POWER AND GENERATIONAL TRANSITION IN SAUDI ARABIA

By Nabil Mouline

Problems of political succession are a major trend in Arab-Islamic history. They were at the origin of the greatest political-religious schisms of the *umma* (the Muslim community). Though they have not been able to avoid quarrels over succession, all Islamic currents have at least tried to alleviate them. While the religious elite sought ideal-typical models of succession in a mythologized Muslim tradition, Muslim sovereigns preferred to draw from pre-Islamic local or foreign traditions to ensure the continuity of power.[1]

Given the patrimonial nature of almost all Islamic states, the solutions recommended by the ulama and the traditions adopted by sovereigns had only limited results. In most cases of succession, the super-abundance of heirs led to numerous conflicts, which in their turn brought about wars of succession and foreign intervention. In order to resolve these problems, Ottoman sovereigns turned to the cruel law of fratricide, before adopting the less expeditious practice of

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[1] Anilchandra Banerjee, "Procedure of Succession to the Sultanate of Delhi", *Journal of Indian History*, 15, 1936, pp.196-200; Henri Laoust, *La pensée et l'action politiques d'al-Mawardi (364-450/974-1058)*, Paris, Geuthner, 1968; Neeru Misra, *Succession and Imperial Leadership among the Mughals, 1526-1707*, Delhi, Konark Publishers, 1993; Peter M. Holt, "Succession in the Early Mamluk Sultanate", *XXIII. Deutscher Orientalistentag*, Einar von Schuler (Hrsg.), supplement, VII, Stuttgart, 1989, pp.144-148; Paul E. Walker, "Succession to Rule in the Shiite Caliphate", *Journal of the American Research Center in Egypt*, 32, 1995, pp.239-264; William Montgomery Watt, *La pensée politique de l'islam*, Paris, PUF, 1995; Wilfred Madelung, *The Succession to Muhammad*, Cambridge, Cambridge University Press, 1997; Hormoz Ebrahimnejad, *Pouvoir et succession en Iran. Les premiers Qâjâr 1726-1834*, Paris, L'Harmattan, 2000; Lucian Reinfandt, "Religious Endowments and Succession to Rule: The Career of a Sultan's Son

the golden cage.[2] Arab monarchies, for their part – whether competitors or heirs of the Ottomans – only partly overcame these problems thanks to more or less "constitutional" rules.

Saudi Arabia constitutes a good example in this regard. Indeed, from its emergence in the course of the second half of the 18th-century, the House of Saud (âl Su'ûd) attempted to overcome the problem succession by various means. While the armed struggles of the 19th-century gave way to political maneuvers and factional rivalries within the royal house, attempts to establish modes of succession on the whole remained very timid and were only mentioned for the first time in passing by the fundamental Law (*al-nizâm al-asâsi lil-hukm*) that was promulgated in 1992. In 2006, it is true, King 'Abd Allâh established the Allegiance Committee (*Hay'at al-bay'a*) to designate the future sovereigns of Saudi Arabia according to more or less precise criteria. But did the introduction of this system really reflect a desire to institutionalize succession by establishing durable mechanisms for transmitting power? Was it a solution intended to facilitate the arrival to power of the generation of King 'Abd al-'Azîz's (1902-1953) grandsons or a mere political maneuver in the framework of struggles between the various Saud factions? By reconstructing its historical depth and political dimension, the analysis that follows aims to understand the problem of succession in Saudi Arabia, a model of patrimonial royalty as defined by Max Weber, Samuel Eisenstadt and Jean-François Médard.[3]

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Quarrels over Succession

The first Saudi state (~1745-1818) was characterized by a lineal-agnatic mode of transmission of power which reflected the sedentary character of the Saud clan and the milieu in which this

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in the Fifteenth Century", *Mamlûk Studies Review*, 6, 2002, pp.51-62; Homa Katouzian, "Legitimacy and Succession in Iranian History", *Comparative Studies of South Asia, Africa and the Middle East*, 23 (1), 2003, pp.234-245.

[2] Due to the absence of established rules concerning succession, for several decades every pretender to the throne who succeeded in reaching the head of the empire nearly automatically proceeded to physically eliminate all of his rivals (brothers, nephews and sometimes even sons). This practice, which had been legalized by the Sultan Mehmet II and legitimated by the ulama, was replaced in the early 17th-century by that of *qafas* (the cage), which permitted the sultan to lock up his potential rivals in a well-guarded area of the palace. See Gilles Veinstein, Nicolas Vatin, *Le sérail ébranlé: essai sur les morts, depositions et avènements des sultans ottomans, XIV-XIXe siècle*, Paris, Fayard, 2003.

[3] Max Weber, *Economie et société*, Paris, Pocket, 1995, volume 1, pp.301-320; Samuel N. Eisenstadt, *Traditional Patrimonialism and Modern Neo-Patrimonialism*, Beverly Hills, Sage Publications, 1973 ; Jean-François Médard, "L'Etat patrimonialisé", *Politique africaine*, 39, September 1990, pp.25-36.

emirate arose.[4] Power was transmitted in a direct line by order of primogeniture in the male line of the founder of this first state, Muhammad b. Su'ûd (~1745-1765).[5]

This mode of succession promoted the stability of the emirate and, thanks to the dynamic preaching of Muhammad b. 'Abd al-Wahhâb (died 1792), allowed it to extend its power over a large part of Arabia, in particular Mecca and Medina. Yet, supported by the ulama, the religious and political ambitions of the first Saudi sovereigns proved fatal: eager to re-establish sovereignty over the holy sites, Ottoman Sultan Mahmûd II (1808-1839) charged the governor of Egypt, Muhammad 'Alî (1805-1849) with putting an end to this politico-religious entity which threatened to challenge the religious legitimacy of the Ottoman Empire.

A few months of campaigning were enough for the Ottoman troops to overthrow the Saudi regime: the capital, al-Dir'iyya, was sacked and the main ulama and princes of the House of Saud were led away to Egypt in captivity.[6] It was only after an interregnum of five years that Turkî b. 'Abd Allâh (1823-1834), the grandson of Ibn Su'ûd, succeeded in restoring the power of the family in Nejd, but on a new basis. Indeed, the second Saudi state (1823-1891) was based on more tribal foundations[7] and adopted several political traditions from central Arabia, particularly in regards to the modes of succession.

The lineal-agnatic mode thus gave way to the adelphic mode and this in circumstances we have difficulty elucidating, in particular due to a lack of primary sources. This horizontal mode for transmitting power, which is quite common in patrimonial systems[8], favors the accession to power of the most powerful member of the lineage – generally a brother, nephew or cousin with more or less close ties to the deceased or deposed sovereign – even if primogeniture is not excluded for all that. Thus, all men of the dominant lineage are *primus inter pares* – counterparts and equals in power – and only providence and fortune are capable of deciding between them. While this conception of the transmission of power makes the "state" a good shared between all

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[4] The Su'ûd were without doubt sedentaries: they originated in the east of Arabia but little is known about their tribal affiliation. They evolved in an agricultural milieu and lived in the village-oasis of al-Dir'iyya since at least the 16th-century. In the 18th-century, most of their army consisted of sedentaries.

[5] Ibn Ghannâm, *Rawdat al-afkâr wa al-afhâm li-murtâd hâl al-imâm wa ti'dâd ghazawât dhawî al-islâm* (History of the First Saudi State), Cairo, Matb'at al-Halabî, 1949, volume II, pp. 125 and 137; Ibn Bishr, '*Unwân al-majd fi târîkh najd* (History of the Najd), Riyad, Ministry of Education, 1971, volume 1, pp.63, 101 and 241.

[6] On the first Saudi state, see Alexei Vassiliev, *The History of Saudi Arabia*, London, Saqi Books, 2000, pp.64-157; Munîr al-'Ajlânî, *Târîkh al-'arabiyya al-Su'ûdiyya* (History of Saudi Arabia), 4 vol., s. l., s. d.; 'Abd al-Rahîm 'Abd al-Rahmân, *Târîkh al-dawla al-Su'ûdiyya al-ûlâ* (History of the First Saudi State), Cairo, Dâr al-kitâb al-jâmi'î, 1982.

