

## Country Profile Report: Saudi Arabia by Floortje Carlier

### Geography, history, and politics

Saudi Arabia, officially known as the Kingdom of Saudi Arabia, is located in South West Asia at the intersection of Europe, Asia and Africa.<sup>1</sup> Saudi Arabia constitutes the vast majority of the Arabian Peninsula. Extending from the Red Sea to the Arabian Gulf, the country encompasses an area of 2,150,000 km<sup>2</sup>. This makes Saudi Arabia the largest sovereign state in Western Asia and the second-largest in the Arab world. The country is bordered by Jordan, Iraq, Kuwait, Qatar, Bahrain, the United Arab Emirates, Oman, and Yemen.

Saudi Arabia is the site of several ancient cultures and shows some of the earliest traces of humanity in the world.<sup>2</sup> Modern-day Saudi Arabia was formerly made up of four distinct regions: Hejaz, Najd, Al-Asha and 'Asir.<sup>3</sup> In 1932, Ibn Saud united these four regions into a single state as the Kingdom of Saudi Arabia. Ibn Saud's efforts to unite these regions started in 1902 with the capture of Riyadh, which is now the capital of Saudi Arabia. Since 1932, Saudi Arabia has been an absolute totalitarian monarchy.<sup>4</sup> In other words, the country is subjected to a hereditary dictatorship based on Islamist lineage.

In 1938, Petroleum was discovered in the Eastern Province. Consequently, Saudi Arabia has become the world's second-largest oil producer (trailing behind the United States) and the world's largest oil exporter. Having evolved from a basic agricultural society to a globally recognized economic power, the Saudi Arabian economy has become the largest in the Middle East.<sup>5</sup> Moreover, Saudi Arabia is the only Arab country that is part of the G-20 major economies.

The current population of Saudi Arabia is approximately to be 35 million.<sup>6</sup> The main religion in the region is Islam, which is also the basis of the Saudi Arabian legal system and form of

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<sup>1</sup> "Facts and Figures" (*The Royal Embassy of Saudi Arabia in Washington D.C.*) <[https://web.archive.org/web/20120417231457/http://www.saudiembassy.net/about/country-information/facts\\_and\\_figures/](https://web.archive.org/web/20120417231457/http://www.saudiembassy.net/about/country-information/facts_and_figures/)> accessed March 16, 2021

<sup>2</sup> Gibbens S, "Archaeologists Find 88,000-Year-Old Human Finger Fossil in Saudi Arabia" (February 10, 2021) <<https://www.nationalgeographic.com/science/article/saudi-arabia-finger-human-migration-homo#:~:text=88%2C000%2DYear%2DOld%20Finger%20Bone,Africa%20until%2060%2C000%20years%20ago.&text=More%20than%2085%2C000%20years%20ago.sandy%20expansion%20people%20see%20today>> accessed March 18, 2021

<sup>3</sup> Rasheed Mal-, *A Most Masculine State: Gender, Politics and Religion in Saudi Arabia* (Cambridge University Press 2013)

<sup>4</sup> Wehrey F, "The Authoritarian Resurgence: Saudi Arabia's Anxious Autocrats" (*Carnegie Endowment for International Peace*) <<https://carnegieendowment.org/2015/04/15/authoritarian-resurgence-saudi-arabia-s-anxious-autocrats-pub-59790>> accessed March 18, 2021

<sup>5</sup> "Economy & Global Trade" (*The Embassy of The Kingdom of Saudi Arabia*) <<https://www.saudiembassy.net/economy-global-trade>> accessed March 16, 2021

<sup>6</sup> "Saudi Arabia Population (LIVE)" (*Worldometer*) <<https://www.worldometers.info/world-population/saudi-arabia-population/#:~:text=The%20current%20population%20of%20Saudi,the%20latest%20United%20Nations%20data.>> accessed March 16, 2021.

governance.<sup>7</sup> According to the Basic Law of Saudi Arabia adopted by Royal decree in 1992, the King of Saudi Arabia must comply with Shari'ah (Islamic law) and the stipulations of the Qur'an.<sup>8</sup> National elections or political parties are not permitted in the country.<sup>9</sup> This means that Saudi Arabian politics are confined to two distinct dimensions: the royal Al Saud family and the general population. As such, political participation mostly consists of the royal family consulting with the religious establishment (ulema), tribal Sheiks and members of prominent families.

The King performs legislative, executive, and judicial functions. As such, there is no separation of power. The King is also the country's Prime Minister, and oversees the Council of Ministers of Saudi Arabia and the Consultative Assembly of Saudi Arabia. Ostensibly, the royal family dominates all dimensions of the political system.

