
ISLAM IN FOREIGN COUNTRIES

BAKHROM MAMADIEV. FEATURES OF CENTERS FOR PUBLISHING FATWAS IN SAUDI ARABIA // *The article was written for the bulletin "Russia and the Moslem World."*

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Abstract. In Saudi Arabia, conservative Ulema are trying to resist the process of the country's modernization. Other clerics take a balanced view of the progress of Saudi society, including changing their religious positions in response to changing circumstances. There are two main problems that lead to the fragmentation of the uniformity of religious thought in the kingdom: the increased political activity of the clergy and undeniable social changes in society. From the end of the 17th century to the 90s of the last century, the clergy of Saudi Arabia issued fatwas that rejected and protected the population from the achievements of modern science, culture and art. The Ulema criticized King Fahd for his decision to allow the presence of US military bases on Saudi territories, arguing that cooperation with non-Moslems is unacceptable. The Ulema liberal to the state supported their government

and issued a fatwa justifying the state's decision on the principle of "eliminating great harm with less harm." The KSA Fatwa Institute was radically reformed in August 2010, the circle of persons who could issue fatwas was limited, but not all clergymen were silenced. In 2011, the Ulema issued a fatwa banning protest rallies and demonstrations in the KSA. The bureaucratization of religious institutions in Saudi Arabia weakened the position of the Ulema, as they became the object of state control and became an important factor supporting the Ulema in the face of modernization.

In the context of the global development of information technologies, the Internet and social networks, anyone who wishes can easily wreak havoc by applying distorted forms of interpretation of the norms of Islamic sources. Riots, the formation of fundamentalist movements, and the resurgence of political Islamist groups have coincided with the fragmentation of the structure of many countries, unrest in their institutions and the severing of their relations to such an extent that large areas have fallen under the control of militias and other countries. Despite their former greatness, some countries are unable to withstand modern ideological threats and easily lose the most important attributes of statehood, are recognized as failed and, ultimately, become subject to imposed religious rules adapted to please individual confessors.

In these processes, the fatwas of the Moslem Ulema play an important role, being the main way to resolve misunderstandings and maintain the necessary Islamic spirit of the population. A dangerous aspect associated with the issuance of fatwas is the creation by opposition and destructive organizations of groups of fakikhs (theologian-lawyer) who exaggeratedly appeal to social, economic, cultural and other processes, pursuing their own narrowly selfish, and sometimes, paid-for interests, discredit governments, organizations or individual officials based on questionable or outdated fatwas. In some cases, they try to destroy the traditional religious beliefs of peoples by using

fatwas issued in inappropriate cultural conditions, periods and circumstances. The fatwas of the leaders of such groups are comprehensively implanted in the minds of the common people and are presented in artificial forms as a natural “democratic” reaction of the entire ummah. In this case, such Western slogans as “freedom of speech” and “human rights” are also playing into their hands.

A positive moment in the light of all this chaos is that many countries are centralizing and modernizing their religious institutions to flexibly coordinate the religious consciousness of the population in accordance with the general position of governments and new aspects of life and development. [1]

In the Moslem world, the question of the correct interpretation of Islamic norms is acute. Despite the centuries-old process of the formation of Islamic dogma, its norms, to this day, are being improved in interpretation and are facing resistance of the conservative Ulema. Realizing the importance of continuous and systematic research, the leading countries develop flexible and average interpretations that meet both Islamic and modern norms, aimed at resolving disputes, adapting to ongoing processes, avoiding misunderstandings and contradictions in society. The role of coordinator in such matters in Moslem countries is played by ministries, departments and organizations that regulate clergy issues, and especially their bodies that issue fatwas.

When considering the features of the institutions of fatwas of each country, it is necessary to take into account the historical and national-cultural identity, the form of government of the state, the privilege of adherents of one or another Islamic school, the political and socio-economic situation, as well as other features of each country.

In modern Saudi Arabia, some conservative Ulema are struggling to resist the country's modernization process and socio-political transformations affecting the kingdom's fundamental religious traditions, established in the 18th century

by Sheikh Muhammad ibn Abdul Wahhab. Other clerics take a balanced view of the progress of Saudi society, including changing their religious positions in response to changing circumstances. Moderate fatwas of pro-state Ulema adapted to the changing socio-political situation in Saudi Arabia are not always positively received by those who consider themselves loyal to the teachings of Sheikh Muhammad ibn Abdul Wahhab. This leads to controversy and intense debate among Saudi religious circles over the authenticity of Saudi religious identity.