[7] Probably due to the multiplication of military, political and matrimonial alliances between the Saud and the chiefs of the Bedouin and Bedouin-origin tribes of Najd. The appearance of several poles of resistance to the Ottomans within the family provided its members with a degree of legitimacy in the eyes of the population.

[8] Denise Paulme, *La civilization africaine*, Paris, PUF, 1968, p.24, 76 and 103; Henri Lehmann, *Les civilizations précolombiennes*, Paris, PUF, 1965, p.114 ; James George Frazer, *Le Rameau d'or*, Paris, Robert Laffont, 1981-1984, volume 1, p.416.

men of the lineage, it also implies that all offspring of the family have a right to see themselves as the rightful heir of the family possessions.

In these conditions, the more or less long phases of political transition can only be periods of crisis, conflict and violence, above all in the event of generational change. Indeed, each branch of the ruling house tries to exclude the other branches or minimize their political role. The same phenomenon takes place within the victorious branch. The multiplication of periods of crisis weakens the dominant group and the political system itself, thereby encouraging direct or indirect (in the person of a pretender to the throne) foreign intervention and over time leading to the collapse of the state structure. In other words, each generation calls into question the existence and indivisibility of the patrimonial state.

The history of the second Saudi state nicely illustrates the troubles to which the adelphic mode of succession and the patrimonialization of the state can give rise: in 1834, Emir Turkî b. 'Abd Allâh was assassinated by a pretender who himself only reigned for forty days before being overthrown and executed by Faysal (1834-1838 and 1843-1865), the son of Turkî[9], who himself had to confront his cousins, Khâlid b. Su'ûd (1838-1841) and 'Abd Allâh b. Thunayyân (1841-1843).

With Faysal displaying a vague desire to resume the expansionist policy of his predecessors and aware that its hilliness and inhospitable climate rendered the Nejd region directly uncontrollable, the Ottomans wished to assign the job of governing the region to an offspring of the Saud family who would be both loyal to them and credible in the eyes of the local population. Issued from the eldest branch of the Saud family and son of Su'ûd b. 'Abd al-'Azîz, third Saudi sovereign and conqueror of the holy cities, Prince Khâlid seemed to meet all of these conditions. Supported by an Ottoman contingent, he was able to overthrow Faysal and send him into exile in Egypt for five years.[10]

Yet the power of the new prince depended on the dissuasive presence of Ottoman troops. The other pretenders to the throne of the House of Saud were only waiting for the right moment to make their return to the political scene. The 1840 London Accords which required the withdrawal of Muhammad 'Alî's troops from Syria and Arabia deprived Emir Khâlid of his only support. The pretender 'Abd Allâh b. Thunayyân profited from this to mobilize a large part of the population

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[9] Ibn Bishr, *'Unwân al-majd fî târîkh najd* (History of the Najd), *op. cit.*, volume II, pp.41-69; al-Fâkhirî, *al-Akhbâr al-najdiyya* (Annales of the Najd), Riyad, Lajnat al-buhûth wa al-ta'lîf wa al-tarjama, 1970, pp. 151-152 ; Dârî al-Rashîd, *Nubdha târîkhiyya 'an Najd* (Historical Notice on the Najd), Riyad, Dâr al-Yamâma, 1966, p. 77 ; Alois Musil, *Northern Neg : A Topographical Itinerary*, New York, American Geographical Society, 1928, pp. 237 and 272 ; Charles Huber, *Journal d'un voyage en Arabie*, Paris, Imprimerie nationale, 1891, pp. 151-152.

[10] Ibn Bishr, *'Unwân al-majd fî târîkh najd* (History of the Najd), *op. cit.*, volume II, pp. 88-114 ; al-Fâkhirî, *al-Akhbâr al-najdiyya* (Annales of the Najd), *op. cit.*, pp. 173-174.

against his cousin and win support from the religious elite. After several months of combat, he succeeded in taking Riyadh but the foundations of his power remained very fragile and became even more so following the return of Emir Faysal. Thanks to support from the Shammar tribal confederation, the latter very rapidly retook power, keeping it until his death in 1865.[11]

His energy and his piety allowed Faysal not only to extend and strengthen his authority[12] but also to eliminate all other branches of the Saud family from political competition, at least in what concerned the principality. Yet the political structure he established proved fragile and did not survive him: for around a quarter-century, his sons and grandsons constantly fought to impose themselves at the head of the Saudi emirate. His son 'Abd Allâh, it is true, came to power in a legal manner as the presumptive heir (*waliyy al-'ahd*) but his brother Su'ûd very rapidly contested this right. After several months of battles, alliances and counter-alliances, Su'ûd emerged victorious but 'Abd Allâh, far from giving in, continued with his followers to attack the territories that had been subdued by his brother, dangerously weakening the Saudi political system and allowing regional powers – and, in particular, the Ottomans – to extend their influence in the area. While the latter seized the eastern province of al-Ahsâ', the various tribes and oases recovered their autonomy. Over the better part of the territories of Nejd, Saudi sovereigns no longer had anything more than nominal power.[13]

'Abd Allâh was able to return to power after the death of Su'ûd in 1875 and an interlude of several months during which their brother 'Abd al-Rahmân – father of the future king 'Abd al-'Azîz – reigned. However, he was unable to overcome the political problems engendered by so many years of conflict and dissension. Not only was he obliged to confront a multitude of pretenders from the House of Saud who threatened his power but he also had to put an end to the centrifugal aspirations of certain tribal chiefs and reckon with the region's rising new power: the emirate of Hâ'il to the north of Nejd, which was led by Muhammad b. Rashîd. Indeed, the latter profited from the weakness of the House of Saud and the chaos that reigned in Nejd to add to his territories, imposing a "protectorate" on them. He ultimately seized Riyadh in 1888 and took 'Abd Allâh and his brother 'Abd al-Rahmân captive. Towards the end of 1889, the latter

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[11] Ibn Bishr, *'Unwân al-majd fî târîkh najd* (History of the Najd), *op. cit.*, volume II, pp. 119-134 ; al-Fâkhirî, *al-Akhbâr al-najdiyya* (Annales of the Najd), *op. cit.*, pp. 177 ; Dahlân, *Khulâsat al-kalâm fî bayân umarâ' al-balad al-harâm* (History of Mecca and Its Emirs), Cairo, al-Matba'a al-khayriyya, 1887, volume II, pp. 312-313.

[12] In particular, Faysal adopted the very religious title of *imâm*, which had until then been reserved for Ibn 'Abd al-Wahhâb.

[13] Ibn Îsâ, *'Aqd al-durar fîmâ waqa'a min al-hawâdith fî al-qarn al-thâlith 'ashar wa awwal al-râbi' 'ashar* (Account of the Principal Events of the Thirteenth- and Fourteenth-Centuries of the Hegira), Riyad, Dâr al-Yamâma, 1966, pp. 52-57 ; al-Fâkhirî, *al-Akhbâr al-najdiyya* (Annales of the Najd), *op. cit.*, pp. 188-189 ; Ibn Qâsim, *al-Durar al-saniyya fî al-ajwiba al-najdiyya* (Anthology of Answers of the Ulama of the Najd), Riyad, s.e., 2004, volume IX, pp. 15-54.

succeeded in escaping and attempted to restore the authority of the Saud in the region but was driven out by Ibn Rashîd in 1891 and took refuge in Qatar and then in Kuwait.[14]

