

## **Saudi Political System and Human Rights Challenge**

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### **1-Introduction**

One of the most crucial responsibilities of political systems is to uphold and protect the human rights of its citizens. A system that fails to respect and prioritize these rights, including the fundamental right to self-determination, inevitably faces a crisis of legitimacy. In Islamic countries, where Islamic values and rights are expected to prevail, discussions about human rights within an Islamic framework are particularly important. Saudi Arabia, since its establishment, has faced significant challenges regarding human rights both domestically and in its relations with the international community. To understand the role of the Saudi Arabian political system in the violation of its citizens' human rights, particularly the right to self-determination, it is essential to analyze the structure and characteristics of its governance. The central question of this article is: What role does the Saudi Arabian political system and structure play in the violation of its citizens' human rights, particularly the right to self-determination?

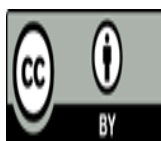
### **2- Methodolgy and Conceptual Framework**

#### **2-1- Human Rights and Islamic Human Rights**

Human rights are a collection of universally accepted principles that stem from human nature and are rooted in human essence. Islamic human rights, on the other hand, represent a coherent set of fundamental law and principles rooted in monotheism, human dignity, and equality. These rights govern both the individual and socio-political aspects of life for Muslims within an Islamic society, ensuring happiness in both this world and the hereafter. Notably, many of these rights were

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affirmed in the Declaration of Islamic Human Rights, adopted in Cairo in 1990, Which is considered one of the important documents of the Organization of Islamic Cooperation.

### **2-2- The Right to Self-Determination**

One of the most important human rights is the right of people to determine the political, economic, and cultural destiny of their country. All other freedoms and rights are possible within the context of this fundamental right. The United Nations General Assembly, through the adoption of Resolution (VII) 673, recognizes the right of peoples and nations to self-determination as a prerequisite for enjoying all fundamental human rights. Thus, it is evident that there is a close relationship between political rights- and, by extension, human rights- and democracy. The implementation of citizens' democratic rights fundamentally relies on the acceptance and recognition of their political rights.

### **3- Discussion**

The underlying causes of human rights violations in Saudi Arabia are deeply rooted in the country's political structure.

#### **3-1- Wahhabism and the Anti-Human Rights Ideology Governing the Political System**

The normative and subjective structures that governs a political unit are more important than its objective structure. In the ideology of Wahhabism, as the most important normative system of Saudi Arabia, the right to determine destiny is meaningless.

Ibn Taymiyyah asserts that God has the authority to subject some individuals to the domination of others, holding accountable only those whom He chooses. Consequently, it becomes impossible to make rational judgments about the justice or injustice, or the correctness or incorrectness, of a ruler's political behavior. Even if a ruler is unjust, the populace is not entitled to disobey their obligations toward the government.

Wahhabism promotes animosity between different Islamic sects, which fosters divisions, conflicts, and internal strife. This ideological stance is a root cause of many forms of internal repression against

government opponents, particularly Shiites, and leads to widespread neglect of citizens' human rights.

### **3-2- The Monarchy in Contrast to the Political Rights of Citizens**

In the Saudi monarchy, the king serves as the central figure of power and a pivotal element within the country's political structure. He holds the highest position in the political hierarchy, functioning as the prime minister, commander-in-chief, and head of the executive, legislative, and judicial branches. His powers are extensive, positioning him as the authority over all three branches of government.

As a result, the principle of separation of powers- an essential criterion for realizing political freedoms and human rights in Saudi Arabia- remains largely unrealistic and superficial. The fundamental philosophy of separation of powers, which emphasizes oversight and checks among different branches of government, is effectively absent. Furthermore, democracy, understood as the selection of government officials and leaders through popular vote, does not exist in Saudi Arabia. The government operates as a tribal monarchy, where the criteria for selecting individuals often hinge more on their kinship ties to the royal family than on individual expertise or qualifications. Consequently, the administrative and executive apparatus of the government is deeply rooted in tribal policies.

### **3-3-Unfair Structure of the Trial**

The right to seek legal redress is a fundamental principle of justice. However, in Saudi Arabia, core tenets of judicial fairness, such as the accountability of the ruling power and the independence of the judiciary, are not observed. The concentration of power within the monarchy effectively places the king and the political establishment beyond the reach of ordinary legal processes. The principle of separation of powers, crucial for preventing tyranny and safeguarding individual liberties, is absent in practice, compromising judicial impartiality. Judicial independence, defined as the ability of judges to adjudicate cases solely on the basis of law and conscience, free from external or internal pressures, is therefore not realized. This lack of judicial independence undermines the rule of law and the right to a fair trial. Investigations by the European Saudi Organisation for Human Rights (ESOHR) into political cases reveal that the the country's

internal security institutions which tied to the king and crown prince, systematically violated the defendants' rights. Investigations by the European Saudi Organisation for Human Rights (ESOHR) into political cases reveal that all guaranteed rights of defendants are systematically violated in this country. While the Saudi Ministry of Interior claimed that 81 individuals sentenced to death on terrorism charges had full legal rights, including the right of access to lawyer access to the right to a lawyer, ESOHR cites evidence of torture, prolonged detention without legal representation, and denial of access to lawyers

### **3-4- Absence of Active Civil Society Organizations in Saudi Arabia**

The absence of independent civil society organizations and political parties in Saudi Arabia limits opportunities for citizen participation and the realization of self-determination. Within the Saudi monarchy, political power is concentrated in the hands of the king and the ruling family.

## **4- Conclusion**

Saudi Arabia's political system is characterized by absolute monarchy, with the king holding ultimate authority across all branches of government. While the Basic Law of Governance outlines some principles that resemble democratic ideals, such as the separation of powers, these provisions are largely nominal in practice. Citizen participation in political decision-making is severely limited, raising concerns about the realization of the right to self-determination. Restrictions on political parties and independent civil society organizations, the influence of Wahhabism, the central role of the monarchy, and limitations within the judicial system contribute to documented human rights concerns within the Saudi political structure

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