### Minorities

Religious minorities in Saudi Arabia (non-Wahhabi Muslims and non-Muslims) face serious discrimination.<sup>10</sup> In 2017, Human Rights Watch released a report ("They Are Not Our Brothers': Hate Speech by Saudi Officials") which documents that Saudi Arabia has allowed government-appointed religious scholars to use derogatory terms when referring to religious minorities in official documents and rulings.<sup>11</sup> Over the past few decades, the internet and social media have become powerful tools in the hands of government clerics, used to demonize and incite hatred against Shia Muslims and other religious minorities that do not conform to the regime's views.<sup>12</sup>

Such actions conflict with international human rights law. For example, the International Covenant on Civil and Political Rights requires governments to prohibit by law "[a]ny advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence".<sup>13</sup>

Among other minorities, Saudi Arabian women face systematic discrimination, both in public and in the private realm.<sup>14</sup> Not only are Saudi Arabian women disproportionately subjected to domestic violence, they also face employment discrimination, political oppression, healthcare

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<sup>7</sup> "Facts and Figures" (*The Royal Embassy of Saudi Arabia in Washington D.C.*) <[https://web.archive.org/web/20120417231457/http://www.saudiembassy.net/about/country-information/facts\\_and\\_figures/](https://web.archive.org/web/20120417231457/http://www.saudiembassy.net/about/country-information/facts_and_figures/)> accessed March 16, 2021

<sup>8</sup> Robbers, Gerhard (2007). *Encyclopedia of world constitutions, Volume 1*. p. 791.

<sup>9</sup> Norman J, "The World's Enduring Dictators: Abdullah Bin Abdul-Aziz, Saudi Arabia" (*CBS News*, June 14, 2011) <<https://www.cbsnews.com/news/the-worlds-enduring-dictators-abdullah-bin-abdul-aziz-saudi-arabia/>> accessed March 18, 2021

<sup>10</sup> "Minority Rights" (*Center for Democracy and Human Rights in Saudi Arabia*) <[https://www.cdhr.info/index.php?option=com\\_content&view=category&layout=blog&id=39&Itemid=70](https://www.cdhr.info/index.php?option=com_content&view=category&layout=blog&id=39&Itemid=70)> accessed March 18, 2021

<sup>11</sup> "Saudi Arabia: Official Hate Speech Targets Minorities" (*Human Rights Watch*, October 28, 2020) <<https://www.hrw.org/news/2017/09/26/saudi-arabia-official-hate-speech-targets-minorities#>> accessed March 16, 2021

<sup>12</sup> Ibid.

<sup>13</sup> UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171, <<https://www.refworld.org/docid/3ae6b3aa0.html>> accessed March 25, 2021

<sup>14</sup> "Saudi Arabia: 10 Reasons Why Women Flee" (*Human Rights Watch* October 28, 2020) <<https://www.hrw.org/news/2019/01/30/saudi-arabia-10-reasons-why-women-flee>> accessed March 25, 2021

discrimination, and inequality in divorce, child custody and inheritance.<sup>15</sup> Moreover, Saudi Arabian women are subject to the discriminatory male guardianship system, which dictates that all women must have a male guardian who has the authority to make critical decisions on their behalf.<sup>16</sup> Recently, significant reforms were made to the male guardianship system. For example, Saudi Arabian women are now allowed to be considered a 'head of household' alongside their husbands, which allows women to conduct government business on the behalf of their children.<sup>17</sup> However, despite some reformatory changes, women still need a male guardian's approval for marriage, leaving prison, or obtaining healthcare.<sup>18</sup>

### **The Saudi Arabian Legal System**

Saudi Arabia is an Islamic state, therefore its judicial system is based on Islamic law (Shari'ah).<sup>19</sup> Shari'ah is derived from the Qur'an and the Sunnah, which details the traditions of the prophet Muhammad.<sup>20</sup>

As mentioned before, Saudi Arabia is an absolute monarchy and has no legally binding constitution.<sup>21</sup> Yet, in 1992, the country adopted the Basic Law of Saudi Arabia by Royal decree. The Basic Law outlines the responsibilities of the government but is too vaguely formulated to be considered constitutional law per se.<sup>22</sup> The Basic Law maintains that the King must comply with Shari'ah and that the Qur'an and Sunnah are the basis of the country's constitution. Consequently, the Saudi Arabian religious establishment (the ulema) is responsible for interpreting the Qur'an and Sunnah.<sup>23</sup>

The Saudi legal system consists of three parts: 1) the Shari'ah Courts, 2) the Board of Grievances, and 3) various committees within government ministries.<sup>24</sup> The Shari'ah Courts are organized into different categories and deal with most cases in the Saudi legal system. The Board of Grievances is concerned with handling cases that involve the government. Finally, the