Genealogy of the House of Saud
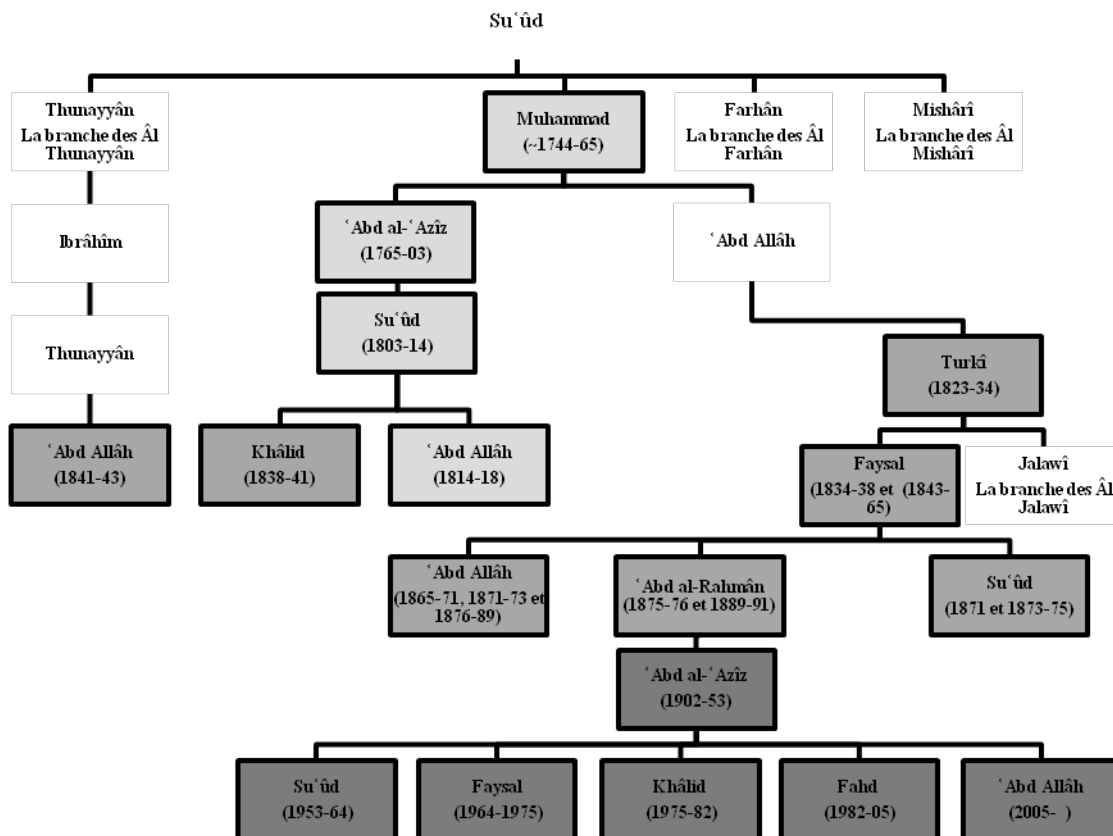
The Establishment of Adelphic Succession

After the restoration of Saud power by King 'Abd al-'Azîz in 1902, there was no real change in the conception of the transmission of power in the reconstructed Saudi kingdom. In keeping with patrimonial practice, 'Abd al-'Azîz eliminated all other branches of the royal house from the

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[14] Ibn Îsâ, *'Aqd al-durar fîmâ waqa'a min al-hawâdith fî al-qarn al-thâlith 'ashar wa awwal al-râbi' 'ashar* (Account of the Principal Events of the Thirteenth- and Fourteenth-Centuries of the hegira), *op. cit.*, pp. 77-101 ; al-Fâkhirî, *al-Akhbâr al-najdiyya* (Annales of the Najd), *op. cit.*, pp. 188-189 ; Ibn Qâsim, *al-Durar al-saniyya fî al-ajwiba al-najdiyya* (Anthology of Answers of the Ulama of the Najd), *op. cit.*, volume IX, pp. 44 ; Dârî al-Rashîd, *Nubdha târîkhiyya 'an Najd* (Historical Note on the Najd), *op. cit.*, pp. 105-108.

competition and, in particular, his brothers and first cousins.[15] According to an "accord" signed with the Ottoman authorities in 1914, the government of the Nejd was to be transmitted in his line alone.[16] By the Treaty of Dârîn[17] in 1915, the British recognized this same right but, while he guaranteed the enduring character of family power by means of these accords, 'Abd al-'Azîz did nothing to establish a system of transmission capable of sparing the third Saudi state from fratricidal struggles at the moment of succession.

This problem obsessed the leading figures of the kingdom, particularly those of the Hijâz who, on September 23rd, 1932, "implored the king (…) to establish a basic law and a law of succession".[18] These dignitaries also asked the King to give the name of Saudi Arabia to the new kingdom. Less than a week later, the new name was adopted, which suggests that the request had been formulated with the tacit agreement of the palace, and the King ordered the Assembly of Hijâz to begin drafting a fundamental law and a law of succession.[19]

Yet the royal order was to remain a dead letter and no law of this type saw the day under 'Abd al-'Azîz. One may even suppose that it was no more than a political maneuver intended to reassure the Hijâzî-s concerning their future within the new state. Indeed, by means of this institutionalization, the Hijâz elites hoped to play an important role in the new state due to the fact that they possessed considerably greater social capital than did the elites of Nejd.[20]

The name chosen to designate the new kingdom nicely reflects a patrimonial conception in which the conquered territories were seen as a personal possession of the Saud family. In fact, 'Abd al-'Azîz and his descendants administered the country as a "House" in Claude Lévi-Strauss' sense of the term.[21]

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[15] To express this exclusion, 'Abd al-'Azîz established a hierarchical system of titles: royal highness (*sâhib al-sumuww al-malikî*), highness (*sâhib al-sumuww*) and emir (*amîr*). Only those who held the first title – his own descendants – could aspire to the throne.

[16] Gary Troeller, *The Birth of Saudi Arabia: Britain and the Rise of the House of Sa'ud*, Londres, Frank Cass Publishers, 1976, pp. 60-61 ; Jacob Goldberg, "The 1914 Saudi-Ottoman Treaty: Myth or Reality?", *Journal of Contemporary History*, 19, 1984, pp. 289-314.

[17] Muhammad Hasan 'Aydarûs, "Ittifâqiyyat Dârîn bayna Ibn Su'ûd wa Brîtânyâ : dirâsa wathâ'iqiyya" (The Darin Accord between Ibn Saud ['Abd al-'Azîz] and Great Britain : A Documentary Study), *Majallat jâmi'at Dimashq*, 21 (1-2), 2005, pp. 93-124 ; G. Troeller, *The Birth of Saudi Arabia: Britain and the Rise of the House of Sa'ud*, *op. cit*., pp. 85-86.

[18] *Jarîdat umm al-qurâ*, 405, 16 septembre 1932, pp. 2-3.

[19] *Jarîdat umm al-qurâ*, 406, 23 septembre 1932, pp. 2-3.

[20] Mordechai Abir, *Saudi Arabia and the Oil Era: Regime and Elites: Conflict and Collaboration*, London, Croom Helm, 1988, pp.35-36; Bakrî Shaykh Amîn, *al-Haraka al-adabiyya fî al-mamlaka al-'arabiyya al-Su'ûdiyya* (The Literary Movement in Saudi Arabia), Beirut, Dâr al-'ilm lil-malâyîn, 2005, pp. 106-109, 149-151 ; Joshua Teiltelbaum, *The Rise and Fall of the Hashimite Kingdom of Arabia*, New York, New York University Press, 2001, pp. 208-213.

[21] According to Lévi-Strauss, the house is a "moral person holding a domain composed of both material and immaterial goods, which perpetuates itself by transmitting its name, its fortune and its titles in a real or fictive line, seen as legitimate on the sole condition that this continuity may be expressed in the language of kinship or alliance and, most often, both together." Claude Lévi-Strauss, *Paroles données*, Paris, Plon, 1984, p.190.

