The courts

The Saudi Arabian court system that consists of around 350 sharia courts is under the Ministry of Justice, a department that was created in 1970 by King Faisal. The Minister who is in charge of justice works together with the Supreme Judicial Council to supervise the operations of all sharia courts in Saudi Arabia. For instance, this council has to review and approve all legal decisions made by the courts concerning death sentences, stoning of adulterers, and amputation of offenders limbs. Basically, this system adopts the conventional arrangement that is provided for the courts of first instance besides the courts of appeal. Thus, minor cases of either civil or criminal nature were referred to the courts of the first instance before they can proceed to the higher courts. In case appeals arise from the court decisions, the concerned parties can approach the sharia courts of appeal for a further interpretation. The court of appeal is divided into personal penal suits, penal suits, and general suits with the chief justice sitting with a panel to decide on all cases. In addition, the law gave the King the discretion to act as a super court of appeal in pardoning offenders at his will (Medina, 2011).

In the United States, the court system is divided into federal courts and the state courts in addition to smaller courts of specific jurisdiction. Although the constitution mandates each court to hear and determine cases of a particular nature, their operations are quite dependent on each other. The federal-state model of the court system was in accordance with the principle of power-sharing between the state governments and the federal government. According to the United States Constitution, the functions of the state and those of the national governments should not overlap. Thus, matters that are of national interest and that have uniform laws throughout the country may

not be presided over by the state courts. For instance, the United States has the uniform laws relating to bankruptcy; thus, the jurisdiction of such matters would be preserved for the federal courts. On the other hand, the Constitution gives the state courts the jurisdiction over issue of the family as the laws regulating this aspect of social life largely differ from one state to another. This is quite different from Saudi Arabia where the same courts presided over by the same judges decide on matters of whatever nature (Metz, 1992).

Corrections

Saudi Arabia has a prison called Ulaysha that are under the administration of the secret police unit. It is basically used for arbitrary detentions, an idea that has earned it the name ‘ a land of the brave’. Currently, several political dissidents are suspected to be held in Ulaysha including several members of the Umma Islamic party. This system operates on the whims of the royal family and the ruling class as compared to the system of the United States that is almost absolutely democratic. In Saudi Arabia, one can be detained for life for leveling criticism against the government, something that has been vehemently opposed by the United Nations and Amnesty International. These arbitrary detentions are seen as an attempt to stifle democracy and the freedom of speech as enshrined in the International Declaration of Human Rights. Worse still, arbitrary detainees are said to be treated with cruelty as they are perceived to be a threat to the continued dominance of the royal family. According to a Yemeni prisoner who was held by Saudi authorities in 2002, the prison authorities use inhuman techniques to torture prisoners, including ruthlessly punching people’s faces till they bleed. This is

a complete opposite to the United States where suspects or convicts are treated with respect in accordance with the sanctity of human life. The state or the country accords them appropriate legal representation in case they cannot afford, besides hiring professional judges to determine cases. In fact, the correction system and its procedures are meant to help criminals change their behavior rather than punish their misdeeds (Walker, 1977).