The Consideration of *Bid'a* Concept according to Saudi and Iranian Scholars

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Abstract

The concept of innovation (*bid'a*) as a formative tool is used to create idiosyncratic nations depending on different scholars' interpretations, Wahhābīs in Saudi Arabia, and Shi'īs in Iran. Using the descriptive method throughout the paper, this article analyzes scholars' approaches towards *bid'a* concerning the sectarian interpretations and various legal methodologies. The extent of the relationship between the *bid'a* concept and the rulings related to the visitation of tombs, the practice of temporary marriage, and Nowrūz celebration will be the paper's primary focus. The interpretations and approaches of scholars towards *bid'a* have resulted in opposite solutions on these mentioned issues. The comparative conclusion aims to clarify the Saudi-Wahhābī and Iranian-Shi'ī scholars' principal attitudes towards the theoretical interpretation and practical application of the *bid'a* concept. The bid'a analysis attempts to introduce the operative purposes behind the rulings to answer which reasons impel the scholars functioning in these two countries from issuing the diametrically opposite views on controversial issues.

Keywords: Islamic law, Saudi Arabia, Iran, Wahhabism, Ja'farism, Bid'a.

Introduction

Religious scholars in different Islamic countries give similar personal problems with different solutions. This is because there is a difference between what the text says, how a scholar interprets it, and how it is implemented in practice. Connecting varieties only with the legal sources or sectarian differences of countries do not offer a reasonable explanation for the MENA region's current situation. The influence of contextual factors over the interpretation of religious sources in general issues shows the scholars' attitude towards the concept of innovation (*bid'a*). The sources, main textual books, and authoritative scholars' opinions were given privileged status throughout the paper, comparing secondary hand sources and materials. The detailed explanation of classical approaches towards *bid'a* seeks to examine decisions with considerable insight into the extent to which contemporary scholars import classical religious sources and principles into contemporary cases.

The analysis of scholars' approaches shows that the religious movements and their influence over the community have an essential place for religious rulings. Additionally, if there is a conflict between religious understandings and social trends, it can create unbearable problems for the countries' future. Therefore, the paper aims to answer the main questions: how do the Saudi and Iran scholars generate a workable interpretation system from the accumulation of Ḥanbalī and Ja'farī works? To what extent the treatment of *the bid'a* concept is different from each other? What legal principles the scholars applied and how they utilized the concept of *bid'a* to solve arising problems? Comparative and textual legal analysis is the primary methodological tool in which the paper aims to bring together relevant literature to contextualize and categorize the opinions. The inductive analytical method in surveying a representative sample of rulings (on the issues of visitation of tombs, temporary marriage, and Nowrūz celebration) which belong to Ḥanbalī and Ja'farī schools is applied to determine the approaches of scholars towards

the concept of *bid'a*. The study also draws on the consequentialist theory since it may explain scholars' presumptions within the ruling process. In contributing to the literature, this paper considers the bid'a concept within the Saudi and Iranian religious understandings as a ground for legal justification in applying a legal anthropological method.

The General Presidency of Scholarly Research and Iftā', known as Dār al-Iftā', was chosen as a primary source of religious interpretation for contemporary Saudi Arabia.[2] The institution performs an essential role in helping to formulate cultural and social norms. Because the institution is responsible for conducting religious research and solving problematic matters, it exerts power over Saudi citizens.[3] Contemporary Iranian scholars' religious opinions are mainly taken from the official websites of *marji' taqlīd*s (sources of imitation or grand religious scholars with authority). The *Risāla*s and *Tawḍīḥ al-Masā'il* books along with other contributions from the authoritative Shi'ī scholars are extensively quoted in order to provide insight into their interpretation of *bid'a* concept.[4] The religious opinions reflect the scholars' standpoint and set out the stance about problematic and novel issues. Their

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[2] Kingdom of Saudi Arabia The General Presidency of Scholarly Research and Ifta, *Royal Embassy of Saudi Arabia,* accessed June 20, 2020, http://www.alifta.net/default.aspx?languagename=en#1. This religious institution issues religious opinions under the leadership of the prominent Grand Muftī, and it has been established as the highest religious authority in the Kingdom since 1953. See, Muhammad Al-Atawneh, *Wahhābī Islam Facing the Challenges of Modernity: Dār al-Iftā in the Modern Saudi State* (Leiden: Brill, 2010), 8.

[3] The general information about Dār al-Iftā' and the effects of *fatwās* issued by the institution is explained in more detail. See, Emine Enise Yakar, "The Influential Role of the Practice of *Ifta'* in Saudi Politico-Legal Arena," *Manchester Journal of Transnational Islamic Law and Practice,* vol 16, no:1 (2020:35-61), 35-42.

[4] Mousavi Khomeini, *A Clarification of Questions: An Unabridged Translation of Resaleh Towzih al-Masael,* trans. J. Borujedi (Colorado: Westview Press, 1984).

approaches also reveal the tension between religious orders (as prescribed in religious texts) and social norms. The detailed characterization or identification of *bid'a* within Saudi and Iranian atmospheres elucidates a synthesis between the practice and theory by modifying the usage of rational justifications and secondary legal principles.

What kind of legal principles or interpretation methods are applied to consider the activities religiously valid or invalid from Saudi and Iranian scholars' viewpoint will be highlighted. The opinions of Wahhabī and Shi'ī scholars regarding the visitation of tombs, temporary marriage, and Nowrūẓ celebration are presented and evaluated both in terms of methodological and contextual components. The assessment contributes to the understanding of how the scholars tackle issues related to social practices and how the methodological justification regarding the concept of *bid'a* in Saudi Arabia and Iran is influenced by the interpretation of textual sources, including the Qur'an and Sunna. The later evaluation aims at identifying the legal methodology and principles adopted by them. The influential political factors are also briefly attempted to be answered to contextualize the scholars' interpretation.