There are two main problems for the Saudi clergy that lead to the fragmentation of the uniformity of religious thought in the kingdom. Firstly, this is the strengthening of the political activity of the clergy, and secondly, these are undeniable social changes in society. With the increasing modernization of the Saudi state, especially with the implementation of social, political and economic reforms, the intellectual gap between subjects who received a pro-Western and traditional Islamic education is widening [2: 105]. The introduction of Western mechanisms of government is accompanied by great concern among some clerics and their followers. This has led to the emergence of various conservative groups whose goal is to oppose the liberalization of Saudi society [3: 155-158].

The activity of conservative Ulema lasted from the end of the 17th century to the 90s of the last century. During this period, the clergy of Saudi Arabia issued fatwas that rejected and protected the population from the achievements of modern science, culture and art. Among such Islamic fatwas are the following:

- "ban on images, photographs and sculptures - this fatwa has now been canceled. The well-known Saudi fakikh and mufassir Sheikh Muhammad ibn Salih Al-Useimin (1925-2001) in his book "Majmu ul-Fatawa wa rasail" interprets this fatwa in the following way - "an image is understood as some object with a human soul, if only this is not required by necessity or need, to identify an identity, issue a driver's license, establish certain

rights, etc. As for other purposes, I do not allow this, no matter whether it is in the form of a sculpture or an image, whether this image is created by a machine or by hand ... And I continue to give a fatwa on this issue and order those who have images for memories, destroy them and I'm even more strict with images of those who are already dead" [4: 287-288].

- "ban on driving a bicycle" - in the 1950s, an official fatwa was issued in Saudi Arabia, in which bicycles were called "the devil's horses" - at present this fatwa has been canceled;

- "ban for women on watching TV without niqab" - this fatwa affirmed that TV presenters can see women through the screen - at present this fatwa has been canceled.

During this period, preachers tightly controlled religious politics and became popular. For example, in the 1950s and 1970s, sales of sermon cassettes and fatwas in KSA competed with sales of Arab star singers. Many fatwas forbidding watching TV, using a camera, traveling, having fun, approaching a woman, giving flowers, etc. were issued. In the late 90s, they also declared that novels, poetry and the Internet are sinful because they incite debauchery [5].

Doctor of Sociological Sciences of Riyadh University named after King Saud - Muhammad Al-Atiyek called the authors of such fatwas "hyperbolic (exaggerated) Ulama" whose rhetoric contaminated the entire society of the kingdom.

In August 1990, after the occupation of Kuwait by Iraqi troops, Saudi Arabia announced mobilization and turned to the United States for military assistance. King Fahd allowed the temporary deployment of thousands of American and allied military forces to Saudi territory [6: 53-54].

The situation in the kingdom was aggravated not only by an external threat, but also by increased internal protests and discontent among the population about the violation of the sanctity of Saudi shrines.

Conservative Ulama displayed political activity and criticized Saudi Arabia's ruling family, led by King Fahd, for its

decision to allow the United States presence on Saudi soil as a base from which their forces can fight Saddam Hussein's forces. The main opposition stemmed from the fact that, according to these Ulema, cooperation with non-Moslems was unacceptable [7]. The main argument of the instigators who sowed contradictions in society was the following ayah of the Holy Quran:

“O you who have believed! Verily, polytheists are unclean. And let them after this year of theirs do not come close to the Protected Mosque. If you are afraid of poverty, then Allah will provide you with wealth out of His mercy, if He wishes. Indeed, Allah is Knowing and Wise” (Tafsir al-Saadi, Surah At-Tawba, ayah 28).

In addition, they based their position on the doctrine of “al-wala wa-l-bara” 2, who served as the head of the Supreme Court of Saudi Arabia, that is, on the requirement to observe absolute devotion to God and a complete denial of unfaithfulness to God and the actions associated with him [8: 11].

Under these conditions, King Fahd bin Abdulaziz appealed to the members of the Council of Senior Ulema (CSU) with a request to issue a fatwa that would justify his appeal for help to non-Moslems, i.e. the USA and the deployment of their troops on the territory of the kingdom.

