

A comparison of saudi arabia and liberal democracies politics essay



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The kingdom of Saudi Arabia, also called the Land of Two Holy Mosques: Mecca and Medina, is a country located in the Middle East at the southwestern side of the Continent of Asia. The country occupies the largest portion of the Arabian Peninsula: four fifths of the Peninsula. It is bounded by the Peninsula Gulf and the Red Sea. It is also bordered by Jordan, Iraq, Qatar, Kuwait, Bahrain, United Arabs Emirates, Yemen and Oman. The Saudi Arabian country has an area of 2, 149, 690 sq km which is equivalent to 830, 000 sq miles. By 2005 the population of Saudi Arabia was estimated to be 23, 230, 000 (Britannica Concise Encyclopedia, 2006).

The capital city of this Kingdom is called Riyadh. This Kingdom is predominantly occupied by Arabs. The official language of this country is Arabic, with almost all the citizens practicing Islamism as their common religion. The currency of Saudi Arabia is Riyal. This country is a plateau region; which has bands of imposing highlands which rise from the narrow Red Sea coast. The greatest part of Saudi is a desert (largest world continuous sand area) which occupies nine-tenths of the entire land size. Saud Arabia is the largest producer of oil among all the members of Organization of Oil Producers (OPEC) as well as among the leading countries in the world in oil exporting. Saudi Arabia's Oil reserves occupy a quarter of the world's oil reserves. It also produces natural gases, minerals like gypsum, and desalinated water. The major economic activity of the country is oil mining (Britannica Concise Encyclopedia, 2006).

Saudi is a monarchy where the head of the state and government is a king accorded assistance by the crowned prince. Saudi Arabia happens to be the historical home of all the Muslims. The history of this kingdom emanates

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from the fight between the locals and foreign rulers who sought control over the region. The Ottoman Empire gained nominal control over most of the regions in 1517. Between the 18th and 19th century Wahhabi, an Islamic reform group, enforced the Saud dynasty in taking control over most of Central Arabia. They managed to gain the greatest part of their territory in 1904 (Britannica Concise Encyclopedia, 2006).

The Saudi land was held a British protectorate form 1915 to 1927 thereafter they acknowledged the sovereignty of the kingdoms of Nejd and Hejaz. These two kingdoms were joined to be Saudi Arabia Kingdom in 1932. Over the years the leadership of this kingdom has supported the cause of Palestinians in the Middle East. They have maintained close ties with the United States of America; the country has had very little conflict from 2000 when it settled its boarder dispute with Yemen (Britannica Concise Encyclopedia, 2006).

Liberal Democracy

When we talk of a liberal democracy we are referring to a constitutional democracy. This is the most predominant form of democracy in the 21st century. When the cold war was taking place there was a great comparison between the liberal democracies and popular democracies; popularly known as communist people's parties. The latter were claiming an alternative form of democracies. Most of liberal democracies today are in the form of participatory democracy and/or direct democracy (Wiredu & Abraham, 2006).

There are various forms of constitutions that are adopted by liberal democracies. Liberal democracies may take the form of a republic such as in France, India and the United States, a constitutional monarchy such as Spain and United Kingdom. A liberal democracy may also have a presidential system such as is the case in the United States or a parliamentary system as is the case in United Kingdom and Commonwealth countries and Westminster system. The liberal democracy may also take a form of a hybrid system which semi presidential as is the case of France (Wiredu & Abraham, 2006).

Liberal democracies adhere to the ideology of political liberalism. In a liberal democracy a citizen is under the protection of the constitution from the powers of the government. The protection of citizens' rights which is the foundation of liberal democracy was first proposed in the Age of Enlightenment by the social contract theorists like Locke and Hobbes. Nevertheless not all the democratic countries of the world are ruled by liberal democracy parties, rather by none-liberal democracy parties while upholding social democracy, Christian democracy, some form of socialism and conservatism but at the same time considering themselves to be liberal democracy nations (Freedom-house, 2009).

Cranami (2008) has argued that in a liberal democracy there is a consideration of political commitment to core values and to democracy. For example in most of European liberal democracies the center of conviction should offer a model of political harmony both within the state and among the associating states (Cranami, 2008).

