

Nationalizing Sharia: Challenging the Hegemony of *Ahad* Hadith and the Politics of Legal Codification in Saudi Arabia

Afwan Faizin, Khamami Zada

Universitas Islam Negeri Syarif Hidayatullah Jakarta

Corresponding author: afwan.faizin@uinjkt.ac.id

DOI: 10.29240/jhi.v11i1.15972

Received: 31/12/2025

Revised: 02/02/2026

Accepted: 24/04/2026

Cite this article: Afwan Faizin, Khamami Zada(2026), Nationalizing Sharia: Challenging the Hegemony of *Ahad* Hadith and the Politics of Legal Codification in Saudi Arabia : Approach. Al-Istinbath : Jurnal Hukum Islam, 11 (1), 2026, 388-410. DOI : 10.29240/jhi.v11i1.15972

Abstract

This article examines the radical transformation of the Saudi Arabian legal system under Vision 2030, marking a fundamental shift from the supremacy of traditional judicial interpretation to the codification of state positive law. The analysis focuses on Crown Prince Mohammed bin Salman's (MBS) epistemological maneuver to limit the authority of "*Ahad* Hadith" (single-narrator reports) in the public sphere, mandating that state law rely exclusively on the Qur'an and *Mutawatir* Hadith. Using a juridical-normative approach and critical discourse analysis, this study tests the consistency of this doctrine within recent legislative packages, specifically the Personal Status Law, the Civil Transactions Law, and Evidence Law. The study covers a methodological inconsistency that the state rejects *Ahad* Hadith in economic matters to ensure investment certainty but retains them in socio-familial issues to maintain patriarchal stability. Consequently, this article concludes that Saudi legal reform is not a pure theological purification but a "pragmatic legal hybridity" which epistemologically lacks a strong academic basis. The claim of relying solely on *Mutawatir* Hadith serves as a discursive strategy for the "nationalization of Sharia," effectively reducing the role of clerics and judges from autonomous interpreters of divine law to bureaucratic executors of state statutes, serving political stability and global economic interests.

Keywords: Saudi Legal Reform; *Ahad* Hadith; Vision 2030; Nationalizing Sharia; Legal Hybridity.

Introduction

For nearly three centuries, Saudi Arabia's political stability has been built on a historic alliance between the royal family (Abd al-Aziz bin al-Saud) and religious authorities (Muhammad bin Abd al-Wahhab). In this traditional social contract, the state manages political and security affairs, while the *ulama* (religious scholars) hold complete control over the social and legal spheres through their interpretation of religious texts.¹ The Wahhabi view is that Islam is not merely a religious doctrine per se, but rather a comprehensive system for regulating all matters of a public, social, and political nature, and that Islamic law is a complete moral code that prescribes for every possibility, including governance. This is clearly indicated in the Wahhabi conceptualization of the issue of authority and authorization in the Islamic system of government.²

The Wahhabis adhere to a traditional view, in which sovereignty ultimately rests with Allah, the source of all authority, the supreme lawmaker, who has determined what is good and bad, what is lawful and what is forbidden (al-halal wal-haram). Members of the Muslim community (ummah) are servants of Allah, and the laws of that community are divine. Furthermore, He is the Almighty Ruler who decrees that divine law will govern all human interactions. Therefore, one must be completely submissive to the will of Allah as manifested specifically in the Qur'an and Sunnah. For this reason, the Qur'an is much more than just the highest source of the Islamic legal corpus; it is an inexhaustible source of inspiration. It is an eternal constitution, relevant to every age and place, and as such, it contains all the basic principles of Islamic law and provides the foundation for the development of political, legal, and moral norms.³

However, under the leadership of Crown Prince Mohammed bin Salman (MBS) and his ambitious agenda called Vision 2030, the contract is being radically

¹Muharrrem Hilmi Özev, "Nation Building in Saudi Arabia: From Rentierism to Territorial Nationalism". *İnsan & Toplum (The Journal of Humanity and Society)*, Vol. 14, No. 1, (2024), p. 67.

² Cole M. Bunzel, *Wahhabism: The History of a Militant Islamic Movement*. (Princeton: Princeton University Press, 2023), pp. 145-150.

³ Cole M. Bunzel, *Wahhabism...*, pp. 55-60, and 250-255. According to article 5 of Basic Law of Governance 1992, which codifies existing practices, the system of government in Saudi Arabia is a monarchy. The throne is hereditary, held by the sons of the founder of Saudi Arabia, King Abdul-Aziz Bin Saud, and the male descendants of his sons. This provision is contained in paragraph (b) of Article 5. The same paragraph also mandates that the people must confirm the most pious member of the royal family as King, based on the Qur'an and Sunnah of the Prophet Muhammad. See Joseph A. Kéchichian, *Saudi Arabia in 2030: The Future of the Kingdom*. (Seoul: The Asan Institute for Policy Studies 2016), pp.12-18; and Madawi Al-Rasheed, *Salman's Legacy: The Dilemmas of a New Era in Saudi Arabia*. (Oxford: Oxford University Press 2018), p. 138.

rewritten not with the ink of fatwas, but with the hammer of codified laws. His grand vision is that Saudi Arabia will reduce its economic dependence on oil in the future and strive to diversify its economy by developing non-oil sectors, such as tourism. Therefore, he is seeking to review rules and regulations that are not conducive to economic diversification and investment.⁴

The essence of this transformation touches the heart of the Saudi judicial system, namely legal uncertainty. For decades, the Kingdom of Saudi Arabia did not have a comprehensive written code of law (codification). Instead, judges had absolute autonomy to pass judgment based on their personal interpretation of the Qur'an and thousands of hadiths.⁵ The absence of binding legal precedents results in extreme disparities in sentencing. The same case can end up with conflicting sentences if handled by different judges. For a country that aspires to be a global economic center, this kind of judicial uncertainty is a fatal structural obstacle.

The turning point came when the state began to intervene in the methodology of determining the law itself. In a statement that shook theological establishment in 2022, MBS asserted that Saudi Arabia would no longer bind itself to “*Ahad* Hadith” (hadith narrated by a limited chain of transmission (*sanad*)⁶ in the formulation of state law, and will only rely on the Qur'an and “*Mutawatir* Hadith.”⁷ This statement is not merely theological discourse, but rather a signal for the beginning of the largest wave of legal codification in Saudi history, covering the Personal Status Law, the Civil Transactions Law, and the Criminal

⁴ David B. Ottaway, *Mohammed bin Salman: the Icarus of Saudi Arabia?* (Colorado-London: Lynne Rienner Publishers, Inc., 2021), pp. 22-23.

⁵ Muhammad Bashayreh, “The Authority of Judges under Shariah: Perspectives on Recent Legal Reforms in Saudi Arabia,” *Manchester Journal of Transnational Islamic Law and Practice*, Vol. 18, Issue 2, (2022), pp. 42-67.

⁶ *Ahad* hadiths are hadiths whose number of narrators does not reach the number of *mutawatir* hadiths. See

al-Tibrizi, *al-Kafi fi 'Ulum al-Hadith*, (Amman-Jordan: al-Dar al-Athariyah, 2008), p. 117.