Religious Concept of *Bid'*a or Innovation

The general linguistic definition of the *bid'a* refers 'to innovate', 'to create', 'to cause to exist', 'to bring into being', 'to originate', 'to bring something into being in a way that was not before', or 'an unprecedented innovation' derived from the root *b-d-'.*[5] The terminological definition of *bid'a* from a religious and legal dimension refers to innovation and aberration, a belief or practice for which there is no

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[5] Abū al-Faḍl Jamāl al-Dīn Ibn Manẓūr, *Lisān al-'Arab* (Beirut: Dār al-Sādir, 1956), vol. 8, 6-8; Serdar Mutçalı, *al-Mu'jam al-'Arabī al-Ḥadīth Arapça-Türkçe Sözlük* (Dağarcık Yayınları: İstanbul, 1995), 43., Muhammad M. M. Zarif, Mohd A. M. Nizah, and at all, "Creating Creative and Innovative Muslim Society: *Bid'ah* as an Approach," *Asian Social Science*, vol. 9, no 11 (2013:121-127), 122, accessed July 12th, 2020, http://www.ccsenet.org/journal/index.php/ass/article/view/300 44.

precedent in the Prophet's time, his companions, and their followers. It is a synonym of innovation (*muḥdath*) or new (*ḥadath*), and the act has its origins in neither Islamic sources nor Islamic law. Innovators and the supporter of innovators are called a group of innovators (*ahl al-bid'a*). The innovator is the one who introduces something new on an arbitrary principle without having any legal basis in the recognized foundations of Islam.[6] The various words that derived from *bd'* origin and its derivate forms, including *badī', bid'an,* and *ibtada'ūhā,* have been used in the Qur'an.[7] The Qur'anic usage of the word mainly refers to the natural novelty of the things which do not exist in the previous periods. The concept of *bid'a* also finds its roots in the narrations (*ḥadīth*) of the Prophet Muhammad because he stated: "If somebody innovates something (*aḥdath*) which is not in harmony with the principles of our religion, that thing is rejected."[8] Although the *ḥadīth* does not use the word *bid'a,* this narration's innovation concept covers the new things that contain the novel and detrimental natures within itself against the religious ordinances. Another narration of the Prophet overtly uses *bid'a*, which states:

> "Verily, there are two things words and guidance. The best words are the words of Allah, and the best guidance in the guidance of Muhammad. Beware of newly-invented

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6 Ibn Manẓūr, *Lisān al-'Arab,* vol. 8, 6-8; J. Robson, "Bid'a" in *Encylopaedia of Islam, Second Edition*, accessed July 8, 2020, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/bida-SIM_1393?s.num=0&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-2&s.q=bid%27a

7 *English Translation of the Message of the Qur'an*, translated by Syed Vickar Ahamed (Illinois: Books of Signs Foundation, 2007), Q. 2:117, 6:101, 46:9, and 57:27.

8 Abū 'Abdullah Muhammad ibn Ismā'īl al-Bukhārī, *Jāmī' al-Ṣaḥīḥ: The Translation of the Meanings of Ṣaḥīḥ al-Bukhārī,* translated by Muhammad Muhsin Khan (Darussalam: Riyad, 1997), vol 3, book 49, no 861.

matters, for every newly-invented matter is an innovation (*bid'a*) and every innovation (*bid'a*) is a going-stray (*ḍalāla*).[9]

The word's prophetic usages slightly contain negative content and refer to a deviation from the correct path. Though the original context of the narrations set the Islamic principles as primary criteria to reach the correct path, the interpretation of Islamic text and the legal methodology of scholars show the variety that may lead to collect all unfamiliar and novel acts of outsiders under the title of *bid'a*. However, it is worth to mention that the *ḥadīth* sources rather than the Qur'anic usage of the word results in ascribing a negative meaning to *bid'a*.

Scholars' opinions might be categorized according to their emphasis on the word's broad and narrow meaning. The broad concept of *bid'a* with a dual religio-legal meaning assumes that all novel things related to the religious or daily life of people that emerge after the Prophet's time comprise a basis for *bid'a*.[10] This approach distinguishes the framework of good and praiseworthy innovation (*bid'a ḥasana*) or bad and blameworthy innovation (*bid'a sayyi'a*) from a religious perspective.[11] The praiseworthy innovations concerning religious or daily issues do not contradict Islam's central tenets and do not include sinful acts. On the other hand, the blameworthy or prohibited innovations related to religious or daily issues include the doctrines of those who oppose Islam's accepted beliefs and Islamic law rulings. The scholars including al-Shafi'ī (d. 204/820), Ibn Ḥazm (d. 456/1064), al-Ghazālī (d. 505/1111), Ibn al-Athīr (d. 630/1233), al-Nawawī (d. 676/1277), and al-Suyūtī (d. 911/1505) are in favor of the

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[9] Muhammad ibn Yazeed Ibn Mājah al-Qazwinī, *Sunan Ibn Mājah,* translated by Nasiruddin al-Khattab (Riyadh: Darussalam, 2007), vol 1, book 1, no 46.

[10] Ramazan Altıntaş, "İslam Anlayışında Bid'at ve Hurāfenin Çerçevesi," *Dini Araştırmalar,* vol 6, no:16 (2003:111-123), 114.