Although he had named his son Su'ûd as presumptive heir to the throne, the king established a system that we will call multi-domination, which is specific to patrimonial states. Indeed, he made the members of his family – and, in particular, his sons[22] – partners in power. Each of them was granted a sector of the kingdom's political, economic or military activity. Over the middle-term, this distribution gave rise to a multiplication of centers of power and the routinization of 'Abd al-'Azîz's authority while the maintenance of the system of adelphic succession made all descendants of the founder of the third Saudi state potential pretenders to the throne. This situation could only engender a political crisis at the moment of generational transition.[23]

The first years of the reign of Su'ûd (1953-1964) were marked by a distribution of power between the various members of the family. But it was not long before the new king sought to resume the family tradition: excluding his brothers and cousins from power in order to replace them with his own sons and trusted followers. The chaotic management of power, the emergence of more or less well-structured opposition movements, the instability of the regional situation and the appearance of opposition within the royal family itself prevented him from fully carrying out his project. While a small part of the royal family rallied to the pan-Arab and constitutionalist ideas of Prince Talâl, the most influential members of the family joined the camp of Prime Minister Faysal. Thanks to the support of the great princes (Khâlid, Fahd, 'Abd al-Rahmân, 'Abd Allâh and Sultân, among others) and heads of the Hanbali-Wahabbi religious establishment (the *muftî* Muhammad b. Ibrâhîm, 'Umar b. Hasan, chief of the religious police, 'Abd al-'Azîz b. Bâz, 'Abd Allâh b. Humayd, etc.), the latter stripped his brother Su'ûd of all of his prerogatives in 1962 and promised, among other things, to establish a fundamental law and a law of succession – a promise that was of course not kept. Solicited by the party of Faysal, two years later the ulama put out a *fatwa* authorizing Su'ûd's dismissal.[24]

The reign of Faysal (1964-1975) was marked by the establishment of the principle of multi-domination, which is still in force and which King 'Abd Allâh has sought to perpetuate since assuming the throne in 2005. Each prince-governor, prince-minister and prince-CEO possesses

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[22] For example, Su'ûd: crown prince and governor of the Najd; Faysal: Minister of Foreign Affairs and Viceroy of the Hijâz; Fahd: Minister of Education; Sultân: Chief of the Royal Guard; Mish'al: Minister of Defense… See the posts occupied by the sons of 'Abd al-'Azîz in Khayr al-Dîn al-Ziriklî, *al-Wafîz fî sîrat al-malik 'Abd al-'Azîz* (Summary of the Biography of King 'Abd al-'Azîz), Beirut, Dâr al-kutub al-'ilmiyya, 1999, pp. 346-351.

[23] At his death in 1953, King 'Abd al-'Azîz was survived by 34 sons.

[24] Amîn Sa'îd, *Faysal al-'azîm* [*Faysal the Great*], Beyruit, Dâr al-Kâtib al-'arabî, 1965, pp. 64-65, 87-88, and *Târîkh al-dawla al-Su'ûdiyya* (History of the Saudi State), Beirut, Dâr al-Kâtib al-'arabî, 1965, volume III, pp. 301-309 ; Gerald de Gaury, *Faisal, King of Saudi Arabia*, Londres, A. Baker, 1966, pp. 91-92 ; Ghassan Salamé, *al-Siyâsa al-khârijiyya lil-mamlaka al-'arabiyya al-Su'ûdiyya mundhu 1945* (The Foreign Policy of Saudi Arabia since 1945), Beirut, Ma'had al-inmâ' al-'arabî, 1980, pp. 617-640 ; David Holden, Richard Johns, *La maison Saoud*, Paris, Ramsay, 1982, pp. 195-276 ; Alexander Bligh, *From Prince to King: Royal Succession in the House of Saud in the Twentieth Century*, New York, New York University Press, 1984.

nearly absolute freedom of action in his domain of authority. Some have created veritable fiefdoms, establishing networks of influence and attempting to hoard as many symbolic and material resources as possible both within and outside of the kingdom with an eye to one day winning power or, on the contrary, ensuring that they have a well-established fall back position. Besides provoking malfunction within the Saudi state by establishing contradictory policies, multi-domination has favored the emergence of factions[25] as political forces and established the Royal Family Council (*majlis al-'a'îla*) as a center of decision-making[26]. The House of Saud is not a dynasty in the classic sense of the term (with a monocephalic leadership and a transmission of power in a lineal-agnatic manner) but rather a familial collegiality. As a result, while the king can be influential in several domains on the model of a tribal leader, he can not claim to monopolize power. In sum, he is only a *primus inter pares*. In order to acquire more weight in the Royal Family Council and benefit from a large margin of maneuver in guiding state affairs, he must draw on a faction of princes controlling various sectors.

King Faysal thus mainly drew on the Sudayrî-s faction[27], which consisted of seven full brothers: Fahd (king from 1982 to 2005), Sultân (Minister of Defense since 1962 and Crown Prince since 2005), Salmân (governor of Riyadh since 1954), Nâyif (Minister of the Interior since 1975 and second Deputy Prime Minister since 2009), 'Abd al-Rahmân (Deputy Minister of Defense since 1983), Ahmad (Deputy Minister of the Interior since 1975) and Turkî (businessman, ex-Minister of Defense). The influence of this faction, which, to borrow khaldûnian terminology[28], constitutes a genuine *'asabiyya* (group spirit), has constantly grown, above all following the accession of its leader, Prince Fahd, to the station of crown prince in 1975[29] and then, in 1982, king[30].

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[25] By 'faction', we understand a group of princes from various branches of the royal family united by political and economic interests around a *fratry* of full brothers (that is, the collection of brothers issued from the union of King 'Abd al-'Azîz and the same spouse or concubine) in order to impose their domination on the various sectors of the state. In order to maximize its material and symbolic capital, each faction has recourse, on the one hand, to a matrimonial strategy (marriage within the royal family and with the most prominent families of the kingdom) and, on the other, co-option of ulama, bureaucrats, intellectuals and tribal leaders.

[26] Madawi Al-Rasheed, "Circles of Power: Royals and Society in Saudi Arabia", in Paul Aarts, Gerd Nonneman (eds.), *Saudi Arabia in the Balance: Political Economy, Society, Foreign Affairs*, London, Hurst & Company, 2005, pp.185-213.

[27] As the sons of King 'Abd al-'Azîz and Hassa bint Ahmad al-Sudayrî are known.

[28] In his analysis of social facts, Ibn Khaldûn emphasized the central concept of *'asabiyya* (group spirit or agnatic spirit). The close ties uniting the members of a group, generally the males issued from the same father (and, in the case of the Sudayrî-s, also the same mother) create an autonomous and sovereign entity. This *'asabiyya*, supported by an ideology, is said to be what drives the desire for political domination, itself the source of all authority and all power.

[29] It should be noted that Sudayrî-s have controlled key posts since the 1960s and that the transitional reign of Khâlid (1975-1982) only strengthened this trend by making Fahd the de facto king. In this connection, it is said that, during her official visit to Saudi Arabia, Margaret Thatcher wanted to raise policy questions with King Khâlid, who responded to her by saying that, in what concerned desert hunting, he was capable of giving her any information she desired but that, in the area of policy, she had to speak to Fahd.

[30] For more on these princes, see Joseph Kechichien, *Succession in Saudi Arabia*, New York, Palgrave, 2001, and *Power and Succession in Arab Monarchies*, London, Lynne Rienner Publishers, 2008, pp.236-267.

Although the mechanisms for transmitting power during the second half of the 20th-century remained informal, it can nevertheless be noted that primogeniture was generally respected even if certain princes sometimes succeeded in imposing themselves by elbowing out their older brothers for political reasons or issues of "mores".[31] In any case, the question of succession will remain a purely "familial" affair as only the Saud — and more particularly the sons of 'Abd al-'Azîz[32] — have the right to choose and/or overturn the king. And while the ulama, faithful allies of the royal house, proclaimed the 1964 *fatwa* that dethroned Su'ûd, this was at the instigation and under the control of Princes Faysal and Fahd, on the one hand, and, on the other, was intended to legitimate the action of these latter.