⁷ MBS said: “...So, if there is a one-person link in the lineage of the Hadith, we call it one-person hadith. So that one we call *ahad*. And you should study whether it is true, whether it goes with the teachings of the Koran, if it goes with the teachings of *mutawatir*, and if it goes with the interest of the people. And based on that, you use it or not.” <https://saudigazette.com.sa/article/617738>. Hadith scholars often define a *mutawatir* hadith as:

الحدیث المتواتر: هو الذي رواه جمع كثير يؤمن تواطؤهم على الكذب عن مثلهم، إلى انتهاء السند.

Mutawatir hadith is a hadith narrated by a large number of people who, by custom, would be impossible to agree to lie, (narrated) from a group similar to them, until the end of the *sanad* (chain of narration). See Nur al-Din 'Itr, *Manhaj al-Naqd fi 'Ulum al-Hadith*, (Damascus- Suriah: Dar al-Fikr, 1981), p. 403.

Bill, by reformulating the main sources of law other than the Quran, namely the hadith, especially the *Abad* Hadith.

This legal transformation in Saudi Arabia has sparked heated debate in global academic discourse. On the one hand, classical literature such as the works of Nabil Mouline (2014) and Madawi Al-Rasheed (2018) lay the foundation that Saudi stability cannot be separated from the “mutualistic symbiosis” between the Saud family and the Wahhabi clerical institution. In this view, the state is considered the physical protector of religion, while the clergy provides metaphysical legitimacy through control over fiqh and judicial institutions. However, the emergence of Mohammed bin Salman's (MBS) Vision 2030 has begun to deconstruct this consensus.

Studies on Saudi legal reform have predominantly focused on the structural shift from the judiciary's reliance on *unlimited ijtihad* long criticized by Frank Vogel (2000)⁸ for creating legal uncertainty to the centralized control offered by codification, as recently analyzed by Dominik Krell (2024).⁹ While Krell rightly identifies this as a move to 'nationalize Islam,' Yasmine Farouk and Nathan Brown (2021)¹⁰ expand this critique by arguing that religious institutions have been repurposed to validate these changes, creating a form of 'autocratic legalism' (Alaoudh, 2018)¹¹. Additionally, Baqer S. Huraib (2023)¹² notes that this transition is driven by the economic necessity of Vision 2030 to guarantee legal predictability. However, this existing literature has largely overlooked the methodological dissonance between the state's projected narrative and its legislative output.

Specifically, MBS's controversial 2022 declaration rejecting '*Abad* Hadith' has been widely cited as a marker of modernization, yet no study has rigorously examined whether this principle is reflected in the text of the *Personal Status Law*. This research addresses this gap by investigating the disconnect between rhetorical methodology and statutory reality. The study offers a novel contribution by

⁸ Frank E. Vogel, *Islamic Law and Legal System: Studies of Saudi Arabia* (Leiden: Brill, 2000), pp. 169–73.

⁹ Dominik Krell, *Islamic Law in Saudi Arabia: Concepts, Practices and Developments* (Tübingen: Mohr Siebeck, 2024), pp. 45–60.

¹⁰ Yasmine Farouk and Nathan J. Brown, "Saudi Arabia's Religious Reforms Are Touching Nothing but Changing Everything," *Carnegie Endowment for International Peace*, June 7, 2021, <https://carnegieendowment.org/2021/06/07/saudi-arabia-s-religious-reforms-are-touching-nothing-but-changing-everything-pub-84650>.

¹¹ Abdullah Alaoudh, "Saudi Arabia's Judicial Independence: A 10-Year Study (2008–2018)," *International Journal for Court Administration* 9, no. 3 (2018): 15–18.

¹² Baqer S. Huraib, "The Dawn of Codification in Saudi Arabia: A Detailed Analysis of the Personal Status Law," *Arab Law Quarterly* 37, no. 3 (2023): 245–48.

demonstrating that the rejection of *Abad* Hadith serves primarily as a political instrument rather than a consistent legal methodology, arguing that the new code covertly retains traditional Wahhabi reliance on solitary reports despite the state's claims to the contrary."

This is where this article takes a different position and offers something new (novelty). While previous studies, such as Krell's, have focused more on analyzing the outcomes or social impacts of new laws (such as women's and children's rights), this article will specifically examine the epistemological consistency between MBS's political rhetoric and the substance of the codified law. This research looks not only at "what" the law contains, but "how" the source of the law was formulated. We will examine whether MBS's claim to rely solely on "the Qur'an and Mutawatir Hadith" is truly implemented in the Personal Status Law, the Civil Transactions Law, and the Evidence Law, or whether it is merely rhetoric to smooth the way for the economic diversification agenda.

This study uses a qualitative method with a legal-normative approach combined with critical discourse analysis. The legal-normative approach was chosen to thoroughly examine the substance of the newly passed law (codification). While critical discourse analysis was used to reveal the power relations and political motives behind the theological narrative constructed by state authorities.

This study is descriptive-analytical in nature, using a comparative approach. The researcher compares the material content of the Personal Status Law (2022) and the Civil Transactions Law (2023), as well as the Evidence Law (2022) with classical *fiqh* literature, particularly the Hanbali school of thought, which has been the judicial status quo in the Kingdom of Saudi Arabia for three centuries. In addition, an epistemological approach is used to examine the consistency between Mohammed bin Salman's political statements regarding the deconstruction of "*Abad* Hadith" and the manifestation of articles in the law.

The main data source (primary legal material) in this study is the official text of the latest Saudi legal codification. This data is supported by secondary legal material in the form of classical *fiqh* textbooks, relevant international academic journals, and policy reports from global think tanks. Data collection techniques were carried out through intensive library research. The researcher made an inventory of key articles regulating sensitive issues such as guardianship, custody, and inheritance and then traced the sources (*takebrij*) of the hadith used in the formulation of these articles.

All collected data was then analyzed using content analysis techniques. The analysis process was carried out by comparing the state's rhetorical claims regarding the use of “*Mutawatir* Hadith” with the normative reality in the text of the law. Using this technique, researchers can identify whether there has been a substantial epistemological shift or merely “selective traditionalism” for the sake of political stability and economic diversification under Vision 2030. This framework of thinking will ultimately lead to a synthesis of the ongoing legal hybridity in Saudi Arabia.

Discussion

Lottery of Justice : Characteristics and Problems of the Pre-Reform Legal System

Before the wave of major reforms in the 2018-2023 period, the Saudi Arabian legal system operated within the framework of Islamic Sharia law, which is uncodified (*ghayr mudanwan*). Although the Kingdom has historically used the Hanbali school of thought as its main reference known for its strict textualist approach judicial practice in the field actually shows ambiguous flexibility.¹³ Judges have the freedom to switch to the opinions of other schools of thought if they are considered more relevant to the public interest (*maslahah*), but without any written parameters limiting that choice. This situation is exacerbated by the absence of a standard Criminal Code or civil code, so that family law, contracts, and criminal sanctions are entirely dependent on the subjective interpretation of judges of the text of the Qur'an, thousands of hadith, and classical *fiqh* books.¹⁴

The main implication of this lack of codification is the emergence of absolute discretionary power in the hands of judges (*qadhi*). This system provides room for very broad individual *ijtihad*, whereby a judge has the prerogative to interpret sacred texts independently.¹⁵ As a result, a phenomenon often referred to as the “lottery of justice” has emerged; two cases with identical legal constructs can end up with contradictory verdicts, depending heavily on the intellectual background, personal beliefs, and even the hadith memorization of the judge in question.¹⁶

¹³ Frank E. Vogel, *Islamic Law and the Legal System of Saudi Arabia: Studies of Saudi Arabia*, pp. 81-82.