[11] The detailed debates of positive or negative meanings look at; al-Atawneh, *Wahhābī Islam*, 84-87; Rahmi Yaran, "Bid'a," in *TDV İslam Ansiklopedisi* (Ankara: TDV Yayınları, 1992), vol. 6, 129-131.

broad and dual meaning of *bid'a*.[12] This religio-legal division of the meaning enables scholars a certain amount of flexibility during the evaluation of novel issues and modern innovations. The approval of positive innovations even in religious matters (e.g., concerning the praying at night (*tarāwīḥ*) during Ramaḍān month, the Companion 'Umar states that what an excellent *bid'a*[13]) leads an affirmative approach for the interpretation of scholars that embrace easiness and public interest (*maṣlaḥa*).[14] The scholars claim that the believers are advised to dissociate themselves from bad and blameworthy innovations, but each innovative act is not considered utterly blameworthy *bid'a.* However, the other group of scholars who support narrow meaning and reject the dual meaning of *bid'a* argues that *bid'a* has a negative meaning and includes acts outside of the religious framework. The negative connotation of *bid'a* is equalized with sinful innovation or religious heresy that can violate religious doctrines and rules. This narrow sense of *bid'a* underscores its connection with religious orders by excluding contemporary changes, technological developments, and people's daily lives. The supporters of the narrow meaning include al-Shāṭibī (d. 790/1388), al-'Asqalānī (d. 852/1449), Ibn al-Jawzī (d. 597/1201), Ibn Taymiyya (d. 622/1225), Ibn Rajab (d. 795/1393), al-Kuleynī (d.329/941) and al-Murtaḍā (d. 436/1044).[15] The scholars of Ḥanbalī and Ja'farī schools mainly support the narrow meaning. Their analysis mainly focuses on evaluating the novel's contradictive and destructive nature according to religious criteria.[16] From their point of view, although the

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[12] Altıntaş, "İslam Anlayışında Bid'at," 114-115; Yaran, "Bid'a," 129; al-Atawneh, *Wahhābī Islam*, 84-85.

[13] Al-Bukhārī, *Jāmī' al-Ṣaḥīḥ*, vol 3, book 32, no 227.

[14] Altıntaş, "İslam Anlayışında Bid'at," 115; Yaran, "Bid'a," 130.

[15] Yaran, "Bid'a," 130; al-Atawneh, *Wahhābī Islam*, 86.

[16] Ahmad Ibn 'Abd al-Ḥalīm Ibn Taymiyya, *Majmū' al-Fatāwā* (Dār al-Wafā', 2005), vol 3, 279, 280; Muḥammad ibn Ya'qūb al-Kuleyni, *Uṣūl min Al-Kafī* (Tehran: Dār al-Kitab al-Islāmī, 1944), vol 1, 54-55; Al-Sharīf al-Murtaḍā, *Rasāil al-Murtaḍā* (Qom: Matba'a Seyyid al-Shuhedā, 1984), vol 3, 83.

new act is permissible or recommendable, it does not have any religio-legal validity because of its non-religious scope. The manipulation of the innovation, prohibition of acts under the title of religiosity, or using it as an assessment criterion for the ruling is assumed to make it blameworthy *bid'a.*[17] Therefore, the consideration of *bid'a* only applies to issues linked with religious doctrines and orders.

Scholars' terminological division might be clearly understood upon scrutinizing their adopted stances towards *bid'a* in various religious spheres. Therefore, innovation in the area of faith (*i'tiqād*) and worship (*ibādāt*), and innovation in the area of social transactions (*mu'āmalāt*) are treated differently by scholars.[18] Leading *bid'a* in the realm of faith and religious rituals such as praying, fasting, and pilgrimage are all forbidden and rejected by the scholars as being negative innovation. Since the origin of these rituals is directly derived from the Qur'an and prescribed by the Prophet, innovation, or alteration in their nature is denied as being connected with *bid'a.* Innovation in social transactions and mundane issues such as communication, technology, medicine, or finance are mainly considered permissible upon not contradicting Islam's central tenets. However, the novel cases' evaluation criteria or modern developments lead disagreements since the scholars refer to their assessment methodologies. The varieties in the definition, interpretation, and categorization of *bid'a* have become a subject of controversy among the Muslim believers until the present day and opened the door for damaging accusations against the followers of different sects. The approaches of Saudi-Wahhābī and Iranian-Ja'farī scholars towards the concept of *a* offers a new way of understanding for the current sectarian problems in this country categorization sectarianism has a strong connection with the interpretation of the textual source by the scholars, in-depth analysis of Damaginglars' opinions about the concept of *bid'a* reveals the fundamental distinctions

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[17] Altıntaş, "İslam Anlayışında Bid'at," 118.
[18] Al-Atawneh, *Wahhābī Islam*, 87;

among these sects and draws a framework for the religious identity of people. The comparison between the legal definitions of the term and the consequences of transforming the classical evaluations into modern Saudi-Wahhābī and Iranian-Ja'farī atmospheres reveal conindepictive debates between forbidden and permissible things in the prevailing context of these societies.

The Position of Saudi Scholars

The priority of religious purity and avoiding straying from the correct path lead Ḥanbalī scholars, especially Ibn Taymiyya, to take a firm stance and strict attitude against innovation.[19] As being the followers of Ḥanbalī school, the scholars in contemporary Saudi Arabia mainly support the literal meaning of the words and embrace quite a similar manner with the classical Ḥanbalī scholars for the definition of *bid'a*. According to their approach, the novel acts, customs, or rites that were not present at the Prophet Muhammad's time come under the religious definition of *bid'a*.