When the Ulema liberal to the ruling family faced the state's decision to repel Saddam Hussein, working with the US-led international coalition, they backed their government. Grand Mufti Abdulaziz ibn Baz secured religious legitimacy supporting the ruling family by issuing a fatwa justifying the state's decision on the principle of “ahaffa al-Dararain (“eliminating great harm with less harm”).

Many Saudi Ulema, especially those loyal to the state, are still trying to gradually depoliticize the al-wala wa-l-bara doctrine, emphasizing that it requires Moslems to be different from non-Moslems. This includes prohibiting Moslems from celebrating non-Moslem holidays [9: 99-110].

At the same time, the first Gulf War largely contributed to the fragmentation of the unity of the clergy of Saudi Arabia. This was not a new phenomenon: the Ulema had previously occasionally faced disagreements on political issues concerning the leadership of the Saudi state. However, divisions among the Ulema have never been as intense as during the first Gulf War. Those who opposed the state openly and fiercely criticized the ruling family [10].

After the Gulf War, the government of Saudi Arabia got under pressure of Islamic radicals, who demanded political reforms, strict adherence to the provisions of Sharia, the withdrawal of Western countries, especially American troops, from the sacred land of Arabia. Petitions were sent to King Fahd calling for broadening government power, wider public participation in political life, and greater economic justice [11: 54].

The presence of the American military contingent in the KSA is to this day used to discredit the ruling family in the kingdom by the opposition and conservative ulema.

From the late 1990s of the last century to the present day, one of the aspects of the reforms carried out by the KSA government is the gradual restriction of the role of religion and the influence of theologians. Active work is being carried out to promote moderate views through fatwas [12].

Currently, the Council of Senior Ulema (CSU) of Saudi Arabia is a state institution, all its members are appointed by the king, they are paid wages from the state budget. The members of the Council hold their positions for no more than 4 years. Since 2009, the Council has 21 members. The Supreme Mufti is the head of the Council, which at the same time directs its substructure - the Standing Committee on Islamic Research and Issuing Fatwas. The council also issues a fatwa approving the coronation of the new king. In theory, it serves the ruling family and tests his adherence to Islamic principles, however, in practice, it never objects to any decision of the King.

Similar to all spheres of the religious apparatus of Saudi Arabia, the institution of fatwas of the kingdom was subjected to a radical reform in August 2010 by the decree of King Abdullah bin Abdulaziz. The kingdom's strong conservative ideology and the vulnerability of the clergy began to threaten the cohesion of Saudi society. In this regard, royal decree limited the circle of persons who could issue fatwas. The document stated that only religious leaders officially approved by the government could issue fatwas. It was separately emphasized that only priests approved by the Council of Senior Ulema (CSU) have the right to issue fatwas.

In his message to the Supreme Mufti Abdulaziz Al Shaykh, the king wrote:

“As part of our religious and national duty, we want you to ensure that fatwas are issued only by members of the Council of Senior Ulema and other clerics who are authorized to do so. Separate fatwas on personal matters such as questions of worship, business relationships, personal matters are exempt from this decision, but they must be between the questioner and the scholar. There should be a complete ban on any topic related to strange or obsolete views. When unqualified persons issue fatwas and such actions undermine official state institutions, then these cases will come under state jurisdiction”... [13]

Taking into account the peculiarities of the monarchical form of government, this letter is regarded as a normative act in which the Supreme Mufti is made responsible for observing the clear limitations of the Ulema, who are given the right to issue fatwas.

The document also outlines the issues on which Islamic rulings can be issued by other Ulema, subject to strict confidentiality between the questioner and the scholar. Restricting the publicity of published fatwas on such issues is qualified as avoiding the spread of incorrect interpretations and distortions of the fatwas in society.

The document strictly prohibits the use of controversial and distorted, as well as obsolete fatwas and other norms of Islam that do not correspond to modern conditions. It is indicated that if the Ulema issue a fatwa that would contradict or undermine the activities of state institutions, then these Ulema will be held accountable in accordance with the laws of the kingdom.

The king also commissioned the high mufti to identify scholars capable of issuing fatwas. In the structure of the Council of Senior Ulema (CSU) there has been created a new department which oversees the work of the Standing Committee for Research and Issuing Fatwas. The main responsibility of this department is to monitor the issuance of fatwas and prevent the participation of outside scientists in this matter. The new department has branches in all regions of the kingdom, which are responsible for appointing approved Ulema who are allowed to issue fatwas and assessing the legality of their Islamic rulings.