¹⁴ Dominik Krell, *Islamic Law in Saudi Arabia: Concepts, Practices and Developments*, pp. 55–65.

¹⁵ Chibli Mallat, *The Renewal of Islamic Law: Muhammad Baqer as-Sadr, Hope and the Ideal State* (Cambridge: Cambridge University Press, 2003), pp. 11-15; and see Frank E. Vogel, *Islamic Law and the Legal System of Saudi Arabia: Studies of Saudi Arabia*, pp. 83-86.

¹⁶ Abdullah F. Ansary, "A Brief Overview of the Saudi Arabian Legal System," *GlobalLex*, Hauser Global Law School Program, New York University (2008).

This uncertainty reaches its peak in the realm of *ta'zir* law (discretionary punishment). Because the categories of offenses and types of sanctions in *ta'zir* are not defined in a standard manner in authoritative texts, judges have full authority to determine whether an act constitutes a crime and to determine the severity of the punishment ranging from fines to flogging without any binding legal restrictions.¹⁷ In this structure, the role of scholars who are members of the Senior Scholars Council (*Hay'ah Kibar al-'Ulama*) is very dominant; their fatwas are not merely moral guidelines, but serve as de facto legal references that bind judicial practice and public life at large.¹⁸ This fragmented judicial system became a major structural obstacle when Saudi Arabia attempted to modernize its economy under Vision 2030.

Legal uncertainty inherent in the pre-reform system is a major stumbling block to Saudi Arabia's economic ambitions under Vision 2030. For the business community and foreign investors, the absence of a standard civil law and binding precedent (*stare decisis*) creates a high degree of calculable risk. Investors find it difficult to predict the outcome of contractual disputes because rulings are highly dependent on the discretion of individual judges, which varies.¹⁹ In the global economic landscape, the absence of judicial codification is seen as a structural barrier that hinders the flow of foreign direct investment, as legal stability is an absolute prerequisite for capital security.²⁰

In addition to the economic dimension, the discretionary *ta'zir* system has also worsened the Kingdom's international image in the eyes of the global community. The imposition of punishments that are often considered arbitrary, without transparent and standardized legal procedures, often makes Saudi Arabia the target of sharp criticism regarding human rights violations.²¹ The blurred line between moral transgressions and criminal acts in the traditional system often results in disproportionately harsh punishments, which in turn hinders the

¹⁷ Kristen Stilt, "The End of the Era of Sharia? Law and Power in Saudi Arabia," *Harvard Law Review*, Vol. 132 (2019), pp. 102-105.

¹⁸ Nabil Mouline, *The Clerics of Islam: Religious Authority and Political Power in Saudi Arabia* (New Haven: Yale University Press, 2014), p. 189.

¹⁹ Nathan J. Brown, "The Remaking of the Saudi State," *Carnegie Endowment for International Peace* (2022), pp. 12-14.

²⁰ World Bank, *Ease of Doing Business Report: Saudi Arabia's Reform Momentum* (Washington DC: World Bank Group, 2020), p. 45.

²¹ Human Rights Watch, *World Report 2021: Events of 2020* (New York: Seven Stories Press, 2021), pp. 560-565.

Kingdom's efforts to position itself as a modern country that embraces cosmopolitan values.²²

Domestically, strict adherence to certain interpretations of hadith by conservative factions of judges has become a major barrier to Mohammed bin Salman's social reform agenda. Judicial autonomy rooted in textualist interpretations often conflicts with state policies on women's empowerment, the elimination of gender segregation, and the development of the public entertainment sector.²³ Without binding codification, the government's efforts to pursue social liberalization will always be hampered by the "judicial veto" of judges who uphold traditional social norms based on particular hadiths.²⁴ Therefore, transferring the authority to interpret the law from judges to written laws is an imperative step for the sustainability of Saudi Arabia's modernization project.

The failure of the traditional legal system to respond to economic challenges, international image, and social transformation ultimately boils down to one fundamental point: the authority to interpret hadith. MBS realizes that as long as judges still have the legitimacy to use *Abad* Hadith which is singular in transmission and often has a highly subjective room for interpretation the legal certainty desired by Vision 2030 will never be achieved.²⁵ Hadiths in this category often form the theological basis for discriminatory policies and non-standard *ta'zir* punishments, which directly damage the Kingdom's investment climate and global reputation.²⁶

Therefore, MBS's statement to disregard *Abad* Hadith in the formulation of state law is not merely an academic theological discourse, but a political-judicial maneuver to break down the barriers to modernization. By limiting legal sources to only the Qur'an and *Mutawatir Hadith*, the state effectively withdraws the mandate of *ijtihād* from conservative scholars and judges, then transfers it to the

²² Madawi Al-Rasheed, *The Son King: Reform and Repression in Saudi Arabia*, p. 210.

²³ Yasmine Farouk, "Saudi Arabia: One Party, One Ruler," dalam *The Arab Spring: Pathways of Repression and Reform* (Oxford: Oxford University Press, 2019), p. 88.

²⁴ Dominik Krell, "Legal Reform in Saudi Arabia: The Personal Status Law of 2022," *Max Planck Institute for Comparative and International Private Law Research Paper Series* (2022), pp. 5-7.

²⁵ Stéphane Lacroix, "Saudi Arabia's Religious Reforms Are Touching Nothing but Changing Everything," *Carnegie Endowment for International Peace*, 7 Juni 2021. Accessed from <https://carnegieendowment.org...>].

²⁶ Nathan J. Brown, "The Remaking of the Saudi State," *Carnegie Endowment for International Peace* (2022), p. 15.

power of state codification.²⁷ This move is a clever strategy to eliminate the “Lottery of Justice” that has been hindering foreign capital inflows, while at the same time providing new religious legitimacy for more liberal social reforms without appearing to abandon Islamic identity.²⁸ Through this epistemological engineering, MBS is not only drafting new laws, but also redesigning the foundations of Saudi Arabia's power towards a pragmatic, market-oriented post-Wahhabi era.²⁹

MBS's Ambitions and Sharia Nationalization

If social transformation in Saudi Arabia is often seen as change at the “surface” level, then the deconstruction of the position of Hadith in the country's legal structure is at the ‘heart’ of this revolution. This fundamental turning point occurred when Mohammed bin Salman (MBS) positioned himself as the “state mujtahid” in his iconic interview with *The Atlantic* in March 2022.³⁰ MBS has openly challenged Wahhabi theological hegemony by introducing a new verification standard, namely a clear distinction between *Mutawatir* Hadith and *Abad* Hadith.