The doctrine of *bid'a* and religio-political atmosphere of the Saudi region underpins the foundation of the Wahhābī movement and the establishment of the Saudi Kingdom. The alliance between Saudi scholars (*'ulamā'*) and rulers (*'umara*) is built up over the bid'a concept that justified the rebel against the Ottoman Sultanate's governmental authority. Additionally, since the Ottoman Sultanate governed this territory according to Islamic law, the followers of the Wahhābī interpretation needed to support more radical ideas to justify their rebellion against the Ottoman government and obtain public support.

It should be noted that Ibn Taymiyya defends a robust conservative position against the concept of *bid'a,* especially for the issues that have links with the religious orders.[20] His extreme follower, the founder of the Wahhābī movement Muhammad Ibn 'Abd al-Wahhāb (d. 1206/1792), also maintains a quite conservative approach

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[19] Ibn Taymiyya, *Majmū' al-Fatāwā*, vol 3, 279, 280.
[20] Ibn Taymiyya, *Majmū' al-Fatāwā*, vol 3, 283.

towards the concept of *bid*'a aims to label even positive innovations as forbidden due to their nonexistence at the time of the Prophet.[21] Al-Wahhāb assumed that the ignorance of the real meaning of God's unity (*tawḥīd*) (as prescribed by God and exemplified by the Prophet Muhammad) had led believers astray from the true path in the whole Muslim world.[22] He claimed that most Muslims were not considered Muslim because they violated God and their un-Islamic practices. However, it is worth mentioning that the concept of innovation in al-Wahhāb's approach should involve a connection with the religious ordinances and lead alterations in believers' ritual practices to be titled *bid'a*. According to the Wahhābī point of view, as Hegghammer and Lacroix explain, Islam had been corrupted by introducing reprehensible innovations (*bid'a*) in religious practice and by society's deviation from religious principles.[23] By rejecting all sources of imitation (*taqlīd*), the invitation of people to return to a strict and literal reading of the Qur'an and *hadīth* is accepted as the only solution of the true path.[24] Through time, religious scholars' negligence had resulted in the violation of God's orders, society's corruption, and wrong guidance. According to the movement's supporters, scholars' views, textual interpretations, or religious opinions must be revised and refused to contradict Islam's primary sources and their literal meaning. Depending on the definition of *bid'a* by the Wahhābī movement supporters, what happened after the 3rd century might be called '*bid'a*' that requires rejection but does not make the believer an

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[21] Al-Atawneh, *Wahhābī Islam*, 88.

[22] Muhammad Ibn 'Abd Al-Wahhāb, *Kitāb al-Tawḥīd* (Cairo: Mektaba al-'Ulūm wa al-Ḥikma, 2008), 9-16; Mustafa Öz, "Muhammad b. Abdülvehhab," in *TDV İslam Ansiklopedisi* (Ankara: TDV Yayınları, 2005), vol 30, 492-494.

[23] Thomas Hegghammer and Stephane Lacroix, "Rejectionist Islamism in Saudi Arabia: The Story of Juhayman Al-'Utaybi Revisited" *International Journal of Middle East Studies*, vol 39, no:1 (2007:103-122), 108.

[24] Hegghammer and Lacroix, "Rejectionist Islamism," 108; Öz, "Muhammad b. Abdülvehhab," 493.

unbeliever.[25] The innovative acts include invoking God through referring to the rank of the Prophet or pious men to gain access to him, addressing the Prophet or pious men in their graves to obtain their intercession, making visitations to tombs or shrines of holy persons, or swearing an oath by the miracles of saints with the aim of glorification according to the Wahhābī movement.

The *bid'a* opinion of contemporary scholars is mainly evaluated within the faith (*'aqīda*) chapters of books under God's title of unity (*tawḥīd*). Their conservative stance against *bid'a* might be understood as a protection of religious purity.[26] Theoretically, the Wahhābī interpretation of the texts was initially paid attention to religious purification and Islamic moral values rather than damaging activities. The advocators of Wahhābī interpretation assumed that it was their duty to enforce religious obligations and regulations in certain parts of people's lives. The destruction of highly respected tombs, historical and immoral places, the abolition of taxes, damaging tobacco products, the prohibition of smoking, distribution of the writings of Muhammad b. 'Abd al-Wahhāb, interference in the ritual practices of believers, damaging of particular books (that might lead to astray such as philosophy), the abolition of the special positions among the community (including the spiritual titles of Ṣūfī movements) commemoration of the birthday of Prophet, or destroying the monuments that stood over the tombs of the Companions are connected with the concept of *bid'a* and these acts are all prohibited.[27] For the initial era,

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[25]'Abd Al-Wahhāb, *Kitāb al-Tawḥīd,* 28-30, Muḥammad Ibn Ṣāliḥ al-'Utheymīn, *Mejmū' Fatāwā wa Risāil Faḍīla al-Shaykh Muḥammad Ibn Ṣāliḥ al-'Utheymīn* (Riyadh: Dār al-Watan, 1987), vol 5, 184-185.

[26]'Abd Al-Wahhāb, *Kitāb al-Tawḥīd,* 9-28; Al-'Utheymīn, *Mejmū' Fatāwā,* vol 5, 184-190; 'Abd al-'Azīz Ibn 'Abd Allah Ibn Bāz, *Mejmū' Fatāwā wa Maqālāt Mutanewwi'a* (Riyadh: Dār al-Qāsim, 9999), vol 5, 178-188.