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Factional Struggle and the Institutionalization of Succession

Everything thus seemed to suggest that the Sudayrî-s would monopolize power and eliminate other branches of the House. But the second Gulf War, which is seen as a turning point in the kingdom's history, durably and significantly modified the situation.[33] One of the consequences of the installation of American forces on Saudi territory was the growth of a "protest" movement that had been there in embryonic form since the 1980s.[34] The politico-religious demands of this movement obliged King Fahd to take a certain number of measures, in particular the 1992 promulgation of the Basic Law of Governance (*al-nizâm al-asâsî lil-hukm*) that had been promised for sixty years.

This law was the first official document to supply a legal framework for the question of succession, though in few words and using evasive terminology. Paragraph B of Article 5 stipulates that "power is [uniquely] transmitted to the sons of founder King 'Abd al-'Azîz b. 'Abd al-Rahmân al-Faysal Âl Su'ûd [Al Saud] and his grandsons. *Al-aslah* among them shall be

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[31] Su'ûd is the second son of 'Abd al-Azîz, his older brother Turkî al-Awwal died in 1919. Faysal is the third; Khâlid, the fifth; Fahd, the eighth; 'Abd Allâh, the tenth; Sultan, the 12th; Muhammad (fourth) and Nâsir (sixth) were excluded from power due to their "dissolute" mores. Sa'd (seventh) and Bandar (eleventh), both of a "weak and negligible character", according to official discourse, were immediately excluded from political affairs. Mansur (ninth) died in 1951.

[32] In their lifetime, some of 'Abd al-'Azîz' brothers – in particular, Musâ'id – could intervene in affairs of succession without being themselves candidates.

[33] This front was not sufficiently united. It seemed that the union of the Sudayrî-s was only fortuitous, with each member of the fratry mobilizing a maximum of resources to neutralize its other brothers when the moment came. There exist, for example, poles around Sultân, Nâyif and Salmân.

[34] The *sawha* is a movement that issued in particular from the hybridization of the religious and social doctrine of Hanbalo-Wahhâbism and the political demands of the Muslim Brotherhood. On this movement, see Stéphane Lacroix, *Les islamistes saoudiens: une insurrection manqué*, Paris, PUF, 2010.

recognized [as king], to rule in accordance with the Book of God and the prophetic Tradition."[35] This short passage poses more problems than it resolves.

While the competition only concerned his 34 living sons since the death of 'Abd al-'Azîz – already very costly from a political and economic point of view – King Fahd extended the competition to include hundreds of pretenders. Several factors explain this inflation: first, the advanced age of 'Abd al-'Azîz's sons (most of whom were in their sixties and seventies), suggesting that the baton sooner or later had to be passed to a younger generation which had begun to demand its share of power. Second, the introduction of a new generation could allow the King, on the one hand, to fragment the space reserved for the family in order to better reign and, on the other, to recruit new allies in order to exclude his rivals. Moreover, such a measure allowed the King and the great princes ('Abd Allâh, Sultân, Salmân, Nâyif, the sons of Faysal) to enter their sons into the political game in an official and definitive manner in anticipation of the upcoming struggles for supremacy among the various branches of the royal family.

The second part of Paragraph B stipulates that the future king must be *al-aslah* among the descendants of 'Abd al-'Azîz. However, this condition refers to no measurable socio-juridical category. For *al-aslah* may at once signify the most virtuous, the most capable, the most appropriate, the most pious, etc.[36] In the absence of strict units of measure, this term is bound to remain vague, ambivalent and without legal consequence. Yet, if we consider the history of the root *slh* and its derivatives in the juridico-political literature of classical Islam, we will perceive that they doubtless designate the capacity to lead affairs, to apply the law and have Islamic orthopraxy respected, at least in the public sphere.[37] The modalities of access to power were relegated to the background, as the Koranic text implies: "O Allâh! Possessor of the kingdom, You give the kingdom to whom You will, and You take the kingdom from whom You will, and You endue with honour You will, and You humiliate whom You will. In Your hand is the good. Verily, You are Able to do all things."[38] In other words, access to power is a sign of divine

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[35] http://www.mofa.gov.sa/Detail.asp?InSectionID=1747&InNewsItemID=24887.

[36] Ibn Manzûr, *Lisân al-'arab* (Dictionary of the Arabic Language), « the root *slh* », Beirut, Dâr Sâdir, 2003; Muhammad Fu'âd 'Abd al-Bâqî, *al-Mu'jam al-Mufahras li-alfâz al-qur'ân al-karîm* (Concordances and Indexes of the Koran), Beirut, Mu'assasat Jamâl li-n-nashr, s. d., pp. 410-412; Ibn Taymiyya, *al-Siyâsa al-shar'iyya fî islâh al-râ'î wa al-ra'iyya* (Treatise on Public Law), Beirut, Dâr al-âfâq, 1983, pp. 10-25.

[37] See, for example, Abû Ya'lâ al-Farrâ', *al-Ahkâm al-sultâniyya* (Statutes of Government), Beirut, Dâr al-kutub al-'ilmiyya, 2000, p. 20 ; Tahâwî, *al-'Aqîda al-tahâwiyya* (The Sunni Creed), Beirut, Dâr Ibn Hazm, 1995, pp. 23-24 ; Ibn Qudâma, *al-Mughnî* (Treatise of Muslim Law According to the Hanbali School), Cairo, Dâr Hajar, 1992, volume XII, p. 273 ; Ibn Taymiyya, *Qâ'ida mukhtasara fî wujûb tâ'at Allâh wa rasûlih wa wulât al-umûr* (On Obedience), Riyad, al-Haras al-watanî, 1997 ; Ibn Qâsim, *al-Durar al-saniyya fî al-ajwiba al-najdiyya* (Anthology of the Answers of the Ulama of the Najd), *op. cit.*, volume IX, pp. 5-11, 103-107.

[38] Sourate III, verse 26, English translation of the Koran by Muhammad Taqiyy al-Dîn al-Hilâlî and Muhammad Muhammad Muhsin Khân, Medina, Mujamma' al-malik Fahd li-tibâ'at al-mushaf al-sharîf, 1998, p. 71.

election and *salâh* (name of action derived from the root), whatever the means employed.[39] We think that the use of the term *al-aslah* in connection with the succession of power is part of this juridico-political tradition: the prince who is best able to create the greatest number of alliances, capitalize the most resources and demonstrate better than others his abilities and aptitudes in directing affairs – on the basis of his fief – is the best qualified to hold supreme office.[40]

Thus this first timid effort to codify the modalities of succession only resulted in increasing the number of pretenders by integrating the generation of grandsons, thereby exacerbating tensions and increasing the risk of conflict over the long-term.

During the first thirteen years of his reign, Fahd more or less succeeded in mastering factional rivalry. But the cerebral embolism that struck him down in 1995 significantly reduced his physical capacities and consequently his ability to control the situation. Without calling into question the preponderance of the Sudayrî-s in the cogs of the state, the last years of Prince 'Abd Allâh's de facto semi-regency allowed other factions to return to the competition. Several princes[41] came together around the Crown Prince with the aim of thwarting the hegemonical ambitions of the Sudayrî-s and ensure the preservation of the system of multi-domination. For reasons both endogenous and exogenous, the period of semi-regency was marked by a *modus vivendi* between the various factions despite several efforts on the part of 'Abd Allâh and his allies to politically and symbolically impose themselves (temporary support from a portion of the intelligentsia, the launching of a national dialogue concerning values and national identity, the opening of Western research centers, municipal elections in 2005, etc.).

When 'Abd Allâh took the throne in August 2005, it almost automatically put an end to this *modus vivendi*. The struggles, which vigorously resumed, were initially concentrated around the nomination of the second Deputy Prime Minister. According to a political tradition established in 1967, the holder of this post was considered as second in the order of succession – that is, as the future crown prince. Thus Fahd, 'Abd Allâh and Sultân were successively second Deputy Prime Ministers. However, unable to name the prince of his choice and with the two most prominent candidates being the Sudayrî-s Nâyif and Salmân, 'Abd Allâh simply did away with the post.