Traditionally, the Hanbali school of thought in Saudi Arabia gives *Abad* Hadith, hadith with limited transmission chains that are epistemologically zhanni (strong conjecture) considerable legal authority as the basis for public regulation, ranging from gender segregation to criminal law.³¹ However, by asserting that the state is bound only by the Qur'an and *Mutawatir* Hadith (which are very limited in number), MBS effectively created a “theological legal vacuum.”³² This void is not left empty, but is filled by the principle of *Maslahah Mursalah* (public interest) and national interests. This is the essence of “nationalization of religious interpretation.” The state takes authority from the hands of the ulama to

²⁷ Sebastian Maisel, "The New Saudi Arabia: From Wahhabism to Nationalism," *Middle East Policy*, Vol. 28, No. 3 (2021), pp. 77-80.

²⁸ Dominik Krell, "Law and Religion in Saudi Arabia: The 2022 Personal Status Law," *International Journal of Constitutional Law* (2023), pp.172-175.

²⁹ Madawi Al-Rasheed, *The Son King: Reform and Repression in Saudi Arabia*, p. 245.

³⁰ This interview is a key document that explains the shift in Saudi legal epistemology from Wahhabism to pragmatic nationalism. See Graeme Wood, "Absolute Power," *The Atlantic*, April 2022. See Nadiya Azahra Hidayat1, Yon Mahmudi, Siti Rohmah Soekarba, “Vision 2030: Saudi Arabia’s Modernization” *CMES: Jurnal Studi Timur Tengah*, Volume XV, Number 2, (July—December 2022), pp. 137-148.

³¹ Frank E. Vogel, *Islamic Law and the Legal System of Saudi Arabia: Studies of Saudi Arabia*, pp. 44-46.

³² Yasmine Farouk and Nathan J. Brown, "Saudi Arabia’s Religious Reforms are Touching Nothing but Changing Everything," *Carnegie Endowment for International Peace*, June 2021.

determine which sacred texts have legal relevance and which are only in the domain of personal worship.³³ In Lacroix's research, the authority of clerics to interpret sacred texts has greatly diminished since 2016 and continues to do so today. Their role is now limited to validating government policies. Clerics no longer have the power to enforce Sharia law. They can only offer recommendations.³⁴

In the author's observation, the relaxation of *mabram* rules has opened opportunities for women to work in public sectors such as restaurant or shop attendants, immigration officers at airports, and so on. Similarly, hijab rules have also been relaxed. Here, the role of clerics who used to enforce such rules has been greatly reduced. Before the relaxation of regulations, those commonly referred to as *muthawwa'* (religious police) would reprimand women who did not wear the hijab in public places, crack down on smokers, or other violations of religious law that did not fall under the category of criminal offenses. However, today, we can see smokers freely smoking in front of hotels near the Prophet's Mosque. The *muthawwa'* only guard the mosque area. Similarly, in shops and fast-food restaurants, many women work as shopkeepers or fast-food restaurant staff. The immigration officers who check passports at Medina airport are mostly women.³⁵

For some conservative Saudis, this is worrying because it will erode their traditional Saudi values. The freedom gained by women will degrade the dignity of women in the eyes of the grand tradition. In a short interview, the author interviewed Ahmad, a Saudi citizen, about women's freedom to go out to work or do other things, as follows:

Author: What is your opinion on the policy of giving women the freedom to leave the house to work, drive their own cars, and so on?

Ahmad: Women who are given the freedom to leave the house lower their dignity, because they may meet other men who are not their mahrams, which will bring slander upon them.

Author: Do you agree with this policy?

Ahmad: Actually, we don't agree, but it has become government policy, so what else can we do?³⁶

³³ Madawi Al-Rasheed, *The Son King: Reform and Repression in Saudi Arabia*, p. 182.

³⁴ Interview with Stephane Lacroix, a French researcher who has written extensively on Saudi Arabia, on May 20, 2025, at UIII, Depok, West Java.

³⁵ The observation was conducted by the author in Medina from July 26 to 29, 2024.

³⁶ Interview with Ahmad, a Saudi citizen on July 28, 2024, in Medina.

From the above description, it can be understood that currently, the traditional Wahhabi interpretation of the prohibition of leaving the house without a mahram, which is rooted in a literal interpretation of verses from the Quran and *Abad* hadiths, still has a strong influence. It also shows the strength of the tradition of social segregation based on gender.³⁷ Although the relaxation of policy on this tradition is not approved by the ulama, most of them have chosen to remain silent and leave the matter to the discretion of everyone.

The philosophical basis for restricting *Abad* Hadith then found its physical form through a comprehensive legislative package. This codification marked the end of the era of “Justice Lottery” and the absolute autonomy of judges, namely:

1. Personal Status Law: Passed in March 2022, this law dismantled judicial patriarchy by adopting the principle of “the best interests of the child” in custody (*hadanah*). Through *Ijtihad Jama'i*, the state selected the most progressive *fiqh* opinion, limiting the authority of male guardians who previously took refuge behind the rigid interpretation of *Abad* Hadith.³⁸
2. Civil Transactions Law: Effective since December 2023, this codification aims to create a “market-friendly” Sharia system. By standardizing *muamalah* rules into rigid articles, the state minimizes “Sharia risk” for foreign investors who were previously haunted by unilateral contract cancellations by judges based on subjective interpretations of *gharar* (uncertainty).³⁹
3. Law of Evidence (2022): This procedural modernization shifts the dominance of oral testimony and oaths toward the recognition of digital and forensic evidence. This step is crucial to ensure that scientific facts have a higher standing than subjective testimony, which is often manipulated in the name of formal piety.⁴⁰

Through the integration of the methodology of hadith doctrine and this codification, Saudi Arabia is not discarding Sharia but rather engaging in legal engineering to ensure that God's law is in line with the needs of a modern state and Vision 2030. With codification and restrictions on the use of *Abad* Hadith, Prince Mohammed bin Salman (MBS) is ending this dualism, namely:

³⁷ Madawi Al-Rasheed. *A Most Masculine State: Gender, Politics, and Religion in Saudi Arabia*, (Cambridge: Cambridge University Press, 2013), p. 100 and 242; and Mark C. Thompson, *Being Young, Male and Saudi Identity and Politics in a Globalized Kingdom*, (Cambridge: Cambridge University Press, 2019), p. 196.

³⁸ Dominik Krell, "The Saudi Personal Status Law of 2022: A New Era for Women's Rights?", *Oxford Journal of Law and Religion*, Vol. 12, No. 1 (2023), pp. 50-52.

³⁹ Saudi Press Agency, "Royal Decree on Civil Transactions Law," (December 2023).

⁴⁰ Abdulrahman Al-Kanhal, "Modernizing Saudi Evidence Law: The Shift to Digital Proof," *Journal of Middle Eastern Law*, Vol. 15 (2023), pp. 22-25.

1. From Mujtahid to Bureaucrat: The role of judges has been fundamentally diminished. Whereas judges used to be mujtahids (legal interpreters) who sought justice through religious texts, they have now been transformed into “legal bureaucrats” whose main task is to apply articles written by the state. The space for maneuvering using personal religious arguments has been closed off by the text of the law.
2. Stamp of Legitimacy: High religious institutions such as the *Hay'ab Kibar al-Ulama* (Council of Senior Clerics) no longer function as a check and balance that can reject the king's policies with arguments from the hadith. Their role has now shifted to providing religious legitimacy for executive decisions. When the state needs a reason to legalize something that was previously forbidden, the narratives of “obedience to *Ulil Amri*” and “public interest” take precedence over the text of hadiths.