Comparison of Saudi Arabia Kingdom with Liberal Democracies

Structuring and Governance of Liberal Democracies

The governances of Saudi Arabia

Saudi Arabia kingdom has its government's central institution on the Saudi Monarchy. The operating law that governs this kingdom was adopted in 1992 which declared that the Kingdom of Saudi Arabia is a monarchy from then henceforth. The law outlined that it shall be ruled by sons and grandsons of the first king, Abd Al Aziz Al Saud. The country which is based on the Islamic religion has the Quran as the constitution of the country which means the country is governed the basis of Sharia or the Islamic law (Ministry of Foreign Affairs; Kingdom of Saudi Arabia).

The Economist Democracy index has identified Saudi Arabia as the 7th most authoritarian regime amidst 167 nations that were rated. There is no single recognized political party, and there are no national elections since it's outrightly defined that the vacation of the current king is followed by the take over of one of the son mostly the elder one. There were only local elections held once: 2005 and which the women were not allowed to contend; reservation was only for men (BBC News, October 11th 2004). The powers of the King are theoretically limited within the confines of Saudi traditions and the Sharia law (Ministry of Foreign Affairs; Kingdom of Saudi Arabia).

The King has a responsibility of maintaining the consensus of Saudi religious leaders (Ulema), the loyal family and the most important of all, the Saudi society. The government of Saudi has one of its greatest roles as to spread

Islamism hence endeavors to fund the construction of mosques and Quran schools in the kingdom and all over the world. The choosing of the king is done by the leading members of the loyal family where they chose one of them and subsequently approved by Ulema (Ministry of Foreign Affairs; Kingdom of Saudi Arabia).

Over the years Saudi Kings have facilitated to the development of a central government. The council of ministers which is appointed by the king has been advising the King on the formulation of general policy as well as directing activities of the mounting bureaucracy. The council is made up of the prime minister, who is endorsed by royal decree: compatible with Sharia. There is also a 150 members Consultative Assembly. The members of this Assembly are appointed by the King (Ministry of Foreign Affairs; Kingdom of Saudi Arabia).

These members have limited legislature rights. The justice system follows the Sharia where the offenders are prosecuted in religious courts. The judges of the religious courts are appointed by the king after they are recommended by the Supreme Judicial Council. The king stands as the highest court of appeal having the powers to pardon. The supreme judicial council is composed of 12 senior Jurists. The citizens' access to the high officials as well as the right to petition is based on the well established Saudi traditions (Ministry of Foreign Affairs; Kingdom of Saudi Arabia).

The Structure and Governance of Liberal Democracies

The liberal democracies all over the world have a universal suffrage; they grant all adult citizens an equal right to vote regardless of the individuals' <https://assignbuster.com/a-comparison-of-saudi-arabia-and-liberal-democracies-politics-essay/>

race, religion, political affiliation, property ownership or gender. There are few exceptions of liberal democratic countries that have some limited franchise while others may not have a secret ballot system of voting. There are others that may even have a restriction in that the voters are required to register prior to voting such as Kenya and France (Caramani, 2008).

The election of the president or the prime minister should be free and fair. In the liberal democracies there are several parties where democracy is defined by having multiple competitive political parties unlike in the Saudi Arabian system where there is no political party. In liberal democracies elections are held frequently at national and local levels to elect either the president, the prime minister or the members of the congress/ the parliament unlike in the Saudi Arabian situation where the king is not elected by the entire public rather is chosen by the leaders of the loyal families and approved by the religious leaders. In Saudi Arabia a woman is not entitled to contending for a political or any leadership position rather has a voting responsibly only (Watson, 1999).

Caramani (2008) has noted that in a liberal democracy there are several parties that contend for the various leadership positions in the national and local elections unlike in Saudi system that does not provide for such political parties. He has outlined several types of party systems that exist among them being: (Caramani, 2008).

1. Dominant party where one large party which has more than the absolute majority of votes and sits in the parliament or the congress. In this case there is no other party that approaches 50% of the seats and there is no

alternation of parties, there is a one party government, example India, Japan and Mexico some years back (Caramani, 2008).

2. Two party; where the two large parties are sharing together. One of the two has a reaching of 50% of the seats. In this case there are alterations of parties and there is a one party government, examples: Australia, New Zealand, South Africa, Spain and Britain (Caramani, 2008).