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[39] This principle is to be compared to the old Turkish-Mongol tradition according to which legitimacy (*kout*) is conferred by divine arbitration via competition among pretenders. See Gilles Veinstein, Nicolas Vatin, *Le sérail ébranlé: essai sur les morts, depositions et avènements des sultans ottomans, XIV-XIXe siècles*, *op.cit.*, p.90.

[40] We believe that the term *al-aslah* was used in a deliberate way by theorists of Muslim public law. The term used to designate the most appropriate and virtuous member to lead the community was *al-afdal*, which particularly applied to the four first caliphs (632-661) and to the holder of power in the ideal Islamic city.

[41] Principally, the sons of Faysal, Prince Talâl and his allies and Prince Mish'al and his allies.

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The Creation of the Allegiance Committee

The success of this first maneuver encouraged the king and his allies to forge ahead with their project: that is, to break the monopoly of the Sudayrî-s in order to preserve the system of multi-domination and adelphic succession. With the Sudayrî-s controlling, among others, the Ministries of Defense and the Interior as well as the eastern province of al-Ahsâ' and those of Tabûk and Riyadh, entering into a direct confrontation with the opposing camp would at most only have resulted in preserving the *status quo*. Lacking the power to block their path once and for all, the king thus established a system that aimed, on the one hand, to give an institutional framework to the modalities of succession and, on the other, to complicate as much as possible the task of the Sudayrî-s. By virtue of royal order A/135 (19 October 2006)[42], he created the Allegiance Committee and its statutes (*nizâm hay'at al-bay'a*). This system was strengthened and made more concrete in 2007 by the promulgation of an executive regulation (*al-lâ'iha al-tanfîdhiyya li-nizâm hay'at al-bay'a*).[43]

The symbolic impact of these texts should be underscored here. The Allegiance Committee was established by a royal order (*amr malikî*), not a royal decree (*marsûm malikî*). While the latter results from a consultation or examination of the royal proposition by the Council of Ministers upon which the princes and their most powerful allies and clients sit, the royal order reflects, as it name suggests, the sovereign and absolute will of the monarch. Thus the Allegiance Committee was an initiative of the king and the king alone. 'Abd Allâh only summoned his brothers and nephews several days before the promulgation of the royal order to inform them of his decision and explain the operational modalities of this new body to them.[44] This meeting took place in the al-Safâ palace in Mecca where the two texts were made public. It seems that the King wished to profit from the sacredness and centrality of Mecca in the Islamic imaginary to make the palace a center of historic decisions and meetings. Apart from the announcement of the creation of the Allegiance Committee, the al-Safâ palace housed the extraordinary Islamic Summit of 2005, the meeting between Iraqi factions in 2006, the accord between Palestinian factions in 2007 and the World Islamic Summit for Dialogue in 2008.

The calendar that was chosen also proved the desire to sanctify royal action in order to show that the decision to create the Committee was the fruit of a privileged relationship to and even

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[42] In keeping with the royal order, the *nizâm hay'at al-bay'a* system, which consists of 25 articles, replaced the *jîm* paragraph of Article 5 of the Basic Law of Governance. See *al-Sharq al-awsat*, 10188, 20 October 2006.
[43] This was royal order A/164, which consists of 18 articles. See *al-Sharq al-awsat*, 10542, 9 October 2007.

direct contact with God: indeed, the two orders were respectively published on the night of 26-27 Ramadan in 1428 and 1429 (19 October 2006 and 9 October 2007), which according to Islamic tradition is the most sacred night of the hegirian calendar[45] since it symbolizes the privileged relationship that believers have with God. On the one hand, it was on this night that He gave them the Koran as a guide for achieving salvation and, on the other, He opens the doors of heaven to the requests of believers seeking peace and self-fulfillment in this world and beyond.[46] Finally, promulgating these texts on precisely that night was a strategic choice. The month of Ramadan is a month of vacation during which, on the one hand, the various services of the state "go slow" and, on the other, political debates give way to religious practice and… entertainment. The King thus profited from this period of rest to announce his initiative and catch his adversaries off guard.

While the Allegiance Committee claimed to supply an institutional framework for the problem of succession over the long-term, in the short-term its principal function was both to designate the future crown prince while complicating the task of the Sudayrî-s and to ensure generational transition while preserving the system of multi-domination. In other words, the system aimed to make the Z mode of succession permanent, which in a way "exhausts" the "stock" of 'Abd al-'Azîz' children before drawing on the grandsons' generation.

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Anatomy of the Familial Council

The Allegiance Committee and its rules of application are organized around three axes in which the drafters strived to reconcile the Islamic legal heritage with procedures of modern positive law: conditions of access to the Committee, procedures for selecting candidates and mechanisms for managing state of emergency.

The Committee is composed of 35 members:[47] 16 sons and 19 grandsons of King 'Abd al-'Azîz. If one of them dies or is physically or mentally incapable (confirmed by medical opinion) to

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[44] *Okaz*, 1953, 22 October 2006.
[45] "We have indeed revealed this (Message) in the Night of Power: And what will explain to thee what the Night of Power is? The Night of Power is better than a thousand months. Therein come down the angels and the Spirit by Allah's permission, on every errand: Peace!... This until the rise of Morn!", translation by Muhammad Taqiyy al-Dîn al-Hilâlî and Muhammad Muhammad Muhsin Khân, cited, p.843-844.
[46] This contact is possible thanks to the ritual of *al-istikhâra* which is "expresses the idea of option or choice, consists of entrusting God with the choice between two or more possible options, either through piety and submission to His will, or else through inability to decide oneself, on account of not knowing which choice is the most advantageous one […] The *mustakhîrûn* [are] those who seek to escape from indecision with the help of divine inspiration", *Encyclopaedia of Islam*, Leyde, Brill, 1960-2007, 2nd edition, volume IV, p. 259.
[47] See the Annex for the composition of the Allegiance Committee.

participate in the Committee, he is automatically replaced by one of his older sons (no younger than 22 years old). Members of the third generation can be chosen in three different ways: either the father in his lifetime chooses one of his sons to succeed him or the son (no younger than 17) of a deceased or disabled member can choose one of them or, in the event of disagreement among brothers, the King can ask certain members of the Committee to choose one of the sons. That said, the King can refuse to accept these choices. In this case, he designates a candidate himself. In other words, he chooses the most accommodating.

While the sons of the founding king are lifetime members of the Committee, the grandsons are only named for four year periods following the example of high-ranking civil servants. Their mandate can only be renewed with unanimous agreement among the member's brothers and the King's consent. If one of the Committee's members fails to comply with the duties of his office – though the texts do not specify what these are – the President names a three-member investigative commission responsible for writing a report. In the event that the grievances are shown to be well-founded, the member can be dismissed with the agreement of two thirds of the members. But this dismissal can only be symbolic since authorization from the king is necessary for it to take effect.

The President of the Allegiance Committee is the oldest of King 'Abd al-'Azîz's descendants.[48] In his absence, the interim period is presided over by the oldest prince of the royal family. The President leads the sessions and imposes the agenda. Yet ten members can impose a theme of discussion. The Committee can only meet on royal order, except if the king and the crown prince happen to die at the same time. In this case, it meets automatically. These meetings are secret and no member can leave with documents from Committee headquarters, no doubt in order to preserve the secrets and reputation of the royal family.[49] In order to designate the crown prince or the king, the members of the Committee (at least two thirds of whom must be present) proceed to a secret vote in which the candidate must receive an absolute majority. In the event of an evenly split vote, the President casts the deciding vote. In extreme cases, half of the members can hold a vote but whoever is elected must receive two thirds of the votes cast.

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[48] The sitting President is the 13th son of 'Abd al-'Azîz, Mish'al (born in 1925). He was Defense Minister in 1951 and governor of Mecca. Very rapidly excluded from the competition by the Sudayrî-s, he is one of King 'Abd Allâh's most faithful allies.

[49] The king names a general secretary, who is at once the palace's coordinator and eye on the Allegiance Committee. The general secretary answers directly to the sovereign and is responsible before him for all administrative and financial affairs. Khâlid b. 'Abd al-'Azîz al-Tuwayjirî, director of the royal cabinet, is the Committee's sitting secretary general. The nomination of this trustworthy man reflects the king's twofold concern to organize this body and to control it.