This is a form of functional secularization—though not in name.⁴¹ Law is no longer handed down from above through the inspiration of judges but is formulated in ministry offices to serve national development goals. Saudi Arabia is moving away from the traditional theocratic model, in which clerics act as moral guardians, towards a “Statist Islamic State” model.⁴² In this new model, Islam remains the state religion, Sharia remains the source of law, but the definition of what constitutes “Sharia” is now monopolized by the state, rather than by mosque pulpits or judges memorization of hadith.

For foreign investors and civil rights activists, this codification brings a breath of fresh air in the form of legal certainty. However, for traditional Wahhabi structures, it spells the death knell for their hegemony. Ultimately, this wave of reform confirms a new political reality in the Arabian Peninsula: that in the era of MBS, the ruler's decree is the highest interpretation.

⁴¹ Functional secularization (often referred to as structural differentiation or laicization) is a process in which various sectors of society—such as the economy, politics, law, education, and science—break away from the dominance or authority of religious institutions and religious symbols. In this process, these social institutions become autonomous and specialized. They begin to operate based on their own logic, rules, and rationality, rather than on religious dogma. See José Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994), pp. 19-20; and Karel Dobbelaere, *Secularization: An Analysis at Three Levels*, (Brussels: P.I.E.-Peter Lang, 2002), pp. 22-29.

⁴² Statist State (often referred to as Statism or Etatism) is a concept in political science and economics in which the state (central government) exercises very dominant, centralized, and extensive control over the social and economic affairs of its people. See Andrew Heywood, *Political Ideologies: An Introduction* (London: Palgrave Macmillan, 2021), 7th Ed., pp. 27-28.

Pragmatic Legal Hybridity⁴³

Next, in this section, the author will explain whether the legal reform project in the form of legal codification consistently applies an epistemological revolution by removing the role of *Abad* hadith as claimed by MBS. To that end, in this section the author will conduct a comparative study and analysis of the legal codification project by highlighting crucial articles in the Personal Status Law⁴⁴, the Civil Transactions Law, and the Evidence Law.

To ascertain this, the author highlights crucial themes in the Personal Status Law in the comparative matrix in Table 1.

Table 1
Comparison Matrix of Personal Status Laws

Object of Analysis (Law Article)	Traditional Narrative (Hanbali School/ <i>Abad</i> Hadith)	MBS's Reform Claims	Findings/Analysis (Inconsistencies/Hybridity)
Personal Status Law Article 45: “The guardian's permission is a requirement for a woman's marriage to be valid.”	Based on the <i>Abad</i> Hadith: “ <i>La nikaha illa bi waliyyin</i> ” (Marriage is not valid without a guardian).	Claiming to only use <i>Mutawatir</i> Hadiths that are absolute in nature.	Inconsistency: The requirement for a guardian is maintained even though the legal basis is a <i>Abad</i> hadith. This shows that the state continues to uphold tradition for the sake of social stability.
Personal Status Law Articles 92-102	Based on the hadith about the wife's right to <i>kbulu'</i> , which is of <i>Abad</i> hadith.	Claiming to only use <i>Mutawatir</i> Hadiths that are absolute in nature.	Inconsistency: The condition of <i>kbulu'</i> requires the husband's consent, and the condition of compensation is based on <i>ahad</i> hadith, despite widespread criticism regarding its abuse by husbands. The

⁴³ Legal Hybridity was introduced by Homi K. Bhabha. Legal hybridity is a concept that refers to the mixing, crossing, or merging of two or more different legal systems within a single society or country. See Homi K. Bhabha, *The Location of Culture* (London: Routledge, 1994), pp. 112-115.

⁴⁴ For a background explanation of the codification process of Personal Status Law in Saudi Arabia, see Ahmad Tholabi Kharlie, *Hukum Keluarga Islam: Dinamika dan Perkembangannya di Indonesia* (Jakarta: Kencana, 2022), pp. 45–50.

			possibility of <i>verstek</i> is not regulated at all.
Personal Status Law Article 103: Regarding child custody (<i>Hadhanah</i>) which prioritizes the mother.	Based on ijihad and specific <i>Ahad</i> hadiths about parenting	Emphasizing the best interests of children and women's right	Hybridity: The state disregards the rigid interpretations of conservative clerics in favor of an image of modernity (Vision 2030) but continues to use a selectively chosen "hadith" framework.

Based on the table, Article 45 of the Personal Status Law maintains the existence of guardians for women in marriage, as per Hanbali fiqh tradition and *Ahad* hadiths. In the perspective of most scholars, including the Hanbali school of thought, a marriage guardian is a requirement in marriage for women, not men. A marriage without a guardian is considered invalid. Meanwhile, according to the Hanafi school of thought, a guardian is not required for widows or adult women.⁴⁵ The source of the scholars' view that requires a guardian is the *Ahad* hadith, including:

عن أبي موسى، أن النبي صلى الله عليه وسلم قال: "لا نِكَاحَ إِلَّا بِوَالِيٍّ" (أخرجه أبو داود والترمذي وابن ماجه)

From Abu Musa al-Ash'ari, that the Prophet SAW said: "Marriage is not valid without a guardian." (Narrated by Abu Dawud, al-Tirmidhi, and Ibn Majah).

This hadith was narrated by Abu Dawud, Book: Awwalu kitab al-nikah, chapter fi al-waliy, no. 2085; al-Tirmidhi, Book of Abwab al-nikah, chapter on la nikaha illa bi waliyyin, no. 1101; Ibn Majah, Book of al-nikah, chapter on la nikha illa bi waliyyin, no. 1181. Hadith scholars consider the quality of this hadith to be *sahih* (valid). Meanwhile, in another narration from 'Aisha by al-Tirmidhi (no. 1102) with a *hasan* (good) quality:

أَيُّمَا امْرَأَةٍ نَكَحْتُمْ بِغَيْرِ إِذْنِ وَلِيِّهَا فَنِكَاحُهَا بَاطِلٌ، فَنِكَاحُهَا بَاطِلٌ، فَنِكَاحُهَا بَاطِلٌ

Any woman who marries without the permission of her guardian, her marriage is invalid, her intention is invalid, so her marriage is invalid.