In accordance with this decree, the Ministry of Islamic Affairs and Waqfs of Saudi Arabia has instructed all imams and preachers to observe the new rules and explain the content of the King's decision to the population during Friday sermons. The ministry also ordered its employees not to accept requests for fatwas. For example, the president of the Islamic University of Imam Muhammad Ibn Saud in Riyadh took strong action against any teacher who violated the king's decree. Some scholars have been publicly reprimanded for not following the new rules, including Sheikh Yusuf al-Ahmad, who argued that using women as cashiers in a supermarket violated Islamic norms.

In the framework of the implementation of the new rules, several centers that issued fatwas were closed, including websites and TV and radio broadcasts of religious satellite channels. The Saudi Communications and Information Technology Commission ordered all websites to shut down subsections of fatwas, and those that refused to comply were blocked. Television and radio programs of Sheikh Abdul Mohsin al-Obeikan, a senior adviser to the Royal Court, were also taken off

the air as he was not a member of the Council of Senior Ulema (CSU).

However, not all unauthorized clerics were silenced. While others self-censored or closed their websites and centers, Sheikh Abdul Rahman al-Barrak continued to issue fatwas. Al-Barrak enjoys great authority in the rigidly conservative community, while he does not hold any official position in the government and is not a member of the Council of Senior Ulema (CSU). His famous fatwa, issued before the new king's decree in February 2010, is that "those who support the possibility of free mixing of the sexes in Saudi Arabia should be executed if they do not renounce their beliefs." Although measures have been taken to reduce Al-Barrak's influence, his independence, authority in society and numerous supporters do not allow the authorities to condemn him.

As for the relationship between the state and the clergy, the government rarely turns to the Ulema when making any decisions. Often a decision is made, and then it goes through a process of approval by the religious apparatus [13].

One of the important tasks of the High Council of the Ulema is to provide religious support for the domestic and foreign policy of the kingdom's government.

For example, in 2011, the Council issued a fatwa that regularized the issue that "protest demonstrations are intellectually deviant and have partisan ties. Demonstrations and everything that leads to disunity and fragmentation of the nation is not allowed by the Shariah. Reforms can only come from the provision of suggestions and recommendations, and not by collecting signatures on intimidating or discord-inciting statements that violate what God has commanded."

This fatwa was based on the 83rd ayah of surah 4 "An-Nisa" of the Holy Quran, which reads: "When they receive the news of security or danger, they divulge it. If they turned with it to the Messenger and those who have influence among them, then those who can investigate it would learn about it from them.

If it were not for the mercy and grace of Allah to you, then you, with the exception of a few, would have followed the devil" (Tafsir al-Saadi).

This fatwa, based on an ayah from the Holy Quran, helped to drown out the escalating protest reformist sentiments in Saudi society, incited by pro-Western oppositionists who are still trying to undermine the monarchical form of government in the KSA.

With the accession to the throne of King Salman bin Abdulaziz (January 2015), his son Crown Prince Muhammad bin Salman stepped up the reform policy, among other things, in the field of deradicalization the consciousness of society. As a result, the conservative Ulema began to spread among the Saudi population such arguments as: "Where were these tolerant religious views and flexible doctrinal interpretations of Islamic norms hidden earlier?", "Why did they begin to be announced all at once?" "The implied and sometimes explicit conclusions and interpretations of moderate religious views that are becoming popular today are part of a major conspiracy against Islam!"

Some Saudi scholars acknowledge the existence of contradictions and controversies in Islamic norms regarding restrictions on women, arts and entertainment, as well as relationship of Moslems with persons of other religions. In their opinion, those who bring charges against moderate religious views do not have a deep knowledge of fiqh – Islamic jurisprudence, on the basis of which moderate fatwas are formed, which they consider heresy.