The nature of the Committee and its conditions of access call for several remarks. First of all, it is to be noted that other branches of the Saud family are definitively excluded from the first circle of power. Only descendants of 'Abd al-'Azîz can be electors and candidates for supreme office. It should also be noted that the kingdom's various elites – and, in particular, the ulama – are excluded from this system.

Contrary to appearances, this latter point is in keeping with the juridical conceptions of classical Islam. Even though they saw *bay'a* as an action of election and an acknowledgement of the holder of political power, theorists of public law found it difficult to specify the nature of the body of the electors (*ahl al-ikhtiyâr*). While certain held that a single person could designate the leader of the community, others proposed that the approbation of the entire *umma* was necessary. Yet most theorists and jurists insisted on the fact that the choice of the community's leader was a collective duty (*fard kifâya*) that concerned an elite – *ahl al-hall wa al-'aqd*, that is, those who loosen and bind.[50] While most jurists avoid clearly defining this notion (in the hope of including themselves in it), al-Ghazâlî (died 1111), Ibn Taymiyya (died 1328) and Ibn Khaldûn (died 1406) did not hesitate to affirm that only those who possessed *shawka* (a term designating both power and authority) – that is, who possess armed force and financial resources – can monopolize power and designate the leader of the community[51] while the population and the elites can only confirm their choice[52]. It is for this reason that the jurists systematized *bay'a* in two stages: the designation known as *al-bay'a al-khâssa* (private *bay'a*) and the confirmation known as *al-bay'a al-'âmma* (public *bay'a*).

Thus the Allegiance Committee only reproduced a model familiar from Arabo-Islamic history. Indeed, if the king died, the members of the Allegiance Committee had to immediately swear allegiance to the crown prince. Once he had been recognized by his brothers and nephews, the new king received the confirming oath of the elites and representatives of the population in the framework of *bay'a al-'âmma* and in keeping with Article 6 of the Fundamental Law.[53]

In keeping with a political tradition established by the Umayyad caliphs (661-750), the new king chose one, two or three candidates in the ten days following his enthronement. The members of the Committee thus had ten days to choose the new crown prince among the candidates. If they

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[50] Abû Ya'lâ al-Farrâ', *al-Ahkâm al-sultâniyya* (Statutes of Government), *op. cit.*, p. 19.
[51] Al-Ghazâlî, *Ihyâ' 'ulûm al-dîn* (The Revival of the Religious Sciences), Beyrouth, Dâr al-ma'rifa, 1982, volume II, pp. 140-142 ; Ibn Taymiyya, *Minhâj al-sunna al-nabawiyya fî naqd kalâm al-shî'a al-qadariyya* (On the Refutation of Shiite Doctrine), Riyad, Jâmi'at al-imâm Muhammad b. Su'ûd, 1986, volume I, p. 82, volume III, p. 371 and 391, volume IV, p. 388, volume VI, p. 465, volume VIII, p. 336 et p. 356 ; Ibn Khaldûn, *al-Muqaddima* (An Introduction to History), Beyrouth, Dâr al-kutub al-'ilmiyya, 1993, pp. 230-232.
[52] Abû Ya'lâ al-Farrâ', *al-Ahkâm al-sultâniyya* (Statutes of Government), *op. cit.*, p. 27.
[53] **http://www.mofa.gov.sa/detail.asp?InNewsItemID=24887&InPageNo=2**.

were unable to agree upon one, they had to choose another subject to the king's consent. In this case, each of the two parties designates a candidate before the vote is held. Whoever wins the greatest number of votes automatically becomes crown prince.[54]

Moreover, in the event that the king and the crown prince die at the same moment, the Allegiance Committee automatically transforms itself into a provisional government council which is nevertheless unable to either modify the laws of the kingdom or dissolve the Council of Ministers and the Consultative Council. The members of the Committee only have seven days to elect the new king. It seems likely, to say the least, that several factions of the royal family may be tempted to transform this provisional governing council into a durable institution in which they will be "fairly" represented. That would definitively establish the system of multi-domination.

The case of this provisional government council poses a fundamental question: that of the competent jurisdiction for interpreting the rules of the Allegiance Committee and arbitrating disputes, the members of these two bodies being the same. Indeed, several passages in these rules are vague and can be interpreted in different ways. One must therefore, on the one hand, promulgate additional amendments to clarify these passages and, on the other, establish a body responsible for interpretation and arbitration in order to prevent future conflict. Given that the designation of the king is a family affair, the creation of a Council of Advisors consisting of the main princes (seconded, of course, by the ulama and jurists) can be contemplated.

There is nevertheless a case not anticipated by the Committee's rules: that the death of the crown prince takes place before that of the king. Indeed, if Sultân were to die before 'Abd Allâh, which is likely given the state of his health[55], the latter would be more or less free to choose the crown prince of his choice. The king might designate one or more candidates and leave it to the members of the Committee to elect one of them (it must not be forgotten that he enjoys a majority in this body, at least to all appearances). He might also disregard it and choose the crown prince who most suits him since the texts provide that the Committee only becomes operational in choosing the crown prince upon the death of the king.

Whatever the scenario of succession, it promises to be very problematical and there is a risk that the fratricidal struggles will worsen when the moment of generational transition arrives. The Allegiance Committee only seems to be a tool among many others that have been established, on the one hand, to channel these struggles and preserve the system of multi-domination by preventing the Sudayrî-s from monopolizing power and, on the other, to simplify the generational

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[54] The entire procedure for designating the crown prince must be finished no later than thirty days after the enthronement of the new king.

transition and avoid institutional logjams. Thus, the fact that the only suitable means for choosing monarchs in the short-term would be compromise within the family must be taken into consideration. The vote of the Allegiance Committee will in all likelihood only sanction this compromise. In other words, the Committee is not a body of formal designation but rather a family confab.

However, when ill-health prevents the king from performing the duties of his office, it is the Committee that charges a commission with establishing a medical report.[56] If the aforementioned report confirms that the king can not perform his duties, his powers are then temporarily transferred to the crown prince. If the king's state of health is hopeless, he must be relieved of his duties within twenty-four hours. The same procedure must be observed in the case of the crown prince.

If it turns out that, after a medical opinion is given, neither the king nor the crown prince can carry out their duties, the Allegiance Committee automatically becomes a provisional governing council until one or the other has recovered his physical and/or mental capacities. If their cases prove incurable, they are automatically relieved of their duties and the Committee proceeds to choose a new king and crown prince according to the aforementioned procedures.

The above shows that a large part of this regulation and its text of application to are intended to respond to a short-term situation. The period of King Fahd's illness is still present in the minds of many. As we mentioned above, this period was characterized by the multiplication of centers of power and institutional logjam. With the main pretenders to the throne all in their seventies and eighties, this situation risks being repeated in the coming years. A remedy must thus absolutely be found in order to ensure the continuity of the state. Once the generational transition has taken place, recourse to these measures will be ever more rare, at least unless it is for political ends. Indeed, in the event of conflict, a pretender or a faction might use these measures to put pressure on the members of the Allegiance Committee to declare the king incapable and thus relieve him of his duties.

While institutionally working to prevent the Sudayrî-s from definitively monopolizing royal power, King 'Abd Allâh continued to reinforce his positions and those of his allies on the ground. He multiplied actions in the international domain (interfaith dialogue, mediation between Palestinians and Iraqis, participation in the G20 and various Arab summits, etc.), which

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[55] In the past several years, Prince Sultân has had cancer. He has already spent long periods in American and Swiss hospitals and convalescing in Morocco.

[56] The meetings of the medical commission take place in secret at the Committee's headquarters. The sealed report is submitted to the President, who can only open it before the other members during a plenary session. The members of

permitted him to increase his symbolic resources and reinvest a part of it in his domestic policy. He also profited from the deteriorating health of Crown Prince Sultân, who all observers declared moribund in November 2008, and the disarray this event provoked in the opposing camp to increase his power, in particular by trying to place his advisers in certain important posts.