An analysis of Article 45 of the Personal Status Law reveals a gap between theological rhetoric and legislative reality. Although MBS insists on abandoning

⁴⁵ See Ibn Rushd, *Bidayat al-Mujtahid wa Nihayat al-Muqtasid*, (Cairo: Dar al-Hadith, 2004), vol. III, p. 36.

unreliable *Abad* Hadiths, the codification of marriage guardianship law still relies heavily on these *Abad* Hadiths. This proves that the rejection of *Abad* Hadiths is not comprehensive (*kaffah*), but rather instrumental. *Abad* Hadiths are only abandoned if they hinder economic mobility (such as rules on mahram or music), but are retained if they serve to preserve the traditional family structure that is the foundation of the kingdom's political stability.⁴⁶

As for *khulu'* (divorce at the request of the wife) as regulated in articles 92 to 102, it is based on the Hanbali school of jurisprudence tradition based on *Abad* hadiths which require the husband's consent and the obligation for the wife to pay compensation, including:

عَنْ ابْنِ عَبَّاسٍ: أَنَّ امْرَأَةَ ثَابِتِ بْنِ قَيْسٍ أَتَتْ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ: يَا رَسُولَ اللَّهِ، ثَابِتُ بْنُ قَيْسٍ، مَا أَعْتَبْتُ عَلَيْهِ فِي خُلُقِي وَلَا دِينِهِ، وَلَكِنِّي أَكْرَهُ الْكُفْرَ فِي الْإِسْلَامِ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (أَتُرِيدِينَ عَلَيْهِ حَدِيثَهُ). قَالَتْ: نَعَمْ، قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (اقْبَلِ الْحَدِيثَ وَطَلِّقِيهَا تَطْلِيقَةً) (أَخْرَجَهُ الْبُخَارِيُّ وَالنَّسَائِيُّ وَابْنُ مَاجَهَ)

From Ibn Abbas: The wife of Thabit bin Qais came to the Prophet Muhammad (peace be upon him) and said, "O Messenger of Allah, in my view, Thabit bin Qais has no flaws in his character or religion, but I fear that he has abandoned Islam (because she is not fulfilling her duties as a wife). The Prophet Muhammad (peace be upon him) then said, 'Do you want to return his garden (which was given as a dowry)?' She said, 'Yes.' The Prophet then said, '(O Thabit) take back the garden and divorce your wife with one divorce.'"

The above hadith was narrated by al-Bukhari in his *Sabih*, Book of Divorce, chapter on *khulu'*, no. 4971; al-Nasa'i, Book of Divorce, chapter on what has been mentioned regarding *khul'*, no. 3463; and Ibn Majah, Book of Divorce, chapter on the differing opinions regarding what is given, no. 2056. The hadith is authentic, with a difference in wording in Ibn Majah, where there is an additional word *فَأَمَرَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَأْخُذَ مِنْهَا حَدِيثَهُ، وَلَا يَزِدَادَ* (The Prophet then ordered Thabit to accept the surrender of the garden from his wife and not to ask for anything extra).

The provisions of *khulu'* in articles 92-102 narrate that *khulu'*, as explained textually in the above verses of the Quran and *Abad* hadith, is assumed to be

⁴⁶ See Ammarah Samar Khalid, "Are the Male Guardianship Laws in Saudi Arabia, A Challenge to Human Rights of Women as Advocated in Islam?" *Journal of Human Rights Law and Practice*, Volume 1, Issue 1, (2018), pp. 1-8.

carried out voluntarily by the husband and wife in a process that does not cause difficulties for the wife. However, there is no additional clause if the husband's consent is not obtained and the wife's obligation to pay compensation reaches a dead end, because there is a legal loophole where the husband is reluctant to give his consent and the wife does not have the assets to pay compensation, even if the wife's lawsuit is filed in court. In cases of domestic violence,⁴⁷ often husbands are reluctant to appear in court, forcing wives to pursue other procedures, namely *fasakh* (divorce by a judge), which is certainly more difficult to prove.

These articles also do not give judges the authority to decide on *khulu'* cases in absentia, i.e., without the husband being present. Therefore, the codification of the Personal Status Law on *khulu'* has not undergone significant changes from the textual wording of the traditional fiqh and hadith, without further elaboration related to the developing legal reality in society. Thus, what MBS claims in his codification program shows his inconsistency and is more political rhetoric than a comprehensive effort to reform the law in response to the challenges of reality in society.

The provisions on child custody (*hadlanah*) regulated in Article 103, despite adopting international provisions on children's rights, namely "the best interests of the child," are still based on conservative interpretations of *Abad* hadiths. Among these is that a mother will lose her custody rights if she remarries, which does not apply to fathers. Among the hadiths that discuss this matter are:

عن عَبْدِ اللَّهِ بْنِ عَمْرٍو: أَنَّ امْرَأَةً أَتَتْ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ: يَا رَسُولَ اللَّهِ، إِنَّ ابْنِي هَذَا كَانَ بَطْنِي لَهُ وَعَاءٌ، وَحَجْرِي لَهُ حِوَاءٌ، وَتُدَيْي لَهُ سِقَاءٌ، وَزَعَمَ أَبُوهُ أَنَّهُ يَنْزِعُهُ مِنِّي؟ قَالَ: " أَنْتِ أَحَقُّ بِهِ مَا لَمْ تَنْكِحِي " (أخرجه أبو داود وأحمد)

From Abdullah bin 'Amr: "A woman said, 'O Messenger of Allah, my son is my womb, my breast is his cup, and my room is his home. Meanwhile, his father has divorced me and wants to take him from me. The Messenger of Allah, peace be upon him, said to the woman: 'You have more right to the child as long as you have not remarried.' (Narrated by Abu Dawud and Ahmad)

⁴⁷ In Saudi Arabia, the lifetime prevalence of domestic violence against women ranges from 20% to 44%, reaching 59% in some areas between 2012 and 2019. Jweriah Alghamdi, "Solutions of Domestic Violence Against Women: A Focus on Saudi Arabia: A Literature Review" *Al-Hikmah International Journal For Islamic Studies & Human Sciences*, Vol. 8, No. 1, (February 2025), p. 428.

This hadith was narrated by Abu Dawud in his book al-Thalaaq, chapter on who is more entitled to the child, no. 2276, and by Ahmad, no. 6707. Both are of good (*hasan*) quality.

Here, the Personal Status Law still relies on traditional fiqh laws based on the literal interpretation of the *Ahad* hadith. Meanwhile, the principle of “the best interests of the child” is subject to the subjective interpretation of the judge. What is best for the child is then determined by the judge's discretion. This provision is certainly ambiguous, because on the one hand it wants to emphasize the principle of “the best interests of the child are left to the judge,” but the standard is left to the judge. Here, the Personal Status Law attempts to combine the fiqh legal system with the modern legal system (legal hybridity), but its substance is still very much bound by the textual wording of the *Ahad* hadith.

Next, to analyze the Civil Transactions Law, see the comparison matrix in Table 2 as follows:

Table 2
Comparison Matrix of Civil Transaction Laws

Object of Analysis (Law Article)	Traditional Narrative (Hanbali School/ <i>Ahad</i> Hadith)	MBS's Reform Claims	Findings/Analysis (Inconsistencies/Hybridity)
Civil Transactions Law Article 31: Regarding legal capacity and age of majority (18 years old).	The classical tradition often does not specify a fixed age, but rather physical signs (<i>bulugh</i>).	Eliminating ambiguity for legal certainty for foreign investors.	Hybridity-Pragmatism: The state discards the authority of judicial discretion (<i>qadi</i>) and replaces it with fixed numbers to meet international Rule of Law standards.

The provisions of Article 31 substantively disregard the judicial authority of *ijtihad* regarding the certainty of legal subjects who are considered to have the capacity to make transactions by replacing the concept of *baligh* with physical signs with a specific age of 18 years to comply with international regulations. This law pragmatically disregards the textual meaning of the hadiths regarding physical signs of the concept of *baligh*, including the signs of *baligh* for boys:

عن علي، عن النبي صلى الله عليه وسلم قال: "رُفِعَ القلم عن ثلاثة: عن النَّائم حتى يستيقظ، وعن الصَّبِيِّ حتى يَحْتَلِمَ، وعن المجنون حتى يَعْقِلَ" (أخرجه أبو داود والترمذي)

From Ali bin Abi Talib, from the Prophet SAW, he said: “The pen is lifted from three people: those who are asleep until they wake up, children until they reach puberty (wet dreams), and the insane until they regain their sanity (recover).”