[27] Esther Peskes and W., Ende, "Wahhābiyya" in *Encylopaedia of Islam, Second Edition,* accessed May 9, 2020, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/wahhabiyya-

destroying human pictures and photographs in public spaces was also among the movement's followers' primary duties.[28] In Saudi Arabia around the 1960s, the followers of the *al-Jama'a al-Salafiyya al-Muhtasiba* branch started propaganda to break the public pictures (*taksīr al-ṣuwar*) to purify religion and justified their activities with *bid'a* doctrine. Although the Saudi Kingdom embraced this rejectionist stance against the usage of the picture during its establishment period, the scholars of present days maintain a positive attitude towards using the picture and media in the people's daily lives.

There are particular driving forces behind the existence of significantly linguistic interpretative methods of Saudi scholars. The arrival of new ideological currents has mostly offered alternatives to the established political, religious, and social order in Saudi Arabia during the 19th century. It might be assumed that the rapidly changing economic situation, society's modernization process, and Western influence result in extreme religious groups' emergence as a defense mechanism.[29] The Wahhābī interpretation supporters claim that the appearance of social and educational corruption within society opens the way for purifying these un-Islamic elements from the Muslim community. The transformation of tribal society into a modern state has revealed socio-religious tension for those who prioritize the traditional norms.[30] Yamani states that although the establishment of modern governmental institutions results in changes within the daily lives of people, the tribal influence of Qaṣimī part (especially the Najd region), which has Wahhābī religious education

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[28] Hegghammer and Lacroix, "Rejectionist Islamism in Saudi Arabia," 107.

[29] Hegghammer and Lacroix, "Rejectionist Islamism in Saudi Arabia," 115.

[30] Yakar, "The Influential Role," 36; Zeba Khan, "Sectarianiation of Identity and Nation Building in Saudi Arabia," *Ortadoğu Etütleri,* vol 11, no: 1 (2019:114-141), 120-121.

COM_1329?s.num=15&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-2&s.q=bid%27a.

centers assist in maintaining the tribal custom of Saudis.[31] Additionally, these centers' religious education agendas pay special attention to *bid'a* to protect society from sinful acts and give precedence to tribal norms as a solution against *bid'a.*

Therefore, the main propaganda or motive of the Wahhābī interpretation has become the purification of Islam from innovations that open the way for the rejection of non-textual or ordinary activities of the society. Even though the Wahhābī ideology has been experienced changes and reforms through time, scholars' approaches still protect its principal doctrines and control society by issuing religious verdicts and preparing the curricula of religious education in Saudi Arabia, as al-Atawneh mentions.[32] The influence of the tribal values, state pressure, micro-local norms, educational environment of scholars, the socio-religious context of Saudis have complied with the dominant norms of Wahhābī interpretation and made the Saudi society to act reluctantly against the innovative practices.

The Position of Iranian Scholars

Shi'ī scholars' opinion favors the narrow definition of *bid'a,* which considers it a heretical innovation in religious ordinances and rulings. By approving the negative connotation of *bid'a* without dividing the praiseworthy (*bid'a ḥasana*) and blameworthy (*bid'a sayyi'a*) innovations, the scholars apply this term only for religious matters

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[31] Maha A. Z. Yamani, *Polygamy and Law in Contemporary Saudi Arabia* (Reading: Ithaca Press, 2008), 46; Sümeyra Yakar, "Maha A. Z. Yamani. *Polygamy and Law in Contemporary Saudi Arabia,"* *Marmara Üniversitesi İlahiyat Fakültesi Dergisi*, vol 57, no: 57 (2019:117-119), 117; J. Kostiner, "al-Su'ūdiyya, al-Mamlaka al-'Arabiyya," in *Encylopedia of Islam, Second Edition*, accessed May 10, 2020, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/al-suudiyya-al-mamlaka-al-arabiyya-SIM_7219?s.num=57&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-2&s.start=40&s.q=bid%27a.

[32] Al-Atawneh, *Wahhābī Islam*, 90-92.

exclude innovations in the daily lives of people. In a manner that is quite similar to the approach of Wahhabīs, Shi'ī scholars claim that if a new practice is in harmony with the pillars of Islam, orders of the Qur'an, teachings of the Prophet and the Imams (religious leaders), it cannot be considered as an offensive innovation.[33] Although the alien practice was not performed or the innovation was not present at the Prophet's time, the new activities can be categorized inside the approvable acts from a religio-legal perspective regarding its non-religious scope. It seems that the scholars prefer to divide the religious and daily innovations (in the areas of medicine, technology, education, or finance) rather than applying the broad categorization of positive and negative division over the definition of *bid'a*.

The existence of violation against the Islamic sources and orders is considered the main criteria for the evaluation process rather than the practice's actual novelty. The authoritative and classical Shi'ī scholar al-Murtaḍā defines *bid'a* as making alteration or abridgment in the religious orders by justifying this change with the religious sources.[34] By agreeing with the negative content of *bid'a,* al-Kulayni quotes a narration from Imam Ja'far: "If innovation (*bid'a*) appears in my nation, allow the scholars to teach their knowledge, whoever does not do this, then God will curse him."[35] Additionally, by criticizing the heretical innovation in the religion, the contemporary Shi'ī scholar Subhane states: "Lying is one of the most forbidden things that God promised them fire and innovation (*bid'a*) is one of the most outrageous lyings because it slanders against the God and his Prophet."[36] Therefore, the Shi'ī scholars' approach mainly rejects the division between positive and negative innovations and applies the concept

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[33] Ja'far al-Subḥānī, *Al-Bid'a wa Āthāruhā wa al-Muwabbaqa* (Mesh'ar, 1995), 10.

