

## Islamic Law in Saudi Arabia

# Studies in Islamic Law and Society

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# Islamic Law in Saudi Arabia

*By*

Dominik Krell



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Open Access funding provided by Max Planck Society.

#### Library of Congress Cataloging-in-Publication Data

Names: Krell, Dominik, author.

Title: Islamic law in Saudi Arabia / by Dominik Krell.

Description: Leiden ; Boston : Brill, 2025. | Series: Studies in islamic law and society, 1384-1130 ; volume 56 | Includes bibliographical references and index.

Identifiers: LCCN 2024059065 (print) | LCCN 2024059066 (ebook) | ISBN 9789004683280 (hardback) | ISBN 9789004726314 (ebook)

Subjects: LCSH: Islamic law—Saudi Arabia. | Wahhābiyah—Saudi Arabia. | Ijtihād (Islamic law)

Classification: LCC KBP285 .K74 2025 (print) | LCC KBP285 (ebook) | DDC 349.538—dc23/eng/20241212

LC record available at <https://lcn.loc.gov/2024059065>

LC ebook record available at <https://lcn.loc.gov/2024059066>

Typeface for the Latin, Greek, and Cyrillic scripts: "Brill". See and download: [brill.com/brill-typeface](http://brill.com/brill-typeface).

ISSN 1384-1130

ISBN 978-90-04-68328-0 (hardback)

ISBN 978-90-04-72631-4 (e-book)

DOI 10.1163/9789004726314

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This book is printed on acid-free paper and produced in a sustainable manner.

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## Acknowledgements

This book would not have been possible without the support of so many great people over the course of the last years, too many to name all. First and foremost, I want to thank Nadjma Yassari, who encouraged, supported, and inspired me in both good and bad times. I am very grateful to the Max Planck Institute for Comparative and International Private Law in Hamburg, its always helpful staff, and the rest of the *Hamburger Schule* for their support, valuable feedback, and endless conversations on Islamic law and jurisprudence: Lena-Maria Möller, Tess Chemnitzer, Dörthe Engelcke, Shéhérazade Elyazidi, Sina Torshizi, Khashayar Biriya, and Hendrik Brecht. Lauan al-Khazail proved to be an excellent partner for discussing the ideas of Ibn Taymiyya and Ibn al-Qayyim, while my debates on Arabic legal terms with Mustafa Mohammad were of great help for my translations.

I want to thank all of my interview partners, who took their valuable time to explain their ideas, understandings, and practices of Islamic law to an outsider. I was always, with no exception, received with great hospitality, respect, and patience. My thanks also go to the King Faisal Center for Research and Islamic Studies (KFCRIS) and its staff in Riyadh, who kindly offered me a place to work and opened many doors for me in Saudi Arabia. I want to especially thank Majed bin Khunein, who tirelessly used all possible ways to put me in contact with Saudi jurists. I also want to express my gratitude to Sarah al-Dajani, who over the years shared her insights into the Saudi legal system with me and guided me through its complex structure. I am deeply indebted to Jan Krauser, without whom my fieldwork would not have been possible, who spontaneously offered me a place to stay in Riyadh, and with whom I shared many wonderful experiences.

Furthermore, I was lucky to receive great feedback from the academic community at conferences and in private conversations. I want to especially thank Rob Gleave for his support. I am deeply indebted to Frank Vogel. His groundbreaking work has paved the way for all further research on law in Saudi Arabia.

Last but not least, I want to thank Nina and my parents for their love and support.

# Map



Saudi Arabia

# On the Translations, the Transliteration, and the Calendar

## 1 A Note on the Translations

All translations, except if stated otherwise, are my own. Hence, all mistakes are also entirely mine. The translation of legal Arabic into English necessarily means a loss of accuracy since many terms or references do not have a direct English equivalent. To compensate for the loss of accuracy, I have added Arabic transliterations for many important technical legal terms and have used footnotes to explain any references an author makes to the Quran, the Sunna, or other *fiqh* books. For better readability, I have excluded eulogies, like *ṣalla Allāhu ‘alayhi wa-sallam* for the Prophet or *‘azza wa-jall* for God, from the translations.

## 2 The Transliteration of Arabic Names

Arabic transliteration follows the standard established by the *International Journal of Middle Eastern Studies* (IJMES). Arabic words frequently used in English, like Quran, caliph, or sultan, are not transliterated. Likewise, the names of commonly known cities, such as Riyadh, Mecca, Medina, Dammam, or Jeddah, are not given in transliteration.

When referring to contemporary Saudi authors, I use the common naming system in Saudi Arabia, which includes the first name, the father's first name, and the family name (first name – father's name – last name). Saudi jurists are often members of large scholarly families. To know the father's name makes it easier to identify the author properly. When I cite non-Saudi writings, I only state the author's first and family name since legal publications outside of Saudi Arabia usually do not include the name of the author's father.

When it comes to premodern scholars, I refer to the name under which they are commonly known in contemporary Islamic jurisprudence, even if that name differs from their given name. For instance, I refer to Ibn al-Qayyim (“the son of the principal<sup>1</sup>”) instead of giving his full name, Shams al-Dīn Abī

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1 His contemporaries, however, called him Ibn Qayyim al-Jawziyya in order to indicate that his father was the principal of the Ḥanbalī college al-Jawziyya in Damascus. See Catharina Bori and Livnat Holtzman, “A Scholar in the Shadow,” *Oriente Moderno* 90 (1): 13, n. 1. We will discuss Ibn al-Qayyim's life and work in more detail in the first chapter.

‘Abd Allāh Muḥammad bin Abī Bakr al-Zurī al-Dimashqī. For contemporary Arab authors who write in English, I use the transliteration they have chosen for their names.

### 3 The Two Calendars

For reasons of readability, I have deliberately refrained from using the Islamic Hijrī calendar throughout the text, even though it is the official calendar of the Saudi judiciary and Saudi legal writings generally only refer to Hijrī dates. Whenever an author provided a specific date in the Hijrī calendar, I converted it into the Gregorian calendar. However, whenever an author referred to a Hijrī year without specifying a day or a month, I estimated the Gregorian year based on the context. In the bibliography, I listed the year of publication in both calendars since this makes it easier to find and identify Arabic legal literature.