The above hadith was narrated by Abu Dawud, Book of al-hudud, chapter al-majnun yasriq, no. 4403, al-Tirmidhi, Book of abwab al-hudud, chapter fi man la yajib al-hadd, no.1423. The quality of hadith is *sahih* (valid).

Meanwhile, the concept of puberty for girls is:

عَنْ عَائِشَةَ: أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: " لَا تُقْبَلُ صَلَاةُ حَائِضٍ إِلَّا بِخِمَارٍ " (أخرجه أبو داود وابن ماجه وأحمد)

Allah does not accept the prayers of women who have reached puberty unless they wear veil.

The hadith was narrated by Abu Dawud in Kitab al-Salah, chapter al-mar'ah tushalli bi duni khimar, no. 641; Ibn Majah, Kitab al-thaharah, chapter idza hadhat al-jariyah; no. 655; and Ahmad, Musnad 'Aishah, no. 25834. The quality of the hadith narrated by Abu Dawud is *hasan*, while the narrations of Ibn Majah and Ahmad are *sahih*.

Furthermore, regarding the Evidence Law, the law adopts digital evidence and sets aside restrictions on evidence in the form of witnesses or oaths, because witnesses and oaths are often manipulated in court proceedings. The comparison matrix is shown in Table 3 below:

Table 3
Comparison Matrix of Evidence Laws

Object of Analysis (Law Article)	Traditional Narrative (Hanbali School/ <i>Ahad</i> Hadith)	MBS's Reform Claims	Findings/Analysis (Inconsistencies/Hybridity)
Evidence Law Articles 53-54: Regarding the legal force of digital evidence.	The classical tradition places greater emphasis on witness testimony or oaths based on the textual meaning of verses and hadiths.	Adopting modern developments	Hybridity-Pragmatism: The state pragmatically disregards restrictions on evidence in the fiqh tradition in order to meet the standards of a modern legal system.

Among the hadiths that are traditionally supported by *fiqh*, including:

عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «الْبَيِّنَةُ عَلَى الْمُدَّعِي، وَالْيَمِينُ عَلَى الْمُدَّعَى عَلَيْهِ» (أخرجه الترمذي وابن ماجه والدارقطني)

From Amr bin Shuaib, from his father, from his grandfather, he said: “The Messenger of Allah (peace be upon him) said: “The accuser must present evidence (*bayyinah*), and the accused must take an oath.”

The hadith was narrated by al-Tirmidhi, in the book al-ahkam, chapter ma ja'a fil bayyinah, no. 1342; Ibn Majah, Book al-Ahkam, chapter on al-Bayyinah, no. 2321, and al-Daruqutni, Book al-Shahadat, chapter on khabar al-wahid yujib al-amal, no. 4311. The authenticity of these hadiths is considered *sahih* by the scholars of hadith.

The hadith shows that traditional evidentiary procedures with specific provisions in certain cases, such as allegations of adultery, are understood contextually and deliberated by adopting digital evidence in response to developments in modern law. Limiting evidence to witnesses and oaths is certainly not sufficient. Here, the law pragmatically adopts modern rules of evidence.

Based on the above findings and analysis, the legal transition in Saudi Arabia under the leadership of Mohammed bin Salman (MBS) is not merely a technical improvement to the judicial system, but rather a manifestation of profound political engineering. The use of a comparative matrix between theological doctrine and legislative reality proves that legal codification serves as a sophisticated political control tool to shift the center of power. By codifying rules in the text of the law, the state effectively revokes the prerogative of judges and scholars to interpret Sharia independently, thereby ensuring that legal policy is always in line with the political vision of the executive.

Furthermore, the claim to use only “*Mutawatir* Hadith” is identified as a highly strategic discursive strategy. This narrative is used to delegitimize the authority of conservative scholars without appearing to attack the essence of Islam itself. By setting standards for verifying hadith that are nearly impossible for the majority of traditional arguments to meet, MBS creates a legal vacuum for the state to incorporate the logic of public interest and global market needs into the national legal system. This confirms that what is referred to as “New Saudi Law” is a form of hybridity; a pragmatic blend that accommodates international economic demands while retaining remnants of social conservatism if they are useful for maintaining state stability.

Conclusion

In conclusion, the legal reforms carried out by Mohammed bin Salman (MBS) through the 2022-2024 wave of codification are not a pure theological revolution that runs on the rails of methodological consistency. An analysis of the Personal Status Law, the Civil Transactions Law, and the Evidence Law through an epistemological matrix reveals a sharp gap between the rhetoric of rejecting *Abad* Hadith and the legislative reality that has been adopted. It is evident that the claim of returning legal authority solely to the Qur'an and *Mutawatir* Hadith is merely a discursive strategy (epistemological gimmick) used as a political tool to undermine the monopoly of *ijtihad* by conservative scholars and judges.

The findings of this study confirm that “New Saudi Law” is hybrid and highly pragmatic. On the one hand, the state appears very modern by adopting international Rule of Law standards in civil transaction law to ensure certainty for foreign investors. However, on the other hand, the state continues to maintain remnants of traditional *Abad* Hadith based doctrines such as the institution of marriage guardianship when they are considered functional in maintaining the patriarchal structure and social stability that supports the kingdom's political power. This article specifically proves the epistemological inconsistency between MBS's political rhetoric and the substance of the codified law.

Ultimately, this codification is a form of nationalization of Sharia, in which the state acts as the sole authority with the right to select, discard, or retain sacred texts in the national interest. This project has succeeded in transforming the face of Saudi justice from a subjective “lottery of justice” to a centralized “state legal certainty.” However, this certainty came at a clear price, namely Sharia no longer stood as a check on power but had been completely co-opted into a technocratic instrument to succeed Vision 2030. Thus, Saudi reform was a success of political engineering wrapped in a narrative of religious renewal. However, this study cannot cover the dynamics and responses of the clerics to the MBS law codification project, so further research is needed.

References

- ‘Itr, Nur al-Din. *Manhaj al-Naqd fi ‘Ulum al-Hadith*, Damascus- Suriah: Dar al-Fikr, 1981.
- Alaoudh, Abdullah, "Saudi Arabia's Judicial Independence: A 10-Year Study (2008–2018)," *International Journal for Court Administration* 9, no. 3 (2018).
- Alanz, Awad Ali. “Exploring the Legal System in Saudi Arabia”, *International Journal of Innovation, Creativity and Change*, Volume 11, Issue 2, (2020).