[34] Al-Murtaḍā, *Rasāil al-Murtaḍā,* vol 3, 83.

[35] The book is considered amongst the primary *ḥadīth* sources according to the Shi'ī school of law. Al-Kuleyni, *Al-Kafī,* vol 1, 54.

[36] Al-Subḥānī, *Al-Bid'a wa Āthāruhā,* 10.

of *bid'a* only against religious matters' alteration. The narration of Imam Ja'far supports this approach, which states: "Do not accompany innovators (*ahl al-bid'a*) and do not sit with them, [if you do this] you will become among one of these people."[37] The announcement of lawful things as forbidden things or the declaration of unlawful things as permitted things relying on personal opinions is assessed inside the bid'a concept and an offensive innovation as stated in the narration.[38] Additions in God's orders, the alteration in the Prophet's practices, or changes in the religious rituals depending on various reasons are also assessed inside the framework of the *bid'a* concept.[39] The lack of evidence in the religious sources and the violation of clear orders open the way for the assumption of *bid'a* according to Shi'ī interpretation. According to Shi'ī point of view, there are two main factors for an act to be called innovation: contradicting the primary sources of Islam and making alteration in the religious orders and practices. When the religious texts are silent on a given issue, the practice cannot be a subject of complete rejection according to Shi'ī understanding.

The visitations and supplication to tombs of the deceased on their behalf, to shrines of holy persons, to mosques and other holy places (springs, wells, caves, mountains), to dead saints or mystics, to venerable objects, to living saints in order to obtain their piety and spiritual insight can be acceptable from the viewpoint of Ja'farī scholars.[40] It should be noted that the Shi'ī school places particular emphasis on the importance of making the visitation to the tomb of the Prophet's grandson al-Ḥusayn

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[37] Al-Kuleyni, *Al-Kafī,* vol 2, 375.

[38] Al-Kuleyni, *Al-Kafī,* vol 1, 59.

[39] "Shia-Sunni Dialogue: Bida; Innovation in Islam," *Marifaat of Ahlulbayt,* accessed August 13, 2020, https://marifaat.wordpress.com/2013/06/26/bida-innovation-in-islam/.

[40] Al-Subḥānī, *Al-Bid'a wa Āthāruhā,* 35, 47.

and the other Shi'ī Imams.[41] According to Shi'ī tradition, visitation ritual to the tombs of Shi'ī Imams is equivalent to performing the pilgrimage. The institutionalization of visiting ritual has resulted in establishing pilgrimage centers in Iraq and Iran's towns and cities around the imams' shrines.[42] The logic behind the practice within the Shi'ī school is that a martyr suffers in the path of God, and all Imams are regarded as martyrs. Believers' devotion to the martyred imams by performing visitations will acquire them forgiveness for their sins and share in the messianic imam's final victory.[43] Since shrines' cult plays a vital role in Shi'ī understanding, the shrines were designated with characteristic architectures and were adorned with beautiful ornamentation. Additionally, these places are considered crucial Shi'ī learning centers, and educational institutions were established around them. The intercession of the imams for their followers is also among the accepted doctrine in Shi'ī understanding. Since the intercession of spiritual people is considered harmful to *tawḥīd* doctrine, all of these practices are directly rejected by the Wahhābī scholars regarding *bid'a*.

Making visitations is mainly supported and contributed by the Shi'ī scholars that increase the tension between the two schools relying on *bid'a*. What is rejected by the Wahhābī scholars depending on the *bid'a* concept of heretical innovation is considered within the scope of commendable religious acts according to Shi'ī scholars. Therefore, the logical justification behind religious orders' interpretations reveals the scholars' distinctive characters

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[41] J. W. Meri, W. Ende, and at all, "Ziyāra," in *Encylopedia of Islam, Second Edition*, accessed August 20, 2020, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/ziyara-COM_1390?s.num=91&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-2&s.start=80&s.q=bid%27a.

[42] Meri, J. W., and at all, "Ziyāra," in *Encylopedia of Islam, Second Edition.*

[43] Meri, J. W., and at all, "Ziyāra," in *Encylopedia of Islam, Second Edition.*

and reflects the movements' socio-cultural environment. In a manner that is different from Wahhābīs, the approach of Shi'ī school supports the permissibility of act or partial rejection of action rather than complete rejection such as the complete permission of visiting the tombs or partial acceptance of Nowūz celebrations.

Transformation of Theoretical *Bid'a* Concept into Practice

Scholars' theoretical approaches might be understood clearly upon analyzing the transformation of *bid'a* theory into practice by examining the issues of temporary marriage (*mut'a*) and Nowrūz celebration. It is worth to mention that the debates between the Sunnī and Shi'ī schools over the practice of temporary marriage and its legal status are built up relying on the concept of *bid'a*. The approval of temporary marriage within Shi'ī school is contrary to the Sunni schools' opinions, including Wahhābī scholars, who find round in the concept of *bid'a*. The Shi'ī school followers claim that since the Prophet gave the permissibility of practice, and the same Companions performed it during his lifetime, the practice cannot be rejected.[44] Therefore, the rejection of the temporary marriage is evaluated against the other same Companions performed. An abrogation of this practice is considered within the scope of *bid'a* or religious innovation of Sunnī scholars. Shi'ī scholars apply the principle of presumption of permissibility (*ibāḥa*) for the rulings that were no,t prohibited by the Qur'an and Sunna at the time of the revelation.