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<sup>15</sup> "Saudi Arabia: 10 Reasons Why Women Flee" (*Human Rights Watch* October 28, 2020) <<https://www.hrw.org/news/2019/01/30/saudi-arabia-10-reasons-why-women-flee>> accessed March 25, 2021

<sup>16</sup> Equality Now, 'Ending Male Guardianship in Saudi Arabia' *Equality now* (n.d.) [https://www.equalitynow.org/ending\\_male\\_guardianship\\_in\\_saudi\\_arabia](https://www.equalitynow.org/ending_male_guardianship_in_saudi_arabia)

<sup>17</sup> "World Report 2020: Rights Trends in Saudi Arabia" (*Human Rights Watch* January 14, 2020) <<https://www.hrw.org/world-report/2020/country-chapters/saudi-arabia#:~:text=In%20mid%2DAugust%2C%20Saudi%20authorities.permission%20from%20their%20male%20guardian.&text=Despite%20the%20changes%2C%20Saudi%20women.prison%2C%20or%20obtain%20certain%20healthcare>> accessed March 18, 2021

<sup>18</sup> Ibid.

<sup>19</sup> "Legal and Judicial Structure" (*The Embassy of The Kingdom of Saudi Arabia*) <<https://www.saudiembassy.net/legal-and-judicial-structure-0#:~:text=Since%20Saudi%20Arabia%20is%20an,as%20a%20source%20of%20pardon>> accessed March 16, 2021

<sup>20</sup> Campbell, Christian (2007). *Legal Aspects of Doing Business in the Middle East*. p. 265.

<sup>21</sup> Champion, Daryl (2003). *The Paradoxical Kingdom: Saudi Arabia and the Momentum of Reform*. p. 60.

<sup>22</sup> Niblock, Tim (2006). *Saudi Arabia: power, legitimacy and survival*. p. 104.

<sup>23</sup> Ibid.

<sup>24</sup> "Legal and Judicial Structure" (*The Embassy of The Kingdom of Saudi Arabia*) <<https://www.saudiembassy.net/legal-and-judicial-structure-0#:~:text=Since%20Saudi%20Arabia%20is%20an,as%20a%20source%20of%20pardon>> accessed March 16, 2021

committees address specific disputes, such as disputes related to labour issues. The King is at the top of the legal system and acts as the final court of appeal and as a source of pardon.<sup>25</sup>

## Human Rights

Human rights issues and shortcomings of the Saudi Arabian rule of law have attracted a great deal of international criticism over recent years. Issues repeatedly called out by NGOs such as Human Rights Watch and Amnesty International include cruel punishments, the dreadful state of women's rights, a lack of religious freedom, and continuous discrimination of minority groups.

Saudi Arabia's relationship with the United Nations has also been contentious. When the Universal Declaration of Human Rights (UNDHR) was launched in 1948, Saudi Arabia was one of eight countries that refused to ratify the declaration.<sup>26</sup>

In 2020, Saudi Arabia attempted to join the UN Human Rights Council, but failed to win a place on the 47-seat-body.<sup>27</sup> Nation states elected to this council are charged with the responsibility of promoting and protecting human rights.<sup>28</sup> Candidates are therefore asked to release statements to fellow UN members that encapsulate their human rights qualification. Saudi Arabia issued a statement detailing that the country places "legal restrictions on freedom of opinion and expression in order to protect public order, national security, public morals and health, and the rights or reputation of others. Mass media, publishers and all other vehicles of expression shall employ civil and polite language, comply with the laws of the state, contribute to the education of the nation and promote unity."<sup>29</sup>

Despite this effort, Saudi Arabia did not secure a place on the UN Human Rights Council which is a severe blow to the country's attempts to improve its human rights image.

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<sup>25</sup> "Legal and Judicial Structure" (*The Embassy of The Kingdom of Saudi Arabia*) <<https://www.saudiembassy.net/legal-and-judicial-structure-0#:~:text=Since%20Saudi%20Arabia%20is%20an,as%20a%20source%20of%20pardon>> accessed March 16, 2021

<sup>26</sup> Weiss, Thomas G.; Forsythe, David P.; Coate, Roger A. (1994). *The United Nations and Changing World Politics*. p. 116.

<sup>27</sup> Wintour P, "Saudi Arabia Fails to Join UN Human Rights Council but Russia and China Elected" (*The Guardian*, October 13, 2020) <<https://www.theguardian.com/world/2020/oct/13/saudi-arabia-fails-to-join-un-human-rights-council-but-russia-and-china-elected>> accessed March 25, 2021

<sup>28</sup> Ibid

<sup>29</sup> "Saudi Arabia Fails to Join UN Human Rights Council" (*Iran Press*, October 14, 2020) <<https://iranpress.com/content/28547>> accessed March 25, 2021