrest is kept of the amārah's decision to continue his arrest or to set him free in order to carry them out.

Article 72: Under all circumstances, the investigating party should report the case to the amīr before the thirty days subsequent to the twenty one days covered by the memorandum of precautionary arrest are over so that the amārah would make a decision in the light of the Bill of Province Governors' Acts of Authorization.

Chapter Four: On the Detention and Interrogation of Women, Adolescents, and Girls

A. On the Detention and Interrogation of Women

Article 73: When a female suspect is interrogated, it should be observed that she be accompanied by a muḥram* who attends all interrogation sessions and can see everything that goes on during the interrogation. If confidentiality is required, the investigating party should prepare a place for interrogation where the muḥram is able to see what goes on in the interrogation room. This is done by introducing a glass divider and allowing the muḥram to sit on its other side, or by letting him stand at the window of the interrogation room or at a distance if the place where the interrogation is held is wide enough.

* A muḥram is a male relative who is forbidden to marry that woman according to the sharī'ah (Islamic Law) e.g. a father, a brother or an uncle. Translator's note.

Article 74: When the investigator suspects a female suspect of holding things that would help in solving the case, the investigating committee should commission two trustworthy women to search the suspect, as in Article 20 of this By-law, and in the presence of her muhram, if possible.

Article 75: The question addressed to a female suspect should be direct, candid, and relevant to the case she is arrested for.

Article 76: The detention of women at the hay'ah centres is by no means allowed at any times other than that of interrogation. At all other times, particularly every day after sunset, a woman is moved into one of the detention houses for women. An imprisonment penalty pronounced against a woman in a moral case or a case involving one of the charges referred to in Article 4 of the hay'ah Statute can only be implemented in a women's prison.

Article 77: When a woman is transported from a detention house or a prison to the place of interrogation, she should be accompanied by a muhram of hers until she is back (at the prison or detention house). If that proves impossible, she should be accompanied by a trusted woman (and if by two trusted women that would be even better).

Article 78: If investigating a case of intoxication calls for smelling a female suspect, she should be sent to a hospital and the person in charge there should be asked to commission two female physicians or nurses to do that in the presence of a muhram of the woman and to write down a medical report of the outcome.

B. On the Detention and Interrogation of Male Adolescents and Girls

Article 79: A male adolescent means a boy who is over ten years of age and has not yet completed his eighteenth year. A girl means a female who is thirty years or under. In establishing either case, a birth certificate or identity card is the authority to be consulted.

Article 80: The party in charge of the arrest should take any adolescent boy to a house of social observation and any girl to the Institution for Girls' Welfare as soon as he or she is arrested and without resorting to any other procedure.

Article 81: The interrogation of a male adolescent should take place only at a house of social observation and in the presence of the relevant members of its staff. If it is in the interest of the investigation to take the adolescent out to show the actual scene of the crime, a representative of the House should accompany the investigator.

Article 82: Under all circumstances, the interrogation of girls should take place inside the Institution (for girls' welfare) and in the presence of the principal or whoever she asks to represent her for that purpose. The interrogation should be held in a manner that allows the girl to feel psychologically safe and relaxed, as Article 6 of the By-law of Girls' Welfare Houses stipulates.

Article 83: The penalties pronounced must be executed inside a house of social observation or an institution for girls' welfare in accordance with its by-laws.

Article 84: In the case of minor offences committed by an adolescent over ten and under fifteen, the President of the hay'ah may find it sufficient to reprimand and advise the adolescent and ask his guardian to undertake that the adolescent will not repeat the offence. The adolescent may then be set free without detention or interrogation.

Chapter Five: On the Cases in which an Arrested Person Should be Freed and has the Right to Complain about the Memorandum for His Arrest

Article 85: A suspect is set free in the cases mentioned in Article 60, paragraph B of Article 64, and Article 84 of this By-law and in case he is a juvenile under ten.

Article 86: When the investigating party at the hay'ah orders the precautionary arrest of a suspect to continue after the validity of the memorandum of detention has expired, or after the subsequent thirty days are over, he has the right to file a complaint with the governor of the province in accordance with Articles 19-21 of the By-law of the Proper Procedures of Arrest and Temporary Detention issued by His Highness the Minister of the Interior and attached to Decree No.233 of 17.1.1403H (23.10.1983).

Article 87: The investigating party should allow a suspect to contact his family and inform them of his being under arrest, when the case is a minor one. In major cases, however, he should be allowed to contact them only after the investigation is completed and all his partners, if he has any, are arrested.

Article 88: A person detained for interrogation may get food at his own expense, and the relevant party at the hay'ah should get it for him.

Article 89: A person should not be detained beyond the period defined in the memorandum for his arrest. He should be freed before noon on the day following the expiry of that period, unless an order comes from the relevant authority at the hay'ah or the amārah to continue his detention.

Section Five

The Police Working for the Hay'ah

Article 90: A number of policemen are to join the hay'ah according to the following division:

1. The General Presidency
2. The Major Branches
3. Departments of Investigation and Detention at the Major Branches
4. Patrol and Watch Departments in Cities
5. Centres in major cities (A)
6. Centres in middle-sized cities (B)
7. Centres in small towns (C)
8. Centres in villages that have a police force

The numbers and ranks of these policemen are to be determined by agreement between the General President of the hay'ah and the Director General of Public Security.

Article 91: Duties are assigned and locations and hours are defined for policemen by the person in charge at the hay'ah in a manner that does not violate police service regulations.

Article 92: Policemen's vacations are handled by Public Security in cooperation with the hay'ah.

Article 93: In cases of emergency and special occasions, such as feasts and special seasons, the hay'ah may seek the support of an additional police force. It may also seek such help in accordance with the stipulations of Articles 12 and 18 of this By-law. The relevant chief of police should cooperate as required in each case.

Section Six General Rules

Article 94: The General President of the hay'ah is to issue a confidential circular addressed to the parties affiliated to him which will be in charge of implementing this By-law concerning the manner in which members of the Diplomatic Corps are to be treated, in accordance with the kindly Royal Decree No. M/38 of 21.11.1400H (30.9.1980), ratifying the Decree of the Venerable Cabinet No.193 of 13.11.1400H (22.9.1980). It will also cover the treatment of VIPs and of governmental offices in accordance with the stipulation of paragraph B, Article 146, Chapter Seventeen of the General Security Law.

Article 95: This By-law goes into effect as soon as it is published. It is to be implemented gradually, by stages, in accordance with the resources available at the various hay'āt, as will be determined by subsequent instructions from the General President.

Article 96: The General president has the right to interpret the content of this By-law, cancel Articles, and add new ones.

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