The ministerial reshuffle and changes within the religious institution and Consultative Council in February 2009 were more a matter of a struggle for power than a dynamic of reform. Several examples support this hypothesis: the new Minister of National Education is the king's son-in-law, the new Minister of Health is the chief doctor of the royal guard, which has been controlled by the king for forty years, the new chief of the religious police has been a member of the royal cabinet since 2005. Prince Bandar b. Sultân – the former ambassador to Washington who occupied the post of National Security Advisor and "is said to have attempted" to foment a coup d'État according to certain sources – has been sidelined in government. Sâlih al-Luhaydân, for his part, owes his dismissal from the post of President of the High Council of the Judiciary, which he occupied since 1992, as much to the *fatwa* he proclaimed against the owners of Arab satellite chains as to his unconditional support for the Sudayrî-s.

Yet, because they under-estimated the strength of the Sudayrî-s – who, it should be reiterated, control most state institutions – King 'Abd Allâh and his supporters had to confront a situation they had not anticipated. Despite all expectations, Prince Sultân survived and even seemed to recover from his colon operation.[57] His full brothers, led by Nâyif and Salmân, thus resumed the offensive. By dint of propaganda (in the media outlets dominated by them: *al-Sharq al-awsat*, *al-Hayât*, *Arab News*, *al-'Arabiyya*, etc), pressure (waving the specter of terrorism)[58] and negotiations within the royal family, the Sudayrî-s won the day: in March 2009, Nâyif was named second Deputy Prime Minister. In other words, he is now the future crown prince.[59]

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the medical commission are the chief doctor of the royal palace, the medical director of the Faysal Hospital and three deans from the kingdom's medicine faculties chosen by the members of the Committee.
[57] He returned triumphantly to Saudi Arabia on December 11th, 2009.
[58] It seems for example that the manner in which the August 27th, 2009 assassination attempt against Prince Muhammad b. Nâyif, Deputy Minister of the Interior, was presented in the media played into the hands of the Sudayrî-s, in particular Nâyif and his son.
[59] By way of consolation, King 'Abd Allâh obtained the government of the province of Najrân for his son Mish'al, which is to say it became his fief in anticipation of future struggles for power.

Conclusion

"The unifying King 'Abd al-'Azîz, may God have mercy on him, recommended that we fear God, be just and be united. In order to do this, we must find a solution to our disagreements by means of dialogue and transparent debate."[60] These words, spoken by King 'Abd Allâh during the investiture ceremony for members of the Allegiance Committee, nicely reflect the tensions running through the royal family: problems of succession are the real bone of contention among the Saud. Since the 19th-century, they have been at the origin of most of the kingdom's internal political crises. While Saudi sovereigns have over the course of the 20th-century more or less seriously tried to institutionalize succession, in particular through the creation of the Allegiance Committee, their efforts only occurred in periods of transition and crisis: the unification of the kingdom, the death of 'Abd al-Azîz, the Gulf War and, today, the generational transition.

The establishment of the Allegiance Committee, which inherited certain prerogatives from the Royal Family Council, in fact marks a shift from the informal to the institutional. If it lasts, this body may also impose itself as a space in which political norms are created (among other things, free debate, secret voting and the victory of the principle of majority rule) and may be "curialized", to borrow Norbert Elias' term. That is, certain court practices may be extended to society as a whole.

Yet, once it has been put back into the context of its creation *stricto sensu*, the Allegiance Committee above all appears as a transitional body that responds to a particular situation, assuring generational transition and perpetuating multi-domination. In other words, it helps maintain the status quo.[61] However, if this model of succession is more or less acceptable today, its political and economic costs will be unsustainable in the future. Politically, because the multiplication of pretenders will give rise to the multiplication of centers of power, provoking schisms and seriously handicapping the operation of the state. Economically, because the Saudi royal family will not be able to indefinitely appropriate around 5% of state revenue, as is the case today.[62] Given the rapid demographic growth of Saudi Arabia, the monarchy will over the middle-term need every dollar to perpetuate the social pact.

Far from being a decisive step towards the institutionalization of succession, the *Hay'a* carries within it elements of discord and weakness. To all appearances, its implementation will not

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[60] *Al-Watan*, 2629, 11 December 2007; *al-Sharq al-awsat*, 10678, 11 December 2007.
[61] One of the objectives of the Committee's creation was thus to dilute the influence and power of the Sudayrî-s by calling on more or less marginalized princes and factions.
[62] *Al-Bayân*, 9677, 11 November 2006 (**http://www.albayan.ae/servlet/Satellite?cid=1162995660547&pagename=Albayan/Article/FullDetail&c=Article**).

prevent the emergence of a new lineage that will gradually monopolize power. The recent nomination of Prince Nâyif, powerful Minister of the Interior, to the post of second Deputy Prime Minister is confirmation of this trend.[63] The problems of succession will no doubt only be resolved by suppressing the mode of adelphic succession, as has occurred in Morocco and Jordan. For, "of all the modes of heredity, lineal-agnatic succession, or from male to male by order of primogeniture, is that which is most favorable to perpetuating the race and best protects against internal rifts and the danger of foreign domination."[64]

Translated by Ethan Rundell

Nabil Mouline is ATER at Sciences Po Paris. His research concerns the construction of political and religious legitimacy in Arab monarchical systems, particularly Morocco and Saudi Arabia. He has published *Le Califat imaginaire d'Ahmad al-Mansûr: pouvoir et diplomatie au Maroc au XVIe siècle* (Paris, PUF, 2009) and "Les oulémas du palais: parcours des membres du Comité des grands oulémas saoudiens (1971-2009)", Archives des sciences sociales des religions (150, forthcoming in 2010). Email: **nabil.mouline@sciences-po.org**

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[63] Royal order A/62 of 7 March 2009 (**http://www.spa.gov.sa/awamer.php**).
[64] Antoine Louis Claude Destuit de Tracy, *Commentaire sur L'esprit des lois de Montesquieu*, Paris, Madame Lévi, 1828, p.47.

Annexes

List of members of the Allegiance Committee since 9 December 2008 (royal order A/180):

The sons (16) : Mish'al, 'Abd al-Rahmân, Mit'ab, Talâl, Badr, Turkî, Nâyif, Fawwâz, Salmân, Mamdûh, 'Abd al-Ilâh, Sitâm, Ahmad, Mashhûr, Hadhlûl, Muqrin.

The grandsons (19) : Muhammad b. Su'ûd b. 'Abd al-'Azîz, Khâlid b. Faysal b. 'Abd al-'Azîz, Muhammad b. Sa'd b. 'Abd al-'Azîz, Turkî b. Faysal b. Turkî [al-awwal] b. 'Abd al-'Azîz (great-grandson), Muhammad b. Nâsir b. 'Abd al-'Azîz, Faysal b. Bandar b. 'Abd al-'Azîz, Su'ûd b. 'Abd al-Muhsin b. 'Abd al-'Azîz, Muhammad b. Fahd b. b. 'Abd al-'Azîz, Khâlid b. Sultân b. 'Abd al-'Azîz, Talâl b. Mansûr b. 'Abd al-'Azîz, Khâlid b. 'Abd Allâh b. 'Abd al-'Azîz, Muhammad b. Mishârî b. 'Abd al-'Azîz, Faysal b. Khâlid b. 'Abd al-'Azîz, Badr b. Muhammad b. 'Abd al-'Azîz, Faysal b. Thâmir b. 'Abd al-'Azîz, Mish'al b. Mâjid b. 'Abd al-'Azîz, 'Abd Allâh b. Musâ'id b. 'Abd al-'Azîz, Faysal b. 'Abd al-Majîd b. 'Abd al-'Azîz, 'Abd al-'Azîz b. Nawwâf b. 'Abd al-'Azîz. It should be noted that Prince Hammûd b. 'Abd al-'Azîz has no male descendant.