The analysis of Ḥanbalī scholars states the prohibition of *mut'a* marriage regarding the narration of the Prophet himself. The Ḥanbalī scholars pay attention to the chronological analysis of the *mut'a* practice and the permission's temporal conditionality. The Ḥanbalīs, including contemporary Saudi scholars, consider that the practice of *mut'a* marriage was temporal permission

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[44] Abū Ja'far Muḥammad ibn al-Ḥasan ibn 'Ali Al-Ṭūsī, *Kitāb al-Khilāf* (Najaf: Al-Nashr al-Islāmī, 1995), vol 4, 340-343.

concerning the special conditions of that day. When the special conditions disappear, the practice is permanently prohibited by the Prophet. Additionally, the Prophet abrogated this type of marriage rather than the Companion 'Umar, who was accused of prohibiting this marriage by the Shi'ī scholars.[45] Contrary to that opinion, Ḥanbalīs claim that since the Prophet himself orders the prohibition, the rejection of *mut'a* practice cannot be considered inside the bid'a framework. Therefore, the diametrically opposite rulings on the issue of temporary marriage find its origin in the approval and usage of different *ḥadīths* sources which were compiled by either Sunnī or Shi'ī scholars. Additionally, the influence of legal methodologies, which shows variety according to different schools of law, is noticeable over the scholars' opinions and interpretation.

The traditional celebrations of societies might be rejected because they include symbols of old religious doctrines in new territories. Even if the celebration does not cause substantial damage by itself, it might be forbidden upon the grounds of protecting Islamic tenets and avoiding interference with the old religions. The case of Nowrūz festival (*Chahârshanbeh Sūrī*) is a clear case-in-point. Nowrūz means 'new day' in the Persian language and marks the worldwide vernal equinox as the beginning of the New Year for Iranians.[46] The celebration of Nowrūz is symbolically connected with the pre-Islamic Zoroastrian religion regarding the bonfire ritual that is held on *Chahârshanbeh Sūrī* (Red Wednesday).[47] Saudi Wahhābī and Iranian Shi'ī scholars stated their opinions concerning the Nowrūz festival, which exemplify the application of *bid'a* concept in the contemporary religio-legal area. The Wahhābī scholars ultimately rejected these festivals' participation by labeling the act inside the framework of

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[45] Al-Ṭūsī, *Kitāb al-Khilāf*, vol 4, 342.

[46] Anne H. Betteridge and EIr, Philip G. Kreyenbroek, and Keith Hitchins, "Festivals iii, iv, v," *Encyclopaedia Iranica*, accessed July 11, 2020, http://www.iranicaonline.org/articles/festivals-iii-iv-v.

[47] Elton L. Daniel and Ali Akbar Mahdi, *Culture and Custom of Iran* (Greenwood Press: Connecticut, 2006), 185-188.

bid'a, as mentioned in the legal opinion (*fatwā*).[48] On the other hand, Ja'farī scholars approved participation in celebrations and encouraged people to join the organizations by establishing a bridge between the Nowrūz celebration and national unity.[49]

The Wahhābī scholars expressed particular concern that *bid'a* known as a heretical innovation may have crept into the religion, mainly as a consequence of the legal interpretations of scholars displacing the core belief of the *tawḥīd.*[50] The Wahhābī scholars refer to the socio-practical principle of association with Muslims and dissociation from infidels (*al-walā' wa al-barā'a*), which arranges and controls personal relations between believers and non-believers in the legal sphere.[51] The Wahhābī scholars have advocated prohibition to protect the central Islamic tenets and preserve the community's religiosity. Since they mainly approve of bid'a's negative and narrow connotation, this approach rejects the act depending on its unfamiliar and un-Islamic character.

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[48] *Fatwā* No. 3825, 3829, 3841, 3847, 3962, 4028 in *Fatwās of the Permanent Committee,* vol. 26, 402-411, accessed August 25, 2020, http://www.alifta.net/Search/ResultDetails.aspx?languagename=en&lang=en&view=result&fatwaNum=&FatwaNumID=&ID=10440&searchScope=7&SearchScopeLevels1=&SearchScopeLevels2=&highLight=1&SearchType=exact&SearchMoesar=false&bookID=&LeftVal=0&RightVal=0&simple=&SearchCriteria=allwords&PagePath=&siteSection=1&searchkeyword=110097121114117122#firstKeyWordFound.

[49] *Fatwā* No. 380, 381in *The Office of the Supreme Leader Sayyid Ali Khamenei,* accessed July 10, 2020, http://www.leader.ir/tree/index.php?catid=12.

[50] David E. Long, *Culture and Customs of Saudi Arabia* (Greenwood Press: Connecticut, 2006), 23., H. Fuchs, F. de Jong, and J. Knappert, "Mawlid or Mawlūd," in *Encylopedia of Islam, Second Edition,* accessed July 10, 2020, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/mawlid-a-or-mawlud-COM_0716?s.num=56&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-2&s.start=40&s.q=bid%27a.

[51] Madawi Al-Rasheed, *Contesting the Saudi State: Islamic Voices from a New Generation* (Cambridge University Press: New York, 2007), 36-39.