3. Multi-party system; there are several parties with none achieving 50% of the seats. Parties are of different sizes, where each party runs for election individually or in a coalition ending up with coalition governments and alternation of governments, examples: Netherlands, Russia, Turkey, Switzerland, Hungary, Canada, and Colombia (Caramani, 2008).

In a liberal democracy the governance of the country is based on the constitution. The constitution defines democratic character of nation. Unlike in the Saudi Arabian system where the Kings and the governments powers are regulated by the Sharia law derived from the Quran and the traditions of the Saudi Arabia, the liberal democracy's constitutions act as the a checker of the governments powers and authority. Any leader of the state, the government and the people derives the leading rules and authorities from the established constitution. Unlike in the Saudi Arabian system that is ruled by the Kings, democracies are ruled by presidents and in some cases the prime minister who are elected by the people during national election. The members of the legislature are elected by the people unlike in Saudi where they are elected by the King and gave to be conversant with the Quran and Sharia (Benz & Papadopoulos 2006).

The Anglo-American political system and tradition insists on the separation of powers in which the judiciary the legislature and the executive operate differently and are not tied to each other. In this political tradition the judiciary has a role of doing a check and balance over the various branches of government. This is opposed to the Saudi Arabian system where the king acts as the final authority, the Sharia law acts as a guide but he has the final word, he is not under the check of the council rather the council just advises him. In most of European liberal democracies they lay a lot of emphasis on a nation being Rechtsstaat (State of Justice and State of right) that follows the principle of the rule of the law (Watson, 1999).

The government's legitimacy as well as its exercise of its mandate is based on the written laws. The laws should be publicly disclosed and adopted as well as reinforced according to the laid down acceptable procedure. In many democracies there is an exercise of vertical separation of power popularly known as federalism. This is done to avoid the temptation of abuse of power which also gives a provision for the general public to give in their input in the administration of the country, this is utterly different from the Saudi Arabian monarchy where there is absolutely no separation of power and the public has no say in relation to how they are governed, theirs is to follow what is laid down for them, Such provides loopholes for dictatorship and authoritarian kind of leadership (Watson, 1999).

Saudi Arabia law system

The governing law of Saudi Arabia is established in 1992 is the Sharia law which declared Saudi as a monarchy ruled by King Abd Al Aziz Al Saud and

governed by the Quran. All the criminal cases are tried under the Sharia courts. The Cases that do not involve a lot of complications and involving small penalties are tried under the Sharia summery laws. Those who are involved in more serious criminal issues are arbitrated in Sharia courts of common pleas. The courts of Appeals are left to deal with appeals from the Sharia courts (Saudi Arabia Government and law).

Civil cases are also tried at the Sharia courts with exceptions of the cases that one has laid against the government and those involving foreign judgment that are listened by special tribunals. The major sources of the laws that govern Saudi Arabia are Hanbali (one of the four schools of religious laws), scholarly authoritative jurists, state regulations, royal decrees, customs and practices (Saudi Arabia Government and law). Some of the laws that are practiced include capital punishments, amputation of feet and hands for crimes such as murder, rape, robbery, homosexual, drug smuggling, and adultery (Saudi Arabia Government and law).

Some petty offenders such as drunkards may be flogged. The victim's family may also be punished for severe offences such as murder and bodily harm or accidental deaths. Sometimes retribution may be demanded in kind or blood for accidental deaths for a woman or a Christian man whose retribution is half that of a Muslim man. All the other people such as Buddhists, Hindus and Sikhs are valued 1/16th. The reason behind more retribution for men is because men are perceived as the bread winners of their families expected to raise more money in their lifetime. That blood money should sustain the man's family for some time. Honor killings are punished with less severity compared with to murder. Honor killings happen within families and are done <https://assignbuster.com/a-comparison-of-saudi-arabia-and-liberal-democracies-politics-essay/>

in compensation for some type of dishonorable acts that are committed against the family members (Saudi Arabia Government and law).