- Alghamdi, Jweriah, "Solutions of Domestic Violence Against Women: A Focus on Saudi Arabia: A Literature Review" *Al-Hikmah International Journal for Islamic Studies & Human Sciences*, Vol. 8, No. 1, (February 2025).
- Al-Kanhal, Abdulrahman, "Modernizing Saudi Evidence Law: The Shift to Digital Proof," *Journal of Middle Eastern Law*, Vol. 15 (2023).
- Al-Rasheed, Madawi, *The Son King: Reform and Repression in Saudi Arabia* London: Hurst & Company, 2020.
- Al-Rasheed, Madawi. *A Most Masculine State: Gender, Politics, and Religion in Saudi Arabia*, Cambridge: Cambridge University Press, 2010.
- Al-Rasheed, Madawi, *Salman's Legacy: The Dilemmas of a New Era in Saudi Arabia*. Oxford: Oxford University Press 2018.
- Alsaif, Tawfiq. "Relationship between state and religion in Saudi Arabia", *Contemporary Arab Affairs*, Vol. 6, No. 3 (July 2013).
- Ansary, Abdullah F. "A Brief Overview of the Saudi Arabian Legal System," *GlobaLex*, Hauser Global Law School Program, New York University (2008).
- Bashayreh, Muhammad. "The Authority of Judges under Shariah: Perspectives on Recent Legal Reforms in Saudi Arabia," *Manchester Journal of Transnational Islamic Law and Practice*, Vol. 18, Issue 2, (2022).
- Brown, Nathan J. "The Remaking of the Saudi State," *Carnegie Endowment for International Peace* (2022).
- Bunzel, Cole M., *Wahbābism: The History of a Militant Islamic Movement*. (Princeton: Princeton University Press, 2023).
- Casanova, José. *Public Religions in the Modern World*. Chicago: University of Chicago Press, 1994.
- Dobbelaere, Karel. *Secularization: An Analysis at Three Levels*, Brussels: P.I.E.-Peter Lang, 2002.
- Farouk, Yasmine. "Saudi Arabia: One Party, One Ruler," in *The Arab Spring: Pathways of Repression and Reform* Oxford: Oxford University Press, 2019.
- Farouk, Yasmine and Nathan J. Brown, "Saudi Arabia's Religious Reforms Are Touching Nothing but Changing Everything," *Carnegie Endowment for International Peace*, June 7, 2021, <https://carnegieendowment.org/2021/06/07/saudi-arabia-s-religious-reforms-are-touching-nothing-but-changing-everything-pub-84650>.
- Grabowski, Wojciech, "Beyond Tradition and Modernity: Challenges of Transformation in Saudi Arabia" *Rocznik Orientalistyczny*, Vol. LXXIV, No. 2, (2021).

- Human Rights Watch, *World Report 2021: Events of 2020* New York: Seven Stories Press, 2021.
- Heywood, Andrew. *Political Ideologies: An Introduction*, London: Palgrave Macmillan, 2021, 7th Ed.
- Hidayat, Nadiya Azahra. Yon Mahmudi, Siti Rohmah Soekarba, "Vision 2030: Saudi Arabia's Modernization" *CMES: Jurnal Studi Timur Tengah*, Volume XV, Number 2, (July—December 2022).
- Huraib, Baqer S., "The Dawn of Codification in Saudi Arabia: A Detailed Analysis of the Personal Status Law," *Arab Law Quarterly* 37, no. 3 (2023).
- Ibn Rushd, *Bidayat al-Mujtabid wa Nihayat al-Muqtasid*, al-Qahirah: Dar al-Hadith, 2004, vol. III.
- Kéchichian, Joseph A., *Saudi Arabia in 2030: The Future of the Kingdom*, Seoul: The Asan Institute for Policy Studies, 2016.
- Khalid, Ammarah Samar. "Are the Male Guardianship Laws in Saudi Arabia, A Challenge to Human Rights of Women as Advocated in Islam?" *Journal of Human Rights Law and Practice* Vol. 1, Issue 1, (2018).
- Kharlie, Ahmad Tholabi, *Hukum Keluarga Islam: Dinamika dan Perkembangannya di Indonesia*, Jakarta: Kencana, 2022.
- Kinnimont, Jane," Vision 2030 and Saudi Arabia's Social Contract Austerity and Transformation", *Research Paper*, July 2017.
- Krell, Dominik, "Law and Religion in Saudi Arabia: The 2022 Personal Status Law," *International Journal of Constitutional Law* (2023).
- Krell, Dominik, "Legal Reform in Saudi Arabia: The Personal Status Law of 2022," *Max Planck Institute for Comparative and International Private Law Research Paper Series* (2022).
- Krell, Dominik. "The Saudi Personal Status Law of 2022: A New Era for Women's Rights?", *Oxford Journal of Law and Religion*, Vol. 12, No. 1 (2023).
- Kumar, Nitish. "Saudi Arabia's "Vision 2030: Structural Reforms and Their Challenges", *Journal of Sustainable Development*; Vol. 16, No. 4; (2023).
- Lacroix, Stephane. "Saudi Arabia's Religious Reforms are About More than Just Modernization," *The Arab Gulf States Institute in Washington* (2021).
- Maisel, Sebastian. "The New Saudi Arabia: From Wahhabism to Nationalism," *Middle East Policy*, Vol. 28, No. 3 (2021).
- Mallat, Chibli. *The Renewal of Islamic Law: Muhammad Baqer as-Sadr, Hope and the Ideal State* Cambridge: Cambridge University Press, 2003.
- Mouline, Nabil. *The Clerics of theam: Religious Authority and Political Power in Saudi Arabia*, New Haven: Yale University Press, 2014.

- Ottaway, David B. *Mohammed bin Salman: the Icarus of Saudi Arabia?* (Colorado-London: Lynne Rienner Publishers, Inc., 2021).
- Özev, Muharrem Hilmi, "Nation Building in Saudi Arabia: From Rentierism to Territorial Nationalism". *İnsan & Toplum (The Journal of Humanity and Society)*, Vol. 14, No. 1, (2024).
- al-Qarafi, Shihab al-Din. *Nafa'is al-Usul fi Sharh al-Mahsul*, Makkah: Maktbah Nizar Musthafa al-Baz, 1995, vol. VII.
- Saudi Press Agency, "Royal Decree on Civil Transactions Law," (Desember 2023).
- Stilt, Kristen, "The End of the Era of Sharia? Law and Power in Saudi Arabia," *Harvard Law Review*, Vol. 132 (2019).
- al-Tibrizi, *al-Kafi fi 'Ulum al-Hadith*, Amman-Jordan: al-Dar al-Athariyah, 2008.
- Vogel, Frank E. *Islamic Law and the Legal System of Saudi Arabia: Studies of Saudi Arabia* Leiden: Brill, 2000.
- Waheed, Salma. "Islamic Sharia in the Legal Orders of Saudi Arabia and Kuwait" in *Constitutional Review in the Middle East and North Africa*, Berlin: Nomos Verlagsgesellschaft mbH & Co. KG, 2021.
- Wood, Graeme. "Absolute Power," *The Atlantic*, April 2022.
- World Bank, *Ease of Doing Business Report: Saudi Arabia's Reform Momentum*, Washington DC: World Bank Group, 2020.
- <https://saudigazette.com.sa/article/617738>.
- https://www.vision2030.gov.sa/media/rc0b5oy1/saudi_vision203.pdf;
- Interview with Ahmad, a Saudi citizen on July 28, 2024, in Medina.
- Interview with Stephane Lacroix, a French researcher who has written extensively on Saudi Arabia, on May 20, 2025, at UIII, Depok, West Java.
- The observation was conducted by the author in Medina from July 26 to 29, 2024