In his interview with the press, Crown Prince Muhammad bin Salman stated that "Islam is filled with various factions like the religious-political organization" Moslem Brotherhood "and the Sururist3 movement [14], which seek only to gain power through the use of religion". Referring to the ongoing changes in the KSA, in particular regarding the departure from the restrictions imposed by these groups on women, he stated that the common Moslem conscience supports the principles of decency and good manners without any restrictions on the color

and austerity of abaya (long traditional Arab woman's dress with sleeves intended to be worn in public, usually black) or other dresses worn by Moslem women. Clothing is a manifestation of local cultural norms and conditions. Take a look at the clothes of women from Mauritania or Sudan and compare them to those of women from Chechnya or Iran. They all have distinctive features that reflect their respective indigenous cultures. The main idea of Islam in such cases is the emphasis on good manners and decency."

Thus, the Saudi heir emphasized that there is nothing new in the moderate religious discourse and it is not a reflection of the current trend. "The point is that closed thinking was open and a stream of fresh air began to flow into society," he said [15].

On the one hand, the bureaucratization of religious institutions in Saudi Arabia weakened the position of the ulama, since they became the object of state control, on the other hand, it became an important factor supporting the Ulema in the conditions of modernization [16: 728-729].

In this regard, in the new era of reforms in Saudi Arabia, carried out by the crown prince, the main task of the fatwa institution is to gradually instill in society moderate and secular views based on the principles of tolerance and leniency. There is a process of liberalization of the consciousness of society, in particular, reedition, cancellation and adaptation of new fatwas for the above tasks. An example are the fatwas allowing women to work, participate in elections, drive a car, do not wear a niqab, that is, to appear in public with an open face, as well as some others.

Some fatwas shocked Saudi society, most notably the one that allowed women to drive. Such shocks occurring in the process of modernization are accompanied by the formation in the Saudi society of distrust in the "old" fatwas, which severely restricted them. Many Saudis are convinced that fatwas are changing in line with the official position of the government, as a result of which the conservative part of the population loses

confidence in pro-state religious figures. Most preachers seek to prevent and suppress crime, and therefore, they issue fatwas that restrict certain actions that are not prohibited, for fear that they may lead to sinful actions. However, conservative opponents are trying to oppose new fatwas in order to confuse the kingdom's society.

Thus, the modernization of the institution of fatwas, on the one hand, finds the support of the younger generation of Saudis, on the other hand, it forms a distrust of the clergy in certain "conservative" strata of the population.

The Saudi Arabian Fatwa Institute issues fatwas that can be classified into two categories:

The first is fatwas aimed at preserving the conservative nature of Saudi traditions, in turn, it means gender segregation and moral order;

The second is where the Ulema are willing to provide more flexibility in such areas as media and medical innovation [17: 51-60].

Although the Supreme Council of Ulema and its substructure, the Standing Committee on Research and Fatwas, have the authority to issue fatwas, some Ulema periodically ignore and even oppose official fatwas with their own views.

The Ulema are far from unity when it comes to defining social acceptability. On social issues, they can be divided into the following categories: reformers, traditionalists, and ultra-radicals. This classification is relative, as there are a large number of Ulema who may be liberal on certain issues and conservative on others.

Often, the Ulema face harsh criticism from other Ulema for pushing the boundaries in rethinking socio-religious issues. In 2014, Ahmad al-Hamidi, the former head of the religious police station in Mecca, appeared on Al-Arabiya TV and said that a niqab covering a woman's face, interpreted by Salafis as a religious obligation, should not be mandatory. He even claimed that women are allowed to wear makeup, as this practice is not contrary to Islam. Al Hamidi appeared on the program with his

wife wearing makeup [18]. The fact that al-Hamidi was previously the head of the religious police department in Mecca made his intellectual eccentricity all the more fascinating. He was criticized by some members of the Supreme Council of the Ulema, including the Grand Mufti [19]. Another example of this eccentricity is Adel al-Qalbani, the former imam of the main mosque in Mecca. He issued a statement that listening to music should not be considered un-Islamic [20], which angered conservatives.

From all this, it should be noted that the Saudi Ulema as a group is not a monolithic entity, nor are they part of its political power. They are diverse and their fatwas on socio-religious and socio-political issues are changing. The fragmentation of religious authority has greatly increased the number and frequency of disputes and debates among the ulema.

Thus, the official apparatus of theologians is subordinate to the government, which requires support by issuing fatwas. Their fatwas can be implemented if they are approved by the Cabinet of Ministers. The authorities may disagree with their content, while disagreement with state policy, as well as a public statement by members of the Supreme Council of the Ulema, contrary to government decrees, is strictly prohibited and suppressed.

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