Law system of Liberal Democracies

The law systems of liberal democracies vary from one liberal democratic state to another. But most of these states have the same or almost the same legal system. In most legal democracies the laws of the land are made by the parliament. As the judiciary interprets the operating laws to the parliament and to the general public, the judiciary has the responsibility of trying offenders according to the law (Russell & O'Brien, 2001).

Every offence has a clear punishment accorded to it. In most of the democracies, unlike the Saudi Arabian judicial system, capital punishments are not exercised for great offenders are mostly tried to life imprisonments with only some few liberal democracies having capital punishments to terrorism. Most of the moral and religious crimes do not carry severe punishments as in Saudi, in fact moral offenders may receive the least punishment: for example compared to Arabia where adultery carries a capital punishment, in United States the offenders are just fined or jailed for some few months (Russell & O'Brien, 2001).

If we were to take one case of liberal democracy as a sample of this system, the United States federal courts are a perfect example of a liberal democracy. The federal Courts are known as the guardians of the constitution. This is because every of their ruling that they make is meet to protect the rights and liberties that are guaranteed by the constitution. The

federal courts make fair and impartial judgments based on their role of <https://assignbuster.com/a-comparison-of-saudi-arabia-and-liberal-democracies-politics-essay/>

interpreting the laws and resolving disputes of the United States. The responsibility of making the law is on the hands of the Congress while the president and the entire executive body play the role of enforcing the law. Many liberal democracies have most of the following courts like the USA: Supreme Court of Appeal, Courts of Appeal, District Courts, and Bankruptcy courts (U. S. Courts, 2010).

Russell and O'Brien (2001) have argued that though the most ideal situation for a liberal democracy is where a total separation of the three arms of the government has, this is not always the case as you will find that there are so many liberal democracies where the executive tampers with the judiciary. In the cases that are political or are of great public interests some presidents or other members of the executive may tamper with the judicial ruling making the judges to pass biased verdict (Russell & O'Brien, 2001).

Dictatorship in Saudi Arabia

The legal system of Saudi Arabia has severally been criticized by human right organizations such as Amnesty International, United Nations and Human Right Watch. The legal system in Saudi Arabia is really wanting in political, social, and legal issues. This mostly relates to the manner in which women are treated: the severe limitation of the rights of women. Nevertheless the government does not buy those disparagements; instead it argues that those reports are out right lies asserting that those who condemn them are people who despise Saudi's adherence to Islamic laws (BBC, 2002).

The United Nations has been spotted criticizing the flogging that is done by the Saudi government using the Sharia laws. As opposed to many liberal
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democratic states where nations can receive criticism from external countries and respond respectively, Saudi Arabia seldom responds to the external critics but defends its actions based of the Muslim faith (BBC, 2002).

Dictatorship in Liberal Democracies and Arabian governance system

Some Anarchists, Socialists, and Marxists have argued that liberal democracy is not what it pretends to be rather it is an integral part of a capitalist system. They have argued that it is a class based system rather than a participatory or a democracy it claims to be. In this system politicians only fight for their rights just like in Saud Arabia where the King and the royal family are more interested in their interests. It's a democracy for the bourgeoisies. Both systems are perceived as fundamentally lacking in diplomacy. The liberal democracy is seen by its critiques as operating in such a way that condones and facilitates economic exploitation. Karl Marx has argued that the parliamentary system elections are opportunities that are presented to proletariats after very now and then so that they may decide who will misrepresent them in the following leadership period (Marx, 2002).

The liberal democracy and the governing system in Saudi Arabia seem to have some features in common in that the rich and the powerful are favored by the politics of the day. The cost of campaigning for political positions is placed in such a way that it favors the rich which is a form of plutocracy upon the few in the society: the minority of the voters. According to Aristotle the elections in the saw called democracies are Oligarchic (Levitt & Dubner, 2006).

Modern democracy has been criticized several times as being a dishonest farce that is used so as to keep the masses from realizing its irrelevance in the political process. It has been criticized as hiding under the umbrella of constitution to fool the citizens how effective it is to the welfare of all. Just like the Saudi Arabia system that has been under the umbrella of the Sharia law to authoritatively rule over its subject the liberal democracies has over the years used the umbrella of the constitution to unjustly treat the citizens. Both of them have been perceived as conspiracies that are utilized to make the citizens restless for political mileage (Levitt & Dubner, 2006).