In emphasizing the principle of public interest and presumption of continuity, Khamenei's decision approves the Nowrūz celebration and prioritizes its potential benefits over anticipated harmful effects.[52] In his book *Masā'il*, Khomeini (d. 1989) states:

> *"When a heresy occurs in Islam such as those unlawful perpetrated by governments in the name of the true religion of Islam, it is obligatory, particularly for the religious authorities of Islam ('ulamā'), to state the right and to denounce the void."*[53]

The general positive appraisal in the Shi'ī approach is further underlined by the fact that the opinions establish chronological links between Nowrūz day and the acts of Prophets and Imāms – these include the day of allegiance in Ghadīr, the victory of Nahrawān, or the existence of Dajjāl.[54] The contemporary Shi'ī scholars, including Khamenei, have systematically sought to maintain a rejective attitude towards the non-Islamic fire event by explicitly referring to the link between Persia's ancient religion and Red Wednesday. The Nowrūz celebration's approval also reflects the political and national character of religious interpretation in Iran that aims to expand its influence over the countries celebrating the festival.[55]

The Wahhābī approach emphasizes that if no record indicates the Prophet and his companions acted, then the practice is considered baseless and invalid from the religio-legal point. Their interpretation clarifies that the avoidance from participating in celebrations of non-believers is justified by labeling the act inside the scope of *bid'a*. This rejection is consolidated and supported by way of direct reference to Abū Dāwud's *ḥadīth* ("Whoever shall imitate a

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[52] *Fatwā* No. 380, 381in *The Office of the Supreme Leader Sayyid Ali Khamenei.*

[53] Khomeini, *A Clarification,* 374.

[54] Al-Shayh al-Hur al-'Āmilī, *Tafṣīlu Wasāil al-Shī'ati Ilā Taḥṣīl Masāil al-Sharī'ati* (Manshūrat Dhawi al-Qurbā: Qum, 2008), vol. 8, 173.

[55] Mehmet Şahin, Seyedmohammad Seyedi Asl, "Iran Dış Politikasında Kamu Diplomasisinin Kullanımı," *Ortadoğu Etütleri,* vol 12, no: 1 (2020:154-180), 167, 172,173.

particular nation will be considered as part of them.")[56] On the other hand, since there is no authoritative textual religious source that addresses whether the act is permissible or forbidden despite mentioning the occurrence of celebrations in the presence of the Imams, the Ja'farī scholars categorize the event under the permissible acts. Imam Ṣādiq's narration *establishes this* from the book of Al-Ṭūsī: "On the day of Nowrūz do *ghusl* (ablution) and put on your cleanest and purest clothing, use perfume and fast for the day."[57] The negative and narrow *bid'a* approach of Shi'ī scholar does not include the prohibited ones unless the religious sources directly forbade it.

The resistance to innovations or initiatives that are inimical with Islam's core tenets can be clarified concerning the impact of Wahhābī understanding of *tawḥīd* doctrine. As Al-Atawneh claims, the practices of celebration and social norms have been criticized and banned by Saudi scholars because they are not consistent with the Wahhābī doctrine.[58] For Shi'ī scholars, even though Nowrūz is a national ceremony that originated from non-Islamic religion, the event combines with the religious rituals, including remembrance of God and submission to the almighty.[59] It might be stated that while the approaches of Saudis reject non-Islamic cultures, the approaches of Iranians attempt to Islamise the non-Islamic cultures.

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[56] Abū Dāwud Sulaymān ibn al-Ash'ath al-Azdī al-Sijistānī, *Sunan Abū Dāwud,* no. 4031 (Cairo: Dār Ihyā' al-Sunnah al-Nabawīyah, 1950), 44.

[57] *Fatwā* No. 5132 in *Islam Quest,* accessed August 19, 2020, http://www.islamquest.net/en/archive/question/fa5132.

[58] Al-Atawneh, *Wahhābī Islam,* 94.

[59] "Norouz, an Opportunity for Eastern Culture," *The Office of the Supreme Leader Sayyid Ali Khamenei,* June 27, 2010, accessed August 2, 2020, http://www.leader.ir/langs/en/index.php?p=contentShow&id=6609.

Conclusion

It can consequently be assumed that even if the distinctive methodologies and various schools' sources impact scholars' decisions, the broad consideration of *bid'a* might affect the religious opinions. Although both schools' scholars theoretically agree with the narrow and negative definition of *bid 'a*, this theory's transformation into practice provokes controversy amongst schools because of the interpretation methods. The decisions concerning the rejection or permissibility of the temporary marriage are given regarding different *ḥadīṯh* sources and diachronic analysis of the schools.

At all times, there have been strong opposition campaigns of Muslim believers to extreme shrine cultures or un-Islamic celebrations regarding the protection of *tawḥīḍ* belief. Most of those who criticize the participation in traditional celebrations or visiting holy sites seem to have been affected by Wahhābī teachings of *tawḥīd* doctrine and negative concept of *bid'a*. In contrary to Wahhābīṣ, the Shi'ī scholars reach contradictive opinions on the same issues by applying the similar negative and narrow *bid'a* concept. In addition to their contextual environment, scholars' perceptions help them refer *to bid'a* as a marginalization mechanism. The different religious opinions issued by scholars highlight the multidimensional sides of legal thought and provide considerable insight into ongoing tensions between efforts to implement Islamic law within local environments.

As a result, it can be argued that the practice of Islamic law is naturally intertwined with other elements that include culture, society, environment, and this situation provides an additional justification for an inter-disciplinary approach. The way of treating *bid'a* and justification of opinions manifest that contextual environment should be considered alongside the meanings that underpin religious texts and principles used to apply Islamic law in Saudi Arabia and Iran. The extensive use of various legal methodologies in the absence of religious sources, the overinterpretation of religious sources, and

the negative consideration of *bid'a* in the form of heretical innovation might be more than the permitted legal limits. The bid'a concept, then, becomes a useful justification for marginalizing the followers of opposite groups as unbelievers.

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The author declares that she has no conflict of interest.

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